



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

5:00 p.m., September 21, 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 5:01 p.m. He invited Cherri Wheeler, a retired U.S. Air Force Chaplain, to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard gave a follow-up report on what has transpired since the last meeting. He explained that while a study is being done by the Attorney General’s Office into Dare County’s gasoline prices, letters have been sent to over a dozen gasoline distributors. He described the response that has been received and noted that later in the meeting Lynn Keffer from Crossroads Fuel Service would be addressing the Board of Commissioners and commended Mr. Keffer for his willingness to participate. Chairman Woodard said it was encouraging to see the Governor sign the State’s budget and he thanked Commissioners for their diligence in voicing concerns about the negative impact that the sales tax redistribution proposal would have for Dare County. He also expressed appreciation for the help of Senator Cook and Representative Tine. A complete video account of the Chairman’s update can be seen on the Dare County website www.darenc.com.

ITEM 2 – PUBLIC COMMENTS

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

ITEM 3 – NC LIONS VIP FISHING TOURNAMENT

Gwen White, Executive Director of the NC Lions Visually Impaired Fishing Tournament Board, showed a video highlighting the event and presented a proclamation of support. Commissioners expressed gratitude for the dedication of the Lions Club members, tournament volunteers, and youth who make this event a success for the visually impaired. Ms. White also provided information about the Angel Gift program and asked for help spreading the word about this endeavor.

MOTION

Commissioner Judge motioned to adopt a proclamation setting October 18-24, 2015 as NC Lions VIP Fishing Tournament Week on the Outer Banks.

Commissioners Umphlett, Shea, and Overman seconded the motion.

VOTE: AYES unanimous

ITEM 4 – DISCUSSION OF DARE COUNTY GASOLINE PRICES

Lynn Keffer, President of Crossroads Fuel Service, commended the Board for seeking out information about gasoline prices. He said his company wholesales fuel in Dare County, but does not engage in local retail sales. Mr. Keffer outlined key factors that impact local retail fuel prices compared to other geographical areas. He cited increased insurance costs, weather related pump and point of sale equipment repairs, additional freight charges, higher labor costs, and a shortened peak business season. He said it costs more to do business in Dare County compared to other areas. Mr. Keffer described his retailers as good people who are trying to make an honest living.

ITEM 5 – FIRE PREVENTION WEEK PROCLAMATION

The Manager presented a proclamation for Fire Prevention Week with the theme of “Hear the Beep Where You Sleep, Every Bedroom Needs a Working Smoke Alarm!”

MOTION

Commissioner Judge motioned to adopt the Fire Prevention Week Proclamation.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 6 – RECC/EOC PROJECT – ARCHITECT AND CIVIL ENGINEERING FEE FOR CHANGE OF BUILDING LOCATION ON THE SITE (Att. #1)

Mr. Outten said a determination has been made that the RECC/EOC project will not easily fit on the originally planned portion of the property due to a large ditch. He said moving the ditch would be more expensive than changing the building location to the northwest corner of the lot. He outlined increased engineering fees of \$28,148 due to the change, not including about \$15,000 in additional geotech costs. He said changing the building location on the site will result in a savings of approximately \$143,000.

MOTION

Commissioner Judge motioned to adopt amendment to the Capital Project Ordinance.

Vice-Chairman Overman and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 7 – RESOLUTION AGREEMENT WITH ONLINE TRAVEL COMPANIES

The County Manager explained the history of the litigation that occurred with online travel companies over the collection of occupancy taxes. He reported that a settlement has been reached with the State and other jurisdictions and presented an agreement for the Board to approve that would result in Dare County receiving \$93,953.

MOTION

Commissioners Judge, Umphlett, and Shea motioned to approve the Resolution Agreements.

Commissioner Boswell and Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – 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 (09.08.15) **(Att. #2)**
- 2) NCDOT Right of Way Agreement, Water Lines (Marlin Dr. & Marlin Ct., Frisco)
- 3) Agreement for Protection, Development and Improvement of County Forest Land
- 4) Designate Applicant's Agent, Colington VFD Generator FEMA Grant **(Att. #3)**
- 5) Southern Albemarle Association, Annual Meeting Invitation List
- 6) Road Request – Croaker Court, Avon, NC **(Att. #4)**
- 7) Internet Bandwidth Increase
- 8) Tax Collector's Report

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 9 – 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 Boswell – commended the SPCA for the professional and courteous service they provided her. She reported on the recent Latin Festival sponsored by Mano al Hermano and described it as a wonderful, family oriented event.

Commissioner Boswell congratulated the Fishin Frenzy and Captain Greg Mayer as the season winner on the Wicked Tuna television program aired on the National Geographic Channel. She provided an update on the Army Corps of Engineers and said they will be attending tomorrow's meetings of the Oregon Inlet Task Force and the Waterways Commission. Commissioner Boswell asked the Board to approve the following motion -

MOTION

Commissioner Boswell motioned to approve requesting that the term of the Memorandum of Agreement (MOA) between the State and the Corps be extended from its current four year term to up to 10 years or as long as it's feasible to get approved; and asking for the monetary limits on the MOA to be increased to the levels of spending authorized in the state budget, plus any local matches; and to advise of Dare County's commitment to fund another \$1,000,000 so the Corps can set its winter dredging schedule.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

Commissioner Judge – thanked the Lions Club for the good report that was given on the VIP Fishing Tournament. He referenced the Fire Prevention Week Proclamation and commended all firefighters, EMS, and law enforcement personnel. Commissioner Judge spoke favorably about the recent Day at the Docks celebration in Hatteras and explained its importance as a vital part of our community's heritage. He referenced correspondence from Joe Farrow and asked the County Manager to address it during Manager's/Attorney's Business.

Commissioner Umphlett – thanked Gwen White for the report on the Lions Club VIP Fishing Tournament and acknowledged the dedicated young people who serve the visually impaired anglers during the event. She thanked Lynn Keffer from Crossroads Fuel Service for the information he provided and expressed regret that there was not more representation from other gasoline vendors.

Vice-Chairman Overman – announced that NCDOT will be making a presentation to the Board on October 19 concerning plans for Highway 64. He said funding for improvements to the highway may score better with the Governor's bond program. The Vice-Chairman reported that the condition of the pilot who was involved in a recent airplane crash is improving. He praised the efforts of Brian Mitchell and Rich Paul who responded immediately to the crash and went into the water to pull the pilot from the plane. He also acknowledged the help that was provided by Crystal Sidwell, Liliana Noble, and Stacy Ambrose. Vice-Chairman Overman reported that Day at the Docks was a great event. He advised the Board that he has been asked by the Governor to serve on the Wanchese Industrial Park Board, which will require him to change his designation on the Airport Authority Board. He explained that he would like to switch seats with Commissioner Shea on the Airport Authority Board and serve in the seat that is designated for a County Commissioner. He added that Commissioner Shea agrees with the switch.

MOTION

Commissioner Umphlett motioned to approve the switch as requested.

Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

Commissioner Shea – gave an update on talks that have occurred regarding economic development. He explained that the aim is to diversify our tourism-based economy. He said a strategic plan is needed and identified a firm that may be able to assist with this. He noted that the Albemarle Commission has eagerly agreed to help with this endeavor. He added that update reports will be provided in the future. Commissioner Shea praised the Dare County Airport staff for their courageous actions that saved the life of a pilot during a recent crash.

Commissioner Burrus – commended the Dare County Airport staff for doing the right thing so quickly. He reported that Jarvis Williams was in the audience tonight and wanted to speak on the issue of gasoline prices. He asked that staff contact Mr. Williams to offer him an opportunity to speak to the Board about the issue. He thanked the Lions Club for the good work that they do. Commissioner Burrus expressed condolences to the family of Moncie “Punk” Daniels. In response to a question, he was told by the Chairman that there have been no new developments for Hatteras Inlet. Commissioner Burrus reported on the recent Day at the Docks celebration and explained that the event, which started in the aftermath of Hurricane Isabel, continues today as a commemoration of the resilience of the people of Hatteras.

MANAGER’S/ATTORNEY’S BUSINESS

1. The County Manager said changes have been made to the final contract for website services that were previously approved as part of this year’s budget. He noted that the term is for five years with one year automatic renewals unless cancelled. He asked for Board approval so the project can move forward.

MOTION

Commissioner Judge motioned to approve the contract as requested.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten advised the Board that staff would like to take the vacancy for a Revaluation Supervisor in the Tax Assessment Department and make it a Deputy Assessor position. He noted that this action would be budget neutral and would provide for staff succession.
3. The Manager commented on the correspondence from Joe Farrow about the condition of Buxton Harbor that was referenced by Commissioner Judge. Mr. Outten gave a history of the site and explained that it was essentially given to the county many years ago; however, it has boundary issues that have not been resolved in spite of repeated attempts by multiple attorneys. The Manager acknowledged that the small piece of county property on Highway 12 is overgrown and in need of cleanup. The Board also discussed the possibility of turning the property into a boat ramp and noted that limited parking is available. By consensus, the Board agreed that the site should be cleaned up and that the County Manager should explore the possibility of a boat ramp.

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

MOTION

Commissioner Boswell motioned to adjourn the meeting.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

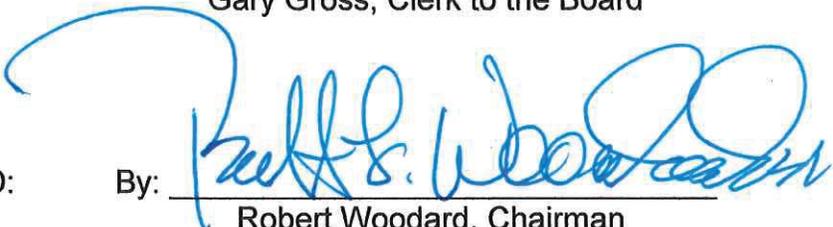
At 6:46 p.m., the Board of Commissioners adjourned until 9:00 a.m., October 5, 2015.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners