



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., September 6, 2022

Commissioners present: Chairman Robert Woodard, Sr., Vice Chairman Wally Overman
Rob Ross, Jim Tobin, Danny Couch and Ervin Bateman

Commissioners absent: Steve House

Others present: County Manager/Attorney, Robert Outten,
Assistant 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 9:03 a.m. Chairman Woodard called to order the regularly scheduled meeting. He thanked Senator Bob Hanig for his attendance. Chairman Woodard invited Rev. Nathan Finin 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:

- Stated it had been the summer of beach nourishment. Buxton and Avon were completed on 8/16 and Nags Head on 8/27. As to the northern beaches, Kill Devil Hills was completed and Kitty Hawk had been started. The projects were to continue at Southern Shores and in Duck. Great Lakes and Weeks Marine had done an incredible job.
- *Miss Katie*, Dare County’s new dredge, had arrived on August 19th. A video was shown to showcase the one-of-a-kind dredge, as it made its arrival into Wanchese.
- Dare COA had opened their doors on August 15th to the new \$18.5 million learning facility.
- Congressman Murphy presented a press conference on August 19th to propose new legislature for a jetty feasibility study for Oregon Inlet.
- National Aviation Day was held in Manteo, at Dare Regional Airport, on August 19th to celebrate the anniversary of Orville Wright’s birthday. He gave a short history.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Catisha Bryant received a 15-year pin.
- 2) Angela Long received a 25-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH – September, 2022

EMS Department Advanced EMT, Matt Cartwright, received the Employee of the Month award from Jennie Collins. He was described as having a positive attitude and was always helpful.

Drew Pearson, Emergency Management Director, announced that James Wooten, Emergency Management Planner, had graduated from FEMA's National Emergency Management Advanced Academy in Maryland. This incredible achievement took a full year of study. Mr. Wooten graduated with honors and was one of 25 selected from 400 applicants.

ITEM 4 – PUBLIC COMMENTS

At 9: 32 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:

1. Al Pirrone stated pickleball was a great social networking opportunity and outlined the times currently available and the cost charged at the local YMCA. Visitors were forced to seek venues elsewhere, as local courts were full.
2. George Barr, Manager of the OBX pickleball club, thanked the Board for making Walker Park available with four new courts, as well as the CIP funds set aside for future pickleball expansion. He estimated eight courts could be created with the funds.
3. Sandra Briggman voiced her concern that the budget did not include improvement to adult recreation this fiscal year. She stated adult programs were pushed aside and wanted volunteers to open county facilities pickleball courts on nights and weekends.
4. Dave Briggman had operated a motel for fifteen years and stated more year-round attractions were needed for the off season. Pickleball was the fastest growing sport in the country. He said smaller cities had more courts than Dare and had done well.
5. Scot Morton said adult recreation in Dare was at a minimum and offered it would not cost much to improve the situation. He wanted the youth center open on the weekends and stated it would cost less than \$15,000 a year. He wanted more courts.
6. Scott Garber disagreed with the elimination of a new gym from the CIPC. He added the Board was not addressing the most important need of the county. He presented a petition with 208 signatures from the adult community for a new gym.
7. Geoff Fountain had discovered the sport of pickleball after retirement and now played two-three times a week. He proposed a volunteer staffing program for more playing opportunities and offered to set up sessions to explore the possibility.
8. Everett Fifield, III, spoke about the addition of Concord Court to the NCDOT secondary road maintenance system. The owners had not been aware it was considered a private road. It was an item on the agenda for Board approval.

9. Alana Harrison stated the blue catfish was an invasive species and was eating crabs and fish. They had been found in the Albemarle Sound, and she warned something needed to be done to reduce their population.

With no comments from Buxton, the County Manager closed Public Comments at 10:10 a.m.

ITEM 5 – PUBLIC HEARING – REQUEST TO CLOSE THE PAVED PORTION OF SEAGULL STREET IN RODANTHE (Att. #1)

At 10:11 a.m. the Board held a Public Hearing. No one responded to the invitation to address the Board and the County Manager closed the hearing at 10:11 a.m. Mr. Outten explained the item was to allow the homeowners on that stretch of property near Mirlo Beach to move their homes closer to Highway 12 to protect them from the ocean and erosion.

MOTION

Commissioner Bateman motioned to close the paved portion of Seagull Street in Rodanthe. Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – APPOINTMENT OF DEPUTY TAX COLLECTOR (Att. #2)

County Manager Outten presented Mesia Wescott Godfrey as the Deputy Tax Collector.

MOTION

Vice-Chairman Overman motioned to appoint Ms. Godfrey as Deputy Tax Collector. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

The Clerk administered the oath to Ms. Godfrey with her parents, Lynanne Wescott and Nevin Wescott, holding the Bible.

MEETING RECESSED at 10:16 a.m. and RECONVENED at 10:28 a.m.

ITEM 7 – ANNUAL SETTLEMENT

Beck Huff, Tax Collector, presented the 2021 taxes, both paid and unpaid. The total county real estate and personal property levy for 2021 was \$65,967,292.57 with a collection rate of 99.63% totaling \$65,722,073.01 as of June 30, 2022. The budgeted valuation for 2022 would be \$16,312,781,089 with municipal levies totaling \$100,683,146.10.

MOTION

Commissioner Couch motioned to charge the Tax Collector to collect the 2022 taxes. Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – ROGALLO MUSEUM PRESENTATION (Att. #3)

Billy Vaughn and John Harris provided a presentation to illustrate the proposed project. (See archived video) The proposed museum would tell the story of Rogallo's invention of the Rogallo wing and the sports using it. It was estimated at \$7 million to build on a site at Jockey's Ridge. The group would meet with state parks next week to work out a lease.

MOTION

Commissioners Tobin and Bateman motioned to approve the resolution for support of the proposed museum.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – DARE SOIL & WATER CONSERVATION DISTRICT: 2022 UPDATE

Adam Simon, Community Conservationist for Dare, provided an update on the County's projects for fiscal year 2022. Vice-Chairman Overman asked whether there was another, more effective means of removing alligator weed. Mr. Simon said it could be mechanically removed, as it had been done in the 1950's, with a somewhat better outcome. Mr. Simon would continue to apply for future grants and would follow up with the Board on progress.

ITEM 10 – PROCLAMATION – WORLD ALZHEIMER'S MONTH

GEM Day Services, presented a proclamation to raise awareness in the county about Alzheimer's Disease and the continuing need for research, education and caregiver services.

MOTION

Vice-Chairman Overman motioned to approve the World Alzheimer's Month Proclamation. Commissioner Ross seconded the motion.,

VOTE: AYES unanimous

ITEM 11 – UPDATE ON CAREGIVER'S DAY OUT PROGRAM.

Sheila Davies and Dianne Denny provided an update on the program. They outlined the many activities including decorating hats for Easter and painting Mother Day cards, which were donated to Peake Resources. The program was free and offered one day a week from 9:30 a.m. – 1:00 p.m.

ITEM 12 – PROCLAMATION – CONSTITUTION WEEK

The Daughters of the American Revolution for Dare County provided a proclamation commemorating the 235th anniversary of the signing of the United States Constitution. Regent Coleen Fagersten mentioned there would be a bell ringing at the Manteo Veterans Memorial at 4:00 p.m., on September 17, to commemorate the event. Commissioner Ross requested a correction be made to paragraph four denoting the 235th anniversary.

MOTION

Commissioner Couch motioned to adopt the Proclamation for Constitution Week. Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 13 – PROCLAMATION – DIAPER NEED AWARENESS WEEK

Carla Heppert, Education & Program Evaluation Manager for Children & Youth Partnership, presented a proclamation recognizing "Diaper Need Awareness Week" from Sept. 24-Oct. 2, 2022. One in three families reported having financial difficulties with diaper needs for their children, which could cost \$70-80 per month. The program began in May 2020 and hosted monthly events and diaper drives. 5,000 packs of diapers had been distributed to date.

MOTION

Commissioner Tobin motioned to adopt the proclamation.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 14 – PROCLAMATION – SUICIDE PREVENTION MONTH

Sheila Davies, Director of the DHHS, presented a proclamation to recognize Suicide Prevention Awareness Month. There would be an event on September 27, 2022 at First Flight High School

MOTION

Vice-Chairman Overman motioned to adopt the proclamation.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 15 – CAPITAL IMPROVEMENTS PLANNING COMMITTEE RECOMMENDATION – EMS STATIONS, PUBLIC WORKS, PARKS AND RECREATION AND YOUTH CENTER

Mr. Outten provided the Board with a map and renderings of the EMS stations, Public Works, Buxton Transfer Station, Parks and Rec. facilities, Youth Center, as well as Dare Med Flight hangar, which were being considered for repair, renovation and/or construction. Preliminary renderings were also provided. It was estimated it would cost \$59 million for projects to be completed in three phases by the end of 2024. There would be a zoning change in Manteo for the new youth center. Details of the scheduled phases were provided to the Board. Mr. Outten reviewed the recreation improvements. The CIPC had chosen to reduce \$6.6 million from Lions Club improvements. Approximately \$453,600 was set aside for pickleball courts and Mr. Outten explained it included bathroom facilities and amenities, which would be determined by the sites chosen. The grand total of the costs originally presented was \$36,054,963 and the CIPC had reduced it to \$23,870,313 in recreation facility improvements. The CIP plan works with the funding available, including inflation escalation factoring and would keep coverage ratios in good standing. The CIPC recommended moving forward with all the projects in a phased manner. Mr. Outten also provided an update of the following projects: Animal Shelter, COA, Manteo Youth Center, Beach Nourishment, Parks and Rec. "Master Plan", Affordable Housing, Rodanthe Harbor bulkhead replacement, Roanoke Island drainage ditch, Island H modifications, Buxton Transfer Station and Avon/Buxton waterline replacement.

MOTION

Commissioner Tobin motioned to accept the CIPC's recommendation and to move forward with the phased projects on various county facilities as presented.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 16 – AFFORDABLE HOUSING – See archived video for full discussion

Mr. Outten outlined the contracts for Coastal Affordable Housing, LLC and Woda Cooper Companies, Inc. that had been finalized and were ready for signature. They were complicated contracts and much had changed since the initial presentation. He reviewed the Woda Cooper projects would be in two locations, Manteo and Nags Head. The LIHTC built projects would include approximately twenty-four one-bedroom units with a final unit mix to be approved by the Board. There would be a ground lease and the units would remain affordable. They could start within the next 12 months. At the termination of the ground lease, the premises would be delivered to the county. Mr. Outten stated prices had increased since the original pro forma, but Woda was committed to 100 completed units. Dare had committed \$9 million to the project. Woda Cooper would shoulder the risk of cost increases.

MOTION

Vice-Chairman Overman motioned to approve the contract and ground lease with Woda Cooper Companies.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

Mr. Outten explained the Coastal Affordable Housing predevelopment contract had gone through at least twenty-four iterations. The predevelopment contract was ready and the county could now move forward with work on the development agreement phase. The goal was to provide affordable housing between market rate and a reduced rate. \$35 million to be lent to Coastal and we calculate annually the difference between the market rate and a reduced rental rate. Once the savings accumulated reached \$35 million, the County would be in a position to forgive the loan to Coastal. The County would not be liable to Coastal for anything above the \$35 million received from the state. Coastal had looked at sites and were identifying the best sites. Depending on the sites chosen, the Board may have further actions required. There was a management plan attached with a schedule of the predevelopment costs with the county obligated for up to \$5 million. The project called for 300-400 multi-family units. Ownership details had not yet been finalized. A ground lease would be possible with restrictions later during development. The statute provided that Coastal would determine the rate because they were at risk for \$35 million. Mr. Outten reviewed the new legislature, which he explained was the third iteration. Indemnities were discussed and Mr. Outten stated the county would renegotiate indemnities prior to the development agreement being finalized. Marion Warren, of Coastal, addressed the Board regarding consultant, engineer and architectural costs. Mr. Warren stated the project's housing goal would be for providing the maximum number of units for the "working middle class".

MOTION

Commissioner Tobin motioned to approve the contract with Coastal Affordable Housing, LLC and authorize the County Manager to sign the final predevelopment contract.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

Mr. Outten asked to clarify the Board's previous motion regarding Woda Cooper Companies.

MOTION

Vice-Chairman Overman motioned to approve the contract for Woda Cooper Companies and authorize the County Manager to sign the final contract.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 17 – ROAD REQUEST–CONCORD CT - ARBOR WAY (PHASE 1) MANTEO (Att. #4)

The Board was presented with a petition, site plan of Arbor Way and photographs for the formal request with a resolution by the Board for Concord Court to be considered for addition to the NC Department of Transportation's Secondary Road System for maintenance.

MOTION

Commissioner Couch motioned to adopt the resolution for the Clerk's signature.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 18 – OUTER BANKS NATIONAL SCENIC BYWAY – FRISCO-BUXTON PATHWAY COMMITTEE – BOARD OF COMMISSIONERS' REQUEST FOR MATCHING FUNDS

The Outer Banks National Scenic Byway Frisco-Buxton Pathway Committee presented a request to the Board to send a Tourism Impact Grant application to the Dare County Tourism Board for \$200,000 in matching funds for the first phase of the project. Laura Arnold stated it would build out 4.41 miles of pathway in Frisco and Buxton ending at Piney Ridge Road.

MOTION

Commissioner Couch motioned to send a request for matching funds to the Dare County Tourism Board if they are awarded the national grant and authorize the county manager to sign the grant application and the letter.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 19 – OCTOBER, 2022 BOARD MEETING

There was a need to change the October 3, 2022, 9:00 a.m., meeting to October 4 or 5, 2022 at 5:00 p.m. It was the consensus of the Board to move the meeting but to start at 9:00 a.m.

MOTION

Chairman Woodard motioned to change the October 3, 2022 Board meeting to October 5, 2022, at 9:00 a.m.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 20 – CONSENT AGENDA

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

MOTION

Vice-Chairman Overman motioned to approve the Consent Agenda:

- 1) Approval of Minutes (08.01.22) **(Att. #5 & 5a)**
- 2) Southern Albemarle Association, Annual Meeting Invitation List
- 3) Update to County Financial Policies
- 4) NC Governor's Highway Safety Program Local Governmental Resolution – Law Enforcement Liaison **(Att.#6)**
- 5) NC Governor's Highway Safety Program Local Governmental Resolution – Equipment **(Att. #7)**
- 6) Community Development Housing Fund Budget Amendment
- 7) Housing Fund Budget Amendment for State Appropriation
- 8) Sheriff's Dept. Budget Amendment
- 9) Occupancy Tax Resolution **(Att.#8)**
- 10) Government Education Access Channels Attendance Policy
- 11) Tax Collector's Report
- 12) Dare County Tourism Board MOU and Easement with Dare County for the Soundside Boardwalk Improvements Project
- 13) Island H. Modification Project
- 14) Health & Human Services, Public Health Division – Breaking Through Task Force- Public Awareness Campaign to Address Community Mental Health Grant
- 15) DHHS Public Health Division – School Health Team Workforce Funding
- 16) DHHS Public Health Division – NENCPPH Public Health Workforce Grant
- 17) DHHS Public Health Division – Communicable Disease Pandemic Recovery Funding
- 18) Hatteras Island Watermain Replacement Change Order #1

Commissioners Tobin and Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 21 - BOARD APPOINTMENTS

1) Children & Youth Partnership for Dare County

Commissioner Danny Couch had served two terms. In accordance with the CYP bylaws, another commissioner should be appointed by the Chairman. After a short discussion, Commissioner Tobin agreed to fill the position and Chairman Woodard motioned to appoint Commissioner Jim Tobin to the Children & Youth Partnership board.

This is a Chairman appointment with no second required.

VOTE: AYES unanimous

2) East Lake Community Center Board

Vice-Chairman Overman motioned to reappoint Crystal Basnight for another term. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

3) Transportation Advisory Board (Item was presented during County Manager remarks.)

Vice-Chairman Overman motioned to appoint John B. Rafferty to fill the Government Sector vacancy.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

4) Health and Human Services Board

Vice-Chairman Overman motioned to reappoint Chris Roberts & Ashley Jackson, appoint Brent Richardson replacing Kevin Phillips and Jamie Daniels replacing Nick Kiouisis.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

5) Upcoming Board Appointments

The upcoming Board appointments for October, November and December, 2022 were announced.

ITEM 22 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Following is a brief outline of the items mentioned by Commissioners and County Manager.

Chairman Woodard thanked those who presented public comment. He noted it was critical to update the EMS stations, as voted upon in today’s meeting, along with the plan to move forward with renovations and improvements to the aged parks and recreation facilities. When the county approached the planning stage of pickleball courts, he offered it would be beneficial to gather information and consult sport players for their input.

Vice-Chairman Overman

- He congratulated the service pin recipients, Angela Long and Catisha Bryant, and the EOM recipient, Matthew Cartwright. He also recognized Jim Wooten on his achievement.
- The 13th annual Walk Against Addiction was September 24 at First Flight High School.

Commissioner Bateman

- Recognized the loss of two “community givers” last week: Mark Johnston and Matt Tappero.
- He spoke about the upcoming Walk for Addiction event which would help highlight the fact that addiction, alcoholism and mental illness were problems to address in the county.
- Announced there would be a suicide prevention event on September 27 at First Flight.

Commissioner Couch

- Thanked the Chairman for his earlier remarks concerning Aviation Day. He noted Orville and Wilber’s sister, Katharine Wright, had been instrumental in their accomplishments. August 19th was also her birthday. She had been instrumental in her brothers’ successes and he hoped there might be a proclamation in the future to add her to the celebration.
- He stated he was glad Dare County now had *Miss Katie* to help with dredging efforts.

Commissioner Tobin

- The hydraulics that served the drag arms on *Miss Katie* had overheated. They were under warranty and expected to be replaced by the end of the week. So far, *Miss Katie* had dredged 8,500 cubic yards in surrounding waters.
- He had been contacted by a landowner about unlawful hunting on his land. Dare County relied on the NC Landowner Protection Act; however, marshland was difficult to mark with signs or purple paint. Commissioner Tobin proposed the Board adopt additional language to be added to our ordinance as follows:

It is unlawful to hunt or fish on the land of another without having written permission on one’s person, signed and dated for the current hunting or fishing season, of the landowner or lessee, or the landowner’s or lessee’s designee. The written permission shall not be valid for more than one year and may be valid for a shorter period stated in the permission. The written permission shall be displayed upon request of any law enforcement officer of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other law enforcement officers with general subject matter jurisdiction.

MOTION

Commissioner Tobin motioned to add the language (in italics above) to Dare County’s current ordinance regarding hunting and fishing.

Vice-Chairman Overman seconded the motion.

VOTE: Ayes - unanimous

Mr. Outten said the state statute had already addressed this issue.

Commissioner Ross

- There would be a suicide awareness town hall event at First Flight High School on September 27, 2022 at 5:30 p.m.
- Nationally fourth and eighth graders were recently tested and revealed the most dramatic one-year test score decline in the last forty years in reading and math. He had written a letter to the Superintendent of Public Instruction, Catherine Truitt, requesting the return of the publication entitled “Roadmap of Need” and had not yet received a response.

MANAGER’S/ATTORNEY’S BUSINESS

Item 21 (3) was presented and voted upon. Mr. Outten had nothing further to present.

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

MOTION

Commissioner Tobin motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 1:39 p.m., the Board of Commissioners adjourned until 9: 00 a.m., October 5, 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 materials considered by the Board at this meeting are on file in the office of the Clerk.