



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

9:00 a.m., March 6, 2017

Commissioners present: Chairman Robert Woodard, Vice-Chairman Wally Overman
Jack Shea, Margarette 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 Lee 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 9:01 a.m. He asked for a moment of silence in honor of Irene Nolan, founder of the Island Free Press, who died on March 3. He invited Rev. Spottswood Graves to share a prayer, and then he led the Pledge of Allegiance to the flag. The Chairman announced that Item #12 would be removed from the agenda so that further research could be done.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard mentioned the following items during his opening remarks –

- He complimented the Health and Human Services Department on their annual report detailing the wide range of services and programs they offer.
- Reported on a productive meeting with Karen Brown and Bob Peele concerning economic development that he said will be discussed later in the meeting.
- Warned mariners to be careful navigating Colington Harbor due to shoaling.
- Chairman Woodard presented a certificate to John Harris thanking him and Kitty Hawk Kites for preserving Dare County’s legacy of flight.

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

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Sally DeFosse, Finance Department, received a 15-year pin.
- 2) Betsy Robinson, Public Health Division, received a 15-year pin.
- 3) Nancy Huff, Social Services Division, received a 25-year pin.
- 4) Robin Etheridge, Land Records Office, received a 30-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH – MARCH 2017

Ray Griggs received the award from Mark Fowler who described the exemplary service that Mr. Griggs provides to the Buildings & Grounds Department.

ITEM 4 – 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. Spottswood Graves – expressed sadness for the actions of the State regarding HB 2. He read an excerpt of a newspaper article and called on the Board to speak with legislators in Raleigh and let them know that HB 2 is hurting the good name of North Carolina and threatening tourism.
2. Dick Parker spoke on behalf of the Oregon Inlet Artificial Reef Committee. He outlined the Coastal Recreational Fishing License Grant Program and described how the Committee is faced with an unprecedented requirement to generate 30% in matching funds. Mr. Parker asked the Board to help by addressing this issue.
3. Robert Healy voiced concern for storm-generated debris that has clogged canals and ditches. He said storm generated debris has created navigational hazards and poses a flooding hazard by impeding the natural flow of water. He called on Dare County and other agencies to do something about this.

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

ITEM 5 – PROCLAMATION – AMERICAN RED CROSS MONTH

Carolyn Self, Community Volunteer Leader for the Eastern NC Region of the American Red Cross, presented a Proclamation recognizing the local volunteers and donors who are the heroes that help people in need. Ms. Self identified a need for additional volunteers and asked the Board to proclaim March as American Red Cross Month.

MOTION

Commissioner Shea and Commissioner House motioned to approve the proclamation. Commissioner Umphlett and Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 6 – ECONOMIC DEVELOPMENT – PROPOSAL FROM THE OUTER BANKS CHAMBER OF COMMERCE

The County Manager outlined implementation options for the economic diversification plan that was developed by the consultants from NC State. He said someone could be hired to implement the plan or an outside agency could be contracted. Mr. Outten introduced Karen Brown and Bob Peele from the Outer Banks Chamber of Commerce and invited them to share details about their proposal to have the Chamber provide the

first phase of plan implementation. They presented a primary proposal in the amount of \$25,000. They also identified two possible add-on options for additional services in the amounts of \$22,000 and \$20,000. Ms. Brown and Mr. Peele fielded Commissioner questions and the Board discussed the need for a Memorandum of Agreement (MOA) that contains metrics for evaluating success and a timetable for regularly reporting progress to the Board of Commissioners. Chairman Woodard asked Commissioners Shea and Ross to participate in the process of developing an agreement with the Chamber for Board approval. Mr. Outten said funding could be part of the next budget cycle or taken out of the Contingency Fund.

MOTION

Commissioner Shea motioned to approve moving forward with the primary proposal in the amount of \$25,000 with a Memorandum of Agreement (MOA) to be prepared with assistance from Commissioners Shea and Ross for Board approval.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 7 – UPDATE FROM THE NATIONAL PARK SERVICE

David Hallac, Superintendent of the National Park Service Outer Banks Group, gave an update on visitation, the Off Road Vehicle Management Plan, and improvements that have been made over the last two years. The Superintendent thanked Chairman Woodard and Vice-Chairman Overman for providing constructive advice. He also acknowledged the time that was invested by former Commissioner Warren Judge, and thanked the Outer Banks Preservation Assoc. and the Beach Buggy Assoc. for their valuable input. Chairman Woodard expressed gratitude for the Superintendent's helpfulness in facilitating the Buxton beach nourishment project and Commissioners thanked the Superintendent for providing equitable access to the seashore.

RECESS: 10:50 a.m. – 11:05 a.m.

ITEM 8 – COLLEGE OF THE ALBEMARLE – HOSPITALITY PROGRAM

Tim Sweeney, Dean of the College of the Albemarle Dare County Campus, and Clark Twiddy with the State Board of Community Colleges briefed Commissioners on the College of the Albemarle (COA) Hospitality Certification Program. Information was provided about private business support that helps students prepare for local career jobs in the hospitality industry and provides long-term economic benefit to Dare County.

ITEM 9 – UPDATE REPORT FROM THE ECONOMIC IMPROVEMENT COUNCIL

Dr. Landon Mason, Executive Director of the Economic Improvement Council (EIC), gave an update on services that are provided to help low income residents become self-sufficient. He reported that 10.3% of Dare County residents live in poverty and noted that the EIC has helped 99 local families. Dr. Mason gave Commissioners information about the Head Start Program, the Community Services Grant Program, Section 8 Housing, and the Weatherization Program. The Board thanked Dr. Mason and the Economic Improvement Council for the services that are provided to Dare County.

ITEM 10 – PRESENTATION FROM THE LEAGUE OF WOMEN VOTERS

Dawn Kiouis and Lin Logan on behalf of the Dare County League of Women Voters gave a presentation on the Equal Rights Amendment (ERA). They highlighted the timeline related to the amendment and described ways the League of Women Voters believes that the ERA could help women and children today. The status of the ERA in the State of North Carolina was explained and it was noted that the municipalities in Dare County have all adopted resolutions supporting the ERA. A request was made to have a resolution adopted by the Dare County Board of Commissioners. Chairman Woodard said the Board would take the matter under consideration.

ITEM 11 – TOURISM BOARD REQUEST CONSENT FOR LONG TERM RESTRICTED FUND EXPENDITURES

Lee Nettles, Executive Director of the Outer Banks Visitors Bureau, outlined a Dare County Tourism Board Long Term Restricted Fund spending request to award \$75,000 to The Lost Colony for improvements to enhance the visitor experience at the Waterside Theater. Chairman Woodard asked Mr. Nettles to have the Tourism Board consider awarding future grants on a non-reimbursement basis so that qualifying organizations will not have to borrow money until their grant funding is dispersed.

MOTION

Vice-Chairman Overman motioned to approve the request in the amount of \$75,000. Commissioner Shea and Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

ITEM 12 – CITY BEVERAGE WAREHOUSE – CUP AMENDMENT

This item was removed from the agenda so that further research could be done.

ITEM 13 – PRELIMINARY FLOOD MAPS – STAFF PRESENTATION

Planning Director Donna Creef reported on staff efforts to obtain input from stakeholders and the municipalities about the preliminary flood maps that were presented at a previous Commissioners meeting. She explained that there appears to be stakeholder consensus not to appeal the preliminary maps and she noted that an appeal by the municipalities seems unlikely. Ms. Creef described stakeholder support for developing a Local Flood Elevation (LFE) standard and outlined an opportunity to file for FEMA mitigation grant funds. Ms. Creef listed a series of possible next steps and asked the Board to provide guidance, which resulted in the following motion -

MOTION

Commissioner Ross motioned to not appeal the flood maps, continue working with the Towns to develop a community-wide CRS campaign on flood insurance and targeted map risks, move forward on development of local flood elevation for consideration by the Board of Commissioners as part of updates to the Flood Ordinance, and submission of a FEMA mitigation grant.

Vice-Chairman Overman and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 14 – HMGP ELEVATION GRANT – AUTHORIZATION TO REQUEST FUNDING

Planning Director Donna Creef asked the Board to authorize staff to request funding from the FEMA Hurricane Mitigation Grants Program (HMGP) and approve the guidelines used to evaluate the applications.

MOTION

Vice-Chairman Overman motioned to authorize submitting a request for HMGP funds and approve the guidelines prepared by staff for use in evaluating the applications. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 15 – REVERSE PRIOR BUDGET AMENDMENT FOR SERIES 2017 WATER REVENUE REFUNDING BONDS

Finance Director David Clawson explained that the Board previously adopted a Budget Amendment for the sale of Water Revenue Refunding Bonds. He noted that the sale was delayed due to deteriorating savings levels and growing negative arbitrage. Mr. Clawson reported that the bond market will continue to be monitored and when conditions improve this matter will be brought back to the Board of Commissioners for further action. He asked that the October 17, 2016 Budget Amendment be reversed.

MOTION

Commissioner Shea motioned to reverse the October 17, 2016 Budget Amendment. Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 16 – AMENDMENT TO GRANT PROJECT ORDINANCE FOR REGIONAL EMERGENCY COMMUNICATIONS CENTER & EOC PROJECT (Att. #1)

Mr. Clawson outlined an amendment to the Grant Project Ordinance for the Regional 911 Center/EOC Building and asked the Board to update the project budget for changes known as of February 9, 2017. He described the requested budget changes for the E911 fund, updated technology costs, and a schedule of building change orders. The Manager added that a ribbon cutting ceremony is scheduled for early next month.

MOTION

Commissioner Umphlett motioned to adopt the amendment to the Grant Project Ordinance and to adopt the Budget Amendment for the E911 Fund.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 17 – 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 (02.20.17) **(Att. #2)**
- 2) Resolution to Obtain Grant Funding from N.C. Water Resources **(Att. #3)**
- 3) Government Education Access Channels 2017/2018 Proposed Budget
- 4) Detention Center Budget Transfer

5) Tax Collector's Report
Commissioner Couch seconded the motion.
VOTE: AYES unanimous

ITEM 18 – BOARD APPOINTMENTS

- 1) Health and Human Services Board
Commissioner Shea motioned to appoint Commissioner Wally Overman to fill the unexpired term of former Commissioner Beverly Boswell who resigned in order to serve in the North Carolina Legislature.
Commissioner Umphlett seconded the motion.
VOTE: AYES unanimous
- 2) Upcoming Board Appointments
The upcoming Board appointments for April, May, and June were announced.

ITEM 19 – 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 Ross – commended the Room in the Inn program for the humanitarian and generous way they are helping the vulnerable in our community. He raised a citizen concern about the speed limit in the Village of Frisco. Commissioner Couch noted that there will be some community resistance on the speed limit issue and Chairman Woodard reported that he has spoken with the Sheriff who will continue to monitor this. Commissioner Ross mentioned the North Carolina Beach Inlet & Waterway Assoc. and their effort to get a state funded beach nourishment program.

Commissioner House – Gave an update on the Oregon Inlet Task Force and reported on a sand bypass system that looks promising. Commissioner House advised that the rulemaking petition that would create Special Secondary Nursery Areas, which would severely hurt the North Carolina shrimping industry, is still in the Rules Committee. Commissioner House noted that U.S. Commerce Secretary Wilbur Ross promises to make commercial fishing a top priority.

Commissioner Umphlett – congratulated the service pin recipients and the Employee of the Month. She thanked the American Red Cross and the Economic Improvement Council for their presentations and expressed appreciation for National Park Service Superintendent Dave Hallac.

Vice-Chairman Overman – recognized the service pin recipients and the Employee of the Month. He gave an update on Hatteras Inlet and said the Memorandum of Agreement (MOA) has been submitted and is awaiting signature, which could be signed at any hour. The Vice-Chairman presented a packet of information with a draft letter to

the Chairman of the Marine Fisheries Commission and to the Director of the Division of Marine Fisheries about the issue raised by Mr. Parker during the public comment period concerning the Coastal Recreational Fishing License Grant Program. He asked the Board to authorize sending a letter addressing the inequity of the matching fund requirement that is being imposed on the Oregon Inlet Artificial Reef Committee.

MOTION

Vice-Chairman Overman motioned to authorize sending a letter to Marine Fisheries Chairman Sammy Corbett and Division of Marine Fisheries Director Braxton Davis. Commissioner House seconded the motion.

VOTE: AYES unanimous

Commissioner Shea – acknowledged the service pin recipients and the Employee of the Month for all that they do to make Dare County a great place to live, work, and raise a family. He said he was pleased to see the County moving forward with implementation of the economic development program. Commissioner Shea reminded all Veterans to make use of the services that are available to them and provided information about how to contact the Dare County Veterans Service Officer.

Commissioner Couch – reported on a recent community meeting in celebration of Black History Month where Michael Tillett encouraged young people to follow their dreams and Mrs. Jackson gave inspirational remarks. Commissioner Couch gave an update on the effort to change the legislative language to include multi-use pathways in the Hatteras Village Community Center District. He presented an updated resolution supporting a voter referendum for District residents about the language change.

MOTION (Att. #4)

Commissioner Couch motioned to adopt the updated resolution as presented. Vice-Chairman Overman and Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

Chairman Woodard – noted that Lynda Midgett has resigned from the Board of Elections and thanked her for her long career of community service.

The Chairman presented the following two items for Board action - - -

The Board reluctantly accepted the resignation of Margarett Umphlett as a Dare County Commissioner effective March 31, 2017 as she announced at the last meeting.

MOTION

Commissioner Shea motioned to accept the resignation of Margarett Umphlett. Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

Chairman Woodard presented a resolution supporting equal rights for everyone.

MOTION (Att. #5)

Commissioner Shea and Commissioner House motioned to adopt the resolution. Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

MANAGER'S/ATTORNEY'S BUSINESS

1. The County Manager provided information about a public meeting that will be held later this month concerning plans for a boat ramp in Rodanthe.
2. Mr. Outten presented an equipment financing resolution naming U.S. Bancorp to cover the HVAC unit at the Justice Center and two Public Works trucks. He noted that the items were previously approved in the 2017 Capital Improvements Plan.

MOTION (Att. #6)

Commissioner Shea motioned to adopt the financing resolution.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

Public Information Office Dorothy Hester provided information about a community meeting that will be held tomorrow at the Fessenden Center to give residents information about the upcoming Buxton beach nourishment project. She also gave details about the ribbon cutting ceremony next month for the new E911/EOC building.

ITEM 20 – CLOSED SESSION

Chairman Woodard asked for a Closed Session pursuant to NCGS 143-318.11(a)(6) to discuss personnel matters and approve minutes of the last Closed Session.

MOTION

Chairman Woodard motioned to go into Closed Session pursuant to provisions cited.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

At 1:09 p.m., the Board of Commissioners exited the meeting room and entered into Closed Session in their Conference Room. At 1:53 p.m., Chairman Woodard reconvened the meeting and the County Manager reported that in Closed Session the Board discussed personnel matters, approved previous Closed Session Minutes, and took no further action.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

At 1:54 p.m., the Board of Commissioners adjourned until 9:00 a.m., April 3, 2017.



Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners