



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., June 20, 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 Finance Director, Sally DeFosse
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 5:01 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Commissioner Couch 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 during his opening remarks, which may be viewed in their entirety in a video on the Dare County website:

- On June 15, 2022, the Board voted to work with Woda Cooper on the essential housing projects in both Bowsertown and at a Nags Head site.
- He updated that the Dare Guarantee Scholarship Fund provided \$250,000 per year to area students and was going well. He recognized the Outer Banks Community Foundation had also awarded \$191,000 for 76 scholarships to 56 students to continue their four-year college educations.
- The Health Science and Simulation Lab would be expanding in Elizabeth City. It was currently outdated and the larger facility would position the college for the next decade of students.
- He presented the 2022 Citizen of the Year Award to Dennis Carroll and stated he was a beacon of hope for those in need on Cape Hatteras. As President of the Cape Hatteras United Methodist Men, Mr. Carroll had helped organize the repair of flood damaged homes, bought medicine and helped fund emergency medical and dental care after weather events. Chairman Woodard provided additional highlights and collaborations of Mr. Carroll’s many years of service to those in need of kindness, compassion and solutions to their struggles.

ITEM 2 – PUBLIC COMMENTS

At 5:21 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. A summary follows of all citizen remarks, which may be viewed in their entirety in a video on the County website:

1. Jayson Collier, one of the parents involved in the work on the Burrus baseball concession requested reimbursement for work done. He provided details of the project's work to date. Mr. Outten said the years old project – Staff has looked at the structure and pricing materials -
2. Rita Webb voiced her objection to the proposed development on Airport Road. She stated the road were deteriorating and already had increased traffic with the new SPCA and other county improvements. She asked for sidewalks and stated the fifty-six additional septic systems would overtax the area. She also questioned what was being done to provide healthcare to the area.
3. Kimberly Head stated she bought her house seven years ago in an x zone that would not flood and in a safe environment. She stated her home flooded with rain and FEMA would not help because she was in an x zone. Her subfloors needed to be replaced. She asked the Board to ensure that the current community was being taken care of. NC Rebuild -
4. Barbara A. Sibunka, resident of 132 Garris Circle spoke regarding the Evans Tract. The fifty-six homes would be on top of another and she expected percolation problems. She was dissatisfied with the current situation of only one physician for all of Roanoke Island and said the county's healthcare was inn crisis mode.
5. Kathy Meekins resided just off of Airport Road. She stated the impact of the extra homes on that road had not been addressed. NCDOT needed to do an assessment because there would be amazing traffic issues and other impacts.
6. Elizabeth Granitzki stated she had been born on Airport Road and felt it the area of the maritime forest was an historic landmark. Land was continuously being destroyed because it was easier to clear cut for development rather than build around trees. She suggested lots 44-56 be reserved as a storm buffer. There would be a lot of flooding from Airport to Holly Ridge.
7. Kathryn Fagan stated greed was ruining what we had. Fifty-six new homes with new septic systems would impact an already rising water table. She stated the public had not been engaged with the decision. She suggested additional time be provided to discuss the development impacts with national and state organizations to fine an avenue to resolve the problems.
8. Michelle Lewis, a US Senate candidate, stated she had traveled throughout the state and the problem with housing access is in every community in NC. She thanked the board for working on solutions and suggested setting some limits on the resources that could be sold. She stated the infrastructure did not meet the needs of the county.

9. Kathy Mitchell, a resident of 109 Garris Circle, agreed with many of the other comments. She stated there was a tremendous loss of natural areas and was concerned we would get down to the last few slivers of buildable land. She expressed there was a limit that these barriers could withstand and it was time to reassess how these decisions were being made in order to set aside land for conservation.
10. Louise Gray thanked the Board for meeting the county's needs. She had moved into their home – 1968 moved into their home on Airport Road – there are eagles that live nearby – there are crows concerned about the clear cutting
11. Diannalea Knight, a resident at 184 Airport Road, commented on the amount of traffic congestion in Manteo. She suggested a survey should have been done before allowing so many houses built in the area. She added there would be 108 more cars added to Manteo with the new housing project.
12. Richard N. Hodgens stated he was a resident of Daphne Lane, which was adjacent to the new housing project. He asked if an environmental impact study had been done prior to approval; and if not, when would it be done.
13. Malcolm Fearing informed the Board he had been before the Town of Manteo's Board to discuss the area's healthcare and he was troubled. He was not criticizing the hospital, nurses, doctors and other dedicated healthcare workers. His father and grandfather had built the first clinic in the area. He suggested a study commission be formed immediately with the town of Manteo, a group of commissioners, house and senate representatives, Dr. Sheila Davies and involvement from the general public.

No comments were made in Buxton. Public Comments at closed at 6:19 p.m.

Chairman Woodard asked Mr. Outten to respond to the many comments concerning the new housing development. Mr. Outten explained there were housing ordinances which were adopted for developments. There were rules by right and conditional use permits. He explained the Board could not stop a development on property which followed the adopted ordinances or permit conditions. (Full discussion on website archived video).

The Board took a recess at 6:25 p.m. and reconvened at 6:45 p.m.

ITEM 3 – DARE COUNTY N.C. COOPERATIVE EXTENSION REPORT

Tanya Lamo, County Extension Director, presented an overview of the Extension office's 2021 highlights. Dee Furlough, Family Consumer Science Agent, Ruth Perkins, 4-H Agent, Master Gardener Mary Robertson and Kimberly Armstrong, Administrative Assistant, joined in the report. Twenty-one youth had participated in camp programs with funds raised to offset the cost with grants and fund raising. Exceptional classes had been provided at the Virginia Tillett Center, Monarch Beach Club, Baum Center and the Manteo High School relating to food and nutrition. There were 60 certified master gardeners and 15 new master gardener interns. They had offered sixty-four "ask a master gardener" sessions with additional library workshops and educational opportunities. Additional highlights of the Outer Banks Arboretum programs were provided, which included 975 visitors at a plant sale.

ITEM 4 – UPDATE ON WEBSITE REDESIGN

Dorothy Hester, Master Information Officer for the County, along with Katelin Kight, gave an overview and update of the County's website redesign process. The last design of the website had been six years ago. They were currently finalizing the graphic design phase. Over half of the traffic on our site was through use of a mobile device. Katelin explained they were working with Granicus for the redesign. She provided the survey results on the examination of our current website and shared examples of subpages of the future website.

ITEM 5 – E911 FUND BUDGET AMENDMENT

Capt. Jack Scarborough provided the Board with written summary that the State E911 Board had awarded the County additional funds for FY2023 to offset planned capital expenditures and equipment maintenance and repair costs. The budget amendment presented would allocate the increased revenue and expenditures to the property accounts.

MOTION

Commissioner House motioned to approve the budget amendment.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – EMS AND MASONIC LODGE CONSTRUCTION MANAGER AT RISK REQUEST FOR QUALIFICATION PROJECTS

The County had received five responses for construction manager at risk for the EMS stations and the Mason Lodge. They were Barnhill Contracting Company, AR Chesson Construction, Daniels & Daniels Construction, Skylar Design Build and The Whiting-Turner Contracting Company. The CIP Committee had met June 6, 2022 and reviewed the responses and recommend Barnhill Contracting Company.

MOTION

Vice-Chairman Overman motioned to approve Barnhill Contracting Company as the Construction Manager at Risk for the EMS projects and the Masonic Lodge project.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 7 – GRANT APPLICATION – OREGON INLET CONSTRUCTION ADMINISTRATION SERVICES (Att. #1)

Barton Grover requested the Board to authorize the submission of a N.C. DEQ Shallow Draft Navigation Fund grant application to cost share on construction administrative services with Coastal Protection Engineering for maintenance dredging in Oregon Inlet for the next fiscal year. The grant would provide 66.67% (\$23,627) of the cost, whichever is the lesser amount.

MOTION

Commissioner Couch motioned to adopt the resolution, approve the budget amendment and authorize the County Manager to enter into contract with Coastal Protection Engineering.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 8 – GRANT APPLICATION – HATTERAS INLET CONSTRUCTION
ADMINISTRATION SERVICES (Att. #2)**

Mr. Grover also presented this item to request authorization of a N.C. DEQ Shallow Draft Navigation Fund grant application to cost share on the Hatteras Inlet for the next fiscal year. This grant would provide \$73,694 or 75% of project cost, whichever is the lesser.

MOTION

Commissioner Couch motioned to adopt the resolution, approve the budget amendment and authorize the County Manager to enter into contract with Coastal Protection Engineering. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – GRANT APPLICATION – SOUNDSIDE BOARDWALK IMPROVEMENTS
PROJECT (Att. #3)**

Mr. Grover requested the Board adopt a resolution to sponsor the Soundside Boardwalk Improvement Project. The Tourism Board is seeking \$200,000 to construct a boardwalk, boat slips, a gazebo and walkways to the Sound at the Soundside Event Site in Nags Head. As the Tourism Board may not apply for the grant themselves, the Dare Board would sponsor the improvements the Tourism Board would take on all obligations.

MOTION

Vice-Chairman Overman motioned to adopt the resolution to sponsor the Soundside Boardwalk Improvements Project.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 10 – ISLAND H MODIFICATIONS GRANT

Mr. Grover explained a grant in the amount of \$498,691.60 had been received for modifications to the Island H confined disposal facility near Wanchese. These modifications would be needed in order to prepare for the Corps of Engineers pipeline project. He requested the Board authorize the County Manager enter into a contract with Coastal Protection Engineering for the project.

MOTION

Commissioner House motioned to approve the budget amendment and authorize the County Manager to enter into a contract with Coastal Protection Engineering.

Commissioner Tobin 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 Tobin motioned to approve the Consent Agenda:

- 1) Approval of Minutes (06.06.22) (Att. #4)
- 2) Reimbursement Resolutions: Fiscal Year 22-23 Vehicle & Equipment Financing and Fiscal Year 22-23 Public Works Equipment Financing (Att. #5 & 5a)
- 3) Sanitation Fund – Capital Outlay Budget Amendment
- 4) Tax Collector's Report
- 5) Tyler Payment Card Processing Agreement
- 6) Budget Amendment for Deeds of Trust Fund (Special Revenue Fund)

- 7) FY23 Capital Project Ordinance-Public Works Equipment Amendment (**Att. #6**)
 - 8) FY23 Opioid Settlement Funds Budget Amendments
 - 9) Budget Amendment – Leases
 - 10) Colington Road Project R-5014 Utility Preliminary Engineering Agreement (Payable)
- Commissioner House seconded the motion.
VOTE: AYES unanimous

ITEM 12 - BOARD APPOINTMENTS

1. Fessenden Center Advisory Board
Commissioner Couch motioned to appoint Jennifer Cromwell as an at-large member.
Vice-Chairman Overman seconded the motion.
VOTE: AYES unanimous
2. Upcoming Appointments
The upcoming appointments for July, August and September were provided.

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

Commissioners and the County Manager frequently make extensive remarks, which may be viewed in their entirety in a video on the Dare County website. Following is a brief summary outline of the items mentioned by Commissioners during this segment:

Commissioner Couch

- Reported it was busy in Hatteras and the beach nourishment had begun. The community was taking an active roll in securing housing for the company workers.
- On June 29, 2022, at 5:00 p.m., there would be a meeting with exhibit designers for the Graveyard of the Atlantic Museum.

Commissioner Tobin

- Provided an update that the new dredge would be delivered to Morgan City, Louisiana in mid-July, 2022.
- He praised Barton Grover for securing the Snagboat Snell for shallow-draft channel work.

Commissioner Ross

- Attended the groundbreaking last week of the cancer center in Nags Head on June 16, 2022. The new center was targeting opening in September, 2023.
- Applauded Jackie Tillett and Kelly McPherson for working on improvements in the elections office to be implemented during the general election.

Commissioner House

- He urged residents and visitors to be careful on area roads, as he had seen a lot of careless driving lately.
- Today in History: In 1782, Congress approved the American bald eagle for the country’s seal.
- Presented “Grace”, the SPCA’s Pet of the Week that was available for adoption.

Vice-Chairman Overman

- Congratulated Dennis Carroll as Citizen of the Year and stated we do not have many folks like him.

Commissioner Bateman

- Recollected the clearing of trees in a childhood neighborhood and stated he could identify with many of those making public comment this evening.
- Commented on the lack of doctors to attend to resident healthcare issues and stated he wanted some answers.

MANAGER'S/ATTORNEY'S BUSINESS

Dorothy Hester and Sally DeFosse advised the Board they each had nothing to add.

County Manager Outten advised the Board that NC Works was using the small office in the Administrative Building. He requested authority from the Board to enter into a lease agreement with NC Works.

MOTION

Commissioner House motioned to give the County Manager authority to enter into a lease agreement with NC Works.

Commissioner Couch and Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

Chairman Woodard said he appreciated Malcolm Fearing's comments regarding the area's healthcare issues and that similar problems were all over the country. He stated he had called Ronnie Sloan, President of The Outer Banks Hospital, and asked for the ECU health representatives of Greenville to meet. He planned on calling a special meeting for answers.

ATTORNEY CLIENT (GENERAL)

The Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the County in order to preserve the attorney-client privilege, pursuant to NCGS 143-318.11(a)(6) to review the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. and to approve the minutes of the last Closed Session.

MOTION

Commissioner Tobin motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 8:09 p.m., Dorothy Hester and Sally DeFosse left the meeting.

At 8:09 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 8:28 p.m. Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes, had discussion with the County Attorney and took no action.

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 8:31 p.m., the Board of Commissioners adjourned until 5:00 p.m., July 18, 2022.



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

APPROVED:

Note: Copies of attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board at this meeting are on file in the office of the Clerk. During the meeting, several agenda items involved public comment and each speaker's position has been summarized. Attempts have been made to accurately reflect the spelling of each name as spoken at the podium or based on the legibility of the sign-in sheet.