



# 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., January 19, 2016**

Commissioners present: Chairman Robert Woodard  
Vice-Chairman Wally Overman  
Warren Judge, Jack Shea, Allen Burrus,  
Beverly Boswell, Margarett Umphlett

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 5:02 p.m. He invited the Rev. David Morris from the Unitarian-Universalist Congregation of the Outer Banks to share a prayer, and then he led the Pledge of Allegiance to the flag.

Remarks were made by Chairman Woodard concerning the recent Dare County celebration of the birthday of Dr. Martin Luther King, Jr. He introduced the Echoes of Heritage and they delighted the audience by singing a beautiful musical selection. The Chairman presented a certificate of appreciation to Ruth Lewis in recognition of her 25 years of dedicated service making the annual remembrance of Dr. King a momentous occasion that keeps Dr. King's legacy alive in Dare County.

County Manager Outten introduced Jennie Collins the new Dare County EMS Director. He described her extensive EMS background and asked the Board to join in welcoming her to Dare County.

#### **ITEM 1 – OPENING REMARKS – CHAIRMAN'S UPDATE**

Chairman Woodard delivered a Stewardship Report, which was a comprehensive summary of the progress that has been made by the Board of Commissioners in the past year. A complete video account of the Chairman's Stewardship Report can be seen on the Dare County website [www.darenc.com](http://www.darenc.com).

## **ITEM 2 – PUBLIC COMMENTS**

The Manager outlined the public comments procedure. Nobody responded to the invitation to make public comments.

## **ITEM 3 – BUDGET AMENDMENT FOR BEACH NOURISHMENT FUND FOR TRANSFER TO INLET MAINTENANCE FUND**

Finance Director David Clawson presented a budget amendment to transfer \$500,000 from the Beach Nourishment Fund to the Inlet Maintenance Fund. He said the components of the Inlet Maintenance Fund include \$1,250,000 from the General Fund, proceeds from the sale of the old EMS helicopter, and \$1,000,000 from the Beach Nourishment Fund. He noted that the General Assembly has said that Beach Nourishment Funds can be used for dredging. Mr. Outten explained that \$500,000 is being budgeted at this time rather than \$1,000,000 because the Memorandum of Agreement (MOA) is not yet finalized.

### **MOTION**

Vice-Chairman Overman motioned to adopt the Budget Amendment.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

## **ITEM 4 – DARE COUNTY FARM LEASE**

The County Manager presented a lease for farmland owned by Dare County. He reported that both parties who responded to the Request for Proposal (RFP) have been invited to the meeting. He noted that neither of the parties were present. Mr. Outten clarified that the lease states that no hunting is permitted. He outlined what staff has learned about the experience and background of both applicants. He said an RFP is not required and outlined options available to the Board.

### **MOTION**

Commissioner Shea motioned to approve the lease agreement.

Commissioner Umphlett seconded the motion.

*During discussion of the motion, Chairman Woodard reviewed the past year's history of this item and said he thought someone would be here from Sow and Reap LLC to answer questions about their Registered Agent, address, and experience. He said it concerns him that someone from Sow and Reap is not here. The Chairman said he is inclined to table this matter until someone from Sow and Reap can be here to answer questions. Commissioner Boswell agreed that there are too many unanswered questions and a paper trail that leads to nowhere. **Following discussion of the motion, the original motion and its second were withdrawn by their makers.***

### **MOTION**

Commissioner Umphlett motioned to invite Sow & Reap to attend an upcoming Board meeting and answer Commissioner questions.

Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

### **ITEM 5 – APPOINTMENTS TO THE OREGON INLET TASK FORCE**

Chairman Woodard noted that Commissioner Boswell has attended meetings of the Oregon Inlet Task Force (OITF) on behalf of the Board. It was reported that Dave May has been unable to attend meetings due to his work schedule. Commissioner Boswell said the OITF recommends that Jamie Reibel be appointed to his seat. She explained that due to the uncertain schedule of local fishermen, the OITF requests that two alternates be appointed so that a quorum will always be present. She said the OITF recommends that John Ponton and Brown Douglas be appointed as Alternates.

#### **MOTION**

Commissioner Boswell motioned to appoint Jamie Reibel to the seat held by Dave May and to appoint John Ponton as Alternate #1 and Brown Douglas as Alternate #2.

Vice-Chairman Overman and Commissioner Umphlett seconded the motion.

*During discussion of the motion -*

*Commissioner Burrus suggested that the Alternates be designated by number.*

*Commissioner Boswell agreed to add to her original motion that John Ponton be designated as Alternate #1 and Brown Douglas as Alternate #2. Commissioners who seconded the motion agreed with the addition of number designations.*

VOTE: AYES unanimous

### **ITEM 6 – PUBLIC HEARING – ECONOMIC DEVELOPMENT PROPOSAL**

Mr. Outten reported that an economic development presentation was previously made to the Board by the NC State University Office of Outreach & Engagement. It was noted that North Carolina Statutes require a public hearing before taking this type of action to appropriate \$58,640 to engage the services of NC State University for the development of an economic diversification strategic plan for Dare County.

At 6:01 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. The following people spoke:

- 1) Karen Brown on behalf of the Outer Banks Chamber of Commerce expressed support for engaging an economic development strategic plan. She said the demographics and assets of our area, such as water, need to be embraced. Ms. Brown cautioned that it takes time for economic development leads to come to fruition. She identified target industries and outlined the Chamber's business retention and expansion program.

Chairman Woodard closed the hearing at 6:04 p.m.

The County Manager added that the expenditure will be taken out of the Contingency Fund and asked the Board to approve any Budget Amendments that may be needed.

#### **MOTION**

Commissioner Shea motioned to approve the Service Agreement and authorize all appropriate Budget Amendments.

Commissioners Judge, Boswell, and Overman seconded the motion.

VOTE: AYES unanimous

Mr. Outten noted that a sentence needs to be added to the indemnification language in the Service Agreement. He outlined the additional verbiage and explained that it preserves more rights for Dare County. He asked that the language be added as an amendment to the original motion.

**AMENDED MOTION**

Commissioner Judge motioned to approve the Service Agreement with the change of indemnification language as outlined by the County Manager and authorize all appropriate Budget Amendments.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 7 – CONSENT AGENDA**

The Manager announced the Consent Agenda items as they were visually displayed.

**MOTION**

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (01.04.16) **(Att. #1)**
- 2) Chapter 91 County Code of Ordinances – Feral Cat Regulations **(Att. #2)**
- 3) Budget Amendment – Dare SWCD Stream Debris Removal Project
- 4) FY2015 NCDOT 5316 Grant – Extension Period of Performance
- 5) Road Request – Poteskeet Neighborhood Cul-De-Sacs **(Att. #3)**
- 6) Emergency Planning Software – BoldPlanning
- 7) Budget Amendment for the Dare County Center
- 8) Tax Collector's Report

Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

**ITEM 8 – 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 Burrus – noted that the husband of a Dare County employee died this morning. He asked everyone to pray for the family of Helen Hudson who works in the Hatteras Library.

Commissioner Shea – thanked Ruth Lewis for her service and the Echoes of Heritage for their musical performance. Commissioner Shea said he is looking forward to development of the economic diversification plan for Dare County.

Commissioner Umphlett - None

Commissioner Judge – asked the Board to consider the letter from the Mayor of Kill Devil Hills concerning the Town's appointment to the Tourism Board. Chairman Woodard indicated that it will be presented at the February 1 Commissioners meeting.

Commissioner Judge reported on the recent tour of Roanoke Island schools and he commended the students, their teachers, administrators, and the Board of Education. He also remarked on the excellent quality of the recent Outer Banks Wedding Expo. Commissioner Judge gave information about a series of public hearings that NOAA will be conducting on expansion of the Monitor National Marine Sanctuary and encouraged everyone to participate. He added that the Board made extensive comments in 2012 about the Marine Sanctuary and asked that those remarks be resubmitted. Chairman Woodard announced that Sanctuary Superintendent Alberg will be attending the Board's next meeting. Commissioner Judge reported that Hyde County has adopted a resolution asking that the issue of ferry tolling be held in abeyance until the General Assembly has had an opportunity to address this issue. He asked that this be put on the Board's February 1 agenda. Commissioner Judge thanked Chairman Woodard for inviting the Echoes of Heritage to sing tonight. He also expressed gratitude for the award given to Ruth Lewis.

Commissioner Boswell – reported on the status of the dredging Memorandum of Agreement and thanked the Board of Commissioners for its support and financial commitment. Commissioner Boswell presented the Dare County SPCA Pet of the Week and gave information about animal adoption and opportunities to volunteer.

Vice-Chairman Overman – thanked the Echoes of Heritage musical group for their performance. He also recognized Ruth Lewis for her 25 years of service organizing the Dare County birthday celebration of Dr. Martin Luther King. The Vice-Chairman thanked Chairman Woodard for his outstanding Stewardship Report. He reported on a meeting he attended several months ago about possible expansion of the Monitor National Marine Sanctuary. He said NOAA needs to give ironclad guarantees that will protect the free use of Sanctuary areas by our citizens. The Vice-Chairman said he is looking forward to a great year in 2016.

Chairman Woodard – announced that the Board will be holding a Retreat and outlined items that Commissioners plan to address in 2016. He said the County is looking into technology that will allow residents of Hatteras Island to make public comments during Board meetings without having to travel to Manteo.

## **MANAGER'S/ATTORNEY'S BUSINESS**

1. County Manager Outten said he was previously appointed by the Board to serve on the Advisory Board for the Monitor National Marine Sanctuary. He said since then only one meeting has been scheduled, which was cancelled. He added that a meeting is scheduled for February 8, 2016 before the series of Public Hearings begin on expansion of the Sanctuary. Mr. Outten said he intends to go to the meeting and tell them that the County's 2012 position has not changed and that we will continue to oppose anything that negatively impacts our fishermen now, or in the future. By consensus, the Board agreed with this position.

2. Mr. Outten advised that he has been asked to speak tomorrow in Raleigh to the North Carolina Association of County Commissioners about the County's unique way of funding schools. He said other counties are intrigued with Dare County's plan and want to hear more about it. He told the Board that things they have done are being noticed beyond Dare County.

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

**MOTION**

Commissioner Shea motioned to adjourn the meeting.

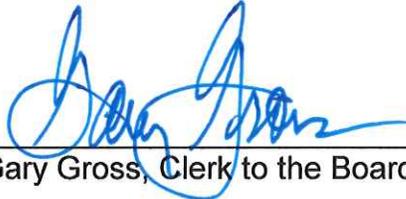
Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

At 6:26 p.m., the Board of Commissioners adjourned until 9:00 a.m., February 1, 2016.



Respectfully submitted,

By:   
Gary Gross, Clerk to the Board

APPROVED:

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners