



# 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., July 18, 2016**

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

Commissioners absent: Allen Burrus

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. Jody Moore from the Outer Banks Presbyterian Church to share a prayer, and then he led the Pledge of Allegiance to the flag. The Chairman also asked everyone to observe a moment of silence for the victims of recent tragedies in the nation.

#### **ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS**

- 1) Stephen Burritt, EMS, received a 10-year pin.
- 2) Felicia Majewski, Health & Human Services, received a 20-year pin.
- 3) Jay Burrus, Health & Human Services, received a 40-year pin.

#### **ITEM 2 – EMPLOYEE OF THE MONTH – July 2016**

The July Employee of the Month will be honored in August.

#### **ITEM 3 – OPENING REMARKS – CHAIRMAN'S UPDATE**

Chairman Woodard mentioned the following items during his opening remarks –

- He described a planning meeting conducted by Emergency Management.
- It was announced that preliminary work on the salary study is underway and a final report is expected to be completed by the end of October. He noted that the Board has just over \$700,000 for implementation of the first phase.

- Interfaith Community Outreach was thanked for helping people in need.
- The Chairman highlighted the new ladder truck acquired by the Colington Volunteer Fire Department. Chief Raney thanked the Board for their support.
- He thanked everyone for the work that was done at the Justice Center during the recent problem with the HVAC system. County Manager Outten commended the Public Works staff for their efforts.
- Chairman Woodard presented a certificate of appreciation to EMS Lieutenant Chuck Earley for the heroism he displayed while performing an off duty rescue that saved a woman's life.

A video of the Chairman's update can be seen on the County website [www.darenc.com](http://www.darenc.com).

#### **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](http://www.darenc.com). Following is a brief summary –

The following Public Comments were made in Manteo –

1. Brian Kelly mentioned the AARP tax service at the Baum Center that assists people in filing their taxes. He asked the Board why this service cannot be performed at the Dare County Center where it would be less disruptive to the facility schedule.
2. Mattie Lawson asked the Board to be proactive in regulating wind and solar energy facilities. She summarized the legislative history and explained that it is up to local communities to fully prepare for and properly regulate industrial renewable energy. Ms. Lawson presented draft versions of local legislation.
3. Manny Medeiros described renewable energy as a reverse Robin Hood scheme that takes money away from the people to give it to the privileged few. He said renewables cost more to produce less and Dominion Power should fight against renewable portfolio mandates that cause citizens to pay more for electricity.
4. Steve House, in working to get people energized about serving on Boards and Committees, raised a concern about how information is posted on the County website. He called for vacancy information to be highlighted along with the names of those who serve on each County Board and Committee.
5. Perry White expressed thanks for the moment of silence that was held for law enforcement. He then gave details about the National Night Out event that is held by police departments across the nation, including in his home town of Nags Head. He urged people to check with their local department and get involved.
6. Nags Head Commissioner John Ratzenberger clarified the date of the Nags Head Night Out event saying it will be held August 2.

The following remarks were made via the video link to the Fessenden Center in Buxton.

7. Steve Coulter expressed appreciation for what has been done at Hatteras Inlet while outlining the need for more work to be done. With visual aids he dramatically demonstrated the shallow waters that watermen must contend with while navigating through Hatteras Inlet.
8. Dan Oden said he was thankful for the opportunity to participate from Buxton. He told the Board that fast tracking the Memorandum of Agreement (MOA) is the only solution for Hatteras Inlet where conditions are getting worse every day. He called on the Board for help.
9. Rom Whitaker – thanked the Board for providing the chance to speak. He noted that others have thoroughly described the problem at Hatteras Inlet. He said the dredge vessel was recently pulled out too early, which put the watermen back to square one. Mr. Whitaker pleaded for help.
10. Ernie Foster said in the past Hatteras Inlet has not required any help or funding. He explained that watermen now face dire circumstances and desperately need help. He said nobody knows what is going on when a dredge is here one day, and gone the next.

#### **ITEM 5 – 2016 GOVERNOR’S VOLUNTEER SERVICE AWARDS**

Lorelei Costa with the Outer Banks Community Foundation presented 7 Governor’s Volunteer Service Awards. The following were honored for their service to the community – Frances Down & Annie Harris, Dare County Center; Dee & Bob Christensen, Friends of Youth; Jamie Lavier, Lee’s Lil Shorebreakers; Janice Tillett, Cooperative Extension; Lita Katulski, Feline Hope Animal Shelter; Kelly & Jeff Tobin, OBX Project Purple; Dewey Hemilright, NC Watermen United Foundation.

**RECESS: 6:20 p.m. – 6:31 p.m.**

#### **ITEM 6 – PRESENTATION TO INCREASE AWARENESS OF HUMAN TRAFFICKING**

Tori Ferebee & Pastor Frank Lassen from the Source Church in Manteo presented information about the issue of human trafficking. They described the problem that impacts 23-33 million humans that are enslaved around the world. It was explained that pornography and human trafficking go hand in hand. The need for flyers at rest stops was mentioned as a way to inform victims who may be being transported through North Carolina. Efforts to raise awareness were outlined and the Board was asked to join in being a voice for the voiceless.

**ITEM 7 – DARE COUNTY TOURISM BOARD REQUEST CONSENT FOR SPENDING FROM RESTRICTED FUND**

Susie Walters, Chair of the Dare County Tourism Board asked the Board of Commissioners to approve a Long Term Restricted Fund Spending Request up to \$25,000 for a van and up to \$17,000 for telephone system equipment for a total of up to \$42,000.

**MOTION**

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

VOTE: AYES unanimous

**ITEM 8 – ECONOMIC DEVELOPMENT – UPDATE REPORT**

Dan Parks and Rex Raiford from NC State University, joined by Zach Oliver from RTI presented an update report on the economic development diversification plan that is currently being developed for Dare County. They explained the importance of the strategic interviews being conducted with community stakeholders and outlined the schedule for the next phase of the program. Commissioner Shea expressed thanks for the update and said the Board looks forward to the project's interim and final reports.

**ITEM 9 – DARE COUNTY SOIL AND WATER – STORMWATER DRAINAGE PRESENTATION**

Ann Daisey, Dare County Soil and Water, discussed storm water drainage and outlined possible funding mechanisms and potential management options to address runoff problems in Dare County. She explained how naturally occurring ponds can form when the ground is saturated by excessive rain. Vice-Chairman Overman asked Ms. Daisey if she has met with anyone in Stumpy Point about their drainage problems and was told that contact has been made with Buddy Shelton for insight. Commissioner Boswell reported a drainage problem in the vicinity of the First Flight Schools in Kill Devil Hills. Chairman Woodard asked for data that addresses the water table levels over the past 20-30 years.

**ITEM 10 – PROPOSAL TO ALLOW GOLF CARTS TO BE OPERATED IN ST. WAVES SUBDIVISION IN WAVES, NC**

The Board was presented a request submitted by Hilda Bundy to amend the Dare County Streets and Sidewalks Ordinance to allow the operation of golf carts on Sea Vista Court and Sea Vista Drive in the St. Waves Subdivision in Waves, NC. It was noted that the request has the approval of the St. Waves Homeowners Association. Chairman Woodard recalled that when the Board has considered this type of request for other areas, the safety issues were investigated by the Dare County Sheriff. This led to a general discussion of the maximum allowable speed in the neighborhood. Mr. Outten suggested that when the Sheriff looks into the safety issues, he can check on the speed limit. The Board agreed by consensus, to have the Dare County Sheriff evaluate safety concerns related to the request before the Board takes action at a future meeting.

**ITEM 11 – VETERAN’S PREFERENCE POLICY (Att. #1)**

The County Manager presented an addition to the Dare County Personnel Policy that would allow for a Veteran’s Preference Policy. He explained the history of the policy and how it is tailored after the North Carolina statutes to factor applicable military service into the County’s hiring process. Jack Leonard on behalf of the Dare County Veterans Advisory Council (DCVAC) thanked the Board of Commissioners for their support. He noted that Billy Brown, a member of the DCVAC has died. He asked the Board to consider appointing a female to the Council when a replacement is selected.

**MOTION**

Commissioner Judge motioned to adopt the Veteran’s Preference Policy.

Commissioners Boswell, Overman, and Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 12 – AGREEMENT FOR PERMITTING OF HATTERAS INLET NAVIGATION CHANNELS**

Mr. Outten asked the Board to approve the agreement with Coastal Planning & Engineering of North Carolina, the firm that was previously selected to provide engineering consulting services associated with the County’s efforts to obtain permits to maintain Hatteras Inlet navigation channels. The Manager outlined changes needed to the indemnification and termination provisions of the agreement.

**MOTION**

Commissioner Judge motioned to approve the agreement with the changes outlined by the County Manager and authorize the Manager to execute the agreement.

Commissioners Boswell, Overman, and Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 13 – DISCUSSION OF RATE INCREASE APPLICATION BY DOMINION NORTH CAROLINA POWER (Att. #2)**

Commissioner Umphlett read a resolution opposing the rate increase sought by Dominion North Carolina Power.

**MOTION**

Commissioner Shea motioned to adopt the resolution opposing the rate increase.

Commissioner Boswell and Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 14 – 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 (06.20.16) **(Att. #3)**
- 2) Water Fund Budget Amendment for Skyco WTP Nanofiltration Project
- 3) Agreement for Protection, Development and Improvement of Forest Land
- 4) Reimbursement Resolution – FY 2016-17 Vehicle & Equipment Financing **(Att. #4)**
- 5) Tax Collector’s Report

Commissioner Judge seconded the motion.

VOTE: AYES unanimous

## ITEM 15 – BOARD APPOINTMENTS

1) East Lake Community Center Board

Vice-Chairman Overman motioned to reappoint Crystal Basnight, Joseph Sexton, and Shelly Perrot.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

2) Game and Wildlife Commission

Commissioner Judge motioned to reappoint Timmy Midgett (District 1), Mike Johnson (District 3), and Edward “Bow” Meekins (District 1).

VOTE: AYES: 2 (Commissioners: Judge and Boswell)

NOES: 4 (Commissioners: Woodard, Overman, Shea, and Umphlett)

Vice-Chairman Overman motioned to reappoint Mike Johnson (District 3), and Edward “Bow” Meekins (District 1) and to appoint Eddie Twyne (District 1).

VOTE: AYES unanimous

Summary - By unanimous vote, the Board reappointed Mike Johnson (District 3) and Edward “Bow” Meekins (District 1) and appointed Eddie Twyne (District 1).

3) Juvenile Crime Prevention Council

Commissioner Judge motioned to appoint LaQreshia Bates-Harley to fill Ms. Ellington’s unexpired term.

VOTE: AYES unanimous

4) Library Board - Dare

Chairman Woodard motioned to appoint Commissioner Boswell to the vacancy on the Library Board.

VOTE: AYES unanimous

5) Nursing Home Community Advisory Council

Vice-Chairman Overman motioned to appoint Melissa McCarter.

VOTE: AYES unanimous

6) Parks and Recreation Advisory Council

Commissioner Boswell motioned to reappoint Deon Simmons and to appoint Missy McPherson and George Berry to the two vacancies on the Council.

VOTE: AYES unanimous

7) Wanchese Community Center Board

Vice-Chairman Overman motioned to reappoint Joyce Meekins and Robert Walton.

VOTE: AYES unanimous

8) Upcoming Board Appointments

Upcoming Board appointments for August, September, October were announced.

**ITEM 16 – 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 Shea – congratulated the service pin recipients and commended all those who received Volunteer Service Awards.

Vice-Chairman Overman – referenced the request for additional online information about Boards and Committees which he said will be included in the Public Relations Department’s revamping of the County website that is planned for completion this fall. The Vice-Chairman also thanked the service pin recipients and congratulated all those who received Volunteer Service Awards.

Commissioner Umphlett – acknowledged the Volunteer Service Award honorees. She noted that the Libraries are operated on a shoestring budget and compared their current funding to what they received in 2003/2004. Commissioner Umphlett complimented the dedicated people associated with the Libraries and welcomed Commissioner Boswell to the Dare County Library Board.

Commissioner Judge – commented on the horrific events that recently occurred against law enforcement in America. He said every time we hear a siren we need to remember the public servants who are putting their lives on the line. Commissioner Judge commended EMS Lieutenant Chuck Earley for his act of heroism. He also thanked the Deputies who provide security for the Board of Commissioners meeting. Gratitude was expressed for those who received Volunteer Service Awards. And, Commissioner Judge wished everyone a safe summer.

Commissioner Boswell – thanked the Volunteer Service Award recipients and those who received County service pins. Commissioner Boswell highlighted the SPCA Pet of the Week. She gave information about the upcoming Wicked Tuna event that will be held at Pirates Cove. Commissioner Boswell expressed disappointment in the Attorney General for not responding to Dare County’s request for an investigation into local gasoline prices. She expressed thanks for all those who worked on the recent HVAC problem at the Justice Center. An update was given on dredging activity and Commissioner Boswell took a stand for law enforcement and asked everyone to say a prayer for those who serve and their families. She noted that the salary study is going well and asked if employees could receive their accumulated holiday pay in cash as a possible way to level out the compensation playing field. Commissioner Boswell read a Resolution supporting terminal groins and jetties along all of North Carolina’s coastline.

**MOTION (Att #5)**

Commissioner Judge motioned to adopt the resolution supporting groins and jetties. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Chairman Woodard – expressed hope that everyone will enjoy the summer season that is passing very quickly. He recognized those who received Volunteer Service Awards and cited the positive impact they have on our community. The Chairman asked

everyone to pray for our nation and those in leadership at all levels who give of their time. He recalled a quote from the Junior Chamber International that says, "Service to humanity is the best work of life."

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

1. Mr. Outten described an opportunity that NCDOT has to obtain a federal grant to make roads ADA compliant. He explained that a local sponsor, such as Dare County, is needed; however, NCDOT will pay the local match portion.

**MOTION**

Commissioner Judge motioned to approve the request presented by the Manager.

Commissioner Umphlett and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Public Information Officer, Dorothy Hester, showcased a public service awareness campaign that will feature a variety of safety messages on Public Works vehicles.

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

**MOTION**

Commissioner Umphlett motioned to adjourn the meeting.

Commissioner Shea seconded the motion.

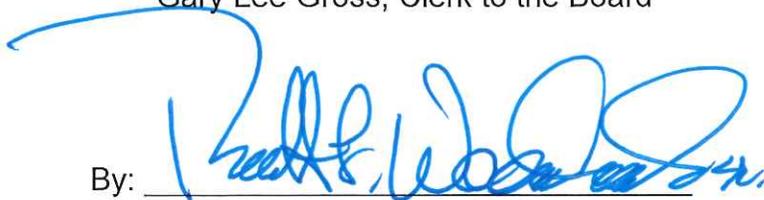
VOTE: AYES unanimous

At 8:22 p.m., the Board of Commissioners adjourned until 9:00 a.m., August 1, 2016.



Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

APPROVED: By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners