



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

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS

Dare County Administration Building, Manteo, NC

SPECIAL MEETING

to consider a County Service District related to the Buxton beach nourishment project and to review bids and consider authorizing a Notice of Award for the Buxton beach nourishment project.

5:00 p.m., April 13, 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

Chairman Woodard called the meeting to order at 5:02 p.m. He invited Commissioner Umphlett to share a prayer, and afterward he led the Pledge of Allegiance to the flag.

ITEM 1 – PUBLIC COMMENTS

The Manager outlined the public comments procedure. Citizen remarks can be seen in their entirety on the county website www.darenc.com. Following is a brief summary –

1. Carol Dillon said she was disappointed that this meeting was not being conducted on Hatteras Island and wished more people could be here. She said three years ago the people were promised that beach nourishment would happen in 2016. Ms. Dillon said she does not care if the Board has to beg, borrow, or steal the funds as long as they find the money before hurricane season. She added that this is a disaster and that people are angry about being put at the bottom of the totem pole.
2. James Hartshorne said he wished that more people were able to be at this meeting. He said he understands why this will be a 2017 project in view of the bids that have been received. He explained that although his house is in danger he is not making any demands. Mr. Hartshorne asked if there was any chance the project could be rebid for an abbreviated portion of it to be done in 2016. He added that he appreciates the effort that the Board of Commissioners has gone through to nourish the beach at Buxton.

ITEM 2 – BID AWARD FOR BUXTON BEACH NOURISHMENT PROJECT

County Manager Outten summarized the bids that were received. He explained that the lowest bid was for a 2017 start date and described how the 2016 bids exceeded the budget. Commissioner Judge asked if a delegation could go to Washington, D.C. to see if Congress can come up with money to make up the difference to allow the project to be done in 2016. Commissioner Burrus noted that NCDOT should also be asked for funding. Vice-Chairman Overman suggested that telephone inquiries be made to determine what federal money may be available. By consensus, the Board agreed to gather information and reconsider the beach nourishment bids at its next meeting.

ITEM 3 – CONSIDER A COUNTY SERVICE DISTRICT RELATED TO THE BUXTON BEACH NOURISHMENT PROJECT

Mr. Outten explained that previously notices were sent out for a service district consisting of oceanfront properties in the project area as shown on a map identified as CSD-1. The Manager then outlined two additional areas for consideration as possible service districts. He described how CSD-2 would extend the service district to Old Lighthouse Road and include a number of properties on the north side of Highway 12 that are the same distance from the ocean as Old Lighthouse Road. He also outlined CSD-3 as an area that would further extend the service district to Lighthouse Road. Mr. Outten expressed concern about properly documenting the effect of previous ocean storms on each of the service district areas under consideration. He called County Appraiser Greta Skeen to the podium to field Commissioner questions about storm damage assessments. Commissioner Judge asked Ms. Dillon, who spoke at Public Comments, to share her experience about storm damage, which she did. Ms. Skeen and her staff described the water damage sustained in CSD-2 and noted that CSD-3 typically had wind damage. After discussing the service district alternatives, Chairman Woodard asked for a polling of each Commissioner for their preference -

- Commissioner Shea – said we need to go beyond CSD-1 and he was comfortable with CSD-3.
- Vice-Chairman Overman – said he prefers CSD-2.
- Commissioner Umphlett – after asking the County Manager if CSD-3 can be legally justified, she expressed her preference for CSD-2.
- Commissioner Judge asked what rate will be imposed saying he has never bought anything without knowing the price and felt that people should know how much they will be paying. He added that given these alternatives, he would prefer CSD-2.
- Commissioner Boswell – voiced support for CSD-3.
- Commissioner Burrus – said he could live with CSD-1 or CSD-2. He added that it is difficult to justify taxing people who have already sustained damage.
- Chairman Woodard – said although he prefers CSD-3, it appears a majority of four Commissioners support CSD-2.

MOTION

Vice-Chairman Overman motioned to move forward with establishing a tax service district for the area shown on Map CSD-2 with the finding of the following 4 items based on information and evidence received by the Board –

- 1) That there is a demonstrable need for providing in the district the services listed for beach nourishment.
- 2) It is impossible or impracticable to provide those services on a countywide basis.
- 3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.
- 4) There is a demonstrable demand for the proposed services by the persons residing in the district.

and to authorize staff to set a Public Hearing as provided by the NC General Statutes. Commissioner Umphlett seconded the motion.

During discussion of the motion, the County Manager clarified the challenges involved in defending CSD-3. And, Commissioner Judge asked that a Public Hearing on this matter be conducted on Hatteras Island at an evening meeting.

VOTE: AYES unanimous

Prior to adjourning, Chairman Woodard asked for a motion to authorize sending letters of appreciation to Ed Goodwin and Jed Dixon at the NCDOT Ferry Division for their help with the dredging effort at Hatteras Inlet.

MOTION

Commissioner Judge motioned to approve sending letters of appreciation.

Commissioner Boswell and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

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

MOTION

Commissioner Boswell motioned to adjourn the meeting.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

At 5:52 p.m., the Dare County Board of Commissioners adjourned the Special Meeting.

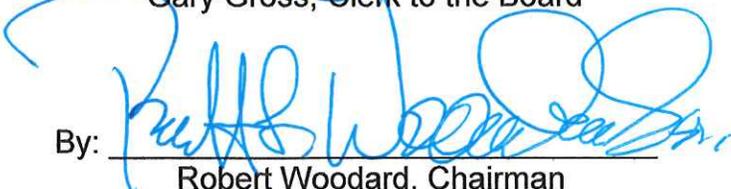


APPROVED:

Respectfully submitted,

By:  _____

Gary Gross, Clerk to the Board

By:  _____

Robert Woodard, Chairman
Dare County Board of Commissioners