



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., October 17, 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 5:04 p.m. He invited George Lurie from the Jewish Community of the Outer Banks to share a prayer. The Chairman led the audience in a moment of silence for all those in Dare County who suffered loss during Hurricane Matthew followed by the Pledge of Allegiance to the flag

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard mentioned the following items during his opening remarks –

- He expressed gratitude that nobody in Dare County lost their life during Hurricane Matthew and announced that the County Manager is working to get all the help that is possible from state and federal agencies. The Chairman commended people in the community for the unselfish way they reached out to help their neighbors. He asked the public to remember storm victims in their prayers and consider making donations.
- Chairman Woodard asked the County Manager to give an update report on Hurricane Matthew. Mr. Outten gave a detailed timeline of the actions taken by the Dare County Control Group during the storm. He reviewed the criteria that is typically used for evacuation decisions, summarized the projections that were issued by the National Weather Service, and explained why an evacuation was not ordered. The Manager also outlined damage assessments. He praised the efforts of the Volunteer Fire Departments saying they overlooked their own personal needs in order to serve the community. He also commended law enforcement personnel, NCDOT, power companies, the Salvation Army, churches, and other organizations for their

assistance. Mr. Outten reported that Dare County is included in the presidential disaster declaration and noted that the County will be pushing for federal and state resources.

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. Steve House – spoke about the devastation he witnessed during his trips to Hatteras Island. He cited examples he saw of people helping each other and noted that he observed visitors helping residents. Mr. House commended Mary Ellon Ballance for the way she stepped up and served the community above and beyond the call of duty. He asked the Board to issue a proclamation honoring Ms. Ballance and to move the November 21 Commissioners meeting to the Fessenden Center to show support for the people of Hatteras Island.

MOTION

Commissioner Judge motioned to issue a proclamation honoring Mary Ellon Ballance and to move the November 21 Commissioners meeting to the Fessenden Center on Hatteras Island.

Vice-Chairman Overman seconded the motion.

During discussion of the motion, Commissioner Burrus noted that there are many people in addition to Ms. Ballance who have served their community in an exemplary way.

VOTE: AYES unanimous

2. Rosemarie Doshier – reminded the Board that East Lake is part of Dare County. She said more support was needed for unincorporated portions of Dare County during Hurricane Matthew. She cited areas on the mainland that experienced major flooding that resulted in lost property and vehicle damage that was not even mentioned by the County. She called on officials to stop worrying about what is said by the weather forecasters and listen more to property managers and others in the community. She pleaded with the Board to remember that East Lake is part of Dare County.

The following Public Comments were made in Buxton –

1. Elaine Hooper – called on the Board to remodel the Control Group who authorized visitors to enter Hatteras Island while the cleanup effort was still actively underway. She said it is not true that there was no time to evacuate. She noted that visitors could not utilize their travel insurance because of the way the situation was handled. Ms. Hooper said the system needs to be fixed and the County needs to be

more proactive rather than reactive. She said few businesses are open and it is humiliating for people to have their precious belongings stacked as debris on the side of the road.

2. Jimmie Hooper, Chief of the Salvo Volunteer Fire Department – said the Control Group needs to be revamped. He said the Control Group needs more than mayors and that nobody on the Control Group represents the people of Hatteras Island. He said the Control Group needs equal representation from Hatteras Island in addition to someone from East Lake and Stumpy Point. Mr. Hooper cautioned that someone is going to get killed by not calling for evacuations. He said it is time to put politics aside and do what is right.

ITEM 3 – MARCH OF DIMES – PREMATURETY AWARENESS MONTH

Stephanie Baker on behalf of the March of Dimes presented a proclamation for Prematurity Awareness Month. She displayed a video highlighting the mission of the March of Dimes and provided information about the 40th annual Charity Walk that will be conducted October 29.

MOTION

Commissioners Overman, Judge, Shea, Burrus, Boswell, Umphlett motioned to issue the Prematurity Awareness Month proclamation.

Chairman Woodard seconded the motion.

VOTE: AYES unanimous

ITEM 4 – REPORT FROM THE MOBILE CRISIS SERVICES TEAM

A representative from the Mobile Crisis Services Team was unable to attend the meeting.

ITEM 5 – CLASSIFICATION AND COMPENSATION STUDY UPDATE

Joel Davis, Vice President of Springsted, briefed the Board on the classification and compensation study that is now being done regarding Dare County employees. He reviewed the process that is being used to prepare the report that has an anticipated target delivery date of November 15, 2016. In response to Commissioner questions, Mr. Davis explained that there has been an overwhelming response by County employees in submitting timely and well-written material for the study. He said implementation of the study could be done in phases and outlined the life expectancy of the study.

ITEM 6 – OPEB TRUST AGREEMENT FOR THE FORMER ALBEMARLE & TIDELAND MENTAL HEALTH RETIREES HEALTH INSURANCE COSTS (Att. #1)

The Manager outlined a resolution approving a Trust Agreement among the 10 counties that were members of the former Albemarle Mental Health and Tideland Mental Health. He explained the history of the fund and noted that the money will now be deposited into an irrevocable trust to be invested and held by the State Treasurer.

MOTION

Commissioner Umphlett motioned to adopt the resolution.

Commissioner Burrus and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 7-1 – PUBLIC HEARING - EARL YOUNCE AVON REZONING APPLICATION

At 5:53 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. No one responded to the invitation to address the Board. Chairman Woodard closed the hearing at 5:53 p.m.

MOTION

Commissioner Burrus motioned that the rezoning application of Earl Younce be approved with C-2 commercial zoning extended to those properties identified in Attachment 5 included in the Board's packet with the finding that this action is consistent with the 2009 Dare County Land Use Plan policies and other policies of Dare County by applying commercial zoning to properties currently used for commercial purposes.

Commissioner Judge seconded the motion.

VOTE: AYES unanimous

ITEM 7-2 – PUBLIC HEARING (Att. #2)

TRANSPORTATION DEPT. – FY2018 NCDOT 5310 PROGRAM GRANT APPLICATION

At 5:54 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. No one responded to the invitation to address the Board. Chairman Woodard closed the hearing at 5:54 p.m.

MOTION

Vice-Chairman Overman motioned to approve the grant application, local share certification, and governing body resolution.

Commissioner Judge and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 7-3 – PUBLIC HEARING (Att. #3)

TRANSPORTATION DEPT. – FY2018 NCDOT 5311 PROGRAM GRANT APPLICATION

At 5:55 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. No one responded to the invitation to address the Board. Chairman Woodard closed the hearing at 5:55 p.m.

MOTION

Commissioner Judge motioned to approve the grant application, local share certification, and governing body resolution.

Commissioners Shea, Burrus, Umphlett, and Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – CONSENT AGENDA

The Manager announced the items as they were visually displayed in the meeting room.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (10.03.16) **(Att. #4)**
- 2) Reimbursement Resolution FY2016-17 Capital Improvements Plan Financing **(Att. #5)**

- 3) Public Health Division – Additional Prescription Drug Overdose Prevention Funding
- 4) Preliminary Budget amendment for Series 2016 Water Revenue Refunding Bonds
- 5) Mutual Aid Agreement Disaster-Civil Emergency – All Hazards Incidents
- 6) Resolution to Convey Surplus Property Without Consideration **(Att. #6)**

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 9 – 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 Judge – thanked Dare County staff, outside agencies, and everyone involved in the Hurricane Matthew recovery effort. He called for thoughts and prayers for those who suffered damage and urged people to contact us with problems.

Commissioner Umphlett – expressed gratitude that there was not more damage or any lives lost. She said she was proud of the way Dare County stepped up to the plate and thanked Health and Human Services for calling people to make sure they were safe.

Vice-Chairman Overman – thanked all the many volunteers who worked on the hurricane relief effort. He urged people to make donations to the relief effort through the local groups and agencies that are taking donations.

Commissioner Shea – gave an update report on the progress that is being made on the Economic Diversification Plan that is being developed for Dare County. He said NC State hopes to make a presentation to the Board in December about the study that is underway. Commissioner Shea also thanked all those who helped the community during the storm.

Commissioner Burrus – asked the Manager to provide additional computers to the Hatteras Library, Community Center and Fessenden Center so that people whose electronics were wiped out in the storm would have a way to file claims and get information. Commissioner Burrus expressed gratitude for the outpouring of help that has been given. He thanked Radio Hatteras, local law enforcement, EMS and other County employees, NCDOT, power companies, Coast Guard, and the large number of volunteers from groups throughout the community. Commissioner Burrus said he has learned the importance of moving forward following a crisis. He explained that even though a storm may change people’s lives, hard decisions have to be made to move forward. He said he was proud to be part of the decision making process and noted that people respond positively to situations that are moving forward. He said he saw one visitor give \$300 to the Salvation Army on Hatteras Island. He urged the County Manager to put pressure on FEMA to provide help for the people.

Commissioner Boswell – echoed the words of gratitude that were expressed for all the volunteers who are helping the community recovery from Hurricane Matthew. She noted that it is a blessing to see everyone join together in a crisis and noted that is how we should all treat each other on a daily basis. Commissioner Boswell presented the Pet of the Week from the Dare County SPCA Animal Shelter.

Chairman Woodard – thanked Commissioner Burrus for his comments and agreed that things must move forward to help people recover from Hurricane Matthew.

MANAGER’S/ATTORNEY’S BUSINESS

1. The Manager noted that in the aftermath of other storms, the Board has waived storm related building permit fees. He asked the Board to consider doing this again to help people recover from Hurricane Matthew.

MOTION

Commissioners Overman, Judge, Shea, Burrus, Boswell, and Umphlett motioned to approve the waiver of all storm related building permit fees through June 30, 2017.

Chairman Woodard seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten explained that a FEMA Agent and Alternate needs to be designated to move forward in the recovery process. He asked the Board to appoint David Clawson as the Agent and Sandy West as the Alternate.

MOTION

Commissioner Judge motioned to appoint David Clawson as Dare County’s FEMA Agent and Sandy West as Alternate.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

3. Finance Director David Clawson outlined a budget amendment reflecting the debris estimate that was generated by Thompson Consulting. He explained that the budget amendment does not include non-system roads, gated communities, and debris monitoring costs. The group discussed efforts that will be made to try to obtain additional FEMA debris authorizations for non-system roads.

MOTION

Commissioners Overman and Burrus motioned to approve the Budget Amendment.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

4. Mr. Outten asked for authorization to give a Notice to Proceed for system roads to debris contractors TAG Grinding Services and Thompson Consulting Services.

MOTION

Commissioner Judge motioned to authorize giving a Notice to Proceed to TAG Grinding Services and Thompson Consulting Services for system roads.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

5. The Manager asked the Board to approve an Interlocal Agreement to allow the Town of Kill Devil Hills to share access to the County’s OSSI law enforcement software.

MOTION

Commissioner Burrus motioned to approve the Interlocal Agreement and authorize the County Manager to execute the document.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

6. Mr. Outten reported that the Corps of Engineers received authorization this afternoon to proceed with dredging at the mouth of Wanchese Harbor, which experienced problems after the storm. He said the cost will be between \$500,000 and \$750,000 and outlined options for funding the project. He said it could be funded out of the Oregon Inlet Fund, or under the Memorandum of Agreement (MOA) whereby the County would put in \$250,000 with the State providing the other \$500,000.

MOTION

Commissioner Judge and Vice-Chairman Overman motioned to allocate money as outlined under the Memorandum of Agreement (MOA) and authorize the Manager to seek storm related emergency funding from the State of North Carolina.

Commissioner Shea and Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

Before adjourning the meeting, the Chairman expressed appreciation to Public Information Officer Dorothy Hester and her staff for keeping everyone well-informed during the storm. Finance Director David Clawson reported that the financing team and underwriters working on the water revenue bonds refunding sale scheduled for October decided this afternoon to temporarily postpone the sale due to uncertainty in the markets until a more strategic time.

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 7:26 p.m., the Board of Commissioners adjourned until 9:00 a.m., November 7, 2016.



Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners