



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., November 21, 2016

Commissioners present: Chairman Robert Woodard
Vice-Chairman Wally Overman
Jack Shea, Allen Burrus, Margarete Umphlett

Commissioners absent: Beverly Boswell
Warren Judge, who died on November 5, 2016

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 5:03 p.m. He invited Father Fred Smuda from Our Lady of the Seas Catholic Church to share a prayer, and then he led the Pledge of Allegiance to the flag. The Chairman asked for a moment of silence for recently deceased Commissioner Warren Judge in honor of his deep commitment to the people of Hatteras Island.

Note – In order to accommodate the Public Hearing scheduled for 5:30 p.m., some agenda items were handled out of sequential order.

ITEM 1 – OPENING REMARKS – CHAIRMAN'S UPDATE

Chairman Woodard made extensive comments during his opening remarks, which can be viewed in their entirety on the Dare County website. Following is a brief summary –

- He thanked the Board of Commissioners for honoring the promise that was made to return to Hatteras Island to conduct a monthly meeting.
- It was explained that Commissioner Boswell was unable to attend tonight's meeting due to a caucus session in Raleigh as a newly elected North Carolina Representative.

- Commissioner-elect Steve House and Commissioner-elect Danny Couch were recognized. The Chairman also acknowledged Town of Duck Mayor Pro Tempore Monica Thibodeau, and National Park Service Superintendent David Hallac.
- Chairman Woodard thanked Commissioner Burrus for his many years of dedicated service and for being an outspoken voice for the people of Hatteras Island.
- An update was given on the latest meeting of the 5 on 5 Committee, which consists of representatives from County Government and the School Board. Chairman Woodard reported that the funding formula that has been developed for Dare County Schools will be continued. He expressed gratitude for Dare County's graduation rate, which is ranked second in the State out of 115 school districts.
- The recent Veterans Appreciation Luncheon was mentioned and it was noted that it coincided with the birthday of Marine Corps.
- Chairman Woodard reported that the NCDOT dredge vessel "Manteo" faced its first challenge in successfully clearing the Hatteras/Ocracoke channel.
- Details were given about the upcoming ceremony to commemorate flight that will include a re-enactment by retired Colonel Gail Halvorsen, known as the Berlin Candy Bomber, who dropped candy to children during the Berlin airlift.
- Chairman Woodard commented on a request that the County has made to FEMA for a mobile disaster survivor assistance center.
- Basnight's Lone Cedar restaurant was recognized for a fundraising event they are hosting in December where 100% of the proceeds of a spaghetti dinner will be donated to the Hatteras Island disaster relief effort.
- The Chairman noted that Hurricane Matthew debris pickup by the contractor is not moving as quickly as the County wants. He asked the County Manager to outline the status of this project. Mr. Outten gave an overview of the situation that is causing frustration for Dare County and the people impacted by the storm. He noted that FEMA and other resources are stretched thin over the many states because of the wide geographical area that was hit by Hurricane Matthew. He explained that FEMA requires all contracts for debris pickup to be put out for bid and the County must select the lowest bidder otherwise FEMA will not reimburse. He said in spite of promises that were made the County's contractor, TAG Grinding Services, has not performed as expected. He said the County has asked the contractor to concentrate its resources on Hatteras Island, especially the Villages of Frisco and Hatteras. He said the County will continue pushing the contractor to speed up the project and noted that the time has passed for putting out debris for pick up.
- Chairman Woodard invited representatives from FEMA and the Small Business Administration (SBA) to report on assistance that is available from their agencies.

Carol Garcia outlined FEMA resources for disaster assistance and Bradford Caldwell described help that is available from the SBA. Emergency Management Director, Drew Pearson said the County is on record with FEMA concerning a request for a Disaster Recovery Center to be brought back to Hatteras Island.

- The Chairman warned that a petition is now circulating with the Marine Fisheries Commission that is designed to put our fishermen out of business. He said the petition calls for reducing net size and would place limits on the harvest of spot and croaker. He said the Board will closely be following this issue.
- It was noted that later in the meeting Commissioner Shea will be talking about a Community Leader Forum planned for December regarding the economic diversification plan that is being developed for Dare County
- Chairman Woodard introduced National Park Service (NPS) Superintendent David Hallac who talked about the efforts that have been made to address flooding around Cape Point and the campground. He outlined the public scoping periods and explained the impact of North Carolina restrictions that limit the ability to drain storm water. The Superintendent said partnerships are being developed to find creative solutions to the problem. Commissioner Burrus noted that the drains in the woods area have been clogged for years and cited problem areas in the vicinity of the airport that need attention.
- Recognition was given to Mary Ellon Ballance for spearheading a grassroots effort to provide assistance in the wake of Hurricane Matthew. A proclamation was presented honoring Ms. Ballance for exemplary citizenship.

MOTION

Commissioner Shea motioned to issue the proclamation honoring Ms. Ballance. Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

ITEM 2 – PUBLIC COMMENTS

The Manager outlined the procedure for making public comments. Citizen remarks can be seen in their entirety on the Dare County website. Following is a brief summary –

1. Pat Weston commented on the legacy of deceased Commissioner Warren Judge. She made a suggestion to the Park Service Superintendent about the cost of beach driving permits. Ms. Weston said Emergency Management Director Drew Pearson is doing a marvelous job and that he understands the importance of alternative forms of communications during disasters. She explained how Verizon handled a local service outage during Hurricane Matthew. Ms. Weston reported a dune breach that occurred in the Village of Avon that she said will need a more permanent fix.

2. Joe Farrow expressed thanks for the school funding formula. He explained that many of the trucks used by the debris contractor are dangerous. He said future debris contracts should give the County control over what equipment is used. Mr. Farrow said the County needs to reconsider the way it handles evacuations, having done a poor job during the last two storms. He said urging people not to come to Dare County is ineffective because they cannot receive insurance reimbursement unless an evacuation is ordered. He urged that someone from Hatteras Island be appointed to the Dare County Control Group.
3. Steve House spoke about the petition that Chairman Woodard referenced in his opening remarks that would hurt our fishermen. He said the petition is over 100 pages long and he is trying to determine the best way to address it. Mr. House noted that the petition has a vast geographical scope that encompasses sound, intercoastal, and ocean waters. He warned that it could ultimately result in the designation of sanctuary areas, which would be devastating for our fishermen. Mr. House said we need to be diligent and on the forefront of this issue.
4. Rosemarie Doshier said now that the elections are over it is time for the elected candidates to step up to the plate and put into action the promises that were made to County employees and teachers. She said the Board needs to support and take care of these people. She urged Vice-Chairman Overman to come to East Lake to see firsthand the problems that she said have not been addressed. Ms. Doshier told Commissioners to appoint a mixture of citizens on the various Dare County boards and committees. She expressed hope that the Board will move forward and work with newly elected Commissioner Danny Couch.
5. Gary Felder voiced concern to the Board about a recently approved bed & breakfast operation on Rocky Rollison Road in Buxton. Mr. Felder described it as a rowdy site with loud music and fireworks, which he said should not be allowed in a residential area.

ITEM 3 – PUBLIC HEARING – TO PERMANENTLY CLOSE AN UNIMPROVED PORTION OF AMADAS STREET (Att. #1)

At 6:08 p.m. the Board 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 6:08 p.m.

Mr. Outten noted that Elizabeth Robbins with the firm of Casey & Robbins, was present to answer any questions. He added that everyone involved has been properly notified and that the statutory requirements for road closure have been met.

MOTION

Commissioner Shea motioned to adopt the order to permanently close the unimproved portion of Amadas Street.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 4 – CONSENT AGENDA

The Manager announced the Consent Agenda items.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (11.07.16) **(Att. #2)**
- 2) Tax Collector's Report

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

ITEM 5 – 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 Umphlett – wished everyone a Happy Thanksgiving & joyous Christmas.

Vice-Chairman Overman – gave an update on the work that is being done related to the permitting for Hatteras Inlet dredging. He commended the people of Hatteras Island, especially those in Frisco and Hatteras Village, for their fortitude in the wake of Hurricane Matthew. The Vice-Chairman expressed thanks for the efforts of the many volunteers who helped people recover from the storm.

Commissioner Shea – provided details about the upcoming Community Leader Forum for economic development and said the presenters from NC State will be meeting at a later time with the Board of Commissioners.

Chairman Woodard – thanked County staff for their efforts to facilitate the logistics for holding today's Board of Commissioners meeting at the Fessenden Center. He wished everyone a Happy Thanksgiving holiday.

Commissioner Burrus – expressed gratitude to Mary Ellon Ballance and all the volunteers and organizations that have worked so hard to help people recover from Hurricane Matthew. He voiced a need for NCDOT to promptly fix an unsafe condition on Highway 12 at the north end of Frisco where a hole in the road is covered by a metal plate. Commissioner Burrus noted that the dredge vessel "Manteo" did a good job clearing the Hatteras/Ocracoke channel. He explained that another debris pickup will be needed because many are still putting out vegetative debris because up until now they have been too busy working on damage to their homes caused by the storm. He requested that the County consider installing lighting at the Fessenden Center skateboard park. Commissioner Burrus closed by thanking County staff, his wife Marlene, his family, his employees, and all those who voted for him for making his tenure on the Board of Commissioners what he described as a beautiful ride. He reminded everyone that Thanksgiving is more than a nice dinner and wished God's blessing on everyone.

MANAGER'S/ATTORNEY'S BUSINESS

The County Manager explained that FEMA must give permission for collecting storm debris on non-system roads that are not part of the state road system. He said unlike previous storms, FEMA has not yet given that authorization because their resources are stretched thin over many states in the wake of Hurricane Matthew. He informed the Board that a letter has been received from FEMA saying that counties can move forward with non-system debris cleanup subject to being audited later to verify that strict reimbursement criteria has been met. He said although County staff is confident that the guidelines have been met, the potential financial risk of an unfavorable audit ruling could be over \$100,000. Based on the steps the County has taken to ameliorate the risk, Mr. Outten recommended moving forward with debris pickup on non-system roads.

MOTION

Commissioner Burrus motioned to move forward with debris pickup on non-system roads as outlined by the County Manager.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

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

MOTION

Commissioner Shea and Commissioner Umphlett motioned to adjourn the meeting.

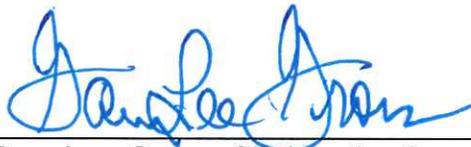
Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

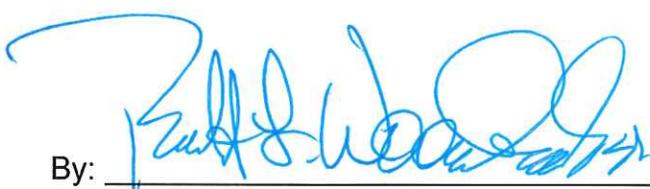
At 6:45 p.m., the Board of Commissioners adjourned until 9:00 a.m., December 5, 2016.



Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners