



COUNTY OF DARE, NORTH CAROLINA

District 1: Roanoke Island & Mainland; Dist 2: Nags Head, Colington, Kill Devil Hills; Dist. 3: Kitty Hawk, Southern Shores, Duck; Dist. 4: Chicamacomico, Avon, Buxton, Frisco, Hatteras; Dist. 5: At Large

THE DARE COUNTY BOARD OF COMMISSIONERS MEETING

December 7, 2009—9:00 A.M.

Dare County Administrative Building

PO Box 1000, Manteo, North Carolina 27954

Commissioners Present:

Chairman Warren Judge, Dist. 3; Vice-Chairman Burrus, Dist. 4; Virginia Tillett, Dist. 1; Jack Shea, Dist. 5; Richard Johnson, Dist. 1; Mike Johnson, Dist. 2.

Commissioners Absent: Max Dutton, Dist. 2

Others Present:

County Manager Bobby Outten, Dorothy Toolan — Public Information Officer, Dave Clawson — Finance Director, Ray Sturza — Planning Director, Katie Smith—Clerk to the Board

Action:

ELECTION OF CHAIRMAN — **Warren Judge Elected**

ELECTION OF VICE-CHAIRMAN — **Allen Burrus Elected**

EMPLOYEE OF THE MONTH (DECEMBER) — **Presented to Tammy Reber**

RECOGNITION OF THE RECIPIENTS FOR THE GOVERNOR'S AWARD FOR VOLUNTEER SERVICE — **Awards given to Louise Dow, Food for Thought, Tucker Freeman, Henry Haywood and William Pitt.**

HEALTH DEPARTMENT BUDGET AMENDMENT—SUBSTANCE ABUSE DEMONSTRATION PROJECT GRANT — **Adopted**

DARE COUNTY ARTS COUNCIL OLD COURTHOUSE PROPOSAL — **Recommendations of CIPC Adopted**

JARVIS & DONNA WILLIAMS CUP APPLICATION FOR AUTOMATED CAR WASH FACILITY — **Approved with Modifications**

PUBLIC WORKS 3 YEAR SCRAP METAL AGREEMENT— **Approved**

ROANOKE ISLAND WATER SYSTEM EXPANSION PROJECT FINAL PRELIMINARY ENGINEERING REPORT PRESENTATION — **Accepted**

KITTY HAWK PARK — **Approved CIP Recommendation of Albemarle & Assoc. & Approved Improvements to Property w/ PARTF Grant**

DARE COUNTY CENTER BYLAWS — **Approved**

PLAN OF FINANCE FOR EMERGENCY COMMUNICATIONS SYSTEM & FOR WATER SYSTEM EXPANSION ON RI — **Adopted (Reimbursement Resolution, Capital Project Ordinance and Budget Amendment); Authorized Finance Director to Claim RZEDB Allocation.**

PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR 2008 CAFR — **Presented**

RESULTS OF THE SALE OF THE SERIES 2009 REFUNDING COPs & BUDGET AMENDMENT — **Adopted**

RESOLUTION 09-12-29 — **Adopted**

RESOLUTION 09-12-30 — **Adopted**

SCHEDULE OF DCBOC MEETINGS FOR 2010 — **Adopted**

CONSENT AGENDA — **Approved**

- Approval of Minutes (11.16.09 & 11.17.09)
- NC Rural Center Grant Application Questionnaire, Additional Information Requested
- MOU with Town of Manteo Pertaining to Fire Inspection Services

BOARD APPOINTMENTS:

- Dare County Youth Council — **Appointed/Reappointed (Farrel Eike, Josh Poznanski, Joy Martinez, Hilarey Netsch, Julia Taft, Gail Hutchison, Skipper Hines)**
- Tourism Board — **Appointed/ Reappointed (Paul Charron, Jackie Myers, Gary Perry, Paul Buske, Wayne Gray, Jack Shea, Scott Leggat)**
- Library Board—Dare — **Appointed (Donna Trivette, William Pfeifer, Elizabeth Gamiel)**
- Albemarle Hospital Authority Board — **Reappointed (James Perry)**
- Board of Equalization & Review — **Reappointed (Skip Jones, Bette Gray, Talmadge Jones, Barbara Britt and Michael Davenport)**
- Nursing Home Community Advisory Committee — **Reappointed (Cyrithia Kalongi)**
- Special Motor Vehicle Valuation Review Board — **Reappointed (Richard Johnson, Dock Sawyer and Lori Hageman)**

COUNTY MANAGER OUTTEN TO BEGIN DISCUSSIONS WITH ECBH ON PROVIDING SERVICES — **Approved**

FESSENDEN CENTER BUDGET AMENDMENT — **Adopted**

MEDICAL DIRECTOR APPOINTMENT — **Appointed M. Nicole Saffell, MD**

LETTER OF SUPPORT FOR UNC'S KENAN-FLAGLER BUSINESS SCHOOL'S MIDDLE MILE INITIATIVE — **Approved**

SALE OF AIRPORT AUTHORITY'S TIMESHARE UNIT — **Approved**

The agenda was handled in the following order: Items 1-10, 12-13, 17-19, 15-16, 14, 11, 20-24.

Katie Smith, Clerk to the Board, called the meeting to order at 9:00 a.m., invited Commissioner Mike Johnson to share a prayer, and then led the pledge of allegiance to the flag.

ITEM 1 – ELECTION OF CHAIRMAN

Katie Smith, Clerk to the Board, conducted the election of Chairman of the Board.

Commissioner Allen Burrus nominated Commissioner Warren Judge.

In accordance with Robert's Rules, the vote was taken by show of hands.

VOTE: unanimous

Commissioner Warren Judge was elected Chairman of the Board.

ITEM 2 – ELECTION OF VICE-CHAIRMAN

Ms. Smith turned the meeting over to Chairman Judge, who conducted the election of Vice-Chairman.

Commissioner Mike Johnson nominated Commissioner Allen Burrus.

In accordance with Robert's Rules, the vote was taken by show of hands.

VOTE: unanimous

Commissioner Burrus was elected Vice-Chairman of the Board.

Chairman Judge thanked the Board for supporting him as Chairman and noted Commissioner Max Dutton's absence due to hospitalization from illness. He shared Commissioner Dutton is doing better and extends a Merry Christmas to everyone.

ITEM 3 – EMPLOYEE OF THE MONTH

Tammy Reber, Administrative Officer for the Department of Social Services, received the Employee of the Month Certificate for December 2009 from Jay Burrus, Social Services Director.

ITEM 4 – PUBLIC COMMENTS

- 1) Lynn Usher offered the Board a consumer family perspective regarding mental health services. He shared how his daughter, Ellen, lives with disabilities and remains involved in her community. He expressed the hardships his family has faced with the absence of services from Albemarle Mental Health Center. He requested a mental health system be rebuilt for this area and shared the encouragement they have felt by East Carolina Behavioral Health's ability to recruit new providers and develop programs to serve consumers.
- 2) Mary Ellen Fleming shared the difficulties she had with trying to obtain mental health services for her son, Joe, until she was connected with ECBH who showed commitment to consumers and obtained proper services for her son. She feels ECBH really listens to consumers and has really helped her situation. She urged the Commissioners to recognize the importance of this type of network and encouraged them to allow ECBH to continue the work they have started.
- 3) Julia Wright, EIC, shared information on the Family Recovery Support Project sponsored by the American Recovery and Reinvestment Act. She explained this program will help low income families with utilities, rent, day care, as well as job placement and furthering education. She announced anyone can visit www.recovery.gov to track the money that is being spent in the State.

ITEM 5 – ALBEMARLE MENTAL HEALTH CENTER PRESENTATION (Att. 1)

Roy Wilson, Area Director for East Carolina Behavioral Health, introduced two (2) ECBH staff members: Cindy Ellers and Joy Futrel. He explained East Carolina Behavioral Health's history and its mission to provide quality services to consumers and their families. He stated the ECBH Board agreed to a management contract for AMHC for one (1) year and hired an additional twenty-two (22) employees. He went on to detail the changes that have taken place to streamline the various facilities and their operations. Joy Futrel presented the Fiscal Monitoring Report reviewing the budget and revenues/expenditures for Albemarle Mental Health Center, and Cindy Ellers presented ECBH's Initiatives. Ms. Ellers also discussed many new programs and services that have been added to aide consumers in Dare County.

Commissioner Tillett asked for clarification on where ECBH's offices are located. Ms. Ellers noted there are various locations, but in order to access services, citizens can call 1-877-685-2415. She explained when someone calls the number a clinician will answer and will connect the caller to a service provider in their local area. She stated ECBH manages services offered by private providers and acts as a liaison for information where services can be obtained. She detailed many providers who offer services and even noted some ECBH staff from Dare County. The group then discussed issues with extended stays in the ER and how ECBH is working to improve on the problem through assessments and the development of additional services to address this issue. Ms. Ellers shared how they are working with technology options like telemedicine to get psychiatry time on Hatteras Island. Commissioner Mike Johnson invited Joe Fleming and his friends to join the Commissioners at the podium so that they could be thanked individually for attending the meeting and showing their support.

RECESS 10:13 A.M. – 10:42 A.M.

ITEM 6 – RECOGNITION OF THE RECIPIENTS FOR THE GOVERNOR'S AWARD FOR VOLUNTEER SERVICE

Ms. Bonnie Bennett introduced the Selection Committee and shared their processes to determine the recipients. She recognized the recipients for the Governor's Award for Volunteer service by presenting awards to Louise Dow, Helen Ford on behalf of Food for Thought, Tucker Freeman, Henry Dean Haywood and William Pitt. She gave a brief summary of each recipient's work in the community and thanked them for positively impacting the lives of those living on the Outer Banks. Chairman Judge noted the tremendous volunteerism in Dare County and feels all of the recipients were very deserving of the awards along with all of the volunteers in Dare County.

ITEM 7 – DARE COUNTY DEPARTMENT OF PUBLIC HEALTH —SUBSTANCE ABUSE DEMONSTRATION PROJECT GRANT (Att. 2)

Ms. Sheila Davies announced the substance abuse contract with the Division of Mental Health/Developmental Disabilities/Substance Abuse Services and the Office of Rural Health has been executed. She explained the County now has \$1,022,212.31 to be used with the purpose of continuing the Dare County Substance Abuse Demonstration project. She requested the Board approve the budget amendment as presented.

MOTION

Vice-Chairman Burrus motioned to approve the budget amendment.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

Ms. Davies then shared the program has served three-hundred and thirteen (313) clients in the first year (2008-2009) and to date has served five-hundred and thirty-seven (537) clients, two-hundred and seventy-six (276) of which are currently active in the program. This program was formed by request of the community for better access to substance abuse services. She detailed many statistics showing how successful Dare County's program is in comparison to similar programs across the state. She also explained a pilot program in the Outer Banks Hospital Emergency Room entitled SBIRT – an evidence-based program for Screening Brief Intervention and Referral to Treatment. Commissioner Mike Johnson asked Ms. Davies what an intervention would entail and she explained it is a non-confrontational brief one-on-one engaging of the patient designed to get proper help to those in need. She noted alcohol as the primary substance abused in Dare County at 43% and opioid dependence at 20%. She also stated 22% are adolescents ages twelve (12) to seventeen (17). Chairman Judge thanked Ms. Davies for her presentation and work, as well as New Horizons.

ITEM 8 – DARE COUNTY ARTS COUNCIL OLD COURTHOUSE PROPOSAL (Att. 3)

County Manager Outten explained the Capital Improvements Planning Committee met and reviewed the proposal. He noted the original request was a collaboration between the Roanoke Island Historical

Association and the Dare County Arts Council. RIHA decided against moving into the old courthouse and therefore, DCAC had made a proposal individually. They requested the County finance their proposed renovation on the building and agreed to make other improvements at a later date at their own expense. The CIPC proposed the County make the necessary renovations to the building in order to make it habitable and then lease the building to DCAC in the amount of \$1,800 per month. They also proposed paying for electric and water, and the continual maintenance of the exterior of the building. DCAC would be responsible for maintaining the interior and any issues that may arise dealing with interior elements of the building. The CIPC suggested the DCAC raise funds to renovate the building if they would like to see changes other than what the County makes to get the building to a habitable state. He explained the DCAC estimated cost of renovations at \$111,875. He asked for the approval of the CIPC's proposal and for authorization for the County Manager to seek informal bids in order to estimate the cost of renovation. He noted the funding source would be from loans the County has left over from construction of the Administration Building. He stated if the money is not spent, it does not reduce the amount of payments on the debt of the County, nor can it be used in the general fund to reduce the budget.

MOTION

Commissioner Shea motioned to approve the CIPC proposal and authorize the County Manager to move ahead and work with the CIPC towards final action to be made by the Board.

Vice-Chairman Burrus seconded the motion.

Commissioner Richard Johnson shared his concerns with paying water and electric in addition to renovating the building. County Manager Outten stated the goal was to try and keep the DCAC budget neutral as compared to what they are spending now in their current location. Commissioner Richard Johnson stated he thought RIHA may have considered using the building and making a proposal had they known there would be a budget neutral option. He shared he is in support of the Arts Council using the building, but urged the Board to be careful as they are setting a precedence with this proposal. County Manager Outten noted a formal lease with these types of details will be prepared and will come before the Board for approval. He reminded the Board the County will make the building tenable, and if the Arts Council has a long term plan in which they need more renovations, they will do those at their expense. Vice-Chairman Burrus shared he feels it is positive the DCAC would be paying rent for the building. Commissioner Shea joined Vice-Chairman Burrus and stated he was glad someone would be making use of the building. Commissioner Mike Johnson stated the idea began with having no cost to the County; however, now there is a cost. He did not feel the Board could close the door to others who show interest in the building since the idea is different now. He agreed with making the building tenable and moving forward, but wants the Board to be aware of what other types of discussions may come from other entities that had interest in the building.

VOTE: AYES unanimous

ITEM 9 – JARVIS & DONNA WILLIAMS CUP APPLICATION FOR AUTOMATED CAR WASH FACILITY (Att. 4)

Ms. Donna Creef, Senior Planner, explained Jarvis and Donna Williams have submitted a site plan and conditional use permit application for a two (2) bay automated car wash in Buxton. She detailed the proposed lot for the facility and noted the site is zoned C-3, commercial and includes "automobile service station" as a conditional use. She noted several residential structures surrounding the site and stated C-3 districts require a visual buffer at any commercial site that abuts a residential use. Emails received with concerns and were discussed at Planning Board meeting. The Planning Board reviewed the site plan on November 14, 2009 and voted unanimously to recommend approval of the project and recommended a solid wood fence be installed adjacent to the residential uses. They also recommended an engineered stormwater plan be developed for the site. She noted the request for hours of operation was twenty-four (24) hours, seven (7) days a week. However, the Planning Board recommends 6:00 A.M. to 11:00 P.M. seven (7) days a week. Discussion followed on the hours of operation, fencing material and the need for a vegetative buffer along the borders of the property in order to help with noise.

MOTION

Commissioner Mike Johnson motioned to approve the site plan and CUP for the Williams car wash as recommended by the Planning Board with the following changes: 1) Language of “wooden fencing” be changed to “solid privacy fencing,” and 2) To provide dual buffers of fencing and vegetation along adjoining residential use property lines. He noted this would not be policy for all future new businesses, but would be included in this particular CUP.

Commissioner Richard Johnson seconded the motion.

Commissioner Shea noted even though he originally suggested changing the hours of operation to 8:00 A.M. to 8:00 P.M., he would yield to the hours recommended by the Planning Board.

VOTE: AYES unanimous

ITEM 10 – PUBLIC WORKS 3 YEAR SCRAP METAL AGREEMENT (Att. 5)

Mr. Edward Lee Mann, Public Works Director, detailed a three (3) year fixed contract and explained Public Works would like to enter into this contract with United Salvage and Auto to collect and dispose of Dare County’s solid white goods and scrap metals at a fixed price of one-hundred (100) dollars per ton. He explained the benefits of having a fixed price versus a number based on the market and requested the Board approve the contract.

MOTION

Commissioner Shea motioned to approve and authorized the contract to be executed.

Vice-Chairman Burrus and Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

MOVE TO ITEMS 12-13

ITEM 11 – ROANOKE ISLAND WATER SYSTEM EXPANSION PROJECT FINAL PRELIMINARY ENGINEERING REPORT PRESENTATION (Att. 6)

Mr. Ken Flat introduced Kevin Irby, CDM Inc., who presented an executive summary of the Preliminary Engineering Report for the Roanoke Island Water System Expansion Project. He updated the Board on the permitting progress and briefly summarized the overall project to provide fire protection and high quality water to the residents of Roanoke Island. He explained the project is moving forward and the water system will serve existing lots on Roanoke Island as well as improved lots, and gave a summary of the proposed infrastructure. He noted the need to add additional piping and upgrade various pumps, as well as upgrade the storage tank and some electrical. He shared a map detailing the system and described the new tank and its location on Bowsertown Road. Mr. Irby gave an update on the permitting process, explained the design and construction schedules and discussed the updated cost estimate. The Commissioners then asked Mr. Irby for further details on the elevated tank and the estimated gallons per day. Mr. Irby responded they have completed detailed modeling to ensure the height and volume would provide good water turnover into and out of the tanks. He also estimated the gallon usage at 0.8 million gallons per day (560 gallons per minute) in the near-term and the maximum at two (2) million per day (1,400 gallons per minute). Commissioner Shea shared his concerns with galvanic action. Mr. Irby noted the specifications went into great detail to ensure the rusting problems would not occur. He noted they typically work with a handful of contractors who have worked through this issue over many years to make sure these problems do not occur. Commissioner Shea also asked Mr. Irby to note what the subcontractors working on the pipes would be required to do at the end of the day to make sure animals and other foreign material do not accidentally get into pipes. Mr. Irby noted in addition to a checklist for the subcontractors, there would also be inspectors in the field ensuring proper procedures are followed.

MOVE TO ITEM 20-24

ITEM 12 – KITTY HAWK PARK

County Manager Outten explained Dare County purchased property in Kitty Hawk in 2007 with proceeds

from a PARTF grant. Those funds are sitting in account and the County is required to spend the funds by a certain date. The Parks and Recreation Department is proposing the land be turned into a park and stated an engineer would need to be selected to design plans. He noted the CIPC met and there were four (4) engineering firms who submitted plans to be involved in the project: Albemarle & Associates, LTD.; Bissell Professional Group; Quible & Associates, P.C.; and Stewart Engineering, Inc. The CIPC has reviewed the proposals and recommends Albemarle & Associates, LTD as the engineering firm for the project. He asked for authorization to begin working with Albemarle & Associates, LTD to bring a proposal back to the Board for approval.

MOTION

Commissioner Shea made the motion as detailed by County Manager Outten.

Commissioners Mike Johnson and Richard Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 13 – DARE COUNTY CENTER BYLAWS (Att. 7)

County Manager Outten presented the proposed bylaws for the Dare County Center. He explained the bylaws were based on a draft proposed by the members of the committee. He noted this was the final version and sets forth the procedural aspects of how the Dare County Center Board would be run, as well as some of the duties of the subcommittee. He requested the Board approve the bylaws as presented. Chairman Judge noted he and Commissioner Tillett had set in on some of the discussions in order for the Board to have oversight in the development of the bylaws.

MOTION

Commissioner Shea motioned to approve the bylaws for the Dare County Center.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

MOVE TO ITEMS 17 - 19

ITEM 14 – PLAN OF FINANCE FOR EMERGENCY COMMUNICATIONS SYSTEM & FOR WATER SYSTEM EXPANSION ON ROANOKE ISLAND (Att. 8)

Mr. David Clawson, Finance Director, presented information regarding the options for the type of debt to issue for the Emergency Communications System and the Water System Expansion Project for Roanoke Island. Mr. Clawson explained the various issues and risks involved and made a recommendation to finance the EC System over ten (10) years using \$2.27 million of Recovery Zone Economic Development Bonds and the balance using Build America Bonds. He also recommended financing the Water System Expansion on Roanoke Island over twenty-five (25) to thirty (30) years with tax exempt BQ water revenue bonds.

MOTION

Commissioner Shea motioned to: 1) Adopt a reimbursement resolution for the EC System allowing County reimbursement from debt proceeds for the December payment to Motorola (Res 09-12-31), 2) Adopt a recovery Zone Economic Development resolution for the EC System (Res 09-12-32), 3) Authorize the Finance Director to claim the County's RZEDB allocation by means of the required letter to the NC Department of Commerce, 4) Adopt the capital project ordinance for the EC System, and 5) Adopt the budget amendment for the Capital Reserve Fund.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

MOVE TO ITEM 11

ITEM 15 – PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR 2008 CAFR

County Manager Outten announced the Certificate of Achievement for Excellence in Financial Reporting

has been awarded to Dare County by the Government Finance Officers Association of the United States and Canada for its comprehensive financial report (CAFR). He explained the County's CAFR for fiscal year ended June 30, 2008 was judged by an impartial panel to meet high standards, including demonstrating a constructive "spirit of disclosure" to clearly communicate the County's financial story. He noted this is the 18th consecutive year that Dare County has received this prestigious award. The first year was back in 1991, only one year after David Clawson became the County's Finance Director. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting. Mr. Clawson accepted the plaque on behalf of the County. Ms. Sally DeFosse, Assistant Finance Director, accepted an Award of Financial Reporting Achievement as the person primarily responsible for preparing the CAFR.

ITEM 16 – RESULTS OF THE SALE OF THE SERIES 2009 REFUNDING COPs & BUDGET AMENDMENT (Att. 9)

Mr. Clawson announced the Series 2009 Refunding COPs sold on November 10, 2009, and refunded the outstanding Series 1998b COPs. He noted the LGC did not allow the Series 2001 COPs to be refunded as the savings were below the 2.5% NPV savings threshold. He detailed the debt service savings and stated in order to break the DSR guaranteed investment contract on the Series 1998b COPs DSR, the County will purchase the underlying US treasury strip (4.78% yield) as an investment in its portfolio. He requested the Board adopt the budget amendment needed for the current fiscal year. He stated the current year debt service savings are placed into a budget reversion account.

MOTION

Commissioner Shea motioned to adopt the budget amendment.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

MOVE TO ITEM 14

ITEM 17 – RESOLUTION 09-12-29 REQUESTING THAT NORTH CAROLINA COASTAL TOWNS AND COUNTIES JOIN WITH THE COUNTY OF DARE IN ASKING THAT FEMA'S NATIONAL FLOOD INSURANCE PROGRAM (NFIP) SUPPORT FLOOD INSURANCE CLAIMS FOR DAMAGES TO STRUCTURES SUFFERING GRADUAL COASTAL EROSION

County Manager Outten presented the resolution for support to allow flood insurance to cover gradual coastal erosion in addition to rising water. He noted the intention is to hopefully get some of the County's property owners additional coverage from erosion.

MOTION

Vice-Chairman Burrus motioned to adopt the resolution.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Commissioner Richard Johnson inquired if the Board could request a house be paid off once it is condemned in order to allow the owner to take the house down. County Manager Outten explained that is what this resolution does because flood insurance does not currently cover erosion. This resolution supports the NFIP becoming a funding source to allow a property owner to take down their condemned house due to rising water or coastal erosion.

ITEM 18 – RESOLUTION 09-12-30 TO OPPOSE TRANSFER OF SECONDARY ROAD PROGRAM TO COUNTIES

County Manager Outten explained in the process of trying to balance the budget last year, there was discussion at the State level of taking the State secondary road systems and turning that over to the counties making them responsible for all secondary roads within the county. He noted Dare County is not set up to take on this responsibility nor is it in the budget. He presented the resolution opposing that action.

MOTION

Commissioner Shea motioned to adopt the resolution.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 19 – SCHEDULE OF DCBOC MEETINGS FOR 2010 (Att. 10)

County Manager Outten presented the 2010 schedule for adoption.

MOTION

Commissioner Tillett motioned to adopt the schedule.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

RECESS 12:01P.M.-1:30 P.M.

MOVE TO ITEMS 15-16

ITEM 20 – OREGON INLET UPDATE

Vice-Chairman Burrus offered the Board an update on Oregon Inlet stating they are looking for the Record of Decision to be made the end of January or beginning of February. He hopes to see contracts mid to end of June and he feels comfortable that DOT is doing everything they can to ensure there will not be any injunctions on the project.

ITEM 21 – CONSENT AGENDA (Att. 11)

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (11.16.09 & 11.17.09)
- 2) NC Rural Center Grant Application Questionnaire, Additional Information Requested
- 3) MOU with Town of Manteo Pertaining to Fire Inspection Services

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 22 – BOARD APPOINTMENTS:

- 1) Dare County Youth Council

Commissioner Shea motioned to appoint Farrel Eike, Josh Poznanski, Joy Martinez, Julia Taft, and Skipper Hines; and to reappoint Hilarey Netsch and Gail Hutchison.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

- 2) Tourism Board

Commissioner Mike Johnson motioned to appoint Paul Charron, Gary Perry, Wayne Gray, Commissioner Jack Shea and Scott Leggat; and to reappoint Jackie Myers and Paul Buske.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

- 3) Library Board—Dare

Commissioner Tillett motioned to appoint Donna Trivette, William Pfeifer and Elizabeth Gamiel.

VOTE: AYES unanimous

- 4) Albemarle Hospital Authority Board

Commissioner Shea motioned to reappoint James Perry.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

5) Board of Equalization & Review

Vice-Chairman Burrus motioned to reappoint Skip Jones, Bette Gray, Talmadge Jones, Barbara Britt and Michael Davenport.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

6) Nursing Home Community Advisory Committee

Commissioner Tillett motioned to reappoint Cyrithia Kalongi.

VOTE: AYES unanimous

7) Special Motor Vehicle Valuation Review Board

Commissioner Shea motioned to reappoint Richard Johnson, Dock Sawyer and Lori Hageman.

VOTE: AYES unanimous

ITEM 23 – COMMISSIONERS’ BUSINESS

Vice-Chairman Burrus congratulated all the recipients of the Governor’s Award for Volunteer Service. He noted Mr. Henry Haywood had been involved in his life since he was a child even though he lived one-hundred (100) miles from him. He noted Mr. Haywood and his wife have been helping throughout Dare County and thanked him for all he has done over the years. He also thanked DOT for weathering the storms and working overtime to make sure the roads are passable. He thanked the emergency medical people, deputies and all those who helped. He stated many times around Christmas we do not take our own good fortune to task and explained how blessed he feels to live in Dare County. He feels there is so much good in the community through volunteers and programs. He shared he missed having Commissioner Dutton with the Board and hopes he gets better soon, and especially by Christmas.

Commissioner Shea congratulated Tammy Reber as Employee of the Month. He thanked her and all the employees for the work they do. He thanked the five (5) Governor’s Award recipients for their volunteer service and stated volunteerism is what makes the country what it is. He echoed Vice-Chairman Burrus’ sentiments regarding Commissioner Dutton and hoped he would return soon. He wished everyone a Merry Christmas and a Happy New Year on Commissioner Dutton’s behalf as well as his own.

Commissioner Richard Johnson wished everyone a Merry Christmas.

Commissioner Mike Johnson wished everyone a Merry Christmas and shared his hopes for Commissioner Dutton to get well.

Commissioner Tillett wished everyone a Merry Christmas and stated she is saying a special prayer for Commissioner Dutton to return home soon. She stated during Public Comment, Julia Wright shared information on a new program in Dare County. She noted Ms. Wright’s office location is behind the Head Start Building at 723 Sir Walter Raleigh Street in Manteo. Her office phone number is (252) 473-3149 and her office hours of operation are Monday through Friday 8:30a.m. to 5:00 p.m. She elaborated on the program stating this program helps those who might be one (1) month behind on their mortgage or rent payments. They also help with childcare, utilities and educating and training for new job skills. She encouraged the County to take advantage of this program during these tough economic times. She then went on to note the recent fire at the Fessenden Center on Hatteras Island. She thanked everyone for helping with the fire and especially thanked the staff for finding temporary locations for the programs and enabling the center to continue to serve the community. She shared she hopes to have figures on the use of the new Dare County Center by the January meeting. She reminded everyone it is open for use and there is plenty of room for everyone. She inquired if Albemarle Mental Health would have to pay back certain funds which would be divided amongst the counties. County Manager Outten noted he would address this during his business. She noted she spoke with the County Manager about signage for the

Dare County Center and the rest of the buildings on Marshall C. Collins Drive. Mr. Outten noted he has begun the process to price the signage for the buildings and noted this should occur shortly. Commissioner Tillett thanked everyone for their dedication to get Highway 12 opened after the recent storms and shared her appreciation for Senator Basnight and Governor Perdue for coming to see the damage firsthand. She inquired about ABC funds for mental health. Commissioner Richard Johnson noted five (5) cents is donated for each bottle of liquor that is purchased. She noted she would like to see this amount increased. She announced the 3rd Annual Roanoke Island Helping Hands Toy Drive to wrap gifts at the Dare County Center on Tuesday, December 8. She also announced on Thursday, children and families are invited to come receive a toy from Santa. She explained the Roanoke Island Freedmen's Colony, Toys for Tots and local donations will allow many kids to have a very nice Christmas this year. She noted they are still accepting donations.

Chairman Judge thanked everyone for the toy drive effort. He recognized the Roanoke Island Women's Club for their program at Thanksgiving to provide food and gift certificates for families in need. He thanked the Outer Banks Women's Club for their Angel Tree project for the past twenty-one (21) years and noted the outpouring of support from the community. He joined with Commissioner Tillett in recognizing all of the groups who work to put a sparkle in a child's life this time of year. On a separate note, he shared his response to the media when questioned about his feelings of the U.S. Fish and Wildlife abandoning their facilities on Pea Island due to coastal erosion. He spoke for the Board and explained the DCBOC is adamantly opposed to this abandonment and shared his dislike of having any more absentee management. He read an excerpt from an article in the USA Today which ran on December 1, 2009. The portion of the article spoke to the poisoning of a six (6) mile stretch of water to keep carp out of the Great Lakes. He noted the irony in that the Government is killing carp to protect a recreational area, but does not care about our tourism recreational economy of Dare County here on Hatteras Island. He also shared his well wishes for Commissioner Dutton who was going to try and listen to the meeting via the internet while in the hospital. He wished him a fast recovery and wished everyone a Merry Christmas and great holiday.

COUNTY MANAGER'S/ATTORNEY'S BUSINESS

County Manager Outten explained a letter from Albemarle Mental Health outlining where the state is in regards to alternatives for the future. AMH still exists as an entity with the State acting as the Board to make decisions. He noted this leaves the County with little input and control. AMH has entered into a contract with East Carolina Behavioral to provide the mental health services in Dare County as well as the other counties where AMH was serving. He detailed three (3) choices for continue mental health services: 1) Reconstitute an entity like AMH and begin providing these services on our own, 2) Enter into a permanent agreement with an entity like ECBH to be the provider for the area and dissolve AMH, and 3) Continue under the current contract keeping ECBH in charge and the State as the acting Board. He described the pros and cons of each option and asked for guidance as to what direction the Board would like him to investigate. He recommended the second option using ECBH as the entity to provide mental health services. He asked for authorization to begin discussing what roles ECBH and the counties would have if a contract was created. He would then bring back the proposal to the Board for final approval.

MOTION

Commissioner Shea motioned to authorize the County Manager Outten to begin discussions on integrating ECBH to provide mental health services.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

(Att. 12) Mr. Outten explained there was a fire at the Fessenden Center Friday night one week prior at approximately 2:15 a.m. There was extensive damage to the front porch and front rooms of the Center, as well as significant smoke damage throughout the building. They are currently working on repairs and Tim White, Parks & Recreation Director, along with staff have worked to get the services to other temporary

locations. They have seen some positives with this move as certain programs have seen increased participation due to the new locations. He stated as of Friday, the adjuster had not finished his work to allow the County to go in and begin reconstruction. A smoke abatement company gave an estimate and they received authorization from the insurance adjusters to move forward with the insurance proceeds. He requested a budget amendment of \$150,000 for the expenses of repairs. He noted the source of the funds would be \$149,000 from insurance proceeds and a \$1,000 deductible from the reserve fund. He noted the smoke remediation would cost \$86,412 and was waiting approval by the insurance company. He stated staff have also been looking among local contractors to find people who are bonded. Once the insurance company gives the go ahead, they would begin receiving informal bids for reconstruction. He noted this budget amendment would keep the process moving forward.

MOTION

Commissioner Shea motioned to adopt the budget amendment.

Vice-Chairman Burrus seconded the motion.

Commissioner Shea asked if arson had been ruled out as a possible cause. Mr. Outten stated the fire is believed to have been started by a smoldering cigarette butt. The Fire Marshal has checked and preliminary reports say the fire was accidental. Debris is being tested, but there is no overt evidence of any accelerants.

VOTE: AYES unanimous

Mr. Outten noted there has been a request to appoint a new medical director for EMS services and Steve Taylor came forward to make the presentation. He explained Dr. Russell had been the medical director for the past five (5) years. He feels the command of emergency medical services belongs with the Emergency Department. He explained Dr. Nicole Saffell and Dr. McPhearson joined Outer Banks Hospital a few years back and has been an intricate part in education, training and development, and coordinating activities throughout the County. Dr. Russell suggested he step into the assistant medical director role and have someone from the Emergency Department take over the medical director role. Dr. Saffell stepped forward willing to take over the position. Mr. Taylor shared some of her educational background and experience.

MOTION

Commissioner Shea motioned to accept Dr. Saffell as the Medical Director and Dr. McPhearson and Dr. Russell as assistant Medical Directors.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

Chairman Judge noted she would begin as Medical Director on January 1, 2010. Commissioner Tillett thanked Dr. Russell for his work as Medical Director and welcomed Dr. Saffell aboard.

County Manger Outten noted an email he had sent to the Commissioners regarding Middle Mile Internet Service developed by the Kenan-Flagler Business School at UNC. Their proposal is to use grant money to bring the Middle Mile which would be owned by a coalition of twenty (20) counties. We would then have control of it and would be able to use it, rent it or sell it. He explained this is a critical link to provide internet services to northeastern North Carolina. He noted the Chamber of Commerce has been working on a project very similar to this; however, UNC's project would not cost the County anything initially contrary to the Chambers project. The business school is asking for support in their grant application process from local businesses, governments and entities that will benefit from the program.

MOTION

Commissioner Shea motioned to send a letter of support of the UNC School of Business' initiative as detailed.

Commissioner Tillett seconded the motion.

Commissioner Richard Johnson recused himself from the vote.

VOTE: AYES unanimous

County Manager Outten stated the Airport Authority came into ownership of a timeshare unit which they would like to sell. He explained the statute requires before they dispose of any real property, they must get approval from the Board.

MOTION

Commissioner Shea motioned to allow the Airport Authority to sell the timeshare unit.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 24 – CLOSED SESSION: APPROVAL OF MINUTES (11.16.09)

County Manager Outten noted this item would need to be postponed until a later date.

AT 2:51 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON JANUARY 4, 2010.

(SEAL)

Respectfully submitted,

APPROVED:

By: _____
Warren C. Judge, Chairman
Dare County Board of Commissioners

By: _____
Katie Smith, Clerk

