



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**5:00 p.m., Tuesday, February 19, 2019**

Commissioners present: Chairman Robert Woodard,  
Rob Ross, Steve House, Danny Couch, Ervin Bateman

Commissioners absent: Vice Chairman Wally Overman and Commissioner Jim Tobin

Others present: County Manager/Attorney, Robert Outten  
Assistant Finance Director, Sally DeFosse  
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](http://www.darenc.com).

At 5:00 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Feyrer to share a prayer, and then he led the Pledge of Allegiance to the flag. Chairman Woodard announced that Vice Chairman Overman and Commissioner Tobin both had excused absences preventing them from attending the meeting. The Chairman asked everyone to join in a special moment of silence for Sam and Emily Walker and their family on the loss of their son.

#### **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 –

- Noted that the Community Day celebrating the opening of the new bridge over Oregon Inlet was a great event with a large turnout of people on a cold and windy day. He thanked County staff for providing chairs and a public address sound system.
- Reported on the recent meeting of the 5-on-5 Committee involving members of the Board of Education. He explained that during the meeting the County reiterated its commitment to education and the formula that provides funding. He also welcomed Commissioner Ross to the group, who now serves in the seat formerly held by Jack Shea who retired as a Dare County Commissioner.
- Gave a briefing on a meeting held with citizens concerned about the Roanoke Island Dog Park where they were provided with information about County plans to build a new animal shelter and how it might impact the Dog Park.

- As a member of the Roanoke Island Historical Association, Chairman Woodard said auditions are underway and the group is looking forward to another successful year for the Lost Colony theatrical production.
- Commented on County plans to extend the local campus of the College of the Albemarle. He outlined efforts that are underway to promote the opportunities students have to get an Associates Degree at COA at a much lesser cost than other institutions.
- Reported on the annual meeting of the Outer Banks Community Foundation and thanked the group for the great work they do and the scholarships and grants they provide.

## **ITEM 2 – PUBLIC COMMENTS**

At 5:13 p.m. 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 all citizen remarks, which can be viewed in their entirety in a video on the County website –

*The following comments were made in Manteo –*

1. Lorelei DiBernardo, on behalf of the Dare County League of Women Voters, presented the 2019 edition of the Citizens Guide. She outlined where the guide can be obtained and thanked the sponsors whose assistance helps provide this valuable resource.
2. Jennifer Alexander provided information about an upcoming meeting at the Outer Banks Brewing Station where the Surfrider Foundation will address the ongoing fight against offshore drilling.

*The following comments were made in Buxton –*

3. Jayson Collier provided information about the formation of the “Keep It Bonner” page on social media and cited problems associated with the County’s polling of citizen input on the naming of the new bridge. He urged the Board to keep the Bonner name.
4. Linda Browning criticized the County’s polling of citizen polling and reported that the huge majority of people on Hatteras Island want to keep the Bonner name for the new bridge, which is not only our pathway home, but part of our history and tradition.
5. Ann Vroman said the people of Hatteras Island are being treated like stepchildren. She said all polling that has been done supports keeping the Bonner Bridge name and it is a travesty that Commissioners are ignoring the wishes of Hatteras Island people.
6. Rick Shaftan said the naming of the new bridge showcases the disconnect between Hatteras Island and the rest of Dare County. He said creating policy by online polls is not good and called on the Board to listen to the will of the people and change its position.
7. Rose Alice Mayo said the people of Hatteras Island love their community and need to be heard. She reminded everyone that elections are coming and the people have the right to vote Commissioners out of office.

8. Brett Barley expressed concern that the voices of the people are not being heard. He said the people of Hatteras Island have been ignored and called on the Board to take this as an opportunity to correct a bad situation, and keep the Bonner Bridge name.
9. Pam Smith explained that the replacement bridge should keep the Bonner Bridge name, which would save money and mean a lot to visitors and residents. She said just like Washington, D.C., the Board of Commissioners doesn't care how we feel.
10. Heather McDaniel expressed gratitude for the new bridge and said our children will use it for a long time to come. She added that throughout construction it was known as the Bonner Bridge project and called on the Board to keep the Bonner name.

The County Manager closed Public Comments at 5:40 p.m.

Chairman Woodard asked staff to keep the video link open to the Fessenden Center Annex so he could respond to concerns raised by people during Public Comments. The Chairman explained that the Board of Commissioners has carefully listened to the people. He noted that since becoming Chairman, the Board has held Town Hall style events including venues on Hatteras Island and he cited statistics about how seldom the video link to Hatteras Island is used by people to voice their concerns to the Board. He concluded by recapping steps the County took to obtain citizen input on the naming of the new bridge before sending the findings to NCDOT, where it is now up to them to take action one way or the other.

### **ITEM 3 – AMEND RESOLUTION CREATING THE ALBEMARLE COMMISSION (Att. #1)**

The Manager explained that the Albemarle Commission would like to bring their official charter in line with what has been their practice and custom as a matter of consistency. He asked Commissioner Ross, who serves on the Albemarle Commission, to outline provisions of a resolution addressing the procedural inconsistencies. A summary of the changes was outlined by Commissioner Ross after which the following resolution was made –

#### **MOTION**

Commissioner Ross motioned to adopt the resolution amending the Charter as presented. Commissioner House seconded the motion.

VOTE: AYES unanimous

### **ITEM 4(1) – PUBLIC HEARING**

#### **PROPOSED WATER LINE EXTENSION ALONG LESLIE LANE IN AVON (Att. #2)**

At 5:55 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 all citizen remarks, which can be viewed in their entirety in a video on the County website –

*The following comments were made in Manteo –*

1. Laurel Gropper – spoke in favor of the water line extension and expressed health and safety concerns. She said people are aware of the potential assessment and asked the Board to move forward.

*The following comments were made in Buxton –*

2. Tom Long said clean water is needed and said he and his wife support the water line extension. He cited public health concerns noting that numerous septic tanks are nearby his property. He also raised public safety issues related to fire hydrant access.
3. Lou Hoover said although the County is making the property owners pay for the water line extension, he was anxious to know when things would be able to move forward and called on the Board to let people know what will happen as soon as possible.

The County Manager closed the Public Hearing at 6:01 p.m.

The County Manager and Utilities Director Ken Flatt outlined the anticipated assessment costs and related fees for the 22 benefitted parcels. Mr. Outten noted that property owners will be responsible for the costs to connect the extended line to their house. Commissioner Couch said this project would improve the desperate situation that exists on Leslie Lane. Initially a motion was made by Commissioner House and seconded by Commissioner Bateman to approve the proposed water line extension. During discussion of the motion Commissioners considered whether subscribers should be allowed to finance any or all of the assessment fees and costs, which was followed by the following amended motion - - -

**MOTION**

Commissioner House motioned to approve the proposed water line extension and authorize the financing of assessment and related fees over a 10 year period for initial subscribers who subscribe within one year of completion, and direct staff to move forward with the assessment process.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 4(2) – PUBLIC HEARING**

**KENRICK ALBAUGH AVON ZONING MAP AND C-2 TEXT AMENDMENT**

At 6:13 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. No one responded to the invitation to address the Board of Commissioners on this issue. The County Manager closed the Public Hearing at 6:14 p.m.

**MOTION**

Commissioner Couch motioned to approve revising the Avon zoning map to apply C-2 commercial zoning to 40041 Brinkley Lane and 40054 Watson Lane and to add storage warehouses to the list of conditional uses in the C-2 district with a finding of consistency adopted as part of this motion.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 5 – CONSENT AGENDA**

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

**MOTION**

Commissioner Bateman motioned to approve the Consent Agenda:

- 1) Approval of Minutes (02.04.19) **(Att. #3)**
- 2) Budget Amendment – NCDOT Reimbursement for Kitty Hawk Bridge Water Line Relocation
- 3) Appoint Firefighters Relief Fund Board Member – Buxton Volunteer Fire Department
- 4) Budget Amendment – Hatteras Inlet Year 2 Maintenance
- 5) Tax Collector's Report

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

**ITEM 6 – 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 Bateman

- Called for a resolution opposing a proposed increase in homeowner insurance rates.

**MOTION** **(Att. #4)**

Commissioner Bateman motioned to authorize a resolution opposing the proposed insurance rate increase.

Commissioner House seconded the motion.

VOTE: AYES unanimous

Commissioner Couch

- Commented on the Community Day for the new bridge, which he said was a great day. He thanked NCDOT and PCL for their hard work to make the special day possible.

Commissioner Ross

- Thanked the Board for supporting the newly amended Albemarle Commission charter that cleans up administrative and clerical issues.
- Gave details of an upcoming forum being held by the Dare County League of Women Voters at the Kill Devil Hills Town Hall where Michael Flynn will be speaking about preserving our community's health and wellbeing by opposing offshore drilling.
- Promoted an event on March 5<sup>th</sup> where Teepa Snow, an expert in dementia best practices, will be addressing this important topic at the Duck Woods Country Club.

Commissioner House

- Commended First Flight High School Senior Heidi Sabatini on achieving a track and field State Championship.
- Described the funeral service he attended for Congressman Walter Jones and called him a statesman of integrity who will be missed and remembered.
- Presented the Pet of the Week video and gave information on how to adopt an animal.

**MANAGER'S/ATTORNEY'S BUSINESS**

1. The County Manager presented an agreement with NCDOT for the Drainage Study that is underway for Roanoke Island. He outlined the work that has already been done and briefed Commissioners on NCDOT's timetable for completion.

**MOTION**

Commissioner Ross motioned to approve the Drainage Study Agreement and authorize the Manager to sign it along with all appropriate Budget Amendments. Commissioner House seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten asked the Board to approve a Budget Amendment for environmental permitting for special purpose dredging with funds from the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund, which requires a matching grant.

**MOTION**

Commissioner House motioned to approve the Budget Amendment. Commissioner Couch seconded the motion.

VOTE: AYES unanimous

3. The Manager described work needed for the Hatteras Inlet dredging project and asked for authorization to move funds up to the \$113,600 balance as the County's share.

**MOTION**

Commissioner Couch motioned to authorize the Manager to move funds up to the \$113,600 balance as the County's share for needed dredging and survey work at Hatteras Inlet.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

4. Mr. Outten presented a request from the Town of Kill Devil Hills to lower a water line as part of the town's construction project within the municipality. He explained that the County's responsibility for the water line stops at the street and if the Town wanted to move forward with their request, they would need to assume responsibility as reflected in a Memorandum of Understanding (MOU), which he presented for Board approval.

**MOTION**

Commissioner House motioned to approve the MOU as presented by the Manager. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

5. The County Manager commended Nat Burton at the Dare County Public Works Manteo yard for the extraordinary way he went above and beyond the call of duty to help a citizen who had locked their keys in their car.

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

**MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 6:35 p.m., the Board of Commissioners adjourned until 9:00 a.m., March 4, 2019.



Respectfully submitted,

By:   
Gary Lee Gross, Clerk to the Board

APPROVED:

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners

Note: copies of all attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board of Commissioners at this meeting are on file in the office of the Clerk to Board.