



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., November 7, 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 meeting is archived on a video that is available for viewing on the Dare County website www.darenc.com.

At 9:02 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Feyrer 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:

- Chairman Woodard stated the most pressing issue facing Dare County was essential housing and the Board would not walk away from any difficult challenge concerning its citizens. The Board was close to a project to build 100 units on two locations with Woda Cooper. Coastal Housing would also construct on several sites throughout the county. He described the conception by a small group opposed to the projects. He reiterated the projects were not rent subsidized or Section 8 and would be for the county’s workforce. Industry leaders in the county had estimated that Dare needed a minimum of 2,500 units. He projected a picture of a proposed project and provided argument against the many opinions opposing construction of the housing. He emphasized builders must comply with all the same construction standards as market rate projects and there were higher restrictions due to the contribution of public funds. He stated inclusive communities provided opportunities for all and those in opposition of the projects needed to take the time to get the facts. He stated the Board was willing to hold a town hall meeting to dispel and address untruths and hear citizens’ concerns. He urged citizens to send the right message in support of essential housing. The Board unanimously supported his comments and Commissioner Ross added the county had secured the funding and aligned partners with plans to move forward on essential housing projects. He stated it

was an historic opportunity for the county to partner with the towns to get it done. Commissioner House added the Outer Banks was a community which strived and prided itself on helping their fellow neighbor. It was time to give and provide workforce and essential housing here in the county.

- Chairman Woodard presented Ray White with the prestigious Order of the Long Leaf Pine award. He stated Mr. White had faithfully volunteered to help his community for nearly fifty years. He served on the ABC Board for 49 years and had spent much of that time as chairman. He served as director of the Outer Banks Community Foundation for sixteen years. This organization had distributed over \$12 million in grants and disaster relief funding to the local community.

ITEM 2 – EMPLOYEE OF THE MONTH – November, 2022

The recipient was unavailable at this time and would be recognized in December.

ITEM 3 – RESOLUTION SHOWING APPRECIATION AND SUPPORT FOR DARE COUNTY ELECTIONS STAFF AND PRECINCT WORKERS (Att. #1)

Chairman Woodard introduced a resolution to recognize the hard work of elections staff and precinct workers. He stated they allowed us to exercise our right to vote.

MOTION

Chairman Woodard motioned to adopt the resolution.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 4 – PUBLIC COMMENTS

At 9:50 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center in Buxton. Following is a summary of remarks in Manteo:

1. David Bragg disagreed with the Board's desire to build what he referred to as low-income housing in Nags Head. He proposed the Manteo parcel located at 803 Bernice Avenue was a more suitable 5.7-acre location for housing than the 4.3 acres in Nags Head, as it was less expensive. He stated low income people should take actions such as obtaining second and third jobs to be able to afford housing. He suggested public transportation options be provided.
2. Trish Midgett, a longtime realtor, told the Board she wanted to relay the desperate messages she was receiving from homeowners regarding beach nourishment in Rodanthe. She stated the county had never proposed beach nourishment in the area and the Park Service had no opposition to it. She requested a task force be formed to work towards beach nourishment for the homes in danger.
3. John Head thanked the Planning Board for their recent assistance with an endangered home. He stated it was time to readdress the work towards long-term solutions to protect the homes and beaches on Hatteras Island. He felt it was an overreach of the Park Service to claim ownership beyond the mean high tide and requiring owners to get permits to move homes.

With no comments from Buxton, the County Manager closed Public Comments at 10:00 a.m.

ITEM 5 – PUBLIC HEARING – ZONING AMENDMENT TO R-2B TO ALLOW FOR PET CREMATORIALS AS AN ACCESSORY USE TO PET GROOMING AND KENNEL FACILITIES (Att. #2)

At 10:01 a.m. the Board held a Public Hearing to receive input concerning this item. No one responded to the invitation and the County Manager closed the Public Hearing at 10:01 a.m.

Noah Gillam explained Pam Anderson, owner and operator of a pet grooming and kennel facility located at 208 Williams Drive in Colington, had submitted a zoning text amendment request to allow pet crematoriums to the list of uses in areas zoned R-2B. The Planning Board agreed the proposed amendment should be an accessory use with conditions added to require permits if the State began regulation of pet crematoriums. A finding of consistency and reasonableness was included with the report.

MOTION

Commissioner Tobin motioned that the draft amendment to the R-2B zoning district, Section 22-22.2 of the Dare County Zoning Ordinance be adopted as drafted with a statement of consistency and reasonableness as prepared by staff to be adopted as part of the motion. Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

Chairman Woodard added he had visited the site. The applicant was complying with all conditions and the neighbors were in full agreement.

ITEM 6 – DARE COUNTY FERAL CAT UPDATE

Bill Coleman, Executive Director of the Dare County Animal Shelter, provided the Board with an update. He reported 135 cats had been altered since the program began in early September. Approximately 14% of the \$60,000 budget had been spent. They had partnered with Feline Hope, Friends of Felines in Hatteras Island and other organizations to assist with the project and named several of the areas feral cats had been altered. He identified a challenge in Kill Devil Hills, where they had their own animal control unit. When a Kill Devil Hills altered cat was brought to the SPCA, they could not return it to them and it had to be euthanized. He noted as a result they had stopped the program in Kill Devil Hills, as it was a waste of funds. Mr. Coleman indicated he would provide another update as appropriate.

ITEM 7 – OBX JEEP INVASION

Commissioner House explained the non-profit typically organizing the Jeep Invasion had pulled out unexpectedly. Jeepers started up their own non-profit with 796 registered Jeep owners participating on October 7-9, 2022. With 38 vendors and 45 sponsors, the group held the event in Nags Head. There was also a Jeep crawl in Kitty Hawk. The event provided the OBX Food Pantry with 2,500 pounds of food. Commissioner Steve House presented a \$6,000 check to Wounded Warriors in Action Foundation. A check in the amount of \$35,000 was also presented to the Dare County Special Olympics. Commissioner House stated the non-profit group would host their next event on May 12 – 14, 2023.

ITEM 8 – DARE COUNTY TOURISM BOARD REQUEST CONSENT EXPENDITURE FROM RESTRICTED FUND LINE ITEM 4999: TOURISM IMPACT GRANT

Lee Nettles and Tim Cafferty presented the Tourism Impact Grants, which encompassed eight projects (Frisco-Buxton pathway, Ocean Crest bicycle and pedestrian improvements,

Brothers Memorial sidewalk, Whalebone Park restrooms, rebuilding the signal tower in Hatteras, Cape Hatteras Lighthouse Pathway, Walking Path on east side of Highway 12 and a handicapped access ramp at 96A Ocean Boulevard) and totaled collectively \$908, 595.

MOTION

Vice-Chairman Overman motioned to consent to the expenditure from Restriction Fund Line Item 4999 for Tourism Impact Grant.

Commissioners House and Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 9 - GRANT APPLICATION – STUMPY POINT DREDGED MATERIAL DISPOSAL SITE MODIFICATIONS (Att. #3)

Barton Grover, Grants & Waterways Administrator, described the grant application to fund the disposal sites and associated costs for dredging the emergency ferry route channel. The disposal site berm would need to be elevated an estimated five feet. Dare was responsible for \$208,750 of the cost, while they sought financial assistance from the State in the amount of \$626,250 (or 75% of the project cost, whichever was the lesser amount). Future projects which would utilize the balance would include a new disposal site for Wanchese dredging events.

MOTION

Commissioner Tobin motioned to authorize the DEQ Shallow Draft Application and adopt the resolution.

Commissioners Couch and Ross seconded the motion.

VOTE: AYES unanimous

ITEM 10 – COASTAL STORM DAMAGE MITIGATION GRANTS (Att. #4, 5 & 6)

The County had been awarded three grants for costs associated with “mitigating or remediating coastal storm damage” from the North Carolina Department of Environmental Quality. Resolutions were presented for Multi-Town Beach Nourishment, Avon Village and Buxton Village projects.

MOTION

Commissioner Couch motioned to adopt the resolutions for Multi-Town, Avon and Buxton.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 11 – DARE COUNTY COMPENSATION & CLASSIFICATION STUDY

At a Special Meeting held on October 27,2022, the Board had received the recommendations and conclusions from the Compensation and Classification Study completed by Evergreen Solutions, LLC. Mr. Outten asked if the Board had any other questions and how they wanted to proceed. \$562,242 would come from seven fund balance accounts presented (General, C&D, Sanitation, Water, Insurance, Fleet Maintenance and DCAA). \$2,323,078 would become the first priority from budget years to follow.

MOTION

Commissioner House motioned to authorize the implementation of the classification study with budget amendments for \$562,242 from seven funds on January 1, 2023 and the commitment of \$2,323,078 for future budgets.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

Chairman Woodard discussed the consultants' suggestion to look at some other issues and he hoped the Board would be agreeable to do so in the future. Mr. Outten noted the plan would be to have a budget workshop to address and prioritize those future items.

ITEM 12– CONSENT AGENDA

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

MOTION

Commissioner Couch motioned to approve the Consent Agenda:

- 1) Approval of Minutes (10.05.22) and (10.27.22) **(Att. #7 and 8)**
- 2) Tax Collector's Report
- 3) Authorization to Present Service Weapon to Retiring Deputy Sheriff
- 4) Amend Existing Carolina Complete Health Network Managed Care Contract
- 5) Late Applications for Property Tax Exemption – 2022
- 6) Schedule of Meeting Dates for 2023 **(Att.#9)**
- 7) NC Resilient Coastal Communities Program Grant **(Att. #10)**
- 8) Golden LEAF Grant – Roanoke Island Drainage Improvements
- 9) Flood Mitigation Assistance Grant RFQ

Vice-Chairman Overman seconded the motion.

ITEM 13 – BOARD APPOINTMENTS

1) Veterans Advisory Council

Vice-Chairman Overman motioned to appoint Anthony Imperiale.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

2) Board of Equalization and Review

Commissioner House motioned to reappoint Nelson "Skip" Jones, Jonathan Waddill, Jeffrey Scott, Terry Gore and Charles Evans

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

3) Special Motor Vehicle Valuation Review Board

Commissioner Ross motioned to reappoint Danny Couch, Dock Sawyer and David Light.

Commissioner House seconded the motion.

VOTE: AYES unanimous

4) Dare County Tourism Board

Outer Banks Chamber of Commerce

County Manager presented the Chamber's recommended representatives as Richard Hess or Myra Ladd Bone. Chairman Woodard asked that the Chamber provide explanation as to why Bambo Charalambous was not recommended for reappointment along with a third candidate. No action taken by the Board.

Outer Banks Hotel/Motel Association

Vice-Chairman Overman motioned to appoint Tonia Cohen.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous.

Town of Duck

Commissioner Bateman motioned to reappoint Monica Thibodeau.
Commissioner House seconded the motion.
VOTE: AYES unanimous.

Town of Southern Shores

Vice-Chairman Overman motioned to reappoint Leo L. Holland for another term.
Commissioner House seconded the motion.
VOTE: AYES unanimous

Town of Manteo

Commissioner Bateman motioned to appoint Tod Clissold to represent Manteo
Commissioner Couch seconded the motion.
VOTE: AYES unanimous

Hatteras Island Member at Large

Commissioner Couch motioned to reappoint Dennis Robinson to represent Hatteras.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous

5) Older Adult Services Advisory Council

Commissioner Ross motioned to reappoint Mary Pendill and appoint Emily Gould.
Commissioner Tobin seconded the motion.
VOTE: AYES unanimous

6) Virginia S. Tillett Community Center Advisory Board

Vice-Chairman Overman motioned to appoint Jennifer Phillips to complete the term of Samantha Lock.
Commissioner Ross seconded the motion.
VOTE: AYES unanimous

7) Dare County Transportation Advisory Board

Commissioner House motioned to appoint Tiffanie Herring to complete the term of Stephanie Webb.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous

8) Upcoming Board Appointments

The upcoming Board appointments for January, 2023 were announced.

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

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

Commissioner Ross

- The Audit Committee had met on October 27 with no reported items of concern. He thanked Dave Clawson, Sally DeFosse and the finance department for their fine job.
- He thanked Barton Grover and Dustin Peele for their efforts in securing the grants.
- The Virginia S. Tillett Center had been awarded a 5-year certification of excellence for North Carolina. It was their third consecutive year receiving the award.

- Reminded everyone there would be a Veterans' Day celebration on November 16 at the Virginia Tillett Center.
- Gentle Expert Memorycare would have a candlelight ceremony on November 13 at St. Andrews to recognize those caring for loved ones with Alzheimer's.

Commissioner House

- Submitted a letter addressed to the NC Dept. of Environmental Quality and NC Division of Marine Fisheries regarding the reopening of the herring season

MOTION

Vice-Chairman Overman motioned agreement to send the letter.

Commissioner Bateman seconded the motion

VOTE: Ayes unanimous

- He provided updates on fishery issues regarding classification of shellfish growing waters and an amendment to use of fin fish as cut bait.
- Remembered the day-in-history: On November 7, 1944, Franklin D. Roosevelt was elected to his fourth term as president.

Vice-Chairman Overman

- On October 12th he had attended the Waters Summit in Wilmington with good general discussion of water related issues in Eastern North Carolina.
- He had had attended the christening of Miss Katie on October 13.
- Dare had hosted a visit from the NC Attorney General Josh Stein on October 20 for a discussion of how Dare was utilizing the first round of opioid settlement funds.
- The IEI Summit in Greenville on October 25th had included discussions about education expansion in Eastern North Carolina to improve opportunities.
- Division of Marine Fisheries held a meeting here on October 18 and discussed with charter captains the closure of the rock fish season.
- On November 3rd North Carolina Council of Churches had met at St. Andrews and provided some faith-based training regarding substance abuse.

Commissioner Bateman had no new business to present.

Commissioner Couch

- Avon Channel leading out to Cape Channel was going to need some attention.
- Identified an area in Hatteras that desperately needed some beach nourishment, with some power poles close in the water. The kite point area often had 100-150 cars a day there during the summer with kayakers, small boats, etc.
- Veterans Day celebration at Cape Hatteras would be on November 9, weather permitting.

Commissioner Tobin

- The christening of Miss Katie was a nice ceremony. The vessel was built under budget, was now fully operational and dredging consistently. There was an issue due to the alternate channel material, which is sand and silt. The Merritt was expected to come and dredge the new channel and then Miss Katie would follow through with completion.
- He had attended the Waters Summit and thanked Congressman Murphy and Representative Rouzer for a well-organized meeting.

- Congratulated County Manager Outten for being appointed chairman of the Beach, Inlets and Waterways Association.

Chairman Woodard

- Encouraged everyone to exercise their right to vote tomorrow.
- November 12 would be the 150th anniversary of the Bodie Island lighthouse.
- On November 16, he would be addressing the group at the Veteran's Day luncheon.
- The Community Foundation would celebrate it's 40th year of operation with over \$12 million in scholarships.
- He attended the DBRAC meeting in November. One topic was the Navy's upgrade and replacement of old targets at a cost of \$22 million.
- At the Tourism Summit, one topic of concern was where to charge future electric vehicles.
- He reaffirmed the Board's 100% dedication to construct essential housing and wished everyone a Happy Thanksgiving holiday.

MANAGER'S/ATTORNEY'S BUSINESS

Bobby Outten reminded the Board the focus of the NCBIWA was on beaches and inner coastal waterways. There were stakeholders from all parts of the state and he could bring any Board concerns before the group where issues impact Dare. He had also been reappointed to the Coastal Resources Advisory Council. They meet every quarter and broader coastal issues could be brought before that council.

Dave Clawson – Commented on the beach nourishment grants.

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

MOTION

Commissioner Tobin motioned to adjourn the meeting.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 11:52 a.m., the Board of Commissioners adjourned until 9:00 a.m., December 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 material considered by the Board at this meeting are on file in the office of the Clerk.