



# 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](http://www.darenc.com)

## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., May 15, 2017

Commissioners present: Chairman Robert Woodard, Vice Chairman Wally Overman  
Jack Shea, Steve House, Rob Ross, Jim Tobin, 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](http://www.darenc.com).

Chairman Woodard called the meeting to order at 5:01 p.m. He invited Rev. Phillip Glick from Saint Andrews By-the-Sea Episcopal Church to share a prayer, and then he led the Pledge of Allegiance to the flag.

#### ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard mentioned the following items during his opening remarks –

- Commented on the funeral service that was recently held for the Mother of Arty Tillett and asked everyone to keep the family in their thoughts and prayers.
- Gave an update on the resumed dredging of Hatteras Inlet.
- Encouraged everyone to attend Dare Day on June 3.
- Said contractors are mobilizing for beach nourishment projects throughout the County.
- Congratulated the Colington Fire Department on achieving an outstanding “3” rating.
- Outlined several positive items contained in the Senate’s version of the State budget.

A video of the Chairman’s update can be seen on the County website [www.darenc.com](http://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. There were no public comments.

**ITEM 3 – REQUEST TO NAME SKYCO COMMUNITY WALKWAY IN HONOR OF MARSHALL AND GUSSIE COLLINS (Att. #1)**

Joan Collins, a descendant of Marshall & Gussie Collins, asked the Board to consider honoring Marshall and Gussie Collins by naming the new Skyco community walkway in their honor. She shared excerpts of a published article by David Stick describing the impact that this remarkable African-American couple has had on the community. The walkway, which extends from the Visitors Center to Toler Road and picks up again at Skyco Road, is located on land that was previously owned by Marshall & Gussie Collins.

**MOTION**

Vice Chairman Overman motioned to name the Skyco community walkway as “The Marshall and Gussie Collins Walkway” with a plaque to be placed at the entryway providing information about Marshall and Gussie Collins to benefit future generations. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 4 – POLICY FOR NAMING OF DARE COUNTY BUILDINGS AND FACILITIES**

Mr. Outten reviewed a draft policy for the naming of County facilities, which was first presented at a previous meeting. He asked for Commissioner input to determine several blank spaces in the draft policy and the Board reached the following consensus –

- Individuals or groups can be nominated.
- Must be a full-time Dare County resident for a minimum of 20 years.
- If deceased, must have been a full-time County resident for a minimum of 20 years.
- No pending felony criminal charges or have been found guilty of any felony criminal act.
- Any action to approve shall be by a 5/7 vote of the Board of Commissioners.

**MOTION**

Commissioner House motioned to approve the draft policy with language inserted into the blank spaces to reflect the consensus of the Board as outlined to the County Manager. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 5 – APPROVAL OF CHICAMACOMICO BANKS FIRE DEPARTMENT SERVICE CONTRACT (Att. #2)**

Dare County Fire Marshal Steve Kovacs noted that the Chicamacomico Banks Fire Department and the Salvo Volunteer Fire Department have been working on a merger and he presented a contract between the Chicamacomico Banks Fire Department (CBFD) and the County of Dare for the CBFD to provide service to the Village of Salvo.

**MOTION**

Commissioner House motioned to approve the contract. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 6 – APPROVAL OF NEW CHICAMACOMICO BANKS FIRE INSURANCE DISTRICT (Att. #3)**

Fire Marshal Kovacs summarized the boundary lines of a new Fire Insurance District that combines the existing Salvo and Chicamacomico Banks Fire Insurance Districts into one new Fire Insurance District reflecting the merger of the two fire departments.

**MOTION**

Commissioner House motioned to approve the resolution for the new Chicamacomico Banks Fire Insurance District in accordance with the description and map as presented. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 7 – INTERLOCAL AGREEMENT – SOUTHERN SHORES BEACH NOURISHMENT PROJECT (Att. #4)**

Mr. Outten presented an Interlocal Agreement with the Town of Southern Shores outlining the Town's agreement with the County concerning the Town's beach nourishment project. He explained that the Southern Shores agreement has the same provisions as the beach nourishment agreements that are in place with other Dare County municipalities.

**MOTION**

Vice Chairman Overman motioned to approve the Southern Shores Interlocal Agreement. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

The Board also took action on the following motions related to all the beach nourishment projects that are now underway in Dare County –

**MOTION**

Commissioner Shea motioned to authorize any Budget Amendments, Budget Ordinances, or financing documents that may be needed for any of the beach nourishment projects. Commissioner House seconded the motion.

VOTE: AYES unanimous

**MOTION**

Commissioner Shea motioned to authorize any ongoing change orders that may be needed for any of the beach nourishment projects without changing the budgeted amounts. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 8 – DOG TETHERING ORDINANCE (Att. #5)**

Commissioner Ross engaged the Board in a discussion of a dog tethering ordinance that was prepared in response to an issue raised by a concerned citizen. John Graves, Director of the Outer Banks SPCA, applauded the ordinance saying it was incredibly well written. He noted that some dog owners face financial challenges and requested \$3,000 to help the SPCA bring dog owners into compliance. In discussing the ordinance,

Commissioner Ross indicated that a few grammatical changes were needed and the Board concurred in making the following modifications – Section (B)(3) to read: “The tether shall be connected to the dog by a body harness made of nylon or leather, not less than one inch in width and where the weight of the tethering device and the collar cannot exceed ten percent of the dog’s body weight.” Section (C) to read: “A chain or rope is acceptable in the place of a leash when walking a dog as long as the dog has an appropriate collar or harness.” The County Manager clarified that this ordinance is for the purpose of addressing the tethering of dogs and it is not a leash law.

**MOTION**

Commissioner Tobin motioned to approve the dog tethering ordinance with the modifications that were outlined.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – CONSENT AGENDA**

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

**MOTION**

Commissioner Shea and Commissioner Couch motioned to approve the Consent Agenda:

- 1) Approval of Minutes (May 1, 2017 & Budget Workshops on April 24, April 26, May 1) **(Att. #6 )**
- 2) DCDHHS, Public Health Division – Cabinetry & Equipment for Exam Rooms

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 10 – 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](http://www.darenc.com).

Commissioner Shea – congratulated all high school and college graduates and wished them success in achieving their dreams. He also expressed hope that this summer will be happy and prosperous for everyone.

Vice Chairman Overman – gave a report on dredging activity at Hatteras Inlet and presented a video outlining the scope of the project.

Commissioner House – commended the Colington Fire Department on being awarded an outstanding fire rating. He complimented the beach nourishment informational campaign [MoreBeachToLove.com](http://MoreBeachToLove.com). He expressed hope that the State budget under consideration in Raleigh will have a positive impact on the structure and function of the North Carolina Marine Fisheries Commission. He reminded everyone to remember police Sgt. Earl Murray who lost his life in a motor vehicle accident while responding to an emergency call on this date in 2009. Commissioner House presented the Pet of the Month video.

Commissioner Ross – thanked the Board for adopting the Dog Tethering Ordinance. He reminded everyone about the upcoming meeting of the Rural Center at Jennette’s Pier. He said he has been assured that the Outer Banks Chamber of Commerce is not part of the North Carolina Chamber, which is the state-level organization that is supporting House Bill 867. Commissioner Ross added that along with the Board of Commissioners, the Outer Banks Chamber of Commerce is opposed to House Bill 867, which would hurt our seafood industry.

Commissioner Tobin – thanked Senator Cook for the effort that is underway in Raleigh to more effectively restructure the Marine Fisheries Commission. Commissioner Tobin gave an update on shoaling at the Oregon Inlet center span and provided details about plans for dredging later this month and during June.

Commissioner Couch – provided details about the recent British War Graves Ceremony and the solemn honor that was bestowed on members of the British Royal Navy who lost their lives during the sinking of the San Delfino and Bedfordshire. Commissioner Couch also commented on the recent funeral service for the Mother of Arty Tillett. He noted that there is a provision in the Senate version of the State budget to provide funding for a maintenance mechanic at the Graveyard of the Atlantic Museum.

Chairman Woodard – described the need for a resolution or letter supporting the Director’s position at Jennette’s Pier so that funding for it is not eliminated in the State budget, which would cause the position to be consolidated with the Roanoke Island Aquarium. Commissioner Tobin said this issue is the Aquarium’s business and not that of the Dare County Board of Commissioners. Commissioner Ross asked whether the Director of the Aquarium has expressed a position on this matter and said he was baffled that input from the Aquarium is missing. Commissioner House agreed that more information is needed from the Aquarium. Vice Chairman Overman noted that Jennette’s Pier operates off its own revenue and none of the reasons have changed that were outlined in a previous resolution supporting the Pier Director position. Commissioner Shea said the pier needs to be properly managed. Commissioner Couch said Jennette’s Pier has been a success and eliminating the Director’s position is short sighted and made the following motion –

**MOTION**

Commissioner Couch motioned to send a letter to Senator Cook & Representative Boswell expressing concern about the elimination of the Director’s position at Jennette’s Pier. Vice Chairman Overman seconded the motion.

VOTE: AYES: 4 (Commissioners: Woodard, Overman, Shea, Couch)

NOES: 3 (Commissioners: House, Ross, Tobin)

Motion carried in a 4 to 3 vote

**MANAGER’S/ATTORNEY’S BUSINESS**

1. The County Manager informed the Board that a request has been submitted for abandonment of an unused portion of State Road 1160 (Dare Avenue). He explained that since it involves a public road, the recommendation of the Board of

Commissioners is needed. He noted that one person had previously expressed concern about this road and asked the Board if they wanted to seek public input before proceeding. By consensus, the Board agreed that the item should be advertised and placed on an upcoming agenda.

2. Mr. Outten explained that mobilization for the Buxton beach nourishment project involves transporting equipment on Old Lighthouse Road. He reported that there is a problem getting the necessary equipment to the beach when people park vehicles on both sides of the street. He said NCDOT will put up no parking signs and asked the Board for authorization to submit any resolutions or documents with the Chairman's signature that may be needed in order for NCDOT to proceed.

**MOTION**

Commissioner Shea motioned to approve the request presented by the Manager. Commissioner Couch seconded the motion.

VOTE: AYES unanimous

3. The Manager reported that there is discussion in Raleigh proposing consolidation among counties for children's social services programs. He noted that Health and Human Services Director Jay Burrus does not think this arrangement would be beneficial for Dare County. Mr. Outten said he would keep the Board informed about any developments on this issue.

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

**MOTION**

Commissioner Shea motioned to adjourn the meeting.

Commissioner House seconded the motion.

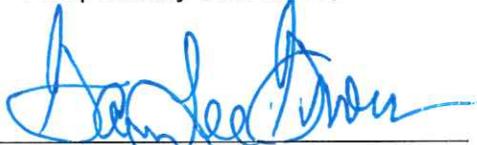
VOTE: AYES unanimous

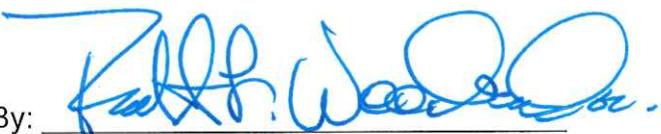
At 6:41 p.m., the Board of Commissioners adjourned until 9:00 a.m., June 5, 2017



APPROVED:

Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners