



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

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., September 8, 2015

Commissioners present: Chairman Robert Woodard
Vice-Chairman Wally Overman
Warren Judge, Jack Shea, Allen Burrus,
Beverly Boswell, Margarett Umphlett

Commissioners absent: None

Others present: County Manager/Attorney, Robert Outten
Finance Director, David Clawson
Public Information Officer, Dorothy Hester
Clerk to the Board, Gary 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 9:01 a.m. He invited the Rev. Tom Wilson from All Saints Episcopal Church to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Beth Fiedler, Library Assistant, received a 15-year pin.
- 2) Greg Ball, GIS Coordinator, received a 20-year pin.
- 3) Nathan Cartwright, Water Department, received a 25-year pin.

ITEM 2 – EMPLOYEE OF THE MONTH – SEPTEMBER 2015

Doug Oberbeck, Sheriff's Office, received the Employee of the Month certificate for September 2015 from Sheriff Doug Doughtie who described him as a dedicated and loyal employee who takes new employees under his wing and teaches them well.

ITEM 3 – OPENING REMARKS – CHAIRMAN'S UPDATE

Chairman Woodard gave a follow-up report on what has transpired since the last meeting. He asked the community to pray for Virginia Tillett and her family following the death of her Mother, Earlene Simmons. He described the dredging that is now underway at Oregon Inlet and explained that a Memorandum of Agreement (MOA) is

being diligently worked on for Hatteras Inlet. Chairman Woodard reported on the status of the NC Attorney General's investigation into Dare County's high gasoline prices. He read a letter drafted by Vice-Chairman Overman that he would like to send to gasoline distributors inviting them to appear before the Board at its next meeting to explain why Dare County fuel prices are higher than elsewhere in the region. By consensus, the Board agreed that the letter should be sent. The Chairman noted that the issue of economic development is an ongoing issue being addressed by Commissioner Shea and the County Manager. He reported that all six Dare County Municipalities have agreed to participate in a Consolidation Committee to explore possible consolidation opportunities. He explained that the NC General Assembly still has not yet passed a budget and he expressed hope that the sales tax redistribution plan will not happen. A complete video account of the Chairman's update can be seen on the Dare County website www.darenc.com.

ITEM 4 – PUBLIC COMMENTS

The Manager outlined the public comments procedure. No one responded to the invitation to make Public Comments.

ITEM 5 – PROCLAMATION HONORING THE SERVICE OF WILLIAM F. RUFFIN

A proclamation was presented honoring the service that William Ruffin has given as a SCORE volunteer. Commissioner Judge commended Mr. Ruffin for the many accomplishments that SCORE has achieved in the community. The proclamation was read by the County Manager and presented to Mr. Ruffin by Chairman Woodard.

MOTION

Commissioner Judge motioned to adopt a proclamation honoring William Ruffin. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 6 – DARE LITERACY COUNCIL - PROCLAMATION

Patti Sherrock and Susan Firman appeared before the Board of Commissioners to describe the work of the Dare Literacy Council and present a proclamation establishing September as National Literacy Month in Dare County. The proclamation was read by the County Manager and presented to the Dare Literacy Council by Chairman Woodard.

MOTION

Commissioner Judge and Vice-Chairman Overman motioned to issue a National Literacy Month proclamation.

Commissioner Burrus and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 7 – PROCLAMATION – CONSTITUTION WEEK

Evelyn Webb explained the importance of Constitution Week, which is supported by the Virginia Dare Chapter of the Daughters of the American Revolution. She presented a proclamation setting September 17-23 as Constitution Week. The proclamation was read by the County Manager and presented to Ms. Webb by Chairman Woodard.

MOTION

Commissioner Judge motioned to approve the Constitution Week proclamation. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 8 – UPDATE REPORT FROM THE NATIONAL PARK SERVICE (NPS)

The National Park Service Superintendent of the Outer Banks Group, David Hallac, gave an update on local NPS projects and activities. He reported that park visitation is up along with an increase in ORV permits and a record-breaking year for sea turtles. He said NPS is working with the Army Corps of Engineers on the beach nourishment project for Buxton and described several construction projects to increase beach access. Superintendent Hallac gave details about the decision to extend the season for the campground at Cape Point and outlined changes that may be coming for ORV permits and beach access under the National Defense Authorization Act. Commissioner Burrus noted that better drainage is needed at the Cape Point Campground. Commissioners thanked the Superintendent for his hard work, professionalism, and willingness to listen to the people.

ITEM 9 – TRILLIUM PLAY TOGETHER CONSTRUCTION GRANT (Att. #1)

Tim White presented a resolution seeking the Board's support for a grant application that would provide funding from Trillium for special needs playground equipment. He added that no County funding is needed. Vice-Chairman Overman expressed his support for the Trillium grant.

MOTION

Commissioner Judge and Commissioner Shea motioned to approve the resolution supporting the grant application.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 10 – DETENTION CENTER – HEALTH SERVICES AGREEMENT

Allen Moran, Jail Administrator, explained how the agreement with Southern Health Partners would reduce risks and cost by providing more on-site care rather than dependence on the hospital emergency room. The County Manager outlined a need to change some of the indemnification language in the agreement. He asked the Board to approve the agreement subject to him making the necessary language changes.

MOTION

Commissioner Judge motioned to authorize the County Manager to make changes in the agreement language and then sign the document.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 11 – SKYCO WATER PLANT NANOFILTRATION DESIGN-BUILD TEAM STATEMENT OF QUALIFICATIONS REVIEW RECOMMENDATION APPROVAL

Derek Dail, Assistant Utilities Director, described the Request for Qualifications (RFQ) process for the Design Build Engineer and Contractor for the Skyco Nanofiltration Plant. He said staff review resulted in the recommendation of Kimley-Horn & Associates and Hatchell Concrete as the most qualified for the project. The Board was asked to approve the recommendation and authorize staff to begin contract negotiations.

MOTION

Commissioner Judge motioned to approve the Design-Build team recommendation for the Skyco Nanofiltration Plant and authorize staff to begin negotiations to secure a contract to be presented to the Board for approval.

Commissioner Burrus and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 12 – SOCIAL SERVICES CIP PROJECT #16-12 DOCUMENT MANAGEMENT SYSTEM

Finance Director, David Clawson, reported that Northwoods Document Management System has been identified by Social Services as the preferred vendor for an electronic document management system that is part of the previously approved Capital Improvements Plan. He outlined a provision in the North Carolina General Statutes that allows “piggybacking” for purchases when the vendor is willing to supply the item for the same or more favorable terms to a prior contract with another unit of government within the past 12 months. Mr. Clawson said Northwoods is willing to contract with Dare County at the same terms and prices as for Brunswick County.

MOTION

Commissioner Judge motioned to approve awarding the contract to Northwoods as allowed by NCGS 143-129(g) based upon the Brunswick County NC contract and authorize the County Manager to approve and execute a contract.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 13 – CONSENT AGENDA

The Manager presented the Consent Agenda. The items were visually displayed in the meeting room and read into the record.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (08.17.15) **(Att. #2)**
- 2) Supplemental Agreement – Trail Beyond the Visitors Center
- 3) Roanoke Island Bluegrass Festival “Boomgrass”
- 4) Charles Finch Gaddy Endowment Grant
- 5) Public Health Division – PICH Grant

Commissioner Judge seconded the motion.

VOTE: AYES unanimous

ITEM 14 – BOARD APPOINTMENTS

1) A.B.C. Board

The County Manager explained that the Board previously approved increasing the size of the A.B.C. Board from 3 members to 5 and named those who submitted applications.

- Vice-Chairman Overman motioned to appoint Joe Tauber and James Clark.
- Commissioner Judge motioned to appoint Allen Moran and Tim Shearin.

VOTE:

Joe Tauber AYES: 5 (Commissioners: Woodard, Overman, Shea, Boswell, Umphlett)

James Clark AYES: 5 (Commissioners: Woodard, Overman, Shea, Boswell, Umphlett)

Allen Moran AYES: 2 (Commissioners: Judge, Burrus)

Tim Shearin AYES: 2 (Commissioners: Judge, Burrus)

ACTION – Joe Tauber and James Clark were appointed with 5 votes each.

2) Health and Human Services Board

The County Manager reported that Dr. Janet Riddick, Dr. J. Trahey Maner, and Tim Shearin have terms that expire this month. He noted that Dr. Riddick and Tim Shearin would like to be reappointed, however, Dr. Maner does not want to be reappointed. He cited NCGS 153a-77, which provides that the Health and Human Services Board shall be appointed by the Board of Commissioners from nominees presented by the Health and Human Services Board. He stated that the Health and Human Services Board recommends reappointing Dr. Riddick and Tim Shearin, and appointing Dr. James Woodson to replace Dr. Maner. He also named those who submitted applications.

- Commissioner Judge motioned to take the recommendation of the Health & Human Services Board and reappoint Dr. Janet Riddick and Tim Shearin, and appoint Dr. James Woodson to the seat held by Dr. Maner.
- Commissioner Umphlett motioned to appoint Dr. Teresa Wargovich.

VOTE:

Dr. Riddick AYES: 6 (Commissioners: Woodard, Overman, Judge, Shea, Burrus, Boswell)

Tim Shearin AYES: 6 (Commissioners: Woodard, Overman, Judge, Shea, Burrus, Boswell)

Dr. Woodson AYES: 2 (Commissioners: Judge, Burrus)

Dr. Wargovich AYES: 5 (Commissioners: Woodard, Overman, Shea, Boswell, Umphlett)

The County Manager clarified that Dr. Wargovich was not nominated by the Health and Human Services Board as outlined under NCGS 153a-77. The Board then discussed having the appointment to the seat held by Dr. Maner sent back to the Health and Human Services Board for action by the Board of Commissioners at a future date.

ACTION – Dr. Riddick and Tim Shearin were reappointed with 6 votes each.

The appointment to the seat held by Dr. Maner was sent back to the Health & Human Services Board

3) Upcoming Board Appointments

Upcoming Board appointments for October, November and December were announced.

ITEM 15 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Following is a brief outline of items raised during this segment. Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety on a video archived on the Dare County website www.darenc.com.

Commissioner Shea – thanked the service pin recipients and Employee of the Month for their dedication to Dare County.

Vice-Chairman Overman – congratulated the service pin recipients and Employee of the Month. He extended an invitation to a presentation being made by Project Lazarus on September 10 at Jennette’s Pier. The Vice-Chairman reported on plans for the existing Bonner Bridge upon completion of the new bridge. He explained that the purpose of leaving about 1,000 feet of the current span is to help stabilize Oregon Inlet when the new bridge is completed.

Commissioner Umphlett – commented on the dredging that is now underway at Oregon Inlet and the progress being made on a Memorandum of Agreement (MOA) for Hatteras Inlet dredging. She expressed thanks for the letter going to gasoline distributors and for the formation of a Consolidation Committee. Commissioner Umphlett said she looks forward to the adoption of the State budget.

Commissioner Judge – acknowledged the service pin recipients and the Employee of the Month. He commented on the Board honoring Mr. Ruffin with a proclamation for his service as a SCORE volunteer. He asked everyone to keep Punk Daniels in their thoughts and prayers for the health issues he is facing.

Commissioner Boswell – expressed appreciation for the service pin recipients and the Employee of the Month. She spoke passionately about supporting all law enforcement personnel and condemned the war against them that is sweeping the nation. She also commended Tony Duvall, a recent retiree from the Dare County Sheriff’s Office. Commissioner Boswell gave a report on EMS activities, training, computers, and overtime cost savings. She commented on the dredging underway at Oregon Inlet and efforts to move forward at Hatteras Inlet. Commissioner Boswell invited everyone to watch the Wicked Tuna television program on the National Geographic Channel describing it as an exciting and entertaining advertisement for the Outer Banks.

Commissioner Burrus – congratulated the service pin recipients and the Employee of the Month. He asked the County Manager if Rodanthe Harbor was ready in the event it needed to be used for emergency ferry service. He was told that both Rodanthe and Stumpy Point are ready if needed. He thanked the Chairman and Vice-Chairman for their efforts on behalf of Hatteras Inlet and commended Chairman Woodard for his work on a variety of issues. Commissioner Burrus asked for an update on the issue of feral cats. The County Manager provided a summary of the civil and criminal issues that are involved. The Board discussed a structure that is used for feeding feral cats that has been placed on county property. Sheriff Doughtie reported that he plans to discuss with the County Manager some potential rules that may remedy the situation. Mr. Outten said he will meet with the Sheriff and report back to the Board of Commissioners.

Chairman Woodard – thanked Commissioner Boswell for raising the issue of the war that is being waged against police throughout the nation. The Chairman also noted that KOA is working with the County to resolve the dumpster issue at the Rodanthe site.

MANAGER’S/ATTORNEY’S BUSINESS

1. Mr. Outten asked the Board to consider authorizing a Request for Qualifications (RFQ) for farming at the Dare County landfill. He suggested doing an RFQ now so that when the current lease expires next July, proper arrangements can be in place. He suggested a 3 year term rather than a 1 year lease.

MOTION

Vice-Chairman Overman motioned to approve issuing an RFQ with a 3 year term as outlined by the County Manager.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

2. The Manager explained that staff has looked at possible ways to reduce garbage collection costs. He shared the results of research that was done into cutting back on the frequency of trash pickups in unincorporated Dare County during the non-peak season. Mr. Outten said because Public Works is already transporting only full loads to the landfill, a modification of routes would only result in a relatively insignificant savings of about \$1,400 per year. Accordingly, the Board made no changes to the current trash pickup schedule.

ITEM 16 – CLOSED SESSION

The Chairman asked for a Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the County to preserve the attorney-client privilege in the matter of Dare County v. Expedia et al, and to approve previous Closed Session minutes.

MOTION

Chairman Woodard motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the Chairman.

Vice-Chairman Overman and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

At 11:05 a.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 11:29 a.m. and Mr. Outten reported that during the Closed Session the Board gave guidance to the County Attorney, approved previous Minutes, and took no other action.

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

MOTION

Commissioner Shea and Commissioner Boswell motioned to adjourn the meeting.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

At 11:30 a.m., the Board adjourned until 5:00 p.m., September 21, 2015.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners