

RESOLUTIONS – 2015

***Following the List of 2015 Resolutions in Chronological Order,
Each Resolution Can Be Viewed in its Entirety***

- R15-01-01 Approving a Modification to the Installment Financing Contract (Jan 05, 2015)
- R15-01-02 Enacting and Adopting a Supplement to the Code of Ordinances (Jan 05, 2015)
- R15-01-03 Adopting the Dare County Comprehensive Transportation Plan for the Unincorporated Portions of Dare County (Jan 05, 2015)
- R15-01-04 Support of Passenger Ferries Going to Ocracoke (Jan 20, 2015)
- R15-02-05 Support of a Future Interstate Designation for US64 and US17 Between Raleigh and Hampton Roads (Feb 02, 2015)
- R15-03-06 Honoring the life and service of Emergency Management Coordinator Sandy Sanderson (Mar 02, 2015)
- R15-03-07 Awarding 3 year vehicle and equipment financing to US Bancorp GLF (Mar 02, 2015)
- R15-03-08 Declaring the intent of Dare County to reimburse itself for capital expenditures incurred in connection with the E911/Emergency Operations Center from proceeds of certain tax-exempt obligations (Mar 02, 2015)
- R15-03-09 Declaring the intent of Dare County to reimburse itself for capital expenditures incurred in connection with the Buxton Beach Nourishment project from proceeds of certain tax-exempt obligations (Mar 02, 2015)
- R15-03-10 Requesting the General Assembly to allow Dare County to levy a quarter cent sales tax without a referendum as a funding source for management of Dare County's inlets and waterways. (Mar 27, 2015)
- R15-04-11 In support of local law enforcement and honoring their dedicated service to Dare County (Apr 06, 2015)
- R15-04-12 Support for an Alternative Governance Structure for the Area Authority serving Dare County [East Carolina Behavioral Health ECBH] (Apr 06, 2015)
- R15-04-13 Continued Opposition of Off-Shore Drilling (Apr 06, 2015)
- R15-04-14 Request to add Empire Gem Lane in Hatteras, NC to NCDOT's Secondary Road System (Apr 06, 2015)
- R15-04-15 Advocating that NCGS 153A-15 apply to all counties (Apr 06, 2015)

- R15-04-16 Asking Marine Fisheries to not support use of the Supplement Process to Implement Reductions of Southern Flounder (Apr 06, 2015)
- R15-04-17 Supporting late August to early June School Year (Apr 06, 2015)
- R15-04-18 In opposition of Sunday hunting (Apr 06, 2015)
- R15-04-19 Supporting a request that NCDOT construct an emergency ferry dock at the Alligator River Bridge at U.S. Highway 64 (Apr 20, 2015)
- R15-04-20 Approving Northeastern Workforce Development Consortium Agreement (Apr 20, 2015)
- R15-05-21 Support of Veterans Status to WW II Coastwise Merchant Mariners (May 4, 2015)
- R15-05-22 Requesting the General Assembly to allow Dare County to use the proceeds of a previously levied one percent sales and use tax for inlet dredging. (May 4, 2015)
- R15-05-23 Enacting a Moratorium on Mining Activities and Borrow Pits for Rodanthe, Waves, and Salvo (May 18, 2015)
- R15-05-24 Abolishing the Stumpy Point Community Water and Sewer District (May 18, 2015)
- R15-05-25 Request to add Marlin Drive and Marlin Court (Marlin Village Subdivision) in Frisco, NC to NCDOT's Secondary Road System (May 18, 2015)
- R15-05-26 Approving the 2012 Water Supply Plans for the Dare County Northern Regional Water System, the Rodanthe-Waves-Salvo Water System, the Cape Hatteras Water System, and the Stumpy Point Water System (May 18, 2015)
- R15-06-27 Encouraging hurricane preparedness (June 01, 2015)
- R15-06-28 Adopting the Program for Public Information (PPI) pertaining to the Community Rating System (CRS) (June 01, 2015)
- R15-06-29 Supporting Governor McCrory's Connect NC bond initiative (June 01, 2015)
- R15-06-30 Requesting the General Assembly to allow waterway maintenance as a use for the 2 cent Occupancy Tax designated for beach nourishment (June 01, 2015)
- R15-06-31 Adopting the Albemarle Regional Hazard Mitigation Plan (June 01, 2015)
- R15-06-32 Approving an amendment to an installment purchase contract to provide for the financing of existing county obligations (June 17, 2015)

- R15-06-33 Delegating the approval of Pyrotechnics permits to Kill Devil Hills for fireworks displays within the municipality (June 17, 2015)
- R15-06-34 Support of the state's Southern Flounder fishermen (June 17, 2015)
- R15-07-35 Approving Lease Agreement with Dare County Arts Council for a period of five years (July 20, 2015)
- R15-07-36 Support of Stepping Up Initiative to reduce the number of people with mental illnesses in jails (July 20, 2015)
- R15-07-37 Reimbursement Resolution – Fiscal Year 2015-2016 Vehicle and Equipment Financing Project (July 20, 2015)
- R15-08-38 Approving the boundary lines of the Southern Shores Fire Insurance District (Aug 17, 2015)
- R15-08-39 Approving the boundary lines of the Frisco Fire Insurance District (Aug 17, 2015)
- R15-09-40 Supporting a grant application to Trillium Health Services for playground equipment (Sep 08, 2015)
- R15-09-41 Designation of Applicant's Agent for Colington VFD emergency generator FEMA grant (Sep 21, 2015)
- R15-09-42 Request to add Croaker Court (Hatteras Colony Subdivision) in Avon, NC to NCDOT's Secondary Road System (Sep 21, 2015)
- R15-10-43 Authorizing Transportation Department Application for NCDOT CTP Grant (Oct 5, 2015)
- R15-10-44 Authorizing Transportation Department Application for NCDOT 5310 Program Grant (Oct 19, 2015)
- R15-12-45 Adopting the Dare County Repetitive Loss Area Analysis (Dec 07, 2015)
- R15-12-46 Condemning use of the Supplement Process for Southern Flounder (Dec 07, 2015)
- R15-12-47 Requesting that the U.S. Army Corps of Engineers amend the existing Federal Authorization to be more inclusive of the entire waterway at Hatteras Inlet and its connecting channels (Dec 07, 2015)
- R15-12-48 Enacting and adopting a supplement to the Code of Ordinances (Dec 21, 2015)
- R15-12-49 Request to add Osprey Ridge Road (Osprey Ridge Subdivision) in Duck, NC to NCDOT's Secondary Road System (Dec 21, 2015)
- R15-12-50 Authorizing conveyance of property to the Outer Banks SPCA (Dec 21, 2015)

FOLLOWING ARE THE 2015 RESOLUTIONS

The most recently adopted item appears first in sequence

Scroll down to view all 2015 Resolutions

**RESOLUTION AUTHORIZING THE CONVEYANCE OF PROPERTY
PURSUANT TO G.S. 160A-279**

WHEREAS, the County of Dare owns certain items of personal property that are utilized by the Outer Banks SPCA for the purpose of animal control within the County;

WHEREAS, North Carolina General Statute 160A-279 authorizes a county to convey, with or without consideration, personal property by private sale to a nonprofit corporation, if the county is authorized by law to appropriate money to the corporation;

NOW, THEREFORE BE IT RESOLVED, by the Dare County Board of Commissioners that:

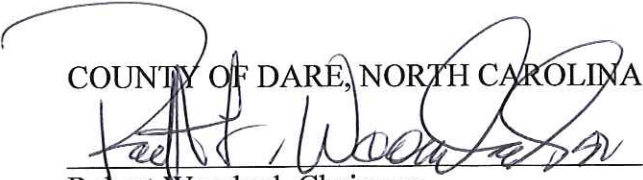
1. Dustin Peele, Dare County Purchasing Agent, is hereby authorized to convey, without consideration, to Outer Banks SPCA, the following items of surplus personal property:

2003 FORD E-450, VIN #1FDXE45F33HA92775
2004 DODGE DURANGO, VIN #1D4HB48D34F141145
2005 CHEVY CARGO VAN, VIN #1GCGG25V151208674
2008 CHEVY CARGO VAN, VIN #1GCGG25CX81179341

2. Said person is further authorized and directed to execute any documents, transfer title, and perform all necessary functions associated with this conveyance.
3. Said person shall publish a notice summarizing the contents of this resolution, and the property may be conveyed at any time after 10 days after publication of the notice.

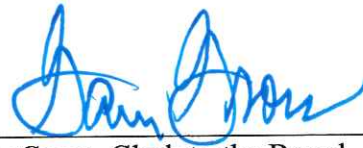
This the 21ST day of December, 2015.

COUNTY OF DARE, NORTH CAROLINA


Robert Woodard, Chairman

[SEAL]




Gary Gross, Clerk to the Board

North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System

15-12-49

North Carolina

County of Dare

Road Description Osprey Ridge Road, Osprey Ridge Subdivision, Duck, NC

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 21st day of December, 2015.

WITNESS my hand and official seal this the 21st day of December, 2015.

Official Seal



Gary Gross
Clerk, Board of Commissioners

County of Dare

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways

RESOLUTION ENACTING AND ADOPTING A SUPPLEMENT
TO THE DARE COUNTY CODE OF ORDINANCES

#15-12-48

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2015 S-8 supplement to the County of Dare Code of Ordinances, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the County of Dare Code of Ordinances; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to the North Carolina General Statutes; and

WHEREAS, it is the intent of the Dare County Board of Commissioners to accept these updated sections in accordance with the changes in the law of the State of North Carolina; and

WHEREAS, it is necessary to provide for the usual daily operation of Dare County and for the immediate preservation of the public peace, health, safety, and general welfare of the Dare County that this ordinance take effect at an early date;

NOW THEREFORE BE IT ORDAINED BY THE DARE COUNTY BOARD OF COMMISSIONERS

1. That the 2015 S-8 supplement to the County of Dare Code of Ordinances as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and attached hereto is hereby adopted by reference as if set out in its entirety,
2. Such supplement shall be deemed published as of the day of its adoption and approval by the Dare County Board of Commissioners and such supplement shall be inserted into the Code of Ordinances kept on file in the Office of the Clerk.


Robert L. Woodard, Sr. Chairman


Date:

SEAL:


Gary Gross, Clerk to the Board





15-12-47

A RESOLUTION

REQUESTING THAT THE U.S. ARMY CORPS OF ENGINEERS AMEND THE EXISTING FEDERAL AUTHORIZATION TO BE MORE INCLUSIVE OF THE ENTIRE WATERWAY AT HATTERAS INLET AND ITS CONNECTING CHANNELS

WHEREAS, the waterway between Hatteras Island and Ocracoke Island, known as Hatteras Inlet and also known as Rollinson Channel, is a unique area in that it provides the only way for local watermen to get direct access to the Atlantic Ocean and for NCDOT to transport millions of people each year between Hatteras and Ocracoke Islands who, because there is no bridge, must travel between the two islands on ferry vessels; and

WHEREAS, the Hatteras Inlet waterway not only provides a direct channel to the Atlantic Ocean for commercial and recreational fishing vessels, it is the means of access for the United States Coast Guard to use when responding to potentially lifesaving ocean rescue missions; and

WHEREAS, Hatteras Inlet is subject to constantly shifting shoals and sandbars posing a clear and present danger for safe navigation between Hatteras and Ocracoke Islands and through the channel to the Atlantic Ocean that is known as the Hatteras Inlet Gorge; and

WHEREAS, the dangerous shoaling at Hatteras Inlet not only threatens the lives and property of commercial and recreational vessels it also jeopardizes the economy of the region by causing irreparable harm to charter boat operators, commercial fishing operations, seafood processing houses, marine repair facilities, and other local businesses on both Hatteras and Ocracoke Islands that depend on the Hatteras Inlet waterway; and

WHEREAS, because the most direct navigational route between Hatteras and Ocracoke Islands, known as the Connecting Route and also known as the old Ferry Route, cannot be used due to shoaling, local vessels and NCDOT ferries are forced to take a time consuming detour through a longer alternate route known as Barney Slough; and

WHEREAS, being forced to use the longer alternate route NCDOT has suffered an increase of nearly one million dollars in costs per year to provide ferry service between Hatteras and Ocracoke Islands; and

WHEREAS, the Dare County Board of Commissioners has been diligently seeking funding for proactive dredging to secure reliable and cost effective navigational access to enable our working watermen to get to the Atlantic Ocean and for our visitors to safely travel between Hatteras and Ocracoke Islands, both of which are vital to public safety and to sustain the economy of the region; and

WHEREAS, the current Federal Authorization used by the U.S. Army Corps of Engineers was established in the 1940's with boundaries that are no longer relevant given the changes to the inlet over time which has resulted in an authorization that is restricted to only a small portion of the Connecting Channel just off the south end of Hatteras Island and does NOT include the entire Ferry Route to Ocracoke Island or the Hatteras Inlet Gorge to and including the Atlantic Ocean Bar; and

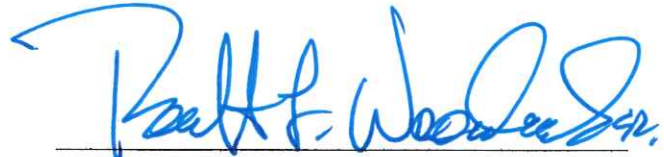
WHEREAS, if the existing Federal Authorization were amended to include the entire Connecting Route, also known as the old Ferry Route, and the Hatteras Inlet Gorge to and including the Atlantic Ocean Bar, as well as the current ferry channel also known as Barney Slough, it would provide the necessary authorization to allow dredging to be done in a comprehensive way that would encompass the entire area that is needed for our local watermen and the NCDOT Ferry Division.

NOW, THEREFORE, BE IT RESOLVED that the Dare County Board of Commissioners supports the request made by Senator Bill Cook for the U.S. Army Corps of Engineers to amend the existing Federal Authorization to be more inclusive of the entire waterway of the area that is known as Hatteras Inlet.


BE IT FURTHER RESOLVED that for reasons of public safety and economic necessity the Dare County Board of Commissioners adds its urgent request that the U.S. Army Corps of Engineers amend the existing Federal Authorization by expanding the coverage area to include all channels between Hatteras Island and Ocracoke Island and to also include the Inlet Gorge to and including the Bar for access to the Atlantic Ocean.

This the 7th day of December, 2015




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board



#15-12-46

**A RESOLUTION
CONDEMNING THE ACTION
OF THE NORTH CAROLINA MARINE FISHERIES COMMISSION
TO USE THE SUPPLEMENT PROCESS TO RESTRICT SOUTHERN FLOUNDER**

WHEREAS, during their November 2015 meeting at Jennette’s Pier, the North Carolina Marine Fisheries Commission (NCMFC) approved using a controversial “Supplement Process” to close down most of the state’s fishing for southern flounder; and

WHEREAS, the established procedure for responsible fisheries governance is through the use of a Fisheries Management Plan (FMP), which is designed to incorporate peer reviewed science, stakeholder input, and other pertinent facts to establish fisheries policies in a deliberate, open, and transparent way; and

WHEREAS, instead of relying on a thoroughly vetted Amendment Process to the southern flounder Fisheries Management Plan, the NCMFC chose instead to invoke the use of the Supplement Process in spite of the fact that there is no scientific evidence to support such a drastic measure that will have draconian consequences; and

WHEREAS, when the NCMFC adopted the Supplement Process they violated and misused the statutory authority granted them in NCGS 113-182.1 which requires that the NCMFC provide a position on the supplement based on science from the Division of Marine Fisheries or from independent experts; and

WHEREAS, the North Carolina Marine Fisheries Commission also chose to ignore the will of the people as expressed in resolutions it received prior to their November meeting from the Counties of Bertie, Camden, Carteret, Currituck, Dare, Hyde, Pasquotank, and Tyrrell opposing the use of the Supplement Process to restrict southern flounder; and

WHEREAS, the arbitrary and capricious action taken by NCMFC at its November 2015 meeting threatens to harm North Carolina’s commercial fishermen by depriving them of a traditional source of income that is fundamental to sustaining local economies throughout North Carolina’s coastal communities without cause; and

WHEREAS, the Dare County Board of Commissioners stands ready to vigorously support our Working Watermen in their efforts to prevent the implementation of the Supplement Process and asks all coastal communities to join in this endeavor; and

WHEREAS, the Dare County Board of Commissioners calls on the North Carolina Marine Fisheries Commission to determine if any changes are in fact needed for the southern flounder Fisheries Management Plan through the established Amendment Process whereby scientific and accurate stock assessment can properly be determined with the benefit of peer review and public input from all stakeholders including elected officials of coastal communities and commercial fishermen.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners strongly urges the North Carolina Marine Fisheries Commission to immediately suspend the use of the Supplement Process for southern flounder and undertake a deliberate, thoughtful, and methodical review of the Fisheries Management Plan to determine what, if any, changes are needed based on peer reviewed science and stakeholder input.

BE IT FURTHER RESOLVED, that the Dare County Board of Commissioners calls on all coastal communities to adopt similar resolutions supporting North Carolina's working watermen who vitally depend on the southern flounder fishery to provide jobs, generate incomes, provide a freshly caught public trust resource to the tables of North Carolina families, and bolster the economy of North Carolina.

This the 7th day of December, 2015



A handwritten signature in blue ink, appearing to read "Robert Woodard", is written above a horizontal line.

Robert Woodard, Chairman

Attest:

A handwritten signature in blue ink, appearing to read "Gary Gross", is written above a horizontal line.

Gary Gross, Clerk to the Board



15-12-45

**A RESOLUTION ADOPTING THE DARE COUNTY
REPETITIVE LOSS AREA ANALYSIS**

WHEREAS, Dare County participates in the Community Rating System (CRS) program and has identified certain activities to pursue for CRS credit as set forth in the 2013 CRS manual;

WHEREAS, as part of the participation in the CRS program, Dare County is required to identify and map repetitive loss areas based on information provided to Dare County by the FEMA and implement an outreach activity to property owners in these identified areas, and


WHEREAS, participating CRS communities in addition to the required outreach activity may choose to conduct detailed analysis of the repetitive loss areas for credit under the Section 530 Floodplain Mapping of the CRS manual; and

WHEREAS, Dare County has prepared a Repetitive Loss Area Analysis for unincorporated Dare County as part of our continued efforts to maintain and potentially increase the County's CRS ranking; and

WHEREAS, the CRS guidelines require adoption of the completed Repetitive Loss Area Analysis report by the Dare County Board of Commissioners and that the RLAA be updated on an annual basis.

NOW THEREFORE BE IT RESOVLED the Dare County Board of Commissioners does hereby adopt the 2015 Repetitive Loss Area Analysis for unincorporated Dare County as prepared by the Dare County Planning Department and presented to the Board on December 7, 2015.


BY:


Robert L. Woodard, Chairman
Dare County Board of Commissioners

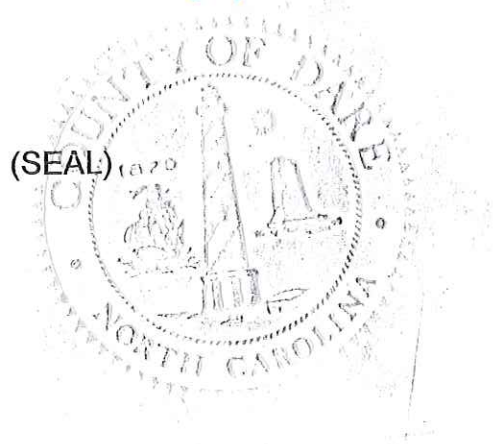
DATE:

12/7/15

ATTEST:


Gary Gross
Clerk to the Board

(SEAL)



PUBLIC TRANSPORTATION 5310 PROGRAM RESOLUTION

#15-10-44

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Status and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for public transportation projects; and

WHEREAS, the purpose of the Section 5310 program is to enhance mobility for seniors and individuals with disabilities throughout the country, by removing barriers to transportation services and expanding the transportation mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all area.

WHEREAS, NCDOT has been designated as the State agency with principle authority and responsibility for administering the Section 5310 Program for small urbanized and rural areas; and

WHEREAS, (Legal Name of Applicant) Dare County hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, and all small administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* Robert Woodard Chairman of (Name of Applicant's Governing Body) Dare County Board of Commissioners is hereby authorized to submit a grant for federal and state funding, provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide public transportation services.

I (Certifying Official's Name)*Gary Gross (Certifying Official's Title) Clerk to the Board do hereby certify that the above is true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Dare County Board of Commissioners duly held on the 19 day of October, 2015.

[Handwritten Signature of Gary Gross]

Signature of Certifying Official Gary Gross

10/19/15

Date

[Handwritten Signature of Robert Woodard]
Robert WOODARD, CHAIRMAN

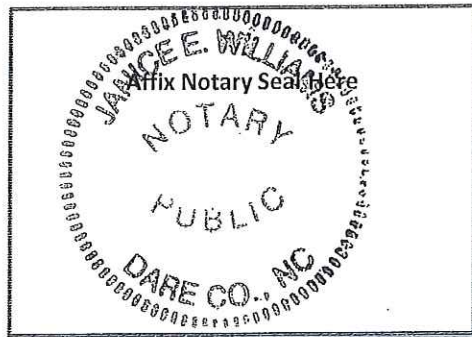
*Note that the authorized official, certifying official, and notary public should be three separate individuals.

Seal Subscribed and sworn to me (date) 10/19/15

Notary Public Signature Janice E. Williams

Janice E. Williams Manteo NC
Printed Name and Address

My commission expires (date) 11-27-18



COMMUNITY TRANSPORTATION PROGRAM RESOLUTION # 15-10-43

**Section 5311
FY 2017 RESOLUTION**

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (Board Member's Name) COMMISSIONER WARREN JUDGE and seconded by (Board Member's Name or N/A, if not required) COMMISSIONER JACK SHEA for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

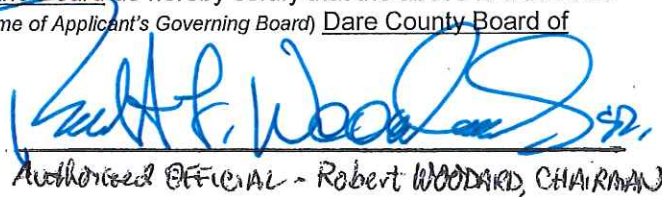
WHEREAS, (Legal Name of Applicant) Dare County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* Chairman of (Name of Applicant's Governing Body) Dare County Board of Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I (Certifying Official's Name)* Gary Gross (Certifying Official's Title) Clerk to the Board do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Dare County Board of Commissioners duly held on the 5 day of October, 2015.



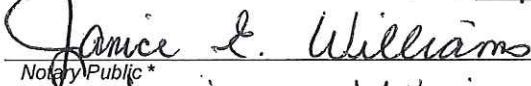
Signature of Certifying Official Gary Gross, Clerk to the Board



Authorized Official - Robert Woodard, CHAIRMAN

*Note that the authorized official, certifying official, and notary public should be three separate individuals.

See/ Subscribed and sworn to me (date) 10/5/15



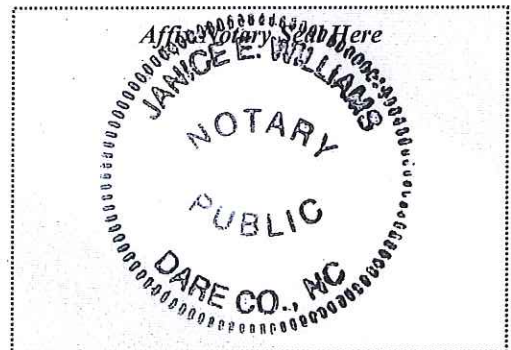
Notary Public*

Janice E. Williams

Printed Name and Address

Manko NC

My commission expires (date) 11-27-18



North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System

15-09-42

North Carolina

County of Dare

Road Description Croaker Court, Hatteras Colony Subdivision, Sec. 7, Avon, NC

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 21st day of September 20 15.

WITNESS my hand and official seal this the 21st day of September 20 15.

Official Seal



Gary Brass
Clerk, Board of Commissioners
County of Dare

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways

#15-09-41

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization): COUNTY OF DARE	Disaster Number:
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): NC DEPARTMENT OF PUBLIC SAFETY	
Applicant's Fiscal Year (FY) Start 2015	Month: JULY Day: 01
Applicant's Federal Employer's Identification Number: 56-6000293	
Applicant's Federal Information Processing Standards (FIPS) Number: 37095	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name BOBBY OUTTEN	Agent's Name DREW PEARSON
Organization COUNTY OF DARE	Organization COUNTY OF DARE
Official Position MANAGER / ATTORNEY	Official Position EMERGENCY MANAGER
Mailing Address PO BOX 1000	Mailing Address PO BOX 1000
City, State, Zip MANTEO NC 27954	City, State, Zip MANTEO NC 27954
Daytime Telephone 252 475 5811	Daytime Telephone 252 475 5897
Facsimile Number	Facsimile Number
Pager or Cellular Number 252-202-9540	Pager or Cellular Number 252 216 6012

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.

PASSED AND APPROVED this **21ST** day of **September**, 20 **15**

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title Robert Woodard, CHAIRMAN	Name GARY GROSS
Name and Title	Official Position CLERK TO THE BOARD
Name and Title	Daytime Telephone 252 475 5700

CERTIFICATION

I, **GARY GROSS** (Name) duly appointed and **CLERK TO THE BOARD** (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of **COUNTY OF DARE** (Organization) on the **21ST** day of **September** 20 **15**

Date: **September 21, 2015** Signature: 



COUNTY OF DARE

Department of Parks and Recreation
ROANOKE ISLAND/MAINLAND DIVISION
LIONS CLUB CENTER AT WESCOTT PARK

15-09-40

P.O. Box 1000
Manteo, NC 27954

(252) 475-5910
fax (252) 473-2969
rec@co.dare.nc.us

Whereas, Trillium Health Resources is offering construction grants to be used towards the purchase of inclusive Playgrounds and/or playground equipment and;

Whereas, the County of Dare currently owns, operates, and maintains public playgrounds for children and desires to make or offer those areas accessible and functional to individuals with special needs and to individuals in wheelchairs and;

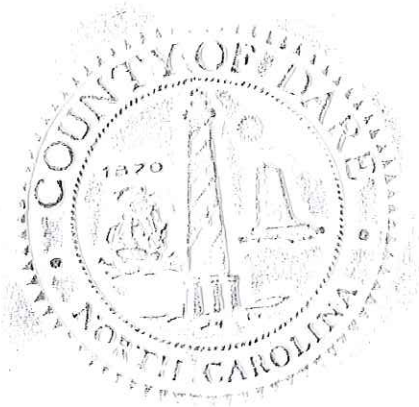
Whereas, the County of Dare intends to make application to Trillium Health Resources for purchase and installation of equipment.

Therefore it is resolved by the Board :

That the County of Dare shall apply for a Play Together Construction Grant for Accessible Playgrounds for the purchase and installation of equipment to be located at Dare County Family Recreation Park, 602 Mustian Street, Kill Devil Hills, NC 27948

That the County of Dare hereby agrees to comply with all the rules and regulations concerning the Trillium Health Resources Play Together Construction Grant for Accessible Playground Grants Program.

Adopted this day 8th day of September 2015.



DARE COUNTY BOARD OF COMMISSIONERS

BY: Robert L. Woodard
Robert L. Woodard

ATTEST: Gary Gross
Gary Gross, Clerk to the Board

NORTHERN BEACH DIVISION
DARE COUNTY FAMILY RECREATION PARK
602 Mustian Street • Kill Devil Hills, NC 27948
(252) 475-5920 • fax (252) 480-0179
recpark@co.dare.nc.us

HATTERAS ISLAND DIVISION
THE FESSENDEN CENTER
P.O. Box 859 • 46830 Hwy. 12 • Buxton, NC 27920
(252) 475-5650 • fax (252) 995-3944
fessendencenter@co.dare.nc.us

RESOLUTION

15-08-39

For Approval of Insurance District Boundaries

NORTH CAROLINA

DARE COUNTY

Upon motion by Commissioner JACK SHEA,
seconded by Commissioner Margarette Umphlett, RESOLVED that the
Board of Commissioners of the County of Dare, approve the boundary lines of the
FRISCO Fire Insurance District in accordance with the maps and description filed this date
with the Board of County Commissioners and recorded in the minutes of the meeting.
Said FRISCO Fire Insurance District being described as follows:

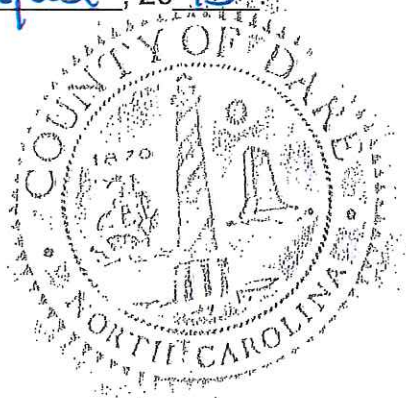
See attached GIS map which updates the previously approved written description of the district.

NORTH CAROLINA

DARE COUNTY

This is to certify that the foregoing is a true and accurate copy of excerpt from the
Minutes of the Board of County Commissioners of Dare County, adopted this the 17th
day of August, 2015

(SEAL)



A handwritten signature in blue ink, appearing to read "Dana Brown", is written over a horizontal line.

Clerk to the Board

RESOLUTION

#15-08-38

For Approval of Insurance District Boundaries

NORTH CAROLINA

DARE COUNTY

Upon motion by Commissioner JACK SHEA,
seconded by Commissioner MARGARETTA LIMPHELT, RESOLVED that the
Board of Commissioners of the County of Dare, approve the boundary lines of the
Southern Shores Fire Insurance District in accordance with the maps and description filed
this date with the Board of County Commissioners and recorded in the minutes of the
meeting. Said Southern Shores Fire Insurance District being described as follows:

*See attached GIS map which updates the previously approved written description of the
district.*

NORTH CAROLINA

DARE COUNTY

This is to certify that the foregoing is a true and accurate copy of excerpt from the
Minutes of the Board of County Commissioners of Dare County, adopted this the 17th
day of August, 2015.

(SEAL)



[Signature]
Clerk to the Board

Resolution No. 15-07-37

REIMBURSEMENT RESOLUTION – FISCAL YEAR 2015-2016 VEHICLE AND EQUIPMENT FINANCING PROJECT

WHEREAS, the County Manager and the Finance Officer have described to the Board of Commissioners the desirability of adopting a resolution, as provided under federal tax law, to facilitate the County's use of financing proceeds to restore County funds when the County makes capital expenditures prior to closing on a bond issue or other financing;

BE IT HEREBY RESOLVED by the Board of Commissioners of the County of Dare, North Carolina as follows:

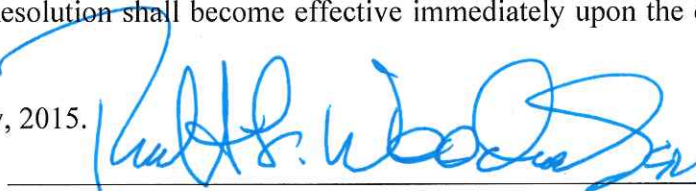
Section 1. The project is the financing of the acquisition of vehicles and equipment as identified in the fiscal year 2015-2016 budget.

Section 2. The project is to be financed. The currently expected type of financing (which is subject to change) is an installment purchase contract. The currently expected maximum amount to be contracted for the project is \$1,361,569.

Section 3. The County presently intends, and reasonably expects, to reimburse itself for the original expenditures incurred and paid by the County from the General Fund and Sanitation I Fund within 60 days of adoption of this Resolution from a portion of the financing proceeds.


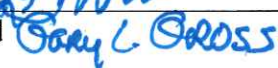
Section 4. This Resolution shall become effective immediately upon the date of its adoption.

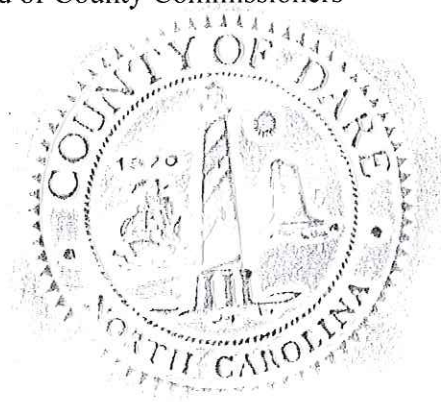
Adopted this 20th day of July, 2015.


Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA


Clerk to the Board 





15-07-36

**A RESOLUTION
SUPPORTING THE “STEPPING UP INITIATIVE TO
REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAILS”**

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jails each year; and

WHEREAS, prevalence rates of serious mental illnesses in confinement facilities are three to six times higher than for the general population, with statistics showing that almost 13% of North Carolina’s prison population requires some type of intervention due to mental health issues; and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and

WHEREAS, adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism than people without these disorders; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, without the appropriate treatment and services, people with mental illnesses can continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals, their families, and their communities; and

WHEREAS, county jails are generally an unsafe environment for those with mental health treatment needs; and

WHEREAS, the North Carolina Association of County Commissioners has undertaken a serious effort to address the local service needs of those with mental illnesses through the appointment of a special Task Force; and

WHEREAS, Dare County, like all counties, takes pride in our responsibility to protect and enhance the health, welfare and safety of our residents in efficient, safe, and socially just ways; and

WHEREAS, through the Stepping Up Initiative, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Foundation are encouraging counties to reduce the number of people with mental illnesses in county jails.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dare County,

1. That the Board of Commissioners does hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail and commits to sharing lessons learned with other counties in North Carolina and across the country to support the Stepping Up Initiative; and

2. That the Board of Commissioners will utilize resources available through the Stepping Up Initiative and other resources provided by the Council of State Governments Justice Center to convene a diverse team of leaders and decision makers from multiple agencies who are committed to safely reducing the number of people with mental illnesses in jails, and

3. That this team will utilize the comprehensive resources available through the Stepping Up Initiative to develop a plan to reduce the number of people with mental illness in the county jail for 2016-2020, consistent with the Council of State Governments Justice Center report and recommendations, to be presented to the Board of Commissioners at its first meeting in December 2015.

PASSED AND APPROVED in this 20th day of July, 2015.



Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board



#15-07-35

**RESOLUTION APPROVING LEASE AGREEMENT BETWEEN DARE COUNTY ARTS COUNCIL
AND DARE COUNTY FOR A PERIOD OF FIVE YEARS**

WHEREAS, the County of Dare owns The Old Dare County Courthouse located on the corner of Budleigh Street and Queen Elizabeth Avenue, Manteo, NC;

WHEREAS, the County of Dare and the Dare County Arts Council have agreed upon a lease under which the Dare County Arts Council will lease The Old Dare County Courthouse located on the corner of Budleigh Street and Queen Elizabeth Avenue, Manteo, NC for the term of five years beginning August 1, 2015; and

WHEREAS, North Carolina General Statute 160A-272 authorizes the county to enter into leases of up to 10 years upon resolution of the county commissioners adopted at a regular meeting after 10 days' public notice; and

WHEREAS, the required notice has been published and the Dare County Board of Commissioners is convened in a regular meeting;

THEREFORE, THE DARE COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

The Dare County Board of Commissioners approves lease of the county property described above to the Dare County Arts Council for five years, and directs the County Manager to execute any instruments necessary to the lease.

Adopted July 20, 2015.



Robert Woodard, Chairman
Dare County Board of Commissioners

Attest:

Clerk to the Board



#15-06-34

Resolution in Support of State's Southern Flounder Fishermen

Whereas, North Carolina's commercial fishing industry is one of the nation's first industries; and

Whereas, the State's fisheries are a public trust resource owned by all residents of the State; and

Whereas, commercial fishermen catch and deliver this publicly-owned resource for those who don't choose to harvest it for themselves; and

Whereas, fresh locally-caught Southern Flounder is one of the favorite fishes cooked in homes and served in coastal seafood restaurants; and

Whereas, the Southern Flounder fishery, due to interaction with sea turtles and under agreement with federal fisheries authorities, has been operating under tightened rules that have limited days, hours when nets may be in the water, and methods of setting gear, has reduced pressure on the species and limited harvest totals; and

Whereas, during the combined 2013 and 2014 calendar years, commercial fishermen landed an estimated 4 million pounds of Southern Flounder with an estimated dockside value of more than \$10.4 million; and

Whereas, adding additional restrictions or closing the fishery to gill nets would leave a substantial number of fishermen who lack other types of gear without an income; and

Whereas, those with additional gear would be forced into other fisheries thus increasing pressure on other species; and

Whereas, in 2013 and 2014, Southern Flounder sold in local restaurants brought in an estimated \$20 million in revenues during that time period; and

Whereas, removing this locally-caught menu staple would force restaurants to either buy flounder from outside the state at a higher prices and lower quality or remove it from its menu; and

Whereas, the North Carolina Marine Fisheries Commission is ignoring the process laid out in the North Carolina Fisheries Reform Act of 1997 that lays out the steps to be taken to amend fishery management plans; and

Whereas, the Marine Fisheries Commission is trying to side-step the legally-required process by declaring an 'emergency' based on data that has been disputed by peer-reviewers; and

Whereas, the Marine Fisheries Commission has ignored staff-suggested options by replacing them with alternatives that would cause serious economic harm to the commercial industry; and

Whereas, the Marine Fisheries Commission at the urging of the Coastal Conservation Association has added a sixth option to completely and permanently close down the fishery by prohibiting the use of large mesh gill nets,

Now, Therefore, Be It Resolved, that the Dare County Board of Commissioners requests that the North Carolina Marine Fisheries Commission adhere to the process of calling together scientists, regulators and stakeholders to study the issue to ensure a defensible plan to obtain a realistic goal as laid out in the North Carolina Fisheries Reform Act of 1997; and

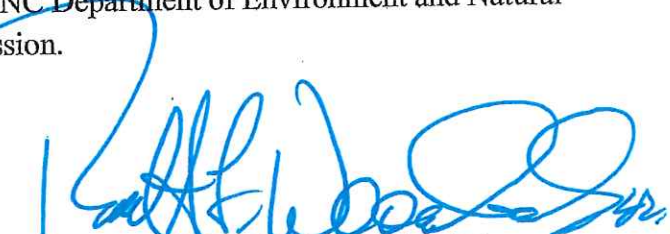
Be it Further Resolved, that the federal government remove restrictions on commercial fishermen that have shut down the fishery until at least September 1 due to interactions with sea turtles until such time that recreational interaction is also addressed; and

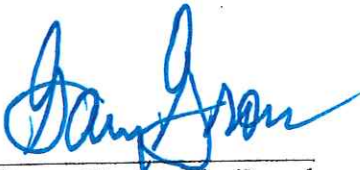
Be it Further Resolved, that proper stock assessments for Southern Founder and sea turtles be formulated and peer-reviewed before any additional efforts at restricting the fisheries are implemented; and

And be it Finally Resolved, that the Dare County Board of Commissioners will take the lead on advocating for its commercial fishing constituents by asking that the county's six municipalities, Tourism Authority, Outer Banks Chamber of Commerce and the Dare County Restaurant Association also adopt this resolution to be sent to NC Governor Pat McCrory, US Sen. Thom Tillis, US Sen. Richard Burr, US Rep. Walter Jones, NC Senator Bill Cook, NC Rep. Paul Tine, members of the NC Marine Fisheries Commission, NC Department of Environment and Natural Resources, and the NC Wildlife Resources Commission.

This the 17th day of June, 2015




Robert Woodard, Chairman

ATTEST: 
Gary Gross, Clerk to the Board



15-06-33

**A RESOLUTION OF APPROVAL BY THE DARE COUNTY BOARD OF COMMISSIONERS
TO DELEGATE THE APPROVAL OF PYROTECHNICS PERMITS
TO THE TOWN OF KILL DEVIL HILLS**

WHEREAS, North Carolina General Statutes 14-410 and 14-413 seek to improve pyrotechnic safety in North Carolina; and

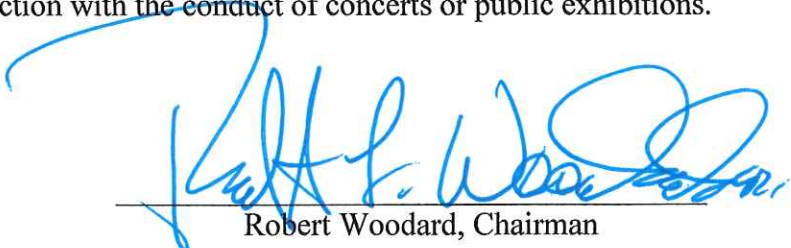
WHEREAS, General Statute 14-413(a1) provides that a board of county commissioners may authorize the governing body of any city in the county to issue permits pursuant to the provisions of this article for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions; and,

WHEREAS, the resolution granting the authority to the city shall remain in effect until withdrawn by the board of county commissioners by adopting a subsequent resolution withdrawing the authority.

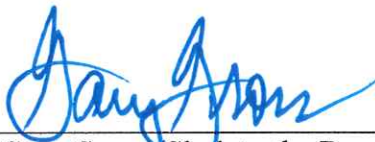
NOW, THEREFORE BE IT RESOLVED THAT the Dare County Board of Commissioners authorizes the governing body of the Town of Kill Devil Hills to issue permits pursuant to the provisions of General Statute 14-413 for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions.

This the 17th day of May, 2015




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS #15-06-32

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on June 17, 2015 at 5:00 p.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present:

Chairman Robert Woodard, Vice-Chairman Wally Overman
Commissioners: Judge, Shea, Burrus, Boswell, and Umphlett

The following members were absent: None

Vice-Chairman Overman moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT TO PROVIDE FOR THE REFINANCING OF EXISTING COUNTY OBLIGATIONS

WHEREAS, the County of Dare, North Carolina (the "County") is a political subdivision validly existing under the Constitution, statutes and laws of the State (the "State");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase or improvement of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased or improved to secure repayment of the purchase price;

WHEREAS, the County has previously entered into an Installment Purchase Contract dated as of March 1, 2007 (the "2007 Contract") with the Dare County Public Facilities Corporation (the "Corporation") in order to finance (1) acquiring, constructing, equipping and furnishing a County Administrative Building, (2) acquiring certain real property in Kitty Hawk to be used for parks and recreation and the construction of improvements thereon and (3) constructing, equipping and furnishing a satellite County office facility on Hatteras Island (the "2007 Project") and provided a security interest in the County Administrative Building and the Hatteras Satellite Office and the sites on which they are located through a Deed of Trust and Security Agreement dated as of March 1, 2007 (the "Deed of Trust"), from the County to the deed of trust trustee named therein; and

WHEREAS, under an Indenture of Trust dated as of March 1, 2007 (the “2007 Indenture”) between the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee (the “Trustee”), the Corporation executed and delivered \$18,195,000 aggregate principal amount of Certificates of Participation, Series 2007 (the “2007 Certificates”), evidencing proportionate undivided interests in rights to receive certain Revenues pursuant to the 2007 Contract;

WHEREAS, the County staff has reported to the Board of Commissioners (the “Board”) that the County can achieve debt service savings by refinancing a portion of the County’s installment payment obligations under the 2007 Contract through the refunding the 2007 Certificates maturing on June 1, 2024 through June 1, 2027 in the aggregate principal amount of \$3,400,000 (the “Refunded Certificates”);

WHEREAS, based on the foregoing, the Board has determined that it would be in the best interest of the County to enter into Amendment Number One to the Installment Purchase Contract dated as of July 1, 2015, (the “First Contract Amendment” and together with the 2007 Contract, the “Contract”) between the Corporation and the County, which will supplement and amend the 2007 Contract, to accomplish the refunding of the Refunded Certificates;

WHEREAS, the Corporation will issue a Refunding Certificate of Participation, Series 2015 (the “2015 Certificate”), evidencing a proportionate undivided interest in the right to receive Revenues pursuant to the Contract under the 2007 Indenture, as supplemented and amended by Supplemental Indenture, Number 1 dated as of July 1, 2015 (the “First Supplemental Indenture” and together with the 2007 Indenture, the “Indenture”), between the Corporation and the Trustee;

WHEREAS, Branch Banking and Trust Company (the “Purchaser”) has agreed to purchase the 2015 Certificate;

WHEREAS, the Board approves the use of Parker Poe Adams & Bernstein LLP, as special counsel; DEC Associates, Inc., as financial advisor; Piper Jaffray & Co., as placement agent; and The Bank of New York Mellon Trust Company, N.A., Jacksonville, Florida, as trustee (collectively, the “Financing Team”);

WHEREAS, there have been described to the Board the forms of the following documents (collectively, the “Instruments”), copies of which have been made available to the Board, which the Board proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment financing:

- (1) the First Contract Amendment;
- (2) the First Supplemental Indenture; and
- (3) the Escrow Agreement dated as of July 1, 2015 (the “Escrow Agreement”) between the County and The Bank of New York Mellon Trust Company, N.A., as escrow agent, related to the refunding of the Refunded Certificates;

WHEREAS, it appears that each of the Instruments is in an appropriate form and is an appropriate instrument for the purposes intended;

WHEREAS, the County has previously determined and hereby determines that the acquisition of the 2007 Project was and is essential to the County's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the 2007 Project provides an essential use and permits the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust was and is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County hereby determines that the Contract allows the County to refinance the 2007 Project at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of refinancing the 2007 Project is an amount not to exceed \$3,700,000 and that such cost of the refinancing of the 2007 Project exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of refinancing of the 2007 Project pursuant to the Contract is expected to exceed the cost of refinancing the 2007 Project pursuant to a general obligation bond financing or revenue bond financing for the same undertaking, the County hereby determines that the cost of refinancing the 2007 Project pursuant to the Contract and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of refinancing the 2007 Project; and (3) insufficient revenues are produced by the 2007 Project so as to permit a revenue bond financing;

WHEREAS, the County hereby determines that the estimated cost of refinancing the 2007 Project pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the 2007 Contract and the 2007 Project after publication of a notice with respect to such public hearing was held by the Board on January 16, 2007; and

WHEREAS, the County has filed an application to the LGC for approval of the First Contract Amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AS FOLLOWS:

Section 1. Ratification of Instruments. That all actions of the Chairman of the Board, the County Manager, the Finance Director, the Clerk to the Board and their respective designees (the "Authorized Officers"), whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. Authorization to Execute the First Contract Amendment and the Escrow Agreement. That the County approves the refinancing of the 2007 Project as contemplated by the terms of the Instruments and in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the First Contract Amendment and the Escrow Agreement shall be and the same hereby are in all respects authorized, approved and confirmed, and the Authorized Officers, either individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the First Contract Amendment and the Escrow Agreement, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the County's approval of any and all changes, modifications, additions or deletions therein from the form and content of the First Contract Amendment and the Escrow Agreement presented to the Board, and that from and after the execution and delivery of the First Contract Amendment and the Escrow Agreement, the Authorized Officers, either individually or collectively, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract. The Authorized Officers, either individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver a modification to the Deed of Trust if required by the Purchaser in connection with the execution and delivery of the 2015 Certificate.

Section 3. County Representative. That each of the Authorized Officers are hereby designated as the County's Representative to act on behalf of the County in connection with the transactions contemplated by the Instruments, and they are authorized to proceed with the refinancing of the 2007 Project in accordance with the Instruments and to seek opinions as to matters of law from attorneys as they deem appropriate for all documents contemplated hereby as required by law. The Authorized Officers, either individually or collectively, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments and the administration

thereof after the execution and delivery of the 2015 Certificate or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 4. Financing Team. That the Financing Team for the 2015 Certificate is hereby approved. The purchase of the 2015 Certificate by the Purchaser in accordance with the terms of the Instruments is hereby approved. The Finance Director is hereby authorized to engage other professionals as may be necessary to consummate the transactions contemplated by this Resolution.

Section 5. Severability. That if any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 6. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 7. Effective Date. That this Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF DARE) SS:

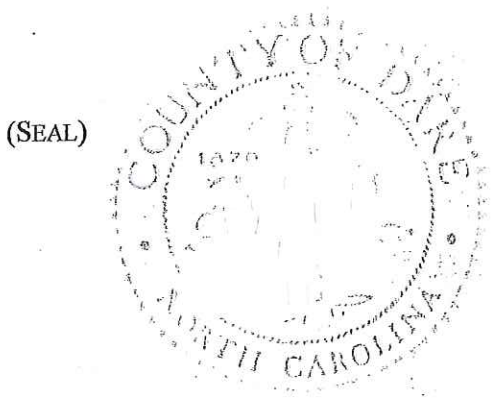
I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina, *DO HEREBY CERTIFY*, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on June 17, 2015, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 17th day of June, 2015.



GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



15-06-34

Resolution in Support of State's Southern Flounder Fishermen

Whereas, North Carolina's commercial fishing industry is one of the nation's first industries; and

Whereas, the State's fisheries are a public trust resource owned by all residents of the State; and

Whereas, commercial fishermen catch and deliver this publicly-owned resource for those who don't choose to harvest it for themselves; and

Whereas, fresh locally-caught Southern Flounder is one of the favorite fishes cooked in homes and served in coastal seafood restaurants; and

Whereas, the Southern Flounder fishery, due to interaction with sea turtles and under agreement with federal fisheries authorities, has been operating under tightened rules that have limited days, hours when nets may be in the water, and methods of setting gear, has reduced pressure on the species and limited harvest totals; and

Whereas, during the combined 2013 and 2014 calendar years, commercial fishermen landed an estimated 4 million pounds of Southern Flounder with an estimated dockside value of more than \$10.4 million; and

Whereas, adding additional restrictions or closing the fishery to gill nets would leave a substantial number of fishermen who lack other types of gear without an income; and

Whereas, those with additional gear would be forced into other fisheries thus increasing pressure on other species; and

Whereas, in 2013 and 2014, Southern Flounder sold in local restaurants brought in an estimated \$20 million in revenues during that time period; and

Whereas, removing this locally-caught menu staple would force restaurants to either buy flounder from outside the state at a higher prices and lower quality or remove it from its menu; and

Whereas, the North Carolina Marine Fisheries Commission is ignoring the process laid out in the North Carolina Fisheries Reform Act of 1997 that lays out the steps to be taken to amend fishery management plans; and

Whereas, the Marine Fisheries Commission is trying to side-step the legally-required process by declaring an 'emergency' based on data that has been been disputed by peer-reviewers; and

Whereas, the Marine Fisheries Commission has ignored staff-suggested options by replacing them with alternatives that would cause serious economic harm to the commercial industry; and

Whereas, the Marine Fisheries Commission at the urging of the Coastal Conservation Association has added a sixth option to completely and permanently close down the fishery by prohibiting the use of large mesh gill nets,

Now, Therefore, Be It Resolved, that the Dare County Board of Commissioners requests that the North Carolina Marine Fisheries Commission adhere to the process of calling together scientists, regulators and stakeholders to study the issue to ensure a defensible plan to obtain a realistic goal as laid out in the North Carolina Fisheries Reform Act of 1997; and


Be it Further Resolved, that the federal government remove restrictions on commercial fishermen that have shut down the fishery until at least September 1 due to interactions with sea turtles until such time that recreational interaction is also addressed; and

Be it Further Resolved, that proper stock assessments for Southern Founder and sea turtles be formulated and peer-reviewed before any additional efforts at restricting the fisheries are implemented; and


And be it Finally Resolved, that the Dare County Board of Commissioners will take the lead on advocating for its commercial fishing constituents by asking that the county's six municipalities, Tourism Authority, Outer Banks Chamber of Commerce and the Dare County Restaurant Association also adopt this resolution to be sent to NC Governor Pat McCrory, US Sen. Thom Tillis, US Sen. Richard Burr, US Rep. Walter Jones, NC Senator Bill Cook, NC Rep. Paul Tine, members of the NC Marine Fisheries Commission, NC Department of Environment and Natural Resources, and the NC Wildlife Resources Commission.

This the 17th day of June, 2015





Robert Woodard, Chairman

ATTEST: 

Gary Gross, Clerk to the Board



15-06-33

**A RESOLUTION OF APPROVAL BY THE DARE COUNTY BOARD OF COMMISSIONERS
TO DELEGATE THE APPROVAL OF PYROTECHNICS PERMITS
TO THE TOWN OF KILL DEVIL HILLS**

WHEREAS, North Carolina General Statutes 14-410 and 14-413 seek to improve pyrotechnic safety in North Carolina; and

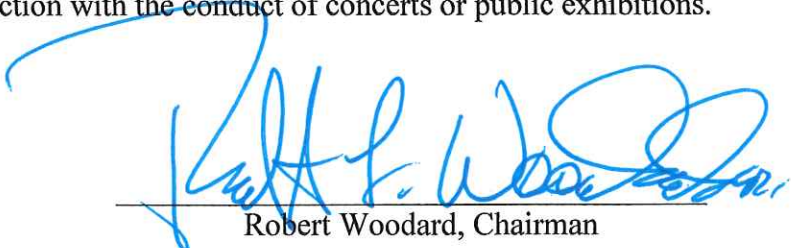
WHEREAS, General Statute 14-413(a1) provides that a board of county commissioners may authorize the governing body of any city in the county to issue permits pursuant to the provisions of this article for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions; and,

WHEREAS, the resolution granting the authority to the city shall remain in effect until withdrawn by the board of county commissioners by adopting a subsequent resolution withdrawing the authority.

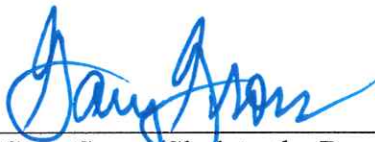
NOW, THEREFORE BE IT RESOLVED THAT the Dare County Board of Commissioners authorizes the governing body of the Town of Kill Devil Hills to issue permits pursuant to the provisions of General Statute 14-413 for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions.

This the 17th day of May, 2015




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS #15-06-32

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on June 17, 2015 at 5:00 p.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present:

Chairman Robert Woodard, Vice-Chairman Wally Overman
Commissioners: Judge, Shea, Burrus, Boswell, and Umphlett

The following members were absent: None

Vice-Chairman Overman moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT TO PROVIDE FOR THE REFINANCING OF EXISTING COUNTY OBLIGATIONS

WHEREAS, the County of Dare, North Carolina (the "County") is a political subdivision validly existing under the Constitution, statutes and laws of the State (the "State");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase or improvement of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased or improved to secure repayment of the purchase price;

WHEREAS, the County has previously entered into an Installment Purchase Contract dated as of March 1, 2007 (the "2007 Contract") with the Dare County Public Facilities Corporation (the "Corporation") in order to finance (1) acquiring, constructing, equipping and furnishing a County Administrative Building, (2) acquiring certain real property in Kitty Hawk to be used for parks and recreation and the construction of improvements thereon and (3) constructing, equipping and furnishing a satellite County office facility on Hatteras Island (the "2007 Project") and provided a security interest in the County Administrative Building and the Hatteras Satellite Office and the sites on which they are located through a Deed of Trust and Security Agreement dated as of March 1, 2007 (the "Deed of Trust"), from the County to the deed of trust trustee named therein; and

WHEREAS, under an Indenture of Trust dated as of March 1, 2007 (the “2007 Indenture”) between the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee (the “Trustee”), the Corporation executed and delivered \$18,195,000 aggregate principal amount of Certificates of Participation, Series 2007 (the “2007 Certificates”), evidencing proportionate undivided interests in rights to receive certain Revenues pursuant to the 2007 Contract;

WHEREAS, the County staff has reported to the Board of Commissioners (the “Board”) that the County can achieve debt service savings by refinancing a portion of the County’s installment payment obligations under the 2007 Contract through the refunding the 2007 Certificates maturing on June 1, 2024 through June 1, 2027 in the aggregate principal amount of \$3,400,000 (the “Refunded Certificates”);

WHEREAS, based on the foregoing, the Board has determined that it would be in the best interest of the County to enter into Amendment Number One to the Installment Purchase Contract dated as of July 1, 2015, (the “First Contract Amendment” and together with the 2007 Contract, the “Contract”) between the Corporation and the County, which will supplement and amend the 2007 Contract, to accomplish the refunding of the Refunded Certificates;

WHEREAS, the Corporation will issue a Refunding Certificate of Participation, Series 2015 (the “2015 Certificate”), evidencing a proportionate undivided interest in the right to receive Revenues pursuant to the Contract under the 2007 Indenture, as supplemented and amended by Supplemental Indenture, Number 1 dated as of July 1, 2015 (the “First Supplemental Indenture” and together with the 2007 Indenture, the “Indenture”), between the Corporation and the Trustee;

WHEREAS, Branch Banking and Trust Company (the “Purchaser”) has agreed to purchase the 2015 Certificate;

WHEREAS, the Board approves the use of Parker Poe Adams & Bernstein LLP, as special counsel; DEC Associates, Inc., as financial advisor; Piper Jaffray & Co., as placement agent; and The Bank of New York Mellon Trust Company, N.A., Jacksonville, Florida, as trustee (collectively, the “Financing Team”);

WHEREAS, there have been described to the Board the forms of the following documents (collectively, the “Instruments”), copies of which have been made available to the Board, which the Board proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment financing:

- (1) the First Contract Amendment;
- (2) the First Supplemental Indenture; and
- (3) the Escrow Agreement dated as of July 1, 2015 (the “Escrow Agreement”) between the County and The Bank of New York Mellon Trust Company, N.A., as escrow agent, related to the refunding of the Refunded Certificates;

WHEREAS, it appears that each of the Instruments is in an appropriate form and is an appropriate instrument for the purposes intended;

WHEREAS, the County has previously determined and hereby determines that the acquisition of the 2007 Project was and is essential to the County's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the 2007 Project provides an essential use and permits the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust was and is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County hereby determines that the Contract allows the County to refinance the 2007 Project at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of refinancing the 2007 Project is an amount not to exceed \$3,700,000 and that such cost of the refinancing of the 2007 Project exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of refinancing of the 2007 Project pursuant to the Contract is expected to exceed the cost of refinancing the 2007 Project pursuant to a general obligation bond financing or revenue bond financing for the same undertaking, the County hereby determines that the cost of refinancing the 2007 Project pursuant to the Contract and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of refinancing the 2007 Project; and (3) insufficient revenues are produced by the 2007 Project so as to permit a revenue bond financing;

WHEREAS, the County hereby determines that the estimated cost of refinancing the 2007 Project pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the 2007 Contract and the 2007 Project after publication of a notice with respect to such public hearing was held by the Board on January 16, 2007; and

WHEREAS, the County has filed an application to the LGC for approval of the First Contract Amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AS FOLLOWS:

Section 1. Ratification of Instruments. That all actions of the Chairman of the Board, the County Manager, the Finance Director, the Clerk to the Board and their respective designees (the "Authorized Officers"), whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. Authorization to Execute the First Contract Amendment and the Escrow Agreement. That the County approves the refinancing of the 2007 Project as contemplated by the terms of the Instruments and in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the First Contract Amendment and the Escrow Agreement shall be and the same hereby are in all respects authorized, approved and confirmed, and the Authorized Officers, either individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the First Contract Amendment and the Escrow Agreement, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the County's approval of any and all changes, modifications, additions or deletions therein from the form and content of the First Contract Amendment and the Escrow Agreement presented to the Board, and that from and after the execution and delivery of the First Contract Amendment and the Escrow Agreement, the Authorized Officers, either individually or collectively, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract. The Authorized Officers, either individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver a modification to the Deed of Trust if required by the Purchaser in connection with the execution and delivery of the 2015 Certificate.

Section 3. County Representative. That each of the Authorized Officers are hereby designated as the County's Representative to act on behalf of the County in connection with the transactions contemplated by the Instruments, and they are authorized to proceed with the refinancing of the 2007 Project in accordance with the Instruments and to seek opinions as to matters of law from attorneys as they deem appropriate for all documents contemplated hereby as required by law. The Authorized Officers, either individually or collectively, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments and the administration

thereof after the execution and delivery of the 2015 Certificate or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 4. Financing Team. That the Financing Team for the 2015 Certificate is hereby approved. The purchase of the 2015 Certificate by the Purchaser in accordance with the terms of the Instruments is hereby approved. The Finance Director is hereby authorized to engage other professionals as may be necessary to consummate the transactions contemplated by this Resolution.

Section 5. Severability. That if any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 6. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 7. Effective Date. That this Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF DARE) SS:

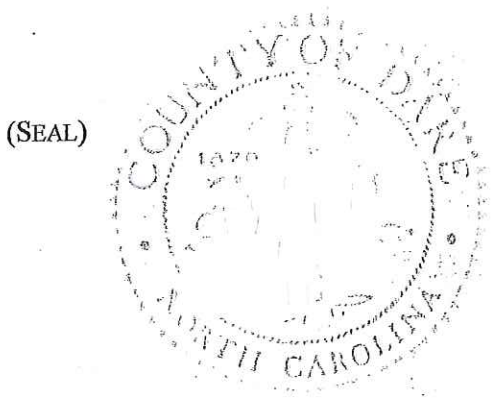
I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina, *DO HEREBY CERTIFY*, as follows:

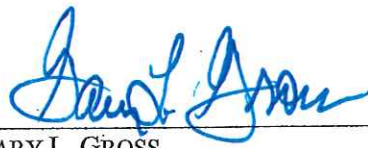
1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on June 17, 2015, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 17th day of June, 2015.





GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina

RESOLUTION OF ADOPTION

DARE COUNTY

15-06-31

ALBEMARLE REGIONAL HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within Dare County are subject to the effects of natural and man-made hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to the natural impacts from Hurricanes/Tropical Storms, Nor'easters, Floods, Tornadoes, Winter Storms, Severe Thunderstorms, Wildfire, Erosion, Drought/Heat Wave, Earthquakes, Landslides/Sinkholes, Tsunami, Dam/Levee Failure, and Rip Currents, as well as manmade effects from Transportation Infrastructure Impacts, Terrorism, Active Shooter/Mass Casualties, Cyber Attacks, Pandemic Events and Public Health Events; and

WHEREAS, the County desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, Dare County's has joined eight regional partner counties and 17 municipalities to develop and implement the Albemarle Regional Hazard Mitigation Plan which replaces Dare County's Hazard Mitigation Plan and improves regional integration by implementing common mitigation strategies for similar hazards while effectively incorporating hazard mitigation principles, practices, actions and strategies that will protect all Dare County citizens and built environment from natural and manmade threats and hazards fulfilling 44 CFR Part 201 and the guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

WHEREAS, it is the intent of the Dare County Board of Commissioners to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, therefore, be it resolved that the Board of Commissioners of Dare County hereby:

1. Adopts the Albemarle Regional Hazard Mitigation Plan; and
2. Vests the Dare County Emergency Management Department with the responsibility, authority, and the means to:
 - a. Inform all concerned parties of this action.
 - b. Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
3. Appoints the Dare County Emergency Management Department to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Board of Commissioners of Dare County for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Albemarle Regional Hazard Mitigation Plan.

BY:



DATE:

Robert L. Woodard, Chairman

Dare County Board of Commissioners

ATTEST:



(SEAL)

Gary Gross

Clerk to the Board





15-06-30

**A RESOLUTION
REQUESTING THAT THE NORTH CAROLINA GENERAL ASSEMBLY
ALLOW WATERWAY MAINTENANCE AS A USE FOR THE 2 CENTS
OF OCCUPANCY TAX DESIGNATED FOR BEACH NOURISHMENT**

WHEREAS, inlet shoaling conditions have progressively worsened for both Hatteras Inlet and Oregon Inlet and have reached a crisis level, to the point where irreparable financial harm has been caused to commercial fishermen, boat builders, the charter boat fishing industry, recreational fishermen, and many others who depend on Dare County's inlets to the Atlantic Ocean as their highway to work; and

WHEREAS, not only do Dare County inlets serve as an economic cornerstone and revenue generator for state, federal and local economies, they also provide direct channels to the Atlantic Ocean for the United States Coast Guard to use when responding to rescue missions and provide a safe refuge for mariners who travel along our coast; and

WHEREAS, the worsening inlet conditions pose a serious risk to public safety, which threatens lives and property; and

WHEREAS, because the federal government has abandoned its obligation to properly maintain our inlets, the Dare County Board of Commissioners has vigorously sought funding sources to provide proactive dredging as an urgent matter of public safety and economic importance; and

WHEREAS, the dire conditions of Dare County inlets have been the subject of numerous public meetings before the Dare County Board of Commissioners; and

WHEREAS, with inlet conditions deteriorating at an alarming rate, action is needed now in order to preserve jobs and sustain the local economy in view of the lack of federal funding for ongoing inlet maintenance; and

WHEREAS, Dare County and northeastern North Carolina would benefit from a modification of uses for the Dare County Occupancy Tax by authorizing waterways maintenance as a use for the 2 cents of Occupancy Tax designated for Beach Nourishment.

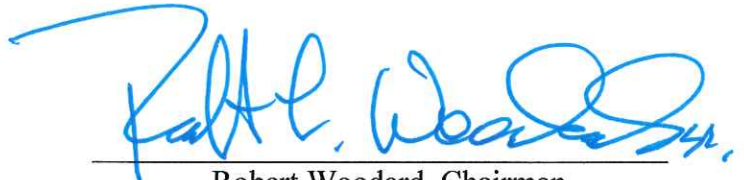
WHEREAS, the North Carolina Senate as Part IX of Senate Bill 160 has modified the uses for which the portion of the Dare County Occupancy Tax designated for beach nourishment may be used to include waterways maintenance by adopting the following: "Effective July 1, 2016, for net proceeds collected on or after that date, Chapter 449 of the 1985 Session Laws, as amended by Chapters 177 and 906 of the 1991 Session Laws, Part VII of S.L. 2001-439, and Section 7 of S.L. 2010-78, is amended by adding a new section to read: Sec. 3.3. Waterway Maintenance. – Notwithstanding any provision restricting the use of taxes authorized in this act, the county may use up to three million dollars (\$3,000,000) of the net proceeds of the taxes authorized by

Sections 3.1 and 3.2 of this act per fiscal year for maintenance of waterways in the county. This section is repealed for fiscal years beginning on or after July 1, 2021.”

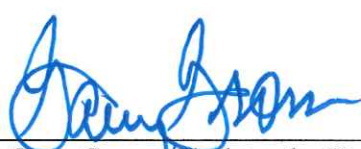
NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners needing an immediate funding source for ongoing maintenance of Dare County’s inlets and adjacent waterways, requests the North Carolina House of Representatives to authorize waterways maintenance as a use for the portion of the Dare County Occupancy Tax designated for beach nourishment by adopting the following language: “Effective July 1, 2015, for net proceeds collected on or after that date, Chapter 449 of the 1985 Session Laws, as amended by Chapters 177 and 906 of the 1991 Session Laws, Part VII of S.L. 2001-439, and Section 7 of S.L. 2010-78, is amended by adding a new section to read: Sec. 3.3. Waterway Maintenance. – Notwithstanding any provision restricting the use of taxes authorized in this act, the county may use up to three million dollars (\$3,000,000) of the net proceeds of the taxes authorized by Sections 3.1 and 3.2 of this act per fiscal year for maintenance of waterways in the county. This section is repealed for fiscal years beginning on or after July 1, 2021.”

This the 1ST day of June, 2015





Robert Woodard, Chairman

Attest: 

Gary Gross, Clerk to the Board



15-06-29

**A RESOLUTION
SUPPORTING GOVERNOR PAT MCCRORY'S CONNECT NC BOND INITIATIVE**

WHEREAS, Governor Pat McCrory has proposed a \$2.85 billion bond initiative intended to connect North Carolina cities and towns in the 21st century by building roads, upgrading technology, constructing and improving educational facilities, enhancing medical services, supporting our military installations, improving parks and recreational facilities, and building and improving port and rail infrastructure; and

WHEREAS, these strategic investments, as proposed, are designed to benefit communities across this great State and will create jobs and improve the quality of life and environment for North Carolinians; and

WHEREAS, because of North Carolina's fiscal strength and strong balance sheet, no tax increase will be required to fund these bonds and in addition the State's Triple A bond rating will be preserved; and

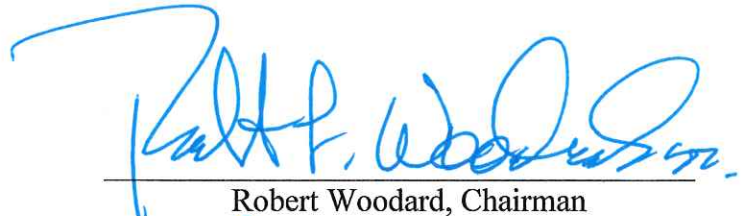
WHEREAS, by not addressing our serious infrastructure deficiencies now, our State will lose its ability to compete in the future, interest rates will go up, costs to taxpayers will increase, congestion will worsen and jobs will not expand at the rate needed to sustain a healthy and vibrant North Carolina; and


WHEREAS, the citizens of North Carolina must be allowed to make the important decision of investing in the opportunities provided to our future generations through the Connect NC bond initiative.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners supports Governor McCrory's Connect NC bond initiative and encourages the General Assembly to allow North Carolina's citizens to vote on this critical bond proposal to ensure North Carolina's future on the global stage.

This the 1st day of June, 2015




Robert Woodard, Chairman

Attest: 
Gary Gross, Clerk to the Board

A RESOLUTION ADOPTING THE DARE COUNTY
PROGRAM FOR PUBLIC INFORMATION

15-06-28

WHEREAS, Dare County participates in the Community Rating System (CRS) program and has instructed staff to actively pursue additional CRS credit to increase our CRS classification; and

WHEREAS, the Community Rating System (CRS) program offers discounts on flood insurance policies and continued participation in the CRS program is of primary importance to Dare County and;

WHEREAS, the 2013 CRS manual outlines a process for the adoption of a Program for Public Information (PPI) which formalizes all outreach activities to be implemented in conjunction with the CRS program; and

WHEREAS, the planning staffs of the County of Dare and the Town of Manteo have previously worked on CRS outreach activities and have chosen to work together on the development of a multi-jurisdictional PPI, and

WHEREAS, the PPI has been developed by a stakeholders committee and includes a set of goals, target audiences, and outreach activities to increase awareness of the importance of flood insurance, property protection measures, and hurricane preparedness; and

WHEREAS, the PPI also includes an assessment of flood insurance coverage, insurance coverage analysis, and coverage improvement strategies for credit under Section 370 of the CRS manual; and

WHEREAS, the PPI stakeholder committee reviewed the final draft on May 21, 2015 and voted unanimously to endorse the Program for Public Information for adoption by the local elected boards of Dare County and the Town of Manteo,

NOW THEREFORE BE IT RESOLVED the Dare County Board of Commissioners does hereby adopt the 2015 Program for Public Information as presented on June 1, 2015.

BY: 

DATE: 6/1/15

Robert L. Woodard, Chairman
Dare County Board of Commissioners

ATTEST: 

Gary Gross
Clerk to the Board



#15-06-27

RESOLUTION DECLARING the importance of HURRICANE PREPAREDNESS in Dare County

WHEREAS, hurricanes and tropical systems have impacted North Carolina and Dare County in the past;
and

WHEREAS, hurricanes and tropical systems can cause life-threatening hazards such as flooding, storm surge, high winds, and tornadoes; and

WHEREAS, flooding claims lives every year usually when motorists attempt to drive through flooded roadways; and

WHEREAS, people are less likely to be injured when they are prepared for hazardous weather and know what to do when a hurricane threatens Dare County; and

WHEREAS, people should have an emergency plan and prepare their personal supply kit for use at home or during evacuation with enough food and water to sustain them and their families for three days or longer; and

WHEREAS, Dare County residents and visitors should know their evacuation routes and comply with local and state authorities when asked to evacuate due to impending hurricane conditions, and

WHEREAS, the Dare County website, darenc.com offers more information about hurricane preparedness as do the Ready.Gov and the ReadyNC mobile applications available to help residents and visitors with their emergency preparedness plans and provide current weather and traffic conditions for all parts of North Carolina; and

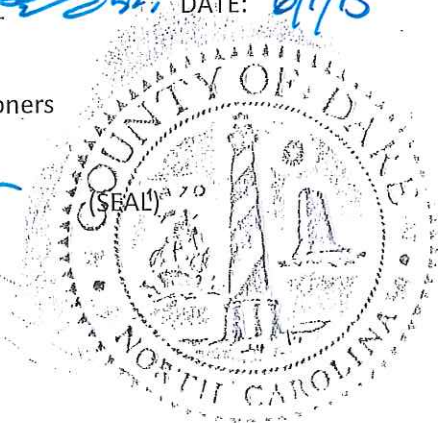
WHEREAS, Dare County Emergency Management works continuously to inform and educate residents, business owners and visitors about how to plan, prepare and stay safe before, during and after a hurricane to ensure all are ready to take actions needed to protect their property and personal safety;

NOW THEREFORE, the Dare County Board of Commissioners encourage all residents, businesses and visitors to review and update their preparedness plans to ensure personal readiness for the 2015 Hurricane Season which starts today and ends on November 30, 2015 in Dare County, North Carolina.

BY: [Signature] DATE: 6/1/15

Robert L. Woodard, Chairman
Dare County Board of Commissioners

ATTEST: [Signature]
Gary Gross
Clerk to the Board





COUNTY OF DARE

Water Department
600 Mustian Street, Kill Devil Hills, NC 27948

15-05-26

Water Distribution

(252) 475-5990
fax (252) 441-2239

RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Dare County Water Department, has been developed and submitted to the Dare County Board of Commissioners for approval; and

WHEREAS, the Dare County Board of Commissioners finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143355 (1) and that it will provide appropriate guidance for the future management of water supplies for the Dare County Water Department, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Dare County Board of Commissioners of the Dare County Water Department that the Local Water Supply Plan for 2012:

- A) Dare County Regional Water System (NC 0428030)
- B) Dare County Rodanthe-Waves-Salvo Water System (NC 0428035)
- C) Dare County Cape Hatteras Water System (NC 0428025)
- D) Stumpy Point Water and Sewer District (NC 6028002)

Are hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and


BE IT FURTHER RESOLVED that the Dare County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 18th day of May, 2015.



Name: Robert Woodard

Title: Chairman, Dare County Board of Commissioners

Signature: 

North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System

#15-05-25

North Carolina

County of Dare

Road Description Marlin Drive and Marlin Court, Marlin Village Subdivision,
Frisco, NC

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 18th day of May, 2015.

WITNESS my hand and official seal this the 18th day of May, 2015.

Official Seal



Gary Grass
Clerk, Board of Commissioners
County of Dare

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways



15-05-24

**A RESOLUTION
ABOLISHING THE STUMPY POINT COMMUNITY WATER AND SEWER DISTRICT**

WHEREAS, the Dare County Board of Commissioners adopted a resolution on May 3, 1999 that created the Stumpy Point Community Water and Sewer District; and

WHEREAS, the area embraced within the Stumpy Point Community Water and Sewer District includes all that area lying and being within the bounds of Croatan Township, in Dare County, North Carolina, known as the Stumpy Point Tax District and also known as the Stumpy Point Election Precinct, including the Village of Stumpy Point, all as shown on maps in the Dare County Tax Office; and

WHEREAS, the Stumpy Point Community Water and Sewer District was created in order to obtain grant funding for the project, which has since been completed; and

WHEREAS, pursuant to NCGS 160A-541, upon finding that there is no longer a need for a particular service district, the governing body may abolish the district after holding a public hearing; and

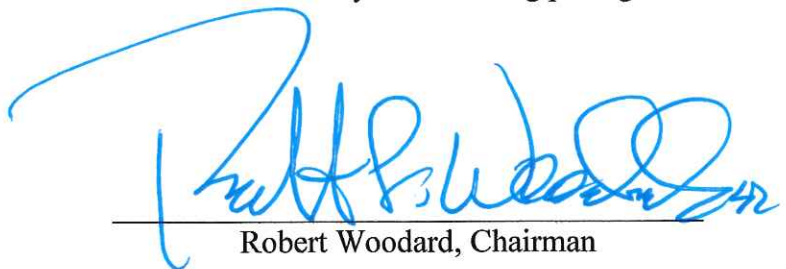
WHEREAS, on May 18, 2015, a public hearing was conducted by the Dare County Board of Commissioners, after notice of the hearing had been published at least one week prior to the hearing date.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners finds that there is no longer a need for the Stumpy Point Water and Sewer District and that abolishing it will not affect the delivery of water and sewer services to those in the District.

BE IT FURTHER RESOLVED, that pursuant to NCGS 160A-541 the Stumpy Point Water and Sewer District is hereby abolished to take effect at the end of the fiscal year following passage of this resolution.

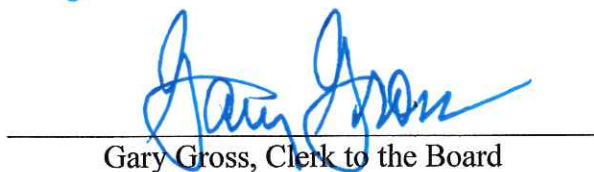
This the 18th day of May, 2015





Robert Woodard, Chairman

Attest:



Gary Gross, Clerk to the Board



15-05-23

**A RESOLUTION ENACTING A MORATORIUM ON
MINING ACTIVITIES and BORROW PITS**

WHEREAS, on February 2, 2015, the Dare County Board of Commissioners instructed the Planning Board and Planning staff to proceed with the development of an use-specific zoning map for the villages of Rodanthe Waves and Salvo on Hatteras Island all of which are currently zoned S-1, a special zoning district, that permits all land uses; and

WHEREAS, one objective of the use-specific zoning map will be the establishment of regulations to address industrial uses and other land uses which are incompatible with existing land use patterns in the villages and detrimental to the natural resources of the area; and

WHEREAS, it is recognized that a zoning map and its associated district regulations may take months to develop and in the interim period, certain egregious land uses may be proposed before an use-specific zoning map is submitted for review by the Board of Commissioners; and

WHEREAS, borrow pits and mining activities have been previously identified by Dare County as incompatible land uses with neighboring communities and detrimental to the area's natural resources; and

WHEREAS, moratoriums on borrow pits were previously enacted by Dare County in 2003 for Roanoke Island and in 2012 for East Lake to allow for the development of zoning restrictions without additional borrow pits and mining activities being submitted for approval during development of zoning regulations; and

WHEREAS, a borrow pit shall be defined as an area from which soil or other unconsolidated materials are removed in manner that results in a pit or pond with the removed materials used for some other purpose.

NOW THEREFORE BE IT RESOLVED that a moratorium on the administration of construction permits and issuance of site plan approval for new borrow pits for the tax districts of Rodanthe, Waves, and Salvo is enacted until December 31, 2015; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby instructs the Planning Department staff and Planning Board to continue the development of use-specific zoning regulations in a timely manner for the villages of Rodanthe, Waves, and Salvo on Hatteras Island.

This the 18th day of May, 2015

BY:


Robert L. Woodard, Chairman

(SEAL)

ATTEST:


Gary Gross, Clerk to the Board





15-05-22

**A RESOLUTION
REQUESTING THAT THE NORTH CAROLINA GENERAL ASSEMBLY
ALLOW DARE COUNTY TO USE THE PROCEEDS OF A PREVIOUSLY LEVIED ONE
PERCENT SALES AND USE TAX FOR INLET DREDGING**

WHEREAS, inlet shoaling conditions have progressively worsened over the last five months for both Hatteras Inlet and Oregon Inlet and have reached a crisis level, to the point where the navigable channel at Oregon Inlet is nearly closed, causing irreparable financial harm for commercial fishermen, boat builders, the charter boat fishing industry, recreational fishermen, and many others who depend on Dare County's inlets to the Atlantic Ocean as their highway to work; and

WHEREAS, not only do Dare County inlets serve as an economic cornerstone and revenue generator for state, federal and local economies, they also provide direct channels to the Atlantic Ocean for the United States Coast Guard to use when responding to rescue missions and provide a safe refuge for mariners who travel along our coast; and

WHEREAS, the worsening inlet conditions pose a serious risk to public safety, which threatens lives and property; and

WHEREAS, because the federal government has abandoned its obligation to properly maintain our inlets, the Dare County Board of Commissioners has vigorously sought funding sources to provide ongoing dredging as an urgent matter of public safety and economic importance; and

WHEREAS, the impending closure of Oregon Inlet, the deteriorating conditions at Hatteras Inlet and the devastating consequences resulting to Dare County and the region have been the subject of numerous public meetings before the Dare County Board of Commissioners; and

WHEREAS, with inlet conditions deteriorating at an alarming rate, action is needed now in order to preserve the jobs and economic benefits that are associated with Hatteras Inlet and Oregon Inlet; and

WHEREAS, House Bill No. 142 of North Carolina Session Law 2004-123, added NCGS 105-525 et seq. authorizing the Dare County Board of Commissioners to levy an additional one percent sales and use tax for the purposes of beach nourishment; and

WHEREAS, the one percent additional sales and use tax authorized by added NCGS 105-525 et seq. became effective on January 1, 2006 and pursuant to the provisions of NCGS 105-473, the levy was repealed and subsequently required to be terminated by the Dare County Board of Commissioners effective June 30, 2006; and

WHEREAS, prior to its repeal, the sales tax authorized under NCGS 105-525 et seq. generated in excess of \$5million dollars, which funds are part of the Dare County Beach Nourishment Fund; and

WHEREAS, in response to worsening inlet conditions as set forth above, Dare County desires to use the proceeds from the sales tax authorized under NCGS 105-525 et seq. for the dredging of Dare County's inlets and adjacent waterways.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners needing an immediate funding source for ongoing management of Dare County's inlets and adjacent waterways hereby asks the North Carolina General Assembly to amend the provisions of NCGS 105-531(b) to add "dredging of inlets and adjacent waterways in Dare County" as an authorized use of the sales taxes previously levied under NCGS 105-525 et seq.

This the 4th day of May, 2015



A handwritten signature in blue ink, which appears to read "Robert Woodard", is written over a horizontal line.

Robert Woodard, Chairman

Attest:

A handwritten signature in blue ink, which appears to read "Gary Gross", is written over a horizontal line.

Gary Gross, Clerk to the Board



#15-05-21

**A RESOLUTION
OF THE DARE COUNTY NORTH CAROLINA BOARD OF COMMISSIONERS
IN SUPPORT OF ALTERNATIVE METHOD OF RECOGNITION
FOR VETERANS STATUS TO WW II COASTWISE MERCHANT MARINERS**

Findings 1: Some US Merchant Marine Seamen of WW II gained veteran status under a court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). The USCG later **required** they meet certain eligibility requirements.

Findings 2: Some 10,000 to 30,000 **coastwise** seagoing tug and barge merchant seamen have been or may be denied recognition upon application because actions taken by government agencies (prior to P. L. 95-202) have removed required eligibility records from being available to the veteran.

Findings 3: Commandant, USCG Ltr 5739 Ltr of 09 Apr 2010 states, "**The US Government did not issue mariner credentials to females during the World War II.**"

Findings 4: USCG Information Sheet #77 (April 1992) identifies **acceptable forms of documentation** for eligibility meeting the requirements pursuant to Schmacher V. Aldridge, 655 41(D.D.C 1987)

- a. Certificate of Discharge (Form 718A)
- b. Continuous Discharge Books (ship's deck/engine logbooks. (Non-military document)
- c. Company letters showing vessel names and dates of voyages. (Non-military document)

Findings 5: Commandant USCG Order of 20 March, 1944 **relieves masters** of tugs, towboats and seagoing barges **of the responsibility of submitting reports of seamen shipped or discharged on forms 718A.** This action removes item (a) from the eligibility list in Findings 4.

Findings 6: USCG Information Sheet # 77 (April, 1992) further states "Deck logs were traditionally considered to be the property of the owners of the ships. After World War II, however, the deck and engine logbooks of vessels operated by the War Shipping Administration were turned over to that agency by the ship owners, and **were destroyed during the 1970s because they were too burdensome to keep and too costly to maintain.**" This action effectively eliminates item (b) from the eligibility list in Findings 4

Findings 7: Company letters showing vessel names and dates of voyages are highly suspect of ever existing due to the strict orders prohibiting even the discussion of ship/troop movement. Then consider item (c) of Findings 4 should be removed from the eligibility list. USCG Info Sheet # 77, page 2 refers

Findings 8: Excerpts from Pres. Roosevelt's fireside Chat 23: On the Home Front (Oct. 12, 1942):"In order to keep stepping up our production, we have had to add millions of workers to the total labor force of the Nation. "In order to do this, we shall be compelled to use **older men, and handicapped people, and more women, and even grown boys and girls,** wherever possible and reasonable, to replace men of military age and fitness; **to use their summer vacations, to work somewhere in the war industries.**" Underage combatants had served in all of America's wars from the time of the Revolution. The unknown number who served in the Second World War perpetuated that legacy. They served with distinction and valor, and indisputably demonstrated that, despite their age, they could serve as well as those around them.

Findings 9: Post the Revolutionary War; many Acts of Congress were enacted to provide pensions to those veterans applying for support. Thousands of servicemen were without documented service and remained without any viable means to prove service. Excerpts from documents retained at the NARA provide: **Generally the process required an applicant to appear before a court of record in the State of his or her residence to describe under oath the service for which a pension was claimed.** This establishes precedence for using certified oaths in conjunction with the Social Security documents as alternative documentation.

Findings (10): US CG Official Shipping/Discharge documents (Forms 718A) were obtained from the National Archives and Records Administration, Wash. DC that contained information proving Active Duty (AD) services for some WW II coastwise barge and tug Mariners. Together with information obtained via a FOIA request to the National Maritime Center, research brought forth additional information. **Research** conducted between **June-August 2013, in concert with the NMC**, using official records of 1172 coastwise mariners and the USCG Merchant Marine Casualties of WW II report of 1950 identified:

WW II Coastwise Mariners Listing: Excel Sheet #1

1172 Mariners identified via official USCG Shipping/Discharge Forms 718A
84 Mariners may be women according to their feminine sounding names; OR 7.2%
1058 Mariners' ages were specified. Ages ranged from 10 to 78.
583 Mariners identified within draft age and included those in 4F status; OR 55.1% of known ages.
525 Mariners identified at over the draft age of 37; OR 49.6% of known ages.
114 Mariners with age not specified; OR 09.7%
47 Mariners who served were under the age of 17; OR 4.4% of known ages.
16 Mariners KIA with 1 receiving DD Form 1300.

National Maritime Form DD 214 Listing: Excel Sheet #2

794 Mariners were identified on NMC Coastwise Mariners listing identifying Active Duty services.
291 Mariners on NMC listing had no USCG MMLD numbers listed; OR 36.6%
85 Mariners issued DD Form 214 from NMC listing, OR 10.7% of NMC; OR 7.2% of WW II CMM

Merchant Marine KIA & MIA Casualties from all causes = 9521 * (usmm.org)

5662 Mariner Casualties from USCG per 1950 Report * (USCG 1950 casualty report)
3859 Mariner Casualties from Other Sources * (Additional sources = Art. Moore and US Congress)

Merchant Marine Casualties recognized by all sources = 414

344 Mariner Casualties from USCG 1950 Casualty Report * (USCG 1950 casualty report)
70 Mariner Casualties from NMC report & not listed on USCG 1950 Casualty List * (NMC DD 1300 Report)
1 Mariner in NMC DD 1300 files as having received Form DD 1300 yet 16 identified on WW II CM listing

Rationale: 9521 Merchant Mariners KIA or MIA serving and **only 414** receiving Veteran status.

Findings 11: The USCG cannot provide a **true estimate** of merchant mariners serving in WW II. GAO/HEHS-97-196R refers. Estimates range from 250,000 to 840,000 from recognized historians and GAO audit... None of these historians were aware of these 10,000 to 30,000 coastwise merchant seamen where many served without proper credentials and were not included in above estimates. **Some were elderly handicapped; others women and some were school children** who served in billets, drew wages and paid taxes. They served on the same vessels in the same hostile war zones and performed the same services alongside others who were documented. **Yet, only about 91,000 merchant mariners have been recognized as veterans with just 1192 of these veterans in receipt of compensation or pension benefits the VA refers.** This is a vast disparity in ratio of the other service branches.

Findings 12: DOD and NARA Agreement **N1-330-04-1 of Jul, 08, 2004** puts in place a procedure to transfer military personnel files of individuals from all services, (including civilian personnel or contractual groups who were later accorder military status under the provisions of Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). This agreement affects military personnel records of individuals **62 years** after separation from service. Action has taken place for all **except** the US Merchant Marine IAW above stated court order. This **inaction** by the **Department of Homeland Security via (COMDT USCG)** has caused many of the mariners to have **gone unrecognized** for their services. Many seafarers have passed without ever gaining recognition or benefits and soon all will be History. National Personnel Records Center estimate there are between 1400 to 2500 Cubic feet of Shipping/Discharge documents being stored at the NARA district offices and NMC yet to be transferred to the National Personnel Records Center in St. Louis, Missouri. NMC cites **about 91,000 out of 250,000 to 840,000 have ever received recognition** as veterans; and, with many unable to gain access because of age and health condition requiring assistance for others outside family. Had compliance taken place, these records would have been available to all and providing the mariner a chance to being recognized many years ago and enjoying the benefits awarded to them via court order.

Whereas: (1) By court order, Schumacher v. Aldridge 665 F Supp 41 (D.D.C. 1987) **provided for veteran status** to certain US Merchant Marine seamen during WW II (07 December, 1941 to 31 December, 1946) with the same benefits accorded all veterans as administrated by the Veterans Administration. There were **no provisions** for the elderly handicapped, women or schoolchildren to even be considered for their services as mariners serving anywhere within the US Merchant Marine providing an avenue to veteran status.

Whereas: (2) The USCG Information Sheet #77 of Apr. 1992 identifies specific criteria to be used to prove active duty performed by an individual seaman for the purpose of attaining veteran status and findings (5), (6) & (7) identified specific **official government actions** that **removed** these particular documents from the reach of the mariner. This **clearly identifies the requirement** to put in place a method of utilizing **alternative** documentation and other approved methods to replace specific documents removed from use by the government actions cited elsewhere in this document.

Whereas: (3) Women **were removed** from ships at the onset of WW II and not allowed to serve in any capacity by direction of the War Shipping Administrator, Admiral Emory S. Land. The Captains of the Ports (USCG COTP) were given specific directions to **deny** official USCG maritime credentials to any woman requesting them. They **served but without official credentials** in every capacity on most vessels. Families were the sole crew on many barges throughout the WW II and afterwards. Companies **welcomed this** arrangement because **critical** crew replacements were **reduced** considerably. This allowed those barges to move the bulk war materials more quickly and freed the more abled bodied seaman to man the larger seagoing ships taking vital supplies to troops on all the fronts, keeping the enemy from our doors. A **win win** situation vital to war defense. **To date** there is **no law or other avenue** recognizing women as veterans of the US Merchant Marine during WW II

Whereas: (4) President Roosevelt's speech of 12 Oct, 1942 **puts in place the use of elderly and handicapped individuals, school children and women in an effort to support war efforts** by replacing men of military age and fitness, and in stepping up our production of war materials for those on the front lines. Because of this speech, women, the elderly disabled and schoolchildren entered the varied war defense plant services in droves and many found their way into the coastwise barge and tug trades as well.

Whereas: (5) DOD & NARA Agreement N1-330-04-1 of July 08, 2004 **provides for the transfer** of military records to the National Personnel Records Center, St. Louis, MO for use as archival records, open to the public. But **inaction by the DHS for the mariner in over 10** years has caused the veteran loss of due access of his records that may have accorded him recognition as a veteran. Recommend Congressional inquiry into delay of WW II Merchant Mariners personnel records.

Whereas: (6) Previously attempted bills, HR 1288 and S-1361, would have provided for **alternative records** to be used in place of **records lost, destroyed or denied** for coastwise seamen affected; and allowed women and school children be recognized for their services rendered for the first time ever. There are **no laws** in place to allow for resolution of this issue.

Whereas: (7) The elderly disabled, children and women have served in every war this nation has ever known. Most have served without recognition but history is replete with actions of young children stepping up to serve, some receiving our highest honors and others serving in our highest ranks of service, congress and the presidency; e.g. President Andrew Jackson (age 13); America's first Admiral, David Glasgow Farragut was appointed a midshipman at (age 9) by President James Madison; Willie Johnson (age 11) was recipient of the Medal of Honor; Albert Cohen of Memphis TN who enlisted at age 11 & KIA age 15. History is filled with children defending this nation and Coastwise Mariners had their fair share of them. **Findings #9 & #10 provide support** info.

Whereas: (8) Although they served gallantly and with honor, actions taken against those that were elderly and disabled, school children and women by denying them official credentials during WW II is considered **discrimination** today.

Whereas: (9) The process used to determine whether an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized as having performed active duty service under the court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge Jr 665 f Supp 41 (D.D.C.1987). There are no considerations in any **existing** legislation that provides for women who served, under aged schoolchildren or elderly handicapped seaman any avenue to attain veteran status. **Nor** is there a current avenue to use alternative methods of recognition or other actions that have proved effective in past wars for use in lieu of documents that were denied and/or destroyed by several specific official government actions.

The following actions are recommended:

(1) Initiate congressional actions to: Provide sufficient response to support Merchant Mariners' provisions of HR 1288 (with wording intact to insure all coastwise barge and tugboat mariners who served during WW II

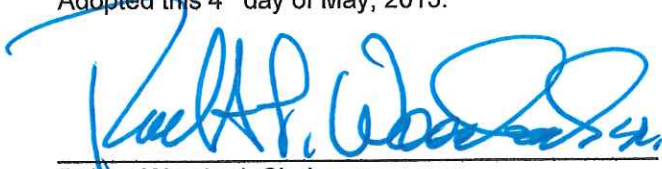
(regardless of age, gender or disability) are recognized as veterans in accordance with or similar to: court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987, **granting veterans status**

(2) Initiate congressional inquiry into: Delay of WW II Merchant Mariners personnel records movement to National Military Personnel Center.

(3) Initiate congressional actions to: Recognize WW II Mariners identified as KIA/MIA as Veterans of this Nation.

Now, therefore, be it resolved that the Dare County, North Carolina Board of Commissioners hereby supports these efforts on behalf of the World War II Coastwise Merchant Mariners and urges our Representatives in the Senate (Senators Richard Burr and Thom Tillis) and in the House (Representatives Walter Jones and George K. Butterfield) to fully support and initiate all necessary actions , including full support of HR 1288, "WW II Merchant Mariners Service Act", to pass legislation approving the above findings and recommendations.

Adopted this 4th day of May, 2015.



Robert Woodard, Chairman
Dare County, NC Board of Commissioners



Attest: Gary Gross, Clerk to the Board



15-04-20

**RESOLUTION APPROVING NORTHEASTERN WORKFORCE DEVELOPMENT
CONSORTIUM AGREEMENT**

WHEREAS, the counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell and Washington, being independent and contiguous units of local county government (the "Counties"), wish to agree to establish a workforce development consortium ("Consortium") to act jointly as a Local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014; and

WHEREAS, in addition to specific authority to enter into the agreement attached hereto, a "County Appointed Representative" for WIOA purposes upon whose representations the State, the Workforce Development Board, the Albemarle Commission (as the local administrative/fiscal agent) and the other Counties may rely, must be designated and authorized to execute the attached agreement and such other agreements as are necessary for purposes of WIOA and who shall sit on the Consortium Board.

BE IT RESOLVED, THAT Robert Woodward, is hereby designated the "County Appointed Representative" for the foregoing purposes and as such he/she is fully authorized to execute the attached agreement and such other and further agreements on behalf of this County as are necessary for these purposes.

The foregoing Resolution was adopted by the DARE County Board of Commissioners on this 20th day of April, 2015.

Jane L. Jones
(Clerk to the Board)

Gary L. Gross





#15-04-19

**A RESOLUTION
SUPPORTING A REQUEST THAT THE NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION CONSTRUCT AN EMERGENCY FERRY DOCK
IN DARE COUNTY AND TYRRELL COUNTY AT THE ALLIGATOR RIVER BRIDGE
AT U.S. HIGHWAY 64**

WHEREAS, the Tyrrell County Board of Commissioners adopted a resolution on April 7, 2015 requesting that the North Carolina Department of Transportation (NCDOT) construct an emergency ferry dock in Dare County and Tyrrell County at the Alligator River Bridge at U.S. Highway 64; and

WHEREAS, the construction of a replacement for the current Alligator River Bridge on Highway 64 in Tyrrell County and Dare County will not occur in the near future; and

WHEREAS, the Alligator River Bridge was completed in 1961 and is a main route of evacuation for the Outer Banks in the event of an emergency such as a hurricane; and

WHEREAS, the Alligator River Bridge is a critical transportation corridor and provides much needed access to jobs, health care, and retail and wholesale goods and services; and

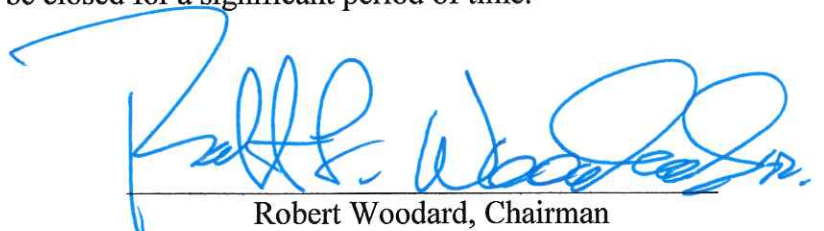
WHEREAS, the Alligator River Bridge has been closed previously for extended periods of time for repairs, and such closures have caused inconvenience and serious economic consequences for Dare County, Tyrrell County, and the larger economy of northeastern North Carolina.


WHEREAS, it is prudent to take the necessary steps to avoid such disruption to this vital transportation corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners supports the request that the North Carolina Department of Transportation be strongly encouraged to take all steps to begin the design and construction of an emergency ferry dock in Tyrrell County and Dare County at the Alligator River Bridge to provide relief from lack of access and congestion in the event that the aging Alligator River Bridge must be closed for a significant period of time.

This the 20th day of April, 2015




Robert Woodard, Chairman

Attest: 
Gary Gross, Clerk to the Board



15-04-18

**A RESOLUTION
IN OPPOSITION OF SUNDAY HUNTING**

WHEREAS, Sunday is a day of rest and a religious “holy” day, or day set apart, for many of our residents; and

WHEREAS, Sunday is a family day for many of our resident families; and

WHEREAS, our local culture has a history of honoring and valuing The Ten Commandments and the specific commandment to remember the Sabbath and keep it holy, or set apart; and

WHEREAS, we have many outdoor enthusiasts who compete with hunters for time in the woods and outdoor areas, including but not limited to hikers, campers, runners, cyclists, equestrians, bird watchers, and photographers; and

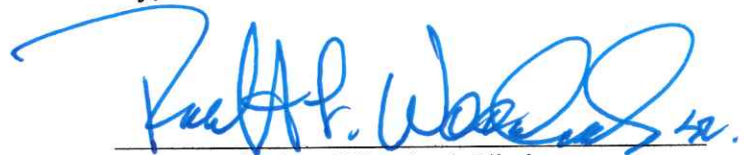
WHEREAS, Sunday is the one day of the week during hunting season when non-hunters can safely enjoy the woods and outdoor areas used by hunters on the other six days of the week; and


WHEREAS, with loss of farms and open spaces, outdoor areas are increasing valuable and sought after by all our citizens, and it is reasonable to balance access to the woods and outdoor areas.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners opposes hunting on Sunday and the legalization of any gun hunting activities on Sunday, and urges the North Carolina General Assembly to defeat any bills proposing gun hunting on Sunday.

Adopted, this the 6th day of April, 2015 in Dare County, North Carolina




Robert Woodard, Chairman

Attest: 
Gary Gross, Clerk to the Board



#15-04-17

**A RESOLUTION
SUPPORTING LATE AUGUST TO EARLY JUNE SCHOOL YEAR**

WHEREAS, the travel and tourism industry is a vital component of North Carolina's economic stability as the benefits of tourism touch each of the state's 100 counties; and

WHEREAS, in 2013, domestic travelers spent a record \$20.2 billion, up from \$19.4 in 2012, an increase of 4.1 percent, and this record spending supported more than 40,000 North Carolina businesses and directly supported nearly 200,000 jobs across the state; and

WHEREAS, direct tourism employment continues to grow in lodging, dining, retail and activity sectors to help serve visitors, especially in Dare County; and

WHEREAS, tourism related jobs in Dare County employ students as well as teachers for employment each summer; and

WHEREAS, studies show starting school in late August produces as much as \$1 billion each year in economic growth through increased tourism-related sales; and

WHEREAS, the timing of the annual school start date has a direct impact upon the ability of employers to hire high school students and teachers for summer employment; and

WHEREAS, the school year historically began after the Labor Day holiday, thereby providing quality family time for summer vacations in July and August; and

WHEREAS, a majority of other states have late August school year starts with no discernable impact on student learning or test scores; and

WHEREAS, many state legislators have entered office since SL 2004-180 was voted in with bipartisan support and may not be familiar with the continuing need for this important law; and

WHEREAS, several local bills have been filed recently which would greatly weaken SL 2004-180, threatening tourism economies and the wellbeing of families.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners supports SL 2004-180, the existing law requiring schools to open to students no earlier than August 25 and end for students no later than June 10. This the 6th day of April, 2015.



Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board



#15-04-16

**A RESOLUTION
ASKING THE NC MARINE FISHERIES COMMISSION (NCMFC)
TO NOT SUPPORT THE NC DIVISION OF MARINE FISHERIES (DCDMF) USE OF THE
SUPPLEMENT PROCESS TO IMPLEMENT REDUCTIONS OF SOUTHERN FLOUNDER**

WHEREAS, the southern flounder fishery is regionally diverse throughout Dare County and statewide with regards to gear, timing of harvest and size of fish harvested; and

WHEREAS, the southern flounder fishery is a \$5.6 million fishery for NC commercial fisherman and the economic impact to the region would be devastating if harvest cuts of 25% to 60% are implemented by NCMFC; and

WHEREAS, Recent NCDMF stock assessment report did not pass peer review and the harvest reduction parameters are arbitrary and subjective and not based on stakeholder input; and

WHEREAS, the supplement process disenfranchises stakeholders because of lack of public input; and

WHEREAS, Dare County's commercial fishermen have already made their investments for the fall 2015 season that will not be able to be recovered, which subjects them to a double economic hit that will be catastrophic for these small businesses; and

WHEREAS, there is need for thoughtful and comprehensive review of any proposed measure to assess the long-term viability of the fishery, and that review must incorporate stakeholder input.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners asks the NC Marine Fisheries Commission to not support the NC Division of Marine Fisheries use of the supplement process to implement reductions of southern flounder and that any proposal to limit the fishery be subjected to comprehensive review that includes stakeholder input.

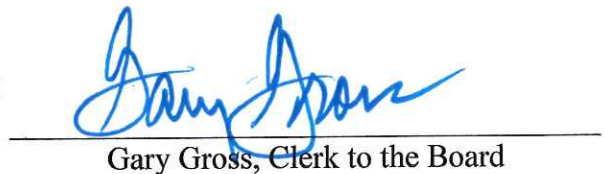
This the 6th day of April, 2015





Robert Woodard, Chairman

Attest:



Gary Gross, Clerk to the Board



15-04-15

**A RESOLUTION
REQUESTING THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS
TO ADVOCATE THAT THE NORTH CAROLINA GENERAL ASSEMBLY
AMEND NCGS 153A-15 TO APPLY TO ALL COUNTIES**

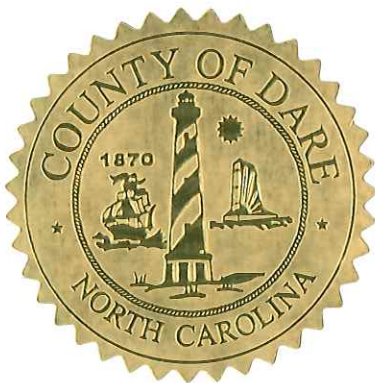
WHEREAS, NCGS 153A-15 requires Board of Commissioners consent in certain counties before land may be condemned or acquired by a unit of local government outside the county; and

WHEREAS, NCGS 153A-15 originally applied to a minority of counties within North Carolina, however, over the years, counties have been added to NCGS 153A-15 and the statute currently applies to 85 out of 100 counties; and

WHEREAS, Dare County is not included in NCGS 153A-15.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners requests that the North Carolina Association of County Commissioners advocate that the North Carolina General Assembly amend NCGS 153A-15 to apply to all counties.

This the 6th day of April, 2015



Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board

North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System

15-04-14

North Carolina

County of Dare

Road Description Empire Gem Lane, GH Ballance Subdivision & Wheeler Ballance Subdivision
Hatteras, NC

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

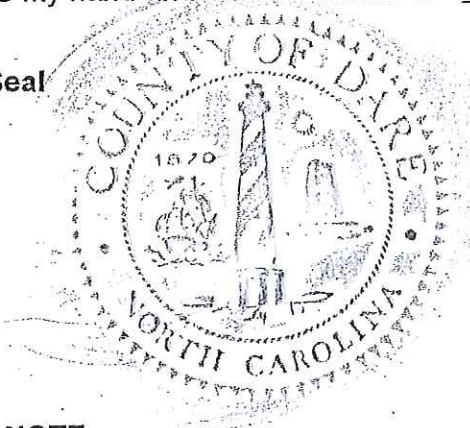
NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 6th day of April, 2015.

WITNESS my hand and official seal this the 6th day of April, 2015.

Official Seal



Gary Cross
Clerk, Board of Commissioners
County of Dare

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways



**A RESOLUTION
EXPRESSING THE DARE COUNTY BOARD OF COMMISSIONERS'
CONTINUED OPPOSITION OF OFF-SHORE DRILLING**

WHEREAS, the Dare County Board of Commissioners has had a long standing objection to off-shore drilling for gas or oil, including exploratory drilling; and

WHEREAS, in resolutions dated February 2, 1998, May 19, 2003, and December 5, 2005; the Dare County Board of Commissioners has consistently expressed its steadfast and unwavering opposition of any off-shore drilling; and

WHEREAS, since then no evidence has been uncovered to demonstrate any benefits to Dare County or to the surrounding region, and it has not been proven that off-shore drilling can safely be done without risking harm to the environment, the North Carolina coastline, our property, our businesses, our livelihood, or our quality of life; and

WHEREAS, the potential damage to North Carolina's beaches and coastline should a spill occur would be devastating to our natural resources and irrevocably harm Dare County's tourism based economy.

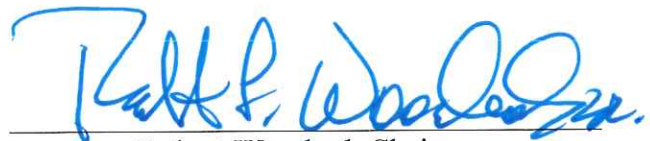
WHEREAS, it is vital that local and state officials throughout North Carolina and its neighboring states take a unified stand in opposition to off-shore drilling because a mishap in one jurisdiction could negatively impact the coastal environment and economy of adjacent areas; and

WHEREAS, other coastal communities and their neighbors have suffered dreadful consequences as the result of off-shore energy exploration including the Prince William Sound, victimized by the Exxon Valdez, and countless Gulf Coast communities harmed by the Deepwater Horizon Oil Spill.

WHEREAS, the documented dangers that are associated with off-shore drilling would needlessly put our environment, coastline, beaches, fishing, and tourism industry at risk and threaten our way of life in Dare County, North Carolina.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners renews its staunch opposition of off-shore drilling and urges North Carolina, our neighboring states, and all federal agencies to take no action that would put our coastline at risk. This the 6th day of April, 2015





Robert Woodard, Chairman

Attest:



Gary Gross, Clerk to the Board



15-04-12

**Resolution of Support for an Alternative Governance Structure
for the Area Authority serving Dare County**

WHEREAS, in accordance with N. C. General Statute § 122C – 115 (c1), the Area Board of CoastalCare, an Area Authority serving Brunswick, Carteret, New Hanover, Onslow and Pender Counties and the Area Board of East Carolina Behavioral Health, an Area Authority serving Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington Counties, have entered into an agreement to consolidate their agencies into a twenty-four county Area Authority serving all previously names counties; and

WHEREAS, the Secretary of the N. C. Department of Health and Human Services has approved this consolidation, as required by law; and

WHEREAS, N. C. General Statute § 122C – 118.1, which specifies the composition of an Area Authority Board, permits an alternative Area Board structure to be implemented 1) if the total population of the Area Authority catchment area exceeds 1,250,000 and 2) if the counties which comprise the Area Authority agree by resolution to an alternative structure; and

WHEREAS, the total population of the new Area Authority created by the consolidation of CoastalCare and East Carolina Behavioral Health is 1,260,778; and

WHEREAS, it is in the best interest of the residents of the twenty-four counties to approve an alternative governance structure for the consolidated Area Authority;

NOW, THEREFORE, BE IT RESOLVED, that we, the Dare County Board of Commissioners, do hereby approve the structure of the Area Board and the Regional Advisory Boards of the consolidated Area Authority, as outlined below.

To provide a local presence in the counties served and to assure that each county has input into the services received by its residents, the twenty-four county catchment area will have three regions. The regions have been designed to equalize, to the extent possible, the number of counties, population in the region, and overall square mileage of the regions. The three regions and the counties served are:

Northern Region: Bertie, Camden, Chowan, Currituck, Gates, Hertford, Martin, Northampton, Pasquotank and Perquimans Counties.

Central Region: Beaufort, Craven, Dare, Hyde, Pamlico, Pitt, Tyrrell and Washington Counties.

Southern Region: Brunswick, Carteret, Jones, New Hanover, Onslow and Pender Counties.

The counties in each region will appoint two members to the Regional Advisory Board: one county commissioner or designee and another individual who meets the requirements outlined in N. C. G. S. § 122C – 118.1 (b). In addition, the Regional Advisory Board will include the Chair

or designee of the regional Consumer and Family Advisory Committee. County Commissioner members of the Regional Advisory Boards may serve for as long as they are a commissioner. Other members of the Regional Advisory Board may serve for up to three, three year consecutive terms.

The primary functions of the Regional Advisory Board will be to advise the Area Authority Chief Executive Officer on the evaluation and hiring of a Regional Director; recommending priorities for expenditure of state and county funds for development of the annual budget; determining local priorities for inclusion in the overall strategic plan; identifying community needs and concerns; monitoring resolution of issues; and monitoring performance at the local level, including access to care, expenditure of service funds, number of consumers served, services delivered, provider network size and composition, outcomes, and consumer satisfaction.

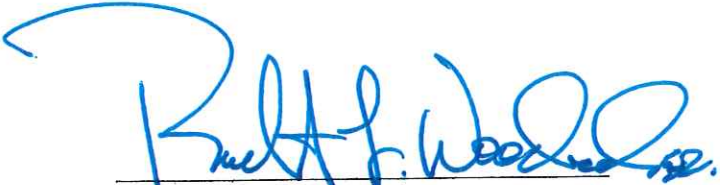
Each Regional Advisory Board will establish its own bylaws based on local needs, but in compliance with standardized requirements established by the Governing Board for quorums, frequency of meetings, elections of officers, duties of members, committees and committee appointments, and attendance standards. Such bylaws are subject to the approval of the Governing Board.

Each Regional Advisory Board will select four (4) members to serve as the Area Authority Governing Board: one county commissioner, the Consumer and Family Advisory Committee chair or designee, and two other members. In addition, the chair or designee of the Area Authority Network Council shall serve on the Governing Board as a non-voting member. The county commissioner members of the Governing Board shall serve one three year term without consecutive reappointment, so that commissioner representation on the Governing Board will rotate among the counties in each region. The other members of the Governing Board may serve three, three year terms.

The Governing Board's primary responsibilities will include determining policy; strategic planning, including consideration of local priorities as determined by the Regional Advisory Boards; budgets; hiring and evaluations of the Chief Executive Officer; monitoring of deliverables, including overall performance and financial management; government affairs and advocacy; reporting to constituent counties; responding to concerns and feedback from the Regional Advisory Boards; reviewing, revising and approving the Regional Advisory Board bylaws; and all other responsibilities outlined in N. C. law for Area Authority Boards. The Governing Board will develop and adopt bylaws to address its activities in accordance with law.

ADOPTED this 6th day of April, 2015.




Robert Woodard, Chairman
Dare County Board of Commissioners


Gary Gross, Clerk to the Board



15-04-11

**A RESOLUTION IN SUPPORT OF LOCAL LAW ENFORCEMENT
AND HONORING THEIR DEDICATED SERVICE TO DARE COUNTY**

WHEREAS, the well-being of all individuals in the United States is preserved and enhanced as a direct result of the vigilance and devotion of law enforcement officers; and

WHEREAS, Dare County is fortunate to have a highly skilled and deeply dedicated local law enforcement community that works heroically to protect lives, defend liberties, and secure the safety of Dare County's residents and visitors; and

WHEREAS, law enforcement personnel in Dare County work cooperatively with each other throughout many agencies and jurisdictions and display a camaraderie that exemplifies the epitome of public service; and

WHEREAS, the men and women of Dare County's law enforcement community risk their lives and make countless personal sacrifices in order to provide a safe, secure, and peaceful environment for our vacationers, property owners, and residents; and

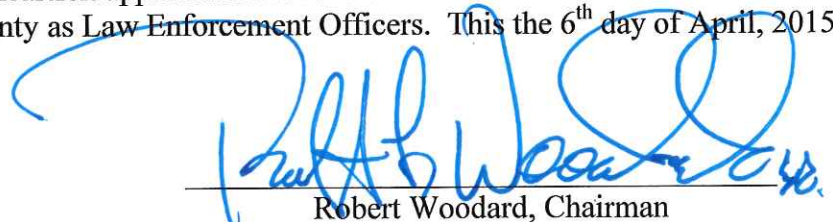
WHEREAS, those who protect Dare County must endure long hours, adverse weather conditions, and stressful situations that demand split second decisions; and


WHEREAS, although some parts of the nation have demonstrated a disregard for the lives and safety of law enforcement officers, by contrast the law abiding public of Dare County proactively supports the men and women who put their lives in jeopardy every day to keep our neighborhoods safe; and

WHEREAS, because of the caring, courteous, and professional manner in which Dare County's law enforcement community performs their sworn duty, they have earned the deep and abiding respect of its citizens, civic associations, business owners, and elected leaders.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners on behalf of a grateful community, declares its heartfelt appreciation for the dedicated men and women who bravely and faithfully serve Dare County as Law Enforcement Officers. This the 6th day of April, 2015




Robert Woodard, Chairman

Attest: 
Gary Gross, Clerk to the Board



15-03-10

**A RESOLUTION
REQUESTING THAT THE NORTH CAROLINA GENERAL ASSEMBLY
ALLOW DARE COUNTY TO LEVY A QUARTER CENT SALES TAX
WITHOUT A REFERENDUM**

WHEREAS, a crisis situation exists for Dare County inlets that warrants immediate action; and

WHEREAS, inlet shoaling conditions have progressively worsened over the last five months for both Hatteras Inlet and Oregon Inlet and have reached a crisis level to the point where the navigable channel at Oregon Inlet is nearly closed for commercial fishermen, boat builders and many others who depend on the inlet to the Atlantic Ocean as their highway to work; and

WHEREAS, without immediate intervention, irreparable financial harm will occur and further jeopardize the 4,348 jobs associated with Oregon Inlet alone and the \$548 million annual benefit that it generates; and

WHEREAS, not only do Dare County inlets serve as an economic cornerstone, they also provide direct channels to the Atlantic Ocean for the United States Coast Guard to use when responding to rescue missions; and

WHEREAS, the worsening inlet conditions pose a serious risk to public safety, which threatens lives and property, and in just the past week two vessels sustained damage trying to navigate the inlet; and

WHEREAS, because the federal government has abandoned its obligation to properly maintain our inlets, the Dare County Board of Commissioners has vigorously sought funding sources to provide ongoing dredging as an urgent matter of public safety and economic importance; and

WHEREAS, the impending closure of Oregon Inlet and the deteriorating conditions at Hatteras Inlet and the devastating consequences resulting to Dare County and the region have been the subject of numerous public meetings before the Dare County Board of Commissioners; and

WHEREAS, with inlet conditions deteriorating at an alarming rate that cannot wait an additional five months to be resolved, based on public input the Dare County Board of Commissioners has determined that swift, immediate action is needed now in order to preserve the jobs and economic benefits that are associated with Hatteras Inlet and Oregon Inlet.


WHEREAS, the completion of the new Bonner Bridge and removal of the existing Bonner Bridge will improve conditions at Oregon Inlet such that the requested quarter cent sales tax would only be necessary until such time as the new Bonner Bridge is completed and the existing Bonner Bridge is removed and a provision sunsetting the requested sales tax at that time would be appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners needing an immediate funding source for ongoing management of Dare County's inlets and waterways hereby asks the North Carolina General Assembly to expand the local option sales tax and authorize a quarter cent sales tax without a referendum as an urgent and timely matter of public safety and economic importance.


AND, BE IT FURTHER RESOLVED, that this local option would be subject to a sunset clause that would allow it to remain in effect until the new Bonner Bridge is built and the existing Bonner Bridge has been successfully removed.

This the 27th day of March, 2015





Robert Woodard, Chairman

Attest: 

Gary Gross, Clerk to the Board



15-03-10

**A RESOLUTION
REQUESTING THAT THE NORTH CAROLINA GENERAL ASSEMBLY
ALLOW DARE COUNTY TO LEVY A QUARTER CENT SALES TAX
WITHOUT A REFERENDUM**

WHEREAS, a crisis situation exists for Dare County inlets that warrants immediate action; and

WHEREAS, inlet shoaling conditions have progressively worsened over the last five months for both Hatteras Inlet and Oregon Inlet and have reached a crisis level to the point where the navigable channel at Oregon Inlet is nearly closed for commercial fishermen, boat builders and many others who depend on the inlet to the Atlantic Ocean as their highway to work; and

WHEREAS, without immediate intervention, irreparable financial harm will occur and further jeopardize the 4,348 jobs associated with Oregon Inlet alone and the \$548 million annual benefit that it generates; and

WHEREAS, not only do Dare County inlets serve as an economic cornerstone, they also provide direct channels to the Atlantic Ocean for the United States Coast Guard to use when responding to rescue missions; and

WHEREAS, the worsening inlet conditions pose a serious risk to public safety, which threatens lives and property, and in just the past week two vessels sustained damage trying to navigate the inlet; and

WHEREAS, because the federal government has abandoned its obligation to properly maintain our inlets, the Dare County Board of Commissioners has vigorously sought funding sources to provide ongoing dredging as an urgent matter of public safety and economic importance; and

WHEREAS, the impending closure of Oregon Inlet and the deteriorating conditions at Hatteras Inlet and the devastating consequences resulting to Dare County and the region have been the subject of numerous public meetings before the Dare County Board of Commissioners; and

WHEREAS, with inlet conditions deteriorating at an alarming rate that cannot wait an additional five months to be resolved, based on public input the Dare County Board of Commissioners has determined that swift, immediate action is needed now in order to preserve the jobs and economic benefits that are associated with Hatteras Inlet and Oregon Inlet.


WHEREAS, the completion of the new Bonner Bridge and removal of the existing Bonner Bridge will improve conditions at Oregon Inlet such that the requested quarter cent sales tax would only be necessary until such time as the new Bonner Bridge is completed and the existing Bonner Bridge is removed and a provision sunsetting the requested sales tax at that time would be appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners needing an immediate funding source for ongoing management of Dare County's inlets and waterways hereby asks the North Carolina General Assembly to expand the local option sales tax and authorize a quarter cent sales tax without a referendum as an urgent and timely matter of public safety and economic importance.


AND, BE IT FURTHER RESOLVED, that this local option would be subject to a sunset clause that would allow it to remain in effect until the new Bonner Bridge is built and the existing Bonner Bridge has been successfully removed.

This the 27th day of March, 2015





Robert Woodard, Chairman

Attest: 

Gary Gross, Clerk to the Board



Attachment # 5
3/2/15

RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE BUXTON BEACH NOURISHMENT PROJECT FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS

Description

The model approved by the Board for the Beach Nourishment Fund includes the Buxton Beach Nourishment Project at \$25,000,000 and the County financing that project over 5 years through an installment financing contract (NCGS 160A-20) in the summer of 2016. Expenditures for permitting and design have started. Per IRS Code, in order for the County to reimburse itself from debt proceeds, a "reimbursement resolution" must be adopted. That resolution is attached. It declares the County's intent to finance the project, states that the County will comply with IRS regulations, and that the Finance Director will maintain a detailed accounting of the expenditures to be reimbursed from the debt proceeds.

Board Action Requested

Adopt the Resolution.

Approved 3/2/15
[Signature]
Check to the Board

Item Presenter

David Clawson, Finance Director

#15-03-09

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on March 2, 2015 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: All 7 were present, including Chairman Woodard, Vice-Chairman Overman, and Commissioners: Judge, Shea, Burrus, Boswell, and Umphlett

The following members were absent: None were absent

* * * * *

Commissioner Overman moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA
DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH
CAROLINA TO REIMBURSE ITSELF FOR CAPITAL
EXPENDITURES INCURRED IN CONNECTION WITH THE
BUXTON BEACH NOURISHMENT PROJECT FROM THE
PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS.**

WHEREAS, the Board of Commissioners of the County of Dare, North Carolina ("*County*") has determined that it is in the best interests of County to complete a beach nourishment project in the Buxton area of the County (the "*Project*");

WHEREAS, the County presently intends, at one time or from time to time, to finance all or a portion of the costs of the Project with proceeds of tax-exempt obligations and reasonably expects to cause to be executed and delivered tax-exempt obligations (the "*Obligations*") to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

WHEREAS, the County desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Obligations (the "*Original Expenditures*"), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the County intends, and reasonably expects, to be reimbursed for such Original Expenditures from a portion of the proceeds of the Obligations to be executed and delivered at a date occurring after the dates of such Original Expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Dare, North Carolina as follows:

Section 1. **Official Declaration of Intent.** The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to execute and deliver the Obligations to finance all or a portion of the costs of the Project and the maximum principal amount of Obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the Project is approximately \$25,000,000.

Section 2. **Compliance with Regulations.** The County adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County's intent to reimburse itself for the Original Expenditures from proceeds of the Obligations.

Section 3. **Itemization of Capital Expenditures.** The Finance Director of the County, with advice from special counsel, is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the Original Expenditures incurred and paid by the County in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Obligations.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF DARE) SS:

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

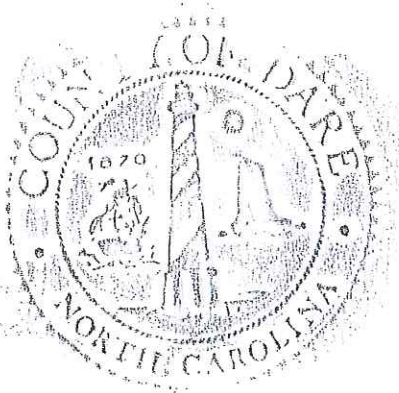
1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on March 2, 2015, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 2nd day of March, 2015.

(SEAL)



GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



Attachment #4
3/2/15

RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION OF E911/EMERGENCY OPERATIONS CENTER FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS

Description

The FY 2015 CIP calls for the County/non-grant portion of the E911/EOC Project (\$4,409,138) to be financed in calendar year 2016 (with the first debt service after 7/1/2016 in FY 2017). Expenditures for permitting and design have started. Per IRS Code, in order for the County to reimburse itself from debt proceeds, a "reimbursement resolution" must be adopted. That resolution is attached. It declares the County's intent to finance the project, states that the County will comply with IRS regulations, and that the Finance Director will maintain a detailed accounting of the expenditures to be reimbursed from the debt proceeds.

Board Action Requested

Adopt the Resolution.

Approved 3/2/15

David Brown
Clerk to the Board

Item Presenter

David Clawson, Finance Director

#15-03-08

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on March 2, 2015 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: All 7 were present, including Chairman Woodard, Vice-Chairman Overman, and Commissioners: Judge, Shea, Burrus, Boswell, and Umphlett

The following members were absent: None were absent

* * * * *

Commissioner Umphlett moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA
DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH
CAROLINA TO REIMBURSE ITSELF FOR CAPITAL
EXPENDITURES INCURRED IN CONNECTION WITH THE
CONSTRUCTION OF E911/EMERGENCY OPERATIONS CENTER
FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT
OBLIGATIONS.**

WHEREAS, the Board of Commissioners of the County of Dare, North Carolina ("*County*") has determined that it is in the best interests of County to construct, equip and furnish a consolidated regional emergency 911 call center and emergency operations center in the County (the "*Project*");

WHEREAS, the County presently intends, at one time or from time to time, to finance all or a portion of the costs of the Project with proceeds of tax-exempt obligations and reasonably expects to cause to be executed and delivered tax-exempt obligations (the "*Obligations*") to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

WHEREAS, the County desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Obligations (the "*Original Expenditures*"), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the County intends, and reasonably expects, to be reimbursed for such Original Expenditures from a portion of the proceeds of the Obligations to be executed and delivered at a date occurring after the dates of such Original Expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Dare, North Carolina as follows:

Section 1. ***Official Declaration of Intent.*** The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to execute and deliver the Obligations to finance all or a portion of the costs of the Project and the maximum principal amount of Obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the Project is approximately \$4,500,000.

Section 2. ***Compliance with Regulations.*** The County adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County's intent to reimburse itself for the Original Expenditures from proceeds of the Obligations.

Section 3. ***Itemization of Capital Expenditures.*** The Finance Director of the County, with advice from special counsel, is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the Original Expenditures incurred and paid by the County in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Obligations.

Section 4. ***Effective Date.*** This Resolution shall become effective immediately upon the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF DARE) SS:

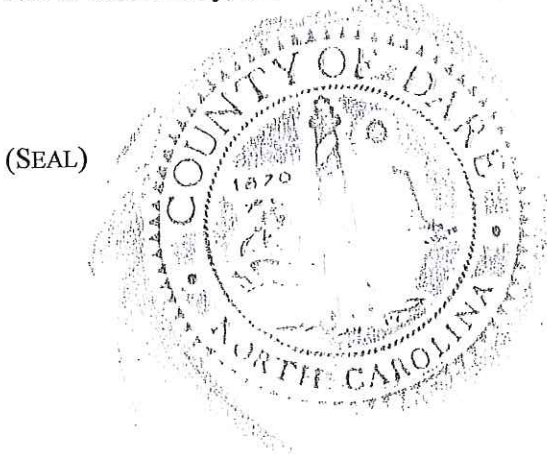
I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on March 2, 2015, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 2nd day of March, 2015.



GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



Attachment # 2
3/2/15

Award of FY2014-2015 Vehicle and Equipment Financing

Description

On January 26, 2015, Finance received proposals for financing in the amount of \$1,603,000 with a 3 year term for acquisition of county vehicles and equipment as approved in the fiscal year 2014-15 operating budget. Responses were received from six financial institutions. One response was a no bid. The lowest total cost proposal for a 3 year financing was submitted by US Bancorp Government Leasing & Finance at a rate of 1.099%. The bid tabulation and financing documents are attached.

Board Action Requested

Adopt the attached Resolution to award the 3 year financing to US Bancorp GLF at a rate of 1.099% and authorize the County Manager, Finance Director, and Clerk to execute all necessary documents.

Item Presenter

David Clawson

Approved 3/2/15 David Clawson
Clerk to the Board

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$1,603,000 WITH US BANCORP GOVERNMENT LEASING AND FINANCE INC TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the governing body for the County of Dare, North Carolina (the "Unit"):

Section 1. The governing body of the Unit does hereby find and determine:

- a) The County of Dare proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");
- b) After consideration, the governing body of the Unit has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- c) Pursuant to Section 160A-20, the Unit is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- d) US Bancorp Government Leasing and Finance Inc (USBGLF) has proposed that USBGLF enter into an Installment Financing Contract with the Unit to finance the Equipment pursuant to which USBGLF will lend the Unit the amount of \$1,603,000 (the "Contract") and a related Escrow Agreement between the Unit and USBGLF (the "Escrow Agreement").

Section 2. The governing body of the Unit hereby authorizes and directs the County Manager and Finance Director to execute, acknowledge and deliver the Contract and Escrow Agreement on behalf of the Unit in such form and substance as the person executing and delivering such instruments on behalf of the Unit shall find acceptable. The Clerk is hereby authorized to affix the official seal of the County of Dare to the Contract and the Escrow Agreement and attest the same.

Section 3. The proper officers of the Unit are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Unit in any action for breach of a contractual

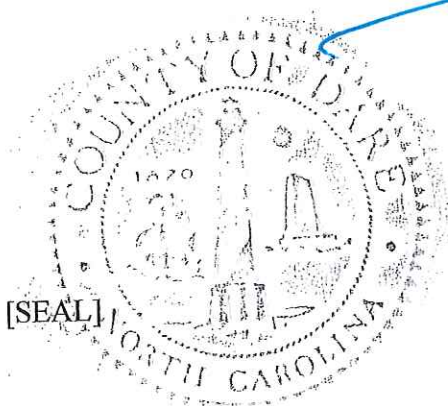
obligation under the Contract or the Escrow Agreement and the taxing power of the Unit is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for USBGLF in such instance.

Section 5. The Unit covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the Unit's obligations under the Contract will not be included in the gross income of USBGLF.

Section 6. The Unit hereby represents that it reasonably expects that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Unit will issue in the aggregate not more than \$10,000,000 of tax-exempt obligations, including the Contract during calendar year 2015. In addition, the Unit hereby designates the Contract and its obligations under the Contract as a "bank qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 2nd day of March, 2015.



A handwritten signature in blue ink, which appears to read "Paul S. Woodson", is written over a horizontal line.

Chairman, Board of County Commissioners

COUNTY OF DARE, NORTH CAROLINA

A handwritten signature in blue ink, which appears to read "David A. Irons", is written over a horizontal line.

Clerk to the Board

County of Dare, NC
RFP Dated January 9, 2015
\$1,603,000
3 year term

	Rate	1/4ly Pymt	Fees	Total Cost of Loan	Day Count Rule	Prepayment Premium
Capital One Public Funding	1.690%	\$ 137,286.64	\$ -	\$ 1,647,439.68	360 day year	2%
Carlyle Capital Markets Inc - No Bid						
PNC Equipment Finance	1.330%	\$ 136,487.97	\$ 250.00	\$ 1,638,105.64	not disclosed	3%
SunTrust Equipment Finance and Leasing	1.930%	\$ 137,809.81	\$ 350.00	\$ 1,654,067.72	not disclosed	none
The Bancorp Bank dba Mears Motor Leasing	1.150%	\$ 136,092.81	\$ -	\$ 1,633,113.72	30/365 day year	none
US Bancorp Government Leasing and Finance Inc	1.099%	\$ 135,980.96	\$ -	\$ 1,631,771.52	360 day year	3%



15-03-06

**A RESOLUTION
HONORING THE LIFE AND SERVICE
OF EMERGENCY MANAGEMENT COORDINATOR
SANDY SANDERSON**

WHEREAS, the County of Dare, located on the Outer Banks of North Carolina, is a popular tourism destination that attracts millions of people to its pristine beaches and many cultural, historical, and recreational opportunities; and

WHEREAS, the Dare County Board of Commissioners recognized a need to have resources in place throughout the year to protect the public, and to provide leadership during times of emergency when hurricanes and other disasters threaten the Carolina coastline; and

WHEREAS, Dare County proudly recognizes the extraordinary talent, commitment, and service of its highly renowned and deeply respected Emergency Management Coordinator, N.H. Sanderson, affectionately known by everyone as Sandy; and

WHEREAS, for twenty-two years Sandy has faithfully served the residents and visitors of Dare County with insightful emergency leadership that was always tempered with compassion as he helped people confront the challenges of hurricanes, floods, and other disasters. During this time, he forged partnerships with federal, state, and local authorities to create innovative systems and effective programs that have become models for Emergency Management on a nationwide basis; and

WHEREAS, his devotion and service to Dare County represents the pinnacle of a life that has been dedicated to serving others. While growing up in northeastern North Carolina, Sandy was drawn to the waters of Nags Head at an early age and became an Ocean Rescue Lifeguard. Later he would become the Town's Ocean Rescue Director and pioneer a red flag warning system that has become a public safety standard saving countless lives; and

WHEREAS, even as a young man, Sandy's travels and adventures would never take him far from the call of the ocean. While serving the Navy in Vietnam, he distinguished himself as a member of the elite special force known as UDT-21, the Underwater Demolition Team that was the precursor to the present-day Navy SEALs; and

WHEREAS, Sandy sought to equip himself for public service by his education and training at VMI and Old Dominion University, where he attained the discipline, background, and knowledge he would later use to design and create Ocean Rescue and Emergency Management systems; and

WHEREAS, throughout his career, Sandy generously shared his time and talent to guide and mentor the men and women with whom he worked, many of which are now serving their communities as public safety leaders because of the role model they had during their association with Sandy Sanderson; and

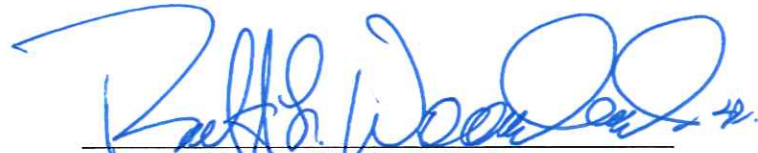
WHEREAS, Sandy's commitment and passion for Ocean Rescue and Emergency Management is second only to the dedication and love he has for his devoted wife Sharon, and daughters Shelby and Jennifer; and

WHEREAS, as Sandy now embarks on his well-deserved retirement, a grateful community will always remember and respect him as a man of few words who conveyed volumes of wisdom every time he spoke and embodied a calming demeanor that inspired everyone's confidence in the face of disaster.


THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners hereby proudly salutes Sandy Sanderson – an honored veteran, an ocean rescue pioneer, an emergency management role model, and a loving husband, dedicated father, and a loyal and trusted friend to all.

This the 2nd day of March, 2015





Robert Woodard, Chairman

Attest: 

Gary Gross, Clerk to the Board



#15-02-05

**A RESOLUTION IN SUPPORT
OF A FUTURE INTERSTATE DESIGNATION
FOR US64 AND US17 BETWEEN RALEIGH AND HAMPTON ROADS**

WHEREAS, the Dare County Board of Commissioners is the duly recognized legislative body for the County of Dare; and

WHEREAS, the NC Department of Transportation has asked that the US64/US17 corridor from Raleigh to Hampton Roads, Va. via Rocky Mount, NC and Elizabeth City, NC be designated as a future Interstate which would help connect I-40/I-440 in Raleigh to I-64 in Hampton Roads, Va.; and

WHEREAS, Hampton Roads and Raleigh are two of the largest east coast metropolitan regions which are served by a primary interstate route (I-64 in Hampton Roads and I-40 in Raleigh); and

WHEREAS, the future interstate designation would create a secondary primary interstate for both areas and connect these two economic regions; and

WHEREAS, requesting a future interstate designation for the section of US64/US17 from Raleigh to Hampton Roads and completing improvements which bring this section of roadway up to interstate standards is part of North Carolina Governor Patrick McCrory's "25 Year Vision for North Carolina—Mapping our Future"; and

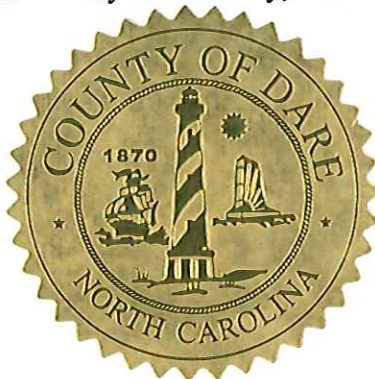
WHEREAS, the citizens of Northeastern North Carolina share a common interest with the Hampton Roads region for employment, health care, shopping and recreation; and

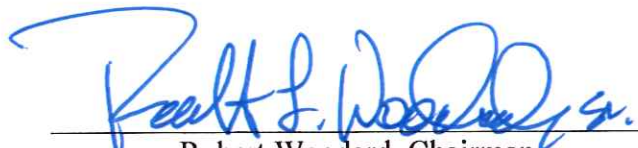
WHEREAS, businesses currently located in Northeastern North Carolina, and those being recruited to Northeastern North Carolina, have an interest in a safe, fast highway route to the Port of Virginia; and

WHEREAS, the County of Dare believes an interstate highway will enhance safety and promote economic opportunities for Dare County.


NOW, THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners hereby supports a future interstate designation for US 64 and US17 between Raleigh and Hampton Roads.

This the 2nd day of February, 2015




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board



#15-01-04

**A RESOLUTION
IN SUPPORT OF PASSENGER FERRIES GOING TO OCRACOKE**

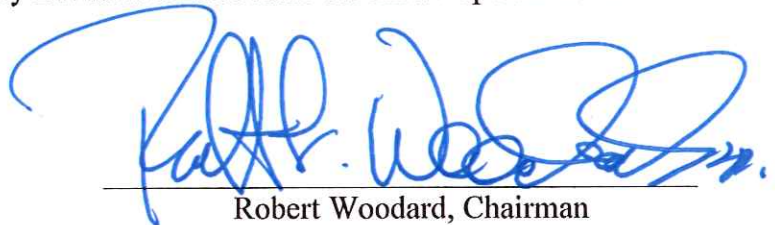
WHEREAS, the Hyde County Board of Commissioners has expressed their support, in general, for passenger ferries going to Ocracoke and Hyde's Commissioners realize that fees will have to be tolled.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners understands that State and local support will be needed for this project; and

THEREFORE, BE IT FURTHER RESOLVED, that the Dare County Board of Commissioners joins the Hyde County Board of Commissioners in supporting, in concept, passenger ferries going to Ocracoke, North Carolina provided that this passenger ferry service be in addition to the vehicular ferry service that is now provided by the Ferry Division of the North Carolina Department of Transportation.

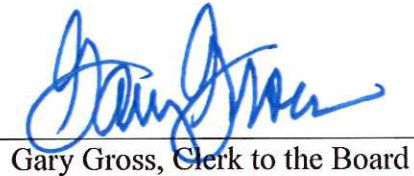
This the 20th day of January, 2015





Robert Woodard, Chairman

Attest:



Gary Gross, Clerk to the Board



#15-01-03

RESOLUTION

ADOPTING THE DARE COUNTY COMPREHENSIVE TRANSPORTATION PLAN FOR THE UNINCORPORATED PORTIONS OF DARE COUNTY, NC

WHEREAS, Dare County, the Albemarle Rural Planning Organization, and the Transportation Planning Branch of the North Carolina Department of Transportation have worked since September 2011 to develop a Comprehensive Transportation Plan for Dare County and its municipalities; and

WHEREAS, Dare County and the Department of Transportation are directed by the North Carolina General Statutes 136-66.2 to reach an agreement for a transportation system that will serve current and anticipated volumes of traffic in Dare County; and

WHEREAS, it is recognized that the proper movement of traffic within and through Dare County is a highly desirable element of the Comprehensive Transportation Plan and vital to the orderly growth and development of Dare County; and

WHEREAS, the Comprehensive Transportation Plan for Dare County is designed to serve as a long-range planning document for multi-modal transportation infrastructure improvements in Dare County and its municipalities by identifying potential projects that may be offered for additional future consideration by the North Carolina Department of Transportation; and

WHEREAS, the waterways of Dare County are identified in the Comprehensive Transportation Plan for their historical and continued role in the overall transportation system of Dare County and efforts by the State of North Carolina to ensure the viability of the waterways is supported by Dare County; and

WHEREAS, it is recognized that none of the specific infrastructure improvements identified in the Comprehensive Transportation Plan have been approved for funding by the North Carolina Department of Transportation and are subject to the application of the scoring criteria established by the NCDOT Board of Transportation to authorize and fund future infrastructure improvements; and

WHEREAS, it is acknowledged by Dare County that the Comprehensive Transportation Plan is needed in order for transportation infrastructure improvements in unincorporated Dare County and its six municipalities to be considered in the NCDOT prioritization process; and

WHEREAS, adoption by the Dare County Board of Commissioners affects only those portions of the Comprehensive Transportation Plan's multi-modal maps for infrastructure improvements in the planning jurisdiction of unincorporated Dare County; and

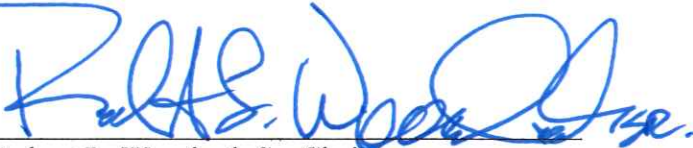
WHEREAS, after full study of the Plan and providing opportunities for public comments, the Dare County Board of Commissioners recognizes it to be in the best interest of the citizens and visitors of Dare County to adopt a comprehensive transportation plan pursuant to NC General Statutes 136-66.2; and

WHEREAS, any future infrastructure improvement, including bicycle and pedestrian projects and sand management systems, identified in the 2014 Dare County Comprehensive Transportation Plan should be subject to additional opportunities for vigorous public input to ensure only those projects supported by local communities are submitted as part of the biennial strategic prioritization process and ranking process.

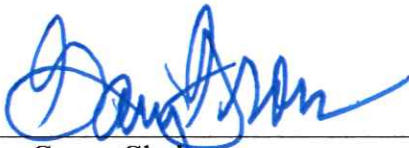
NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners hereby adopts the Dare County Comprehensive Transportation Plan and maps dated November 2014. This adoption is for those portions of the Comprehensive Transportation Plan for infrastructure improvements in the planning jurisdiction of unincorporated Dare County only. The Comprehensive Transportation Plan shall be used as a guide in the development of the transportation system in Dare County and the same is hereby recommended to the Albemarle Rural Planning Organization and the NC Department of Transportation for adoption.

This the 5th day of January 2015

SEAL



Robert L. Woodard, Sr. Chairman



Gary Gross, Clerk





County of Dare

Office of the Board of Commissioners

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5700

Robert Woodard
Chairman

Wally Overman
Vice-Chairman

Warren Judge
Jack Shea

Allen Burrus

Beverly Boswell
Margaret Umphlett

Robert L. Outten
County Manager / Attorney

Gary Gross
Clerk to the Board

January 5, 2015

Lloyd Griffin, Chairman
Albemarle RPO Transportation Advisory Committee
512 South Church Street
Hertford, NC 27944

Dear Chairman Griffin:

Enclosed with this letter is a resolution from the Dare County Board of Commissioners adopting 2014 Comprehensive Transportation Plan (CTP) and its maps for the unincorporated portions of Dare County. The Dare County CTP also includes maps for the six municipalities in Dare County and the CTP has been submitted to each of these municipalities for approval by their respective elected boards.

The CTP is an important planning document and adoption of the CTP is necessary to enable transportation infrastructure projects to compete for future funding prioritization based on the criteria established by the NC Board of Transportation. However, during review of the CTP, concerns about a multi-use path project along Dogwood Trail in the Town of Southern Shores were voiced to Dare County Commissioner Jack Shea and other board members. Commissioner Shea serves as the Dare County representative on the Albemarle RPO Transportation Advisory Committee and also lives in Southern Shores. It was noted during the Dare County Board's discussion of the CTP that the RPO and the Board of Transportation should be made aware of these community concerns and the potential removal of dense maritime forest vegetation along Dogwood Trail. The issue involving the Dogwood Trail project has evolved since the development of the draft CTP bicycle infrastructure maps earlier this year. Although the Town of Southern Shores adopted the CTP maps and did not delete the Dogwood Trail multi-use project, there remains strong concern in the Southern Shores community about the project and its implementation without the benefit of additional public input. It is essential that local public input be provided to the RPO and NCDOT should the Dogwood Trail be submitted for future prioritization in the SPOT 4.0 ranking process in 2016.

On behalf of Dare County, I request that a copy of this letter be included as part of the RPO record and a copy be forwarded to the Board of Transportation along with the Dare County resolution. Commissioner Shea plans to attend the January 21, 2015 Albemarle RPO meeting at which the Dare County CTP will be submitted for endorsement by the RPO. While it is not the County's intent to delay the approval of the Dare County CTP, we do want the RPO and the Board of Transportation to be aware of the Dogwood Trail issue and the need for additional public input on the Dogwood Trail project should it be considered in the SPOT 4.0 priority ranking in 2016. I sincerely hope the RPO will honor our request to include this letter with the County's resolution as part of the record and forward it to NCDOT.

Regards,

A handwritten signature in blue ink, appearing to read "Robert L. Woodard Sr.", written in a cursive style.

Robert L. Woodard Sr. Chairman
Dare County Board of Commissioners

Cc: Dare County Board of Commissioners
Bobby Outten, County Manager
Malcolm Fearing, NCDOT Board of Transportation

On behalf of Dare County, I request that a copy of this letter be included as part of the RPO record and a copy be forwarded to the Board of Transportation along with the Dare County resolution. Commissioner Shea plans to attend the January 21, 2015 Albemarle RPO meeting at which the Dare County CTP will be submitted for endorsement by the RPO. While it is not the County's intent to delay the approval of the Dare County CTP, we do want the RPO and the Board of Transportation to be aware of the Dogwood Trail issue and the need for additional public input on the Dogwood Trail project should it be considered in the SPOT 4.0 priority ranking in 2016. I sincerely hope the RPO will honor our request to include this letter with the County's resolution as part of the record and forward it to NCDOT.

Regards,



Robert L. Woodard Sr. Chairman
Dare County Board of Commissioners

Cc: Dare County Board of Commissioners
Bobby Outten, County Manager
Malcolm Fearing, NCDOT Board of Transportation



#15-01-02

**A RESOLUTION ENACTING AND ADOPTING A SUPPLEMENT
TO THE DARE COUNTY CODE OF ORDINANCES**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2014 S-7 supplement to the County of Dare Code of Ordinances, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the County of Dare Code of Ordinances; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to the North Carolina General Statutes; and

WHEREAS, it is the intent of the Dare County Board of Commissioners to accept these updated sections in accordance with the changes in the law of the State of North Carolina; and

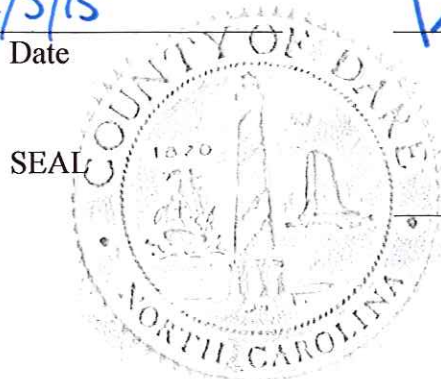
WHEREAS, it is necessary to provide for the usual daily operation of Dare County and for the immediate preservation of the public peace, health, safety, and general welfare of the Dare County that this ordinance take effect at an early date;

NOW THEREFORE BE IT ORDAINED BY THE DARE COUNTY BOARD OF COMMISSIONERS

1. That the 2014 S-7 supplement to the County of Dare Code of Ordinances as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and attached hereto, be and the same is hereby adopted by reference as if set out in its entirety,
2. Such supplement shall be deemed published as of the day of its adoption and approval by the Dare County Board of Commissioners and such supplement shall be inserted into the Code of Ordinances kept on file in the Office of the Clerk.

4/5/15
Date

Robert L. Woodard, Sr. Chairman



Gary Gross, Clerk to the Board

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on January 5, 2015 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert L. Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman, Commissioner Judge, Commissioner Shea, Commissioner Burrus, Commissioner Boswell, Commissioner Umphlett

The following members were absent: None

* * * * *

Commissioner Shea moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, APPROVING A MODIFICATION TO THE INSTALLMENT FINANCING CONTRACT WITH PNC BANK AND RELATED MATTERS

WHEREAS, the County of Dare, North Carolina (the "County") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

WHEREAS, the County has previously entered into an Installment Financing Contract (Recovery Zone Economic Development Bond), dated as of July 22, 2010 (the "2010 Contract") between the Bank and the County to finance the acquisition of emergency communications equipment (the "Equipment");

WHEREAS, the County designated its obligations under the 2010 Contract as Recovery Zone Economic Development Bonds under Section 54AA(g) of the Internal Revenue Code as part of a program established under the American Recovery and Restoration Act (ARRA);

WHEREAS, Congress has cut the subsidy for the 2010 Contract as part of "sequestration" and as a result the County has determined to refinance its obligations under the 2010 Contract;

WHEREAS, in lieu of prepayment as permitted under the 2010 Contract, the County and the Bank have agreed to modify the 2010 Contract to delete the designation of the County's obligations as "qualified bonds" under Section 54AA(g) of the Internal Revenue Code, take the necessary actions to provide for the exclusion from gross income of the interest portion of the obligations created by the 2010 Contract for federal income tax purposes and adjust the interest rate accordingly;

WHEREAS, in furtherance of such plan, the Board of Commissioners of the County (the "*Board of Commissioners*"), has determined that it is in the best interest of the County to enter into an interest rate modification to the 2010 Contract (the "*Modification*" and together with the 2010 Contract, the "*Contract*") with the Bank;

WHEREAS, the Board of Commissioners reaffirms the findings it made with respect to the Equipment and the Contract in the resolution adopted on June 21, 2010 related to the original execution and delivery of the 2010 Contract;

WHEREAS, the County will file an application to the North Carolina Local Government Commission (the "*LGC*") for approval of the Modification;

WHEREAS, there has been described to the Board of Commissioners the Modification, copies of which are available to the Board, which the County proposes to approve, enter into and deliver to effectuate the proposed plan of refinancing set forth above;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, as follows:

Section 1. Ratification of Action. That all actions of the County Manager, the Finance Director, the Clerk to the Board and their respective designees, whether previously or hereinafter taken, in effectuating the proposed refinancing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Modification.

Section 2. Application to LGC. That the Finance Director or his designee is hereby directed to file with the LGC an application for its approval of the Modification and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. Direction to Retain Professionals. That the Finance Director is hereby authorized and directed to retain the assistance of Parker Poe Adams & Bernstein LLP, as bond counsel, and DEC Associates, Inc., as financial advisor. The Finance Director is hereby authorized to retain such other professionals as he deems necessary in his judgment to carry out the transaction contemplated in this Resolution.

Section 4. Authorization to Execute the Modification. That the County approves the refinancing of the Equipment in accordance with the terms of the Modification, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Modification shall be and the same hereby are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director and the Clerk to the Board and their respective designees, individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the Modification, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form and content of the Modification presented to the Board, and that from and after the execution and delivery of the Modification, the County Manager, the Finance Director and the Clerk to the Board, individually or collectively, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Modification as executed.

Section 5. County Representatives. That the County Manager, Finance Director of the County and the Assistant Finance Director of the County are hereby designated as the County's Representatives to act on behalf of the County in connection with the transaction contemplated by the Contract. The County Representatives and/or designee or designees are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Resolution.

Section 6. Severability. That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 7. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 8. Effective Date. That this Resolution shall become effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF DARE) SS:

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina, *DO HEREBY CERTIFY*, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on January 5, 2015, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 5th day of January, 2015.

(SEAL)



A handwritten signature in dark ink, appearing to read 'Gary L. Gross', written over a horizontal line.

GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina