



# 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., January 22, 2018**

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

Commissioners absent: None

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 5:02 p.m. He invited George Lurie from the Jewish Community of the Outer Banks to share a prayer, and then he led the Pledge of Allegiance to the flag.

#### **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 –

- Announced that the Buxton beach nourishment project is approximately 77% complete.
- Said Commissioner Couch and the COA Task Force have had good public engagement.
- Reported on the inspirational service that was held to honor Dr. Martin Luther King, Jr.
- Voiced thanks for better weather, kids back in school, and an open federal government.
- Expressed his condolences to the families of Ray Midgett and Wayne Rex Sample.

#### **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. Nobody responded to the invitation to make public comments.

**ITEM 3 – TRILLIUM HEALTH RESOURCES – ANNUAL REPORT**

Dave Peterson, Central Regional Director for Trillium Health Resources, presented an annual report on the LME/MCO (Local Management entity/Managed Care Organization) that provides mental health, intellectual and developmental disability and substance use services to twenty-five counties in eastern North Carolina including Dare County. He explained that the mission of Trillium is to transform the lives of people in need by providing ready access to quality care and provided statistics about the number of people that are served. Mr. Peterson cited challenges that LME/MCO's face in dealing with recurring state and federal budget cuts and proposed Medicaid reform. He also outlined how Trillium is addressing the opioid crisis and how they reinvest in the communities they serve.

**ITEM 4 – DARE COUNTY SOIL AND WATER QUARTERLY REPORT**

Ann Daisey, on behalf of the Soil and Water Conservation District, gave a quarterly report to the Board of Commissioners. She outlined the cost share programs being implemented throughout Dare County and the financial benefit that is received. Ms. Daisey discussed stormwater runoff and provided details about marsh sill and other projects. She noted that the bookmark contest for 5<sup>th</sup> grade students has completed its 12<sup>th</sup> year. Ms. Daisey also fielded Commissioner questions about ditch cleanup and alligator weed control.

**ITEM 5 – REQUEST FOR PUBLIC HEARING – CODE OF ORDINANCES**

Mr. Outten explained that although each ordinance approved by the Board during 2017 has already been adopted, a Public Hearing should be held and afterward the Board should vote to codify all the 2017 ordinances as the S-10 Supplement to the Code of Ordinances.

**MOTION**

Vice Chairman Overman and Commissioner House motioned to schedule a Public Hearing on the S-10 Supplement to the Code of Ordinances for 10:00 a.m. on February 5, 2018.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 6 – UPDATE REPORT ON CURRENT TV**

Public Information Officer Dorothy Hester and Channels Manager Bobby Dobbs gave an update report on the programming and upgrades that have been made to the Current TV channels, formerly known as the Government & Education Channels or Gov-Ed TV. It was explained that Current TV is a collaboration to provide quality local programming that is now available to anyone in the world with an internet connection. Vice Chairman Overman was thanked for his participation as a member of the Governing Committee for Current TV.

**ITEM 7 – RESOLUTION – VICTIMS' RIGHTS LEGISLATION (Att. #1)**

Chairman Woodard presented a resolution in support of HB551/SB595 known as Marsy's Law to protect the rights of North Carolina crime victims. If passed, Marsy's Law would ensure that victims of violent crimes receive the same rights that are afforded to criminals including the right to notification of release and the right to speak at criminal proceedings.

**MOTION**

Commissioner Shea motioned to adopt the resolution as presented.  
Commissioner House and Vice Chairman Overman seconded the motion.  
VOTE: AYES unanimous

**ITEM 8 – NC MARINE FISHERIES MOVE TO DEFINE COMMERCIAL FISHING (Att. #2)**

Commissioner House explained the North Carolina Marine Fisheries Commission (MFC) is once again considering a change in the definition of what constitutes a Commercial Fisherman. He said the action that is underway by MFC would, among other things, dictate a percentage of personal income that must be derived from commercial fishing. He expressed concern that this would be devastating to the industry and make fresh, locally caught seafood less accessible to consumers. Commissioner House explained that the current North Carolina General Statutes already define commercial fishing and expressed concern that MFC is not considering the economic impact that has been well documented by the Rural Center. He gave details about a public forum that will be held in Wrightsville Beach on February 14, which he plans to attend. Commissioners discussed the issue and echoed Commissioner House's concern saying that this action is a horrible assault on our watermen and an attempt to eliminate commercial fishing. Commissioner House presented a resolution to the Board vehemently opposing the MFC action. Chairman Woodard outlined two key points that were cited in a separate resolution he received from Outer Banks Catch and recommended that they be incorporated into the Dare County resolution.

**MOTION**

Commissioner Shea motioned to adopt the resolution presented by Commissioner House with the addition of two key points from Outer Banks Catch.  
Commissioner Tobin seconded the motion.  
VOTE: AYES unanimous

**ITEM 9 – CONSENT AGENDA**

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

**MOTION**

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (01.08.18) **(Att. #3)**
- 2) Transportation Department – FY2018 Drug & Alcohol Testing Policy
- 3) Revision to the Board of Commissioners List of 2018 Meeting Dates
- 4) Appointment of Deputy Finance Officers
- 5) Tax Collector's Report

Commissioner Shea seconded the motion.  
VOTE: AYES unanimous

**ITEM 10 – BOARD APPOINTMENTS**

- 1) Special Motor Vehicle Valuation Review Board  
Commissioner Shea motioned to appoint David Light.  
Commissioner House seconded the motion.  
VOTE: AYES unanimous

2) Tourism Board Appointment – Town of Kitty Hawk

Vice Chairman Overman motioned to appoint Councilman Jeff Pruitt.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 11 – 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 Shea

- Noted that the Board of Commissioners stand ready to face the challenges that are ahead for 2018 and expressed hope that the year will be a good one for everyone.

Commissioner Couch

- Expressed condolences to the families of Rose Davenport, Rex Sample & Ray Midgett.
- Gave an update on the COA Task Force and said he’s proud to be part of this endeavor.

Commissioner Tobin

- Announced the 30<sup>th</sup> anniversary of the Outer Banks Senior Games and gave details about the opening ceremonies that are planned for this year’s competition.
- Reported on a meeting held with officials from NOAA about the proposed expansion of the Monitor National Marine Sanctuary. He said it was a positive meeting where good ideas were presented although they have not yet been federally approved. He said it was obvious that the agency had truly listened to the public during the scoping meetings.
- Commissioner Tobin summarized the meeting he attended in San Francisco for the National Summit of Marine Sanctuaries.

Commissioner Ross

- Mentioned the upcoming groundbreaking ceremony for The Outer Banks Hospital’s new Radiation Therapy Center.
- Gave details about an event coming up at Captain George’s Seafood Restaurant where Mandy Cohen, the Secretary of North Carolina’s Department of Health and Human Services, will be addressing unemployment for those with disabilities.
- Noted a Stakeholders Meeting that he will be attending related to the passenger ferry service that NCDOT plans to launch between Hatteras and Ocracoke Islands.
- Said he looks forward to an Open House event that is being conducted by GEM (Gentle Expert Memorycare).
- Informed the Board that the Albemarle Commission is now looking at leasing space in Elizabeth City for their new headquarters as an alternative to building a new facility.
- Commissioner Ross raised an item concerning the Board of Commissioners meeting that is scheduled to occur immediately after this year’s Easter weekend. He suggested that the April 2, 2018 Board meeting be rescheduled to the next day on Tuesday, April 3.

## **MOTION**

Commissioner Ross motioned to move the April 2, 2018 meeting to April 3, 2018.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

### **Commissioner House**

- Expressed his condolences to the families of Ray Midgett and Rex Sample.
- Reported on a very successful Science Fair that was conducted by the Dare County Youth Council in tandem with the Coastal Studies Institute.
- Thanked the Board for adopting a resolution in opposition to the Marine Fisheries action to redefine commercial fishing. He said he will be altering his Valentine's Day plans to attend the public forum that is scheduled to be held in Wrightsville Beach and on behalf of the Board he will formally present the Dare County resolution at that event.
- Presented the SPCA Pet of the Week video & encouraged people to consider adoption.

### **Vice Chairman Overman**

- Provided details about an upcoming event called "Keeping Current" that is being held at the Ark Church to empower and equip parents, teachers, and others with the tools necessary to prevent substance use.
- Mention was made of the recent Open House event at the Coastal Studies Institute.
- The Vice Chairman encouraged people to participate in the series of Town Hall meetings that the Saving Lives Task Force will be presenting during 2018 and gave details about the event planned for February 7 at the First Flight High School Auditorium.

### **Chairman Woodard**

- Asked his fellow Commissioners to look over a list of 2018 Goals & Priorities so that this information could be presented in February to the people of Dare County.

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

1. Mr. Outten said he received a phone call from the office of Congressman Jones asking if the Board had interest in having the federal government conduct a public hearing in Dare County on the issue of offshore drilling. Chairman Woodard said this would be appropriate in view of the new federal 5-year plan concerning offshore energy. Commissioners agreed by consensus to have the County Manager let Congressman Jones know that the Board would like such a meeting to be held in Dare County.
2. The County Manager reported that Weeks Marine is working diligently on the Buxton beach nourishment project, which is approximately 80% complete. He summarized talks that have occurred about the firm's request to extend the completion of the contract without penalty. He noted that the Board had previously discussed this matter in Closed Session and determined that a 40 day extension would be appropriate. Mr. Outten explained that Weeks Marine has agreed to a 40 day extension, which needs approval in an open session of the Board.

**MOTION**

Commissioner Tobin motioned to approve the 40-day extension as outlined.  
Vice Chairman Overman and Commissioner House seconded the motion.  
VOTE: AYES unanimous

3. Mr. Outten informed the Board of a cooperative effort that is underway with Dare County and the Town of Kill Devil Hills Planning Department. He said some Dare County Building Inspectors will be doing site work in the Town in order to achieve their level three certifications. In exchange for this, the County will help the Town fill in gaps that may occur in the future when the Town's Inspectors may be on vacation or sick leave.

Chairman Woodard asked Public Information Officer Dorothy Hester to share any items from her Department. An announcement was made that a Town Hall Community Meeting is planned for 7:00 p.m., March 19 immediately following the 5:00 p.m. regularly scheduled Commissioners meeting that same day. She explained that the Community Meeting will give people a much less formal opportunity to engage in dialogue with Commissioners on any topic of concern. She also gave an update on plans that are underway for a ceremony to dedicate the new Pea Island Bridge as the Capt. Richard Etheridge Bridge, which is the name that was requested by the Dare County Board of Commissioners. It was also noted that Karen Brown and the Outer Banks Chamber of Commerce are developing a video about economic development that will be featured on Current TV.

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

**MOTION**

Commissioner Shea motioned to adjourn the meeting.  
Commissioner House seconded the motion.  
VOTE: AYES unanimous

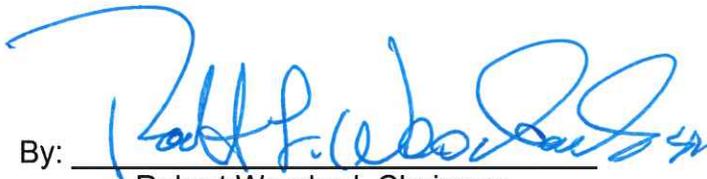
At 7:14 p.m., the Board of Commissioners adjourned until 9:00 a.m., February 5, 2018.



APPROVED:

Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners