



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., April 4, 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 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 9:01 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Cherri Wheeler to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Following is a brief outline of the items mentioned by Chairman Woodard:

- April 8, at 2:00 p.m., would be the College of the Albemarle new facility ribbon cutting. He read the many degree and program certificate offerings by the new community college.
- Another big opening would be April 9 at 1:00 p.m. for the new Rodanthe Bridge.
- OBX History Weekend was March 30-April 2, 2022. The symposium was entitled, “Searchers of New Horizons” and celebrated inventors and artists of the Outer Banks. It certainly confirmed that the Outer Banks is the “land of beginnings”.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

Charles Lycett, Emily Cunningham, Ronnie Gibbs and Stephen Baum received their 10-year pins. Betsy Robinson and Cara Basnight received their 20-year pins. Kenneth Randall and Gregory Padilla received their 25-year pins. There was a total of 130 years of service between the eight Dare employees.

ITEM 3 – EMPLOYEE OF THE MONTH – April 2022

Employee of the Month was awarded to Willie Spencer by Chuck Lycett, who described the many ways that he serves with excellence as a custodian in the Social Services Department. Mr. Spencer was always looking for ways to lend a hand and was not afraid to take on new projects to make everything in the department look better.

ITEM 4 – PUBLIC COMMENTS

At 9:41 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary:

The following comments were made in Manteo

1. Chuck Still, new Executive Director for the Roanoke Island Historical Association, introduced himself to the Board. He emphasized the seriousness with which he took on the responsibilities of producing The Lost Colony drama. Rehearsals would begin April 25 with a revamped production to begin Memorial Day. He also encouraged everyone to attend the 2022 Lost Colony Wine Festival.

No comments from Buxton. The County Manager closed Public Comments at 9:45 a.m.

ITEM 5 – SEA GLASS COTTAGES LLC – SPECIAL USE PERMIT APPLICATION #1-2022

After all parties to this proceeding were duly sworn, Planning Director, Noah Gillam outlined a Special Use Permit (SUP) application from Sea Glass Cottages, LLC. The cluster home group development would consist of eight dwellings on 27242 Sand Street in Salvo. There was a 900 sq. ft. dwelling to be relocated off the site. The zoning ordinance required the development dwellings be occupied on a long-term basis (longer than 31 days). The Fire Marshal had reviewed the site plan and required residential sprinkler systems in each home. Conditions had been added that the Dare County Planning Board found to be reasonable for the applied use. Mr. Outten advised the Board that Chris Hemschot had emailed and voiced a request for a continuance of the application. The County Manager asked the applicant, Gary Lake, of Sea Glass Cottages, LLC, if he agreed to the admission into evidence of the material submitted and on file in the Planning Department, the facts presented, and the terms and conditions outlined in the SUP. Mr. Lake indicated his agreement.

MOTION

Commissioner Bateman motioned to approve the SUP #1-2022 and associated site plan for the proposed cluster home group development as presented.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 6 - TRILLIUM HEALTH RESOURCES – ANNUAL REPORT

Dave Peterson, Trillium Health Resources, Central Regional Director, presented his annual report. **See presentation via Dare County website at www.darenc.com.**

ITEM 7 – ZONING AMENDMENT TO ALLOW FOR THE EXPANSION OF ACCESSORY DWELLING UNITS (Att. #1)

Noah Gillam, Planning Director, presented the Board with drafted new language that would extend the Accessory Dwelling Unit regulations to districts that were zoned single family residential. He requested a public hearing be set for April 20, 2022, as required for the new language to be adopted by the Board.

MOTION

Vice-Chairman Overman motioned to set a public hearing for April 20, 2022 at 5:00 p.m.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous.

ITEM 8 – OUTER BANKS NATIONAL SCENIC BYWAY FRISCO-BUXTON PATHWAY COMMITTEE (Att. #2)

Mary Helen Goodloe-Murphy and Laura Ertle described the overall project which would be 7.6 miles of 5' wide pathway in the NC12 right of way. The pathway would run from the National Park Service's Frisco Bathhouse to the Valero gas station in Buxton. The Committee asked for a resolution endorsing a request to the General Assembly for a referendum creating a special tax district to construct and maintain the pathway. The district would include 1607 taxable properties in Frisco and 897 properties in Buxton. The one cent tax could provide \$62,200 annually. It would cost \$10,000 just to maintain mowing. The construction estimate was \$3.5 million. The grant would help build 4.41 miles of the pathway. Mr. Outten stated if the legislature gave authority to create the district, the Board would still have to authorize the imposition of the tax. One issue of needed maintenance was where new driveways were installed and the thickness of the driveway and walkway did not match.

MOTION

Commissioner House motioned to adopt the resolution as presented.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous.

ITEM 9 – OUTER BANKS NATIONAL SCENIC BYWAY FRISCO-BUXTON PATHWAY COMMITTEE – NATIONAL SCENIC BYWAY GRANT FOR BUILDING PATHWAY IN FRISCO AND BUXTON

Laura Ertle went through the specifics of the grant being applied for to construct the pathway. The state deadline for filing was April 20 and the national program deadline was May 16, 2022. They would like to submit one application for two phases of the project or 4.41 miles of the pathway. They sought a 20% match for the \$2 million needed, which would be \$200,000. NCDOT will be the applicant and Dare County would be the financier. It was a reimbursable grant. They requested Chairman Woodard to provide a letter to the Tourism Board requesting support for a long term unappropriated grant. Mr. Outten asked who would put up the funds for reimbursement. Mary Helen said it was a federal aid grant and Dare County would fund the first \$2 million, which would be reimbursed. Mr. Clawson indicated no budget issues as long as funds were reimbursed.

MOTION

Commissioner Tobin motioned to submit a Letter of Intent with necessary changes as mentioned to grant application for a National Scenic Byway Program grant, authorize 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.

Commissioner House seconded the motion.

VOTE: AYES unanimous.

ITEM 10 – DHHS/SOCIAL SERVICES: CHILD SUPPORT RFP FROM YOUNGWILLIAMS

Chuck Lycett advised YoungWilliams had responded to the RFP to handle child support payment enforcement. Commissioner House the renewal terminology clarified. The contract could be renewed for an additional three years. At the end of eight years, the YoungWilliams contract would be brought back to the Board for any other renewal options.

MOTION

Commissioner Ross motioned to accept the bid and authorize the County Manager, or his designee, to proceed with a 5-year contract with the option to renew for 3 years.

Commissioner House seconded the motion.

VOTE: AYES unanimous.

At 10:50 a.m. Commissioner Ross left the meeting room and returned at 10:54 a.m.

ITEM 11 – SOUTH FERRY CHANNEL CORRIDOR EXPANSION PROJECT (Att. #3)

Barton Grover advised South Ferry channel was again shoaled in with limited 2-3 feet passage. The Corps had identified a corridor which was partially in our permitted area. In order to allow for the USACE to dredge this area, a new cultural resources survey and permit modification would be necessary. Grants and Waterways requested authorization to submit a DEQ grant application which could provide up to 75% of total costs. The County's match would come from the Grants and Waterways' budget. Vice-Chairman Overman asked if the sand could be used by Hyde County, as there was a real need at the northern end. Mr. Grover said that would not be easy with the Merritt or Murden, but there was a lot of Corps money and perhaps an upcoming pipeline project which could include Hyde County. The Corps was currently working on permitting. Mr. Outten indicated he had recently spoken with Superintendent Hallac and discussed possible sand sources. Ocracoke would be an easier area for sand deposit than the bird islands. It would be a good idea and provide beneficial impact to widen the northern portion of Ocracoke.

MOTION

Commissioner Tobin motioned to authorize submission of a NC DEQ Shallow Draft Navigation Fund grant application and adopt the resolution to sponsor the project. Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 12 – RESOLUTION IN SUPPORT OF THE MID-CURRITUCK BRIDGE (Att. #4)

Chairman Woodard presented resolution reaffirming the Board's commitment to the Mid-Currituck Bridge project.

MOTION

Commissioner House motioned to adopt the resolution as presented. Commissioner Couch seconded the motion.

VOTE: AYES unanimous.

ITEM 13 – PROCLAMATION – CHILD ABUSE PREVENTION MONTH

County Manager read the proclamation presented by Children & Youth Partnership for Dare County declaring April, 2022 as Child Abuse Prevention month.

MOTION

Vice-Chairman Overman motioned to adopt the proclamation as presented. Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 14 – PROCLAMATION – WEEK OF THE YOUNG CHILD

Proclamation presented by Children & Youth Partnership for Dare County declaring April 4-8, 2022 as "Week of the Young Child".

MOTION

Commissioner House motioned to approve the proclamation as presented, Commissioner Tobin seconded the motion.

VOTE: AYES unanimous.

ITEM 15 – PROCLAMATION – PUBLIC HEALTH WEEK

Kelly Nuttin, Robert Preston and Heather Gardner, Public Health Nurse presented this item in observance of “Public Health Week” to be recognized on April 4-10, 2022.

MOTION

Commissioner Tobin motioned to adopt the proclamation as presented.

Commissioner House seconded the motion.

VOTE: AYES unanimous.

ITEM 16 – PROCLAMATION – FAIR HOUSING MONTH

Willo Kelly, of Outer Banks Realtors, Doug Brindley and Jimmy Anderson presented the proclamation requesting the month of April be recognized as “Fair Housing Month”.

MOTION

Commissioner House motioned to approve the proclamation as presented,

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous.

ITEM 17– 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 (03.21.22) **(Att. #5)**
- 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

Commissioners Bateman and Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 18 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Commissioners and the County Manager summary of remarks follow:

Commissioner House

- He asked that the Deorr family be kept in prayers, as both Ben Deorr and retired EMS Capt. Rita Doerr were very ill.
- For “day in history” recollection, he mentioned Martin Luther King had been assassinated on April 4, 1968; and on April 4, 1975, Microsoft had been founded.
- **(Att. #6a)** The Board had written a letter several years ago regarding the loss of faith in the Marine Fisheries Commission with regard to the banning of gill nets in the Neuse and Tar-Pamlico Rivers. Part of recent scoping meetings regarding striped bass amendment addressed discarding the reduction in gill nets, yet it was taken out by the Department of Marine Fisheries. He presented a Resolution in Support of Lifting the Ban on Gill Net Use to be sent to the Fisheries Commission.

MOTION

Commissioner House motioned to adopt the resolution as presented.

Commissioner Tobin seconded the motion

VOTE: AYES unanimous.

Vice-Chairman Overman

- Recognized and thanked the service pin recipients for their cumulative 130 years of dedicated service. He also congratulated Willie Spencer as employee of the month.
- The ribbon cutting for the mobile care units provided by Trillium was March 29th. The unit would initially provide counseling for substance abuse and mental health in Rodanthe.
- St. Andrews by-the-Sea held a faith-based substance abuse summit on March 31st. He also mentioned the ACEs score tests, available online, which tallied different types of abuse, neglect and other adverse childhood experiences which could indicate higher risk for health problems later in life.

Commissioner Bateman

- Congratulated the service pins recipients and the employee of the month.
- He was thankful for the Board's proactivity in mental health and substance abuse. He stated it was important to remain open minded to the many different methodologies that reach out and help those who suffer with substance abuse and mental health issues.

Commissioner Couch

- Substance abuse public health and the level of performance of employees.
- Saturday would be the opening event for the Rodanthe Bridge.

Commissioner Tobin

- Presented a new picture of the dredge with drag arms installed and life boats hung. He described the event of placing the vessel in the water, which would be video tapped with a drone for viewing later.
- He noted pride in the state and area colleges for the recent UNC win.

Commissioner Ross

- The Audit Committee had met March 24 with no significant issues reported.
- On April 24, at Dowdy Park, there would be an ASPCA pet adoption event.
- On March 31, Jersey's Mike donated every dollar of their sales to the Special Olympics. He thanked the participants for the event.
- Reminded everyone the 2022 Masters Tournament would begin April 7, 2022.

Chairman Woodard mentioned he had received a response from Allen Moran, who indicated NCDOT would begin the remarking of the roads next week.

(Att. # 6b) COA had been ranked number one in their RN program in 2021 and 2018. They were also ranked 6th best community college in the U.S. He asked for a resolution in support of the Nursing and Allied Health Simulation Facility at College of the Albemarle.

MOTION

Vice-Chairman Overman motioned to adopt the COA Resolution

Commissioner House seconded the motion.

VOTE: AYES unanimous

MANAGER'S/ATTORNEY'S BUSINESS

Mr. Outten advised the Tourism Board wanted to apply for a grant to build a boardwalk at the event site. The PARTF (Parks and Recreation Trust Fund) grant had to be applied for by a local government entity. He asked the Board if they were willing to submit the grant application on behalf of the Tourism Board. The Tourism Board would be responsible for construction.

MOTION

Vice-Chairman Overman motioned to move forward with the PARTF grant for construction of a boardwalk on behalf of the Tourism Board.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous.

(Att. #6c) The County would be entering into one or more contracts for engineering and surveying services with Timmons Group to aid in the design of a replacement PVC water line located between Avon and Buxton Villages. Mr. Outten presented a resolution for exemption from the Mini Brooks Act pursuant to G.S. 143-64.32.

MOTION

Commissioner Tobin motioned to adopt the resolution as presented.

Commissioner House seconded the motion.

VOTE: AYES unanimous.

(Att. #6d) On March 21, the Board was advised of an offer to purchase a county-owned lot on Ocean Drive in Rodanthe. The sales deposit had been received and notice for upset bid had been published. Chairman needed Board authority to sign the resolution for the sale.

MOTION

Commissioner Couch motioned to authorize the Chairman to sign the resolution.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

Dorothy Hester presented a short video entitled, "Celebrating Dare County's Volunteers" relative to National Volunteer Month to recognize the many volunteers in Dare County.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

At 11:45 a.m., the Board of Commissioners adjourned until 5:00 p.m., April 20, 2022.

Respectfully submitted,



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

Approved By: *Robert Woodard, Sr.*
Robert Woodard, Sr., Chairman
Dare County Board of Commissioners

Note: Copies of attachments (Att.), ordinances, resolutions, contracts, presentations and supporting material considered by the Board are on file in the Clerk's office.