



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., November 2, 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 9:02 a.m. He invited the Rev. Keith Dey from the Emmanuel Lutheran Church to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Philip Tokazowski, Sheriff's Office, received a 15-year pin.

ITEM 2 – EMPLOYEE OF THE MONTH – NOVEMBER 2015

It was announced that the Employee of the Month will be awarded at a future meeting.

ITEM 3 – OPENING REMARKS – CHAIRMAN'S UPDATE

Chairman Woodard gave a follow-up report on what has transpired since the last meeting. He commented on the recent Planning Board meeting held on Hatteras Island to get public input on proposed zoning for Rodanthe, Waves, and Salvo. He noted that at the meeting 24 people spoke in opposition to zoning with 9 in favor of it. He said the Planning Board will consider it at their next meeting and make a recommendation to the Board of Commissioners. The Chairman said efforts are underway for Hatteras Inlet and that NCDOT has determined a project cost estimate of \$452,000 with a Dare County share of \$113,000. Chairman Woodard also summarized the work that is being

done for Oregon Inlet. It was explained that the beach nourishment project for Buxton is moving forward on track. The Chairman outlined the funding for the project and distributed a summary of tax rates for the County and its Municipalities. He advised the Board that he has asked the County Manager and staff to investigate the steps necessary to possibly establish a tax Service District for portions of unincorporated Dare County related to the beach nourishment project on Hatteras Island. He directed the Manager to present a report at the next meeting. He noted that a County Service District would be similar to the Municipal Service Districts that have been established by some of the Towns to help fund their beach nourishment projects. Chairman Woodard provided a list of possible 2016 meeting dates patterned after the 2015 schedule. He asked the Board to review the dates so that the 2016 schedule can be resolved at the next meeting. He also announced the date for Commissioner tours of Cape Hatteras Schools. Chairman Woodard read a letter expressing support of WWII Coastwise Merchant Mariners and asked the Board to authorize sending it to Senator Burr.

MOTION

Commissioner Shea motioned to authorize the Chairman to send a letter in support of the WWII Coastwise Merchant Mariners.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

A complete video account of the Chairman's update can be seen on the County website

ITEM 4 – 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. Pam Anderson spoke on two items. She encouraged the Board to look into allowing partnerships between private childcare centers and Dare County public schools. Ms. Anderson also described how the local pet services industry is working diligently to help Dare County become even more pet friendly, which she said would help increase tourism and bring in additional tax revenue.

ITEM 5 – DARE PITS CONDITIONAL USE PERMIT - CONSTRUCTION TRAILERS

This agenda item was handled as a quasi-judicial proceeding. At the onset, three people (Planning Director Donna Creef, John Delucia from Albemarle & Associates, and Ray Meekins from Seaboard Surveying) were duly sworn by the Clerk to the Board. Ms. Creef then summarized the application filed by Dare Pits LLC to allow the placement of construction trailers on property off Highway 345 on Roanoke Island as part of the project to replace the Bonner Bridge. She described the size of the trailers and provisions for their removal upon completion of the bridge project.

MOTION

Commissioner Umphlett motioned to grant approval of the Dare Pits LLC Conditional Use Permit and site plan as recommended by the Planning Board.

Vice-Chairman Overman and Commissioner Judge seconded the motion.

VOTE: AYES unanimous

ITEM 6 – 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 (10.19.15) **(Att. #1)**
- 2) Budget Amendment for Skyco WTP Nanofiltration Project Approved on 10/19/2015
- 3) Dare County Transportation Title VI Plan

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 7 – BOARD APPOINTMENTS

1) Dare County Youth Council

Commissioner Judge motioned to approve the following recommendations of the Dare County Youth Council –

- Reappoint Brady Creef for a 2 year term
- Reappoint Nathan Butcher for a 1 year term
- Appoint Rachel Sorenson for a 1 year term
- Appoint Erica Stone to fill the unexpired term of Abby Haywood
- Appoint Arturo Lara for a 1 year term (Roanoke Island/Mainland)
- Reappoint Linda Austin for a 2 year term
- Reassign (At-Large) Matt Witter to replace Mr. Strickland, who did not want reappointment as Northern Beaches Representative; and appoint Richard Martin to fill Mr. Witter's unexpired At-Large term
- Reappoint Gail Hutchison
- Reappoint Hunt Thomas

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

2) Health and Human Services Board

Commissioner Shea motioned to appoint Dr. James Woodson (Dentist) as recommended by the Dare County Health and Human Services Board.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

3) Juvenile Crime Prevention Council

Vice-Chairman Overman motioned to appoint Alejandra Monica-Sanchez to fill the unexpired term of Austin Banks who has graduated and is no longer eligible to serve; and to appoint Joshua Tolson to fill the unexpired term of Abby Haywood who also has graduated.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

4) Land Transfer Tax Appeals Advisory Board

Vice-Chairman Overman motioned to –

- Appoint Michael Stone as recommended by the Town of Southern Shores
- Appoint John Ratzenberger as recommended by the Town of Nags Head
- Reappoint Jack Overman

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

5) Older Adult Services Advisory Council

A full account of the Board's discussion and action on this item is archived on a video that is available for viewing on the Dare County website. Following is a brief synopsis –

- Vice-Chairman Overman motioned to reappoint Lynne Bloomfield.
Commissioner Judge seconded the motion.
VOTE: AYES unanimous
- The Board discussed the 3 Council vacancies representing the South Beach area, Mainland area, and Wanchese area for which there are no applications on file. The Board agreed to fill the 3 vacant positions from among all the applications that have been received. Nominating motions were made and withdrawn by Commissioner Shea and Commissioner Burrus.
- Vice-Chairman Overman motioned to make a term length of 2 years for the vacancies representing South Beach area, Mainland area, and Wanchese area.
Commissioner Shea seconded the motion.
VOTE: AYES unanimous
- Commissioner Judge motioned to appoint –
 - Cynthia Harris to the South Beach area seat.
 - Sandra Clark to the Mainland area seat.
 - Claudia Hennessey to the Wanchese area seat.Vice-Chairman Overman seconded the motion.
VOTE: AYES unanimous

6) Rodanthe-Waves-Salvo Community Center Board

Commissioner Burrus motioned to reappoint Stephen Ryan and Roberta Midgett.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

7) Stumpy Point Community Center Board

Commissioner Judge and Commissioner Shea motioned to reappoint David Midgett.

Commissioner Burrus and Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

8) Upcoming Board Appointments

Upcoming Board appointments for December, January, and February were announced.

ITEM 8 – 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 – congratulated the service pin recipient and gave a report on the recent Albemarle Rural Planning Organization (ARPO) meeting. He explained that after much discussion it was the consensus of the ARPO to defer a vote on the issue of ferry tolling. Commissioner Shea also briefed the Board on meetings he has had pursuing economic development in an effort to bring non-seasonal employment opportunities to Dare County.

Vice-Chairman Overman – acknowledged the service pin recipient and spoke about the recent community meeting concerning proposed zoning for Rodanthe, Waves, and Salvo. He complimented Planning Director Donna Creef for her cool and calm professionalism at the community meeting in tactfully handling some individuals who were rude and overbearing. Vice-Chairman Overman thanked the NCDOT Ferry Division for their efforts to improve the condition of Hatteras Inlet. The Vice-Chairman outlined the history and objectives of the program known as Rachel’s Challenge. He said the program to help eliminate bullying and prejudice is sponsored by Trillium and will be presented in the schools.

Commissioner Boswell – summarized the dredging activity that is underway and asked that the endeavor be kept in the prayers of the people.

Commissioner Judge – echoed the comments made earlier about the professionalism of Planning Director Donna Creef at the community meeting concerning proposed zoning for Rodanthe, Waves, and Salvo. He noted that one person’s negative conduct may have caused others to back away from speaking on the issue. He explained that zoning attempts to make a community more cohesive; however, it presents certain dilemmas. Commissioner Judge thanked the Board for supporting Hatteras Inlet. He also commended the young people involved with the Dare County Youth Council.

Commissioner Umphlett – thanked the service pin recipient and spoke about information she received from the Campaign for Liberty. She condemned the effort in Washington, D.C. to increase the debt limit and cautioned that the Social Security fund is not secure because legislators have allowed the people’s money to be stolen from it and replaced with IOU’s. She called on everyone to stay informed and vote.

Commissioner Burrus – noted that if the gas tax were left alone by the State we would have money for transportation projects. He acknowledged service pin recipient, Philip Tokazowski, and commended him for his service to the community. Commissioner Burrus asked if there is adequate signage for the concrete operation on Highway 345. Planning Director, Donna Creef, said the concrete plant is working closely on that with NCDOT. Mr. Outten added that he will express the Board’s concern to NCDOT. Commissioner Burrus echoed the accolades expressed for Donna Creef on her

handling of the recent community meeting. He noted that while one person was out of control at the meeting there was a lot of hostility in the room with approximately 75% of the people very vocal against zoning. Commissioner Burrus added that he can identify with people's passion because he also has heritage in the community. He suggested that the presence of Sheriff Deputies at these types of events should be considered in the future. Commissioner Burrus reported that work is progressing on Hatteras Inlet and was told that a timeline would be presented by the County Manager.

MANAGER'S/ATTORNEY'S BUSINESS

1. Mr. Outten said the Forest Service has discovered an error they made on the recently approved contract with the County. He said it is a \$124 error in their favor and asked the Board to reapprove the contract with the additional amount and authorize a budget amendment.

MOTION

Commissioner Judge motioned to reapprove the contract with the additional amount and authorize a budget amendment as outlined by the County Manager. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

2. County Manager Outten said a modification regarding the audit time period was needed for the recently approved generator grant benefitting the Colington Fire Department. He asked for authorization to modify the language and move forward with the grant and related budget amendments.

MOTION

Commissioners Burrus, Shea, and Judge motioned to approve the request as outlined by the County Manager.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

3. Mr. Outten reported on the timeline that has been prepared for the Hatteras Inlet dredging project based on the recent survey. He said approximately 75,000 cubic yards of spoil needs to be removed at a cost of \$452,000. The County Manager and the Finance Director explained how the project will be funded with the Dare County portion being \$113,000. He asked the Board to approve the appropriate Budget Amendments.

MOTION

Commissioner Judge and Vice-Chairman Overman motioned to approve the request as outlined by the County Manager.

Commissioner Shea and Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

4. The Manager explained personnel changes planned for the Human Resources Department. He notified the Board that funds to cover the increased cost for a new hire with considerable experience will be moved from another department. He said the adjustment is budget neutral on the overall County budget.

MOTION

Commissioner Judge motioned to approve the item as outlined by the Manager. Commissioner Shea seconded the motion.

VOTE: AYES unanimous

- 5. The County Manager asked for a Closed Session pursuant to the provisions of NCGS 143-318.11(a)(6) to review the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. And, Pursuant to the provisions of NCGS 143-318.11(a)(3) to consult with an attorney employed by the County in order to preserve the attorney-client privilege and to approve previous Closed Session minutes.

MOTION

Commissioner Shea motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager. Commissioners Burrus, Judge, and Overman seconded the motion.

VOTE: AYES unanimous

At 10:19 a.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 10:58 a.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes, discussed a personnel item and matters subject to the attorney-client privilege, and took no other action.

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.

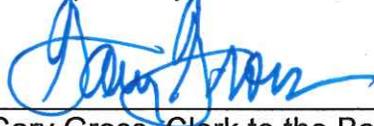
VOTE: AYES unanimous

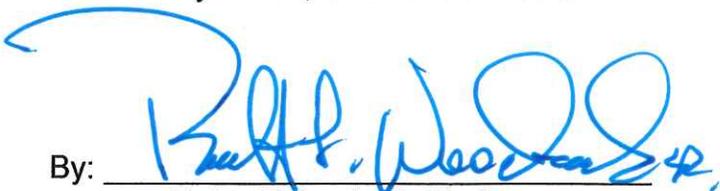
At 10:59 a.m., the Board adjourned until 5:00 p.m., November 16, 2015.



APPROVED:

Respectfully submitted,

By: 
 Gary Gross, Clerk to the Board

By: 
 Robert Woodard, Chairman
 Dare County Board of Commissioners