



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

5:00 p.m., June 20, 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.

Chairman Woodard called the meeting to order at 5:05 p.m. He invited the 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. Chairman Woodard asked everyone to participate in a moment of silence for the victims of violence in Orlando, Florida and for the family of County Manager Bobby Outten who suffered the loss of his brother over the weekend.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard mentioned the following items during his opening remarks –

- He announced that Vice-Chairman Overman was presented a Leadership Award by the North Carolina Council of Community Programs for his work helping those with mental, physical and chemical disabilities.
- Outlined dates for public meetings related to NCDOT construction alternatives for the Rodanthe area.
- Summarized work that is underway for Hatteras Inlet.
- Reported on the Lost Colony concert series.
- Described the Topping Off Ceremony for the new RECC/EOC building in Manteo.

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

Citizen remarks can be seen in their entirety on the county website www.darenc.com.

Following is a brief summary –

The following Public Comments were made in Manteo –

1. Webb Fuller reviewed the history of the occupancy tax and how its revenues were allocated. He explained that the original authorization language was intentionally written not to be specific to allow the flexibility for future adjustments. Mr. Fuller cited infrastructure items that have been built and said it is a good thing that Dare County is able to control how occupancy tax money is spent.
2. Mike Kelly recalled the late 80's and early 90's when there was not much money to promote tourism. He summarized the formation of the Dare County Tourism Board and the need for a consistent revenue stream. Mr. Kelly called the Restricted Funds a wise idea and noted that the Tourism Board is made up of local people and community organizations as it should be.
3. Ross Riley called for a clarification of the rules on how the Tourism Board spends taxpayer dollars. He explained that as the revenue has grown the guidelines have become loose-goosie and need to be nailed down. Mr. Riley said the people have the right to say where the money should go and called on the Board to update the guidelines and be transparent and open.
4. Martha Wickre thanked the Board of Commissioners for their support of the Dare Day celebration. She announced that over 5,000 people attended this year's event. Chairman Woodard and the Board of Commissioners thanked Ms. Wickre for her hard work making the 2016 Dare Day celebration a tremendous success.

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

ITEM 3 – PRESENTATION ON PRELIMINARY UPDATED FLOOD MAPS

Steve Garrett from the NC Floodplain Mapping office outlined the new preliminary Flood Insurance Rate Maps (FIRMs) for Dare County that are scheduled for public review on June 30. He summarized the impact that the new maps will have on certain zone categories. Mr. Garrett explained how property owners can review the preliminary flood maps on the State's webpage and check the designation of their property. He noted that it will take 18 to 24 months to implement the maps and there will be an appeal period, which is required by FEMA.

ITEM 4 – DARE COUNTY TOURISM BOARD REQUEST CONSENT FOR SPENDING FROM RESTRICTED FUNDS

Susie Walters, Chair of the Dare County Tourism Board and Lee Nettles, Executive Director of the Outer Banks Visitors Bureau, presented a Restricted Fund spending request for up to \$790,000 for work at the Event Site in Nags Head.

MOTION

Commissioner Shea motioned to approve the Restricted Fund spending request. Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous (Note: Commissioner Burrus was absent during voting on this item)

ITEM 5 – REPORT FROM THE A.B.C. BOARD

Ray White, Chairman of the Dare County ABC Board gave a comprehensive report on local ABC sales and described how Dare County fits into the statewide ABC system. He said the Dare County stores ranked #3 in the State for Net Profit during 2015. He explained that all ABC stores pay the same for their product and sell it at the same price with net profit being determined by how well the stores are managed. Mr. White and the ABC Board were complimented on an impressive report and excellent operation.

ITEM 6 – REPORT FROM OUTER BANKS SPORTING EVENTS

Lynda Wood, Executive Director and Jenny Ash, Race Director explained how lives are being touched by Outer Banks Sporting Events (OBSE). They outlined the community organizations that benefit financially and described the tourism impact of their shoulder season events. It was noted that OBSE provides opportunities for local businesses to market their goods and services to event participants. Ms. Wood and Ms. Ash fielded Commissioner questions and housing provided for teachers and possible future events on Hatteras Island. A framed poster of the 2015 Marathon was presented to the Board.

ITEM 7 – NCDOT PLANNING STUDIES APPLICATION – HATTERAS ISLAND PATHWAY (Att. #1)

Planning Director, Donna Creef, and Mary Helen Goodloe-Murphy on behalf of the Outer Banks National Scenic Byway Committee asked the Board to authorize the submission of an NCDOT study application for pathways in Buxton and Frisco. It was noted that 80% of the study is funded with federal money with a 20% local match requirement, which will be raised through private donations.

MOTION

Commissioner Judge motioned to authorize the submission of the study application and adoption of a resolution in support of the project.

Commissioner Burrus and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

RECESS: 6:37 p.m. – 6:53 p.m.

ITEM 8 – PROPOSED REVISIONS TO ZONING ORDINANCE – UPDATED PLANNING BOARD RECOMMENDATION (Att. #2)

The Planning Director summarized previous Board action on a series of proposed Zoning Ordinance amendments addressing State legislation prohibiting local governments from regulating the type and number of rooms in residential dwellings. She noted that Section 22-58.2, which linked lot size to the number of bedrooms permitted in residential homes was deleted, but the Board delayed action on a proposal that would apply the principal use setbacks to accessory use structures such as detached garages and pools. Ms. Creef explained that staff met with Ms. Kelly and Mr. Overton who testified during the Public Hearing to obtain stakeholder feedback. She reported that the Planning Board accepted the stakeholder's input about accessory use structures and voted to recommend no change to accessory use setbacks.

MOTION

Vice-Chairman Overman motioned to accept the Planning Board's recommendation to make no changes to accessory use structure setbacks and to adopt the proposed revisions to Section 22-56 Parking as previously advertised with the finding that the Section 22-56 amendments are consistent with the policies of the 2009 Dare County Land Use Plan and other official documents by ensuring residential parking regulations are consistent with wastewater infrastructure permits.

Commissioner Umphlett and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 9 – BUDGET AMENDMENTS FOR INLET MAINTENANCE

Finance Director, David Clawson, asked the Board to approve three budget amendments related to inlet maintenance. The first one reduces the FY2016 transfer from the General Fund to the Inlet Maintenance Fund by \$750,000. The second increases the FY2016 transfer from the Beach Nourishment Fund to the Inlet Maintenance Fund by \$850,000. The third budget amendment accounts for those changes in the Inlet Maintenance Fund.

MOTION

Commissioner Burrus motioned to adopt the budget amendments for the General Fund, Beach Nourishment Fund, and Inlet Maintenance Fund.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 10 – DISCUSSION OF THE TOURISM BOARD AUDIT

Following is a brief synopsis of Commissioner discussion of the Tourism Board audit, which can be seen in its entirety on the Dare County website www.darenc.com.

Chairman Woodard explained the background of Commissioner Boswell's request to have this item placed on the agenda. Commissioner Boswell said the Outer Banks has grown since the Tourism Board was created and the authorization language that was enacted in the 80's and 90's needs to be cleaned up. She said Occupancy Tax revenues should be allocated for tourism and the verbiage needs to be cleared up to

reflect that. She noted that she is not in any way placing a target on the Tourism Board. Commissioner Burrus said having served on the Tourism Board he knows how they study each funding request and make hard decisions. He said when it was established the looseness of the language was a benefit and he cautioned against tampering with something that is working well. This sentiment was echoed by Commissioner Shea and Commissioner Umphlett. Vice-Chairman Overman explained how the Tourism Board is at a competitive disadvantage and benefits from unique language that is far more equitable for Dare County than the State's uniform legislation. Chairman Woodard reviewed how the Tourism Board reinvests in the community through grants and programs funded by the Restricted Fund. He said the legislation was written with flexibility in mind so we could have local control of the funds. Commissioner Judge reminded that ultimate authority over the expenditure of funds rests with the Dare County Board of Commissioners.

ITEM 11 – 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 (06.06.16) **(Att. #3)**
- 2) Budget Amendment for EMS Revenue and EMS Billing & Collection Fees
- 3) DHHS – Social Services Division Child Care Budget Amendment
- 4) Budget Amendment – Parks & Recreation USTA Facility Grant
- 5) Budget Amendment – Non-departmental
- 6) Tax Collector's Report

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 12 – 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 – gave an update on the economic development plan that is underway with the team from NC State. Commissioner Shea read an article he had written that chronicled the accomplishments of the Board of Commissioners. He explained that unlike the federal government, Dare County has accomplished a lot without cutting services or raising taxes. He asked the Board to approve publication of the article to help the public understand that not all government is non-functional.

MOTION

Commissioner Judge motioned to approve publication of the article.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Commissioner Umphlett - None

Commissioner Judge – congratulated all graduates. He noted that National Park Service Superintendent Hallac is making great strides. He commended Martha Wickre for her work organizing the recent Dare Day celebration. Commissioner Judge wished everyone a safe July 4th holiday.

Commissioner Boswell – gave an update on the work of the Oregon Inlet Task Force. She expressed excitement for Dare County employees because of the salary study that is underway. Referencing the Board's discussion of the Tourism audit, Commissioner Boswell clarified that she never said the Tourism Board was not successful or that they were not doing a great job. She explained that her interest was in a verbiage clean up.

Commissioner Burrus – gave thanks for the work that has been done to improve conditions at Hatteras Inlet. He noted that there will be public meetings on transportation options for Hatteras Island. Commissioner Burrus wished everyone a happy July 4th celebration.

Vice-Chairman Overman – expressed gratitude for the Leadership Award that was given to him while giving credit to the dedicated people that have shared a common concern especially for the youth of Dare County.

Chairman Woodard – Presented a resolution in support of the position of NC Watermen United on the 2016 NC Legislative budget provisions on fisheries issues. He thanked Senator Cook's office for their efforts on behalf of working watermen. The resolution was read by the County Manager.

MOTION

Commissioner Shea and Vice-Chairman Overman motioned to adopt the resolution. Commissioner Burrus and Commissioner Judge seconded the motion.

VOTE: AYES unanimous

MANAGER'S/ATTORNEY'S BUSINESS

1. County Manager Outten briefed the Board on an issue related to the access road to a well site off Toler Road. He explained that there is a discrepancy with an adjoining property owner over the easement survey that was done over 30 years ago. He outlined a solution to address the problem that would involve an even swap of land with the property owner.

MOTION

Commissioner Judge motioned to approve land swap presented by the Manager. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten asked the Board to approve a fireworks request submitted by the Town of Manteo for their July 4th celebration. He noted that the request includes an adjustment that will be made to the insurance documentation.

MOTION

Commissioner Judge motioned to approve the Manteo fireworks request.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

3. The Manager gave an update on the dredging of Hatteras Inlet. He then explained that responses have been received from engineering firms for the Request for Qualification (RFQ) for permitting related to the long-term plan for Hatteras Inlet dredging. He reported that the responses have been reviewed by staff and while all the firms are good, Coastal Planning & Engineering of North Carolina might get going faster because of their familiarity with the project.

MOTION

Vice-Chairman Overman motioned to select Coastal Planning & Engineering of North Carolina.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

4. Mr. Outten told the Board about trees in the vicinity of Cooperative Extension and the Coastland Times in Manteo, one of which has had growth that has knocked down a stonewall. He said experts will look at the trees and the County will try to save them if it can safely be done. He noted that if the experts recommend removal, it would be done with the consent of the adjoining property owner.

David Clawson gave an update on financial closings related to County Projects. Dorothy Hester showcased video highlights that are being made by the Public Relations Department soon after each Commissioner's meeting. She also described a new Dare County government Twitter account, an updated citizen's hurricane guide, and gave a report on the revamping of the County website that is currently underway.

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

MOTION

Commissioner Shea motioned to adjourn the meeting.

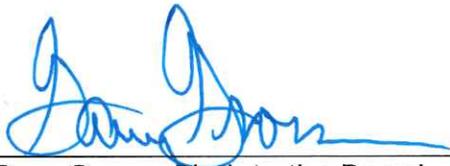
Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

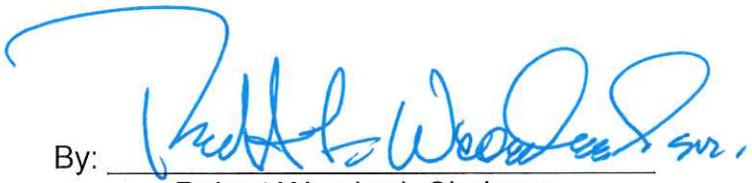
At 8:09 p.m., the Board of Commissioners adjourned until 5:00 p.m., July 18, 2016.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners