



# 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

**9:00 a.m., January 8, 2018**

Commissioners present: Chairman Robert Woodard, Vice Chairman Wally Overman  
Steve House, Rob Ross, Jim Tobin, Danny Couch

Commissioners absent: Jack Shea

Others present: County Manager/Attorney, Robert Outten  
Deputy County Manager/Finance Director, David Clawson  
Public Information Officer, Dorothy Hester  
Clerk to the Board, Gary Lee 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 9:08 a.m. He invited Rev. Charles Daly from Mt. Carmel United Methodist Church to share a prayer, and then he led the Pledge of Allegiance to the flag. It was noted by the Chairman that Commissioner Shea was not in attendance due to an excused absence.

#### **ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE**

Following is a brief outline of the items mentioned by Chairman Woodard during his opening remarks, which can be viewed in their entirety in a video on the Dare County website –

- Gave details about the upcoming community celebration of Dr. Martin Luther King Jr.
- Thanked Willo Kelly and Senator Cook for their efforts in opposing a recent request to increase homeowners insurance, which fortunately has since been denied.
- Commended Jenny Gray Jones for her work related to a grant opportunity that the County learned about from Commissioner Tobin and Representative Boswell that provided \$133,665 for the much needed dredging of Wanchese Harbor.
- Chairman Woodard gave a detailed Stewardship Report that highlighted the work and accomplishments of the Dare County Board of Commissioners during 2017.

#### **ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS**

- 1) George Etheridge, Public Works, received a 10-year pin.
- 2) Allen Moran, Detention Center Administrator, received a 10-year pin.

**ITEM 3 – EMPLOYEE OF THE YEAR – 2017**

Ashley Jackson, 2016 Employee of the Year, introduced all Employees of the Month from 2017 before announcing Tom Hollis from Public Works as the 2017 Employee of the Year.

**ITEM 4 – EMPLOYEE OF THE MONTH – JANUARY 2018**

Denise Pearce received the Employee of the Month award from Jennie Collins who described the many ways that Ms. Pearce is an asset to Dare County EMS.

**ITEM 5 – PUBLIC COMMENTS**

The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center in Buxton. Nobody made public comments.

**ITEM 6 – REQUEST FROM THE DARE COUNTY ARTS COUNCIL**

Chris Sawin, Executive Director of the Arts Council, introduced architect Ben Cahoon from Cahoon and Kasten to outline changes the Council would like to make to the courtyard behind the old historic Dare County Courthouse in downtown Manteo. Mr. Cahoon explained how the improvements will provide a place to showcase various artistic activities and described the goals of the renovation project, which will be funded by the Arts Council following approval by the Town of Manteo.

**MOTION**

Vice Chairman Overman motioned to approve the Arts Council plan for courtyard improvements at the old Dare County Courthouse to be done at the Arts Council's expense. Commissioner House seconded the motion.

VOTE: AYES unanimous

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

Lee Nettles, Executive Director of the Outer Banks Visitors Bureau, presented a Restricted Fund spending request to award \$139,904.45 to the Chicamacomico Historical Assoc. for facility improvements. He noted that the Tourism Board unanimously supported the award.

**MOTION**

Commissioner House and Commissioner Couch motioned to approve the award of \$139,904.45 to the Chicamacomico Historical Association as presented.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 8 – REGIONAL LOCAL EMERGENCY PLANNING COMMITTEE BYLAWS**

Emergency Management Director Drew Pearson presented bylaws and a membership list for a Local Emergency Planning Committee (LEPC) for the Outer Banks region. He provided background about the LEPC and explained how regionalization with Currituck County will open up opportunities for grant funding. The County Manager noted that a change is needed on page 8 of the bylaws to indicate that future bylaw amendments must be approved by the Board of Commissioners.

**MOTION**

Commissioner Couch motioned to approve and adopt the Outer Banks Regional LEPC membership list and bylaws with a change made to page 8 of the bylaws as outlined by the County Manager to reflect that any future bylaw amendments will become effective upon approval of each County Board of Commissioners.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – REVISION TO FY2018 CAPITAL IMPROVEMENTS PLAN (Att. #1)**

Finance Director David Clawson outlined a revision needed to the Capital Improvements Plan (CIP) for FY2018. He explained that the requested change is related to the execution and preauditing of the contract for Oblique Aerial Photography, which was approved in the CIP for the Tax Assessment Department. He asked the Board to approve the modification to the CIP, adopt an amended Capital Project Ordinance, and adopt a Budget Amendment for the Capital Reserve Fund.

