



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., March 4, 2019

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

Commissioners absent: Jim Tobin

Others present: County Manager/Attorney, Robert Outten
Deputy County Manager/Finance Director, David Clawson
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.

At 9:02 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Jody Moore from the Outer Banks Presbyterian Church to share a prayer, and then he led the Pledge of Allegiance.

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 –

- Reported on the Annual Luncheon meeting for the Outer Banks Community Foundation and commended the group for the great work they do providing scholarships and grants.
- Commented on a recent meeting he attended with Vice Chairman Overman and the County Manager at CSI to discuss their growth and need for student and teacher housing.
- Thanked Commissioner House for representing the Board at the recent public meeting conducted by the NC Department of Insurance in Raleigh on the proposed rate hike.
- Noted that beach nourishment is an ongoing effort and described a recent meeting with municipal mayors and managers to address this issue.
- Mentioned comments he made at the League of Women voters forum on offshore drilling.
- Thanked the Veterans Advisory Council for their work on behalf of Dare County Veterans.
- Described the various notification services that are available for citizens to get information about County programs and services and outlined how to subscribe online.
- Asked Jack Overman on behalf of the Airport Authority Board to describe how the Dare County Airport helped a Navy jet that had to make an emergency landing 20 years ago.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Corinne Etheridge, Tax Collections Legal Assistant, received a 15-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH – MARCH 2019

Chuck Meile received the Employee of the Month award from Shanna Fullmer who described the many ways that Mr. Meile is an asset to the Facilities Maintenance Dept. at Public Works.

ITEM 4 – PUBLIC COMMENTS

At 9:35 a.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. Buddy McDaniel asked the County to address the limited space and parking that is available at the Buxton polling place. He also commented on the red-headed stepchild remarks that were recently made related to the naming of the new bridge. He said people on Hatteras Island feel like they are not being heard on this issue and outlined why many are upset about the County's action. Mr. McDaniel also asked that the video link camera and microphone remain on until everything is said and done.

The following comments were made in Buxton –

2. Rick Shaftan recapped what has taken place regarding naming of the new bridge and asked the Board of Commissioners to reconsider their action because of the limitations of the online poll on the County website. Mr. Shaftan described polling that his company has done, which has resulted in an overwhelming response by a broad cross section of people to keep the Bonner Bridge name. He noted that the people of Hatteras Island feel strongly about this issue.
3. Jayson Collier outlined a grassroots petition that has been directed to the NCDOT Board asking that in naming the new bridge, they not cast aside the honor that was bestowed on Herbert C. Bonner. He read excerpts of the petition in support of the Bonner name for the new bridge and cited the need for a healthy relationship between the Board of Commissioners and the people of Hatteras Island on the bridge naming issue and all the challenges facing the County such as insurance and offshore drilling.
4. Ann Vroman said the Board's response to public comments at the last meeting was denigrating to the people of Hatteras Island, who she said want to be heard and listened to. She explained that renaming the bridge for Marc Basnight will have an adverse financial impact on businesses who will have to revise videos, ads, and printed materials. She noted that Senator Basnight may be saddened by this controversy and called on the Board to rescind the action it has taken to NCDOT.

5. Dave Conley said he was making personal remarks about the naming of the new bridge rather than any type of organized survey. He then suggested three possible names for the new bridge: 1) Bonner Bridge. 2) Oregon Inlet Bridge. 3) Warren Judge Bridge. Mr. Conley explained that former Commissioner Warren Judge did a lot for the people of Hatteras Island and said he felt that naming the bridge in his honor was an appropriate thing to consider.

The County Manager closed Public Comments at 10:03 a.m.

Note: The Board took a brief pause from 9:56 a.m. to 9:58 a.m. in order to reboot the video link to the Fessenden Annex to fix a technical problem where Commissioners were not able to see the video feed although they were able to hear the audio portion of public comments.

ITEM 5 – REPORT FROM THE NATIONAL PARK SERVICE

David Hallac, Superintendent of the National Park Service Outer Banks Group, gave an update on activities and visitation at Fort Raleigh, the Wright Brothers Memorial, and the Cape Hatteras National Seashore. He noted that 2018 had the most Off Road Vehicle (ORV) permits sold with 93% of ORV routes open during the summer season. Superintendent Hallac introduced Jessica Green representing a fundraising partner, Outer Banks Forever, who will help protect the three national parks of the Outer Banks through public engagement, programming, and project support. Commissioner House commended Superintendent Hallac for his knowledge and professionalism.

RECESS: 10:21 a.m. – 10:43 a.m.

ITEM 6 – DARE COUNTY LAND USE PLAN – STAFF UPDATE

Planning Director Donna Creef outlined work that has been done by staff to update the Dare County Land Use Plan (LUP). She summarized the vision statement and goals that have been developed and endorsed by the Planning Board. She noted that work is still being done on the narratives and demographic sections of the LUP update. Ms. Creef added that policies are still being tweaked to reflect the housing issue, ditch maintenance, and the importance of our waterways as transportation corridors.

ITEM 7 – PROPOSED AMENDMENTS TO CHAPTER 152 – PLANNING & DEVELOPMENT

The Planning Director presented a proposed revision to Chapter 152 of the Dare County Code concerning the composition and powers of the County's Planning Board. She explained that the Ordinance does not specifically state that the Chairperson is appointed by the Board of Commissioners. Ms. Creef noted that although the Chairperson has always been appointed by the Board of Commissioners, the Ordinance does not state that this is a requirement. She recommended that a public hearing be scheduled on the proposed revision.

MOTION

Vice Chairman Overman motioned to schedule a Public Hearing for 5:30 p.m., March 18. Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 8 – CONSENT AGENDA

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

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (02.19.19) **(Att. #1)**
- 2) Capital Project Ordinance - Shallowbag Bay (Manteo Channel) Dredging Project **(Att. #2)**
- 3) Request to Schedule Hearing – 2018 Amendments to Dare County Code
- 4) Government Education Access Channels 2019-2020 Proposed Budget
- 5) Jail Inmate Telephone Contract Extension
- 6) T-Mobile Water Tower Lease

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 9 – BOARD APPOINTMENTS

1) Parks and Recreation Advisory Council

Commissioner House motioned to reappoint George Berry.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

2) Planning Board

Commissioner Bateman motioned to appoint David Hines.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

3) Stumpy Point Community Center Board

Vice Chairman Overman motioned to appoint Johnny Midgett.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

4) Waterways Commission

Commissioner Couch motioned to appoint Michael Flynn to fill the unexpired term of David May. Commissioner House seconded the motion.

VOTE: AYES unanimous

5) Upcoming Board Appointments

The upcoming Board appointments for April, May and June 2019 were announced.

ITEM 10 – 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 House

- Reported on the public meeting he attended in Raleigh on the proposed insurance rate increase. He noted that afterward a very productive follow-up meeting was held with Senator Steinburg and Representative Hanig.

- Commissioner House asked the Board to approve appointing Alana Harrison to the Fish House Dealer seat with a three year term on the Commission for Working Watermen. He noted that efforts are still ongoing to recruit for two remaining vacancies on the Commission.

MOTION

Commissioner House motioned to appoint Alana Harrison to the Fish House Dealer seat with a three year term on the Commission For Working Waterman.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

- Said he has heard from Senator Steinburg that the Division of Marine Fisheries has reached out to the Legislator about creating a less hostile environment. Commissioner House said he will follow-up on this effort to help develop better communications.
- A fun, historical fact was presented about our national anthem, the Star-Spangled Banner.

Vice Chairman Overman

- Congratulated the service pin recipient and the Employee of the Month.
- Thanked Commissioner House for going to Raleigh for the Department of Insurance Public Meeting. He also commented on a recent tourism meeting where it was reported that if a sales tax redistribution bill were to be brought up again in the State Capitol, it would probably not pass in both chambers of the legislature.

Commissioner Couch

- Noted that he is looking forward to an active spring tourism season and said the beautiful new bridge will have a great impact for the community.
- Thanked Superintendent Hallac for his presentation and commended the Cape Hatteras National Seashore for the positive impact it has on the economy of Hatteras Island.
- Highlighted the accomplishments of student athletes in Dare County Schools and complimented the students and their schools.

Commissioner Ross

- Provided information about an upcoming dinner at Manteo Baptist Church.
- Encouraged people to attend a workshop on memory loss and dementia featuring Teepa Snow, an expert on the subject, as its guest speaker.
- Gave an update on plans for a new Dare County Animal Shelter.
- Reported that all the participating counties have not yet approved the new charter for the Albemarle Commission. He said he will advise the Board when this is completed.

Commissioner Bateman

- Expressed hope that the new bridge and NCDOT's passenger ferry will increase tourism business for Hatteras Island and Ocracoke Island.
- Thanked Commissioner House and Willo Kelly for going to Raleigh to speak against the proposed increase in homeowners insurance rates.
- Congratulated the service pin recipient and the Employee of the Month.
- Explained why he called for the new bridge to be named in honor of Marc Basnight. He said he believes it was the right thing to do and stands by the motion he brought to the Board. He noted that he cares about the people of Hatteras Island and reminded that the new bridge belongs to everyone in Dare County.

Chairman Woodard

- Outlined a schedule conflict the Commissioners meeting planned for 9:00 a.m., Monday, May 6, 2019 and asked that it be moved to 9:00 a.m., Tuesday, May 7, 2019. By consensus the Board agreed.

MANAGER'S/ATTORNEY'S BUSINESS

Public Information Officer Dorothy Hester described plans to let people know about the e-notification system that is available for citizens to receive information on county services.

Finance Director David Clawson reported that the County is working with FEMA on the Buxton beach nourishment project. He noted that the engineers will be meeting with the National Park Service and then will come before the Board of Commissioners to give an update at a future meeting.

Mr. Outten explained that staff will look at the Buxton polling place that was mentioned during Public Comments and if a more suitable venue is available, it will be discussed with the Board of Elections.

The County Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the County in order to preserve the attorney-client privilege and to discuss the Opioid Litigation. And, pursuant to NCGS 143-318.11(a)(5) to instruct the County staff, or negotiating agents, concerning the position to be taken by or on behalf of the County in negotiating the price and other material terms of a contract, or proposed contract, for the acquisition of real property by purchase, option, exchange, or lease in the matter of the Old Kellogg Supply Building in Manteo. And, to approve the minutes of the last Closed Session.

MOTION

Commissioner House motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 11:15 a.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 11:50 a.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes, consulted with the County Attorney on the Opioid Litigation, and gave guidance with regard to a real estate matter involving the Old Kellogg Supply Building in Manteo, and took no other action.

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

MOTION

Commissioner Ross motioned to adjourn the meeting.

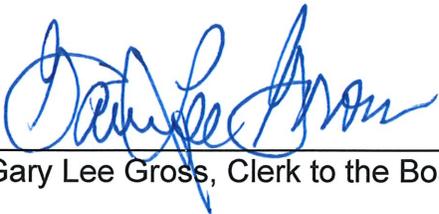
Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 11:51 a.m., the Board of Commissioners adjourned until 5:00 p.m., March 18, 2019.



Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners

Note: copies of 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.