



County of Dare

P.O. Box 1000 | Manteo, NC

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., May 16, 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
Skyler Foley, Assistant Clerk

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 5:00 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Commissioner Danny Couch to share a prayer, and then Chairman 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 follows:

- Thanked fellow commissioners for joining in the Virginia S. Tillett Community Center official renaming celebration on May 12, 2022.
- He attended the 75th anniversary of the Ferry Division with Commissioners Bateman and House. He outlined how the new deluxe passenger ferry that connected Hatteras to Ocracoke would be an economic boost and provided statistics for the number of passengers and vehicles transported by the Ferry Division.
- He applauded NCDOT for how quickly they worked on N.C. 12 from the bridge to Rodanthe during the horrific wind and weather conditions experienced last week.
- As a veteran himself, he reminded everyone the weekend of May 21st was Armed Forces Appreciation Day.

ITEM 2 – PUBLIC COMMENTS

At 5:11 p.m. the County Manager explained the procedure for making public comments in Manteo and via the video link to the Fessenden Center in Buxton. No one responded to the invitation to address the Board and Public Comments closed at 5:12 p.m.

ITEM 3 – USE OF 6/30/2021 GENERAL FUND UNASSIGNED FUND BALANCE OVER TARGET PERCENTAGE

Dave Clawson explained the Unassigned Fund balance in the General Fund at June 30, 2021 was \$9,960.192 over the policy target percentage. He presented the Board with a budget amendment which recommended uses for one-time expense.

MOTION

Commissioner Ross motioned to approve the budget amendment.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 4 – USE OF GENERAL FUND SAVINGS FROM THE AMERICAN RESCUE PLAN SLFRF

Mr. Clawson provided a summary explaining the presentation of a budget amendment which reduced expenditure line items for the savings of \$7,188,564 to be transferred to a new Community Development Housing Fund to be used for the Woda Cooper Housing Project. It was further explained coupled with the \$1,811,436 from the previous item; a total of \$9 million would be available for the Woda Cooper Housing Project.

MOTION

Commissioner Tobin motioned to approve the budget amendment.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 5– PUBLIC HEARING – MANAGER’S PROPOSED FY2023 BUDGET (Att. #1)

Before opening the public hearing, the County Manager explained the Frisco Fire District had sent a request for a 2% tax increase in order to construct a new fire station. Their request was received after the deadline for budget submissions had passed and after the Board had completed their budget workshop. Mr. Outten had recommended the Fire Chief ensure there was public support for the increase and should make the request to the Board next year. He had not received a response from the Fire Chief or other public comment.

Mr. Outten stated that if the Board approved the budget as presented they would not have to go back in July or August to do a CIP. They would also be approving changing the merit pay to a bonus system and changing the three paid school days to personal leave days/flex hours. Mr. Clawson stated they would be adopting the Budget Ordinance that was in the Manager’s Budget and everything on the list of corrections and changes presented to the Board.

At 5:31 p.m. the Board held a Public Hearing to receive input concerning this item. No one responded to the invitation to address the Board. The public hearing was closed at 5:31 p.m. and Mr. Outten requested the Board approve the Manager’s Budget for FY2023.

MOTION

Commissioner House motioned to approve the FY2023 Manager’s Budget

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 6 – GRANT APPLICATION – MISS KATIE- HATTERAS INLET DREDGING

Grants and Waterways requested the Board authorize the submission of a NC DEQ Shallow Draft Navigation Fund grant application. The State would cost share 75% (\$600,000) of incurred costs for dredging Hatteras Inlet, specifically South Ferry Channel and the new Connecting Channel. See staff summary for details.

MOTION

Commissioner Couch motioned to authorize the submission of grant application and adopt resolution to sponsor the Miss Katie – Hatteras Inlet Dredging Project
Vice-Chairman Overman and Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 7 – DEQ GRANT – HATTERAS ISLAND

Barton Grover provided staff summary to explain a cultural resource survey at Hatteras Inlet was necessary to modify the current dredging permit. The county has been awarded \$30,000 in matching funds for the completion of the survey and permitting work.

MOTION

Vice-Chairman Overman motioned to approve the budget amendment and authorize the County Manager to enter into contract with Coastal Protection Engineering.
Commissioners House and Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 8 – REVISED SCHEDULE OF MEETING DATES FOR REMAINDER OF 2022

At the May 25, 2022 budge workshop, the Board had discussed a change in the remaining schedule of 2022 meeting dates. The revised schedule reflected all meetings would begin at 9:00 a.m. as follows: July 18, August 1, September 6, October 3, November 7 and December 5, 2022. It was Board consensus to change the time of the July 18th meeting to 5:00 p.m.

MOTION

Vice-Chairman Overman motioned to approve the new schedule of meetings with July 18th meeting to begin at 5:00 p.m.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – COASTAL AFFORDABLE HOUSING, LLC

Mr. Outten provided the Board with an update on the Coastal Affordable Housing project. There had been many meetings regarding the predevelopment agreement. There was ongoing communication with the state regarding the regulations and the process of procurement rules applicable to receive the federal funds set aside for affordable housing. He added the issue was not unique to Dare's project, as throughout the country the guidance for procurement and use of the federal funds was unclear at this time.

ITEM 10 – WODA COOPER COMPANIES, INC.

The Board was provided an update on the Woda Cooper project. There was concern over the cost of the parcels targeted for purchase for the Nags Head portion of the project. Mr. Outten proposed separating the Bowsertown and Nags Head projects in order to move forward with the Bowsertown location. Discussions would continue with the County and Woda over the cost of the Nags Head location for the housing project.

MOTION

Commissioner Ross motioned to separate the Woda Cooper projects and move forward with the project in Bowsertown.

Vice-Chairman Overman and Commissioner Bateman seconded the motion

VOTE: AYES unanimous

ITEM 11 – CONSENT AGENDA

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

MOTION

Commissioner Ross motioned to approve the Consent Agenda:

1. Approval of Minutes (Att. #4a and 4b)
2. Sanitation – Bulk Fuel
3. Register of Deeds – Wide Format Printer/Scanner
4. Tax Collector's Report
5. Dominion Energy - Easement

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 12 – BOARD APPOINTMENTS

1) Juvenile Crime Prevention Council

Commissioner House motioned to reappoint Marsha Riibner-Cady, Jennifer Alexander, Stephen Wescott, Tim White and Melinda Mogowski.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

2) Mann's Harbor Community Center

Commissioner Tobin motioned to reappoint Clyde Gard and Bonny Sawyer.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

3) Hatteras Community Center

Commissioner Couch motioned to reappoint Laura C. Young and Rom Whitaker.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

4) Rodanthe, Waves, Salvo Community Center Board

Commissioner Bateman motioned to reappoint Cheryl Blankenship

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

5) Commission for Working Watermen

Commissioner House motioned to reappoint Amanda Hooper Walters and Joey J. Vandyke for another term.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

- 6) Dare County Waterways Commission
Vice-Chairman Overman motioned to reappoint Danny Couch, Ernie Foster, Natalie Perry Kavanagh and Steve Coulter.
Commissioner House seconded the motion.
VOTE: AYES unanimous
- 7) Dare County Transportation Advisory Board
Commissioner House motioned to reappoint Brandi Bohanan, Chuck Lycett, Nessie Siler and Alex Chandler.
Commissioner Tobin seconded the motion.
VOTE: AYES unanimous
- 8) Fessenden Center Advisory Board
Commissioner Bateman motioned to reappoint Forrest, Paddock, Marcie Shoemaker, James Kenner and Danny Couch.
Commissioner Couch seconded the motion.
VOTE: AYES unanimous
- 9) Roanoke Island Community Center Board
Commissioner Couch motioned to reappoint Lynette Ford and Daniel Selby.
Commissioner House seconded the motion.
VOTE: AYES unanimous
- 10) Upcoming Board Appointments
The upcoming Board appointments for May, June and July, 2022 were announced.

ITEM 13 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

A brief summary of the items mentioned by Commissioners and County Manager follows:

Commissioner Tobin

- He and Mr. Outten had gone to Rodanthe to observe the damage realized from the nor’easter which had caused significant loss of beach and at least five homes.
- Provided an update on the delivery of Miss Katie. Due to fuel tank replacement and a few other issues, she was not expected from the Gulf until August 1, 2022.
- The Board had a follow-up discussion regarding the erosion and collapse of homes.

Commissioner Ross

- He recognized “OBX Room in the Inn” for their efforts to help the homeless and less fortunate during winter months. They would be closing down during the upcoming warmer season and reopening in the fall. Over 1,700 “person nights” had been provided this year.
- The College of the Albemarle was in need of a full-time welding.
- The Virginia S. Tillett Community Center would be sending approximately thirty athletes to Raleigh to participate in the Special Olympics Games. The event would take place on June 3-5, 2022. There would be a “send-off” event at the Virginia S. Tillett Community Center on June 2, 2022 at 10:00 a.m. He wished the participants the best.

Commissioner House

- He stated the Marine Fisheries Commission would be meeting on May 25 and 26 in Beaufort. He would be attending to present two resolutions regarding striped bass.
- Discussed the shrimp amendment geared towards eliminating shrimping in local waters. He added there were also areas which prohibited trolling and control of crab spawning sanctuaries.
- He mentioned the Ferry Division's 75th anniversary event had great speeches with amazing presentations.
- For our day in history: President Andrew Johnson became the first American President to be impeached, however on May 16, 1868, the vote fell one short.
- He presented the pet of the week video with two cats named Kanga and Roo. The SPCA was seeking donations for wet food for both dogs and cats.

Vice-Chairman Overman

- Expressed he was happy to have been able to participate in the Virginia S. Tillett Community Center dedication.
- Noted the Coastal Studies Institute had recently met to discuss issues relative to a path moving forward for CSI to provide student housing on the campus and potential growth of the institution.

Commissioner Bateman

- He had provided the welcome remarks for the Outer Banks Rod and Custom Festival. It had been a great event with representation from thirty states and a few from Canada.
- He had a great time presenting medals during the Special Olympics. He was impressed with the participants' enthusiasm.
- He shared the debris was twenty miles long where the Rodanthe homes had fallen into the ocean.

Commissioner Couch

- Stated the channel was in good shape for the Hatteras Village Offshore Open. The U.S. Army Corps, the State and Dare County's Board had worked to keep the channel open. The tournament had been successful in spite of the weather issues.
- He noted Barton Grover and the engineering firm, WithersRavenel, had been handling the grant money to study resiliency and storm issues in Hatteras. He hoped some useful reports would be forthcoming as we advance our knowledge of storm water.

MANAGER'S/ATTORNEY'S BUSINESS

Mr. Outten explained the Burrus baseball facility in Hatteras had an unfinished concession stand with bathrooms. Approximately ten years ago the league playing there had begun the project with donations. It was now an unfinished and unsafe eye sore. Initially he had been told around \$20,000 would finish the structure; however, it now appeared more like \$69,000. Commissioner Couch added roughly 115 players participated in games there.

MOTION

Commissioner Bateman motioned to approve the County complete improvements to the "Burrus Field" project in Hatteras and bring it up to code using contingency funds.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

Mr. Outten explained the Consent Agenda item approved which concerned the Dominion Energy easement in front of Kitty Hawk Park needed some modifications as to location. He asked the Board to allow him to work with the Parks and Recreation Director, Tim White, Keith Sawyer from Building and Grounds and Dominion to discuss and locate the easement for the project.

MOTION

Vice-Chairman Overman motioned to approve that the County Manager, Tim White and Keith Sawyer would work with Dominion Energy for the appropriate location to bury cables for the signal easement.

Commissioner House seconded the motion.

VOTE: AYES unanimous

Mr. Outten closed with an explanation that the tennis court in Kill Devil Hills, which had been modified with wind screens for pickle ball use, was in disrepair due to a storm. The fencing had been ordered, however, supply chain issues had presented a delay in the repair.

Dorothy Hester reminded everyone that the ribbon cutting for the Dare Health and Human Services renovation would be Tuesday, May 24, 2022 at 4:00 p.m.

Mr. Clawson explained the onsite construction meeting for Avon and Buxton beach nourishment would be May 18, 2022. He advised the Board that the payment process for Hurricane Dorian's emergency measures in the amount of \$213,000 would soon begin.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 6:35 p.m., the Board of Commissioners adjourned until 9:00 a.m., June 6, 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 of Commissioners at this meeting are on file in the office of the Clerk.