**MOTION**

Commissioner Tobin motioned to approve the change to the FY2018 CIP, adopt the amendment to the Capital Project Ordinance, and adopt the Budget Amendment for the Capital Reserve Fund.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**RECESS: 10:32 a.m. – 10:44 a.m.**

**ITEM 10 – PRESENTATION OF FISCAL YEAR 2017 CAFR/AUDIT REPORT**

Finance Director David Clawson along with Bob Taylor from Potter & Company presented the Comprehensive Annual Financial Report (CAFR) and audit results for 2017. Their report detailed the County's various funds and component units. It was noted that Dare County received a very positive and favorable opinion from the independent auditor with no material weaknesses, no exceptions or findings, and no questioned costs. Commissioners were told of progress that has been made to increase the General Fund balance while improving the deficit in the Insurance Fund. The CAFR and its presentation are available for viewing on the Dare County website,

**ITEM 11 – CONSENT AGENDA**

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

**MOTION**

Vice Chairman Overman motioned to approve the Consent Agenda:

- 1) Approval of Minutes (12.04.17) **(Att. #2)**
- 2) Contract for Construction Management Services – Salvo Community Cemetery
- 3) Budget Amendment Approval for Community of Juvenile Services
- 4) Public Health Division – Budget Amendment, Refund from Cardinal Health
- 5) Tax Collector's Report

Commissioner House seconded the motion.

VOTE: AYES unanimous

## ITEM 12 – BOARD APPOINTMENTS

1) Board of Equalization and Review

Vice Chairman Overman motioned to reappoint Nelson “Skip” Jones, Jonathan Waddill, Jeffrey Scott, Terry Gore, and Charles Evans.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

2) Nursing Home Community Advisory Council

Vice Chairman Overman motioned to reappoint Commissioner Jim Tobin.

Commissioner House seconded the motion.

VOTE: AYES unanimous

3) Tourism Board

• At-Large Representative - - -

Vice Chairman Overman motioned to reappoint George Banks.

Commissioner House seconded the motion.

VOTE: AYES unanimous

• Town of Kitty Hawk Representative - - -

Vice Chairman Overman motioned to appoint Mayor Pro Tem Craig Garriss.

Commissioner House seconded the motion.

VOTE: AYES: 5 (Commissioners: Woodard, Overman, House, Ross, Tobin)

NOES: 1 (Commissioner: Couch)

Motion carried in a 5 to 1 vote

• Restaurant Association Representative - - -

Commissioner House motioned to reappoint Bambos Charalambous.

Vice Chairman Overman and Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

• Town of Kill Devil Hills Representative - - -

Vice Chairman Overman motioned to reappoint Mike Hogan.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

• Town of Southern Shores Representative - - -

Vice Chairman Overman motioned to appoint Mayor Pro Tem Christopher Nason.

Commissioner House seconded the motion.

VOTE: AYES unanimous

• Dare County Commissioner Representative - - -

Commissioner Ross motioned to reappoint Vice Chairman Wally Overman.

Chairman Woodard seconded the motion.

VOTE: AYES unanimous

- Outer Banks Association of Realtors - - -  
Vice Chairman Overman motioned to appoint William “David” Pergerson.  
Commissioner House seconded the motion.  
VOTE: AYES unanimous
  
  - Town of Nags Head - - -  
Vice Chairman Overman motioned to appoint Webb Fuller.  
Commissioner Tobin seconded the motion.  
VOTE: AYES unanimous
  
  - Town of Manteo - - -  
Vice Chairman Overman motioned to appoint Mayor Bobby Owens.  
Commissioner Couch seconded the motion.  
VOTE: AYES unanimous
- 4) Upcoming Board Appointments  
The upcoming Board appointments for February, March and April were announced.

### **ITEM 13 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS**

Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety in a video on the Dare County website. Following is a brief summary outline of the items mentioned by Commissioners during this segment –

#### Commissioner Ross

- Expressed thanks to the Finance Director for the CAFR and Audit Report that was given.
- Mentioned the upcoming groundbreaking ceremony for The Outer Banks Hospital’s new Radiation Therapy Center.
- Reported on the First Flight Celebration of Flight that took place on December 17, 2017.
- Thanked Chairman Woodard for his 2017 Year In Review Stewardship Report.
- Provided details about a plastics recycling program at the Aquarium on Roanoke Island.
- Commended Sandy Scarborough and the Dare County Center for the tremendous job they did to provide kids with toys at Christmas time. He also gave kudos to the motorcyclists who raised thousands of dollars to provide bicycles for the children.

#### Commissioner Tobin

- Announced that Steve Murphey has been appointed as the new Director of the NC Marine Fisheries Division and expressed hope that this is an encouraging appointment.
- Thanked the Public Works staff for all their hard work during the recent snow storm.
- Mentioned an opportunity he had to talk with a former White House Chief of Staff and plant seeds that may help get County issues before the Secretary of the Interior.

#### Commissioner Couch

- Reported that the Cape Hatteras Secondary School Marching Hurricanes performed very well at the recent Outback Bowl.
- Provided information about the next meeting of the COA Task Force in its mission to gather public input on curriculum needs for the COA Dare County campus.
- Expressed condolences about the death of Rev. David Waterfield.

#### Vice Chairman Overman

- Congratulated service pin recipients, Employee of the Month, and Employee of the Year.
- Thanked NCDOT for their efforts to clear roads during the recent snow storm.
- Expressed appreciation for all Dare County employees for their hard work during 2017.
- Voiced gratitude for all who serve on Dare County's many Boards and Committees and encouraged people to get involved in this form of community service.

#### Commissioner House

- Commended Chairman Woodard on an excellent Stewardship Report and thanked him for his dedicated service to the people of Dare County.
- Reported on the opportunity he had to talk with a descendant of the Wright Brothers.
- Congratulated service pin recipients, Employee of the Month, and Employee of the Year.
- Thanked Dare County Finance Department staff for excellent financial reporting.
- Reported on the Toys for Tots campaign by Kitty Hawk Fire Dept. and Dare County EMS and he described the huge amount of toys that were collected for needy children.
- Noted that NCDOT worked hard to clear the roads during the recent storm & mentioned the adverse conditions he encountered during his holiday trip to the Pacific Northwest.

#### Chairman Woodard

- Gave details about an upcoming Open House event planned by GEM.
- Echoed remarks that were made about the outstanding musical performance that was given by Dare County's High School students at the Outback Bowl in Tampa, Florida.
- Encouraged everyone to take a close look at the U.S. Interior Department proposed five-year draft plan to open up coastal waters for oil and gas exploration and drilling. He noted that the Board of Commissioners has opposed this type of activity in the past because we would have all the risk and no reward.
- Thanked Dare County staff for working hard to get public facilities back up and running in the wake of the recent snow storm.

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

1. The County Manager voiced his appreciation for the efforts of Dare County employees during the snow storm including Public Information Officer Dorothy Hester. He also thanked NCDOT for keeping the County well informed during the event.

2. Mr. Outten reported on the status of Buxton beach nourishment and described the equipment that the contractor will be using on the final phase of this project.
3. The Manager outlined the need for additional dredging work to be done at Hatteras Inlet before the end of the budget cycle. He said he has asked the consultant to begin the necessary survey and permitting work, which is underway. Mr. Outten requested authority to spend up to half of the amount that is budgeted for the first of two dredging projects, and half for the remaining project so that funds can be dispersed in a timely way when they are actually needed, instead of having to wait until the next regularly scheduled Board meeting for approval. He said that the amount to be transferred could be approximately \$85,000 noting that it may fluctuate based on the costs of the survey.

**MOTION**

Vice Chairman Overman motioned to authorize the transfer of funds as outlined.

Commissioner House seconded the motion.

VOTE: AYES unanimous

4. Mr. Outten reported that Gail Covington, a Nurse Practitioner, is looking for an exam room to provide medical services at the old Hatteras Medical Center, which is now closed. He asked the Board to allow staff to coordinate this with Health Director Sheila Davies and incorporate it into whatever plans the County may have for this facility.

**MOTION**

Commissioner Couch motioned to approve the Manager's request as presented.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

5. The Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed by the County in order to preserve the attorney-client privilege in the matters of Vaughn v. Burrus, Sink v. Dare, the Weeks matter, and opioid litigation.

**MOTION**

Chairman Woodard motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 12:17 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 1:20 p.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes, had discussion with the County Attorney, and took no action.

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

**MOTION**

Commissioner House motioned to adjourn the meeting.


Commissioner Tobin seconded the motion.

VOTE: AYES unanimous


At 1:20 p.m., the Board of Commissioners adjourned until 5:00 p.m., January 22, 2018.



Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

APPROVED:

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners