



COUNTY OF DARE, NORTH CAROLINA

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

Regularly scheduled Board meetings are videotaped and can be viewed at www.darenc.com

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., February 20, 2017

Commissioners present: Chairman Robert Woodard, Vice-Chairman Wally Overman
Jack Shea, Margarett Umphlett, Steve House,
Rob Ross, Danny Couch

Commissioners absent: None

Others present: County Manager/Attorney, Robert Outten
Finance Director, David Clawson
Public Information Officer, Dorothy Hester
Clerk to the Board, Gary Gross

A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website www.darenc.com.

Chairman Woodard called the meeting to order at 5:02 p.m. He invited Nick Hodsdon from the Unitarian Universalist Congregation of the Outer Banks to share a prayer, and then he led the Pledge of Allegiance to the flag.

Note – In order to accommodate the Public Hearings scheduled for 5:30 p.m., some agenda items were handled out of sequential order.

ITEM 1 – OPENING REMARKS – CHAIRMAN'S UPDATE

Chairman Woodard mentioned the following items during his opening remarks –

- He welcomed the Echoes of Heritage, an acapella singing group under the direction of Doris H. Creecy and asked them to perform as part of Black History Month. Chairman Woodard then presented Ms. Creecy with a certificate of appreciation for preserving the heritage of African-American spirituals.
- The Chairman provided historical background about Captain Richard Etheridge, the first African-American to command a Life-Saving station who led a crew that consisted of all African-Americans who are credited with bravely saving lives off the shores of the Outer Banks.
- NCDOT Board Member Malcolm Fearing was invited to the podium where he expressed hope that the new Pea Island Bridge might be named in honor Captain Richard Etheridge. Former Commissioner Virginia Tillett shared research she has done into the life and public service of Captain Etheridge.

- Chairman Woodard presented a resolution in support of naming the Pea Island Bridge in honor of Captain Richard Etheridge.

MOTION (Att. #5)

Commissioner Shea motioned to adopt a resolution supporting the naming of the Pea Island Bridge in honor of Captain Richard Etheridge to accompany an application to be submitted to NCDOT Board Member Malcolm Fearing.

Vice-Chairman Overman and Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

- The Stumpy Point Oyster Roast was mentioned and the Chairman commended the Outer Banks Community Foundation for their service to Dare County.
- Chairman Woodard reported that he along with Commissioners Overman, House, and Ross recently attended training for elected officials offered by the UNC School of Government.
- He commented on the series of informative community meetings that have been held on the municipal beach nourishment projects.
- The Chairman encouraged everyone to attend this year's production of the Lost Colony, which will celebrate its 80th season.

A video of the Chairman's update can be seen on the County website www.darenc.com.

ITEM 2 – PUBLIC COMMENTS

The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center in Buxton. Citizen remarks can be seen in their entirety on the county website www.darenc.com. Following is a brief summary –

The following Public Comments were made in Manteo –

1. Lorelei DeBernardo presented the 2017 Citizen's Guide published by the Dare County League of Women Voters. She thanked all those who generously contributed to the project and outlined where the publication can be obtained.
2. Lin Logan on behalf of the Dare County League of Women Voters asked for time on the next Board of Commissioners agenda to present information about the Equal Rights Amendment (ERA). Ms. Logan outlined the need for the ERA.
3. Virginia Tillett commended the Board of Commissioners for doing the salary study and looking out for Dare County employees. She said she has spoken to quite a few employees who are very appreciative of their raises.

There were no Public Comments via the video link to the Fessenden Center in Buxton.

ITEM 3 – PENDING MERGER OF THE CHICAMACOMICO BANKS AND SALVO FIRE DEPARTMENTS

Dare County Fire Marshal Steve Kovacs introduced Mike Daugherty, Chief of the Chicamacomico Banks Volunteer Fire Department and Ervin Gaskins, Assistant Chief of the Salvo Volunteer Fire Department to address plans for merging the two departments that have been underway for a couple of years. They described the merits of the

merger and how it will positively impact fire insurance ratings, which will benefit property insurance rates. The timeline of the merger was discussed and it was noted that, at some point in the future, the Board will be asked to approve a new district and execute a contract with the merged entity.

ITEM 4 – DARE COUNTY SOIL & WATER BOARD QUARTERLY REPORT

Ann Daisey on behalf of the Dare County Soil and Water Conservation District provided an update on community outreach, district cost share programs, and debris cleanup efforts. She reported that State Soil and Water funds have been awarded in the amount of \$190,050 to Mainland Dare and \$117,500 to the Town of Kitty Hawk. Ms. Daisey fielded Commissioner questions about aquatic weed control and concerning bacteria counts in the Jockey's Ridge area related to stormwater runoff.

ITEM 5 – PROPOSAL FOR CONSTRUCTION ADMINISTRATIVE SERVICES FOR HATTERAS INLET

The County Manager gave an overview of the Hatteras Inlet dredging effort and its timeline. He presented a contract with Coastal Planning and Engineering of North Carolina and outlined two tasks associated with the project. Mr. Outten explained that the first task is for construction administrative services in an amount not to exceed \$27,500 for the area known as the connecting channel. Ken Willson, Vice President of Coastal Planning & Engineering of North Carolina, described the other task involving a cultural resource survey, which he said might be done later as part of obtaining authorization for dredging a larger area outside the existing channel. Mr. Outten said funding is the place for the first task and he recommended that the Board move forward now with the portion he outlined as Task #1. He noted that efforts will be made to obtain grant assistance.

MOTION

Commissioner House motioned to approve an agreement for the Task #1 portion of the Hatteras Inlet project for Construction Administrative Services as outlined by the County Manager in an amount not to exceed \$27,060 and authorize the County Manager to sign the document along with all related budget amendments.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

RECESS: 6:49 p.m. – 6:59 p.m.

ITEM 6 – AWARD OF FY2016-17 VEHICLE AND EQUIPMENT FINANCING (Att. #1)

Finance Director David Clawson outlined proposals from five financial institutions in the amount of \$1,398,792 with a three year term for acquisition of vehicles and equipment as approved in the fiscal year 2016-17 operating budget. He reported that the lowest total cost proposal was submitted by U.S. Bancorp Government Leasing & Finance (USBGLF) at a rate of 1.593%.

MOTION

Commissioner Shea motioned to adopt the Resolution to award the three year financing to USBGLF at a rate of 1.593% and authorize staff to execute all necessary documents. Commissioner Couch and Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 7 – DISCUSSION OF SALARY STUDY

The County Manager gave a summary of issues that have come up related to implementation of the salary study of Dare County employees that was done by the Springsted firm. He explained that the study was designed to reset the salary structure to market parity and address compression. Mr. Outten identified four concerns that have been expressed –

1. *Using years in the current pay grade as the basis for computing compensation rather than crediting employees with their total years worked.*

The Manager noted that taking all years of service skews the compression issue because it pushes everyone to the top of their pay grade. He said longevity pay is designed to reward long-term service. He added that using all years of service would cost approximately \$7.3 million with benefits and Human Resources experts recommend against it because it skews the compression issue.

2. *Some recently promoted employees will earn less under the plan than they would have been paid had they stayed in their old position and not taken the promotion.*

Mr. Outten said the County likes to promote from within whenever possible and that computations have been made to determine how much it would cost to make people whole who have been hurt by this promotion related issue. He reported the following costs/per/year related to going back to adjust for promotions – 1 year \$55,000. 2 years \$201,000. 3 years \$245,000. 4 years \$296,000. 5 years \$327,800. The Manager recommended that the Board consider 5 years, which will solve the problem for 78 employees. He noted that this amount will be spread over 2 years and involve the Water Fund and the Solid Waste Fund.

3. *Because the salary study is being implemented over two years, recently hired employees will not fully realize their base rate until the second year of the plan in July of 2018.*

The County Manager described the impact this will have on recently hired employees compared to new staff that will be hired at the base rate established by the salary study. Mr. Outten recommended that future new hires receive less than the current base rate so that they will get to the base rate at the same schedule as current employees.

4. *The need to correct math errors and mistakes.*

Mr. Outten said these can be corrected within the parameters of the plan.

After discussing the issues raised by the Manager, the following motion was made –

MOTION

Vice-Chairman Overman motioned to approve the salary study and address the promotions issue that was outlined by the County Manager by going back 5 years to make adjustments to benefit employees who have taken promotions that under the salary study would be compensated less than had they not taken the promotion; and to approve the hiring policy adjustment as outlined by the County Manager.

Commissioner Shea and Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 8 – PUBLIC HEARING – WANCHESE MINIMUM LOT SIZE ADMENDMENTS

At 5:40 p.m., the Dare County Board of Commissioners held a Public Hearing to receive input concerning this agenda item. The County Manager conducted the hearing and explained the procedure for making comments in Manteo and via the video link to the Fessenden Center in Buxton.

The following people spoke at Manteo –

1. Mark Vrablic spoke in support of reducing the lot size requirement. He said although he does not want condos or a high-density community in Wanchese, he feels those with central water should be treated equally with other places.
2. Lorraine Tillett said she favors the lot size reduction and noted that when zoning was done for Wanchese there was no central water supply. She added that there is not much usable land and condos will have to meet many regulations.

There were no comments from the Fessenden Center in Buxton

Chairman Woodard closed the Public Hearing at 5:45 p.m.

MOTION

Commissioner Shea motioned to adopt the proposed amendments to the various Wanchese zoning districts revising the minimum lot size requirements for property served by a central water supply, with the finding that these amendments are consistent with the 2009 Land Use Plan and other official documents by ensuring minimum lot size regulations that are equitable and consistent throughout unincorporated Dare County.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – PUBLIC HEARING – 2016 S-9 SUPPLEMENT TO CODE OF ORDINANCES (Att. #2)

At 5:49 p.m., the Board held a Public Hearing to receive input concerning this agenda item. The Manager explained the process for updating the codification of County Ordinances. He then conducted the Public Hearing and outlined the procedure for making comments in Manteo and via the video link to the Fessenden Center in Buxton. No one accepted the invitation to speak. The Chairman closed the hearing at 5:50 p.m.

Planning Director Donna Creef presented a resolution authorizing adoption of the 2016 S-9 Supplement to the Dare County Code of Ordinances.

MOTION

Vice-Chairman Overman motioned to adopt the resolution.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 10 – CONSENT AGENDA

The Manager announced the items as they were visually displayed in the meeting room.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (02.06.17) **(Att. #3)**
- 2) Public Health Division – Partners for Improvement of Community Health Grant
- 3) Public Health Division – Maternal Health Funding
- 4) Emergency Management – Budget Amendment
- 5) Road Request – Holly Ridge Road, Manteo, NC **(Att. #4)**
- 6) Advertise 2016 Tax Year Liens

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 11 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Following is a brief outline of items raised during this segment. Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety on a video archived on the Dare County website www.darenc.com.

Commissioner Couch – complimented the Theater of Dare for an excellent production of Spamalot. He encouraged Commissioners to participate in scheduled tours of Dare County Schools. Commissioner Couch reported on excellent meetings that were held in the community to explain opportunities that are available for property owners through the house raising mitigation project.

Commissioner Shea – thanked the Echoes of Heritage for their performance and service to the community. He noted that Captain Etheridge is worthy of having the new Pea Island Bridge named in his honor and expressed hope that this will happen.

Vice-Chairman Overman – issued a strong statement about the recent action by the Marine Fisheries Commission (MFC) to approve a petition for rulemaking that would designate all inshore and ocean waters out to three miles as Special Secondary Nursery Areas. He explained that the MFC ignored the recommendations made by all five of their own Advisory Committees to reject the petition that would essentially kill the commercial shrimping industry in North Carolina. He outlined several possible options to address the imbalance between commercial fishing interests and recreational users. The Vice-Chairman gave details about the recent Town Hall Meeting sponsored by the Saving Lives Task Force and encouraged everyone to participate in this endeavor. He also gave an update on the Hatteras Inlet dredging project.

Commissioner Ross – said it was encouraging to hear about the cooperation and trust between the two Hatteras Island fire departments that are in the process of merging. He commended Ann Daisey for an informative Soil and Water report and expressed hope that the Echoes of Heritage will be invited back again to sing. Commissioner Ross endorsed the statement made by Vice-Chairman Overman concerning the Marine Fisheries Commission and asked if the remarks he made could be sent as a letter to leadership in the North Carolina House and Senate. Later, at the conclusion of all Commissioner comments, the following motion was made by Commissioner Umphlett –

MOTION

Commissioner Umphlett motioned to send a letter to leadership in the NC House and Senate outlining the concerns expressed by Vice-Chairman Overman about the actions, structure, and function of the Marine Fisheries Commission.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Commissioner House – spoke in favor of naming the new Pea Island Bridge in honor of Captain Etheridge. He noted that in spite of the recent vote by the Marine Fisheries Commission, the petition for rulemaking is not yet law. He outlined the steps that need to be taken and urged everyone to remember that the struggle is not over and we are not quitting. Commissioner House presented the SPCA Pet of the Month video by first introducing showcasing his own family companion dog named Sandy.

Commissioner Umphlett – with much sadness tendered her resignation from the Board of Commissioners effective March 31, 2017 for personal reasons. She said it has been an honor to serve with such dedicated people and reviewed some of the Board's major accomplishments. Chairman Woodard thanked Commissioner Umphlett for her service.

Chairman Woodard - thanked Commissioner Couch for assembling a list of houses that suffered severe hurricane damage. He presented a list outlining the following committee appointments made by the Chairman –

Robert Woodard to serve on the Dare County Public Facilities Corporation

Wally Overman to serve as a Board of Education Liaison (5 on 5 Committee)

Jack Shea – no new assignments

Margaret Umphlett – no new assignments

Steve House to serve on the Bike and Pedestrian Safety Coalition & Scenic Byways

Rob Ross to serve on the Audit Committee & Capital Improvements Planning Comm

Danny Couch to serve on the Children and Youth Partnership & Parks/Rec Liaison

The Chairman noted that often the Board does not conduct their 2nd meeting in March. Accordingly, he announced that March 6 will be the only meeting for the month of March

Chairman Woodard presented a letter of request to the CEO of the Navy Federal Credit Union asking that they establish a branch office on the Outer Banks.

MOTION

Commissioner Shea motioned to adopt the resolution.

Commissioners Couch, House, and Ross seconded the motion.

VOTE: AYES unanimous

MANAGER'S/ATTORNEY'S BUSINESS

1. The County Manager informed the Board that a grant opportunity came up since the last meeting for State funds to benefit the County's solid waste operation. He said the \$2,400 match required for the grant is available in the department's fuel budget. He noted that the County does not have to accept the grant even if it is approved. It was the consensus of the Board to pursue the grant opportunity.
2. Mr. Outten reported that Monica Gregory, a NOAA Coastal Management Fellow working with the Division of Coastal Management, is doing a survey to identify social and physical vulnerabilities related to natural disasters. He said details of the survey will be forthcoming, if the Board chooses to participate.

MOTION

Commissioner Shea motioned to participate in the survey.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

3. The Manager recommended that the County develop a policy for naming county-owned buildings and infrastructure. Mr. Outten said he will work with Planning Director Donna Creef to do research and prepare a draft policy to be brought back to the Board.
4. Mr. Outten explained that Trey Piland has negotiated an annual \$1,668 reduction in Century Link fees for the E911 Center. He asked the Board for authorization to move forward with modifying the five year agreement.

MOTION

Commissioner House motioned to approve the request outlined by the Manager.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Public Information Officer Dorothy Hester provided details about a Public Information Meeting that will be held at the Fessenden Center on March 7 so people can hear from the engineer and contractor for the Buxton beach nourishment project. She also noted that a date will be forthcoming for a ribbon cutting ceremony sometime in April for the new E911/EOC facility being built in Manteo.

In closing the meeting, Chairman Woodard noted the disparity in gasoline prices between Virginia and those available locally. He said for two years the Board of Commissioners has been waiting for a response from the North Carolina Attorney General about this issue.

At the conclusion of the meeting, Chairman Woodard asked for a motion to adjourn.

MOTION

Commissioner Shea motioned to adjourn the meeting.

Chairman Woodard seconded the motion.

VOTE: AYES unanimous

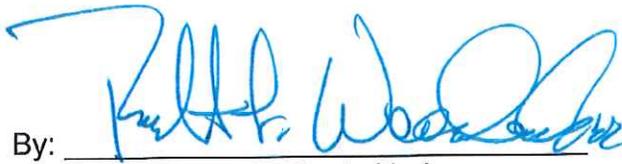
At 8:05 p.m., the Board of Commissioners adjourned until 9:00 a.m., March 6, 2017.



Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners