



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., October 15, 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.

Chairman Woodard called the meeting to order at 5:06 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. 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 –

- Reported on an impressive school tour he recently attended in conjunction with the Board of Education and commended Kitty Hawk Elementary on achieving an award.
- Briefed the Board on an event at a local hair salon where graduates in the cosmetology program at the College of Albemarle were recognized for their accomplishments. He noted that Dare County is actively promoting COA enrollment as plans continue to move forward for construction of the new Dare County campus.
- The Chairman expressed gratitude that our area did not sustain the amount of damage from Hurricane Michael that other areas had in Florida, Georgia, and South Carolina. He thanked the leaders of Dare County’s municipalities for the way they stepped forward to help their citizens deal with impacts from the storm noting that some places, such as Bay Drive in Kill Devil Hills, looked like a war zone. Emergency Management Director, Drew Pearson was asked to give a summary report during which he voiced appreciation for all the First Responders who performed gallantly. Chairman Woodard asked for a moment of silence for everyone, locally and elsewhere, that sustained damage in the storm.

ITEM 2 – PUBLIC COMMENTS

The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex 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. Rosemarie Doshier spoke on behalf of her family and the East Lake community in asking for mosquito spraying. She said this request was made previously, however, she has not yet seen spraying activity in her area. Ms. Doshier called on the Board to make sure that East Lake is sprayed for mosquitoes.

There were no comments made in Buxton –

ITEM 3 – PROCLAMATION – LONG-TERM CARE RESIDENTS' RIGHTS MONTH

Commissioner Tobin, on behalf of the Community Advisory Committee, presented a proclamation establishing October 2018 as National Long-Term Care Residents' Rights Month. He explained that the committee members serve as advocates for the residents of long-term care facilities. Commissioner Tobin, as Chairman of the local Community Advisory Committee, encouraged citizens to visit the long-term care facilities in Dare County and spend time talking with the residents.

MOTION

Commissioner Shea motioned to adopt the resolution as presented.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 4 – REPORT ON THE DARE COUNTY CENTER NUTRITION PROGRAM

Commissioner Ross gave a report on the Dare County Center Nutrition Program that provides hot meals on a daily basis to older adults in our community, which in some cases is the only regular, nutritious meal that many receive. Commissioner Ross read a letter from the Dare County Center Director thanking the Board of Commissioners for their support and funding for the Nutrition Program. He also shared comments from participants in the program expressing their gratitude for the healthy meals they receive.

ITEM 5 – TOURISM BOARD – RESTRICTED FUND SPENDING REQUEST

Diane Bognich, on behalf of the Outer Banks Visitors Bureau, asked the Board to approve a Restricted Fund spending request, in the amount of \$70,000 for a Natural, Historic & Cultural Grant to the Chicamacomico Historical Association for the purchase of land adjacent to the Chicamacomico Lifesaving Station. It was noted that the Tourism Board also approved allowing the Association to hold a note for the remaining funds, if needed.

MOTION

Commissioner Couch motioned to approve the Natural, Historic, and Cultural Grant award in the amount of \$70,000 to the Chicamacomico Historical Association.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – EAST CAROLINA RADIO – CONDITIONAL USE PERMIT APPLICATION

The applicant was not present at the meeting. The County Manager/Attorney advised that since this is a quasi-judicial proceeding that requires sworn testimony; it would need to be considered by the Board at another time when the applicant can be present.

ITEM 7 – EMPLOYEE WELLNESS CLINIC AND HEALTH INSURANCE UPDATE

An update report was given by Human Resources Director Elizabeth Reilly along with Benefits Consultant Mark Browder plus Sara Kershner and Marielle Silk from the Employee Wellness Clinic. Commissioners were briefed on the health plan's performance and efforts to promote employee wellness. It was noted that the number of emergency room visits has decreased while the utilization of preventative screenings such as colonoscopies and mammograms has increased. It was reported that health care costs for the past fiscal year were substantially less than the initial projection. Commissioner Couch said he has heard very favorable comments about the Wellness Clinic staff and credited them with being a huge part of the program's success. The County Manager added that people are very satisfied with the care they receive from Ms. Kershner and Ms. Silk at the wellness clinic.

RECESS: 6:48 p.m. – 7:06 p.m.

ITEM 8 – AMENDMENT TO CAPITAL PROJECT ORDINANCES CLOSING COMPLETED PROJECTS AND PROVIDE BUDGET FOR EMS HELICOPTER PROJECT (Att. #1)

Finance Director David Clawson outlined an amendment to Capital Project Ordinances for previously approved capital projects that were completed under budget or not done. He explained that the revenue from these projects will be applied to the old EMS helicopter project, which was sold at less than the amount that was expected from appraisals. He reported that after these changes, \$200,564 remains to be provided for the helicopter project.

MOTION

Vice Chairman Overman motioned to adopt the amendment to the Capital Project Ordinances. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 9 – RESOLUTIONS TO NAME NCDOT FERRIES

The County Manager described a request from NCDOT seeking Board support for the naming of two ferry vessels. He presented resolutions asking that the ferry to replace the MV Kinnakeet be named the "Avon" and the ferry replacing the MV Chicamacomico be named the "Salvo."

MOTION

Commissioner Shea motioned to approve the resolutions as requested.

Vice Chairman Overman seconded the motion.

During discussion of the motion, Commissioner Couch questioned whether approving the resolutions represents a compromise of our heritage. After discussion by the Board, Commissioners Shea and Overman agreed to withdraw the motion and its seconding, which was followed by a subsequent motion to table the item.

MOTION

Commissioner Couch motioned to table the item in order to ask someone from NCDOT to attend a future meeting and explain the justification for requesting the name changes. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 10 – PUBLIC HEARING – ZONING AMENDMENTS FOR YEAR-ROUND HOUSING

At 5:30 p.m. the Board 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 Annex in Buxton. Following is a summary of citizen remarks, which can be viewed in their entirety in a video on the County website –

The following comments were made in Manteo –

1. Pat Broom, Chair of the Outer Banks Chamber of Commerce, voiced support for the zoning amendments and thanked the Planning Director for her efforts on this initiative. She asked the Board to approve the changes as submitted by the Planning Board to help the many businesses that are currently hindered by the housing crisis.
2. Sarah Myers, a recruiter for a realty company, spoke in favor of the amendments by describing how hard it is to hire employees, when top notch applicants say they cannot afford to live here because housing is too expensive. She said unless this is addressed, it will have an adverse domino effect on the local tourism industry.
3. Al Friedman, a Realtor for over 30 years, echoed the remarks made by Pat Broom in support of the amendments. He recalled his experience in Maryland where housing was addressed in a proactive way. Mr. Friedman asked the Board to move forward on this and still maintain the character of the Outer Banks.
4. John Windley, as a retail manager, expressed support for the amendments calling this a quality of life issue. He told of employees who must work hard seven days a week at multiple jobs in order to survive because of housing issues. He asked the Board to give sincere consideration to the proposed zoning amendments.
5. Winborne Evans, on behalf of Peak Resources, supported the amendments citing the difficulty they have finding staff because of the housing crisis. She explained that many have to drive over an hour to get to work and said these services are important for an aging population and vital in attracting retirees to the Outer Banks.
6. Mary Kelley, Director of Human Resources at The Outer Banks Hospital, spoke for the amendments saying that often a job is offered to an applicant, who later declines the position after talking with a realtor about housing. She said these zoning changes must be for year round housing, not seasonal rentals.
7. Brian McDonald voiced support saying this is a good beginning that has been a long time coming. He reported that it is getting harder and harder to attract qualified people. He said it is critical to keep this out of short term rentals and added that it needs the support of the Dare County municipalities and neighboring counties.

8. Duke Geraghty added his support citing an extreme shortage of year-round rentals. He presented a map of Roanoke Island and asked that the amendments be revised now to include additional districts. He also advised the Board of an effort that is underway to get the State to rollback their interpretation of septic regulations.
9. Tim Sweeney, from the College of the Albemarle, voiced his agreement about the challenges in hiring people, such as teachers and instructors, due to the housing crisis. He said 80% of them need multiple jobs because of local housing costs. He said urgent help is needed in order to be able to keep instructors here in Dare County.
10. Terry Gray, Kill Devil Hills Commissioner, told the Board about the difficulty that a member of his family encountered in the search to find housing in Dare County. He said he supports the amendments presented by Planning Board and expressed gratitude that they are being presented to the Board of Commissioners.

There were no comments made in Buxton –

Chairman Woodard closed the hearing at 6:04 p.m.

Commissioner House said people he has talked with are in favor of the amendments. He also addressed the request made during the public hearing by Duke Geraghty to include additional Districts. He noted that these amendments are an important first step forward that should not be rushed at this time, but given further study, which resulted in the following motion as amended by Commissioners House and Tobin to include instruction to staff to update the Board on progress and provide analysis of other potential amendments –

MOTION

Commissioner House motioned to adopt the entire package of housing amendments as recommended by the Planning Board and that the finding of consistency, included with the agenda item, be adopted as part of this action. Additionally, the Planning Director is instructed to report to the Board in April 2019 on the results of these amendments and to further analyze other potential amendments in the more restrictive single family zoning districts. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

Chairman Woodard, joined by other Commissioners, thanked the Planning Director and the Planning Board for the work that was done to prepare these zoning amendments.

ITEM 11 – CONSENT AGENDA

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

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (10.01.18) **(Att. #2)**
- 2) Sheriff's Office – Budget Amendment for Grant Award
- 3) Tax Collector's Report

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 12 – BOARD APPOINTMENTS

- 1) Community Child Protection Team and Child Fatality Prevention Team
Commissioner Tobin motioned to appoint Jeffrey Sherman Gard.
Commissioners House and Shea seconded the motion.
VOTE: AYES unanimous

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

- Said he attended a meeting earlier today with the architect for the new Animal Shelter.
- Reported on the recent candidate forum conducted at Jennette’s Pier and provided details about when the event will be rebroadcast on the Charter system TV channels.
- Informed the Board that the Executive Director of the Albemarle Commission has resigned and will be leaving in November. He added that the process of identifying an Interim Director for the Commission is now underway.
- Commented on the bear resistant trash cans that are now available for mainland residents. He expressed hope that those in need of the cans will respond.

Commissioner House

- As someone retired from emergency services, he said his heart goes out to all those impacted by Hurricane Michael. He expressed thanks to all the many first responders.
- Briefed the Board on the recent reorganization meeting that was held for the Commission For Working Watermen where good feedback was given. He said there was consensus that membership should not be done on the basis of industry sector and that those present supported having a marine biologist as a non-voting member to give advice on fisheries science issues. He offered a motion on the organizational structure of the Commission which was then withdrawn to allow time for a slate of candidates to be drafted along with possible changes to the act that created the Commission. An appeal was made for commercial fishermen to get involved and submit applications.
- He presented the Pet of the Week video and urged everyone to consider adoption at the Dare County Animal Shelter.

Vice Chairman Overman

- Commented on the remarkable resilience of those who were hard hit by Hurricane Michael and are now recovering from its destruction. He said it is another example of the type of character and resilience indicative of what he called “Dare County Strong.”

Commissioner Shea

- Said the zoning amendments approved today by the Board to facilitate year-round housing represents a major step forward for economic development. He thanked Planning Director Donna Creef for preparing the zoning amendments.
- Expressed gratitude that we did not have the magnitude of devastation that other areas sustained during Hurricane Michael.

Commissioner Couch

- Remarked on what happened at Hatteras Island campgrounds during Hurricane Michael and thanked all the First Responders for their valiant service during the storm.

Commissioner Tobin

- Reported on the recent meeting of the Community Advisory Committee where he was appointed Chairman and Susie Walters was named Secretary.
- Advised that the dredge vessel Currituck is on its way to Oregon Inlet and provided a briefing on current navigational conditions at the inlet.
- Commended Harry Schiffman on receiving the Chamber of Commerce “For the Love of the Outer Banks” award. He noted that Mr. Schiffman has been faithfully involved in the Oregon Inlet project since 1983.
- Mentioned a 528 pound swordfish that was recently brought to the dock at Pirates Cove.

MANAGER’S/ATTORNEY’S BUSINESS

1. The County Manager reported that the local impact from Hurricane Michael will not qualify for FEMA reimbursement for debris pickup. He said the County is developing a plan and timetable for debris pickup in unincorporated areas using Public Works staff and equipment, which will be at our expense. He said the public was notified early that all debris needs to be segregated by category so that compatible debris, such as vegetative items, are separated from material that has to be transported to Bertie County. Mr. Outten explained that the municipalities will have debris and asked if the Board wants to waive tipping fees for compatible debris at the County landfill. He added that non compatible items from the municipalities that need to be sent to Bertie County will not qualify for waived tipping fees.

MOTION

Commissioner Shea motioned to waive the tipping fees as outlined by the Manager. Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten reported that mosquito spraying in East Lake was done twice last week with another spraying scheduled for tomorrow evening.

Public Information Officer Dorothy Hester said it was helpful for people that the County gave early notice about the need for storm debris items to be segregated by category. She urged everyone to sign-up on the Dare County website to receive email notification about Public Works activities.

Finance Director David Clawson reported on a meeting the County recently had with FEMA and State Emergency Management. He added that a FEMA declaration has just been received for Emergency Protective Measures related to Hurricane Florence.

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

MOTION

Commissioner Shea motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 7:45 p.m., the Board of Commissioners adjourned until 9:00 a.m., November 5, 2018.



Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners