



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., August 7, 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
Deputy County Manager/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 invited Rev. Craig Peel 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 10:00 a.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 reported that certificates of appreciation were recently presented to three members of the Dare Education Foundation.
- It was announced that the NCDOT Board will consider Dare County’s request to name the new Pea Island Bridge in honor of Captain Richard Etheridge at their September 7 meeting.
- Chairman Woodard expressed his gratitude for the way people helped their neighbors and handled the recent power outage crisis on Hatteras Island. He thanked those who worked tirelessly to restore power and those who provided services such as staffing checkpoints and answering telephone inquiries. Commissioner Ross thanked Chairman Woodard for his handling of the crisis and keeping everyone well informed.

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) Catisha Bryant, Public Health Division, received a 10-year pin.
- 2) Kelly Nettnin, Public Health Division, received a 10-year pin.
- 3) Ashlee DeWeese, Tax Assessment, received a 15-year pin.
- 4) Jennifer Wooten, Friends of Youth, received a 20-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH – AUGUST 2017

Danielle Stine received the Employee of the Month award from Holly Meekins who described the many ways that this Physical Therapist is an asset to Dare Home Health.

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 comments were made in Manteo –

1. Frank Miller – thanked those who worked to provide services to people during the power outage. He described how his business helped direct veterans to available services. He also expressed caution about the filing of class action lawsuits. Mr. Miller offered his assistance to the Board and noted that businesses on Hatteras Island have been destroyed and it is essential that they receive help.

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

ITEM 5 – UPDATE ON THE BUXTON BEACH NOURISHMENT PROJECT

Tim Kana and Haiqing Kaczowski from Coastal Science & Engineering provided an update on the Buxton beach nourishment project. A report was given on what has been accomplished so far and production improvement measures that are being considered by the contractor, Weeks Marine, to finish the project on schedule. It was noted that with approximately 25% of the project completed, Weeks Marine is exploring bringing in another dredge vessel to help meet the project's contract deadline of December 15, 2017.

ITEM 6 – ALBEMARLE COMMISSION – NEW OFFICE FACILITY

Cathy Davison, Executive Director of the Albemarle Commission, gave an overview of a proposed new headquarters building from which the agency would serve the ten counties in its region. She described the need for the facility and summarized the financial analysis that has been done. Ms. Davison said the projected cost of \$3 million would be covered by \$800,000 from its unrestricted fund balance and financing of no more than \$2.2 million. She said loan terms of 20 and 40 years have been examined and explained that member counties would need to agree to allow the agency to obtain financing and continue as members of the Albemarle Commission for the life of the loan. Commissioners asked questions about the proposed facility and what would happen if the Albemarle Commission ceased to exist. Mr. Outten reported that some of the County Managers in the region have

an issue with a 40 year loan. He added that member counties have expressed interest in being part of the scoping process to give design input to the architect. Ms. Davison reported that a conference is planned with the Local Government Commission and after that meeting the proposed financing term will be determined. By consensus, the Board agreed that additional information is needed before considering the requested action.

RECESS: 11:04 a.m. – 11:24 a.m.

ITEM 7 – MARTHA WORRELL HOME OCCUPATION CONDITIONAL USE PERMIT

This agenda item was handled as a quasi-judicial proceeding. Planning Director Donna Creef and the applicant, Martha Worrell, were both duly sworn by the Clerk to the Board before offering any testimony.

The Planning Director outlined a Conditional Use Permit (CUP) submitted by Martha Worrell to operate a hair salon at her residence on Mother Vineyard Road. The County Manager asked the applicant if she agrees to the admission of the file material submitted by the Planning Department, the facts presented by the Planning Director, and the facts and conditions outlined in the CUP. Ms. Worrell indicated her agreement.

MOTION

Commissioner Shea motioned to approve the CUP recommended by the Planning Board. Vice Chairman Overman and Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 8 – FOOD STANDS – PROPOSED ZONING AMENDMENTS

The Chairman announced that this item was pulled from today's agenda until a future date.

ITEM 9 – COMMENTS TO STATE ON PRELIMINARY FLOOD MAPS

Planning Director Donna Creef reported that the 90 day appeal and comment period for the preliminary flood maps will begin soon. She said in meeting with municipal planning departments to discuss the maps, the group has reached a consensus about six issues including – correcting address inaccuracies on the State's website, confusing map legends, need for local government involvement in the next update, the use of better coastal models for future flood maps, include flooding that may occur from extreme rain events, and impact on property owners who may choose to cancel flood insurance based on reclassified flood zones. She asked the Board to authorize staff to prepare a letter for the Chairman's signature outlining the County's concerns with the preliminary flood maps.

MOTION

Vice Chairman Overman motioned to instruct staff to prepare a letter for the Chairman's signature outlining the County's position on the preliminary flood maps as discussed with the Planning Director and to share a copy of the letter with all Dare County Municipalities. Commissioner House and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 10 – PUBLIC HEARING – ZONING AMENDMENT FOR SOLAR ENERGY

Prior to opening the Public Hearing, Planning Director Donna Creef gave an overview on the zoning amendment request.

At 10:16 a.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. No one responded to the invitation to address the Board. Chairman Woodard closed the hearing at 10:16 a.m.

Planning Director Donna Creef outlined a zoning text amendment to exempt solar energy systems from lot coverage calculations at the request of John Dodaro. It was reported that the Planning Board felt other aspects of solar energy systems should be addressed in addition to the lot coverage issue as reflected in the proposed amendment.

MOTION

Vice Chairman Overman motioned to adopt the proposed Section 22-29-5 Solar Energy Systems as recommended by the Planning Board finding this amendment to be consistent with the 2009 Dare County Land Use Plan and other official plans of the County specifically Policy ICC #33 which supports alternative energy sources.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 11 – PUBLIC HEARING – SUBDIVISION ORDINANCE AMENDMENTS (Att. #1)

Prior to opening the Public Hearing, Planning Director Donna Creef gave an overview on the Subdivision Ordinance Amendments.

At 10:20 a.m., the 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. No one responded to the invitation to address the Board. Chairman Woodard closed the hearing at 10:21 a.m.

The Planning Director reported that the State of North Carolina recently enacted legislation that added new language to the definition of a subdivision. She explained that the Dare County Ordinance needs to be amended in order to be consistent with the State statute.

MOTION

Commissioner House motioned that the Subdivision Ordinance be amended for consistency with NCGS 153A-335 finding that this amendment is consistent with the 2009 Dare County Land Use Plan and other adopted laws and regulations in that it ensures uniformity with the State laws governing subdivisions of land.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 12 – CONSENT AGENDA

The County Manager announced that Consent item #5 (Rodanthe Cell Tower Lease) was removed from today's agenda and will be brought back to the Board later after terms of the agreement are resolved. He then introduced Dare County Tax Collector Becky Huff who provided additional information about Consent item #4 (Annual Settlement and Charges to the Tax Collector). The County Manager announced the Consent Agenda items as they were visually displayed in the meeting room.

MOTION

Commissioner Shea motioned to approve the Consent Agenda with #5 being removed:

- 1) Approval of Minutes (07.17.17) **(Att. #2)**
- 2) Southern Albemarle Association, Annual Meeting Invitation List
- 3) LEPC Grant – (Local Emergency Planning Committee)
- 4) Annual Settlement and Charges to the Tax Collector **(Att. #3)**
- 5) Rodanthe Cell Tower Lease **< This Item Was Removed from the Agenda >**
- 6) Renewal of SPCA Contract

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 13 – BOARD APPOINTMENTS

1) ABC Board

Commissioner Shea motioned to reappoint Fields Scarborough, Senior.

VOTE: AYES unanimous

2) Dare County Center Advisory Board

Vice Chairman Overman motioned to reappoint John Sibunka, Mitchell Bateman, and Samantha Brown & to appoint Paula Oliver to fill Bea Basnight's vacancy as recommended by the Dare County Center Advisory Board.

VOTE: AYES unanimous

3) Jury Commission

Vice Chairman Overman motioned to reappoint Alma Clark.

VOTE: AYES unanimous

4) Upcoming Board Appointments

The upcoming appointments for September, October, and November were announced.

ITEM 14 – 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 thanking them for making Dare County a great place to live, work, and raise a family. Commissioner Shea gave an update report on the latest meeting with the Chamber of Commerce concerning progress on the County's economic development initiative.

Vice Chairman Overman – commended the people of Hatteras Island for their resiliency.

Commissioner House – expressed gratitude for the staff of the Cape Hatteras Electric Cooperative and thanked them for their tireless work during the power outage. He also thanked Dare County employees who served during the crisis. Commissioner House encouraged everyone to do something to help bolster the Hatteras Island economy by going there for Christmas shopping or dining or replenishing their food pantry. He echoed comments made earlier by Commissioner Ross thanking Chairman Woodard for his leadership during the power outage crisis.

Commissioner Ross – repeated his thanks for the job done by Chairman Woodard and asked that an analysis be done of the Hatteras Island power outage so that lessons can be learned from the incident for future reference. Commissioner Ross noted that there has been a management change at the Dare County Animal Shelter and extended his best wishes. He announced a Chamber of Commerce fund raising golf tournament that will be held September 14 at Nags Head Golf Links. He also commended the Links Ladies social group for their contribution to the food pantry on Hatteras Island. Commissioner Ross reported on an extraordinary meeting he attended regarding services for those that are dealing with memory challenges.

Commissioner Tobin – joined others in thanking Chairman Woodard for his leadership during the Hatteras Island power outage. He thanked the Governor for quickly mobilizing NCDOT and needed resources. Commissioner Tobin commended the people of Hatteras Island noting that even amidst adversity there is a lot of good in Dare County.

Commissioner Couch – thanked Chairman Woodard for doing an exceptional job during the power outage. He expressed gratitude for the resources that are being mobilized to help people document the losses they suffered during the power outage.

Chairman Woodard – no additional comments.

MANAGER’S/ATTORNEY’S BUSINESS

1. The County Manager thanked Dare County staff for their hard work during the Hatteras Island power outage. He noted that a spreadsheet will be established to document the extent of the economic impact related to the crisis. He reminded that anyone with a special need should contact Dare County Social Services.
2. Mr. Outten gave an update on the Hatteras Island dredging project.
3. The Manager reported that staff is working on a Golden Leaf grant to get reimbursement for funds that were spent to dredge the Wanchese channel. He thanked Commissioner Tobin and Representative Boswell for connecting the County to the proper people for this funding opportunity.

4. Mr. Outten briefed the Board on the Joint Land Use Study (JLUS) that was spearheaded by Seymour Johnson Air Force Base in Goldsboro. He explained the purpose of the JLUS noting that the impact is greater for inland counties that are in the flight path to the Dare County bombing range.
5. The County Manager asked the Board to authorize Interlocal Agreements with any Dare County municipality that wants to be included in our debris removal contract.

MOTION

Vice Chairman Overman motioned to approve Interlocal Agreements as requested. Commissioner House and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

6. Mr. Outten said efforts have been made to secure grant funding for work that is needed on the Salvo cemetery, which is deteriorating rapidly with each storm event. He said there are limitations on what we can do since the site is not owned by the County or the Park Service. He outlined terms of a grant opportunity and asked for Board approval.

MOTION

Commissioner House motioned to approve the request as outlined by the Manager. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

The County Manager noted that after any major emergency event, staff and supporting agencies will conduct a meeting to assess the handling of the incident. Public Information Officer Dorothy Hester thanked the Board for providing the new Emergency Operations Center, which proved to be a valuable asset during the Hatteras Island power outage.

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 12:15 p.m., the Board of Commissioners adjourned until 5:00 p.m., August 21.



APPROVED:

Respectfully submitted,

By: _____

Gary Lee Gross, Clerk to the Board

By: _____

Robert Woodard, Chairman
Dare County Board of Commissioners