



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., June 7, 2021

Commissioners present: Chairman Robert Woodard, Sr., Vice Chairman Wally Overman
Rob Ross via telephone connection, 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
Master Public Information Officer, Dorothy Hester
Clerk to the Board, Cheryl C. Anby

A full and complete account of the entire Board of Commissioners meeting is archived on a video which is available for viewing on the Dare County website www.darenc.com.

At 9:03 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Craig Peel to share a prayer, and then he led the Pledge of Allegiance to the flag.

Chairman asked for a motion to amend the agenda to have item 14 moved up to Item 6A.

MOTION

Commissioner House motioned to
Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

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:

- On May 25 he attended the “topping out” ceremony at COA construction site. Barnhill Contracting Company hosted and celebrated the tradition of placing the last beam atop a structure during its construction. He shared a video of the ceremony and stated the project was 40% complete.
- Recapped the recent graduation of Dare County high schools with twelve students having completed associate degrees with the Dare Scholarship Fund. Since implementation there have been awarded 101 awards for scholarships totaling approximately \$126,000.

- Referenced the Board Special Meeting on June 1, 2021. Through the Board's consensus the UNC DFI had been asked to develop through their financial initiative program a conceptual plan for housing on Bowerstown and possibly the Elizabethan Inn. They were seeking to feature a mix of affordable, essential and workforce housing. There had also been discussion of additional properties and DFI would explore those options.
- Gave a reminder of the start of the hurricane season as of June 1. He encouraged everyone to complete the application for reentry passes on darenc.com/reentry.
- The Jug Handle Bridge was seventy-five percent complete and was expected to open in early 2022.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Troy Coltrain, Investigator for Sheriff's Office, received a 15-year pin.
- 2) Lori Fitzgerald, Office Manager for Sheriff's Office, received a 20-year pin.
- 3) Larry Hughes, Fleet Maintenance Superintendent, received a 25-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH - This item was moved to next Board meeting.

ITEM 4 – PUBLIC HEARING – AVON BEACH NOURISHMENT (Att. #1)

At 9:25 a.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:

There were no comments made in Manteo. The following comments were made in Buxton.

1. Belton Gray, Jr., resident of Kinnakeet, thanked the Board and County staff for their efforts in beach nourishment and provided recent history of past projects. He pointed out how in each project sand had eroded away. He asked the board to stop and think about future processes to maintain the ability to traverse the highway.
2. Mary Ann Marsalle commented it was unfair her cottage was in both District A and B under proposed Avon nourishment plans. She stated there was no flooding on her road. She is not opposed to paying a fair share for the nourishment but she did not think those on Due East who are not affected should have to pay 5 times the rate.

The County Manager closed the Public Hearing at 9:37 a.m. and advised the Board if they chose to go forward with the formation of the Avon tax districts and the tax rates, they would be able to do so during Item 5 – Manager's Proposed FY 2022 Budget.

ITEM 5 – PUBLIC HEARING – MANAGER'S PROPOSED FY2022 BUDGET (Att. #2)

At 9:37 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments. Following is a summary of all citizen remarks, which can be viewed in their entirety in a video on the County website:

Dave Clawson addressed the Board with the General Fund and Capital Investment Fund changes and an overview of the handout he had provided them.

The following comment was made in Manteo:

1. Lt. Blake Gard, a member of the Manns Harbor Fire Department, wanted the Board's attention the repair issues and the need for some capital improvements on the building and have it inspected due to stress fractures.

The following comment was made in Buxton:

1. Rose Alice Mayo addressed the water increase. She owns a modest home with a limited income and felt visitors and those who owned large homes using more water should pay more. She asked the Board to look at the cost of water increases which affect fixed income households.

The County Manager closed the Public Hearing at 9:46 a.m.

MOTION

Commissioner Ross motioned to approve the Manager's Proposed 2022 Fiscal Year Budget incorporating the changes outlined on the Budget Change List and to adopt the Annual Budget Ordinance to include the creation and adoption of the Avon Service District A at 20 cents and District B at 5 cents.

Vice-Chairman Overman and Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – PUBLIC COMMENTS

At 9:47 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. Liza Yowell, a long-time resident and small business owner spoke in supported of a resolution which was passed by the Board in 2012, No. 12-02-05.
2. Amanda Lotas, resident of Kill Devil Hills, read the referenced resolution entitled, Resolution Opposing United Nations Agenda 21" and outlined predictions by the World Economic Forum concerning the "Great Reset".

The following comment was made in Buxton:

3. Rosa Alice Mayo was opposed to the water increase. She thanked the Board for her COVID shot and asked the Board to address the poor lines and conditions on the roads in Hatteras.

Chairman Woodard stated the NC 12 Task Force had been formed to study the six hot spots and NC 12 highway in order to develop a long-term plan and to seek funding to address the problem areas.

4. Belton Gray questioned whether the "unjust tax" would be repealed after the sand was gone.

Chairman Woodard said the county was fortunate to have a pre and post measurement of sand with beach nourishment projects. He provided the example of the Buxton project in 2018, where application had been made to FEMA for reimbursement of lost sand.

The County Manager closed Public Comments at 10:00 a.m.

**THE BOARD RECESSED AT 10:00 A.M and RECONVENED AT 10:11 A.M.
They began with Item 14 and then continued with Agenda Items 7 through 13.**

ITEM 7 – TED MOSELEY (OUTER BANKS GAS AND LP) CONDITIONAL USE PERMIT

Noah Gillam, Asst. Planning Director, presented the site plan and conditional use application which had been submitted by Ted Moseley on behalf of Outer Banks Gas and LP. This would be for the construction of a liquefied petroleum gas storage, sales and service facility in East Lake. Mr. Moseley provided his consent to having his file entered into evidence, agreed with the material submitted by the Assistant Planning Director, which is on file in the Planning Department, the facts presented by the Planner, and the terms and conditions outlined in the CUP. Mr. Moseley indicated his agreement to the County Manager.

MOTION

Commissioner Bateman motioned to approve the proposed liquefied petroleum gas storage, sales and service facility and site plan submitted by Ted Moseley on behalf of Outer Banks Gas and LP as recommended by the Planning Board.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 8 – HATTERAS ISLAND RESERVE SUBDIVISION – PRELIMINARY PLAT REVIEW

Donna Creef explained there was a 5.25 acre lot in Hatteras Island Reserve Subdivision currently zoned C-2H Commercial. The four residential lots propose a common drive at Hatteras Island Reserve Subdivision. The drive which would be 100 feet was proposed to alleviate and avoid four driveway cuts on NC 12. It would not diminish public health and welfare and the Fire Marshal had reviewed the plat. There would be no parking signs installed along the common drive. Vice-Chairman Overman stated if the drive was 100 feet or less there would not be a turn-around point. Mr. Outten explained it was incumbent upon the owner to provide a manner for trash collection.

MOTION

Commissioner Tobin motioned to recommend preliminary plat approval for the proposed Hatteras Island Reserve Subdivision and concurrence of use of common drive as recommended by the Planning Board.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 9 – DARE COUNTY TOURISM BOARD REQUEST CONSENT EXPENDITURE FROM RESTRICTED FUND EVENT SITE LINE ITEM 4525

Lee Nettles addressed the Board regarding this item. The event site was purchased in 2007 and 2008 with contribution by the Town of Nags Head. A MOU was in place to operate with the town and gave the Tourism Board responsibility for management or any other purchases. The Town held a minority interest and had approached the Board about purchasing their interest in the site. Mr. Nettles explained the MOU would not be affected by the Tourism

Board becoming full owner of the site. In the request, the Tourism Board would pay Nags Head \$600,000 in the current fiscal year with payments of \$100,000 for the next ten years.

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.

The Board discussed the future use of the site as a convention center coupled with a hotel. Mr. Nettles offered consultants had proffered a convention center without a hotel would not be profitable and operate at a deficit. Commissioner Bateman commented Nags Head would no longer have skin in the game under the request for payment. Commissioner Tobin added he would like to see an approved plan for the site.

MOTION

Commissioner Bateman motioned to approve the Dare County Tourism Board Request Consent Expenditure from Fund Event Site Line Item 4525.
The motion failed for lack of a second.

MOTION

Commissioner House motioned to table the item until the August 2, 2021 Board meeting.
Commissioner Tobin seconded that motion
VOTE: AYES unanimous

ITEM 10 – DARE COUNTY TOURISM BOARD REQUEST CONSENT EXPENDITURE FROM RESTRICTED FUND CAPITAL IMPROVEMENTS LINE ITEM 4503

Lee Nettles presented this item which involved engineer redesign of the Roanoke Island Welcome area which was constructed in 2003. They would add some work spaces remodel the server workspace.

MOTION

Vice-Chairman Overman motioned to approve the Dare County Tourism Board Request Consent Expenditure from Restricted Fund Capital Improvements Line Item 4503. .
Commissioner House seconded the motion.
VOTE: AYES unanimous

ITEM 11 – RESOLUTION APPROVING PERMIT MODIFICATIONS FOR DARE COUNTY C&D LANDFILL (Att. #3)

Mr. Outten reviewed the Board had discussed opening the Dare landfill to Hyde and Tyrrell during the budget workshop. It would be necessary to modify the present permits in order for the additional counties to be allowed to deposit items in the landfill.

MOTION

Commissioner Bateman motioned to adopt the resolution approving permit modifications for Dare County C&D Landfill.
Vice-Chairman Overman seconded the motion.
VOTE: AYES unanimous

ITEM 12– 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 (05.17.21) **(Att. #4)**
- 2) Resolution Authorizing the Increase to the Federal Micro-Threshold Purchasing Limit **(Att. #5)**
- 3) NCDOT Right of Way Three Party Encroachment Agreement for Old Wharf Estates Project
- 4) Sediment Testing Grants
- 5) DHHS – Social Services Division, Request to Purchase Northwoods Traverse Software for Use in Adult and Family Services

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 13 – BOARD APPOINTMENTS

1) Juvenile Crime Prevention Council

Commissioner Couch motioned to reappoint Robert Trivett, Molly McGinnis, Vance Hasket, Gail Hutchison, Jennifer Karpowicz, Edward Hall, Jr., Keith Letchworth, Steve House, Laura Twichell, Shelia Davies, Katherine Irby, Marcus Hester-Smith and to appoint Sara Sampson to replace Nancy Griffin as an at-large member.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

2) Manns Harbor Community Center

Commissioner House motioned to reappoint Jennifer Gilbert, Bett Beasley and Vickie Craddock.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

3) Rodanthe-Waves-Salvo Community Center

Commissioner Couch motioned to reappoint Susan Gray and J.W. Kierzkowski.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

4) Land Transfer Tax Appeals Board

Commissioner Tobin motioned to reappoint Jacqueline Ricks-Sample and Lynne McClean.

Commissioner House seconded the motion.

VOTE: AYES unanimous

Vice-Chairman Overman motioned to appoint Rob Rollinson to fill the Commissioner Appointee vacancy.

Commissioner House seconded the motion.

VOTE: AYES unanimous

5) Upcoming Board Appointments

The upcoming Board appointments for July, August and September, 2021 were announced.

ITEM 14 – 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 NC Fisheries Commission activities, which included modifications and reduction in shrimp nets.
- On June 7, 1776, Richard Henry Lee, an American statesman, sent a resolution to the Second Continental Congress calling for the colonies to be free and independent states from Great Britain. It passed both the senate and house and the Declaration of Independence was then written.

Commissioner Ross

- He recognized the 77th anniversary of the invasion of Normandy which was June 6, 1944 and was marked the turning point to stop fascism in Europe.
- He thanked the County Manager, Finance Director and staff for a well done budget.
- Commented on The College of the Albemarle’s topping ceremony and how quickly the steel construction portion of the project had been completed.
- Shared a discussion he had had with a local restaurant owner who credited the difficulty in securing ample staff due to their inability to find affordable housing.

Commissioner Tobin

- He attended the NCGOP convention in Greenville and provided an overview of his discussion with Representative Tim Moore during an excursion of the Oregon Inlet to look at the problems. They also discussed housing, dredging needs and possible long-term waterway solutions with the use of jetties and groins.

Commissioner Couch

- Thanked the staff for the good budget.

Commissioner Bateman

- Reported two young people he knew had recently died of overdoses. He encouraged seeking out professional help or a treatment center. He praised the Board for the Saving Lives Task Force and the appropriation of funds made available to help the community with substance abuse.
- He discussed the need to staff local businesses with current difficulties.
- Thanked the Finance Department for the budget.

Vice-Chairman Overman

- Congratulated the County’s service pin recipients and the graduates who obtained their associate degrees with the Dare scholarship program.
- Thanked the Finance Department for another good budget.

Chairman Woodard stated there were 20,477 individuals fully vaccinated in the county and 21,969 who had received their first dose. Dare County was rated number two in the state for COVID vaccination.

MANAGER’S/ATTORNEY’S BUSINESS

Mr. Outten addressed the water rates. He explained there was a graduated rate in place with a minimum rate. As consumers water use increased, their rate did as well. The 2% increase would calculate an approximate 96 cents per month increase for minimal users. He stated Dare County was among the lowest rates for providers in the Albemarle region.

Dave Clawson provided an update to the Board regarding the American Rescue Plan funds. He stated they could be utilized for affordable housing projects. Funds would have to be committed for use by the end of 2024. Mr. Outten added once the criteria and opportunities for funds were more defined, a CIP meeting could be scheduled to review options.

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

MOTION

Commissioner Tobin motioned to adjourn the meeting.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 11:29 a.m., the Board of Commissioners adjourned until 5:00 p.m., June 21, 2021.

Respectfully submitted,



By: *Cheryl C. Anby*
Cheryl C. Anby, Clerk to the Board

APPROVED:

By: *Robert Woodard Sr.*
Robert Woodard, Sr., 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 the Board.