



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., June 5, 2017

Commissioners present: Chairman Robert Woodard, Vice Chairman Wally Overman
Jack Shea, Steve House, Rob Ross, Jim Tobin

Commissioners absent: Danny Couch

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 9:00 a.m. He invited Rev. Tom Wilson from All Saints Episcopal Church to share a prayer, and then he led the Pledge of Allegiance to the flag. The Chairman announced that Commissioner Couch had an excused absence due to a previous engagement.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard mentioned the following items during his opening remarks –

- He commented on the opening of the 80th season of the Lost Colony production.
- The Chairman complimented Manteo Commissioner Martha Wickre on a wonderful Dare Day celebration and he reported that at the event Malcolm Fearing was named as the Dare County Citizen of Year.
- Gave an update on the North Carolina Attorney General’s investigation into gasoline prices in Dare County. He said the latest report from the Attorney General stated that they found no evidence of criminal wrongdoing or collusion.
- He noted that the County has recently received several positive letters from patients about the excellent care they received from Dare County EMS personnel.
- Details were given about three cleanup events being done by the National Park Service Outer Banks Group in recognition of June being designated as World Oceans Month.
- He congratulated Dare County School Superintendent Sue Burgess on her retirement and thanked her for a job well done.
- Concern was expressed about some jet skiers and boaters ignoring the no-wake zones in Wanchese Harbor. He asked everyone to obey the rules and warned that violators will face law enforcement action.
- Chairman Woodard gave an update on beach nourishment and showed a video.

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

ITEM 2 – COLLEGE OF THE ALBEMARLE – INTRODUCTION OF NEW PRESIDENT

Dr. Robert Wynegar, the new President of the College of the Albemarle (COA) was introduced by S. Paul O'Neal, Chairman of the COA Board of Trustees. Dr. Wynegar summarized his background and experience and explained how a degree from COA is an excellent financial investment. He expressed hope that COA's relationship with Dare County will grow and flourish.

ITEM 3 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Helene Taylor, Transportation, received a 15-year pin.
- 2) Dorothy Hester, Public Relations, received a 20-year pin.
- 3) Nancy Wilkinson, Social Services, received a 20-year pin.
- 4) Sharon Tinnell, Finance Dept., received a 25-year pin.
- 5) Andrian "Sweet Pea" Tillett-Hauck, Planning Dept., received a 25-year pin.
- 6) Elizabeth Edens, 911 Communications, received a 30-year pin.

ITEM 4 – EMPLOYEE OF THE MONTH – JUNE 2017

Talmage Willis received the Employee of the Month award from Trey Piland who described the many ways that Mr. Willis is an asset to the 911 Communications Department.

The County Manager also recognized Skip Wallace, Videographer in the Public Relations Department. Mr. Outten shared correspondence he received from NCDOT Engineer Pablo Hernandez describing the excellent quality and professionalism of the video updates that Mr. Wallace has produced regarding the Bonner Bridge replacement project.

ITEM 5 – 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 6 – AWARD FOR EXCELLENCE IN FINANCIAL REPORTING

Chairman Woodard recognized the Dare County Finance Department on receiving a Certificate of Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada. He noted that this is the 26th consecutive year that Dare County has received this prestigious award, which was presented to Finance Director David Clawson. An Award of Financial Reporting Achievement was given to Assistant Finance Director Sally DeFosse as the person primarily responsible for preparing the county's Comprehensive Annual Financial Report (CAFR). The Chairman commended the entire staff of the Finance Department for their professionalism and skill.

ITEM 7 – ROANOKE ISLAND HISTORICAL ASSOCIATION - PRESENTATION

Steve King, Chairman of the Roanoke Island Historical Association (RIHA) and Bill Coleman, Executive Director presented plans to monetize property owned by RIHA to benefit their endowment in order to help ensure the future of the Lost Colony, which is the longest running outdoor drama in the nation. Mr. King explained that the RIHA property known

as the Pearce Tract has been appraised at \$1,000,000. He then outlined a plan whereby the Conservation Fund located in Raleigh and Washington, D.C. would preserve the property as green space with revenue coming from 3 different sources - private donors, a grant from the Clean Water Management Trust Fund (CWMTF), and Dare County. He said \$675,000 would come from private donors and the CWMTF grant and he requested that the balance of \$300,000 come from Dare County in the form of a GOSPL (Green Space – Open Space Preservation of Land Grant) from the Tourism Board. The Board of Commissioners discussed the merits of the arrangement and whether the County would be required to own the property in order to qualify for the GOSPL grant. Mr. Coleman noted that the National Park Service has agreed to manage the 20 acre site.

MOTION

Chairman Woodard motioned to authorize the County to seek a \$300,000 GOSPL Grant (Green Space – Open Space Preservation of Land) from the Tourism Board with no County match as the County's portion of the approximate \$900,000 purchase of the "Pearce Tract" contingent on title vesting with the County.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 8 – SOUTHERN SHORES CIVIC ASSOCIATION – REQUEST FOR WATER SAMPLING AND REMEDIATION (Att. #1)

Carol Riffin on behalf of the Southern Shores Civic Association (SSCA) asked the Board of Commissioners to support a request that the North Carolina General Assembly provide funds for water sampling, analysis, and remediation in the area of Soundview Park on the Currituck Sound, which is an SSCA property that has experienced ongoing problems with enterococci bacteria levels. She asked the Board to approve a resolution seeking State funding for what needs to be done to properly sample and remediate the problem with the public trust waters. During discussion of the item, it was the consensus of the Board to add language to the resolution calling for the State of North Carolina to allocate State personnel to perform soundside testing, and if staff resources cannot be reallocated for this purpose to contract with a third party to provide the much needed water testing.

MOTION

Commissioner House motioned to adopt the resolution in support of the request for assistance from the State of North Carolina with language added to the resolution as outlined during the Board's discussion.

Vice Chairman Overman and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

RECESS: 10:42 a.m. – 10:54 a.m.

ITEM 9 – KINGS POINT OYSTERS LLC CONDITIONAL USE PERMIT

This agenda item was handled as a quasi-judicial proceeding. Planning Director Donna Creef and the applicant Katherine Stowe were all duly sworn by the Clerk to the Board before offering any testimony. Also sworn was Pat Weston who posed a public question.

Planning Director Donna Creef outlined a Conditional Use Permit (CUP) submitted by Spurgeon and Katherine Stowe d/b/a Kings Point Oysters to operate a fish house for processing oysters at 57193 Olen's Lane in Hatteras. Ms. Stowe provided testimony about the oyster cultivation and harvesting process for the 5 acres she leases in the Pamlico Sound. She described how oysters are transported and said there are no plans to utilize 18-wheel trucks or do retail sales at the site. The Board discussed adding an additional condition that there will be no commercial shucking of oysters on site other than for personal consumption by the applicants. Ms. Weston asked whether the conditions of the CUP stay with the property even if it were to be transferred and was provided an answer by the Chairman. In response to a question from Vice Chairman Overman, the applicant said she understood that any conditions that may be approved by the Board are binding regulations and not merely suggestions. The Manager asked the applicant if she agrees to the findings of fact listed in the CUP, the supporting documents on file, the facts presented by the Planning Director, and whether she agrees to all the terms and conditions that will be in the Conditional Use Permit. Ms. Stowe indicated her agreement.

MOTION

Commissioner Shea motioned to approve the Conditional Use Permit and site plan with an additional condition added that there will be no commercial shucking of oysters on site with the finding that sufficient information documenting compliance with the R2-AH zoning requirements has been submitted by the applicants and reasonable and appropriate conditions have been identified and applied to the proposed facility.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 10 – DEBRIS MANAGEMENT CONTRACT

Results of the Request for Proposal (RFP) that was advertised for Debris Management were presented to the Board. Finance Director David Clawson reviewed how the proposals were scored based on FEMA criteria and asked the Board to authorize the County Manager to move forward with contract negotiations with D&J Enterprises as the primary vendor and Crowder Gulf as the secondary, back-up vendor.

MOTION

Vice Chairman Overman motioned to approve the proposals submitted by D&J Enterprises and Crowder Gulf as outlined and authorize the County Manager to move forward with contract negotiations with both companies.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 11 – BUDGET AMENDMENT FOR SALE OF SERIES 2017 WATER REVENUE REFUNDING BONDS

Finance Director David Clawson reported that the County's financing team is moving forward with the previously authorized refunding (refinancing) of the County's water revenue bonds, which was delayed from last year due to deteriorating savings levels and growing negative arbitrage. He outlined improvements that have occurred in the benchmarks that are used to evaluate refunding and asked the Board to adopt a Budget Amendment in order to proceed with the sale.

MOTION

Vice Chairman Overman motioned to adopt the Budget Amendment as presented.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 12 – PRESENTATION OF MANAGER’S FISCAL YEAR 2018 BUDGET & PLANNED BUDGET FOR FY 2019

The County Manager gave a presentation on the proposed budget for fiscal year 2018 and planned budget for fiscal year 2019. He thanked the Board for participating in four budget workshops and providing unanimous budget guidance. Mr. Outten outlined a total budget of \$158,147,931 with a General Fund of \$110,698,050 which represents a 6.28% increase. He said although the County has been frugal in controlling costs and maximizing the utilization of vehicles and facilities, seven key items represent 79% of the General Fund increase. He provided details about needed expenditures for the EMS Department to meet the increased demand for emergency medical services, funding for the Board of Education, resources for inlet maintenance, 911 Communications and Emergency Management, mandatory retirement supplements, and funding of the salary study and merit pay plan. He pointed out that without these seven items, the budget is basically flat. In order to maintain the current level of County services, provide for the Board priorities, and fund all mandated services, the budget proposes an increase in the property tax rate to \$0.47 from \$0.43 per \$100 of valuation. The Manager reviewed Dare County’s effective property tax rate, and explained how it compares favorably to the rest of the State. Revenues were outlined and a report was given on the County’s Fund Balance, which meets the target range of 19%-21%. Details were given about funding for the Board of Education and deferred maintenance items. Mr. Outten also reviewed other Dare County funds. Following the Manager’s presentation there were no questions from the Board and Chairman Woodard thanked staff for their hard work preparing the proposed budget.

MOTION

Commissioner Shea and Commissioner House motioned to set a Public Hearing on the budget for 5:30 p.m., June 19, 2017.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 13 – 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 (05.15.17 Regularly Scheduled Meeting & Budget Workshop) **(Att. #2)**
- 2) DCDHHS, Public Health Division – Budget Amendment for Hospice Medical Supplies
- 3) Convenience Center Commingled Recycling Collection Grant
- 4) Dare County JCPC Certification & Funding Plan – 2017/2018
- 5) Avon Property Owners Association – Fourth of July Fireworks
- 6) Town of Manteo – Fourth of July Fireworks
- 7) Older Adult Services Budget Amendment
- 8) Homeland Security Exercise Grant
- 9) Tax Collector’s Report

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 14 – BOARD APPOINTMENTS

- 1) College of the Albemarle – Board of Trustees
Vice Chairman Overman motioned to appoint David Reide Corbett.
VOTE: AYES unanimous
- 2) Dare County Transportation Advisory Board
Vice Chairman Overman motioned to reappoint Amy Montgomery (Hospital Rep).
VOTE: AYES unanimous
- 3) Dare County Waterways Commission
Vice Chairman Overman motioned to reappoint David May, Dan Oden, Fletcher Willey.
Commissioner House motioned to appoint Chuck Earley to the vacant At-Large position
VOTE: AYES unanimous
- 4) Hatteras Community Center
Vice Chairman Overman motioned to reappoint George Banks, Dennis Robinson, and Ricki Shepherd.
VOTE: AYES unanimous
- 5) Juvenile Crime Prevention Council
Vice Chairman Overman motioned to –
Reappoint – Robert Trivette, Teresa Twyne, Vance Haskett, Gail Hutchison, Jennifer Karpowicz, LaQreshia Bates-Harley, Keith Letchworth, Bonnie Bennett, Pat Hudspeth, Richard Martin, Laura Twichell, Jay Burrus, Katherine Irby, Ryan Henderson, Nancy Griffin
Appoint – Lionel Ray Robinson to the At-Large seat previously held by Malinda Lathan.
VOTE: AYES unanimous
- 6) Land Transfer Tax Appeals Board
Vice Chairman Overman motioned to –
Reappoint Jacqueline Ricks-Sample as the Town of Kill Devil Hills representative.
Reappoint June Neri as the Town of Manteo representative.
Appoint Lynne McClean as the Town of Kitty Hawk representative.
VOTE: AYES unanimous
- 7) Library Board - Dare
Commissioner House motioned to reappoint Ellen Bryson, Mike Hogan, Janice Willis.
VOTE: AYES unanimous
- 8) Manns Harbor Community Center
Vice Chairman Overman motioned to reappoint Rodney Balance, Bett Beasley, and Vickie Craddock
VOTE: AYES unanimous
- 9) Roanoke Island Community Center Board
Vice Chairman Overman motioned to –
Reappoint – Jonique Lee, Betty Selby, and Allen Moran.
Appoint – Willer Spencer to the seat previously held by David Twiddy.
VOTE: AYES unanimous

10) Upcoming Board Appointments

The upcoming Board appointments for July, August, and September were announced.

