



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., April 15, 2019

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

Commissioners absent: None

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 5:04 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Morris from the Unitarian Universalist Congregation of the Outer Banks to share a prayer, and then he led the Pledge of Allegiance to the flag. Note - some items were handled out of sequential order.

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 –

- Gave a report on activities at the College of the Albemarle (COA) by mentioning upgrades that have been made to the Library at the Elizabeth City campus. Chairman Woodard noted that the Board of Commissioners has taken action to build a new facility for the Dare County campus. He reported that funding for the project was recently approved and gave an update on the project’s Request for Qualifications (RFQ) process. He voiced excitement about the potential and opportunities for COA Dare.
- Chairman Woodard advised that the Search Committee tasked with looking for a new COA President is looking for a replacement for Dr. Wynegar who is leaving.
- Reported on the ribbon cutting ceremony for the Marc Basnight Bridge over Oregon Inlet.
- Commended Vice Chairman Overman and the Saving Lives Task Force for the latest Town Hall event that featured an informative presentation by Dr. Murphy
- Asked the community to keep the owners of the Christmas Mouse in their thoughts and prayers in the wake of the devastating fire they recently suffered.
- Congratulated Tiger Woods on his victory at the Masters Golf Tournament.

ITEM 2 – PUBLIC COMMENTS

At 5:14 p.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to Buxton. No one responded to the invitation to address the Board. The County Manager closed Public Comments at 5:14 p.m.

ITEM 3 – 2019 GOVERNOR’S VOLUNTEER SERVICE AWARDS

Lorelei Costa, Executive Director of the Outer Banks Community Foundation, presented the 2019 recipients of the Governor’s Volunteer Service Awards. Among those honored were Laura Davis, Lynda Hester, Mary Ellen Holland, Jonna Lewis, Dennis Pohl, Kathleen Morgan, Juliane Kelly, Marion & Blair Siefferman, George Viverette & Sheryl Tillett, and Wendy Sisler. It was noted that Ms. Sisler will be receiving the Governor’s Medallion Award at an upcoming ceremony in Raleigh.

ITEM 4 – DARE SOIL & WATER CONSERVATION DISTRICT REPORT

Ann Daisey outlined projects and outreach programs for the Dare Soil & Water District. Her presentation showcased work that has been done on stream debris removal and alligator weed control. Ms. Daisey explained that each dollar invested by the County has returned an average of \$18.65 in value. She noted that the opportunity to be full time staff for Soil & Water will open up more grant opportunities and described the dynamic partnership that exists between local, state, and federal entities.

ITEM 5 – MEDCOST MEDICAL INSURANCE FY 2019-2020

The County Manager reported that the County’s 2019-2020 rates for MedCost medical insurance are remaining the same at a zero percent increase. He said this indicates that the County’s wellness activities are having a positive impact. Mr. Outten advised that the medical insurance component needs Board approval prior to the presentation of the budget.

MOTION

Commissioner House motioned to approve the FY19/20 MedCost medical insurance plans. Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 6 – TIMOTHY JENNETTE – REQUEST TO FILL DITCH

Planning Director Donna Creef introduced Timothy Jennette who presented a request for permission to fill part of a drainage ditch to access the rear portion of property he owns in Buxton. It was noted that County Code requires Board approval following a Public Hearing in order to block or fill a ditch, creek, or other water course. Mr. Jennette gave the history of the ditch and reported what he was told by a wetlands consultant and the Corps of Engineers. He added that the ditch provides the only access he has to the back portion of his property. Commissioners asked questions about the site and storm water flow in the vicinity of the property. Mr. Jennette requested that the Board schedule a public hearing on the matter and he was advised to prepare as much information as possible in advance of a Public Hearing.

MOTION

Commissioner Tobin motioned to set a public hearing for 5:30 p.m., May 20, 2019.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 7 – HOUSING AMENDMENTS – PROGRESS REPORT

Planning Director Donna Creef gave the Board a progress report on the series of zoning amendments that were adopted in 2018 to facilitate housing opportunities. She provided statistics on permits for the past six months which resulted in two Cluster Home projects being approved for Hatteras Island. Ms. Creef also listed options including expanding cluster homes, expanding accessory dwelling units, developing an overlay district for educational housing, and studying the issue of minimum lot sizes. The Planning Director noted that recreational vehicles, trailers, and tiny homes are not constructed for use as year-round dwellings in our area. Commissioner House urged the Board to do whatever is necessary for educational housing in order to attract students to the area. Guidance was given on ADU's and other items outlined by the Planning Director and by consensus the Board agreed that the matter should be pursued with the Planning Board and solicit public input and then be brought back to the Board of Commissioners.

ITEM 8 – HEALTH & HUMAN SERVICES BUILDING – EXPANSION AND RENOVATIONS

In follow-up to an item discussed at the March 6 Board Retreat, Finance Director David Clawson provided background information about an expansion study of the Health & Human Services (DHHS) buildings in Manteo, which is included in the 2019 CIP and part of 2019 Limited Obligation Bonds. Mr. Clawson explained that Oakley Collier was selected to perform the DHHS study and outlined three options. He asked the Board to give staff direction to issue a request for qualifications (RFQ) for architects for the design of Option #2.

MOTION

Commissioner Ross motioned to give staff direction to issue a request for qualification for architects for the design of Option #2.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – 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 (04.01.19) **(Att. #1)**
- 2) Water Department NCDOT Right of Way Encroachment Agreement

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

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 Tobin

- Reported on a recent meeting in New Bern on the local dredge project and explained what was said about spoil sites and the impact it would have on Dare County dredging.

- Gave an update on the latest meeting of the Oregon Inlet Task Force where removal of the Bonner Bridge was discussed. He noted that rumors claiming that bridge material must first be cleaned before being discarded are untrue.

Commissioner Ross

- Commented on the recent Legislative Fish Fry in Raleigh that was well attended and provided a valuable opportunity to network with legislators on important issues.
- Noted that the Albemarle Commission has a new Finance Director.
- Advised the Board that the Albemarle Commission is taking a serious look at its Revolving Loan Program to determine if the project should be continued. He said it is designed to make small business loans that banks are not inclined to make and noted that it requires a substantial amount of administrative time and effort.
- Reported on today's Audit Committee meeting where the new internal auditor was introduced.
- Encouraged people to vote in the April 30 election for which early voting is now underway.
- Expressed sadness about the devastating fire at the Notre Dame Cathedral in Paris.

Commissioner House

- On behalf of the area's commercial fishermen, he thanked everyone who went to the Legislative Fish Fry in Raleigh.
- Commended all the first responders who fought strong winds to battle the recent fire at the Christmas Mouse in Nags Head.
- Presented a historical fact concerning the death of President Abraham Lincoln who died on this day in history from injuries inflicted by John Wilkes Booth.
- The Pet of the Week video was shown and everyone was urged to consider pet adoption.
- Commissioner House presented a resolution opposing House Bill 486 and any change in the definition of commercial fishing. He noted that the Board, on behalf of our working watermen, has steadfastly opposed this each time the Legislature has considered it.

MOTION (Att. #2)

Commissioner House motioned to adopt the resolution opposing H.B. 486 as presented. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

Vice Chairman Overman

- Congratulated everyone who received a Governor's Volunteer Service Award. He said Dare County is blessed to have such service oriented people in our community.
- Reported on the recent Town Hall Event sponsored by the Saving Lives Task Force where Dr. Greg Murphy gave an outstanding presentation on the opioid crisis.
- Noted that the Recovery Court is now operational and thanked the Board for supporting it.
- Commented on the recent Open House at CSI where 250 toured the educational facility.
- Vice Chairman Overman asked the Board to adopt a resolution supporting the More Powerful NC Campaign regarding the opioid crisis. He noted that many items outlined in the resolution are already being done by Dare County and the Saving Lives Task Force.

MOTION (Att. #3)

Vice Chairman Overman motioned to adopt a resolution supporting the More Powerful NC Campaign as presented.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

Commissioner Bateman

- Expressed appreciation for the way that Jan Burrows goes above and beyond the call of duty as a trash truck driver and commended the way she helps people.
- Congratulated those who received the Governor's Volunteer Service Awards.
- Commented on the Saving Lives Task Force Town Hall where Dr. Greg Murphy noted that someone dies every 14 minutes due to opioids. He said millions of dollars are being funneled down from the Governor's Office and recommended that the County pursue getting some of these funds.

Commissioner Couch

- Reported that Fletcher Willey has resigned from the Waterways Commission and commended Mr. Willey for the excellent way he always prepared for each meeting.
- He said the Coordinator for the Recovery Court is excellent. He voiced concern about all the pressures that are being put on our young people and the need to support that effort.
- Thanked the Board of Commissioners for its support of the Legislative Fish Fry in Raleigh and spoke appreciatively of the attention that Senator Steinburg and Representative Hanig are giving to Dare County issues.
- Noted that business activity is going well as we go into the spring season.
- Thanked Public Information Officer Dorothy Hester for the campaign regarding trash pickup.
- Commented on the excellent work that has been done on the upcoming budget and said we are in a good position for the upcoming fiscal year.

Chairman Woodard

- Advised the Board that he would be traveling to Elizabeth City tomorrow with Public Information Officer Dorothy Hester for a College of the Albemarle Board of Trustees meeting to give County's presentation urging students to attend COA.

MANAGER'S/ATTORNEY'S BUSINESS

1. The County Manager presented a Short Term Restricted Fund spending request from the Tourism Board for a total expenditure of \$50,000 for July 4th Fireworks. He outlined the portion being allocated to Avon, Kill Devil Hills, Manteo, and Nags Head.

MOTION

Vice Chairman Overman motioned to approve the Restricted Fund spending request. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten summarized a resolution adopted by the Town of Manteo asking the North Carolina Legislature to support local bills concerning the regulation of navigable waters within the Town's corporate limits. He asked the Board to consider approving a resolution in support of the Town's legislative request

MOTION (Att. #4)

Commissioner House motioned to approve a resolution in support.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

Public Information Officer Dorothy Hester showcased two awards the County has received for excellence in communications outreach to the public. She also informed the Board that Karen Brown, President and CEO of the Outer Banks Chamber of Commerce accepted an award at an industry conference she recently attended for a video segment featured on CurrentTV. Ms. Hester noted that the GIS Department of Information Technology has been working on a community map that will debut soon featuring many important items of public interest. She also displayed a creative video reminding people to remove trash cans from the curbside after pickup.

ITEM 11 – CLOSED SESSION

The County Manager asked for a Closed Session pursuant to the following statutes - - -

- 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 including the matter of the opioid lawsuit.
- 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 parcel adjoining the Buxton Transfer Station.
- 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 to approve the minutes of the last Closed Session.

MOTION

Vice Chairman Overman motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 6:50 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 7:09 p.m. and Mr. Outten reported that during the Closed Session the Board had discussion with the County Attorney to preserve the attorney-client privilege, and also discussed a real estate matter and a personnel matter. He added that the Board approved previous Closed Session Minutes and took no action in the Closed Session.

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 7:57 p.m., the Board adjourned until 9:00 a.m., Tuesday, May 7, 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.