



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., October 19, 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 5:02 p.m. He invited the Rev. Jody Moore from the Outer Banks Presbyterian Church to share a prayer, and then he led the Pledge of Allegiance to the flag.

Note – In order to accommodate the Public Hearings scheduled for 5:30 p.m., some agenda items were handled out of sequential order.

ITEM 1 – OPENING REMARKS – CHAIRMAN'S UPDATE

Chairman Woodard gave a follow-up report on what has transpired since the last meeting. He said survey work will be done soon for Hatteras Inlet and thanked the NCDOT Ferry Division for getting this done. He also described progress being made at Oregon Inlet. The Chairman reported on a meeting that addressed seasonal traffic congestion in Southern Shores and Duck. He told of a tour that he and others had at First Flight Elementary, First Flight Middle, and First Flight High Schools. He commended the teachers for their professionalism and thanked Superintendent Burgess and Board of Education Chair Ben Sproul. Chairman Woodard gave a briefing on the Buxton Beach nourishment project. He reported that the EMS Director has resigned and announced that George Farah is serving as Interim Director while a search is underway for a new Director. The Chairman expressed thanks for the successful Outer Banks Seafood Festival. 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. Citizen remarks can be seen in their entirety on the county website www.darenc.com. Following is a brief summary –

1. Manny Medeiros spoke against wasteful wind projects like the one he described in Perquimans County that line the pockets of predatory environmental looters operating a reverse Robin Hood scheme. He expressed hope that county and town officials will put the brakes on foolish wind projects.
2. Courtney Gallop spoke favorably about the interdisciplinary approach being used by GEM. Ms. Gallop then expressed her opposition for NCDOT's preferred alternative for widening Highway 64. She said her business would be impacted by the project and urged the Board to consider the impact on local job creators.

ITEM 3 – PROCLAMATION – ALZHEIMER'S DISEASE AWARENESS MONTH

Brandi Rheubottom and Diane Denny, on behalf of the Dementia & Alzheimer's Task Force of the Healthy Carolinians, presented an Alzheimer's Disease awareness proclamation. Joining in the presentation was Gail Sonnesso who outlined GEM events to help raise awareness of the disease in the community.

MOTION

Commissioners Shea, Judge, Burrus, and Overman motioned to approve the Alzheimer's Disease Awareness Proclamation.

Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

ITEM 4 – NCDOT UPDATE ON THE US 64 IMPROVEMENT PROJECTS

Jerry Jennings, John Conforti, and Ted Devens gave an update on the US 64 improvement projects. They outlined the scheduling, funding, and expectations for R-2544 and R-2545. The impact on historic structures was outlined and it was explained that wildlife crossings are needed due to the presence of threatened and endangered species. It was reported that the participating agencies have agreed in writing that they concur with NCDOT's direction and that the project can be permitted under existing laws. It was noted that the project is not currently funded; however, it could be done in phases. The Board was briefed on how NCDOT will deal with residents and businesses that are impacted by the project. A status report was also given on the Bonner Bridge, Pea Island Bridge, Highway 12 in Rodanthe, and Colington Road.

ITEM 5 – SKYCO NANOFILTRATION PROJECT PRELIMINARY SERVICES CONTRACT (Att. #1)

The Board was asked to approve a design build contract with Hatchell Concrete for the Skyco Nanofiltration Project. The County Manager noted that E-Verify language will be included in the agreement.

MOTION

Commissioner Judge motioned to approve the preliminary services contract, with the addition of E-Verify language, and the Capital Project Ordinance for the Skyco Nanofiltration Project.

Vice-Chairman Overman and Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

ITEM 6 – AIRCRAFT SALES MANAGEMENT AGREEMENT

The County Manager presented a contract with Eckhart Helicopter Sales (EHS) to manage the sale of the old Dare MedFlight helicopter. He explained that EHS has business connections to the international helicopter market and it was noted that their commission is lower than others.

MOTION

Commissioners Judge, Overman, and Shea motioned to approve the aircraft sales management agreement.

Commissioner Burrus and Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

ITEM 7 – DISCUSSION OF FERRY TOLLING

Jed Dixon, Deputy Director of the Ferry Division of the North Carolina Department of Transportation (NCDOT), explained the need for a consistent, reoccurring funding source to replace aging ferry vessels. He outlined how State transportation funds are allocated and the role of the Albemarle Rural Planning Organization (ARPO). Mr. Dixon described the impact of having a \$75.00 yearly toll for vehicles on the Hatteras to Ocracoke ferry route. Vice-Chairman Overman briefed the Board on a plan to operate passenger ferries from Hatteras to Ocracoke and the positive effect they would have on tourism. NCDOT Board Member Malcolm Fearing said there needs to be a funding conversation in Raleigh, however, this is the best solution we have under today's conditions. Commissioner Burrus asked how NCDOT intends to handle the parking in Hatteras Village for those taking a passenger ferry to Ocracoke. Mr. Dixon indicated that there is enough parking available at the Hatteras ferry dock to accommodate it. Commissioner Burrus passionately explained that he does not see how this helps Hatteras Village at all in view of the long line of cars that now wait to get on the ferry, which severely inhibits access to local businesses. A full and complete account of the Board's discussion on this agenda item is archived on a video that is available for viewing on the Dare County website www.darenc.com.

MOTION

Vice-Chairman Overman motioned to support ferry tolling and to have the County's ARPO representative take this action to the next ARPO meeting.

Commissioner Boswell seconded the motion.

VOTE: AYES: 6 (Commissioners: Woodard, Overman, Judge, Shea, Umphlett, Boswell)

NOES: 1 (Commissioner: Burrus)

Motion carried in a 6 to 1 vote.

ITEM 8 – PUBLIC HEARING – R-2B TEXT AMENDMENT FOR WIND TURBINES

At 6:23 p.m., the Dare County Board of Commissioners held a Public Hearing to receive input concerning this agenda item. The County Manager conducted the hearing and explained the procedure for making comments. The following people spoke –

- 1) Manny Medeiros, while critical of wind energy as generational theft, said a property owner should be able to use their land as they see fit as long as it does not interfere with the rights or others or require the public to fund it with grants or tax write-offs.

Chairman Woodard closed the hearing at 6:25 p.m. Planning Director, Donna Creef, explained that the text amendment is narrow in scope in that it requires a minimum lot size of 10 acres. Jay Makadenk, on behalf of the applicant, acknowledged that renewable energy is controversial; however, he explained that in this case it would prevent hundreds of trees from having to be cut down along the applicant's driveway.

MOTION

Commissioner Shea motioned to adopt the draft text amendment to the R-2B zoning district to add wind turbines as recommended by the Planning Board with the finding that this amendment is consistent with the policies of the 2009 Dare County Land Use Plan and other official documents, specifically Policy ICC #3 which supports the use of alternative energy sources such as wind-powered structures.

Commissioner Burrus and Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

ITEM 9 – PUBLIC HEARING – NCDOT 5310 FY2017 PROGRAM GRANT (Att. #2)

At 6:32 p.m., the Dare County Board of Commissioners held a Public Hearing to receive input concerning this agenda item. The County Manager conducted the hearing and explained the procedure for making comments, however, no one responded to the invitation to address the Board. Chairman Woodard closed the hearing at 6:32 p.m.

MOTION

Commissioner Judge motioned to approve the grant application, local share certification, and governing body resolution.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 10 – 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 (10.05.16) **(Att. #3)**
- 2) Beach Nourishment Fund FY2016 Budget Amendment for FY2015 Unspent Funds
- 3) DCDHHS, Public Health Division, STD Prevention Additional Funding

4) Memorandum of Agreement Concerning Emergency Coordination (Att. #4)

5) Tax Collector's Report

Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

ITEM 11 – 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 – commented on the presentation made on Alzheimer's Disease awareness by strongly expressing support for all the families that are affected by it.

Vice-Chairman Overman – thanked NCDOT Secretary Nick Tennyson, Board Member Malcolm Fearing, and Ed Goodwin and Jed Dixon in the Ferry Division for their work on Hatteras Inlet. He said the survey of the inlet will soon be done and then we will know how much sand needs to be removed and what kind of timetable can be determined. The Vice-Chairman announced that the ball is rolling on addressing drainage issues in Stumpy Point. He noted that information is being gathered on possible grants and that NCDOT is looking at the ditches for which they are responsible.

Commissioner Umphlett – thanked Brandi Rheubottom, Diane Denny, and Gail Sonnesso for the presentation on Alzheimer's Disease awareness. She encouraged people to get in touch with GEM if memory screenings are needed.

Commissioner Judge – asked the Board to consider issuing a Proclamation honoring the service of Dellerva Collins to the Economic Improvement Council (EIC). He also asked that a room at the Head Start building be named in her honor at the anniversary celebration later this month.

MOTION

Commissioners Judge motioned to approve the drafting of a proclamation for the Chairman's approval and signature honoring Dellerva Collins and the naming of a room at the Head Start building in her honor.

Commissioner Boswell and Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

Commissioner Judge reported on the recent National Park Service meeting held on the Buxton beach nourishment project. He said he understands the angst of people in the community for wanting it done as quickly as possible. He offered positive observations about the Outer Banks Seafood Festival. Commissioner Judge commended Gail Sonnesso for her work on behalf of Alzheimer's Disease. He also complimented the Healthy Carolinians for the many ways their efforts have touched people's lives. Commissioner Judge noted that Jed Dixon and the NCDOT Ferry Division are at the mercy of politics in Raleigh.

Commissioner Boswell – thanked National Park Service Superintendent David Hallac for making the information presented at the recent public meeting so easy to understand. She also expressed gratitude to the Ferry Division of NCDOT for their hard work on behalf of Dare County. Commissioner Boswell reported that the cast and crew of the Wicked Tuna television program aired on the National Geographic channel is very appreciative of the Board's efforts to have proactive inlet dredging. She also outlined the dredging efforts that are currently underway.

Commissioner Burrus – apologized for snapping earlier but not for his vote against ferry tolling. He said parking for the ferry is a problem that will threaten Hatteras businesses seven days a week. He added that there are some people who simply will not come to the area if there is any toll in place. Commissioner Burrus said he applauds the work that GEM and others are doing on Alzheimer's Disease; however, he pointed out that Hatteras Island does not have the same opportunities. He called for the County Manager to look at ways to spread the available resources in a way that benefits people on Hatteras Island. Commissioner Burrus commended the Outer Banks Visitor's Bureau and others for the successful Outer Banks Seafood Festival.

MANAGER'S/ATTORNEY'S BUSINESS

1. The Manager made an announcement pursuant to NCGS 153A-457 concerning the County constructing a new EOC/E911 building at the corner of NCSR 116, Airport Road, and NCSR 1306, the Old County Road, with construction to begin on or after November 15, 2015.
2. Mr. Outten said the Solid Waste Management Authority has been asked to add Washington County as a member. He explained that this will not cost Dare County additional funds and advised that documents are being prepared for final approval. By consensus, the Board approved moving forward.
3. The Manager reported that Albemarle Engineering has bid the Scenic Byways interpretative signs project multiple times. He said a workable bid has been received for the manufacturing of the signs; however, the bid for the erection of signs is again over budget. He asked the Board to reject the sign erection bid and determine a way to get that part of the project done within budget.

MOTION

Commissioner Judge and Vice-Chairman Overman motioned to reject the sign erection bid as requested by the County Manager.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

4. Mr. Outten said he has participated in consolidation discussions with the Town Managers and that further meetings will be needed with finance staff. He advised the Board that a report will likely not be ready by the next Consolidation Committee meeting scheduled for November 20, 2015.

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

MOTION

Commissioner Shea motioned to adjourn the meeting.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

At 7:38 p.m., the Board of Commissioners adjourned until 9:00 a.m., November 2, 2015.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners