



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**5:00 p.m., June 18, 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 5:04 p.m. He invited Rev. Fran Peel to share a prayer, and then he led the Pledge of Allegiance to the flag.

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

#### **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 –

- Shared a thank you note he received from Commissioner Shea expressing appreciation on being named the Dare County “Citizen of the Year” at the Dare Day celebration.
- In honor of Father’s Day, the Chairman recalled memories of his father and cited statistics documenting the importance of fatherhood and its positive impact on society.
- Reminded everyone that there will be only one Commissioners meeting during July.

#### **ITEM 2 – EMPLOYEE OF THE MONTH – JUNE 2018**

Jeanie Midgett, Senior Custodian at the Dare County Justice Center, received the Employee of the Month award from Elizabeth Reilly who described the many ways that Ms. Midgett is an asset to Dare County.

### **ITEM 3 – PUBLIC COMMENTS**

The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center in Buxton. No public comments were made.

### **ITEM 4 – CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING**

Chairman Woodard explained that Dare County has for the 27<sup>th</sup> consecutive year received the Certificate of Excellence in Financial Reporting for its Comprehensive Annual Financial Report (CAFR). The prestigious award is from the Government Finance Officers Association of the United States and Canada. The Chairman presented the award to Finance Director David Clawson and honored Assistant Director Sally DeFosse with the Award of Financial Reporting Achievement. He noted that this award is a tribute to the County's financial management practices and carries weight with the bond rating companies, which helps taxpayers when the County needs to obtain financing.

### **ITEM 5 – INTRODUCTION OF THE DARE COUNTY DELEGATE TO THE 2018 YOUTH VOICE CONFERENCE**

Paige Fuselier, 4-H Extension Agent for Dare County, introduced Madison Sawyer as the Dare County Delegate to the 2018 Youth Voice Conference that will be held this summer in Catawba County, North Carolina. Ms. Sawyer, a rising senior at Manteo High School, shared information about the conference and Ms. Fuselier outlined summer fun programs that Dare County 4-H has planned in their mission to help young people grow into leaders.

### **ITEM 6 – 2018 GOVERNOR'S VOLUNTEER SERVICE AWARDS**

Jane Webster, Board Member with the Outer Banks Community Foundation, presented 2018 Governor's Volunteer Service Awards to the following - - -

- Mary Pendill – Dare County Center volunteer
- Sue Kelly – Guardian ad Litem volunteer
- Emily Gould – Friends of Youth volunteer
- Tiffany Wescott & Coastal Family Church volunteers – helping Dare Center Toy Drive
- Dare County Motorcycle Toy Run volunteers – assisting underprivileged children

A Lifetime Achievement Award was presented to Gail Leonard in recognition of the many ways she makes a difference in Dare County through her volunteerism.

### **ITEM 7 – COA TASK FORCE – FINAL REPORT**

Commissioner Couch, as Chair of the COA Task Force, briefed the Board on the public meetings that the Task Force conducted to gather community input on curriculum ideas for the new College of the Albemarle (COA) Dare County campus. He introduced Task Force Members and summarized the public meetings where a wide range of stakeholders provided extensive community input on curriculum ideas. The findings of the Task Force, which will be presented to the architects and planners designing the new Dare County campus, were outlined for the Board. It was noted that the Task Force recommends that the new facility be designed with a "Flex Space" concept so that adaptations can easily and

affordably be made as curriculum needs change in the future. Commissioners expressed their appreciation to the Task Force and thanked them for a comprehensive report.

**ITEM 8 – MEMORANDUM OF UNDERSTANDING – NC DEPT. OF HEALTH & HUMAN SERVICES AND DARE COUNTY**

Jay Burrus and Chuck Lycett presented a Memorandum of Understanding (MOU) pursuant to North Carolina General Statute 108A-74 that requires all North Carolina counties to enter into an annual written agreement with the State's Dept. of Health and Human Services covering all social services programs excluding Medicaid. Mr. Burrus and Mr. Lycett outlined provisions for non-compliance and expressed concern about some of the performance measures that could adversely impact smaller counties due to a relatively small sample size being analyzed. The County Manager provided background information about the legislation and said he has been told that Dare County is considered a social services role model and that this legislation is directed towards other counties in the State where there have been bad outcomes with commissioners who do not want to be involved.

**MOTION**

Commissioner Shea motioned to approve the MOU & authorize staff to sign the agreement. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – RESOLUTION AND BUDGET AMENDMENTS FOR WATER CAPITAL RESERVE FUND (Att. #1)**

Finance Director David Clawson briefed the Board on 2017 House Bill 36 that required a study of Water System Development Fees, which must be accounted for in a Capital Reserve Fund. Mr. Clawson presented a Resolution to establish a Water Capital Reserve Fund along with a Budget Amendment to reduce amounts in the Water Fund, and a Budget Amendment to increase the same amounts in the Water Capital Reserve Fund, all effective July 1, 2018 for fiscal year 2019.

**MOTION**

Vice Chairman Overman motioned to adopt the Resolution, adopt Budget Amendment for the Water Fund, and adopt the Budget Amendment for the Water Capital Reserve Fund. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 10 – RESOLUTION AUTHORIZING THE COUNTY OF DARE TO ENGAGE IN ELECTRONIC PAYMENTS DEFINED BY NCGS 159-28 (Att. #2)**

Mr. Clawson explained that Dare County, like most other local government entities, has for some time engaged in electronic transactions such as credit cards and electronic payments. He said the County's documentation of these electronic transactions has complied with the General Statute requirements that were established a long time ago. He reported that NCGS 159-28 was amended in 2017 to allow certain documentation exemptions by following rules set out by the Local Government Commission (LGC). The Finance Director noted that the LGC has issued a memo that allows policies and procedures related to

pre-audit and disbursement certifications. He asked the Board to adopt a Resolution authorizing the County to engage in electronic payments as defined by NCGS 159-28. He noted that the LGC also requires that a quarterly budgetary statement be sent to the Board of Commissioners or posted on the County website. By consensus, the Board agreed that this quarterly report should be posted on the County website.

**MOTION**

Commissioner Shea motioned to adopt the Resolution as presented.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 11 – AMENDMENT NO. ONE TO THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, DARE, HYDE, MARTIN, PASQUOTANK, PERQUIMANS, TYRRELL AND WASHINGTON OTHER POST-EMPLOYMENT BENEFITS TRUST AGREEMENT**

The Finance Director informed the Board that an irrevocable trust was created for the funds held for health benefits for the retirees of the former Albemarle and Tideland Mental Health agencies. He said in order for the trust to invest in the equity portion of the State Treasurer's Ancillary Governmental Participant Program, the name of the trust must exactly match the name assigned by the Internal Revenue Service (IRS). Mr. Clawson explained that rather than trying to change the trust name with the IRS, the participating counties are being asked to change the name of the trust through an amendment to the trust agreement, which he asked the Board to adopt.

**MOTION**

Commissioner Shea motioned to adopt amendment Number One to the Trust Agreement.

Commissioner Tobin and Commissioner Ross seconded the motion.

VOTE: AYES unanimous

**ITEM 12 – PUBLIC HEARING – EAST CAROLINA RADIO H345 TEXT AMENDMENT**

At 5:54 p.m. the Board of Commissioners held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center. There were no public comments. Chairman Woodard closed the hearing at 5:55 p.m. It was noted in the Board's meeting packet that the zoning text amendment was requested by Rick Loesch of East Carolina Radio to uncouple the construction of a tower with a principal or conditional use based on changing technologies and FCC regulations.

**MOTION**

Commissioner Shea motioned to adopt the H345 zoning text amendment for East Carolina Radio as recommended by the Planning Board with a finding of consistency adopted as part of this motion and that this consistency statement shall be part of the public record.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

### **ITEM 13 – CONSENT AGENDA**

Mr. Outten announced the items & asked that #4 & #5 be pulled from the Consent Agenda.

#### **MOTION**

Commissioner Shea motioned to approve items #1, #2, #3, #6 on the Consent Agenda:

- 1) Approval of Minutes (06.04.18) **(Att. #3)**
- 2) Amend Capital Project Ordinances – Scenic Byways & Courthouse HVAC **(Att. #4)**
- 3) Authorization to Present Service Weapon to Retiring Deputy Sheriffs
- 4) 3-year Contract for Metro Ethernet Services – **Item pulled from the Consent Agenda**
- 5) 3-year Contract for Outbound Internet - **Item pulled from the Consent Agenda**
- 6) Tax Collector's Report

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

### **ITEM 14 – 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 Couch**

- Commented that traffic is heavy, especially on NC Highway 12, which indicates a good summer tourism season. He expressed hope for an excellent economic year.
- Reported on a productive meeting he attended at the Emergency Operations Center where Drew Pearson led a discussion with CERT and the Methodist Men's organization concerning relief efforts.
- Briefed the Board on his participation in the recent affordable housing tour organized by the Outer Banks Chamber of Commerce. He cited the need for housing for professionals relocating to the area and passed along a concern he heard that there may be a stigma attached to the term "affordable housing."
- Thanked the Board for the opportunity he had to Chair the COA Task Force. Chairman Woodard commended Commissioner Couch for a job well done.

#### **Commissioner Shea**

- Congratulated the Employee of the Month and the recipients of the Governor's Volunteer Service Awards. He thanked them for all they do to make Dare County a great place.
- Noted that traffic on the bypass indicates that we are in summer tourism mode.

#### **Vice Chairman Overman**

- Commended the Employee of the Month and acknowledged those who received Governor's Volunteer Service Awards. He said they have made a huge difference in the lives of people in Dare County.

#### **Commissioner House**

- Thanked the Employee of the Month and the Governor's Volunteer Service Award recipients noting that Dare County benefits from their efforts in many ways.
- Extended Happy Father's Day greetings and fondly remembered his father.
- He encouraged everyone to consider adopting a pet from the animal shelter.

### Commissioner Ross

- Thanked Finance Director David Clawson and Assistant Director Sally DeFosse for the excellent financial management and oversight that they consistently provide to the Board of Commissioners and the people of Dare County.
- Congratulated Gail Leonard, Mary Pendill, and Emily Gould on receiving Volunteer Service awards from the Governor. He said he has had the opportunity to see first-hand how each of these amazing people help others in the community.
- Noted that he has an Albemarle Commission meeting this week and looks forward to hearing about Executive Director Cathy Davison's recent trip to California where she attended the annual meeting of the National Association of Development Organizations.
- Mentioned an upcoming dock dedication that will be taking place in Wanchese.

### Commissioner Tobin

- Reported that the Community Advisory Board meeting has been postponed.
- Congratulated Madison Sawyer on being selected as Dare County's Delegate to the 2018 Youth Voice Conference. He noted that the young people involved in the 4-H program have the drive and talent to be the new leaders of tomorrow.
- Expressed delight that the Governor's budget veto was overridden resulting in an approved State budget with a \$15 million provision for a Dare County dredge. He reported that the Oregon Inlet Task Force has appointed a Steering Committee to work with the County Manager in developing an RFP (Request for Proposal) that will lead to the selection of a company to build the County's dredge. He advised the Board on the latest shoaling conditions at Oregon Inlet and said the Army Corps of Engineers plans to have a dredge onsite by the weekend. Chairman Woodard thanked Commissioner Tobin for his hard work advocating for a public/private partnership for a local dredge, which he said is a tremendous accomplishment for Dare County.

### Chairman Woodard

- Informed the Board that he will be attending a College of the Albemarle (COA) Board of Trustees meeting this week and noted that he will be sharing with the group the Final Report presented tonight by the COA Task Force.
- Voiced gratitude that we are blessed to live in a place with so many dedicated people whose community service is consistently acknowledged during Commissioner meetings.

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

1. Mr. Outten briefed the Board on this summer's North Carolina Association of County Commissioners annual conference noting that the County has the opportunity to appoint a voting delegate to the meeting. Chairman Woodard said he has been engaged with the Association and expressed his willingness to represent Dare County at the event.

### **MOTION**

Commissioner Tobin motioned to designate Chairman Woodard as Dare County's Voting Delegate to the North Carolina Association of County Commissioners (NCACC) annual conference, which will be held in Catawba County on August 23-25, 2018.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

Finance Director David Clawson reported on debris removal bids and informed the Board that the contract will need to be rebid and presented at a future Commissioners meeting.

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

**MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

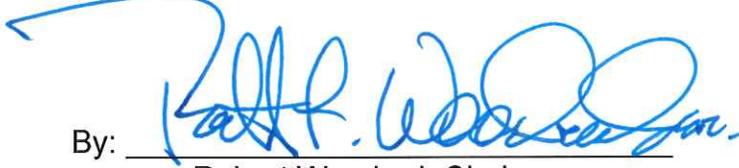
At 7:01 p.m., the Board of Commissioners adjourned until 5:00 p.m., July 16, 2018.



Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

APPROVED:

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners