



COUNTY OF DARE
PO Box 1000. MANTEO, NC 27954

DARE COUNTY BOARD OF COMMISSIONERS

Dare County Administration Building
954 Marshall C. Collins Dr., Manteo, NC

Monday, April 04, 2022

“HOW WILL THESE DECISIONS IMPACT OUR CHILDREN AND FAMILIES?”

AGENDA

- 9:00 AM CONVENE, PRAYER, PLEDGE OF ALLEGIANCE**
- ITEM 1** Opening Remarks - Chairman's Update
- ITEM 2** Service Pins - April 2022
- ITEM 3** Employee of the Month
- ITEM 4** Public Comments
- ITEM 5** Sea Glass Cottages LLC-- Special Use Permit Application #1-2022
- ITEM 6** Trillium Health Resources - Annual Report
- ITEM 7** Zoning Amendment to Allow for the Expansion of Accessory Dwelling Units
- ITEM 8** Outer Banks National Scenic Byway Frisco-Buxton Pathway Committee
- ITEM 9** Outer Banks National Scenic Byway Frisco-Buxton Pathway Committee National Scenic Byway Grant for Building Pathway in Frisco and Buxton
- ITEM 10** DHHS - Social Services Child Support RFP from YoungWilliams
- ITEM 11** Grant Application - South Ferry Channel Corridor Expansion
- ITEM 12** Resolution in Support of the Mid-Currituck Bridge
- ITEM 13** Proclamation - Child Abuse Prevention Month
- ITEM 14** Proclamation - "Week of the Young Child "
- ITEM 15** Proclamation - Public Health Week
- ITEM 16** Proclamation - Fair Housing Month
- ITEM 17** **Consent Agenda**
- 1. Approval of Minutes
 - 2. Dare County Tourism Board Request Consent Expenditure from Short Term Restricted Fund Line Item 5160
 - 3. Sanitation Tipping Fees
 - 4. Budget Amendment for Fines & Forfeitures Special Revenue Fund
 - 5. Budget Amendment - Non-Departmental Fees
- ITEM 18** **Commissioners' Business & Manager's/Attorney's Business**

ADJOURN UNTIL 5:00 P.M. ON APRIL 20, 2022



Opening Remarks - Chairman's Update

Description

Dare County Chairman Robert Woodard will make opening remarks.

Board Action Requested

Informational Presentation

Item Presenter

Chairman Robert Woodard, Sr.



Service Pins - April, 2022

Description

Service pins for the month of April will be presented

Board Action Requested

None

Item Presenter

Robert Outten, County Manager



Employee of the Month

Description

The Employee of the Month Certification will be presented.

Board Action Requested

None

Item Presenter

To Be Determined



Public Comments

Description

The Board of Commissioners encourages citizen participation and provides time on the agenda at every regularly scheduled meeting for Public Comments. This is an opportunity for anyone to speak directly to the entire Board of Commissioners for up to five minutes on any topic or item of concern.

Comments can be made at the Commissioners Meeting Room in Manteo (Administration Bldg., 954 Marshall Collins Drive, Manteo) or through an interactive video link at the Fessenden Center Annex (47013 Buxton Back Road, Buxton).

Board Action Requested

Hear Public Comments

Item Presenter

Robert Outten, County Manager



Sea Glass Cottages LLC-- Special Use Permit Application #1-2022

Description

Sea Glass Cottages LLC has submitted a special use permit application to construct a cluster home group development consisting of 8 dwellings on Sand Street in Salvo Village. A detailed staff report and site plan for the proposal is attached with this cover sheet.

Board Action Requested

Motion to approve draft SUP and site plan--"I move that SUP #1-2022 and associated site plan for the proposed cluster home group development be approved."

Item Presenter

Noah H Gillam, Planning Director




County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

March 22, 2022

MEMORANDUM

TO: DARE COUNTY BOARD OF COMMISSIONERS

FROM: Noah H Gillam 

RE: Sea Glass Cottages LLC Cluster Home Group Development SUP 1-2022 Application

Sea Glass Cottages LLC has submitted a Special Use Permit application for a cluster home development on their property located in Salvo, NC. The property is identified as parcel 028338000 in the Dare County tax records, and is located at 27242 Sand St, in Salvo. The property is zoned S-1 and cluster homes are permitted as a conditional use.

Section 22-31.1 establishes a maximum size limitation of 1200 square feet of heated space for any structure constructed in a cluster home development. There is currently a 900 square foot single family dwelling on the property that the applicant is proposing to relocate on the parcel to allow for the construction of additional dwellings. The applicant is proposing to construct 7, 900 square foot or less 2 bedroom dwellings meeting the requirements of the ordinance. The proposed site plan shows the dwellings being separated by the 15 foot minimum requirement, and each dwelling having one paved, and one gravel parking spaces.

The proposed cluster home development will be accessed directly from Sand St (S.R. 1532). Driveway permits or approvals will need to be obtained from NCDOT and provided to the Dare County Planning Department before construction activities can occur. The site plan has been reviewed by the fire marshal, and the applicant has agreed to install residential sprinkler systems in each of the dwellings to meet the requirements of the fire code. Conditions have been added to the SUP to address these topics.

Section 22-31.1 states that any structure in a cluster home development shall be occupied on a long-term basis as defined in the Zoning Ordinance. Long-term is

defined as a period longer than 31 days. This information should be noted on the site plan and in any homeowners documents created for the property.

A copy of the as-built site plan will need to be recorded in the Register of Deeds once the infrastructure improvements have been completed. If it is the intention to sell the individual footprints of the structures, then homeowners documents will be needed. Only the footprint of the structure can be conveyed to individual owners with the remainder of the site designated as common area.

The proposal was reviewed by the Dare County Planning Board at their March 14, 2022 meeting. The conditions in the draft SUP and site plan were identified by the Planning Board and recommended as reasonable and appropriate conditions to apply to the proposed use. A copy of the site plan and draft SUP are attached to this memo for the boards review.

The notice procedures for quasi-judicial uses established in Section 22-72 of the Dare County Zoning Ordinance were implemented.

Draft Motion: "I move that SUP #1-2022 and associated site plan for the proposed cluster home group development be approved."

Cc: Gary Lake



Special Use Permit No. #1-2022

Dare County Sections 22-27.1, 22-31.1, 22-65, & 22-70

Application of: Sea Glass Cottages LLC

On April 04, 2022 the Dare County Board of Commissioners considered the application of the Petitioner above named which application is on file with the Dare County Planning Department, and the Board finds as follows:

1. That the written application of Petitioner with attachments has been duly submitted to the Dare County Planning Department as required by Section 22-65 of the Dare County Code (hereinafter referred to as "Code");
2. That the application substantially complies with the requirements of the Code in that it requests uses permitted by special use permit under the Code subject to the quasi-judicial procedures set forth in Section 22-70, including; Cluster Home Developments
3. The subject property is zoned S-1. This property is identified on the Dare County tax records as PARCEL 028338000 and located in the Salvo Tax District.
4. That the Dare County Board of Commissioners is empowered under sections of the Code set out above to approve special uses and apply reasonable and appropriate conditions;
5. That the notice procedures of Section 22-72 of the Code have been implemented in the review of this Special Use Permit;
6. That upon the evidence received, the testimony presented, and the submitted written record, there are sufficient facts to support the issuance of this Special Use Permit according to the following terms and conditions:

SPECIAL USE: A Cluster Home Group Development consisting of 8 residential structures. One of the structures is an existing structure that will be incorporated into the cluster home development, and the remaining 7 structures shall be constructed. A site plan depicting the proposed improvements identified as Appendix B is included as part of this permit.

CONDITIONS:

1. The cluster home group development shall operate as prescribed in the definition set forth in Section 22-31.1 of the Dare County Zoning Ordinance. The structures shall be constructed as depicted on the Appendix B and shall not be occupied or rented on a short-term basis (less than 30 days) as defined in Section 22-2 of the Dare County Zoning Ordinance.
2. All structural improvements shall be located in the dwelling footprints as recorded on the final plat. The conditioned space of each structure shall not exceed 1200 square feet in area.
3. The structures shall be located on the parcel in conformance with the setbacks of Section 22-27.1 and Section 22-31.1 of the Zoning Ordinance and the Dare County Flood Damage Prevention Ordinance.
4. A final site plan of the cluster home development depicting the footprint areas shall be recorded in the Register of Deeds. The cluster home sites may be transferred to individual owners with the remaining of the site dedicated as common area owned by a homeowners association or other similar entity. A copy of the signed special use permit shall be recorded with the final site plan.
5. Building permits for the structures shall be secured within 36 months from date of Board of Commissioners approval. An as-built survey for the property shall be submitted to the Planning Department upon the completion of all of the structures to confirm compliance with the terms of the Dare County Zoning Ordinance. If the developer chooses to construct the structures at different times, then individual as-built surveys for each structure shall be required before any structure is certified for occupancy.
6. All structures shall be installed with a residential fire suppression system that meets the requirements of the Dare County Fire Marshal and NC Fire Code.
7. Driveway permits or approvals from NCDOT shall be provided to the Planning Department before building permits will be issued.
8. There shall be no staging of equipment or materials in or along the right-of-way of Sand St.
9. No changes or deviation from the terms and conditions of the special use approval shall be made until written approval of the proposed changes or deviations has been obtained from Dare County. The quasi-judicial procedures set forth in the Code shall be followed for the

review and approval of major modifications. Minor modifications as established in Section 22-70 of the Code may be authorized administratively by the Planning Director.

10. A violation of this Permit shall be a violation of the Code and the special use may be revoked by the Board of Commissioners. Special use approval shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any development regulation or any State law delegated to Dare County for enforcement purposes; or for false statements or misrepresentations made in securing special use approval. The same process for approval of a special use permit, including notice and hearing, shall be followed in the revocation of a special use permit.

11. All other terms and provisions of the Dare County Zoning Ordinance shall remain in full force and effect except as herein specifically permitted otherwise;

This 4th day of April 2022

SEAL:

COUNTY OF DARE

By: _____
Robert L Woodard Sr.
Dare County Board of Commissioners

ATTEST:

By: _____
Cheryl Anby
Clerk to the Board

THIS PERMIT AND THE CONDITIONS HEREIN ARE ACCEPTED

By: _____
Sea Glass Cottages LLC

APPROVED AS TO LEGAL FORM

By: _____
Robert L Outten
County Attorney



COUNTY OF DARE
Department of Emergency Management
Office of the Fire Marshal
P.O. Box 1000, Manteo, North Carolina, 27954

Steven R. Kovacs, NC-CFI
Deputy Emergency Manager/Fire Marshal

(252) 475-5750

To: Noah Gillam
From: Steven R. Kovacs, Fire Marshal
Date: March 7, 2022
Re: Sea Glass Cottages Cluster Home Development

I have reviewed the submitted plans for the Sea Glass Cluster Home Development on Sand Street in Salvo and have the following comments:

Based on the current plan, the needed water fire flow requirement is 1,000 gallons per minute due to the structures only being 15-feet apart. A recent waterflow test that I completed in the area only afforded 876-gallons per minute.

There are two options for the developer.

1. The developer can increase the space between the structures to be 21-feet or greater.
2. In a conversation with Mr. Lake after my initial review of the plan we discussed other options beside the separation. We discussed the installation of NFPA 13D (dwelling) sprinkler system in each of the units. As an alternative method to achieve Mr. Lake's plan I would approve this project with the installation of NFPA 13D sprinkler system in each of the units in lieu of the separation as noted above. This system must meet the requirements of NFPA 13D and applicable sections of the North Carolina Building and Fire Codes. These systems must also be maintained in accordance with NFPA 13D and 25.

If you have any questions please don't hesitate to contact me.



Trillium Health Resources - Annual Report

Description

Trillium Health Resources is a LME/MCO (Local Management Entity/Managed Care Organization) that provides mental health, intellectual and developmental disability and substance use services to twenty-six counties in eastern North Carolina including Dare County.

A report will be given to the Board of Commissioners on the services that Trillium Health Resources provides to the people of Dare County.

Board Action Requested

None - Informational Presentation

Item Presenter

Dave Peterson, Trillium Health Resources, Central Regional Director



Zoning Amendment to Allow for the Expansion of Accessory Dwelling Units

Description

In January the Dare County Board of Commissioner requested that the Dare County Planning Board and Planning Staff revisit the Accessory Dwelling Unit Ordinance and draft new language that would extend the ADU regulations to districts that are zoned single family residential. A detailed staff report and associated recommended zoning amendments are attached with this cover sheet.

Board Action Requested

Review draft amendments and schedule public hearing on April 20, 2022 at 5:00 P.M.

Item Presenter

Noah H Gillam, Planning Director



County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

March 24, 2022

MEMORANDUM

TO: DARE COUNTY BOARD OF COMMISSIONERS

FROM: Noah Gillam *ahg*

RE: Expansion of the Accessory Dwelling Units to areas Zoned R-1 Single Family Residential & ELNH East Lake Natural Historic

In January the Dare County Board of Commissioner requested that the Dare County Planning Board revisit the Accessory Dwelling Unit Ordinance and draft new language that would extend the ADU regulations to districts that are zoned single family residential. This request was made to address the housing crisis and create more long term housing options throughout unincorporated Dare County.

Planning Staff conducted a review of the single family zoning districts and was able to determine that the R-1 Residential and East Lake Natural Historic districts represent the best potential for construction of ADUs without encountering environmental constraints or conflict with existing homeowners restrictive covenants. Since that time the Planning Board and Planning Staff have worked on the amendments and developed a set of recommendations for the Board to consider.

In the planning board discussion a number of conditions were reviewed for the R-1 district, including increased lot size requirements, a decrease in the allowable lot coverage, roadway access requirements, and procedures for administration of regulations to document the absence of restrictive covenants that may conflict with zoning regulations. The planning board agreed to keep the lot coverage and lot size requirements in the R-1 consistent with the existing ADU language that was adopted in 2018 when ADUs were added to the multifamily districts. In the discussion the planning board agreed to add standards for ADUs in the R-1 requiring them to be accessed from state maintained roads/private roads/publicly dedicated road/ and/or 20' easement.

A draft condition was proposed for ADUs in the R-1 that would require a property owner with a parcel in a subdivision planning to construct a ADU to provide documentation from an attorney outlining title research and stating a conclusion of whether or not a

covenant applies to the property that would prohibit the construction of an ADU. During the discussion board members were concerned that this language added the potential for additional financial cost to property owners, and could possibly create conflict using the scenario of attorneys interrupting the same covenants differently. Language was then discussed that would allow the homeowner to provide a copy of the covenants to planning staff to interrupt if the covenants would allow or restrict the construction of an ADU. Staff indicated that it was not the planning department responsibility to interrupt or enforce covenants. The planning board directed staff to get the County Attorneys interruption of the proposed language, and whether or not it should be included in the proposed amendment.

In staff discussion with the County Attorney, he indicated that it is not the responsibility of the county to interrupt or enforce homeowners association restrictive covenants, and stated that the language should be omitted and the burden of enforcement is the responsibility of the HOA. The county attorney used the example of subdivision having greater setbacks than the zoning district, and that during plan review if the setbacks meet the requirements of the zoning ordinance the county is required by law to issue the permit.

During the planning board review of the proposed text amendment to the ADU language the board recommended the proposed draft language for the ELNH be kept consistent with the existing ADU language that is currently in place for the other zoning districts in East Lake that allow ADUs.

The Planning Board on March 14, 2022 voted unanimously to recommend favorable action of the amendments to the ADU ordinance and associated zoning districts. The Planning Board found that the proposed text amendments are consistent with the policies of the 2009 Dare County Land Use Plan, specifically LUC #4. The recommend proposed text amendments and policy LUC #4 are attached to this memo for the Boards review.

Before the Board can act on the proposed ADU amendments, a public hearing must be held. The first available date is April 20, 2022.

Draft Motion: "I move that a public hearing on the proposed amendments to Accessory Dwelling Unit ordinance and associated zoning districts be held on April 20, 2022 at 5:00 p.m."

SECTION 22-58.6 - ACCESSORY DWELLING UNITS (Adopted 10-15-2018)

An accessory dwelling unit (ADU) may be located on a residential lot in the following zoning districts:

Hatteras Island: **R-1**, R-2, R-2A, R-2H, R2-AH C-2, C2-H, C-3, I-1, S-1

Colington/KDH Outside: R-2, R2-B, VC-2, C-3

Manteo Outside: RS-6, RS-8, R-2, R-3, C-3, I-1, SNC

Wanchese: WR-1, VR, BT, RB, NC MLM, WVC, MC-1, MC-2, and Highway 345

Manns Harbor: MH-A, MH-B

East Lake: ELR, ELVC, ELCS, **ELNH**

The following standards shall apply to all ADUs except for those districts in Wanchese and East Lake which have ADU standards included as part of the district regulations.

1. Only one ADU may be permitted per lot in conjunction with a principal dwelling unit. The residential lot may contain other accessory

2021 S-13

structures as authorized by the applicable zoning district. The construction of an ADU on a lot does not constitute a group housing development as established in [Section 22-31](#) of the Dare County Zoning Ordinance.

2. An ADU may be attached to a primary dwelling unit or may be a detached separate structure. An ADU shall not exceed 50% of the floor area of the primary use structure or a maximum of 1200 square feet of heated and non-heated space unless the applicable zoning district for the lot establishes a different ADU maximum size limitation. The size limitation shall not apply if existing floor area within a primary dwelling unit is internally remodeled or existing interior space is converted for use as an ADU.

3. Lot coverage – Lot coverage may be increased for the footprint area of an ADU but in no instance shall lot coverage exceed 38% to accommodate the construction of an ADU unless the applicable zoning district for the lot establishes a different ADU lot coverage limitation. No increase in lot coverage is authorized for those ADUs that are located within the interior of an existing structure. This increase in lot coverage is for the ADU structure and shall not be used for other structures or impervious coverages. If existing lot coverage of the property exceeds 38%, then reductions in lot coverage shall be made in order to accommodate the ADU.

4. Two 10' x 20' parking spaces shall be provided on the residential lot outside of any dedicated right-of-way or access easement. Parking shall be of permeable surfaces as allowed for single family dwellings in [Section 22-56](#) of the Dare County Zoning Ordinance. The location of the ADU parking shall be approved by the Dare County Planning Department during the permit review process. Existing parking may be used if excess parking for the primary dwelling unit is available.

5. Any ADU shall be constructed according to NC State building codes and Dare County floodplain management regulations.
6. Recreational vehicles, travel trailers and/or manufactured homes shall not be used or approved as an ADU.
7. An ADU shall be located on a residential lot according to the applicable principal dwelling use setbacks. An existing accessory structure may be converted to an ADU if compliance with the principal dwelling setbacks, ADU size limitation, and applicable Dare County floodplain management regulations can be met. Any ADU shall be constructed to be compliant with the building height of the applicable zoning district.
8. Any ADU approved under these guidelines shall be used for long-term occupancy as defined in Section [22-2](#) of the Zoning Ordinance. Any ADU approved under these guidelines shall not be used for commercial or business activity. However, this limitation shall not prevent the ADU from being authorized as a home occupation according to the definition in Section [22-2](#).
9. An ADU shall not be subdivided or segregated in ownership from the principal dwelling unit. (Adopted 10-15-2018)

The following standards shall apply to ADUs only located in the R-1 zoning districts.

- 1. Any ADU constructed in the R-1 shall be accessed from a state maintained road, private road, publicly dedicated road, and/or a 20' easement.***

SECTION 22-21 - R-1 LOW DENSITY RESIDENTIAL DISTRICT

The following regulations shall apply to the R-1 low-density residential district:

(a) Intent. The R-1 district is intended to encourage the development of permanent low-density residential neighborhoods. These districts are located primarily in areas susceptible to environmental damage from more intensive uses of the land.

(b) Permitted uses. The following uses shall be permitted by right:

(1) Detached single-family dwellings, not to include mobile homes.

(2) Customary accessory buildings, including private swimming pools and tennis courts.

(3) County owned or leased facilities.

(4) *Accessory dwelling unit according to the provisions of Section 22-58.6 of this code.*

SECTION 22-16.3 - EAST LAKE NATURAL HISTORIC DISTRICT (ELNH) (Adopted 4-15-2013)

(a) Scope and intent. The East Lake Natural Historic district is established to provide for the protection and enhancement of those areas within the County which are significant as places of natural beauty or are areas with local or national historical significance. It is the intent of this chapter to encourage reasonable public and private uses and development within these areas.

(b) Permitted uses. The following uses shall be permitted by right:

(1) Detached single-family dwellings, not to include mobile homes.

(2) Customary accessory buildings, including private swimming pools and tennis courts.

(3) Churches and cemeteries. This shall also include other associated church facilities including recreational structures, childcare facilities, and overnight lodging.

(4) Museums.

(5) Wildlife refuges, game preserves, botanical gardens and natural preservation areas.

(6) Historic sites.

(7) State and natural parks.

(8) County owned or leased facilities.

(9) *Accessory dwelling unit associated with principal residential use subject to compliance with all supplementary local, state, and federal permit approvals and in addition to the following:*

a. An accessory dwelling unit may be attached to the principal residence or may be detached from the principal residence. The size of an accessory dwelling unit, whether attached or detached from the principal residence, shall not exceed 900 square feet of heated space.

b. An accessory dwelling unit, whether attached to or detached from the principal residence, shall be located on the site in conformance with the building setbacks of this zoning district.

c. One additional off-street parking space shall be required.

d. Travel trailers and recreational vehicles shall not be used as accessory dwelling units.

e. Accessory dwelling units may be used for home occupations as defined Section [22-2](#) of the Dare County Zoning Ordinance.

Another issue that has increased in frequency of complaints since the 2003 LUP update is the issue of junked and abandoned vehicles. The County Code of Ordinances includes a junked and abandoned vehicle ordinance that is outdated and extremely cumbersome to enforce. The issue is complicated by the lack of a storage yard available for the relocation of junked and/or abandoned vehicles once removed from private property. In larger metropolitan areas, local governments often own and maintain vehicle yards for the storage of junked vehicles. This is not the case in Dare County where County owned lands are dedicated to other uses such as schools, office buildings, and infrastructure needs. The vehicle storage yards are often the source of contaminants in stormwater which is another concern. As Dare County continues to grow and become more developed, updating the County's junked and/abandoned vehicle ordinance to include alternatives to the traditional removal and mass storage may be needed.

Policy LUC #3

Residential structures shall be the preferred land use in unincorporated Dare County for both seasonal accommodations and permanent housing. All new residential structures, whether attached or detached, are encouraged to be on a scale that is consistent with existing neighborhood patterns of development.

Implementation Strategy:

1. Administration of existing regulations of the Dare County Zoning Ordinance for minimum lot size, dwelling density, building height and other standards for residential development. Changes in wastewater technology, improved construction practices for "green" buildings, market conditions, and demographic trends should be examined periodically to ensure that the standards of the Dare County Zoning Ordinance are not obsolete and recognize newer technologies that may benefit our existing communities. (2010-2015).

Policy LUC #4

To address the housing needs of the year-round population, multi-family dwellings and other types of residential structures such as accessory use dwellings, are considered appropriate alternatives when located in areas zoned for multi-family structures and constructed on lots or parcels greater than the minimum lot size for single family lots established in the individual zoning districts of the Dare County Zoning Ordinance. This diversification of housing opportunities is important to address the needs of Dare County's workforce.

Implementation Strategy:

1. Administration of Family Housing Incentive Standards (section 22-58.2) of the Dare County Zoning Ordinance to address workforce housing needs. (2010-2015)



*Outer Banks National Scenic Byway
Frisco-Buxton Pathway Committee*

Description

The Outer Banks National Scenic Byway Committee for Dare and Frisco-Buxton Pathway Committee request adoption of a resolution to be forwarded to the General Assembly to set a referendum about creating a Frisco-Buxton Pathway District for the levy and collection of an annual special ad valorem tax on all taxable real and personal property in the district for the purpose of constructing and maintaining village pathways.

Board Action Requested

Presentation - adopt resoluton

Item Presenter

Mary Helen Goodloe-Murphy, Laura Ertle

**OUTER BANKS NATIONAL SCENIC BYWAY
FRISCO-BUXTON PATHWAY COMMITTEE**

P.O. Box 147, Rodanthe, NC 27968

April 4, 2022

Dare County Board of Commissioners
954 Marshall C. Collins Drive
P.O. Box 1000
Manteo, NC 27954

Re: Creating a Tax District for Frisco-Buxton Pathways

Dear Commissioners:

We are writing to request your support for creating a tax district to fund construction and maintenance of pathways in Frisco and a portion of Buxton.

On Feb. 10, 2022, the Outer Banks National Scenic Byway Committee for Dare County Frisco-Buxton Pathway Committee convened and, by consensus, agreed to ask the Dare County Board of Commissioners to request the North Carolina General Assembly authorize an election to create a Frisco-Buxton Pathways District for the purpose of constructing and maintaining pathways in the villages.

Included with this letter is a draft of local legislation for submission to the county's North Carolina Representative and Senator for introduction in the General Assembly and a draft Resolution of Support for consideration by the board.

The Frisco-Buxton pathway plan calls for 7.6 miles of a five-foot wide, concrete pathway in the NCDOT NC 12 right-of-way. The pathway runs from the National Park Service's Frisco Bathhouse to the Valero Filling Station at 47237 NC 12, Buxton, which is across from Dare County's Fessenden Center Annex on Buxton Back Road.

Thank you for considering our request.

Sincerely,



Mary Helen Goodloe-Murphy
For Outer Banks National Scenic Byway Committee for Dare County
Frisco-Buxton Pathway Committee

NORTH CAROLINA GENERAL ASSEMBLY
2022 SESSION

AN ACT TO PROVIDE FOR AN ELECTION IN THE COMMUNITIES OF FRISCO AND
BUXTON IN DARE COUNTY ON THE QUESTION OF CREATING THE FRISCO-
BUXTON PATHWAY DISTRICT AND FOR THE LEVY AND COLLECTION OF AN AD
VALOREM TAX FOR THE CONSTRUCTION AND MAINTENANCE OF PATHWAYS

The General Assembly of North Carolina does enact:

Section 1. The Board of County Commissioners of Dare County is hereby authorized to call an election in that area of Dare County known as the villages of Frisco and Buxton as specifically described hereinafter in this Act, for the purpose of submitting to the voters therein the single issue of establishing the Frisco-Buxton Pathway District in said area and the levying and collecting annually of a special ad valorem tax on all taxable real and personal property in the proposed area and district for the purpose of constructing and maintaining village pathways as set forth in Section 5 of this Act. The tax levied and collected for the purpose herein specified shall not exceed five cents (5¢) on each one hundred dollars (\$100.00) taxable valuation of the property in the area. The area in Dare County to be included in the proposed Frisco-Buxton Pathway District, and to which this Act applies and in which said election is to be held, is more specifically described as follows:

“All that area lying within the boundaries of Hatteras Township, in Dare County, North Carolina, known as the Frisco-Buxton Pathway District and also known as the Frisco Election Precinct and a portion of the Buxton Election District, and also including all of the area of the village and community of Frisco and a portion of the area of the village and community of Buxton.”

Sec. 2. For the election called as provided in Section 1 of this Act by the Board of County Commissioners, the Board of Elections of Dare County shall provide one or more polling places in said district in its discretion, shall provide for a registrar or registrars and judges of the election at said voting place or places, shall provide for the registration of all qualified voters living in said district, shall cause to be prepared the necessary ballots for voting at said election, shall fix the time and place for the holding of the same, and shall conduct said election in every other respect according to the provisions of the laws of the State of North Carolina governing general elections so far as they may be applicable. The Board of Elections of Dare County shall determine and declare the results of the said election and certify the same to the Board of County Commissioners of Dare County and the same shall thereupon be spread upon the minutes of the said board.

Sec. 3. The form of the ballot to be used at said election shall be designated “Official Ballot”, the area in which said election is held and the date thereof, and shall contain instructions as to voting for and against the question submitted which shall be written in the following form:

“FOR creation of the Frisco-Buxton Pathway District and the levy of an ad valorem tax not to exceed five cents (5¢) on the one hundred dollar (\$100.00) taxable valuation for the construction and maintenance of village pathways.”

“AGAINST creation of the Frisco-Buxton Pathway District and the levy of an ad valorem tax not to exceed five cents (5¢) on the one hundred dollar (\$100.00) taxable valuation for the construction and maintenance of village pathways.”

A square shall be provided opposite and to the left of the word “FOR” where the question is printed on the ballot and a square shall be provided to the left of the word “AGAINST”. The ballot shall contain the facsimile signature of the Chairman of the Board of Elections of Dare County.

Sec. 4. If a majority of the qualified voters voting at said election shall vote in favor of creating the Frisco-Buxton Pathways District and the levying of an ad valorem tax for the construction and maintenance of village pathways as provided by this Act, the Board of County Commissioners of Dare County shall upon receipt of the certification of the results of said election from the Dare County Board of Elections, adopt a resolution creating the Frisco-Buxton Pathways District, and shall file a copy of the said resolution so adopted with the Clerk of the Superior Court of Dare County. Upon the creation and establishment of the Frisco-Buxton Pathways District, the Board of County Commissioners of Dare County is hereby authorized and directed to levy and collect an ad valorem tax in said district in such amount as it may deem necessary and requisite, not exceeding five cents (5¢) on each one hundred dollar (\$100.00) valuation of taxable property in said district from year to year, and shall cause the same to be kept in a separate and special fund, to be used only for the construction and maintenance of village pathways within said district, as provided by Section 5 of this Act.

Sec. 5. The Frisco-Buxton Pathways District shall constitute a political subdivision of the State of North Carolina, and shall be a body corporate and politic, exercising public power. The Frisco-Buxton Pathways District be and it is hereby authorized and empowered to construct and maintain village pathways for the use and benefit of all the residents of the district by providing pathways for the general use of residents of the district in all matters relating to the improvement of the general health and welfare of said district and all matters of community interest. The district and its governing body shall have the following powers:

- (1) To acquire and hold title to the Frisco-Buxton pathways and any other real or personal property which may be acquired by the Frisco-Buxton Pathways District by purchase, gift, donation, contribution, or otherwise.
- (2) To sell, convey, and dispose of any real or personal property owned by the Frisco-Buxton Pathways District, acquired from any source whatsoever.
- (3) To plan, construct and maintain pathways owned by the Frisco-Buxton Pathways District, and to improve, manage and maintain and control all real and personal property owned by the Frisco-Buxton Pathways District or under its supervision and control.
- (4) To borrow money for construction of pathways in the Frisco-Buxton Pathways District.
- (5) To employ such officers, agents, consultants, and other employees as it may desire, and to determine their qualifications, duties and compensation.

(6) To expend the funds collected by the special tax provided by this Act and any and all other funds coming into the hands of the governing body thereof by gift, donation, contribution, or otherwise, for the construction and maintenance of the Frisco-Buxton pathways.

(7) To do any and all other acts and things reasonably necessary and requisite to the construction and maintenance of the Frisco-Buxton pathways in accordance with the provisions of this Act.

Sec. 6. The governing body of the Frisco-Buxton Pathways District shall be a Board of Trustees composed of five bona fide residents or business owners of the villages of Frisco and Buxton. Upon the creation and establishment of the Frisco-Buxton Pathways District, as provided in this Act, members of the Board of Trustees shall be appointed by Board of County Commissioners and shall hold office for a period of three years. All vacancies that occur, whether by death, resignation, or otherwise, shall be filled by appointment of the Board of County Commissioners for the unexpired term of the person creating the vacancy. Each appointee shall qualify by taking an appropriate oath to well and truly execute the duties of this office according to the best of the trustee's skill and ability, according to law. The members of the Board of Trustees are hereby authorized to select from their number a chairman and a vice chairman. The Board of Trustees may also select a treasurer and secretary, which said offices may be combined and held by one person, such office of secretary and treasurer may be held by a person or persons other than a member of the Board of Trustees. A simple majority of the governing board shall constitute a quorum for the purpose of transacting business of the Board of Trustees, an approval by the majority of those present shall be adequate for determination of any matter before the governing board, provided at least a quorum is present. Regular annual meetings of the Board of Trustees shall be held, and a meeting or meetings thereof may be called at any time by the chairman or by any two members of the board. Any member or members of the Board of Trustees may for cause be removed by the Board of County Commissioners of Dare County.

Sec. 7. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 8. This Act shall be in full force and effect from and after its ratification. In the General Assembly read three times and ratified, this the _____ of _____, 2022.



**Resolution
Supporting the Creation of
Frisco-Buxton Pathway District**

WHEREAS, the Outer Banks National Scenic Byway Committee for Dare County has been working toward implementing a “Conceptual Plan for Pathways in all Hatteras Island Villages” since 2003; and

WHEREAS, Dare County Board of Commissioners endorsed the plan August 7, 2006 and November 2007; and

WHEREAS, byway pathways are now built in Rodanthe, Waves, Salvo, Avon and along Buxton Back Road and in Hatteras village by the village’s Community Building Tax District; and

WHEREAS, these pathways provide residents and visitors public safety options for children, bike riders, runners, walkers and workers; and

WHEREAS, these pathways have proven to be an attractive amenity for the villages’ visitors so critical to Hatteras Island’s economy; and

WHEREAS, the last section of Hatteras Island without pathways is Frisco and Buxton; and

WHEREAS, a feasibility study, sponsored by North Carolina Department of Transportation, was accepted by the Dare County Board of Commissioners August 19, 2019; and

WHEREAS, the Frisco-Buxton Pathway Committee is committed to seeking out state and federal grants for the planning, and construction of pathways; and

WHEREAS, while the project is listed in NCDOT’s State Transportation Improvement Program, Frisco-Buxton Pathway Committee has little hope that the project will be funded under the existing point system;

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners endorses the request to the North Carolina General Assembly to authorize an election to consider creating the Frisco-Buxton Pathways District and the levying and collecting annually a special ad valorem tax on all taxable real and personal property in the district for the purpose of constructing and maintaining village pathways.

This the 4th day of April, 2022.

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



*Outer Banks National Scenic Byway
Frisco-Buxton Pathway Committee
National Scenic Byway Grant for building pathway in Frisco and Buxton*

Description

Outer Banks National Scenic Byway asks the Dare County Board of Commission to file a Letter of Intent today and submit a grant application by April 20 for a \$2 million project to build 4.41 miles of pathway in Frisco and Buxton. The Dare County Board of Commissioners is also asked to send a request to the Dare County Tourism Board for \$200,000 in matching funds for the first phase of the project.

Board Action Requested

Board of Commissioners agree to submit a Letter of Intent and Grant Application for a National Scenic Byway Program grant, authorizing the County Manager to sign said application and agree for the Chairman to send a request for matching funds to the Dare County Tourism Board.

Item Presenter

Mary Helen Goodloe-Murphy, Laura Ertle

MEMORANDUM

TO: Dare County Board of Commissioners

FROM: Outer Banks National Scenic Byway Committee for Dare County
Frisco-Buxton Pathway Committee

DATE: April 4, 2022

RE: Applying for National Grant to build NC 12 pathway in Frisco and Buxton

For the first time in nine years, the National Scenic Byway program has announced a grant program. Funds total \$22 million. The announcement was made March 16, 2022.

A Letter of Intent is required to be submitted today. With this memorandum is a document with the content proposed to be submitted

Dare County is the applicant for the grant. The committee seeks authorization for Dare County to submit the electronic Letter of Intent document and submit the application for review by the North Carolina Department of Transportation by April 20 and submission to the national program by May 19.

The project proposal will build 4.41 miles running from Cape Hatteras Secondary School in Buxton to Piney Ridge Road in Frisco. The application will describe a \$2 million project.

Included with this memorandum is a draft letter to the Dare County Tourism Board requesting a \$200,000 long-term unappropriated grant for matching funds for the first phase of the project.

The committee asks that the Board of Commissioners agree to submit the Letter of Intent and Grant Application and agree to send the request for matching funds to the Dare County Tourism Board.

Federal Highway Administration
National Scenic Byways Program Letter of Intent

Overview

The 2022 National Scenic Byways Program (NSBP) Notice of Funding Opportunity (NOFO) solicitation strongly encourages applicants to submit a Letter of Intent for each grant application by (1) filling out the following PDF form and (2) emailing the completed form to scenicbyways@dot.gov no later than 4:00 p.m., Eastern Standard Time, on April 4, 2022.

Letters of Intent are optional but strongly encouraged so that the Federal Highway Administration (FHWA) review panels, comprised of relevant subject matter experts, may be organized in advance of receipt of final proposals.

Instructions

Please fill out the information below and email a completed form to scenicbyways@dot.gov by 4:00 p.m., Eastern Standard Time, on April 4, 2022.

Please submit your responses directly in the PDF form and do not include attachments with your completed form. If you are intending to apply for more than one NSBP grant, you must submit a separate Letter of Intent for each grant.

After a Letter of Intent is submitted, you may change the goal or project type of the project being applied for and describe the change in the final application.

If you have any questions, please contact: scenicbyways@dot.gov

For more information, visit: https://www.fhwa.dot.gov/hep/scenic_byways/

Project Information

1. Identify the State government or Indian Tribe applying for funding:

North Carolina

2. Name and contact information for the application point of contact:

Robert L. "Bobby" Outten, County Manager

Dare County, North Carolina

954 Marshall C. Collins Dr.

P.O. Box 1000

Manteo, NC 27954

Telephone: 252-475-8511

Email: Outten@darenc.com

3. Any cooperating or partner entities involved in or likely to be involved in the funding and/or implementation of the project:

County of Dare, North Carolina

Dare County Tourism Board

Outer Banks National Scenic Byway Committee of Dare County

Frisco-Buxton Pathway Committee

Cape Hatteras Electric Cooperative

North Carolina Department of Transportation, Division 1

National Park Service, Cape Hatteras National Seashore

Multiple individuals and business donors

4. Name of the byway impacted by the proposed project:

Outer Banks National Scenic Byway

5. Designation type of the byway impacted by the proposed project (e.g., National Scenic Byway, All-American Road, State scenic byway, or Indian Tribe scenic byway):

National Scenic Byway

6. Name/title of proposed project:

Frisco-Buxton Pathway Project

7. Provide an abstract (250 maximum word count) summarizing work that would be completed under the proposed project. The abstract must succinctly describe how this specific request for NSBP funding would be used to complete the proposed project.

The Frisco-Buxton pathway plan calls for 7.6 miles of a five-foot wide, concrete pathway in the right-of-way of NCDOT NC 12, which is the only transportation corridor for all of Hatteras Island.

The completed pathway will run from the National Park Service's Frisco Bathhouse to a filling station at 47237 NC 12 in Buxton. The project end point is across Buxton Back Road from an existing pathway that connects to the entrance to another National Park Service facility, the historic Cape Hatteras Lighthouse.

The project has 10 identified sections. An Open House was held March 21, 2019 during a feasibility study. Attendees were asked to choose one of three options of sections to build first. The group overwhelmingly chose the central sections to provide an off-road pathway between Cape Hatteras Secondary School of Coastal Studies and Frisco.

The application to be submitted will request funding to completely build (1) 2.17 miles of pathway from the school to N. Buccaneer Drive; and (2) 2.24 miles of pathway from N. Buccaneer Drive to Piney Ridge Road.

The application will request 80% funding from the National Scenic Byway program funds adding a locally provided 20% match for a total of \$2 million.

8. Identify the goal under which the proposed project aligns with:

- (1) Safety
- (2) Equity and Accessibility
- (3) Economic Strength
- (4) Climate and Sustainability

Safety: "Make our transportation system safer for all."

Accessibility: "...promote affordable and accessible options that foster opportunity for all across urban, suburban and rural areas."

Climate and Sustainability: "...reducing transportation-related greenhouse gas emissions and building more resilient infrastructure."

9. Identify the primary project type under which the proposed project aligns with:

- (1) An activity related to the planning, design, or development of a State or Indian Tribe scenic byway program.
- (2) Development and implementation of a corridor management plan to maintain the scenic, historical, recreational, cultural, natural, and archaeological characteristics of a byway corridor while providing for accommodation of increased tourism and development of related amenities.
- (3) Safety improvements to a State scenic byway, Indian Tribe scenic byway, National Scenic Byway, All-American Road (collectively America's Byways®) to the extent that the improvements are necessary to accommodate increased traffic and changes in the types of

vehicles using the highway as a result of the designation as a State scenic byway, Indian Tribe scenic byway, National Scenic Byway, or All-American Road.

(4) Construction along a scenic byway of a facility for pedestrians and bicyclists, rest area, turnout, highway shoulder improvement, overlook, or interpretive facility.

(5) An improvement to a scenic byway that will enhance access to an area for the purpose of recreation, including water-related recreation.

(6) Protection of scenic, historical, recreational, cultural, natural, and archaeological resources in an area adjacent to a scenic byway.

(7) Development and provision of tourist information to the public, including interpretive information about a scenic byway.

(8) Development and implementation of a scenic byway marketing program.

No. 4: “Construction along a scenic byway of a facility for pedestrians and bicyclists, rest area, turnout, highway shoulder improvement, overlook, or interpretive facility.”

10. If applicable, the additional project types identified:

No. 5: An improvement to a scenic byway that will enhance access to an area for the purpose of recreation, including water-related recreation.



County of Dare

Office of the Board of Commissioners

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5700

Robert Woodard
Chairman

Wally Overman
Vice Chairman

Rob Ross
Steve House
Jim Tobin

Danny Couch
Ervin Bateman

Robert L. Outten
County Manager / Attorney

Cheryl C. Anby
Clerk to the Board

April 4, 2022

Dare County Tourism Board
One Visitor Center Circle
Manteo, NC 27968

Re: Matching Funds for Frisco-Buxton Pathway Project

Dear Board Members:

On behalf of the Outer Banks National Scenic Byway, the Dare County Board of Commissioners seeks matching funds for constructing a portion of the planned pathway in Frisco and Buxton.

For the first time in nine years, the National Scenic Byway Program has a nationwide grant program with funds totaling \$22 million. The program was announced March 16, 2022. A Letter of Intent to apply for a grant is due April 4, 2022. The grant application must be submitted by April 20 the North Carolina Department of Transportation for review. The national application deadline is May 16, 2022.

Overall, the Frisco-Buxton pathway plan calls for 7.6 miles of a five-foot wide, concrete pathway in the right-of-way of NCDOT NC 12. The completed pathway will run from the National Park Service's Frisco Bathhouse to a filling station at 47237 NC 12 in Buxton. The project end point is across Buxton Back Road from an existing pathway that connects to the entrance to another National Park Service facility, the historic Cape Hatteras Lighthouse.

An Open House was held March 21, 2019, during a feasibility study. Attendees were asked to choose one of three options of sections to build first. The group overwhelmingly chose the central sections to provide an off-road pathway between Cape Hatteras Secondary School of Coastal Studies and Frisco.

The application to be submitted will request funding to build 4.41 miles of pathway along NC 12 from Cape Hatteras Secondary School to Piney Ridge Road.

The national grant program will provide 80% funding for the project and requires 20% matching funds. The application will submit a request for \$2 million. The commissioners are asking the Dare County Tourism Board for a long-term, unappropriated grant of \$200,000 for the first \$1 million phase of the project.

Sincerely,

Robert L. Woodard Sr., Chairman
Dare County Board of Commissioners



DHHS - Social Services Child Support RFP from YoungWilliams

Description

This is to request the Board's approval and acceptance of the RFP from YoungWilliams to operate the child support program. YoungWilliams RFP is posted on Board of Commissioners webpage www.darenc.com under meetings.

Board Action Requested

Accept bid and authorize the County Manager or his designee to proceed with a 5 year contract with the option to renew thereafter on a yearly basis for 3 additional years.

Item Presenter

Chuck Lycett, Director, Social Services Division



Grant Application - South Ferry Channel Corridor Expansion

Description

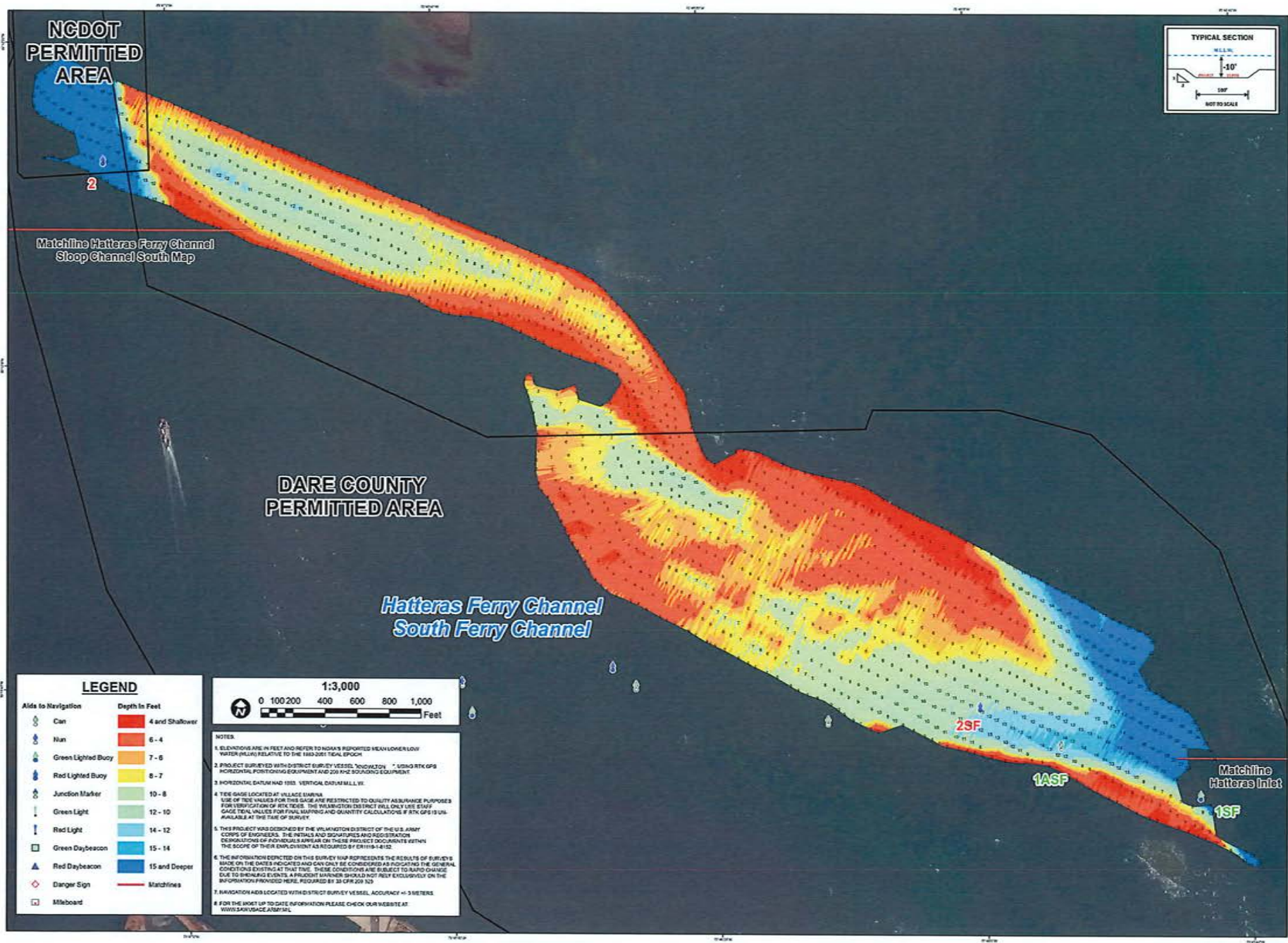
Recent surveys conducted at South Ferry Channel show the entrance has shoaled to a depth of 2 foot at low water, which is too shallow for the U.S. Army Corps of Engineers (USACE) dredges to operate. The U.S. Coast Guard (USCG) conducted reconnaissance in March and located a channel north of the currently permitted dredging corridor, which the USCG was able to transit through during high water. To allow for the USACE to dredge this area, a new cultural resources survey and a permit modification will need to be completed. Grants & Waterways is requesting the Board of Commissioners authorize the submission of a N.C. DEQ Shallow Draft Navigation Fund grant application. If awarded, DEQ will match 75% of total costs (up to \$30,000) and Dare County would contribute 25% of total costs (up to \$10,000). Source of Dare County match would be the Grants & Waterways Budget.

Board Action Requested

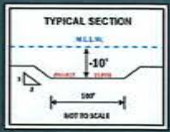
Authorize the submission of grant application and adopt Resolution to Sponsor the South Ferry Channel Corridor Expansion.

Item Presenter

Barton Grover, Grants & Waterways Administrator



**NCDOT
PERMITTED
AREA**



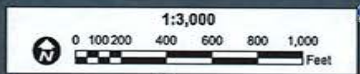
Matchline Hatteras Ferry Channel
Sloop Channel South Map

**DARE COUNTY
PERMITTED AREA**

*Hatteras Ferry Channel
South Ferry Channel*

LEGEND

Aids to Navigation	Depth in Feet
Can	4 and Shallower
Nun	6 - 4
Green Lighted Buoy	7 - 6
Red Lighted Buoy	8 - 7
Junction Marker	10 - 8
Green Light	12 - 10
Red Light	14 - 12
Green Daybeacon	15 - 14
Red Daybeacon	15 and Deeper
Danger Sign	Matchlines
Mileboard	



NOTES

- ELEVATIONS ARE IN FEET AND REFER TO NOAA'S REPORTED MEAN LOWER LOW WATER (MLLW) RELATIVE TO THE 1983 ZONE TIDAL EPOCH.
- PROJECT SURVEYED WITH DISTRICT SURVEY VESSEL "NOVALEON" USING RTK GPS HORIZONTAL POSITIONING EQUIPMENT AND 200 KHZ SOUNDING EQUIPMENT.
- HORIZONTAL DATUM IS NAD 83. VERTICAL DATUM IS MLLW.
- THE GAUGE LOCATED AT WELLS CUMBER USE OF TIDE VALUES FOR THIS GAUGE ARE RESTRICTED TO QUALITY ASSURANCE PURPOSES FOR VERIFICATION OF BATHYMETRY. THE WILMINGTON DISTRICT WILL ONLY USE GAUGE TIDE VALUES FOR FINAL MAPPING AND QUANTITY CALCULATIONS IF BATHYMETRY IS AVAILABLE AT THE TIME OF SURVEY.
- THIS PROJECT WAS CONDUCTED BY THE WILMINGTON DISTRICT OF THE U.S. ARMY CORPS OF ENGINEERS. THE INTENTS AND SPECIFICATIONS AND REGISTRATION ORIGINATIONS OF INDIVIDUALS APPEAR ON THIS PROJECT DOCUMENTS WITHIN THE SCOPE OF THEIR EMPLOYMENT AS ACQUIRED BY 48 CFR 101-11.4-10.
- THE INFORMATION DEPICTED ON THIS SURVEY MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON THE DATES INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME. THESE CONDITIONS ARE SUBJECT TO BATHYMETRIC CHANGE DUE TO CHANGING EVENTS. A PRUDENT MARINER SHOULD NOT RELY EXCLUSIVELY ON THE INFORMATION PROVIDED HEREIN. ACQUIRED BY 48 CFR 101-11.4-10.
- NAVIGATION AIDS LOCATED WITH DISTRICT SURVEY VESSEL. ACCURACY +/- 3 METERS.
- FOR THE MOST UP TO DATE INFORMATION PLEASE CHECK OUR WEBSITE AT WWW.SAR.USACE.ARMY.MIL



**US Army Corps
of Engineers
Wilmington District**



SURVEYED BY: SSS, TMH	SURVEY DATE: 18 MARCH 2022
MAPPED BY: KTOPNLAC	MAP DATE: 21 MARCH 2022
PROCESSED BY: KTOPNLAC	MAP SCALE: 1:3,000
	IMAGERY DATE: 04 FEBRUARY 2022
	© 2022 DIGITALGLOBE NEXTVIEW LICENSE
	MAP FILE NAME: RC_04_MAT_20220319_CS

HYDROGRAPHIC SURVEY
WILMINGTON DISTRICT
U.S. ARMY CORPS OF ENGINEERS
WILMINGTON, NORTH CAROLINA
**Hatteras Ferry Channel
South Ferry Channel**
HATTERAS, NORTH CAROLINA



Resolution to Sponsor the South Ferry Channel Corridor Expansion

WHEREAS, Dare County desires to sponsor the South Ferry Channel Corridor Expansion, to complete a cultural resource survey and permit modification to allow for dredging to occur north of the current corridor.

THEREFORE, BE IT RESOLVED THAT:

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the South Ferry Channel Corridor Expansion Project in the amount of \$30,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State.
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 4th day of April, 2022.

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



Resolution in Support of the Mid-Currituck Bridge

Description

Dare County has recognized that a Mid-Currituck Bridge would provide efficient beach access, reduce congestion, alleviate delays, promote economic development, and enhance public safety for many years. A resolution reaffirming Dare County's commitment to the Mid-Currituck Bridge project and advocating for advancement of this crucial project and its continued inclusion as a funded project in the State Transportation Plan will be presented.

Board Action Requested

Adopt Resolution

Item Presenter

County Manager, Robert Outten



Resolution
**Supporting Construction of the Mid-Currituck Bridge and its Continued
Inclusion in the State Transportation Improvement Plan**

WHEREAS, the Mid-Currituck Bridge project has been in the development process for over thirty years; and

WHEREAS, the popularity of the Outer Banks of North Carolina, including Dare County and its towns, and Currituck County, continues to grow, resulting in an ever increasing number of residents and visitors to the Outer Banks, particularly the northern Outer Banks; and

WHEREAS, the Outer Banks of North Carolina generates substantial revenue for the State of North Carolina, particularly through tourism, and also serves a role as an ambassador area for the State by introducing hundreds of thousands of visitors from all over the United States and the world to the many wonders of North Carolina; and

WHEREAS, this revenue and the goodwill that visitors feel towards the Outer Banks and North Carolina is tested annually through frustrations attributed directly to traffic congestion; and

WHEREAS, the purpose of the Mid-Currituck Bridge is to substantially improve traffic flow on the project area's thoroughfares, i.e. NC 12 and US 158, substantially reduce travel time for persons traveling between the Currituck County mainland and the Currituck County Outer Banks, and to substantially reduce the hurricane clearance time for residents and visitors who use US 158 and NC 168 during coastal evacuation; and

WHEREAS, building the Mid-Currituck Bridge will reduce congestion and alleviate delays, thus promoting and enhancing economic development, while bolstering the tourism industry; and

WHEREAS, alternatives to the Mid-Currituck Bridge project have been studied thoroughly and have been rejected in favor of the Mid-Currituck Bridge; and

WHEREAS, in recognition of the viability and need of the Mid-Currituck Bridge, the North Carolina Department of Transportation has demonstrated a commitment to construction of the bridge by placing it in the State Transportation Improvement Plan based on the agency's prioritization process and strong support by local municipalities and the Albemarle Rural Planning Organization; and

WHEREAS, the US District Court for the Eastern District of North Carolina ruled in December 2021 that NCDOT and the Federal Highway Administration have complied with all applicable federal laws and regulations in planning for the bridge; and

WHEREAS, the court's decision properly affirms the project's compliance with the federal National Environmental Policy Act.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners reaffirms its commitment to the Mid-Currituck Bridge project and advocates for advancement of this crucial project and its continued inclusion as a funded project in the State Transportation Plan.

This the 4th day of April, 2022.

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



Proclamation - Child Abuse Prevention Month

Description

The Children & Youth Partnership for Dare County in partnership with Dare County Health & Human Services asks that the Board of Commissioners adopt the proclamation recognizing "Child Abuse Prevention Month". The purpose of Child Abuse Prevention Month is to promote awareness about the dangers of child abuse and steps to be taken to prevent it in our community.

Board Action Requested

Adopt Proclamation

Item Presenter

Children & Youth Partnership for Dare County
Robert Outten, County Manager



A PROCLAMATION
Child Abuse Prevention Month, April 2022 Proclamation

WHEREAS, children are vital to our state’s future success, prosperity and quality of life as well as being our most vulnerable assets; and

WHEREAS, all children deserve to have safe, stable, nurturing homes and communities they need to foster their healthy growth and development; and

WHEREAS, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community; and

WHEREAS, communities that provide parents with the social support, knowledge of parenting and child development and resources they need to cope with stress and nurture their children ensure all children grow to their full potential; and

WHEREAS, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, healthcare providers, civic organizations, law enforcement agencies, and the business community.

NOW, THEREFORE, the Dare County Board of Commissioners, do hereby proclaim April as **Child Abuse Prevention Month** in Dare County and call upon all citizens to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

This the 4th day of April, 2022.

SEAL

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



Proclamation - "Week of the Young Child "

Description

The Children & Youth Partnership for Dare County in partnership with Dare County Health & Human Services asks that the Board of Commissioners adopt the proclamation supporting “Week of the Young Child”. The purpose of "Week of the Young Child" is to focus public attention on the needs of young children and their families and to recognize early childhood programs and services that meet those needs.

Board Action Requested

Adopt Proclamation

Item Presenter

Children & Youth Partnership for Dare County



**A PROCLAMATION
WEEK OF THE YOUNG CHILD
“CELEBRATING OUR YOUNGEST LEARNERS!”**

WHEREAS, Children and Youth Partnership for Dare County, in conjunction with the National Association for the Education of Young Children and the North Carolina Association for the Education of Young Children, is celebrating the Week of the Young Child, April 4-8, 2022 and

WHEREAS, working to promote and ensure high quality early learning opportunities for all children during the first years of life when the most rapid brain development occurs that lays the foundation for all future learning; and

WHEREAS, recognizing, appreciating and supporting early childhood educators, who make a difference in the lives of young children, leads to high quality early childhood experiences for Dare County’s youngest citizens; and

WHEREAS, connecting parents and families with resources and information enhances the healthy development of Dare County’s young children; and

WHEREAS, public policies and partnerships that support early learning for all young children are crucial to young children’s futures and to the prosperity of our local community and larger society;

WE, THE DARE COUNTY BOARD OF COMMISSIONERS do hereby proclaim April 4-8, 2022 as

Week of the Young Child

in Dare County, and encourage all our citizens to recognize the needs and support the healthy development of every young child in Dare County.

This the 4th day of April, 2022.

SEAL

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



*Proclamation
Public Health Week*

Description

Public Health plays a critical role advancing health equity and preventing chronic diseases and injuries, resulting in improved productivity and decreased health care costs for all North Carolinians.

Board Action Requested

Proclaim april 4 - 10, 2022 as Public Health Week in Dare County

Item Presenter

Kelly Nettnin



Proclamation - Public Health Week 2022

WHEREAS, the Dare County public health workforce is a critical component of our emergency response to natural and man-made disasters and widespread disease outbreaks in our county, including COVID-19; and

WHEREAS, our county and state public health workers have been courageous, inventive and tireless in their work to protect our residents from the threats of the COVID-19 pandemic, while continuing to perform their other essential public health functions, often times at the risk of their own safety and health; and

WHEREAS, public health measures to control and eliminate infectious diseases, improve environmental sanitation, and promote healthy lifestyle practices have been the greatest cause of improved health status and increased life expectancy for the residents of our County and all North Carolina's residents; and

WHEREAS, public health plays a critical role advancing health equity and preventing chronic diseases and injuries, resulting in improved productivity and decreased health care costs for all North Carolinians; and

WHEREAS, the Dare County Board of Commissioners is committed to a continued emphasis on prevention in public health, and to helping our county and all North Carolina reach a better state of health through actions outlined in the Healthy North Carolina 2030 objectives and Dare County Community Health Improvement Plans; and

WHEREAS, communities, local health departments, employers, hospitals and health care providers, individuals and families, insurers, county leaders, policy makers, faith-based communities, schools and childcare facilities must work together to identify and develop innovative solutions to health problems facing the people of Dare County; and

WHEREAS, The Dare County Board of Commissioners encourages all residents to recognize that public health is working to ensure that all residents are protected from threats such as COVID-19, influenza, foodborne disease, injury, and chronic diseases such as diabetes, heart disease and asthma.

WHEREAS, April 4-10, 2022 has been designated as **NATIONAL PUBLIC HEALTH WEEK**.

NOW THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners do hereby proclaim that April 4-10, 2022 shall be designated as "**PUBLIC HEALTH WEEK**" in Dare County and commend its observance to all county residents and convey our deepest gratitude to those public health professionals who serve our county every day.

This the 4th day of April, 2022.

Attest:

Robert Woodard, Sr., Chairman

Cheryl C. Anby, Clerk to the Board



*Proclamation
Fair Housing Month*

Description

April is Fair Housing Month and a great time for the County to affirm we are helping to build a thriving, inclusive community. Fair housing impacts all markets and all neighbors.

Board Action Requested

Proclaim April as Fair Housing Month

Item Presenter

Willo Kelly, Chief Executive Officer, Outer Banks Assoc. of REALTORS®



PROCLAMATION FAIR HOUSING MONTH

WHEREAS, The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS, The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS, Dare County is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS, our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS, more than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness.

NOW, THEREFORE, the Dare County Board of Commissioners, do hereby proclaim April as “**FAIR HOUSING MONTH**” in Dare County as an inclusive community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of Dare County.

This the 4th day of April, 2022.

SEAL

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



Consent Agenda

Description

1. Approval of Minutes (03/21/22)
2. Dare County Tourism Board Request Consent Expenditure from Short Term Restricted Fund Line Item 5160
3. Sanitation Tipping Fees Budget Amendment
4. Budget Amendment for Fines & Forfeitures Special Revenue Fund
5. Budget Amendment - Non-Departmental Fees

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager



Approval of Minutes

Description

The Board of Commissioners will review and approve their previous Minutes, which follow this page.

Board Action Requested

Approve Previous Minutes

Item Presenter

Robert Outten, County Manager



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., March 21, 2022

Commissioners present: Chairman Robert Woodard, Sr., 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
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 that is available for viewing on the Dare County website www.darenc.com.

At 5:06 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited George Lurie to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

A brief outline of the items mentioned by Chairman Woodard during his opening remarks:

- Reminded everyone of the ribbon cutting for Dare COA in Manteo on April 8 at 2:00 p.m.
- The formal dedication for the Virginia S. Tillett Community Center would be on May 12, 2022 at 4:00 p.m.
- The Department of Health & Human Services renovated building would have a ribbon cutting ceremony on May 24, 2022 at 4:00 p.m.
- He asked everyone to continue to keep their thoughts and prayers for Ukraine.

ITEM 2 – BROADBAND – CENTURYLINK – DARE COUNTY FIBER PROJECT

Ten Hankins, Director, Gov. Affairs, with CenturyLink, spoke via virtual connection regarding an MOU. He discussed the GREAT Grant 2021, which would provide eligible premises with better internet speeds. Grant applications would be due April 4, 2022. North Carolina would be the corporate headquarters for BrightSpeed, the entity with an agreement to acquire Lumen’s assets in NC and 19 other states. The maximum funding from the state per application would be \$4 million. Bright Speed would contribute \$1.20 million to the project and requested \$100k from Dare. Mr. Hankins presented a map for application coverage. Commissioner Tobin asked why the map did not reflect eligible areas on the Dare mainland, Stumpy Point or into the East Lake area. Mr. Hankins responded that areas served through the Rural Digital Opportunity Fund did not qualify. The MOU presented would be recalculated

if the locations were challenged. The Board questioned and discussed the eligibility requirements for the project and underserved areas. They arrived at a consensus to take no action on the MOU presented.

ITEM 3 – PUBLIC COMMENTS

At 5:37 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:

1. Bill Coleman, the new Executive Director of the Outer Banks SPCA, told the Board it was a fantastic facility. He was focused on staff training to promote “best practices”. Commissioner Ross asked about improvements to facility grounds to provide animal shade. Mr. Coleman stated that would be addressed by the end of May. He also discussed the spay/neuter program and desired to bring back the voucher system.
2. Sam Barker, owner of Seaside Builders with forty years of experience, stated he wanted to start a conversation of public awareness of the unlicensed contractor and builder. He offered to volunteer his time to educate homeowners with a check list to know what they should ask of contractors during home improvements.
3. Kathryn Fagan of Manteo readdressed the Board with her concerns over Old North End, LLC and stated the neighborhood had not received proper notice of the new subdivision. The project would have one ingress and egress and make traffic difficult. She had learned the Planning Board did not have to bring the matter to the Board. She stated lives were being gravely impacted, as well as the environment.
4. Tansy OBryant of Manteo asked the Board to review the Old North End, LLC development. She stated the charm of Cary, North Carolina had been preserved through careful restrictions to prevent overdevelopment. She offered the fifty-six home development would diminish some of Dare County’s charm. The site had no greenspace planned and the maritime natural forest nearby was rare and valuable.

With no comments presented in Buxton, Mr. Outten closed public comments at 5:58 p.m.

ITEM 4 – HATTERAS ISLAND ECONOMIC IMPACT ASSESSMENT

Brent Lane presented the Board with a report which he stated provided value for future policy and funding decisions. The study, which included Hatteras Inlet this year, was completed in February, 2022. It illustrated impacts from tourism (88.5%), recreational fishing (9.8%) and commercial fishing (1.7%). Head boat, tournament and charter fishing were important, as they relied on local people and local assets. Fishing remained an important source of income and employment with tourism as the dominant activity. Mr. Lane stated commercial fishing had a much smaller impact with economic output of \$6.3 million, 83 jobs and a \$4.8 million income. Commissioner House questioned the reported 83 jobs that pertain to commercial fishing. Mr. Lane stated the source for the information came from the “landings” on Hatteras from Marine Fisheries. It was agreed there were more than 83 commercial licenses issued. Mr. Lane agreed to amend the report with a caveat denoting the number excluded non-Hatteras landings and processing. A complete account of the Board’s discussion on this agenda item is archived on a video available on the Dare County website www.darenc.com. (Copy of amended report and presentation is in Clerk’s office for reference)

ITEM 5 – GRANT APPLICATION – ISLAND H MODIFICATIONS (Att. #1)

Barton Grover, Grants and Waterways Administrator, reviewed that \$6.4 million had been allocated to the Corps to dredge between Wanchese and Oregon Inlet. Dare County must provide disposal sites. Island H currently had only one half of the capacity needed to dredge the channel leading into Wanchese Harbor. It was proposed to elevate the berm by approximately two feet at a cost of \$748,000. The grant, if awarded, would provide \$498,691. Mr. Grover asked for the allocation of \$250,000 from the General Fund to get a match from the state. Commissioner Tobin said it would be the final use of this disposal area and a new disposal site for future dredging would be needed.

MOTION

Commissioner Tobin motioned to authorize submission of a NC DEQ Shallow Draft Navigation Fund grant application, authorize the County Manager to sign a budget amendment to appropriate General Fund balance and to execute a Capital Project ordinance. Commissioner House seconded the motion.

VOTE: AYES unanimous

MOTION

Commissioner House motioned to adopt the Resolution to sponsor the modification project. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous.

ITEM 6–CIPC REPORT: RENOVATION OF MASONIC LODGE FOR YOUTH CENTER

Mr. Outten advised the CIP Committee had met that afternoon with the architects from Oakley Collier regarding their assessment of the recently purchased Masonic Lodge in Manteo to be used for an expanded county youth center. Oakley had met with staff to come up with programming needs. The existing building had sufficient square feet but the structural integrity of the building came short. The renovation estimate was \$2,097,750. A new building cost came in at \$1,698,310. There were substantial savings to build new and it was the recommendation from CIPC to build a new facility. Although the County was nearing capacity in the CIP with multiple projects, this new facility cost fit. Commissioner Couch commented it would be an appropriate use of taxpayer dollars. Commissioner Bateman stated attachment to the building and Chairman Woodard offered they could certainly respect the contributions of the former occupants of the building with a dedication block from the old structure.

MOTION

Vice-Chairman Overman motioned to build a new facility as recommended.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 7 – 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 (03.07.22) **(Att. #2)**
- 2) Tax Collector's Report
- 3) Amendment to Water Capital Project Ordinance to Correct Budget Amounts Between Design and Construction, **(Att. #3)**

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 8 – BOARD APPOINTMENTS

1) Juvenile Crime Prevention Council

Vice-Chairman Overman motioned to appoint Amber Younce, Stephanie Webb and Heather Chavez as requested by the council.

Commissioner House seconded the motion.

VOTE: AYES unanimous

2) Airport Authority

Commissioner House motioned to reappoint Vice-Chairman Overman for another term.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Following is a brief summary outline of the items mentioned by Commissioners:

Commissioner Couch

- The St. Patrick’s Day parade was great and he appreciated the fraternity and sorority of county participants. The Humane Society participation was a big hit.
- Commented Mr. Lane’s Hatteras study would be a valuable document. He thanked Commissioner House for pointing out commercial fishing license number was not representative of the activity in landings and the seafood markets.

Commissioner Bateman

- He had participated in the March Meals delivery to area residents. It was a rewarding experience and he had met some interesting people. He applauded the outstanding program which was very much appreciated by recipients.
- The St. Patrick’s Day parade was great fun with approximately 12,000 participants and the event had also brought great revenue to the area.
- Voiced his concern again regarding the areas that needed better broadband service.

Vice-Chairman Overman

- Restated his concerns over the war in Ukraine. The United States needed to give the country everything they needed and the U.S. response should happen fast.

Commissioner House

- Enjoyed his participation in the St. Patrick’s Day parade and thanked Mike Kelly for continuing the tradition with the largest St. Patrick’s Day parade in North Carolina.
- There had been no committee action taken on the striped bass issues last week and it would be sent to the Division of Marine Fisheries.
- Remembered today in 1980 the US had led a protest against the Soviet invasion of Afghanistan by boycotting the Summer Olympic Games in Moscow. On March 21, 1984, a Soviet submarine collided with the USS *Kitty Hawk* in the Sea of Japan.
- Presented “Franklin”, a Lionhead rabbit as the SPCA’s pet of the week. The Bark in the Park event would be hosted on April 24, 2022 in Dowdy Park from 1-5:00 pm.

Commissioner Ross

- Had a great time in the review stand during the St. Patrick’s Day parade with his dog and especially enjoyed the bands and the Special Olympics unit.

- He had participated with the March for Meals program and stated the recipients not only appreciated the meals but the company of a visit.
- Sandy Kinzel, Associate Superintendent of Human Resources in Dare County schools, had announced her retirement. He offered best wishes and thanked her for terrific contributions to the county's school system.

Commissioner Tobin

- He had received many comments regarding the condition of the diminished road lines throughout Manns Harbor and Roanoke Island. He offered the Board should ask NCDOT to take action to replenish the lines throughout the county.
- Displayed a new photo of *Miss Katie* with final paint job. There may be a three-four week delay with final electrical work to be completed. The vessel was slated to be received on June 10. The damage stability report came back positive and the vessel should soon receive ABS (American Bureau of Shipping) approval.

Chairman Woodard stated he would have a letter sent to Allen Moran with a copy to NCDOT engineer, Sterling Baker, asking for county road lines to be remarked.

MANAGER'S/ATTORNEY'S BUSINESS (Att.#4)

County Manager Outten presented the disaster debris removal renewal contracts from the primary contract with Southern Disaster Recovery with no increase and the backup contract with Crowder Gulf renewal with a 7.9% increase.

MOTION

Commissioner Couch motioned to authorize the County Manager to sign renewal contracts. Commissioner Bateman seconded the motion

VOTE: AYES unanimous

He had received an offer to purchase a parcel of county owned land in Rodanthe on Ocean Drive near the water park. The offer for the site was the current tax value of \$180,000. The 2020 appraisal value had been reviewed by Hosea Wilson who determined, based on the recent tracking of area closings, the price may be about 10-20% under market. Mr. Outten asked the Board if they would approve pushing forward with the offer. The upset bid process would be advertised. Commissioner Couch asked if there could be a stipulation in the upset bid to only accept bids from owners in peril in the Ocean Drive area. The County Manager advised the statute indicated anyone could post a five percent upset bid.

MOTION

Commissioner Couch motioned to authorize the County Manager to give public notice of the offer on the Rodanthe parcel sale to include the upset bid process, as required.

Commissioner Bateman seconded the motion

VOTE: AYES unanimous

Mr. Outten had met with the Chairman, Vice-Chairman, Commissioner Ross, Dave Clawson and Dustin Peele in a meeting with Woda Cooper Companies today to discuss an offer to construct 100 units with a Dare commitment of \$9 million dollars. All the units would be LIHTC with approximately 40-60 to be placed in Bowsertown with the remaining built on Woda Cooper's site currently under contract in Nags Head. He asked the Board if they were willing to support the initial proposal. Mr. Outten said there were some variables that could change. If the changes were favorable, the county would contribute less, but the contribution

would be capped at \$9 million. Woda Cooper would guarantee 100 units on the two sites. The permit application for LIHTC funding had to be filed by April 1. The company had conceded to enter into a ground lease on both sites, which would provide Dare with control to maintain the ability to offer the units as affordable housing at the end of forty years.

MOTION

Commissioner Tobin motioned to approve the capped commitment of \$9 million for construction of 100 units with Woda Cooper Companies on the combined parcels of Bowsertown and their site currently under contract in Nags Head.

Commissioner Ross seconded the motion

VOTE: Ayes unanimous

Dorothy Hester offered the following updates:

- The Buxton & Avon Beach Nourishment public meeting at the Fessenden Center in Buxton would be held March 24, 2022 at 5:00 p.m. The in-person meeting would have a Q & A opportunity, be live streamed and also recorded.
- Large item pick up in unincorporated Dare would be April 4 with one pass and no particular schedule. Mr. Outten stressed items should be available the evening of April 3 to insure pick up on April 4. The county website provided a list of accepted materials.

Vice-Chairman Overman provided some additional comments:

- The Trillium mobile integrated care unit would be open Tuesday, March 29 at the Rodanthe Waves-Salvo Community Center at 2:30 p.m. Register on the Trillium website.
- Coastal Studies was hosting a “Waves to Water” competition on March 30 from 1-3 p.m.
- On March 31 there would be a Substance Use Summit at St. Andrews by the Sea from 10:00–1:30 p.m. Registration was through Dare County Saving Lives Task Force.

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

MOTION

Commissioner Ross motioned to adjourn the meeting.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 7:16 p.m., the Board of Commissioners adjourned until 9:00 a.m., April 4, 2022.

Respectfully submitted,

[SEAL]

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

APPROVED By: _____
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.



*Dare County Tourism Board Request Consent
Expenditure from Short Term Restricted Fund Line Item 5160*

Description

Expenditure of \$55,000.00 for July 4th Fireworks Grant Awards:

Avon Property Owner's Association	\$15,000.00
Town of Kill Devil Hills	\$12,200.00
Town of Manteo	\$15,300.00
Town of Nags Head	\$12, 500.00

Board Action Requested

Consent for expenditures totaling \$55,000.00 for 4th of July Fireworks.

Item Presenter

Dare County Tourism Board



Sanitation Tipping Fees

Description

The cost of tipping fees to landfill trash has increased due to the rise in the tonnage collected by both residential and commercial trucks. There was a 22% increase in tons collected/cost from FY 2020 to FY 2021. FY 2022 is tracking to be as high as FY 2021 and therefore this line item needs to be increased.

Board Action Requested

Approve and sign budget amendment

Item Presenter

Shanna Fullmer, Public Works Director

DARE COUNTY

BUDGET AMENDMENT

F/Y 2021-2022

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department: Sanitation</u>					
<u>Revenues:</u>					
Tipping Fees	243720	430070		175,000	
<u>Expenditures:</u>					
Tipping Fees	244720	511800		175,000	

Explanation:
Increase both revenue and expenditures to cover cost of tipping fees

Approved by:

Board of Commissioners: _____

Date: _____

County Manager: _____

Date: _____

(sign in red)

Finance only:

Date entered: _____ Entered by: _____ Reference number: _____



Budget Amendment for Fines & Forfeitures Special Revenue Fund

Description

The Fines & Forfeitures (Special Revenue) Fund was created during FY 2021 per State Treasurer Fiscal Management requirement. Fines & Forfeitures have increased 62% 2022 over 2021.

A budget amendment is included to increase revenue (from Court System) and to increase (payments to Dare County Schools).

Board Action Requested

Adopt budget amendment.

Item Presenter

David Clawson, Finance Director

DARE COUNTY

BUDGET AMENDMENT

F/Y 2021-2022

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department: Fines & Forfeitures</u>					
<u>Revenues:</u>					
Fines & Forfeitures From Court	293677	433000		250,000	
Taxes-Penalty & Interest DCS	293677	400501		20,000	
 <u>Expenditures:</u>					
Fines & Forfeitures to BOE	294677	633000		270,000	

Explanation:

Fines and forfeitures revenue has increased dramatically during the 2022 Fiscal Year, and revenue from penalites and interest on delinquent tax payments has also significantly increased. This Amendment will revise the budgeted revenues and expenditures through the end of the Fiscal Year based on projections from year-to-date activity.

Approved by:

Board of Commissioners: _____

Date: _____

County Manager: _____

Date: _____

(sign in red)

Finance only:

Date entered: _____ Entered by: _____ Reference number: _____



Budget Amendment - Non-Departmental Fees

Description

Budget amendment to increase credit card & e-check acceptance fees.

Board Action Requested

Approve budget amendment.

Item Presenter

DARE COUNTY

BUDGET AMENDMENT

F/Y 2021-2022

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
Department:					
Non-departmental					
<u>Revenues:</u>					
Miscellaneous Revenue	103050	460100		\$40,000	
<u>Expenditures:</u>					
Credit Card/e-Check Acceptance Fees	104490	511900		\$40,000	

Explanation:

Volume of online payments made via e-Check has increased since the service was added in 2020 which has also increased processing fees. Finance is looking into options to reduce processing fee costs to the County in the upcoming budget year.

Approved by:

Board of Commissioners: _____

Date: _____

County Manager: _____

Date: _____

(sign in red)

Finance only:

Date entered: _____ Entered by: _____ Reference number: _____



Commissioners' Business & Manager's/Attorney's Business

Description

Remarks and items to be presented by Commissioners and the County Manager.

Board Action Requested

Consider items presented

Item Presenter

Robert Outten, County Manager