



# 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., July 16, 2018**

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

Commissioners absent: Jack Shea (excused absence due to illness)

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 5:01 p.m. He invited Rev. Jerald Craddock to share a prayer, and then he led the Pledge of Allegiance to the flag. Chairman Woodard noted that Commissioner Shea had an excused absence due to illness

#### **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 –

- Commended the Outer Banks Community Foundation for expanding their grant program to cover staff wages for non-profit organizations.
- Gave an update on improvements at the Oregon Inlet Campground where 23 campsites have received electricity and water with 24 more scheduled for next year.
- Provided details about the upcoming 100<sup>th</sup> anniversary of the Mirlo rescue and outlined activities planned for the celebration of this historic event.
- Encouraged people to see the inspiring live presentation of “Freedmen, Surfmen, Heroes” at the North Carolina Aquarium on Roanoke Island this summer. He noted that Joan Collins and Darrell Collins presented this program when the new bridge at Pea Island was dedicated earlier this year in honor of Captain Richard Etheridge.

- Expressed excitement about plans to expand the Dare County campus of the College of the Albemarle (COA) so that Dare County students can receive an Associate Degree without having to travel to Elizabeth City. Chairman Woodard reported that COA has signed an agreement with East Carolina University (ECU) whereby COA students will be able to transfer to ECU and use many of the University's facilities and services.
- Showcased a video update on construction of the new Bonner Bridge at Oregon Inlet.
- Presented a Certificate of Appreciation to John's Drive-In as a popular Outer Banks institution serving outstanding food and cherished memories for countless families. He commended John Tice, Jr., Mona and Tina for preserving the traditions of the family business that was started by their parents, Pat & John Tice, Sr., 40 years ago.
- Chairman Woodard honored Joe & Ann Lamb, the visionary founders of Joe Lamb, Jr. and Associates and recognized their 50 year old company for being a corporate role model in their commitment to community service and devotion to Dare County.

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

- 1) Susan Picataggi, Social Services, received a 15-year pin.
- 2) Laverna Brooks, Water Department, received a 15-year pin.

#### **ITEM 3 – EMPLOYEE OF THE MONTH – JULY 2018**

Shawn Hughes, Fleet Maintenance Supervisor, received the Employee of the Month award from Shanna Fullmer who described the many ways that Mr. Hughes is an asset to the Public Works Department.

#### **ITEM 4 – PUBLIC COMMENTS**

The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center in Buxton. Following is a brief summary of citizen remarks, which can be viewed in their entirety in a video on the Dare County website –

*The following comments were made in Manteo –*

1. Cole Phelps – introduced himself as a candidate for the District One North Carolina Senate seat that includes Dare County. He explained why Dare County holds a special place in his heart and voiced his opposition to offshore drilling.
2. Jennifer Alexander – thanked the Board of Commissioners for their support of Dare County schools. She expressed gratitude for the local contribution that the Board provides for education, which she said is making a significant difference.
3. Rosemarie Doshier – reported that she attended the recent Planning Board meeting on affordable housing and noted that no County Commissioners were present. She said she would like to have seen Commissioner participation.

4. Jerald Craddock – voiced thanks for the work of Vice Chairman Overman and others on the problem that Manns Harbor residents are having with the overpopulation of bears. He encouraged the Board to proceed in working out a solution.

*The following comments were made in Buxton –*

5. Chris McCall – cited the need for sidewalks in the Village of Buxton. He explained that there are serious safety concerns and noted that multi-use pathways would accommodate cyclists and pedestrians traveling to the Cape Hatteras Lighthouse.

#### **ITEM 5 – JON MIDGETT CONSTRUCTION CS TEXT AMENDMENT REQUEST**

Planning Director Donna Creef explained that Elizabeth Robbins, on behalf of Jon Midgett Construction, has submitted a zoning text amendment request to add boat and small engine repairs to the list of permitted uses in the Commercial Services (CS) District. She provided background information about the request and noted that several members of the Planning Board felt that the requested use was consistent with other CS uses but it should be added as a “conditional” use and not a “permitted” use. Ms. Creef reported that the Planning Board motion failed to pass on a 3-3 vote, with one seat vacant on the panel. She added that those who voted against the motion indicated that noise was a factor in their decision. She also advised the Board that two emails from area residents have been received opposing the request. Elizabeth Robbins outlined reasons why her client’s request should be approved saying that it would be a less intensive use than other currently permitted uses such as marina operations, boat building and boat sales, and the servicing of automobiles and farm machinery. Commissioners discussed the request including potential noise issues and it was the consensus of the Board to schedule a Public Hearing to gather community input on the requested text amendment.

#### **MOTION**

Chairman Woodard motioned to schedule a public hearing for 5:30 p.m., August 20, 2018. Commissioner House seconded the motion.

VOTE: AYES unanimous

#### **ITEM 6 – NCDOT BUILD GRANT PROGRAM (Att. #1)**

At the onset of this agenda item Commissioner Couch asked to be recused from discussion and voting because of a potential pecuniary interest regarding this matter.

#### **MOTION**

Commissioner Tobin motioned to approve Commissioner Couch’s recusal request. Commissioner House seconded the motion.

VOTE: AYES unanimous

After voting on the recusal motion, Commissioner Couch exited the room at 6:06 p.m. and did not reenter until 6:12 p.m., when the agenda item was completed.

After Commissioner Couch departed from the room, the Planning Director informed the Board of a grant opportunity that may be available for multiuse pathways and tram facilities in Hatteras Village similar to what is planned for Ocracoke Village associated with NCDOT's passenger ferry service scheduled to operate between Hatteras and Ocracoke. She explained that no local match funds are necessary because Dare County is considered a rural county. A resolution was read by the County Manager. Via the video link to the Fessenden Center, Beth Midgett thanked the Board noting that this project will promote public safety and enhance the visitor experience. Dennis Robinson thanked Planning Director Donna Creef for pulling together this grant opportunity.

**MOTION**

Vice Chairman Overman motioned to approve a resolution supporting the grant request and authorize staff to submit the necessary paperwork.

Commissioner House seconded the motion.

VOTE: AYES unanimous (note: Commissioner Couch was recused from voting on this item)

**ITEM 7 – DEBRIS MANAGEMENT CONTRACT**

The County Manager outlined the process that was used to evaluate the four proposals the County received in response to the Request for Proposals (RFP) for debris management. It was reported that based upon FEMA's "best value" criteria, the Selection Committee recommends – Southern Disaster Recovery as the Primary Contractor & Crowder Gulf as the Secondary Contractor.

**MOTION**

Commissioner House motioned to approve the proposals submitted by Southern Disaster Recovery as Primary Contractor & Crowder Gulf as Secondary Contractor and authorize the County Manager to sign the Debris Management Form of Contract with each firm.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 8 – PROPOSAL FOR PERMITTING RELATED TO THE NEW DREDGE**

The County Manager presented a proposal from Aptim Coastal Planning and Engineering of North Carolina concerning environmental and engineering consulting services associated with the County's efforts to obtain permits for the new dredge that is planned for Dare County. He described the scope of work for the project and noted that Oregon Inlet has unique permitting issues based on certain environmental documents that do not apply to the existing permits that are in place for Hatteras Inlet.

**MOTION**

Commissioner House motioned to approve the proposal and services agreement and authorize the County Manager to execute the necessary documents.

Vice Chairman Overman 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**

Vice Chairman Overman motioned to approve the Consent Agenda:

- 1) Approval of Minutes (06.18.18) **(Att. #2)**
- 2) Reimbursement Resolution – FY2018-2019 Vehicle & Equipment Financing **(Att. #3)**
- 3) Transportation Department’s Drug & Alcohol Testing Policy for FY2018
- 4) DCDHHS, Public Health Division – Special Funding for WIC
- 5) 2018 Community Rating System Annual Reports
- 6) Tax Collector’s Report
- 7) Arts Council Lease

Commissioner House and Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

## **ITEM 10 – BOARD APPOINTMENTS**

### 1) Airport Authority

Vice Chairman Overman motioned to reappoint Charles Davidson and Jack Shea.

Commissioner House seconded the motion.

VOTE: AYES unanimous

### 2) East Lake Community Center Board

Commissioner House motioned to reappoint Rosemarie Doshier.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

### 3) Game and Wildlife Commission

Vice Chairman Overman motioned to –

- o Reappoint – Phil Haywood, Dr. Andrew Horne, and Harvey Scarborough, Jr.
- o Appoint – James R. (Buddy) Shelton.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

### 4) Library Board – East Albemarle Region

Commissioner House motioned to reappoint Elizabeth Gaimel.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

### 5) Parks and Recreation Advisory Council

Vice Chairman Overman motioned to –

- o Reappoint – Anita Bills, Willer Spencer, Kathy Carden, Eddie Twyne, Kelli Harmon.
- o Appoint – Stephanie J. Harkness-Moxley, Robert Parrish, Amanda Hooper Walters.

Commissioner House seconded the motion.

VOTE: AYES unanimous

6) Veterans Advisory Council

Commissioner House motioned to –

- o Appoint Steve Goodheart to fill the vacancy caused by Carl Reiber's resignation.

Commissioner Ross and Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

7) Wanchese Community Center Board

Vice Chairman Overman motioned to reappoint Joyce Meekins and Robert Walton.

Commissioner House seconded the motion.

VOTE: AYES unanimous

8) Upcoming Board Appointments

The upcoming appointments for August, September, and October were announced.

**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 Tobin

- Reported that the recent Community Advisory Council meeting did not have a quorum.
- Presented a video showcasing the 4-H Service & Citizenship Workshop that was recently held in the Commissioner's Meeting Room. Commissioner Tobin thanked those who assisted with the workshop, which provided a valuable educational experience to an exceptional group of young people.
- Gave an update on the Request for Proposal phase that is now underway for the Dare County public/private partnership for a new dredge.
- Provided statistics related to the problem that Manns Harbor residents are having with bears roaming throughout their community, which poses serious safety concerns. The Board discussed the issue and the need for bear-resistant trash containers that can effectively be used by the Public Works Department. The County Manager reported on his conversation with NC Wildlife Resources about the bear over-population problem.

Commissioner Ross

- Explained that the Albemarle Commission is still working on the issue of office space and for the time being will remain at their existing facility in Hertford. He noted that there have been a couple of recent newspaper articles referencing an alleged conflict of interest, which is being addressed by the Commission's legal counsel and auditors.
- Reported that there was a reported violation of the Dare County animal tether ordinance recently in Colington and noted that the Sheriff is issuing a citation.
- Thanked the Dare County Capital Improvements Committee for moving forward in recommending that a study be done to determine what might be needed at the Dare County Animal Shelter.

### Commissioner House

- Provided details about the U.S. Coast Guard Appreciation Day to be held August 18<sup>th</sup> at Harkers Island where retired Coast Guard Chief Ira Lewis will be honored in celebration of his 100<sup>th</sup> birthday.
- Updated the Board on recent meetings held by the North Carolina Marine Fisheries Commission. Commissioner House also gave a briefing on recent action in Washington, D.C. regarding the reauthorization of the Magnuson-Stevens Act, which governs federal fisheries. He outlined an amendment to the bill requiring that the economic impact of a fishery be taken into consideration in making fisheries management decisions.
- Described a fundraising event being held July 28 at Manteo High School to benefit the SPCA and the school's athletic program.
- Commissioner House presented a video showcasing the Dare County Animal Shelter "Pet of the Week" and urged people to consider pet adoption.

### Vice Chairman Overman

- Congratulated the service pin recipients and the Employee of the Month.
- Voiced his concern about the serious safety issues associated with the bear over-population problem, which is a life threatening situation for the people of Manns Harbor. The Vice Chairman reported on his conversations with wildlife officials and said this problem needs to be properly addressed by the appropriate State and Federal agencies.

### Commissioner Couch

- Reported on the Change of Command Ceremony held recently at the Hatteras Civic Center when Coast Guard Senior Chief Petty Officer James Pond relieved Master Chief Petty Officer Christopher Wright as the Officer in Charge of Station Hatteras Inlet.
- Commissioner Couch shared a concern that law enforcement officials have voiced to him about pedestrian safety issues associated with the high volume of traffic that is occurring on Hatteras Island. He asked the Board to have the County Manager reach out to NCDOT to look into the possibility of having lighted pedestrian signs.
- Presented a request from a Hatteras Pines homeowner asking that golf carts be allowed in the Village of Buxton. Chairman Woodard called Planning Director Donna Creef to the podium and asked her to outline the procedural process for addressing golf cart requests. After discussing the issue, it was the consensus of the Board that Ms. Creef should meet with Commissioner Couch to determine which roads might be appropriate and bring a list back to the Board so that Commissioners can review specific streets and consider setting the matter for public hearing.

### Chairman Woodard

- Updated the Board about an encouraging new legislative development in Washington, D.C. related to the issue of offshore drilling, which he reported has the support of Congressman Walter Jones. Chairman Woodard noted that this is an important concern for Dare County and said he would continue to stay focused on this.

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

1. The County Manager presented a renewal proposal from the Outer Banks Chamber of Commerce for implementation of Dare County's Economic Diversification plan. He outlined the components of the \$25,000 proposal, which he said is already budgeted. Mr. Outten noted that the Chamber has offered to add-on additional services for a Housing Initiative at an extra cost of \$10,000. Commissioners questioned Chamber President and CEO Karen Brown about aspects of the proposal to clarify whether the County would be paying for previous Chamber projects. She outlined the advantages of approving the proposal with the addition of the \$10,000 add-on for the Housing Initiative. Ms. Brown explained that it would allow the Chamber to allocate more resources and provide increased credibility in attracting potential partners and grant opportunities. While discussing the Housing Initiative, Chairman Woodard noted that he believes the term "affordable housing" is counterproductive. He added that attitudes will have to change and the municipalities need to have skin in the game. He promised to continue working with the Town Mayors advocating on this issue. The Chairman reminded everyone that the Board of Commissioners is committed to this issue and has asked the Dare County Planning Board to address it and we are waiting for their input. Commissioners discussed the Housing Initiative add-on and whether it should be done now or wait until the Planning Board gives its input so that benchmarks can better be determined, which resulted in the following motion - - -

### **MOTION**

Commissioner Ross motioned to approve the Economic Development Proposal submitted by the Outer Banks Chamber of Commerce in the amount of \$25,000 with the addition of a \$10,000 Housing Initiative add-on for a total of \$35,000.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten briefed the Board on the readiness status of the Rodanthe emergency ferry dock. He thanked Ann Daisey, John Delucia, and Basnight Construction for their work at the site.

Public Information Officer Dorothy Hester provided information about the concerted effort that is underway to promote beach safety. She showcased a video urging everyone to "Love the Beach & Respect the Ocean." Ms. Hester also outlined a text to join emergency notification system to help residents and visitors stay informed about beach conditions.

Finance Director David Clawson updated the Board on the timeline for the closing for the County's refinancing, which has been approved by the Local Government Commission.

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

### **MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 7:46 p.m., the Board of Commissioners adjourned until 9:00 a.m., August 6, 2018.



Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

APPROVED:

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners