



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., June 6, 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 9:00 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Tom Wilson 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 follows:

- National Park Service had spent \$200,000 cleaning the debris from homes that recently fell into the ocean. He reminded everyone to be careful while walking beaches nearby.
- The Jug Handle Bridge opening to vehicles had been extended another week.
- Avon beach nourishment was moving along. Great Lakes was in the process of setting up with completion expected in August.
- He cautioned it would be an active hurricane season. NOA had reported the expectation of a higher number of named storms for the country.
- Remembered today as the anniversary of “D-Day” when Allied forces landed on the beaches of Normandy on June 6, 1944.
- Recognized the U.S. had experienced 245 mass shooting since January 1, 2022. He stated the country needed an awakening. At 9:10 a.m. there was a moment of silence.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS- 115 years of service

- 1) Kristen Burritt, EMS Medical Tech Paramedic, received a 10-year pin.
- 2) Helene Taylor, Admin Specialist Transportation, received a 20-year pin.
- 3) Dorothy Hester, Master Public Information Officer, received a 25-year pin.
- 4) Andrian Tillett, Permit Specialist, Planning, received a 30-year pin.
- 5) Veronica Brickhouse, Library Branch Manager, received a 30-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH – June, 2022

Employee of the Month award was presented by Jack Scarborough to Amy Elkins. Amy has been with the County for thirteen years and currently serves as a telecommunication shift supervisor for the County Sheriff's Office 911 Communications Center in Manteo.

ITEM 4 – PUBLIC COMMENTS

At 9:34 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which may be viewed in their entirety in a video on the County website:

The following comments were made in Manteo:

1. Wayne Barry addressed the Board regarding the mass murders of adults and children in the recent weeks and stated "None of us" are safe anywhere. He offered Dare County needed to develop a policy of gun control. He proposed at the August meeting of the Board a report should be made by up to twenty residents "entrusted with studying the issues surrounding the proliferation of guns and gun violence" and the threat to our community.
2. Rev Spottswood Graves followed similarly regarding the need to act to "save our children". He provided comparison with how an estimated 330,000 lives since 1983 with the creation of MADD. He stated as to gun violence "something can be done".
3. Rev. David Morris remarked he had walked his seven-year old grandson to the Manteo elementary school bus stop today. He said no parent should have to worry about gun violence in their child's school. Gun violence was noted to be the leading cause of death in America. He stated there was no level of government where some action could be accomplished.
4. Rev. Gaye Morris followed with several suggestions: 1. Raise public awareness of fire arm safety especially in homes. 2. Initiate a gun violence initiative to prevent homicide and suicide. 3. Form a summit of community partners, to include public health, hospitals, schools, public defenders and youth services to develop strategies for preventing gun violence.
5. Arlene Arnold told the Board she wanted to give them a different perspective on the gun violence issue. She was a grandmother who had lost her grandchild at the Sandy Hook massacre. She stated it could certainly happen here. She had two other grandchildren and worries about them every day.
6. Jeannine Emery recently relocated here from Atlanta. She commented America was the only developed country in the world with mass killings of our citizens and we do nothing about it.

There were no comments made in Buxton. Public Comments closed at 9:56 p.m.

ITEM 5 – RED SHED LLC, GROUP DEVELOPMENT SPECIAL USE PERMIT #4-2022

After all parties were duly sworn, Noah Gillam, outlined a Special Use Permit (SUP) application from Red Shed LLC for a group housing project to be located at 27221 A Sand Street. Two existing dwellings on the parcel would be removed and three new residential duplex structures built. One would have three-bedroom units and the other two buildings would have two-bedroom units. Copies of the site plan were provided along with the Fire Marshal's comments. The Developer had agreed to install a residential sprinkler system in the three-unit structure. The County Manager asked Mike Morway, engineer with Albemarle & Associates and representative for the applicant, if he agreed to the admission into evidence of the material submitted by the Planning Director, which was on file in the Planning Department, the facts presented by Mr. Gillam, and the terms and conditions outlined in the SUP. Mr. Morway indicated his agreement. Taylor Jones, a resident near the area, was concerned that homes were being taken down to construct employee housing. Mr. Outten explained the owner of the property was planning to construct dwellings which were permitted and within county zoning regulations. The County could not control who could live in a home. He added the County, aware of the need, was working on constructing affordable housing. Mr. Morway advised the units would have a total of twelve bedrooms.

MOTION

Commissioner Ross motioned to approve SUP #4-2022 and associated site plan for the proposed group development.

Commissioners Tobin and House seconded the motion.

VOTE: AYES unanimous

ITEM 6 – NORTH CAROLINA DIVISION OF TRANSPORTATION

C.W. "Win" Bridgers, Deputy Division Engineer for NCDOT, and Ronald K. Sawyer, Division Maintenance Engineer, Jack Liverman, Randy Midgett, Gretchen Byrum, Craig Midgett, and David Otts were present. With the inclusion of Jeff Ryder, who was not in attendance, there was 182 collective years of DOT experience to provide a review of Dare County road projects. Two completed projects were the replacement of bridge #8 and epoxy overlay and deck crack repair along US 64. Even after receiving some funds, the program was currently \$8 billion over program. NCDOT would continue to bring projects as funds became available. Commissioner Ross asked if NCDOT managed the bridge openings. Mr. Bridgers explained NCDOT hired bridge operators, however, the bridge openings was governed by the Coast Guard. They would not allow scheduled openings for the Alligator River Bridge. The replacement of the Alligator Bridge had an estimate of \$212,265,400 and design work continued. The Board continued discussion to have the bridge replacement funded and Mr. Bridgers stated as NCDOT was governed by legislation, it was important to continue pressing for federal funding. The Mid Currituck Bridge was still in the works with a \$500,000,000 price tag. See the archived video for full discussion. Commissioner Tobin thanked the NCDOT for the striping the roads so quickly. NCDOT was also applauded for their response to the last storm for cleaning the sand from the roads.

ITEM 7 – COMMUNITY CARE CLINIC DARE

Lyn Jenkins, Executive Director of Community Care Clinic Dare and a registered nurse, was joined by Karen Reeder, a pharmacist, to provide an update of primary care services offered by the clinic. (See archived presentation on the website.) Ms. Jenkins advised they would be

integrating a dental clinic and a pharmacy to the clinic. They served 730 adults at this time, who were uninsured or underinsured and 250 patients did not speak English. Many needed assistance with affordable medications. Karen Reeder would be the new pharmacist. Ms. Reeder stressed the need to get the information out about medications. Unopened manufactured packaging could be accepted by the public and the collected nursing home medications could be used by the clinic to help others.

At 11: 26 a.m. the Board recessed and the meeting resumed at 11:38 a.m.

ITEM 8 – APPROPRIATION FOR TOURISM BOARD GRANT MATCH TO GRAVEYARD OF THE ATLANTIC MUSEUM

Mr. Clawson explained the Tourism Board had met and approved a grant of \$250,000 to the Graveyard of the Atlantic Museum in order to aid the completion of audio visual and permanent exhibits. The Board was asked to approve a match. Mr. Clawson explained after this item match the fund balance used would be estimated at \$3,250,000.

MOTION

Commissioner Bateman motioned to adopt the budget amendment presented.
Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 9 – DARE COUNTY TOURISM BOARD REQUEST CONSENT EXPENDITURE FROM LONG TERM UNAPPROPRIATED GRANT FUND LINE ITEM 4585 (Att. #1)

Diane Bognich, Director of Administration/Grants Administration, stated she looked forward to partnering with the Board as the museum had been a great asset for the community.

MOTION

Vice-Chairman Overman motioned to consent to the expenditures in the amount of \$250,000 for Friends of the Graveyard of the Atlantic Museum.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 10– CONSENT AGENDA

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

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (05.16.22) (Att. #1)
- 2) Required Policies Pertaining to Expenditure of ARP/CSLFRF
- 3) Amendment to Grant Project Ordinance for Amer. Rescue Plan & SLFRF Grant(Att. #2)
- 4) NC U.N.C. Greensboro Grant Application “Dare County Sheriff’s Office Regional Human Trafficking Task Force”
- 5) NC Department of Transportation – ADA Compliant Curb Ramps
- 6) Avon Property Owners Association “Fourth of July” 2022 Fireworks Display

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 11 – BOARD APPOINTMENTS

- 1) Virginia S. Tillett Community Center Advisory Board
Commissioner Ross motioned to reappoint Lynda Hester, Cindy Perry, Rha Otte and Sara Hester Smith.
Vice-Chairman Overman seconded the motion.
VOTE: AYES unanimous
- 2) Wanchese Community Center
Vice-Chairman Overman motioned to reappoint Robert L. Walter and appoint Justin Bateman.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous
- 3) Library Board - Dare
Commissioner Bateman motioned to appoint Bea Basnight and Susan Pfaff.
Commissioner House seconded the motion.
VOTE: AYES unanimous
- 4) Fessenden Center Advisory Board
Commissioner Couch motioned to appoint Wendi Munden.
Commissioner House seconded the motion.
VOTE: AYES unanimous
- 5) Game and Wildlife Commission
Vice-Chairman Overman motioned to reappoint Timmy Midgett, Mike Johnson and Edward "Bow" Meekins.
Commissioner Couch seconded the motion.
VOTE: AYES unanimous

ITEM 12 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

A summary of the items mentioned by the Commissioners and County Manager during this segment follow:

Commissioner House

- Updated the Board on the May 25-26 Marine Fisheries meeting in Beaufort. He had presented two resolutions previously adopted by the Board. After a heavy debate to lift the ban on gill net use, it was voted to keep it in place.
- The federal government was looking at another windmill farm off of our coast which would be thirty miles off Oregon inlet. It would be detrimental to the fishing and charter fleets.
- For a day in history he remembered June 6, 1944 as the day of the Normandy landings.

Vice-Chairman Overman

- He congratulated and thanked the service pin recipients for their 115 years of combined service. He also congratulated Amy Elkins as the employee of the month.
- He had attended the Special Olympic send off for Dare participants at the Virginia S. Tillett Community Center. The athletes were very excited and had a great party send off.

Commissioner Bateman

- He had also attended the Special Olympic sendoff and commented on their enthusiasm.
- On Saturday he had attended the Bill Walker field dedication at Kitty Hawk Elementary School.
- Reported on the professionalism of the SPCA in assisting him with the removal of three raccoons and relocating them to a refuge.
- He had attended the Oregon Inlet discussion in Wanchese on Friday. He commented the very vocal group met with Dr. Greg Murphy to discuss the inlet and jetties.

Commissioner Couch

- The activities for the staging of the beach nourishment projects were very visible. There had been some difficulty finding housing for the contractors but the community had pulled together to meet the challenge.

Commissioner Tobin

- He requested a letter be drafted by the County Manager and sent to Norm Sanderson, Ed Goodwin, Pat McElraft and Bobby Hanig regarding the pending legislation on dredging matching grants from one third to a quarter. Mr. Outten offered the cost for dredging projects shall be one non-state dollar for every three dollars from the fund.

MOTION

Commissioner Tobin motioned to send a letter in support of changing GS 143-215.73F(c) as proposed.

Commissioner Couch seconded the motion

VOTE: AYES unanimous.

- He had met with Congressman Murphy at his home Friday along with the Chairman and others to discuss the Oregon Inlet. One take away from the meeting was for him to draft a letter to be sent to the Secretary of the Army for our congressmen to sign to outline the immediate short, mid and long-term challenges for the Oregon Inlet.

Commissioner Ross

- Commented the Special Olympic launch for the athletes had been a worthwhile celebration with 17 sponsors and 33 athletes. He thanked the Virginia S. Tillett Community Center staff for providing the venue for the celebration.
- The Links Ladies, a charitable group, held their drive for the cure for breast cancer and reproductive cancer. There had been 124 women golfers and 60 volunteers who raised funds in the tournament with all funds being used in the area.

Chairman Woodard asked the County Manager about the buoy at the swimming hole. Mr. Outten explained they were trying to get a CAMA permit in order to place a more permanent marker. In the meantime, he has instructed staff to continue with the temporary buoy.

MANAGER'S/ATTORNEY'S BUSINESS

Mr. Outten provided the Board with a GIS map reflecting a parcel of land owned by the County (025251011) near the school bus garage and public works. A developer had recently purchased the undeveloped land nearby and wanted to put cluster houses there. He explained the county had settled a boundary dispute approximately forty years ago and a deed had been put to record which included an easement. Many years ago, it had been

proposed the county would cut the trees and creating an open road in the area. It was his opinion the statute of limitations had run. The 1978 deed indicated the county would dedicate a 60' wide strip and remove vegetation. An alternative solution would be to allow the developer to use the paved piece and switch easements. Mr. Outten would contact Kellog Supply nearby the site to insure the easement would not cause an issue to their business. Mr. Outten would bring the easement issue back to the Board if there were problems.

MOTION

Commissioner Couch motioned to authorize an easement for ingress and egress be granted as proposed.

Vice-Chairman Overman seconded the motion

VOTE: AYES unanimous

At the June 6th Board meeting an easement had been granted to Dominion Power near the Kitty Hawk skate board park. The utility had requested to enlarge the easement by 30' to install a pole. Mr. Outten had suggested fifteen feet was sufficient.

MOTION

Vice-Chairman Overman motioned to enlarge the easement as discussed by fifteen feet for installation of a pole.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

On the same parcel Dominion needed to go underground behind the park and to run cable for several houses. The plan presented by Dominion would have placed it down the center of the paved road. Mr. Outten had walked the area and determined a better location which would not prevent future county development. The area to be disturbed would be less then fifteen feet for equipment.

MOTION

Commissioner Bateman motioned to allow the easement for the installation of the cable with the County Manager to review Dominion's final sketch and agreement.

Commissioner House seconded the motion.

VOTE: AYES unanimous.

Mr. Outten explained there was an opportunity for an approximate \$1 million dollar grant to find sand sources for future northern beach projects which would require the county to provide a match. The County would be looking for sand sources in approximately three to four years. There were a few sand sources north of Duck which would make Duck's projects cheaper and the grant would pay for some of that research. If the sources were good, it would make the Kill Devil Hills source last longer and be cheaper for the long term. The sand that moves into the inlet was fine and erodes more quickly. Along with the study they would check to see if the sand sources if the three miles. Mr. Outten suggested that the grant match be paid out of the beach nourishment fund to make it cheaper for Duck and extend the life of the sand source for Kill Devil Hills and Kitty Hawk. Everyone would benefit with the other sand source. Full Board discussion may be found with the archived meeting on the website.

MOTION

Commissioner Couch motioned to approve spending the million out of the Beach Nourishment Fund to match the grant over time for future nourishment projects.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous.

Mr. Outten stated the procurement guidelines regarding the \$35 million for affordable housing were difficult to navigate. He suggested we ask the state to do what they did for local governments with the \$7 million that was received. That was placed in the General Fund as assumed expenses without further need to make accounting with the federal guidelines. If the same was done with the \$35 million it would resolve those issues. He suggested a resolution of support from the Board to authorize the state to move the funds and allow housing projects to move forward. Vice-Chairman Overman asked if it would alleviate the risk of paying the money back. Mr. Outten responded that if the state stated we did not have to follow the Federal procurement guidelines then we would not have the liability. The state of Pennsylvania had already taken this action.

MOTION

Commissioner Ross motioned to get a resolution requesting the state to authorize the funds be placed in the General Fund as outlined in the Board's discussion.

Commissioners Tobin and House seconded the motion.

VOTE: AYES unanimous.

Dave Clawson Division provided an update on the beach nourishment projects. Most of the beach pipe had been delivered to Avon. One project was slated to begin at Kill Devil Hills and move north to Kitty Hawk. He added the Beach Nourishment Fund at the end of June, 2022 would have a projected \$39 million and decrease to \$31 million next year.

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

MOTION

Commissioner Tobin House motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 12:35 p.m., the Board of Commissioners adjourned until 5:00 p.m., June 20, 2022.



APPROVED:

Respectfully submitted,

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

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.