ITEM 15 – 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 Shea – congratulated the service pin recipients and the Employee of the Month. He also welcomed summer visitors to Dare County and expressed hope that this season will be a successful one for everybody.

Vice Chairman Overman – expressed gratitude to the EMS providers who were recently named in letters that the County received from patients who had benefitted from their care. He gave an update on dredging of the Connecting Channel at Hatteras Inlet and showed the latest survey results. The Vice Chairman congratulated the service pin recipients and the Employee of the Month.

Commissioner House – spoke of the need for donations to the Scenic Byways initiative. He noted that one of the recent letters complimenting Dare County EMS personnel was from someone who is a national EMS consultant. Commissioner House reported on a conference he attended where he was able to pass along the concerns of our commercial fishing industry.

Commissioner Ross – commended the Nags Head Links Ladies on their “Driving Fore the Cure” charity fundraiser. He described a recent conference he attended at the Dare County Center on the topic of elder abuse, neglect, and fraud. Commissioner Ross noted that the feedback he has received about the dog tethering ordinance has been unanimously favorable.

Commissioner Tobin – reported on a trip he made to Raleigh on behalf of the fishing industry to discuss House Bill 867. He said many of the legislators from non-coastal areas were not aware of the harmful impact that H.B. 867 would have. Commissioner Tobin extended condolences to Vanessa Foreman on death of her husband Allan “Big Al” Foreman. He added that Vanessa and Big Al have been strong supporters of the Friends of Youth program and noted that the group will soon be going on a fishing excursion on the Crystal Dawn.

Chairman Woodard – presented for approval the following Commissioner appointments to various Boards and Committees –

Danny Couch	Fessenden Center & Special Motor Vehicle Valuation Board
Steve House	Juvenile Crime Prevention Council, Dare County Youth Council Advisory Board
Rob Ross	Dare Center Advisory Board, Library Board – Dare, Industrial Bonding Authority
Jim Tobin	Cooperative Extension Advisory Council, Older Adult Services Advisory Council Nursing Home Community Advisory Board

MOTION

Chairman Woodard motioned to approve the list of appointments as presented.

Vice Chairman Overman and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

MANAGER'S/ATTORNEY'S BUSINESS

1. The County Manager provided an update on the lawsuit regarding the Southern Flounder Management Plan in which the County participated. He reported that a satisfactory settlement has been reached and asked the Board to approve the settlement agreement.

MOTION

Commissioner House motioned to approve the settlement agreement.
Vice Chairman Overman and Commissioner Tobin seconded the motion.
VOTE: AYES unanimous

2. Mr. Outten presented an item related to the application and resolution that was previously approved by the Board asking NCDOT to name the new Pea Island Bridge in honor of Captain Richard Etheridge. He said NCDOT requires a \$2,000 administrative fee pending approval of the application and asked the Board to authorize the expense.

MOTION

Vice Chairman Overman motioned to approve the expenditure.
Commissioner House seconded the motion.
VOTE: AYES unanimous

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

MOTION

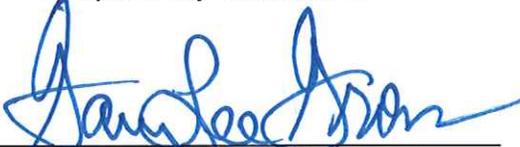
Commissioner Shea motioned to adjourn the meeting.
Commissioner House seconded the motion.
VOTE: AYES unanimous

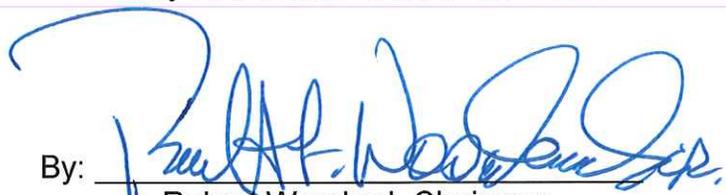
At 1:04 p.m., the Board of Commissioners adjourned until 5:00 p.m., June 19, 2017.



APPROVED:

Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners