



# 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

**9:00 a.m., August 6, 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 9:01 a.m. He invited Rev. Craig Peel to share a prayer, and then he led the Pledge of Allegiance to the flag.

The Chairman asked for a motion to amend the agenda to move item 5 and make it 1A.

#### **MOTION**

Commissioner Couch motioned to amend the agenda moving item 5 to 1A.

Commissioner House seconded the motion.

VOTE: AYES unanimous

#### **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 local events for the law enforcement National Night Out campaign.
- Congratulated the Dare County Boys 8U baseball team on being the Tar Heel League State Champions. Chairman Woodard also commended the County’s Girls 12U All Star softball team for competing in the Babe Ruth World Series.
- Applauded the Colonial Inn in Nags Head for the way they rebounded so quickly from an electrical fire.
- Showed a video from the College of the Albemarle highlighting COA’s welding program.
- Chairman Woodard asked County Manager Outten and NCDOT Board Member Allen Moran to address the flooding that has occurred in the wake of recent rainstorms - - -.

Mr. Outten explained how the County has tried to find ways to address specific neighborhood flooding issues without creating problems elsewhere. He outlined options to either move standing water or haul it away to an acceptable location.

Allen Moran announced that NCDOT will commission a drainage study for the north end of Roanoke Island. He noted that participation will be needed by all parties and cautioned that implementation cannot happen overnight and that no system can handle 20 inches of rainwater in 10 days. He said a follow-up report will be given on the engineering options that are ascertained in the drainage study.

**ITEM 1A – OUTER BANKS DISTILLING - DONATION (MOVED FROM AGENDA ITEM 5)**

Public Services Director, Tim White, informed the Board that Outer Banks Distilling has raised money to help replace rusted playground equipment at Rec Park. The owners of Outer Banks Distilling, Adam Ball, Scott Smith, Matt Newsome, and Kelly Bray presented a check in the amount of \$17,500 that was raised from the sale of a specialty product. Mr. Ball explained that this endeavor was a way of giving back to the community. Chairman Woodard accepted the check and thanked Outer Banks Distilling for their amazing gift that will benefit the children of Dare County.

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

- 1) Debbie Francisco, EMS, received a 15-year pin.
- 2) Jeff Ambrose, Sheriff's Office, received a 15-year pin.
- 3) Eddie Harper, Sheriff's Office, received a 15-year pin.
- 4) Amy Crawford, Dare County Center, received a 15-year pin.
- 5) Aaron Felton, Sheriff's Office, received a 20 year pin.

**ITEM 3 – EMPLOYEE OF THE MONTH – AUGUST 2018**

Sarah Bradshaw received the Employee of the Month award from Chuck Lycett who described the many ways that the Social Worker is an asset to Dare County.

**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. Pat Draisey described the serious flooding problem at her property on Daphne Lane. She said the situation has created a health hazard and that pipes need to be cleaned out and debris removed from ditches. Ms. Draisey said developers must be made to plan for drainage and called for a building moratorium on the north end of Roanoke Island until a solution can be found.

2. Jim Hoffner explained the steps he has taken to drain his Daphne Lane property and said he has no intention of putting water on someone else's property. He noted that the drainage line to the sound must be properly maintained. Mr. Hoffner said people are frustrated and need information. He offered to be part of the effort to fix the problem and urged the Board to work together with the community to address this.
3. J.B. Head voiced the frustration of people on Bradford lane where his house is surrounded by water and uninhabitable. He said the drainage system needs to be maintained and that the County must go to the state and get them to address this on an ongoing basis. Mr. Head noted that having to rent equipment to clean out culverts is unsatisfactory and called on the County and the State to come up with a solution.
4. Madeleine VanMiddlesworth provided details about the sewage infested water that surrounds her house on Langley Lane and vividly described how the problem is adversely impacting her family. She said people have been allowed to build without proper drainage plans being in place and urged the Board of Commissioners to develop a comprehensive plan as a matter of public safety.
5. Tom Higgins spoke about the stormwater issue on Brakewood Road by giving the history of flooding that has occurred in his area and he reminded the Board that the dry pond was breached back in 2010. He said the sad situation on the north end of Roanoke Island is disgraceful and notified the Board that it is causing people to think about selling their properties.
6. Linda Dunnigan addressed the problem on Meekins Drive by calling on the Board to consider the thoughtful statements expressed today and work with the State to find a solution for the drainage problem. She said people know where the ditches are and where they are not draining. She added that everyone needs to get on the same page and work together and urged the County to step up and take action.
7. Kathy Jorgensen spoke about Apache Street in Kill Devil Hills noting that the problem in her area is not as bad as the conditions described today by people on Roanoke Island. She provided photos and a written summary of her efforts to protect and preserve her property. Chairman Woodard encouraged Ms. Jorgensen to share her information and express her concerns with the Town of Kill Devil Hills.
8. Chrissy Simmons said she is willing to have her Brakewood Road property take on some of the water inundating her neighbors. She noted that a solution is possible and that equipment is available somewhere to solve the problem for the people that are suffering, who she said are not willing to just go away. She said she is willing to serve on a committee to address this and offered to be a point person on this issue.
9. Margarette Umphlett described in detail how the severe storm water flooding problem has impacted her property and caused approximately \$50,000 in damages without insurance coverage. She said this has been going on for nearly 3 weeks and asked how much longer will people have to suffer being out of their homes. She said there must be a solution and that she would appreciate the Board finding one quickly.

10. Carol Lee Tillett said her property on Holly Ridge Road has never before experienced flooding like this and that the situation is worse than what occurs during major hurricanes. She said toilets have been unable to flush due to standing water and people are having to wade through contaminated water. She begged the Board for help saying we are your people, and we need your help now.
11. Mike Tillett said the main problem with storm water flooding is the serious health issues that are associated with it. He said this is the number one concern. He explained that the water needs to be removed as quickly and efficiently as possible before people get sick from disease. He added that the Dare County Building Ordinances may need to be amended.
12. Priscilla Cahoon described a flooded property on Burnside Road that has caused a problem for her family. She also identified other areas that need attention. Ms. Cahoon informed the Board of Commissioners that the ditches of Roanoke Island have not been properly maintained. She noted that drainage ditches are being illegally filled up.
13. Rosemarie Doshier said she is able to feel the pain that was expressed by the people of Roanoke Island because the same stormwater issues have plagued her East Lake community for many years. She said this issue has not been properly addressed and drainage ditches continue to be clogged by vegetative debris. She noted that this is one of her hot topics of concern as a candidate for the Board of Commissioners.

*There were no comments made in Buxton*

Following public comments, the Board discussed the stormwater flooding problem and the health risks that were identified by area residents. Chairman Woodard voiced the Board's consensus that the County will do whatever it takes to address this problem immediately and he promised that resources would be promptly mobilized. Later in the meeting, the County Manager reported that equipment is now enroute to Dare County to address immediate short-term needs while an engineering study is undertaken by NCDOT.

#### **ITEM 5 – OUTER BANKS DISTILLING - DONATION (MOVED TO AGENDA ITEM 1A)**

**RECESS: 10:47 a.m. – 11:08 a.m.**

#### **ITEM 6 – VFW AWARD PRESENTATION TO ADVANCED EMT BILL LARICOS**

Representatives from Dare County VFW Post 10950 honored Dare County Advanced EMT Bill Laricos as the Dare County EMT of the Year and as the North Carolina State EMT of the Year. The awards were presented by VFW Quarter Master Jim Norell, Commander Richard Probst, and Service Officer Fred Lamm along with EMS Chief Jennie Collins and Jack Scarborough representing the Hatteras Island Rescue Squad. Mr. Laricos was commended for his dedicated service and it was noted that he has a broad range of public safety experience including law enforcement, firefighting, and emergency medical services.

**ITEM 7 – NORTH CAROLINA GOVERNOR’S HIGHWAY SAFETY PROGRAM (Att. #1)**

Sheriff Doug Doughtie outlined a \$20,000 grant opportunity with the North Carolina Governor’s Highway Safety Program (GHSP). He explained the purpose of the grant and stated that no local match funds are required. The Sheriff asked the Board to adopt a Resolution authorizing the grant application.

**MOTION**

Commissioner Shea motioned to adopt the resolution authorizing the grant as presented. Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 8 – GOLF CARTS IN BUXTON**

Planning Director Donna Creef gave a briefing on research that was done in follow-up to a citizen request to allow golf cart use in the Village of Buxton. She explained that North Carolina law allows golf carts on State maintained roads that have a speed limit of 35 mph or less. She reported that based on a traffic analysis done by Sheriff Doughtie, both she and the Sheriff feel that golf carts on Highway 12 would not be best for public safety, however, other subdivision roads may be appropriate. Ms. Creef noted that Chapter 100, Streets and Sidewalks would need to be amended if the Board wants to consider golf cart operation in Buxton Village and recommended that a Public Hearing be scheduled.

**MOTION**

Vice Chairman Overman motioned to schedule a Public Hearing for 5:30 p.m., August 20. Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – PROPOSED REVISIONS TO CHAPTER 99 CAMPING**

The Planning Director presented a revision to the Dare County Code of Ordinances regarding open air camping to make the language consistent with the zoning ordinance. Commissioner Shea expressed concern that the County not take any action that would inadvertently create enforcement issues regarding those who are homeless. The County Manager clarified the purpose of the language change and Ms. Creef explained that the Planning Board voted to recommend the revision and asked that a Public Hearing be scheduled for 5:30 p.m., August 20, 2018.

**MOTION**

Commissioner House motioned to schedule a Public Hearing for 5:30 p.m., August 20. Commissioner Tobin seconded the motion.

VOTE: AYES: 6 (Commissioners: Woodard, Overman, House, Ross, Tobin, Couch)

NOES: 1 (Commissioner: Shea)

Motion carried in a 6 to 1 vote

**ITEM 10 – ANNUAL SETTLEMENT AND CHARGES TO THE TAX COLLECTOR**

Dare County Tax Collector Becky Huff gave a comprehensive settlement report on tax collection activity. She explained that the total amount collected through June 30, 2018 was \$60,084,062 reflecting a collection rate of 99.47%. She also updated foreclosure activity. The Board was asked to charge the Tax Collector to collect the 2018 taxes.

**MOTION**

Commissioners Shea and Commissioner House motioned to charge the Tax Collector to collect the 2018 taxes.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 11 – PRESENTATION OF CERTIFICATE FOR PROFESSIONAL DESIGNATION**

Dare County Assessor Greta Skeen informed the Board that Assistant Assessor Hosea Wilson has received a professional designation as an Assessment Administration Specialist through the International Association of Assessing Officers (IAAO). She said the IAAO is highly respected and that a professional designation from them carries real credibility. Mr. Wilson expressed gratitude for all the support he has been given.

**ITEM 12 – RESOLUTION TO ADVANCE 2021 PROPERTY REVALUATION (Att. #2)**

The County Manager provided background information about the County's revaluation schedule and presented a Resolution to advance the County's revaluation of real property from January 1, 2021 to January 1, 2020 with subsequent revaluations on a five year cycle.

**MOTION**

Commissioner Shea motioned to adopt the resolution as presented.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

**ITEM 13 – RECOMMENDED 2019 CAPITAL IMPROVEMENTS PLAN (Att. #3)**

Finance Director David Clawson presented the 2018 Capital Improvements Plan (CIP) as recommended by the Capital Improvements Planning Committee. He outlined the impact that the CIP will have on the Capital Reserve fund balance over the next five years and noted that it funds the total amount requested for CIP projects by Dare County Schools. Mr. Clawson outlined 23 projects included in the CIP and explained the planned debt issuances related to the CIP. Mr. Clawson also provided Commissioners with five possible scenarios for a new CIP project for construction of a new Animal Shelter. After lengthy discussion of the scenarios, the Board took action in the following motions - - -

**MOTION**

Commissioner Shea motioned to approve the recommended CIP with the addition of Scenario #1 of the Animal Shelter construction project as outlined by the Finance Director.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

**MOTION**

Vice Chairman Overman motioned to approve the revised CIP that includes Scenario #1 of the Animal Shelter construction project and authorize the County Manager to execute the necessary Capital Project Ordinances and Budget Amendments with a report to the Board of those actions on a following Board meeting Consent Agenda.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

#### **ITEM 14 – CONSENT AGENDA**

The Manager announced the items as they were visually displayed in the room. He noted that a revision was needed for Consent Item #2 to reflect the current Mayor of Nags Head.

##### **MOTION**

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (07.16.18) **(Att. #4)**
- 2) Southern Albemarle Assoc., Annual Meeting Invitation List (with revision noted above)
- 3) DCDHHS, Public Health Division – Tobacco Prevention Funding
- 4) Resolution Approving Water Shortage Response Plan **(Att. #5)**
- 5) Approval of Stream Debris Removal Grant Contract **(Att. #6)**

Commissioner House seconded the motion.

VOTE: AYES unanimous

#### **ITEM 15 – BOARD APPOINTMENTS**

1) A.B.C. Board

Vice Chairman Overman motioned to reappoint James Clark, Bobby Owens, Joe Tauber

VOTE: AYES unanimous

2) Airport Authority

Commissioner Shea motioned to reappoint Fred Newberry.

VOTE: AYES unanimous

3) Dare County Center Advisory Board

Vice Chairman Overman motioned to reappoint – Anastacia Davis, Mary Pendill,  
Flossie Tugwell, Tiffany Wescott.

VOTE: AYES unanimous

4) Parks and Recreation Advisory Council

Vice Chairman Overman motioned to appoint George Barr.

VOTE: AYES unanimous

5) Upcoming Board Appointments

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

#### **ITEM 16 – 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**

- Congratulated the service pin recipients, the Employee of the Month, and Bill Laricos.
- Said he was moved by remarks made during Public Comments about stormwater flooding and echoed the Board's sentiment that action be taken now to address this.
- Expressed appreciation to the Board for approving the Capital Improvements Plan with the addition of the Animal Shelter construction project.

Commissioner House –

- Thanked those who spoke during Public Comments and expressed hope that things will now get rolling faster toward a solution.
- Gave a comprehensive update on changes that have been made to the membership of the NC Marine Fisheries Commission and its leadership. He said he will try to attend their next meeting to see firsthand the dynamic that emerges for the new group.

Vice Chairman Overman

- Expressed appreciation for those who offered Public Comments. He thanked Chairman Woodard for his resilience in addressing the stormwater flooding problem and voiced support for solving the situation as soon as possible.

Commissioner Shea

- Added his thanks to those who spoke during Public Comments about their suffering and expressed confidence that the stormwater flooding situation will be properly addressed.
- Commended the service pin recipients, the Employee of the Year, Bill Laricos, and Hosea Wilson for their service, which makes Dare County such a wonderful place.

Commissioner Couch

- Said he was proud of the Board of Commissioners for addressing the flooding issue so promptly and voiced hope that good will come out of this.
- Thanked Sheriff Doughtie and the Planning Department staff for compiling material regarding possible golf use in the Village of Buxton.
- Promoted the activities planned for the upcoming 100<sup>th</sup> anniversary of the Mirlo rescue.
- Reported that options are being looked at for lighted pedestrian signs on Hatteras Island.

Commissioner Tobin

- Noted that a strategically placed bear-proof trash container is now being tested in Manns Harbor and so far so good.
- Gave an update on the Request for Proposal (RFP) process related to the public/private partnership for a dredge vessel. He said the RFP responses will soon be submitted to the Oregon Inlet Task Force.
- Said his heart goes out to all the people impacted by stormwater flooding on the north end of Roanoke Island and expressed hope that a solution will soon be in hand.

Chairman Woodard

- Thanked the Board of Commissioners saying that he is proud of how they are moving forward so quickly to address the people's concerns about stormwater flooding.

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

1. The County Manager announced that equipment is now enroute to Dare County to address the stormwater problem on Roanoke Island. He expressed hope that the situation will be resolved soon and that the engineering issues will be determined as quickly as possible.

2. Mr. Outten asked Ann Daisey to speak about stormwater from the perspective of the Dare Soil & Water Conservation District. Ms. Daisey outlined a comprehensive list of things to consider in addressing stormwater flooding and asked that Soil & Water be a voice in the long term planning process.
3. The County Manager announced that with the impending retirement of Jay Burrus, he has promoted Sheila Davies to be the Director of Dare County Health & Human Services. He explained that in her new position, Ms. Davies will continue to serve as the Health Director as she works with Social Services Director Chuck Lycett.
4. A request was presented from the Town of Kill Devil Hills for a water line easement. Mr. Outten described the easement area near First Flight High School and asked the Board to approve the request and authorize executing the easement.

**MOTION**

Commissioner Couch motioned to approve granting the easement as presented. Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous (note: Commissioner Shea was not present for voting on this item)

5. An update was given on the County Manager's meeting with officials in Morehead City regarding the permitting process that will be needed for the dredge vessel planned for Dare County. Mr. Outten said work is being done in earnest to help expedite permitting so that things can move as quickly as possible when a contractor is selected. Commissioner Tobin summarized current conditions at Oregon Inlet.

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 (note: Commissioner Shea was not present for voting on this item)

At 12:59 p.m., the Board of Commissioners adjourned until 5:00 p.m., August 20, 2018.



APPROVED:

Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners