



**COUNTY OF DARE**  
PO Box 1000. MANTEO, NC 27954

**DARE COUNTY BOARD OF COMMISSIONERS**

Dare County Administration Building  
954 Marshall C. Collins Dr., Manteo, NC

**Monday, June 05, 2023**

**“HOW WILL THESE DECISIONS IMPACT OUR CHILDREN AND FAMILIES?”**  
*Caring for Our Community – A Nurturing Place Where All Can Live and Grow.*

**AGENDA**

- 9:00 AM            CONVENE, PRAYER, PLEDGE OF ALLEGIANCE**
- ITEM 1            Opening Remarks - Chairman's Update**
- ITEM 2            Service Pins - June, 2023**
- ITEM 3            Employee of the Month - May & June**
- ITEM 4            Public Comments**
- ITEM 5            **Public Hearing - Manager's Proposed FY2024 Budget****
- ITEM 6            Trillium Health Resources - Annual Report**
- ITEM 7            Children & Youth Partnership for Dare County**
- ITEM 8            The Wall That Heals**
- ITEM 9            The Wall That Heals - Event Grant**
- ITEM 10           Anchor Commercial LLC Cluster Home Development  
Special Use Permit Application #4-2023**
- ITEM 11           DHHS - Public Health Opioid Settlement Funds Proposal and Recommendation FY24**
- ITEM 12           BRIGHTSPEED Service Delivery Update**
- ITEM 13           Hatteras Harbor Emergency Dredging**
- ITEM 14           Budget Amendment and Capital Project Ordinance for Recreation Pickleball Courts**
- ITEM 15           Professional Services Contract for the Creation of Pickleball Courts**

**ITEM 16      Consent Agenda**

1. Approval of Minutes
2. Budget Amendment - Rodanthe Bulkhead Project
3. Public Works - Fuel, Maintenance and Repair
4. Avon Property Owners Association "Fourth of July" 2023 Fireworks Display
5. Quitclaim Deed - 48944 NC Hwy. 12 - Parcel 026511000 - Buxton Harbor
6. Water Depart. NC Division of Water Resources Local Water Supply Resolution
7. Water Depart. NC Division of Water Resources Water Shortage Response Plan Resolution
8. East Albemarle Regional Library Agreement
9. Budget Amendment for Equipment Leases
10. Grant Application - Oregon Inlet Construction Administration Services
11. Grant Application - Hatteras Inlet Construction Administration Services
12. Dare County Tourism Board Request Consent  
    Expenditure from Restricted Fund Line Item 4503

**ITEM 17      Board Appointments**

1. Extra Territorial Jurisdiction (ETJ) District Town of Nags Head
2. Airport Authority
3. Dare County Waterways Commission
4. Roanoke Island Community Center
5. Game and Wildlife Commission
6. Hatteras Community Center
7. Dare County Transportation Advisory Board
8. Upcoming Board Appointments

**ITEM 18      Commissioners' Business & Manager's/Attorney's Business**

**ADJOURN UNTIL 5:00 P.M. ON JULY 17, 2023**



*Opening Remarks - Chairman's Update*

**Description**

Dare County Chairman Robert Woodard will make opening remarks.

**Board Action Requested**

Informational Presentation

**Item Presenter**

Chairman Robert Woodard, Sr.



*Service Pins - June, 2023*

**Description**

Service pins for the month of June will be presented

**Board Action Requested**

None

**Item Presenter**

Robert Outten, County Manager



*Employee of the Month  
May and June*

**Description**

The Employee of the Month Certification will be presented to an employee for May and for June.

**Board Action Requested**

None

**Item Presenter**

To Be Determined



*Public Comments*

**Description**

The Board of Commissioners encourages citizen participation and provides time on the agenda at every regularly scheduled meeting for Public Comments. This is an opportunity for anyone to speak directly to the entire Board of Commissioners for up to five minutes on any topic or item of concern.

Comments can be made at the Commissioners Meeting Room in Manteo (Administration Bldg., 954 Marshall Collins Drive, Manteo) or through an interactive video link at the Fessenden Center Annex (47013 Buxton Back Road, Buxton).

**Board Action Requested**

Hear Public Comments

**Item Presenter**

Robert Outten, County Manager



*Public Hearing - Manager's Proposed FY2024 Budget*

**Description**

At the May 17, 2023 meeting, the Dare County Board of Commissioners received a presentation on the Manager's Proposed Budget for Fiscal Year 2024.

Following the Manager's presentation, the Board voted to schedule a Public Hearing on the budget for 9:30 p.m., Monday, June 5, 2023.

The proposed budget is available for public review on the Dare County website at: [www.darenc.gov](http://www.darenc.gov)

**Board Action Requested**

Conduct a Public Hearing on the FY2024 budget and take appropriate action.

**Item Presenter**

Robert Outten, County Manager



**Notice of Submission of Budget**  
**Notice of Public Hearing on Budget**  
County of Dare, North Carolina  
Board of County Commissioners

The proposed budget for the fiscal year beginning July 1, 2023 and ending June 30, 2024 was submitted to the Dare County Board of Commissioners on May 17, 2023. NOTICE IS HEREBY GIVEN that a public hearing will be conducted by the Dare County Board of Commissioners on the proposed budget at the Dare County Administrative Building, Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, NC, June 5, 2023, at 9:30 a.m.

Comments may be sent via email to [dcboc@darenc.gov](mailto:dcboc@darenc.gov) during the June 5, 2023 meeting. Comments on the proposed budget in person will also be allowed during the public hearing.

The proposed budget is available for public review on the Dare County website at [www.darenc.gov](http://www.darenc.gov).





*Trillium Health Resources - Annual Report*

**Description**

Trillium Health Resources is a LME/MCO (Local Management Entity/Managed Care Organization) and a leading specialty care manager for individuals with serious substance use, mental illness and intellectual and developmental disabilities in eastern North Carolina.

A report will be given to the Board of Commissioners on the updated services that Trillium Health Resources provides to the people of Dare County.

**Board Action Requested**

None - Informational Presentation

**Item Presenter**

Dave Peterson, Trillium Health Resources, Central Regional Director



*Children & Youth Partnership for Dare County*

**Description**

Presentation by the Children & Youth Partnership for Dare County. Information will be shared about the program and services provided to support children, families and early childhood professionals in our community. Staff will provide an update on the current child care situation in Dare County.

**Board Action Requested**

NA

**Item Presenter**

Children & Youth Partnership for Dare County  
Sara Sampson, Jennifer Bradshaw Garrett & Bonnie Brumbeoe



*"The Wall That Heals"*

**Description**

"The Wall That Heals" is scheduled to arrive in Dare County on November 16, 2023 and will be available through November 19, 2023. The wall is approximately 375 feet long and is a replica of the Vietnam Veterans Memorial in Washington, D.C. There are 58,281 names inscribed on the wall to honor the more than 3 million Americans who served in the U.S. Armed Forces during the Vietnam War.

**Board Action Requested**

None - Presentation

**Item Presenter**

Vice-Chairman Wally Overman and Patricia O'Sullivan



*The Wall That Heals - Event Grant*

**Description**

Dare County Tourism Board voted to award an Event Grant in the amount of \$25,000.00 for The Wall That Heals project to be held November 15-19, 2023.

**Board Action Requested**

Approve/Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager



## County of Dare

Department of Health & Human Services

P.O. Box 669 | Manteo, North Carolina 27954

Health 252.475.5003 | Social Services 252.475.5500 | Veterans Services 252.475.5604

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May 16, 2023

Mr. Robert Greenleaf  
Lowe's Home Improvement  
1500 N Croatan Highway  
Kill Devil Hills, NC 27948  
[robert.greenleaf@store.lowes.com](mailto:robert.greenleaf@store.lowes.com)

RE: In-Kind Donation for The Wall That Heals

Dear Mr. Greenleaf:

Per your instruction to Marsha Brown, the Dare County Veterans Advisory Council is requesting the following items to be used to display an advertisement for The Wall That Heals:

- Four (4) 4' x 8' sheets of plywood
- Six (6) 4" x 4" pressure treated wood (10 feet)

The wood does not have to be premium.

On behalf of the Veterans Advisory Council, we would like to thank you for Lowe's In-Kind donation. Per our previous conversation, if Lowe's would like to be a sponsor to help honor our Vietnam Veterans, please contact me via email at [patrica.o'sullivan@darenc.gov](mailto:patrica.o'sullivan@darenc.gov) or phone, 252.475.5604, if you need additional information. Thank you.

Sincerely,

Patricia O'Sullivan  
Veterans Service Officer

April 28, 2023

Ms. Patricia O'Sullivan  
Project Director  
Dare County Veterans Advisory Council  
PO Box 669  
Manteo, NC 27954

Dear Patty,

I am delighted to inform you that at their March 23, 2023, meeting, the Dare County Tourism Board voted to award an Event Grant in the amount of \$25,000.00 for The Wall That Heals project to be held November 15-19, 2023.

An Event Grant is a reimbursable grant – once the project is completed and paid for and all necessary paperwork is submitted to the Grant Administrator, reimbursement shall be sent to you. A project accountability form is included to be completed with your submission for reimbursement and can also be found online at: <https://www.outerbanks.org/grants/>

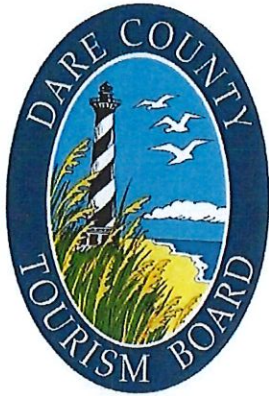
Also enclosed are two copies of the Event Grant Agreement, a copy of your approved application expense requests, and a copy of the Event Grant Guidelines. A copy of our logo to be used in marketing and promotions will be emailed. Please read the agreements, **initial, sign, notarize and return both copies of each award as soon as possible to Diane Bognich**, Grant Administrator at the Outer Banks Visitors Bureau. **Also please review the enclosed guidelines, sign, and return the signature page with your contracts.** Of course, do not hesitate to call Diane if you have any questions.

On behalf of the Board, we are delighted to sponsor this event that provides our visitors and residents a special way in Dare County to honor our Vietnam veterans.

Sincerely,



Diane Bognich, Grants Administrator  
Dare County Tourism Board  
Outer Banks Visitors Bureau



**DARE COUNTY TOURISM BOARD/**

**OUTER BANKS VISITORS BUREAU**

**EVENT GRANT**

**CONTRACT**

Name of Organization: Dare County Veterans Advisory Council

Name of Project: **The Wall That Heals**

Project Director: Patricia O'Sullivan

Principal Place of Business:

Address: PO Box 669, Manteo, NC 27954

Phone Number: 252-475-5604

Email: [patricia.o'sullivan@darenc.gov](mailto:patricia.o'sullivan@darenc.gov)

Amount Awarded: \$25,000.00

**Funds to be spent as follows:**

1. Funds to be used for: The Wall, Other Infrastructure and Rentals, Advertising
2. **Any changes from the grant application, including the approved list of expenditures must be submitted to the grant administrator for approval. Failure to follow these procedures may disqualify the organization from receiving funding).**

Initial
3. The Outer Banks Visitors Bureau will have the option to be recognized in accordance with the level of sponsor recognition equal to its grant funding for the event. ***Please include a copy of the event sponsor recognition with the signed contract.*** If the event does not have sponsor recognition the Outer Banks Visitors Bureau will be recognized in print and broadcast advertising including the following verbiage and logo: "This project sponsored by the Outer Banks Visitors Bureau."

*The Outer Banks*<sup>®</sup>  
VISITORS BUREAU

*Any questions regarding use of the logo or approval of ads may be directed to Diane Bognich at [bognich@outerbanks.org](mailto:bognich@outerbanks.org). Also review guidelines for procedures.*

Initial

4. If eligibility according to the *Grant Guidelines of the Outer Banks Visitors Bureau* changes during the term of the contract, it is the responsibility of the Applicant to notify the Grant Administrator immediately. The Dare County Tourism Board (dba Outer Banks Visitors Bureau) reserves the right to change or forego the conditions in this contract.

\_\_\_\_\_ *Initial*

5. Project Timetable (starting date and completion date): November 15-19, 2023

6. Financial Information (project total, other funding sources, etc.):  
Total Project Expenses - \$40,000.00  
Other Funding Sources Include: Donations

7. Additional requirement by the Dare County Tourism Board (dba Outer Banks Visitors Bureau):  
None.

8. Applicant Assumes Risk:

Applicant is forewarned that the North Carolina Legislature recently considered proposed legislation which would limit or altogether terminate the Dare County Tourism Board's legal ability to expend funds under agreements such as this. So far, those efforts have failed, but the Dare County Tourism Board believes there may be continued future efforts in this vein. The Dare County Tourism Board shall have no obligation to fulfill the terms and obligations of this agreement including funding and reimbursement of applicant's expenditures in the event local, state, or federal laws prohibit the Dare County Tourism Board's performance or disband the Dare County Tourism Board altogether. Applicant enters this agreement understanding and accepting the risk that it may not be reimbursed. If the Dare County Tourism Board's authority hereunder is limited or terminated, then this Agreement shall be void as of the effective date of said ordinance, law or regulation and the Dare County Tourism Board shall be forgiven all performance obligations that are its responsibility under this agreement that is or are made contrary to law.

\_\_\_\_\_ *Initial*

9. Event Termination:

The Outer Banks Visitors Bureau shall have absolutely no obligation to pay funds to the Grantee if the Project is not successfully completed. Here, successful completion of this project specifically means completion and performance of each and every aspect of the Project as presented or represented to the Bureau and in keeping with the nature and quality Grantee represented to the Bureau. The cause or reason for the Grantee's inability to successfully complete the Project is immaterial. Thus, the Bureau shall not be in breach of or default under this agreement for any delay, failure, or refusal to perform as a result of the Grantee's inability or refusal to carry out the full performance of the Project even if the Grantee's refusal or inability to do so is caused by a condition beyond its reasonable control, including, but not limited to:

- i. fire, explosion, hurricane, storm, flood, wind, drought, epidemic, pandemic, act of God;
- ii. court orders or any local, state, or federal special or temporary order, ordinance, law, or regulation which might prohibit Grantee's performance or the gathering of the public for the Project; and/or



iii. delay or failure to act by civil, military, or other governmental authority; national emergency, strike, lockout, riot, insurrection, or war.

Notwithstanding the above, the Bureau, in its sole discretion, may reimburse the Grantee some or all of its legitimate Project expenses so long as the Bureau determines extraordinary circumstances prevent the Grantee from safely or practically executing the Project and fulfilling the grant terms. Grantee shall request said reimbursement in writing and as soon as possible after Grantee determines termination is likely or may be required. \_\_\_\_\_ *Initial*

10. Reimbursement Requirements:

Documentation must be submitted to the Outer Banks Visitors Bureau and include the following: A) project accountability report; B) copies of paid invoices and canceled checks or proof of electronic payment; C) a breakdown of itemized expenses including all advertising tear sheets and copies of any scripts for broadcast advertising; D) a breakdown of itemized income.

Funds will not be distributed until all financial obligations are liquidated and the disbursement of all funds will follow *Accepted Accounting Practices of the Outer Banks Visitors Bureau*.

\_\_\_\_\_  
GRANTEE Signature:

\_\_\_\_\_  
DARE COUNTY TOURISM BOARD Signature

BY:  
TITLE:

BY: Tim Cafferty  
TITLE: DCTB Chair

Sworn to and subscribed before me

Sworn to and subscribed before me

Dare County, North Carolina

Dare County, North Carolina

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY Signature

\_\_\_\_\_  
NOTARY Signature

\_\_\_\_\_  
NOTARY Printed

Amy S. Wood, Notary Public

My Commission Expires:

My Commission Expires:

February 12, 2024

High resolution images of the Outer Banks Visitors Bureau official logo will be provided free of charge to all grantees.

- f. Virtual events are not eligible for reimbursement.

The grantee, its successors and/or assigns agree to indemnify and hold the Outer Banks Visitors Bureau, its directors, both individually and collectively, and employees thereof harmless from any and all monetary liability, loss or damage as a result of claims, demands, costs or judgments against them or any nature whatsoever resulting from or in any way arising out of the awarded applicant's Event Grant, including, but not limited to: (1) its acceptance and/or use of the awarded funds, whether disbursed presently or to be disbursed in the future; (2) any injuries suffered by third-parties, whether invitee, guests or otherwise; (3) the contracting for, construction, use, existence or maintenance of its property or facility, whether purchased, leased, borrowed or otherwise.

Before a project can be presented to the Local Public Relations and Grants committee, one (1) original hardcopy (**do not staple**) and/or an electronic version must be provided to the Outer Banks Visitors Bureau Grants Administrator. Applications will be accepted Monday-Friday during the grant window, from 9:00 a.m. to 4:00 p.m., at the Outer Banks Visitors Bureau administrative offices.

Once a request has been approved/awarded by the Dare County Tourism Board, a binding contract will be signed by both recipient and Dare County Tourism Board.

I have read and understand the above rules and guidelines for submission of an Event Grant.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



*Anchor Commercial LLC Cluster Home Development--Special Use Permit Application #4-2023*

**Description**

Mike Nice of Anchor Commercial LLC has submitted a special use permit application to construct a cluster home group development consisting of 12 single family dwellings, boat ramp/docking facility, and trailer storage on Parcel #023939003 and Parcel #023939002 located on Shipyard Rd in Manns Harbor. A detailed staff report and site plan for the proposal is attached with this cover sheet.

**Board Action Requested**

Motion to approve draft SUP and site plan--"I move that SUP#4-2023 and associated site plan for the proposed cluster home group development be approved."

**Item Presenter**

Noah H Gillam, Planning Director

May 4, 2023

MEMORANDUM

TO: DARE COUNTY BOARD OF COMMISSIONERS

FROM: Noah H Gillam, Planning Director

RE: Special Use Permit Application 4-2023 Cluster Home Group Development for Anchor Commercial LLC

A special use permit application and a site plan for a cluster home group development has been submitted by Mike Nice of Anchor Commercial LLC. The property is located on Shipyard Rd in Manns Harbor and is currently identified as parcels 023939003 (parcel 1) and 023939002 (parcel 2) in the Dare County Tax Records. The property is zoned MH-B and cluster homes are permitted as a special use. The site plan references two other adjacent parcels that are owned by Anchor Commercial LLC but are not being used for the purpose of this development. Parcel 023939003 and 023939002 will need to be combined before issuance of building permits.

A cluster home development is defined in Section 22-2 of the Dare County Zoning Ordinance as a residential group development project consisting of more than one residential dwelling on one parcel of land whereby the dwellings are occupied on a long-term basis. Such developments are subject to review and approval according to the provisions of Section 22-31.1 of the Dare County Zoning Ordinance. Long-term occupancy is defined in the County Zoning ordinance as a residential dwelling that is occupied and used for residency and housekeeping purposes for a period of 31 days or more.

The proposed parcel area for the cluster home group development is 3.14 acres (137,152 sq.ft.). Section 22-31.1 allows for lot coverage of 30% of the total lot area and any dwelling constructed as part of the cluster home development shall not exceed 1,200 sq.ft. of heated/conditioned space. The applicant is proposing to construct 12 individual dwelling units on the 3.14 acres. The dwellings are proposed as 3-bedroom, 2 story frame on pilings with ground floor storage enclosures. The proposed site plans shows the dwellings being separated by 30 foot and 44 foot exceeding the ordinance 15 foot minimum requirement.

Section 22-31.1 requires that cluster home developments that cannot be properly be serviced by emergency or service vehicles from an existing abutting road or street, shall be made accessible to such vehicles from a 30ft right-of-way with 20 feet of paved improvements. The applicant is proposing to install a centralized 20 foot paved road with a 30 foot right-of-way as depicted on the site plan to provide access to the

dwellings, and development amenities. There is an existing easement that runs across parcel one that access an adjacent parcel, it is staff's recommendation that during the recombination of the parcel 1 and parcel 2 the easement is relocated to the proposed paved roadway. A condition has been added to reflect this item.

The 3.14 parcel area is currently vacant and cleared. The proposed improvements as shown on the site plan show a lot coverage area of 27.4% (37,596 sq.ft.) of the allotted 30% (41,145 sq.ft.) meeting the requirements of the ordinance for lot coverage limitations.

The area of disturbance for the proposed development will require the applicant to apply for erosion and sediment control permit and a stormwater management permit from the North Carolina Department of Environmental Quality. Dare County does not have a stormwater management ordinance and we rely on the States stormwater permit process. The applicant plans to manage stormwater runoff internal to the property through a series of basins and swales as depicted on the site plans grading and drainage plan. The State permits will be applied for once the applicant receives local approval, and copies of approvals shall be provided to the planning department before ground disturbing activities can occur. If after the States review a reduction to the proposed built upon area occurs those changes can be handled administratively. Section 22-65 of the Dare County Zoning Ordinance allows for minor modifications to approved Special Use Permits such as a reduction in lot coverage to be exempt from the full application and approval process and may be approved by the Planning Director in writing.

Wastewater for the proposed development will be handled by two onsite TS-II engineered systems. Before issuance of building permits the applicant will have to apply for septic permits through Dare County Environmental Health. Copies of these permits shall be provided to the Planning Department as part of the building permit process.

Parking for cluster homes shall be provided at a rate of one parking space per bedroom of each cluster home, with 50% of the required parking being of an impervious surface of concrete or asphalt. The applicant is proposing to construct the dwellings on pilings with parking for two vehicles on concrete underneath the dwelling and two spaces provided in the concrete drive in front of each dwelling. The total number of spaces required for the development is 36 spaces, and the site plan shows a total of 48 spaces.

An NCDOT driveway permit will need to be obtained and provided to the Dare County Planning Department before construction activities can occur. A condition has been added to the draft SUP to reflect this item.

The applicant intends to install amenities for the residents of the development including a boat ramp, docking facility, boat/trailer storage area, and an open area reserved as a playground. Parcel two abuts a canal that connects to the Pamlico Sound, where the applicant proposes to install the boat ramp and docking facility as depicted on the site

plan. The installation of the boat ramp and dock will require the need for a CAMA General Permit issued by NCDCM. The boat ramp and docking facility will be limited to use by the residents and guest of the cluster home development. The boat and trailer storage area shall be limited to the residents and guest of the cluster home. No recreational vehicle, boat, or travel trailer stored in this area shall be used for overnight accommodations, or housekeeping purposes. Conditions have been added to the draft SUP that addresses these amenities.

The Dare County Fire Marshal has reviewed the site plan and has provided comments. There shall be no parking allowed on the road within the development, and signage and surface markings shall be as specified by the Fire Marshal's Office. The road shall be paved to have an all-weather surface capable of carrying the imposed weight of fire apparatus of at 75,000 pounds. The boat/trailer parking area provides sufficient maneuvering area for the required turn around for a 40 foot fire truck, but needs to be indicated on the site plan and the developer /Homeowners Association must abide by this. Manns Harbor does not have county water supply, but the canal at the rear of the property provides a water source. The applicant will need to install either a pad parallel to the canal capable of supporting 75,000 pounds or the installation of a dry hydrant assembly designed to meet NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting. The final location shall be coordinated with the Fire Chief and Fire Marshal for approval, and be installed prior to issuance of building permits. The Fire Marshal's memo is attached and conditions have been added to the draft SUP.

A copy of the as-built site plan will need to be recorded in the Register of Deeds once the infrastructure improvements have been completed. If it is the intention of the developer to sell the individual footprints of the structures, then homeowner's documents will be needed. Only the footprint of the structure can be conveyed to the individual owners with the remainder of the site designated as common area. The homeowner's documents shall include language that defines the occupancy of the structures as long-term as defined in the Dare County Zoning Ordinance (longer than 31 days). This information shall be noted on the site plan as well.

The SUP application, site plan and draft SUP was reviewed by the Dare County Planning Board on May 2, 2023. The planning board found the site plan and conditions of the SUP to be reasonable and appropriate, and requested that condition 3 be expanded to include the relocation of the access easement for the adjacent parcel when the recombination plat is recorded.

The notice procedures for quasi-judicial uses established in Section 22-72 of the Dare County Zoning Ordinance were implemented for this review.

A copy of the site plan and draft SUP are attached to this memo for the Boards review. Reasonable and appropriate conditions can be added as part of the board's discussion.

Draft Motion: "I move that SUP #4-2023 and associated site plan for the proposed cluster home group development be approved."

**SPECIAL USE PERMIT APPLICATION**

Date: 04-03-2023 Application No. \_\_\_\_\_  
Property Owner/Petitioner: Anchor Commercial LLC  
Address: 129 Industrial Boulevard, Toano, VA 23168  
Telephone: 757-880-7173 Email: mnice@gniceandsons.com  
Review Fee Paid: \$50 per unit x 12 units = \$600.00  
Project Description: Residential Housing with 12- 3 bedroom units and amenities  
including playground, boat ramp and boat/trailer/RV storage for residents.

**Property Description:**


Parcels	D.B. 2663 Pg. 0082	0 Shipyard Road	
Lot	Phase/Section	Block	Subdivision
Parcel: <u>023939003</u>	PIN: <u>9759-20-92-0118 and others</u>		

**APPLICATION IS HEREBY** made to the Dare County Planning Department for consideration of a Special Use Permit in accordance with the provisions of the Dare County Zoning Ordinance

Section: 22-31.1 Special Use: Cluster Home in MH-B

A site plan and other documents as required for review of the special use permit application shall be submitted to the Planning Department with the application. A special use permit application shall not be processed by the Planning Department until such time that all review fees have been paid and all necessary documents have been submitted. Once the application is determined to be complete, the Planning Department shall schedule review of the application as established in Section 22-65 and Section 22-70 of the Zoning Ordinance.

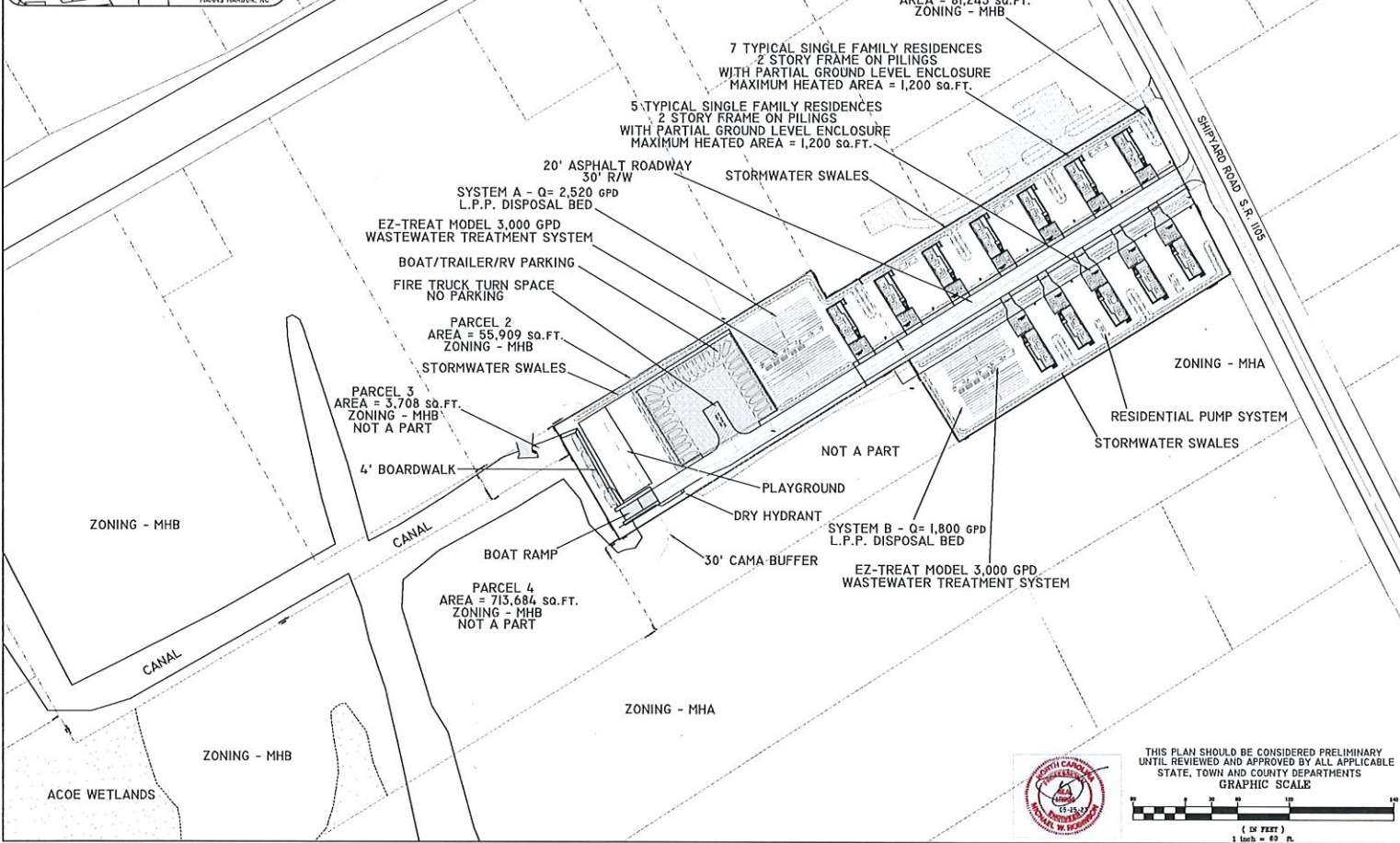
Special use permits are subject to quasi-judicial procedures and an evidentiary hearing before the Dare County Board of Commissioners. The notice procedures of Section 22-72 of the Zoning Ordinance shall be implemented by the Planning Department. Reasonable and appropriate conditions may be applied by the Board of Commissioners as part of the evidentiary hearing process.

Applicant:  Date: 04/03/2023

## Cluster Home Special Use Permit Review Checklist

- Permitted as Special Use in the Zoning District-MH-B
- Minimum Lot size for Cluster Home Development in applicable zone district (MH-B)-30,000 sqft
- Setbacks for the MH-B zoning district:
  - Minimum front yard: 25ft
  - Minimum side yard: 10 ft; an additional 10-foot side setback for corner lots adjacent to a street
  - Minimum rear yard: 20 feet maximum
- Separation of Dwellings: 15ft
- Lot coverage: 30% of the total area
- Building Height: 35ft
- Maximum size of dwelling: shall not exceed 1,200sqft of heated/conditioned space
- Parking: at a rate of one parking space per bedroom for each cluster home. 50% of parking shall be of an impervious surface of concrete or asphalt (not to include millings or other similar products)
- Roads: 30' right-of-way with 20 feet of paved improvements
- Ownership of cluster homes – cluster home sites may be transferred to individual owners with the remainder of the lot dedicated as common area owned by a homeowners association or similar entity. Cluster homes shall be occupied or rented on a long-term occupancy as defined in Section [22-2](#) of the Zoning Ordinance.
- Long Term Defined as 31 days or longer





**NOTES AND DEVELOPMENT DATA:**

- Subject Property:**  
Parcel 1 - Parcel no. 03131003, Area = 81,243 sq.Ft.  
Parcel 2 - Parcel no. 03131002, Area = 55,909 sq.Ft.  
Reference: P.O. No. 349, D.B. 2584 PG. 0344, D.B. 1818 PG. 182  
Street Address: 0 Shipyards Road, Mares Harbor, NC 27553  
Total Parcel Area = 137,152 sq.Ft./3.15 Acres
- Current Owner/Developer:**  
Anchor Commercial LLC  
120 Industrial Blvd., Suite 3218  
Carrboro, NC 27510  
Contact: Mike Hays 757-243-2853  
Phone: 252-335-0028  
Email: mhayes@anchorengineering.com
- Engineer:**  
Michael W. Robinson P.E., P.L.S.  
P.O. Box 2855, 8th Ave 1 HWY, NC 27948  
Phone: 252-335-0028  
Email: mrob@robsonengineering.com
- FEMA Data:**  
Flooded Area: Dare County CD, 373548 Parcel: 8748  
Map Number: 372074006, Effective Date: 08-18-2020  
Flood Zone: AE (3), X (0-12) and X (0-12) Flood Risk  
Base Flood Elevation: 4' in AE (4) Zone  
Date: MAY 1983  
Flood Zones subject to change by FEMA
- Design Quality Flood Damage Prevention REFERENCE LEVEL:** For structures with the special flood hazard area designated as Zones AE and X the REFERENCE LEVEL is the bottom of the lowest floor or the bottom of the lowest adjacent utility including ductwork, whichever is lower, with only flood-resistant materials located below the reference level. For structures with Zone X or X (0-12), the REFERENCE LEVEL is the bottom of the lowest floor or the bottom of the lowest adjacent utility including ductwork, whichever is lower, with only flood-resistant materials located below the REFERENCE LEVEL. REGULATORY FLOOD PROTECTION ELEVATION (RFPE): In special flood hazard areas, the base flood elevation plus the allowance for those areas where base flood elevations have been determined on the FEMA base flood depth (see adjacent sheet) and/or local elevation standards for those areas identified on AD Zones of the FEMA, or the flood elevation standard for those areas identified on Shaded X or X Zones on the FEMA, for unincorporated Dare County the RFPE is as follows: In AE Zones, the RFPE is the base flood elevation as designated on the effective FEMA plus 3 feet of freeboard or an elevation 10 feet above 8 feet NAVD 1985, whichever elevation is greater. In X or X (0-12) Zones, the RFPE is 8 feet above 10 feet NAVD 1985 or the natural grade elevation if the natural grade is greater than 8 feet NAVD 1985.
- Subject Property Zoning:**  
This property lies in Zone MHB, Mares Harbor/Marshes Zoning. Zoning is MHB and South of parcel Zoning is MHA
- MHB Dimensional Standards:**  
Min. Front Setback - 35'  
Min. Side Setback - 10'  
Min. Rear Setback - 20'  
Min. Year Round Elevation in water = 30' CAMA Buffer  
Maximum Lot Coverage - 30%  
Maximum Building Height - 45'
- Proposed Development:**  
Cluster Home Development consisting of 12-13 medium single family residences group UFF development. Plan also includes a boat/RV parking area, playground, boardwalk and a boat ramp.
- Cluster Home Ordinance 22-31:**  
Cluster home developments consist of more than one residential dwelling on one parcel of land where the dwellings are occupied on a long-term basis. These standards are designed to facilitate the development of cluster home projects in unincorporated Dare County subject to the following provisions. The following provisions shall apply:  
Cluster home developments shall be subject to review and approval on a parcel basis by the local and state zoning districts.  
Maximum lot size - 30,000 square feet (does not include setbacks).  
Setbacks: Development shall be subject to the setbacks of the applicable zoning district.  
Separation of dwellings - 15 feet.  
Lot coverage - 30% of the lot lot area.  
Building height - Same as the applicable zoning district.  
Maximum size of dwelling: Any dwelling constructed as part of the cluster home development shall not exceed 1,200 square feet of heated/conditioned space.  
Parking: Parking for cluster homes shall be provided at a rate of one parking space per 1,000 sq. ft. of each cluster home. Such parking may be provided as individual dwelling sites or in a contiguous area for the entire development. Fifty percent (50%) of the required parking shall be an impervious surface of concrete or asphalt (not to include gravel driveways or other similar products).  
Fences - Cluster home developments shall cannot be properly served by emergency or service vehicles from an existing existing road or street, shall be made accessible to such vehicles from a 30' right-of-way with 20 feet of road improvement.  
Ownership of cluster homes - cluster homes sites may be transferred to individual owners with the remainder of the lot dedicated as common area owned by a homeowners association or similar entity. Cluster homes shall be occupied or rented on a long-term occupancy as defined in Section 22-3 of the Zoning Ordinance.  
A copy of the approved special use permit for a cluster home development shall be recorded with the approved site plan of the development.  
Other reasonable and appropriate conditions to protect individual specific site conditions may be applied to cluster home development as part of the special use review and approval process.
- Proposed Lot Coverage:**  
Buildings - 12 units @ 933 sq.ft. each - 11,220 sq.ft.  
Concrete Driveways - 7,831 sq.ft.  
ROAD STAKE - 238 sq.ft.  
20' Asphalt Roadway - 13,084 sq.ft.  
Gravel Parking - 46 sq.ft.  
Boat Ramp - 812 sq.ft.  
Total Coverage = 24,933 sq.ft.  
Area of Parcel 1 and 2 = 137,152 sq.Ft.  
X Lot Coverage of Parcel 1 and 2 = 25%
- Special Conditions and Notes:**  
A. The boat and RV storage area is reserved for residents and guests only. RV's, trailers, automobiles and front loaders stored on this area are not for housekeeping or commercial use.  
B. The boat ramp and dock are reserved for residents and family only, no commercial activity.  
C. No roads shall be constructed if a material is to have an effective surface of less than 7,000 pounds.  
D. The boat ramp shall be constructed of concrete with the sub-bottom. Signs and marking markings shall be as specified by the Dare County District Office.  
E. Refer to Dare County Special Use Permit No. 22-3023 for additional development restrictions and requirements.

THIS PLAN SHOULD BE CONSIDERED PRELIMINARY UNTIL REVIEWED AND APPROVED BY ALL APPLICABLE STATE, TOWN AND COUNTY DEPARTMENTS GRAPHIC SCALE

1 inch = 60 ft.



**MICHAEL W. ROBINSON, P.E., P.L.S.**  
ENGINEERING AND SURVEYING  
KILL DEAL HILLS, NC 27945  
PHONE: 252-335-0028  
EMAIL: mrob@robsonengineering.com

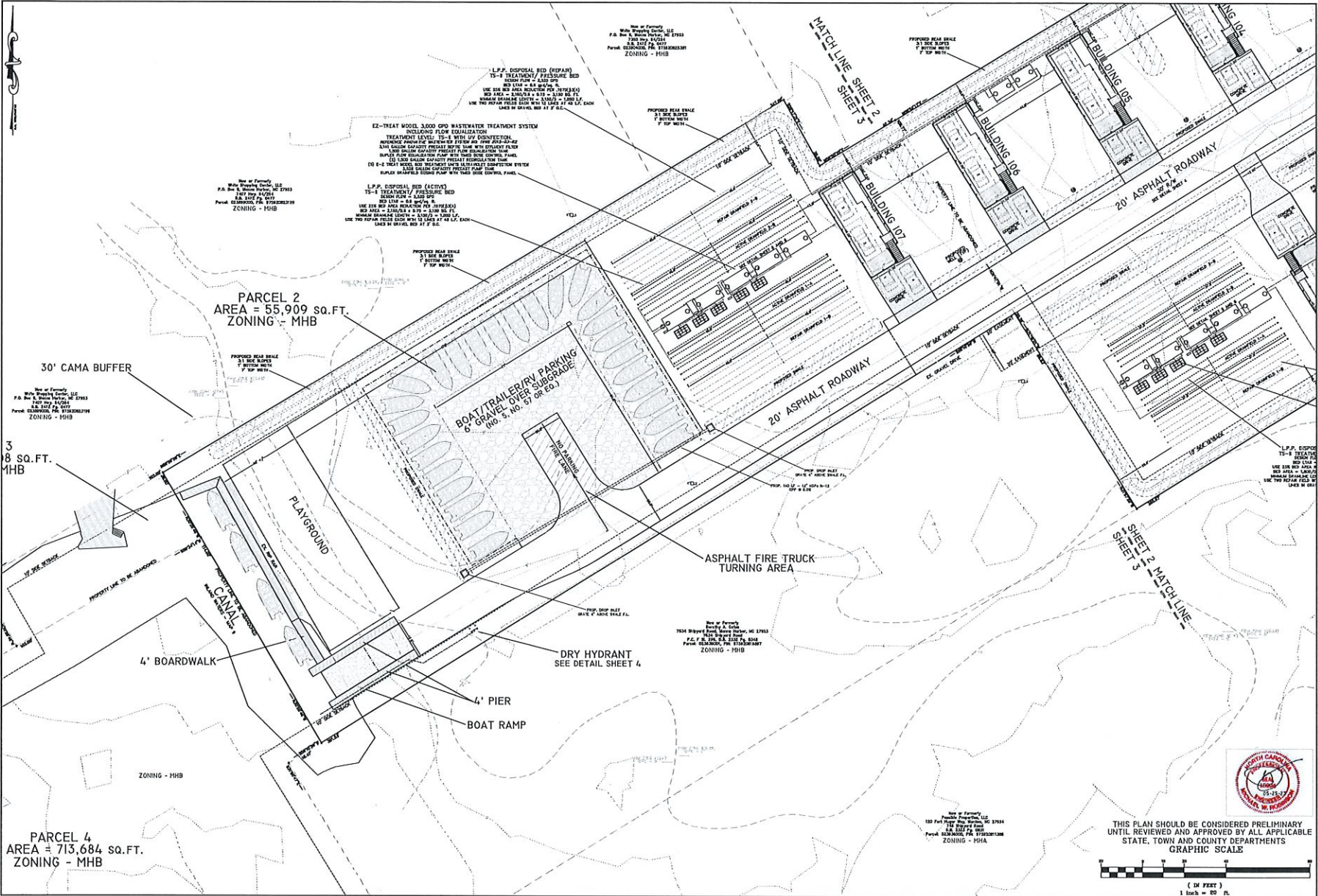
**ANCHOR COMMERCIAL LLC**  
JAMES HAYES  
DARE COUNTY/MARITIME

**PRELIMINARY PROJECT OVERVIEW**

NO.	DATE	REVISIONS	BY

DATE: 05-25-23  
SCALE: 1" = 60'  
SHEET: 1 OF 6  
PROJECT NO: 010823-1





MICHAEL W. ROBINSON, P.E., P.L.S.  
 ENGINEERING AND SURVEYING  
 KILL DEAL HILLS, NC 27745  
 PHONE: 336-258-0288  
 EMAIL: mrobinson@mcwrobinson.com

PRELIMINARY  
 SITE PLAN

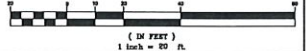


NO.	DATE	REVISIONS	DESCRIPTION

PROJECT: ANCHOR COMMERCIAL LLC  
 MAJORS ZIEGLER  
 ZIEGLER COUNTY/MARTIN COUNTY, CAROLINA  
 SHIPYARD ROAD RESIDENTIAL DEVELOPMENT



THIS PLAN SHOULD BE CONSIDERED PRELIMINARY  
 UNTIL REVIEWED AND APPROVED BY ALL APPLICABLE  
 STATE, TOWN AND COUNTY DEPARTMENTS  
 GRAPHIC SCALE



SITE	05-25-21	SCALE	1" = 20'
DRAWN	MWR	CHECKED	MWR
SHEET	3	OF	4
CAD FILE			
PROJECT NO.	010823-1		

**SOIL EROSION & SEDIMENTATION CONTROL PLAN NOTES:**

- SOIL EROSION & SEDIMENTATION CONTROL PLAN NOTES.
- AREA TO BE DISTURBED: 810000 SQ FT (2.9 AC) 1/2-1/4 PROVIDE A GRASS COVER (TEMPORARY OR PERMANENT) ON ALL SLOPES 3:1 OR STEEPER WITHIN 7 CALENDAR DAYS AND ALL FLATTER THAN 3:1 WITHIN 14 CALENDAR DAYS FOLLOWING COMPLETION OF ANY PHASE OF GRADING. PROVIDE A PERMANENT GRASS COVER FOR ALL SLOPES WITHIN 13 WORKING DAYS OR 14 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT.
- IF LAND DISTURBING ACTIVITIES OCCUR OUTSIDE THE PERMANENT VEGETATION SEEDING DATES (APRIL 1 - SEPT 30) THEN TEMPORARY VEGETATION SEEDING SPECIFICATIONS SHALL BE FOLLOWED FOR PLANTING UNTIL THE NEXT APPROPRIATE PERMANENT SEEDING PERIOD. AT WHICH THE PERMANENT VEGETATION SHALL BE ESTABLISHED ACCORDING TO PERMANENT VEGETATION SEEDING SPECIFICATIONS (SEE FORM A TEMP. SEEDING SPECIFICATIONS ON SHEET 520).
- IF EXCESSIVE WIND EROSION OR STORMWATER RUNOFF EROSION DEVELOPS DURING THE OF CONSTRUCTION ANY LOCATION ON THE PROJECT SITE, ADDITIONAL SILT FENCING OR OTHER MEASURES SHALL BE INSTALLED AS DIRECTED BY ENGINEER SO AS TO PREVENT DAMAGE TO ADJACENT PROPERTY. SEE SILT FENCE DETAIL ON THIS SHEET.
- SOIL EROSION AND SEDIMENTATION CONTROLS ARE TO BE INSPECTED WEEKLY AND AFTER ANY SIGNIFICANT RAINFALL PRODUCING EVENT AND SHALL BE MAINTAINED AND REPAIRED AS NECESSARY UNTIL PERMANENT CONTROLS ARE ESTABLISHED.
- CONSTRUCTION SCHEDULE:
  - OBTAIN PLAN APPROVAL AND OTHER APPLICABLE PERMITS. NO WORK SHALL BE PERFORMED IN WETLAND AREAS PRIOR TO ISSUANCE OF ALL APPLICABLE USAGE PERMITS.
  - FLAG AND/OR REMOVE STAKE WORK LIMITS.
  - HOLD PRECONSTRUCTION CONFERENCE (OWNER, CONTRACTOR, ENGINEER, AND APPROPRIATE GOVERNMENT OFFICIALS) AT LEAST ONE WEEK PRIOR TO START OF CONSTRUCTION ACTIVITIES.
  - INSTALL SILT FENCING AT LOCATIONS SHOWN ON PLAN.
  - COMPLETE CLEARING AND GRUBBING PROCEDURES.
  - GRADE SITE ACCORDING TO PLAN.
  - INSTALL INFILTRATION BASINS AND STORM SEWER DROP INLETS TO BE PROTECTED WITH INLET PROTECTION UNTIL CONTRIBUTING DRAINAGE AREAS ARE STABILIZED. PIPE ENDS AT INFILTRATION BASINS SHALL BE PROTECTED WITH CURBLET PROTECTION.
  - INSTALL PERMEABLE PERMANENT GRAVEL BASE. BASE LAYER TO BE PROTECTED FROM EROSION AT ALL TIMES. CONSTRUCTION TRAFFIC TO BE RESTRICTED TO SPECIFIC AREAS WITHIN THE BASE (STAGING / WORK AREA) TO BE CONTROLLED BY CONTRACTOR AND CLEARLY DEMARKATED USING BARRIERS/CONES/TAPES/ETC. ONCE HEAVY BUILDING CONSTRUCTION IS COMPLETE, STAGING / WORK AREA BASE MATERIAL WILL BE INSPECTED BY ENGINEER AND IF FOUND TO BE DEGRADED, IT SHALL BE REMEDIATED AT THE EXPENSE OF THE CONTRACTOR. INSTALLATION OF PERMEABLE COMPLETE PAVEMENT SHALL NOT TAKE PLACE UNTIL ALL EARTHWORK ACTIVITIES AND ALL HEAVY BUILDING CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED. INSTALLED PERMEABLE CONCRETE SHALL BE PROTECTED FROM SEDIMENT AND FROM HEAVY RAINFALL EVENTS. NEEDED REPAIRS WILL BE MADE IMMEDIATELY.
  - ALL EROSION & SEDIMENTATION CONTROL PRACTICES WILL BE INSPECTED WEEKLY AND AFTER HEAVY RAINFALL EVENTS. NEEDED REPAIRS WILL BE MADE IMMEDIATELY.
  - ONCE SITE IS FULLY STABILIZED, REMOVE INLET AND CURBLET PROTECTION, CLEAN STORM SEWER OF ANY SEDIMENT, FINE-GRADE AND SEED OR LANDSCAPE INFILTRATION BASINS.

**PERMANENT VEGETATION**

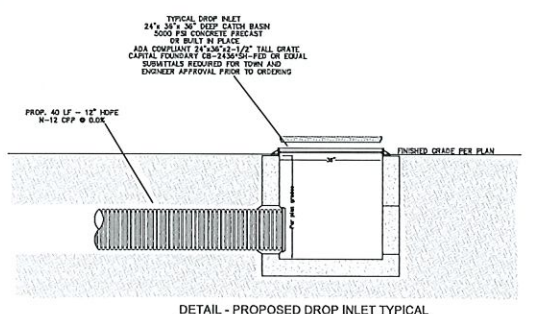
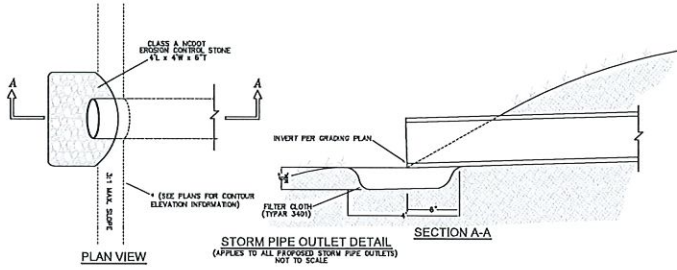
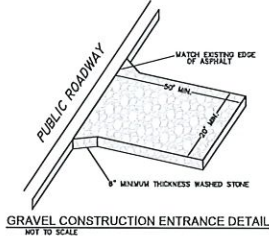
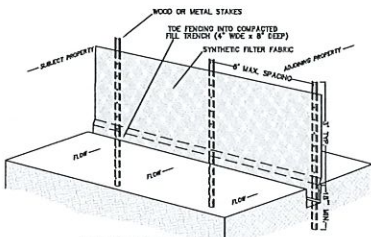
SEED MIXTURE	APPLICATION RATES/ACRE
BAMA	50 LBS.
COMMON BERBERIS (UNPAILED)	50 LBS.
GERMAN MILLETT	15 LBS.
FENCIBLE	20 LBS.
<b>FERTILIZER</b>	
26-13-13 @ 500 LB/ACRE	
<b>MULCH</b>	
APPLY 4000 LB/ACRE STRAW ANCHOR STRAW BY TACKING WITH ASPHALT, KETTING, OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.	

**TEMPORARY VEGETATION**

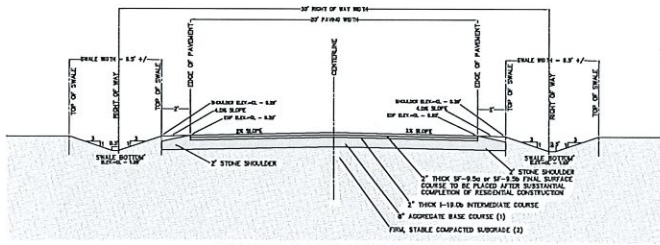
SEED MIXTURE	APPLICATION RATES/ACRE
RYE GRASS	175 LBS.
<b>FERTILIZER</b>	
10-10-10 @ 1000 LB/ACRE	
<b>MULCH</b>	
APPLY 4000 LB/ACRE STRAW ANCHOR STRAW BY TACKING WITH ASPHALT, KETTING, OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.	

GENERAL: FERTILIZER RATES SHOWN ARE GENERAL RECOMMENDATIONS. FREQUENCY AND AMOUNT OF FERTILIZATION CAN BEST BE DETERMINED THROUGH SITE SPECIFIC SOIL TESTING. MAINTENANCE: SATISFACTORY STABILIZATION AND EROSION CONTROL REQUIRES A COMPLETE VEGETATIVE COVER. EVEN SMALL BREAKTHRES IN VEGETATIVE COVER CAN SPREAD RAPIDLY AND, IF LEFT UNATTENDED, CAN ALLOW SERIOUS SOIL LOSS FROM AN OVERSEED STABLE SURFACE. A SINGLE HEAVY RAIN IS OFTEN SUFFICIENT TO GREATLY ENLARGE BARESPOTS, AND THE LONGER REPAIRS ARE DELAYED, THE MORE COSTLY THEY BECOME. FERTILITY WILL KEEP SEDIMENT LOSS AND REPAIR COSTS LOW. NEW SEEDINGS SHOULD BE INSPECTED FREQUENTLY AND MAINTENANCE PERFORMED AS NEEDED. IF WELLS AND GULLIES DEVELOP, THEY MUST BE FILLED IN, RE-CUT AND MAINTAINED AS SOON AS POSSIBLE. OVERSEEDING MAY BE NEEDED UNTIL NEW PLANTS TAKE HOLD. MAINTENANCE REQUIREMENTS EXTEND BEYOND THE SEEDING PHASE. OVERSEEDING MAY BE NEEDED UNTIL NEW PLANTS TAKE HOLD. WEAK OR DAMAGED SPOTS MUST BE RESEED, FERTILIZED, MOWED, AND RESEED AS PROMPTLY AS POSSIBLE. RE-FERTILIZATION MAY BE NEEDED TO MAINTAIN PRODUCTIVE STANDS.

**SEEDING SPECIFICATIONS**

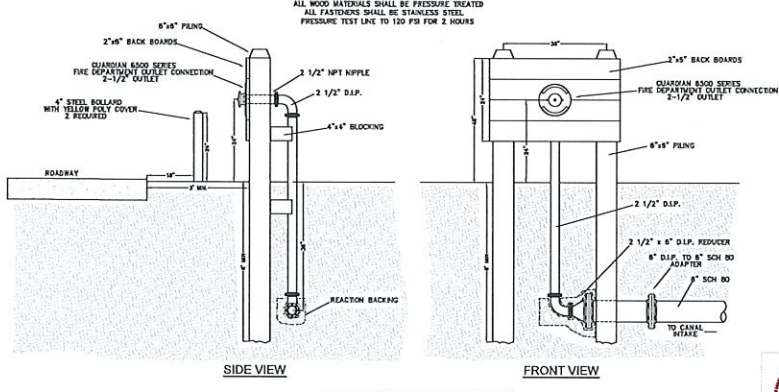


**SIGN-NO PARKING FIRE LANE**



**TYPICAL ROADWAY AND SWALE SECTION**

(1) MOST AREAS COMPRISED BY A 5% GRAVITY AT A MINIMUM 1000 OF THE STANDARD PRACTICE MANUAL BY PENN. (1/20 2016) (2) AREAS WITHIN COMPRISED BY A 5% GRAVITY AT A MINIMUM 1000 OF THE STANDARD PRACTICE MANUAL BY PENN. (1/20 2016)



**FIRE DEPARTMENT STAND PIPE**

MICHAEL W. ROBINSON, P.E., P.L.S.  
ENGINEERING AND SURVEYING  
KILL DEER HILLS, INC. 279-645  
mrobinson@killdeerhills.com

PRELIMINARY  
DETAIL SHEET



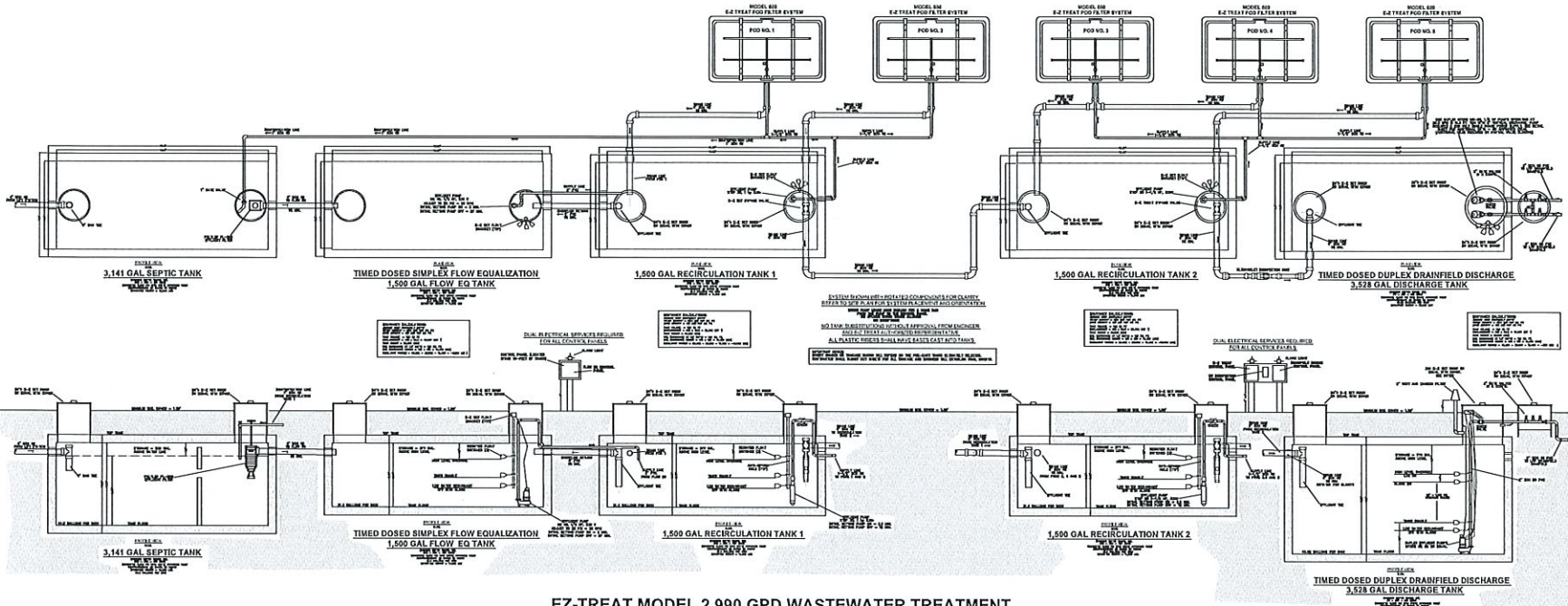
NO.	DATE	DESCRIPTION

PROJECT: ANCHOR COMMERCIAL LLC  
MAYNARD HARBOR  
DARE COUNTY/MAYNARD  
NORTH CAROLINA  
SHIPYARD ROAD RESIDENTIAL DEVELOPMENT

DATE: 09-25-23  
SCALE: 1" = 20'  
SHEET: 4 OF 6  
PROJECT NO: 010823-1







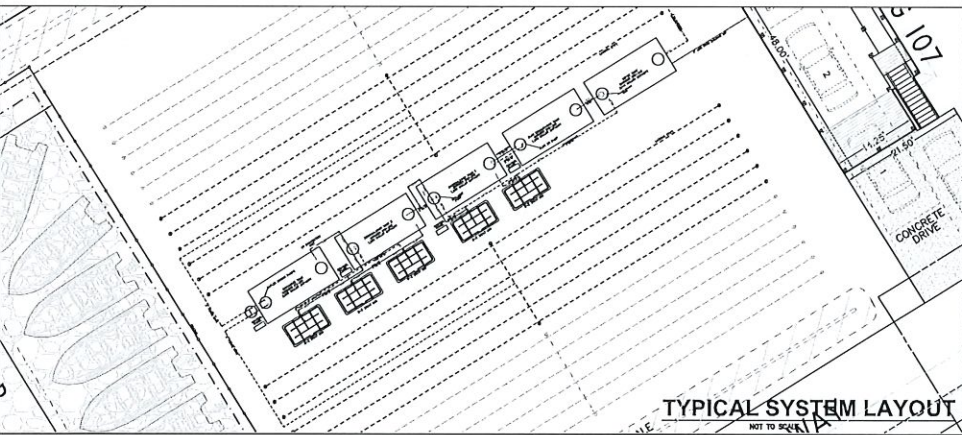
**EZ-TREAT MODEL 2,990 GPD WASTEWATER TREATMENT  
INCLUDING FIVE MODEL 600 PODS AND FLOW EQUALIZATION  
DESIGN FLOW = 2,990 GPD**

TREATMENT LEVELS II WITH UV DISINFECTION  
REFERENCE INNOVATIVE WASTEWATER SYSTEM NO. IWWS 2015-03-R2

**E-Z TREAT** WATERWATER SYSTEM CONTRACTOR MUST BE APPROVED BY E-Z TREAT OR A LICENSED PROFESSIONAL ENGINEER. APPROVED E-Z TREAT CONTRACTORS ARE LISTED AT: [www.eztreat.com](http://www.eztreat.com)

**NOTE:**  
THE TANKS MAY REQUIRE CONCRETE BALLAST TO PREVENT FLOATION.  
THE CONTRACTOR SHALL NOTIFY ENGINEER OF THE SEPTIC TANK, SELECT ON AND PROVIDE CUT SHEETS WITH ESTIMATED TANK WEIGHT. THE ENGINEER WILL CALCULATE THE REQUIRED CONCRETE BALLAST BASES ON TANK WEIGHT AND BARY REPT IN NO SEPARATION FROM THE PLAN WILL BE ALLOWED WITHOUT ENGINEER AUTHORIZATION IN WRITING. THE ENTIRE DRAIN LINE, TANKS, CONNECTIONS AND RISERS WILL BE REQUIRED TO BE WATER TIGHT 24 HOUR HIGH-PRESSURE TEST BY ENGINEER OR INFILTRATION TESTS WILL BE REQUIRED.

**E-Z TREAT** WATERWATER SYSTEM CONTRACTOR MUST BE APPROVED BY E-Z TREAT OR A LICENSED PROFESSIONAL ENGINEER. APPROVED E-Z TREAT CONTRACTORS ARE LISTED AT: [www.eztreat.com](http://www.eztreat.com)



**TYPICAL SYSTEM LAYOUT**  
NOT TO SCALE

MICHAEL W. ROBINSON, P.E., P.L.S.  
ENGINEERING AND SURVEYING  
KILL DEAL HILLS, NC 27745  
DUAL: michael@robinsoneengineering.com

PRELIMINARY  
DETAIL SHEET



NO.	DATE	REVISIONS	DESCRIPTION

PROJECT: **ANCHOR COMMERCIAL LLC**  
OWNER: **MAHNS HARBOR** DATE: **COUNTY/STATE** **NOV/2016**  
PROJECT: **SHIPYARD ROAD RESIDENTIAL DEVELOPMENT**

DATE: **09-23-23** SCALE: **1" = 20'**  
CADD: **MMT** DRAWN: **MMT**  
SHEET: **6** OF **6**  
CADD FILE: **PROJECT NO. 010823-1**





*Dare County Health & Human Services  
Opioid Settlement Funds Proposal and Recommendation FY24*

**Description**

Presentation to the public, and Dare County Board of Commissioners and local municipalities on Feedback from FY23 use of Opioid Settlement Funds and Proposal for use of funds for FY24.

**Board Action Requested**

Approval for proposal of FY24

A handwritten signature in blue ink, appearing to be "SJA", is written over the text "Approval for proposal of FY24".

**Item Presenter**

Roxana Ballinger



*BRIGHTSPEED Service Delivery Update*

**Description**

Steve Brewer, Director of Government Affairs for Brightspeed will share information on efforts to provide redundant and resilient paths to the internet for Hatteras Island to reduce the potential for public safety communications outages when the current fiber optic cable is damaged. Steve will also provide insights on Brightspeed's effort to improve service delivery across the county to include potential grants to increase internet service and speeds.

**Board Action Requested**

None. Informative brief to raise awareness and provide opportunity to ask questions about Brightspeed efforts.

**Item Presenter**

Steve Brewer





*Hatteras Harbor Emergency Dredging*

**Description**

The Waterways Commission requests emergency dredging by the U.S. Army Corps of Engineers to address shoaling which is beginning to impede vessels leaving Hatteras Harbor. The Corps is currently only authorized to pipeline dredge this section of the channel unless upon emergency request and approval from the agencies. There is no available federal funding for this work. The Corps currently holds \$217,000 in Dare County/State funds for the Hatteras Connector Channel, which must be returned to the County before being reallocated for the channel adjacent to Hatteras Harbor. Awaiting Corps estimate for dredging event, anticipated costs are approximately \$25,000 in Dare County funds (\$100,000 including State match).

**Board Action Requested**

Adopt Resolution

**Item Presenter**

Barton Grover, Grants & Waterways Administrator



## **Resolution Requesting Emergency Dredging in Rollinson Channel**

**WHEREAS**, the U.S. Army Corps of Engineers has authority to pipeline dredge Rollinson Channel adjacent to Hatteras Harbor, and

**WHEREAS**, shoaling in Rollinson Channel near the Hatteras Harbor Breakwater has significantly reduced channel width and led to unsafe conditions, and

**WHEREAS**, the Coast Guard uses Hatteras Harbor as a safe haven for vessels during search and rescue cases, and

**WHEREAS**, approximately 40 local charter vessels plus transient vessels travel through this channel to access Hatteras Inlet and the Pamlico Sound, and

**WHEREAS**, multiple offshore fishing tournaments are hosted out of Hatteras Harbor, and

**THEREFORE BE IT RESOLVED**, that the Dare County Board of Commissioners formally requests that emergency authorization be granted to allow for U.S. Army Corps of Engineers shallow draft dredges to address shoaling in Rollinson Channel near the Hatteras Harbor Breakwater.

This the 5<sup>th</sup> of June, 2023.

---

Robert Woodard, Sr., Chairman

Attest:

---

Cheryl C. Anby, Clerk to the Board



*Budget amendment and capital project ordinance for Recreation Pickleball Courts*

**Description**

During the May 15th CIP meeting, a recommendation was made to allocate a not-to-exceed amount of \$500,000 for recreation pickleball courts. The project budget includes professional service fees and construction costs.

**Board Action Requested**

Approve the budget amendment and adopt the capital project ordinance for recreation pickleball courts.

**Item Presenter**

David Clawson

# DARE COUNTY

## BUDGET AMENDMENT

F/Y 2022-2023

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<b>Department:</b>					
Transfers					
<b>Revenues:</b>					
Appropriated Fund Balance	103090	499900		\$500,000	
<b>Expenditures:</b>					
Transfer to Capital Projects Fund	104925	596100	60356	\$500,000	

Explanation:

Transfer to CIP fund for Recreation pickleball courts project.

**Approved by:**

Board of Commissioners: \_\_\_\_\_

Date: \_\_\_\_\_

County Manager: \_\_\_\_\_

Date: \_\_\_\_\_

*Finance only:*

Date entered: \_\_\_\_\_ Entered by: \_\_\_\_\_ Reference number: \_\_\_\_\_

**County of Dare, North Carolina  
Capital Project Ordinance  
for  
Recreation Pickleball Courts**

BE IT ORDAINED as authorized by the Board of Commissioners of the County of Dare, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is adopted:

Section 1            This ordinance is to establish a budget for the Recreation Pickleball Courts project.

Section 2            The following budget shall be conducted within the Capital Projects Fund (fund #61).

Section 3            The following amount is appropriated for the project:

Recreation Pickleball Courts          615640-737620-60356          \$500,000

Section 4            The following revenue is anticipated to be available to complete the project:

Transfer from General Fund          613090-491000-60356          \$500,000

Section 5            The Finance Officer is directed to report the financial status of the project as a part of the normal monthly reporting process.

Section 6            Copies of this capital project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to the Board of Commissioners.

Adopted this 5<sup>th</sup> day of June, 2023

\_\_\_\_\_  
Chairman, Board of Commissioners

[SEAL]

\_\_\_\_\_  
Cheryl Anby, Clerk to the Board of Commissioners



*Professional Services Contract for the Creation of Pickleball Courts*

**Description**

During the May 15th CIP meeting, the recommendation was made to allocate a not-to-exceed amount of \$500,000 for a turnkey project. The project budget will include the professional service contract, as well as the construction of the new court(s).

Albemarle and Associates has submitted their professional service contract in the amount of \$41,775.

**Board Action Requested**

Approve the Professional Services Contract and authorize the County Manager to sign.

**Item Presenter**

Dustin Peele - Project and Procurement Manager

## AGREEMENT FOR PROFESSIONAL SERVICES

**I. Albemarle & Associates, Ltd. (AAL) agrees to provide professional services for The County of Dare for Pickleball Courts located at the Nags Head Soccer Complex (227 West Satterfield Landing Rd), Nags Head, North Carolina**

### **II. Scope of Services and Fees**

#### **A. Survey Services**

**1. Design Survey (212) \$ 2,325.00**

AAL will obtain an as-built survey of the site to include locations of existing structures, pavement, sidewalks, ramps, fencing and internal edge of the wooded perimeter buffer for the parcel. etc. AAL will obtain ground topographic survey with spot elevations and contours at 1' intervals for the vicinity of the project area and stormwater basins.

**Survey Services Subtotal: \$ 2,325.00**

#### **B. Engineering Services**

**1. Coordination with Client / Sketch Plan (105) \$ 3,000.00**

AAL will meet with Dare County as necessary to coordinate aspects of the project such as access and internal circulation, ADA requirements, equipment, fencing, lighting, signage, future and/or other anticipated uses and other similar items. We will develop sketch plan alternatives to review with the county to determine the preferred plan to proceed with.

**2. Meetings with Municipality (146) \$ 1,850.00**

AAL will prepare the necessary site plan review applications, submit the site plan application package to and coordinate with the Town of Nags Head Planning Department under the site plan review process for a Special Use Permit. AAL will attend the Technical Review Committee, Planning Board and Board of Commissioners Meeting and respond to comments and other issues that may arise during the review process.

**3. Site Development & Buffer Plan (301) \$ 5,150.00**

AAL will prepare a site plan for the addition of pickleball and sand volleyball courts to the Nags Head Soccer Complex. The site plan will include existing features identified in the design survey as well as proposed features including new courts, fencing, sidewalks and other elements typically shown on a site plan. This plan will include site notes, dimensions and details. The site plan will be included in the Major Site Plan application submittal to the Town of Nags Head to illustrate compliance with the current zoning ordinance and for construction bidding documents.

**4. Grading Plan (302) \$ 1,925.00**

AAL will prepare grading plans to illustrate both the existing topography and the proposed final grades. Pickleball court grading will be in accordance with guidelines set forth by the American Sports Builders Association. This plan will be prepared for inclusion with the site plan submittal, state permitting and construction documents.

**5. Site Lighting Plan (303) \$ 1,600.00**

AAL will prepare a site lighting plan that conforms to the Town of Nags Head zoning ordinance for inclusion with the site plan submittal. A site lighting model will be prepared to calculate ground light levels (foot-candle) based upon selected light fixtures with specified mounting height and lumen levels. This will be used to verify requirements determined by the Town and guidelines from the American Sports Builders Association. Results from the selected modeling scenarios will be incorporated into the site lighting plan which will be included with the site plan application to illustrate compliance with the Town ordinance.

**6. Utility Plan (320) Not in contract**

No utilities are expected to be installed with this project

**5. Coordination with Health Department (340) \$ 750.00**

AAL will coordinate with the Dare County Health Department as required by the Town for the site plan review process. Services do not include the analysis of the existing septic system or design and permitting for modifications or repairs to the septic system.

**7. Stormwater Management Permitting (350) \$ 3,800.00**

AAL will prepare a Stormwater Management Plan in accordance with NCDEQ DLQ and Town of Nags Head requirements. The site is currently covered under state stormwater management permit SW7030719 issued on 1/21/2004, for which a modification will be required. AAL will prepare stormwater calculations and best management practice elements in accordance with municipal regulations for zoning approval. AAL will also prepare a modification package for SW7030719 which will include design details, calculations, applications and supplement specifications necessary to obtain the state permit modification. Services do not include the state express permitting option, off-site evaluations or design of off-site improvements.

**8. Erosion and Sedimentation Control Permitting (360) \$ 2,600.00**

AAL will prepare an Erosion & Sedimentation Control Plan in accordance with the Town of Nags Head and NCDEQ DLQ requirements. An NCDEQ DLQ permit is required prior to any earth disturbing activities of 1-acre or more or when stormwater management permitting is required. AAL will also prepare and submit an application package necessary to obtain approval for the land disturbance and subsequent NCG01 permit.



**9. Construction Cost Estimate (170) \$ 2,125.00**

AAL will prepare a construction estimate for the project based upon design quantities and regional construction costs. The cost estimate will be prepared by item to allow for evaluation of specific items that may be considered for alternate bid if necessary, based upon budget.

**Engineering Services Subtotal: \$ 22,800.00**

**C. Construction Management Services**

**1. Construction Documents (381) \$ 4,575.00**

AAL will finalize the plans by incorporating any review comments and prepare comprehensive project specifications and details. These final plans and specifications will provide a concise set of construction documents for the entire project.

**2. Construction Administration and Bidding (175) \$ 2,375.00**

AAL will assist the County in soliciting construction bids for this project. We will conduct a pre-bid conference, respond with technical questions regarding proposed work and prepare addendums to document responses to contractor questions and/or other directives. AAL will evaluate bids and provide recommendations for the award of the project.

**3. Construction Inspections / Management (180) \$ 8,100.00**

AAL will perform on-site inspections of site improvements and assist the client with construction management regarding the construction of the project. The scope anticipates a 12 to 16 week construction period. AAL will schedule and coordinate progress meetings with the Client and Contractor. We will provide assistance throughout the duration of the project, including the review of project submittals, responding to questions that may arise during the project, reviewing contractor request for payments and documenting progress.

**4. Project Close-out \$ 1,600.00**

AAL will perform a preliminary inspection, prepare a punch list and review as-built data. Upon completion, AAL will verify punch list items have been addressed during the final inspection and assist the client with final close-out.

**Construction Management Services Subtotal: \$ 16,650.00**

**Project Total: \$ 41,775.00**

### III. Tentative Project Schedule

Notice to Proceed (NTP):	Receipt of Signed Contract and Retainer
Completion of Survey:	4 weeks from NTP
Completion of Sketch Plan Alternatives:	2 weeks from receipt of survey
Completion of Site Plan and Submittal to Town:	4 weeks from sketch plan selection
Town Special Use Application review process:	12 weeks from submittal
State Permitting Process:	6 - 12 weeks (may overlap with Town review)
Bidding:	6 weeks
Construction:	12 – 16 weeks

[Dates subject to change based on responses and requirements of review agencies.]

### IV. Payment Schedule

AAL will invoice Client monthly based upon percentage completion of services provided.

Estimated Reproduction/Overnight Cost:	\$	200.00
Stormwater Permitting Application Fee:	\$	550.00
Estimated E&SC Permitting Application Fee:	\$	200.00

**The Service Fees do not include any submittal review fees, mileage or reproduction cost.**

### V. Invoices

Client will be billed per Section IV with payment due within 15 days of date of invoice.

**VI. Attachments and Schedules**

The following attachments and schedules are hereby made a part of this Agreement:

- (a) General Terms & Conditions for Clients Employing Albemarle & Associates, Ltd. as consultants as revised January 1, 2020.
- (b) Schedule of Fees dated June 1, 2021.

THIS AGREEMENT for Professional Services must be fully executed by all parties and received by Albemarle & Associates, Ltd. along with the required retainer on or before June 30<sup>th</sup>, 2023. This Agreement for Professional Services becomes null and void if not received by aforesaid date. It is agreed that payment for services shall be made based upon completion of the tasks outlined within the scope of services, as set out in Sections IV and V, and shall not be contingent upon an event such as securing a permit(s), or any other similar event(s).

THIS AGREEMENT represents the entire Agreement between the parties, supersedes all prior agreements and understandings, and may be changed only by written amendment and executed by both parties. In testimony whereof, the parties hereto have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

EXECUTED FOR:

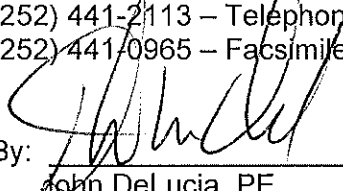
County of Dare  
954 Marshall C. Collins Dr  
Manteo, NC, 279

By: \_\_\_\_\_

Date: \_\_\_\_\_

EXECUTED FOR:

Albemarle & Associates, Ltd.  
P.O. Box 3989  
115 West St. Clair Street  
Kill Devil Hills, N.C. 27948  
(252) 441-2113 – Telephone  
(252) 441-0965 – Facsimile

By:   
John DeLucia, PE  
Vice-President

Date: 5/16/23



*Consent Agenda*

**Description**

See attached summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager

## **Consent Agenda Summary**

1. Approval of Minutes (April 25 and May 1, 2023)
2. Budget Amendment – Rodanthe Bulkhead Project
3. Public Works – Fuel, Maintenance and Repair
4. Avon Property Owners Assoc. 4<sup>th</sup> of July 2023 Fireworks Display
5. Quitclaim Deed – 48944 NC Hwy. 12- Parcel 026511000 – Buxton Harbor
6. Water Dept. NC Div. of Water Resources Local Water Supply Resolution
7. Water Dept. NC Div. of Water Resources Water Shortage Response Plan Resolution
8. East Albemarle Regional Library Agreement
9. Budget Amendment for Equipment Leases
10. Grant Application – Oregon Inlet Construction Administration Services
11. Grant Application – Hatteras Inlet Construction Administration Services
12. Dare County Tourism Board Request Consent Expenditure from Restricted Fund Line Item 4503



*Approval of Minutes*

**Description**

The Board of Commissioners will review and approve their previous minutes which follow this page.

**Board Action Requested**

Approve Previous Minutes

**Item Presenter**

Robert Outten, County Manager



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

DARE COUNTY BOARD OF COMMISSIONERS

### **SPECIAL MEETING – BUDGET WORKSHOP**

Dare County Administration Building, Manteo, NC

**9:00 a.m., April 25, 2023**

Commissioners present: Chairman Robert Woodard, Sr., Vice-Chairman Wally Overman, Commissioners Rob Ross, Steve House, Danny Couch and Ervin Bateman

Commissioners absent: Commissioner Jim Tobin (excused)

Others present: County Manager/Attorney, Robert L. Outten  
Deputy County Manager/Finance Director, David Clawson  
Asst. Finance Director, Sally DeFosse  
Clerk, Cheryl C. Anby, Deputy Clerk, Skyler Foley,  
Mary, Helen Goodloe-Murphy, Ernie DaBiero, Selin Dede,  
Janet Midgette and Dustin Peele

At 9:00 a.m. Chairman Woodard called to order the Special Meeting with appropriate prior public notice having been given.

### **ITEM 1 – FY2024 AND FY2025 BUDGET DISCUSSION:**

Mr. Outten referred to the handout General Fund Change Request Summary (made a part of here by reference) He explained he would summarize through the list quickly and provide the Board with any details as requested. As part of the budget preparation, all requests were received by department heads at the end of February and reviewed by the Finance Department and Manager. The budget had been short \$2,267,502 for requests per revenue projections. The handout provided information for a two-year budget; however, only FY2024 would be adopted. The revenue projections used were normal for this year. In FY2025, it would be a little aggressive since revenues appeared to be holding at a higher level, but not necessarily a trend. Finance staff had assisted in taking requests and cutting them for FY24 by \$2,267,502 in order to balance. Mr. Outten explained some requests were reduced and they were paid with “on offs” (cash payments). There was a discussion to have some Dare Challenge students aid with the labor force in grounds maintenance. Since the County was short on personnel, some maintenance had been outsourced. In the Health Department, much of their budget requests were adjusted by grants. Social Services was similarly adjusted. The Veterans Affairs Administrator’s part-time salary was increased. The Board discussed whether the position could be made full-time. There were basic cost increases in Parks and Recreation. Due to the availability of our facilities, there was a greater demand for

services than we were able to provide. There was a long-term plan for Parks and Rec improvements. Maintenance on playing fields was discussed. Mr. Outten stated much had improved; however, it was not finished. It would take multiple growing seasons for field improvement. The group discussed the possibility of weekend openings for the centers. The Board reviewed the COA budget line items and then jumped to the item on the agenda to review the way signs proposed. (See Item 4)

Items 198-221 were miscellaneous changes. The COLA increase for FY24 would be 3% and the same percentage for FY25. The total Manager's Request budget was \$128,672,350

**Meeting recessed at 10:34 a.m. and reconvened at 10:46 a.m.**

**One Time Requested Budget Items:** County Manager reviewed the items (made a part hereof with reference) C& D Fund, E911 Fund, Sanitation Fund, Water Fund (will continue with a 2% yearly increase) and Insurance Funds were reviewed.

**ITEM 2 – FRISCO VFD TWO REQUESTS FOR 2 CENTS TAX INCREASE**

He reviewed the March 14, 2022 Frisco Volunteer Fire Department letter (see attached). They had saved \$600k over the years towards a new building on the same property. The building needed to be raised due to historical flooding issues. Commissioner Couch said it was needed by the community. It was the consensus of the Board to add the increase as requested to the budget.

**ITEM 3 – CHANGES TO IMPACT AND TAP FEES BASED ON STUDY**

Mr. Clawson reviewed the changes which would double the costs for new installations. The Manager stated if fees were doubled, the impact to the water bill would be small. He recommended since there would be no impact to the everyday user, the increase was not reasonable. After a brief discussion, it was group consensus to keep the tap fees the same.

**ITEM 4 – COA - \$40K FOR WAY SIGNS**

Mr. Outten referred to the proposal by COA to place directional signage on campus for \$40,000. He had spoken with Tim Sweeney and discussed. The signage package was reviewed by the group. It was ten signs. After a brief discussion the ten signs at \$4,000 each was agreed to be handled as a one-off item.

**ITEM 5 – FUNDING FOR OREGON INLET FEASIBILITY STUDY**

The Manager and Chairman had spoken with Congressman Murphy about the feasibility study and the 50% cost share for the study. There was reason to believe the state would not contribute and the county would have to bare the cost alone. They had asked for a meeting with Representative Murphy for further discussion. The Army Corps of Engineers wanted a letter of commitment from the county. After a brief discussion, the group decided not to move forward.

**ITEM 6 – VFD/NON-PROFITS/COMMUNITY CENTERS – “AGREED UPON PROCEDURES” IN LIEU OF AUDIT**

Mr. Clawson modified this item stating community centers would have to continue with the audit process. County Manager said audits for non-profits were difficult to obtain.



Similar monitoring could result with “agreed upon procedures in lieu of an audit”. A bank reconciliation could be done among other safeguards. It was agreed to move forward with “agreed upon procedures” in lieu of audits where appropriate.

**ITEM 7 – OLD SWIMMING HOLE FUTURE PLAN**

Mr. Outten stated most of the beach in that area had eroded and there are some drop-offs. They wanted to put up ropes around the area, but that required a CAMA major permit. In over a year it had not been obtained. The County currently paid a lifeguard \$35,000 a year for an area with very few people still swimming in it. Mr. Outten said it was not safe and it was difficult to make it safe. The group discussed closure of the swimming hole and noted closure would not affect the yearly triathlon. The Board consensus was to close the swimming hole, but the picnic area and gazebo would remain operational.

**ITEM 8 – LETTER OF SUPPORT FOR GOLDEN LEAF GRANT – DARE CHALLENGE**

Commissioner Bateman said the Dare Challenge Program was submitting a Golden Leaf Grant in the amount of \$150,000 and requested a letter of support from the Board.

**MOTION**

Vice-Chairman Overman motioned to provide a letter of support for Dare Challenge. Commissioner Couch seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – LETTER OF SUPPORT FOR EVENT CENTER FOR TOURISM BOARD**

At a previous presentation by the Tourism Board, the event center would require a significant subsidy from the County to construct. They had been asked to review and update their figures and get back with the Board. Several issues had come up and they now asked the Board to provide a letter of support while they saved for a future build.

**MOTION**

Vice-Chairman Overman motioned to provide a letter of support for the Event Center as discussed.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 10 – “IN GOD WE TRUST” LOCATION**

The Board had approved placing the quote on a county building at their March meeting, but had not identified a location for placement. The U.S. Motto Action Committee had one font and its placement on current buildings would be difficult. Chairman Woodard stated he thought it could just be placed on the back wall of the Commissioners’ Boardroom. Mr. Outten would get with Dorothy Hester to help decide on an appropriate font for the signage and get back with Rick Lanier.

**ITEM 11 – PERSONNEL MANUAL UPDATE FOR MAY 17 BOC MEETING**

Mr. Outten explained when the FY24 budget was presented at the Special Board meeting set for May 17, 2023, the new updated personnel manual could also be presented to the Board for approval. It had been vetted by department heads, HR, and the manager. It was ready to present to the Board.

**ITEM 12 – SET CIPC MEETING PRIOR TO MAY 17<sup>TH</sup> SPECIAL BOARD MEETING**

After a brief discussion the Board agreed to set the CIPC meeting on May 15, 2023.

**OTHER BUSINESS**

Dustin Peele announced the First Flight Elementary ballfield lights would begin installation on May 4, 2023.

Vice Chairman asked if robotic technology had been looked at to help with the lack of employees in the ground maintenance areas.

Chairman Woodard requested a discussion regarding pickleball and the need for availability for youth and senior adults. He suggested four outdoor courts within the county where people could play. He emphasized he was not discussing indoor pickleball facilities at this time. The Board agreed the maximum allotted funds for pickleball facilities would be \$500,000.

Dorothy Hester asked the Board if they would be interested in having the microphones in the boardroom to be live and recording only when they were speaking. Currently there were active during the whole meeting, which often created a lot of background noise. The Board agreed and Mr. Outten and Dorothy would look into a different system with Matt Hester, IT Director.

**MOTION:**

Commissioner House motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 11:54 a.m., the Dare County Board of Commissioners adjourned the Special Meeting Budget Workshop.

Respectfully submitted,

[SEAL]

By: \_\_\_\_\_  
Cheryl C. Anby, Clerk to the Board

APPROVED: By: \_\_\_\_\_  
Robert Woodard, Sr., Chairman  
Dare County Board of Commissioners



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**5:00 p.m., May 1, 2023**

Commissioners present: Chairman Robert Woodard, Sr., Vice Chairman Wally Overman  
Rob Ross, Steve House, Danny Couch, Ervin Bateman.  
Commissioner Jim Tobin participated via phone connection

Commissioners absent: None

Others present: County Manager/Attorney, Robert Outten  
Deputy County Manager/Finance Director, David Clawson  
Master Public Information Officer, Dorothy Hester  
Clerk to the Board, Cheryl Anby, Deputy Clerk, Skyler Foley

**A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website [www.darenc.gov](http://www.darenc.gov).**

At 5:00 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Morris to share a prayer, and then he led the Pledge of Allegiance to the flag. Chairman Woodard announced Commissioner Tobin would be participating virtually at the meeting. He advised agenda item 3 would be struck and also requested the Board switch the order of agenda Items 10 and 11.

#### **MOTION**

Commissioner House motioned to switch the order of agenda items 10 and 11.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

#### **ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE**

Following is a brief outline of the items mentioned by Chairman Woodard:

- Announced the beach nourishment project in Duck would soon be completed. There would be a beach nourishment meeting in the town on 5/3/23, at 1:00 p.m., to provide updates to the public on the project and answer questions.
- Praised Tshombe Selby, a Roanoke native and champion tenor, who had recently had his debut at the Metropolitan Opera House in New York City in April.

#### **ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS**

- 1) Josef Vesely received a 10-year pin. (delayed April pin)
- 2) Timothy White received a 15-year pin.

**ITEM 3 – EMPLOYEE OF THE MONTH – May, 2023**

This item was deleted, as the EOM was out of town. It would be presented on 6/5/2023.

**ITEM 4 – GOVERNOR’S AWARD FOR VOLUNTEER SERVICE**

Shannon Toler Glaser, Friends of Youth-Program Coordinator, presented this year’s recipients of the Governor’s Award for Volunteer Service. Kaye White was recognized for her volunteer work at the Roanoke Island Aquarium, Paula Donaghy for her efforts at the NC Aquarium on Roanoke Island, and Patricia Bourexis for her work with the Coastal Humane Society. Patty was also a recipient of the prestigious Medallion Award.

**ITEM 5 – PUBLIC COMMENTS**

At 5:25 p.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks in Manteo:

1. Justin Bateman addressed Mr. Alexander and wanted him to stop the cluster home development in Wanchese. He asked everyone remember the number 554, as it was the number of days before elections for the Dare Board.
2. Pixie Wescott discussed power outages during multiple hurricanes. She was concerned how the cluster home septic system, already in a low-lying area, would fair in a storm created power outage.
3. Robin Mann felt the 2007 zoning members had great accomplishments and described the process. She was committed to keeping the MH-A and MH-B zoning as it had been designed in 2007. She wanted the public hearing heard on the special BOC date.
4. Amy Stone said no mail would be delivered directly to the cluster homes. She researched they would need a minimum of four multi-mail stations with each holding sixteen mail slots. She wanted the Board to consider tax incentives to put some of the homes into year-round rentals versus weekly rentals.
5. Rex Mann had taken pictures of Old Wharf Road which reflected water-filled ditches after a recent rain event. He stated retention ponds could only take so much rain. He read from an old Coastland article regarding drainage issues on Roanoke in 2018.
6. Alyson Flynn, Coastal Advocate and Environmental Economist with the NC Coastal Federation, referred to a letter from the federation dated May 1, 2023 which addressed potential flooding issues at the proposed cluster site.
7. Craig Parker stated he felt the Board asked leading questions to Mr. Alexander at the last meeting. He said the SUP application stated it was for affordable housing. He felt the proposed development was misrepresented and should be revoked.
8. Sandra Barile thanked the Board for listening to the people regarding the development. She felt the developer was greedy and wanted the ordinance removed and have zoning returned to where it had been.

9. Ralph Barile stated there were several things missed at the previous BOC meeting such as backup power for the septic, a stormwater plan, and the design of the driveways. He also referred to difficulties with the location of the trash receptacles.
10. Tom Stewart, a licensed broker in NC and a property manager, stated in the last year only 1% of the 1,800 closings in the area were at the same price point as this development. There was a severe lack of homes in this category and felt it would meet a need in the market.
11. Andy Petesch, a Raleigh attorney whose practice included land use, represented the Wanchese Preservation Alliance and how the zoning regulations would affect them. He looked forward to working with staff to address their concerns.
12. Joseph Willis, 5<sup>th</sup> generation resident of Wanchese, was disappointed how the advertisement of zoning changes was handled. He felt the Board had failed in listening to the people. He reflected on several points made by other speakers. He wanted improved EMS services and stormwater management in Wanchese.
13. Julie Robinson expressed her concerns over Dare's lack of protection of the dunes with continued development. She mentioned Kill Devil Hills as a prime example with monstrous family houses being built. The dunes were affected by new construction.
14. Mitchell Bateman offered a word of praise to the Board, Planning Board, and the Planning Department. He felt they had listened to the public in considering changes to the text amendment regarding future cluster homes.
15. Alison Beacham lived on Brinkly Drive and stated her property was currently flooded from recent rains. She felt the removal of trees in the development was going to greatly affect the flooding in the area. She disagreed with the development.
16. Jade Midgett asked if anyone knew how many trees would be cut down with the cluster development. The current ditches were deep but filled quickly with water. She was also concerned with the noise from generators when they lost power after a storm event.
17. Betty Collum of Manteo asked the Board to look into the development. The citizens had pleaded for reconsideration. The 2006 zoning plan was developed by citizens of Wanchese and passed by the board after a lot of work.
18. Mike Daniels stated area land should be sold to locals who cared about the area and provided a prayer.
19. Britton Shackelford stated people found it cheaper to commute to Dare than to live here. She disliked the current large homes and their appearance. She stated area towns should fix their housing issues and not expect Wanchese to fix the problem.
20. Nealy Gallet Parker, a Wanchese resident, was concerned with ambulances, hospitals, and flooding. She felt 60 homes and 120 cars would provide a lot of traffic and asked the Board to think about Wanchese and its residents.

21. Lorraine Tillett read the definition of a village. She did not want the development and thanked the firefighters and police who came to her home recently during an emergency.
22. Kendall Lawson asked how many people would be allowed to reside in the two and three-bedroom units. She proposed with no fire walls or sprinkler systems they would be fire hazards. She asked for an apology from Chairman Woodard for his remarks.
23. Nan Willis voiced her anger at the Board regarding the development and questioned why Commissioner Tobin was permitted to remain on the line, as he could not vote. She warned if the SUP passed the Board would have a problem.
24. Lori Tillett said the Board could change this for all of Dare. She felt six homes on one acre of land was too many and the county should seek a better balance.

With no comments from Buxton, the County Manager closed Public Comments at 6:56 p.m.

#### **ITEM 6 – PROCLAMATION COASTAL NC LOCAL FOODS WEEK 2023**

Dee Furlough, area agent for Family and Consumer Sciences, presented the proclamation to recognize June 11-17, 2023 as Local Foods Week in Dare County to urge citizens to support local agriculture and purchase locally-produced foods in Dare County.

##### **MOTION**

Commissioner House motioned to adopt the proclamation as presented.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

#### **ITEM 7 – PROCLAMATION FOR EMS WEEK: May 21-27, 2023**

Tom Francisco, EMS Deputy Director, presented this year's EMS Proclamation to honor Dare County's emergency medical service personnel. He thanked the Board and staff for the support given to EMS so they could provide the best care to Dare County.

##### **MOTION**

Commissioner House motioned to adopt the proclamation as presented.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

#### **ITEM 8 – DHHS – PROCLAMATION VULNERABLE ADULT AND ELDER ABUSE AWARENESS MONTHS 2023**

A proclamation recognizing May 14-June 18, 2023 as Vulnerable Adult and Elder Abuse Awareness Months was presented by the Dare County Department of Health & Human Services. County Manager Outten read the proclamation.

##### **MOTION**

Vice-Chairman Overman motioned to adopt the proclamation as presented.

Commissioner House seconded the motion.

VOTE: AYES unanimous

#### **ITEM 9 – COLLEGE OF THE ALBEMARLE WELDING LAB GAS STORAGE BUILDING**

Dustin Peele, Project and Procurement Manager, advised the Board that after the completion of the Dare Campus academic building, the college asked if the remaining construction funds could be used for a new welding lab gas storage building. Barnhill Contracting had provided

a quote in the amount of \$380,563.00. The project budget had these funds. A significant part of the cost was rewiring. Vice-Chairman Overman asked for details. Mr. Peele explained there was also 1,700 square feet of remodel work to the existing lab along with wiring and conduit work to get the gas to the new lab.

**MOTION**

Commissioner Couch motioned to approve the change order for construction of a new welding lab storage building and authorized the County Manager to sign the change order. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

***Meeting recessed at 7:08 p.m. and resumed at 7:26 p.m.***

**ITEM 10 – (Changed to Item 11) THE VILLAGES AT OLD WHARF ROAD CLUSTER HOME DEVELOPMENT – SPECIAL USE PERMIT APPLICATION #3-2023 (Att. #1)**

Commissioner Bateman recused himself from this item for the same reasons as he had explained at the April 3, 2023 meeting and he left the meeting.

Mr. Outten explained that the quasi-judicial meeting was held on April 3, 2023, the Board had heard evidence, and closed the hearing. They were now charged with taking the evidence and deciding whether the applicant had met the conditions of the ordinance. If he had not met the conditions, the Board must deny the permit and if he had, the Board must allow the SUP and were required to make findings of fact and those would become part of the record. The County Manager read the findings of fact and conditions set out as part of the proposed SUP (made a part of these minutes by reference). After providing the facts and conditions the Manager instructed the Board they must decide if the applicant met the burden of proof. If so, they were required to approve. In like manner, they would need to indicate which findings were not met in order to deny the permit. Chairman Woodard commented that Commissioner Tobin would need to recuse himself from the vote, as he had not been able to attend the April 3, 2023 meeting.

**MOTION**

Commissioner Couch motioned that Commissioner Tobin be recused.

Commissioner House seconded the motion.

VOTE: Ayes unanimous

A full account of the Board's discussion and action on this item is archived on a video available for viewing on the Dare County website. Following is a brief summary:

Neither Commissioner Couch nor Vice-Chairman Overman had more to add. Commissioner House asked if there was a possibility of adding a residential sprinkler system to the units. Mr. Outten remarked if the fire and building codes did not require it then the Board would not have the authority to require the developer to include one. Vice-Chairman Overman asked if the Planning Board could review that addition in future developments which fell under this ordinance. Mr. Outten said they could recraft the ordinance upon review. Commissioner Ross had no issues with the evidence. He asked if owners or full-year renters would need to walk 300 yards to a dumpster. Mr. Outten was unsure of the distance without looking at the plans; however, he stated it was not unusual and other subdivisions currently had that walk.

**MOTION**

Commissioner Ross moved to approve SUP #3-2023  
Commissioner Couch seconded the motion.

**AMENDED MOTION**

Commissioner Ross amended motion to approve SUP #3-2023 together with the Findings of Fact and Conditions, as outlined by the County Manager earlier.  
Commissioner Couch seconded the motion.

Chairman Woodard opened the floor for Board discussion. Commissioner Couch stated Mr. Willis' earlier comment had been correct, he had taken an oath to uphold the laws of the United States. Vice-Chairman Overman stated no one anticipated the kind of density this development would provide. It was one of the primary reasons the Planning Board had been requested to re-define the ordinance and better describe future cluster home development characteristics. Professional evidence was provided during the hearing and it had not been challenged by any other experts in the field. Commissioner House mirrored the Vice Chairman's comments and stated he had no idea that a developer would have submitted a 60-unit project on 10 acres. He added Dare County had a true housing crisis and felt many people did not understand the depth of the problem. As to the SUP, the Board could only base their response on what had been presented as evidence. Commissioner Ross had no additional comments and Chairman Woodard asked for the vote.

VOTE: Ayes unanimous (with the five members of the board eligible to vote)

**ITEM 11 (changed to Item 10) – ZONING TEXT AMENDMENT FOR THE REMOVAL OF ZONING DISTRICTS FROM SECTION-31.1 CLUSTER HOME DEVELOPMENT ORDINANCE**

Noah Gillam, Planning Director, provided a summary to recommend zoning amendment to Section 31.1 regarding the Cluster Home Development Ordinance. A public hearing was requested for June 5, 2023, at 9:00 a.m.

**MOTION**

Vice-Chairman Overman and Commissioner Bateman motioned to review the draft amendment and schedule the public hearing for June 5, 2023, at 9:00 a.m.  
Commissioner House seconded the motion.

**AMENDED MOTION:**

Vice-Chairman Overman amended his motion to schedule the public hearing for June 5, 2023, at 9:00 a.m., or May 17, 2023, at 5:00 p.m., depending on proper publication deadlines.  
Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 12 – REPORT ON SALE OF SERIES 2023A LIMITED OBLIGATION BONDS**

Dave Clawson reported on the limited obligation bond sale which took place April 20, 2023 with Piper Sandler and PNC Capital Markets. See his item summary and attachments to the item for details. Mr. Outten added the good news was our good bond rating and healthy budget allowed us to sell the bonds at a premium and this would afford the Capital Improvement Planning Committee more cash available for future projects.



**ITEM 13 – AMENDMENT TO CAPITAL PROJECT ORDINANCE FOR EMS PROJECTS AND SERIES 2023A LOBs (Att. #2)**

Dave Clawson presented the Board with an amendment to the capital project ordinance as it related to the EMS projects and Series 2023A limited obligation bonds. In part the amendment would make changes to correct errors in the architect's additional costs worksheet. Mr. Clawson explained the total project amounts would be changing.

**MOTION**

Commissioner Ross motioned to adopt the amendment to the capital project ordinance for the EMS station projects

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

**ITEM 14 – RESOLUTION SUPPORT THE LOST COLONY (Att. #3)**

Chairman Woodard introduced this item with some background. Roanoke Island Historical Association was seeking legislative assistance with one time help for their facilities. County Manager Outten read the resolution to be provided to RIHA for support.

**MOTION**

Commissioner Couch motioned to adopt the resolution as presented.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 15 – CONSENT AGENDA**

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

**MOTION**

Vice-Chairman Overman motioned to approve the Consent Agenda:

- 1) Approval of Minutes (04.03.23) **(Att. #4)**
- 2) Tax Collector's Report
- 3) Courthouse Computer Systems Software License and Support Agreement **(County Manager commented the contract would need cyber security language added)**
- 4) Dare County Disaster Debris Management Contract
- 5) DEQ Cost Share – Miss Katie 23/24 Dredging **(Att. #5-9)**
- 6) DEQ Cost Share – Walter Slough & the Crack **(Att. #10)**

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 16 – BOARD APPOINTMENTS**

1) Juvenile Crime Prevention Council

Vice-Chairman Overman motioned to reappoint Robert Trivette, Vance Haskett, Gail Hutchison, Amber Younce, Stephanie Webb, Steve House, Sara Sampson, Sheila Davies Katherine Irby and Marcus Hester-Smith and to appoint Amber Nibe and Jennifer Wooten. Commissioner Couch seconded the motion.

VOTE: AYES unanimous

2) Dare County Waterways Commission

Vice-Chairman Overman motioned to reappoint Michael Flynn and Kenneth "KP" Scott, III. Commissioner House seconded the motion.

VOTE: AYES unanimous

3) Library Board - Dare

Vice-Chairman Overman motioned to reappoint Ervin Bateman and Janice Willis. Commissioner Ross seconded the motion.

VOTE: AYES unanimous

4) Upcoming Board Appointments

The upcoming Board appointments for June, July and August, 2023 were announced.

**ITEM 17 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS**

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

Commissioner Ross

- On April 14, 2023, he attended the RIHA fundraiser reception at The Lost Colony. He thanked Susan Fearing for her organizational efforts.
- Announced EMS Station 1 would have a groundbreaking ceremony on May 10, 2023.
- The Bark in the Park event for the local SPCA had been held on April 23, at Jockey’s Ridge. It had been a big event and had been a great fund raiser.

Commissioner House

- He attended the Special Olympics medal ceremony with Commissioner Bateman. The support the attendees gave one another was spectacular to witness.
- He provided a gill net fisheries update indicating gill netters now were required to have a marine fisheries representative go with them. On May 9<sup>th</sup>, there would an opportunity for area public comment in Hatteras.
- Provided an update on the Board’s February 6, 2023 resolution relative to step pay and compression increases for juvenile justice staff. The senate had it in their budget.
- For a day in history, the Empire State Building had opened today in 1931.
- The SPCA Pet of the Week video was presented. Talon was an adoptable 9-month-old dog.

Vice-Chairman Overman

- Thanked Joseph Vesley and Tim White for their service to the county.
- Congratulated the Volunteer Governor Award recipients.
- He had attended the wine festival at the Lost Colony and stated it was a fantastic turn out.

Commissioner Couch

- Fondly remembered several members of the community: Ben O’Neal of Ocracoke, Belton Gray USCG of Avon, Ray Dale Gray of Buxton, Captain William T. “Punk” Daniels of Wanchese, Coach Jerry Cahoon of Manteo, Gary Austin USCG of Hatteras, and David Kelmer USMC of Hatteras. Commissioner House mentioned the county had also recently lost Susan West

Commissioner Tobin

- He commented how good it was to be back with the Board, even if only virtually. He explained his chemo therapy schedule, which was continuing, had made it impossible to attend meetings. He would be attending in person as soon as his physician allowed.

**MANAGER’S/ATTORNEY’S BUSINESS**

Mr. Outten explained there had been a request to change the public hearing May 17, 2023 meeting to 5:00 p.m. if the public hearing on the zoning amendment could be placed on the agenda.

**MOTION**

Vice-Chairman Overman motioned to move the public hearing to May 17, 2023 at 5:00 p.m. if possible with proper newspaper publication.

Commissioner House seconded the motion

VOTE: AYES unanimous

The Manager asked for authority for a budget amendment for forgiveness on the dredge. The reporting did not come in time to present in the 23/24 budget. Once they received figures, finance would calculate the savings and the budget amendment could be created.

**MOTION**

Commissioner Tobin motioned to authorize the County Manager to sign a budget amendment for Miss Katie dredge forgiveness once the Finance Department had all reporting completed.

Commissioner House seconded the motion

VOTE: Ayes unanimous

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

**MOTION**

Commissioner House motioned to adjourn the meeting.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

At 8:32 p.m., the Board of Commissioners adjourned until 5:00 p.m., May 17, 2023.

Respectfully submitted,

[SEAL]

By: \_\_\_\_\_  
Cheryl C. Anby, Clerk to the Board

APPROVED: By: \_\_\_\_\_  
Robert Woodard, Sr., Chairman  
Dare County Board of Commissioners

Note: Copies of attachments (Att.), and supporting material considered by the Board at this meeting are on file in the office of the Clerk. Public comments have been summarized and attempts have been made to accurately reflect the spelling of each name based on the legibility of the sign-in sheet.



*Budget Amendment - Rodanthe Bulkhead Project*

**Description**

The existing bulkhead needs to be replaced. In its current condition there are safety concerns from those that use the area. Replacing the bulkhead will improve safety, create existing docking space, and help slow future land erosion.

**Board Action Requested**

Approve Northeastern quote, budget amendment and authorize the County Manager to sign.

**Item Presenter**

Dustin Peele - Project and Procurement Manager

May 16, 2022

Job: Rodanthe Ferry Dock Walkway

Via email: [Dustin.peelee@darenc.com](mailto:Dustin.peelee@darenc.com)

**Option 3- Bulkhead**

Install approx... 378 naval style vinyl bulkhead. The cost will be **\$410.00** per ft. The cost to construct will be **\$154,980.00**.

**Materials:**

25ft 8in round piles on 5'4 centers

16ft - 4.1 vinyl sheathing

6x6 top 6x8 bottom whalers

All marine grade

Galvanized hardware

Deck style top cap

SS screws

We can also deliver and place granite rip rap class B on south east return of wall to prevent Erosion for **\$1250.00**.

**Demo old wall and dispose**

**\$18,000.00**

(May not have to demo entire wall)

**Backfill options**

1: Excavate and haul fill from county spoil sight **\$10,000.00**

2: Haul in foreign material and grade **\$12,500.00**

This price doesn't include any permits. Depending on what you choose the permits could run about **\$1650.00**. If you have any questions, please give us a call at 252-261-3682.

Thanks,

Bo Owens / Northeastern Marine

**NC Contractors license # 30026**

If you agree with the above sign and date

\_\_\_\_\_ name \_\_\_\_\_ date \_\_\_\_\_

Total for everything \$188,750 8/11/22

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# **DARE COUNTY**

---

## **BUDGET AMENDMENT**

**F/Y 2022-2023**

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department: Storm Water</u>					
<u>Revenues:</u>					
Transfer From General Fund	173090	491000		188,750	
<u>Expenditures:</u>					
Rodanthe Harbor Bulkhead	174765	525708		188,750	

**Explanation:**

The existing bulkhead is in poor condition and has created several safety concerns. This project will replace the current bulkhead which will improve safety, provide additional docking space, and help with future land erosion.

**Approved by:**

Board of Commissioners: \_\_\_\_\_

Date: \_\_\_\_\_

County Manager: \_\_\_\_\_

Date: \_\_\_\_\_

*Finance only:*

Date entered: \_\_\_\_\_ Entered by: \_\_\_\_\_ Reference number: \_\_\_\_\_



*Public Works - Fuel, Maintenance and Repair*

**Description**

The budget amendment that follows is partly due to fuel price increases. Additionally, older trucks require maintenance and repairs to ensure trash collection is not hindered or slowed.

**Board Action Requested**

Approve Budget Amendment

**Item Presenter**

Shanna Fullmer, Public Works Director



# **DARE COUNTY**

## **BUDGET AMENDMENT**

**F/Y 2022-2023**

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department: Sanitation</u>					
<u>Revenues:</u>					
Sanitation Fund Balance	243720	499900		230,000	
 <u>Expenditures:</u>					
Fuel	244720	513100		130,000	
Maintenance & Repair Vehicles	244720	511503		100,000	

**Explanation:**

Fuel price increases have made this budget amendment necessary to ensure that trash trucks are able to continue working. Our truck replacement plan is now in our second year, and as we continue to implement this plan, savings will become more apparent as the fleet is updated. In the meantime, older trucks still outnumber the new trucks so maintenance and repairs beyond warranty and minor repairs are an issue that must be addressed to ensure trash collection is not hindered.

**Approved by:**

Board of Commissioners: \_\_\_\_\_

Date: \_\_\_\_\_

County Manager: \_\_\_\_\_

Date: \_\_\_\_\_

*Finance only:*

Date entered: \_\_\_\_\_ Entered by: \_\_\_\_\_ Reference number: \_\_\_\_\_



*Avon Property Owners Association "Fourth of July" 2023 Fireworks Display*

**Description**

Avon Property Owners Association and produced by Pyrotecnico-Vitale Family Firework Inc. have applied for a permit to conduct a fireworks display on July 4, 2023, at the Avon Fishing Pier. Pyrotecnico has submitted all needed paperwork for the issuance of the required County permit per NCGS 14-413. Fire Marshal Kovacs will be on-site to conduct the required fire inspection and issue the required operational permit for the show per North Carolina Fire Code requirements.

**Board Action Requested**

Approval of the permit

**Item Presenter**

Steven Kovacs, Deputy Director of Emergency Management/Fire Marshal



# COUNTY OF DARE

Department of Emergency Management  
Office of the Fire Marshal

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

## Firework - Permit Application

### Show Information

Show Name: Avon Property Owners Association  
Show Date: 7/4/23 Show Time: 9:15 PM Duration: 20 mins Rain Date: 7/5/23  
Show Location: Avon Fishing Pier - 41001 NC Highway 12, Avon, NC 27915  
Show Sponsor: Avon Property Owners Association  
Address: PO Box 9  
City: Avon, NC ZIP: 27915  
Sponsor Contact: Pat Weston  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_ FAX: N/A

### Pyrotechnic Contractor

Name: Pyrotecnico Fireworks, Inc. ATF License: 8-PA-073-23-4J-12122  
Address: PO Box 149  
City: New Castle State: PA PA ZIP: 16103  
Phone: 803.944.4718 Cell: \_\_\_\_\_  
Email: balexander@pyrotecnico.com FAX: N/A  
Contact Name: Britany Alexander Cell: \_\_\_\_\_

### Technician Information

#### Operator

Name: Justin Pruett NC License: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_

#### Assistants

Name: see attached list NC License: \_\_\_\_\_  
Name: \_\_\_\_\_ NC License: \_\_\_\_\_

### Site Information (Load in site)

Owner Name: See attached timeline  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_ FAX: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Cell: \_\_\_\_\_

### Barge Operator

Owner Name: N/A  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_ FAX: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Cell: \_\_\_\_\_

I certify to the best of my knowledge that all information provided herein is true and correct as submitted to the Dare County Fire Marshal's Office. All work performed under this permit shall conform to the plans, manufacturers specifications, and applicable North Carolina Building Codes and standards. I have read the instructions on the back page and have submitted the required documents. I understand that the completion of this application does NOT entitle the commencement of construction or operation of the system and I will call for all required inspections.

  
 \_\_\_\_\_  
 Applicant Signature

April 11th, 2023  
 \_\_\_\_\_  
 Date

**Instructions**

The applicant shall submit all needed documentation to the Fire Marshal's Office in order to process the application. Submission shall include, but not limited, to the following documents. If other documentation is needed by the Fire Marshal's Office the applicant shall submit such documentation for review when requested.

- Provide site plan showing show set-up and all required safety and fallout zone radius.
- Provide shell inventory (size, count); break down open, body, & finale.
- Provide copies of state operator and assistant licenses.
- Provide copy of insurance certificate.
- Provide copy of ATF license.
- Provide event schedule timeline and site security plan.
- Provide copy of Coast Guard permit; if applicable.
- If a barge show, provide barge size calculation per NFPA 1123
- Provide copy of property use agreement(s).

*The event sponsor is required to develop in Incident Action Plan for the event. All agencies and organizations involved with the planning, support, and production of the event included. This must be completed and forwarded to the Fire Marshal's Office 2-weeks prior to the event for review and approval.*

**For Office Use Only**

Date Filed \_\_\_\_\_ Application Complete? \_\_\_\_\_ If not complete, date returned: \_\_\_\_\_

Reviewed \_\_\_\_\_ By: \_\_\_\_\_ [ ] Rejected [ ] Approved

*Please understand that approval of any documents in no way relieves the owner, the architect, the engineer, or the contractor from the responsibility of violations of governing codes and regulations not found by our office. When such violations are found they must be corrected.*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**Display Information**  
**Avon Property 7/4/23**

**Applicant:**

Pyrotecnico Fireworks, Inc.  
PO Box 149 New Castle, PA 16103

**Contact:**

Britany Alexander | [REDACTED]  
balexander@pyrotecnico.com  
Production Coordinator

**Event:** Avon Property Owners Association

**Display Location:** Avon Fishing Pier - 41001 NC Highway 12, Avon, NC 27915

**Display Date:** July 4th, 2023

**Show Time:** 9:15 PM

**Pyrotechnicians:**

Justin Pruet | Lead Technician | [REDACTED]



**Hyde County (Ocracoke)  
Display Date: July 2th 2023**

**Avon Property Owners Association (Avon)  
Display Date: July 4th 2023**

**Ferry Itinerary**

**Saturday, July 1st, 2023**

2:00 pm - Fireworks truck en route to Hatteras-Ocracoke Ferry For Ocracoke fireworks Display.

3:00 pm to 4:00 pm - One box truck containing fireworks, two to three essential crew vehicles and the fire marshal takes the ferry to Ocracoke.

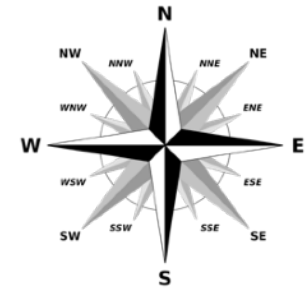
**Sunday, July 2nd, 2023**

Ocracoke Fireworks Display

**Tuesday, July 4th, 2023**

12:00 am to 1:00 am - One truck, fireworks and two to three essential crew vehicles take Ocracoke-Hatteras ferry en route to Hatteras.

Avon Fireworks Display



**Avon Property Owners Association  
Fireworks Display Site Plan**

**Avon Fishing Pier**  
41001 NC-12  
Avon, NC 27915

**LAT / LONG**  
35°20'50.29" N  
75°29'57.32" W

REVISED DATE: 11.22.22

DRAWN BY:  
Chaz Adams

NOTES:  
Site plan is drawn to an approximate scale using NFPA 1123, NFPA 1126 or NFPA 160 as applicable.



- Audience      - Radius

- Fire

- Wind Direction

- Safety Fallout Zone

**420' Safety Fall Out Radius**

**6" Maximum Device Per NFPA 70' Per Inch Policy**



# **SHELL / FINALE COUNT TOTALS**

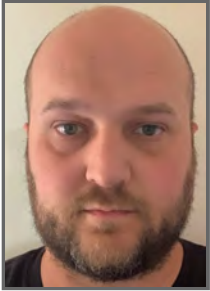
**Show Date 07/04/2023 / Display Duration: 20 minutes**

*Sales Order SO-C48120 / Work Order WO-8683*

<b>Group</b>	<b>Qty</b>
CAKE FAN	8
CAKE STR	2
FINALE 3IN X 10	30
FINALE 4IN X 6	15
FINALE 5IN X 5	4
IGNITERS	320
SHELL 3IN X 2	72
SHELL 3IN X 5 TD	6
SHELL 4IN X 6 TD	20
SHELL 5IN	108
SHELL 6IN	45



**Holder's Full Name:** Justin Addison Pruett  
**Business Name:** Pyrotecnico  
**Government ID By:** South Carolina  
**Government ID Type:** Driver License  
**ID Number:** \*\*\*\*[REDACTED]



**License Number:** 1856  
**License Type:** 1.3G Pyrotechnic  
**License Level:** Operator  
**License Status:** Valid  
**Expiration Date:** 06/29/2024



**License Number:** 3071  
**License Type:** Proximate Audience  
**License Level:** Assistant  
**License Status:** Not Renewed  
**Expiration Date:** 10/31/2016

<a href="#">Edit</a>   <a href="#">View</a>	Technician	Tech Type	Project	Show Date
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	2019 Asheville Tourists Baseball Season	03/15/2019
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Assistant Pyro Technician	200225 Myrtle Beach Pelicans - Demo	02/25/2020
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	200628 Shandon Baptist Church	06/28/2020
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	General Technician	200906 CSM Production @ Darlington Raceway	09/06/2020
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Assistant Pyro Technician	201016 Murray County Government	10/16/2020
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Show Technician	210611 - 210613 CCMF, LLC (Carolina Country Music Festival)	06/11/2021
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	210704 Manteo, NC Town of	07/04/2021
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Assistant Pyro Technician	210905 Darlington Raceway	09/05/2021
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Assistant Pyro Technician	220122 Event Fest, Inc. - Gasparilla Children's Parade	01/22/2022
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	220701 Fuquay-Varina, NC Town of	07/01/2022
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	220704 Manteo, NC Town of	07/04/2022
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	230101 Manteo, NC Town of	01/01/2023
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	230702 County of Hyde, NC	07/02/2023
<a href="#">Edit</a>   <a href="#">View</a>	<a href="#">Pruett, Justin</a>	Lead Pyro Technician	230704 Avon Property Owners Association, Inc.	07/04/2023



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/19/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT NAME:</b> <b>PHONE (A/C. No. Ext):</b> 216-658-7100		<b>FAX (A/C. No.):</b> 216-658-7101
	<b>E-MAIL ADDRESS:</b> info@brittongallagher.com		
<b>INSURER(S) AFFORDING COVERAGE</b>			<b>NAIC #</b>
<b>INSURED</b> Pyrotecnico Fireworks Inc. P.O. Box 149 299 Wilson Road New Castle PA 16103	2299 <b>INSURER A :</b> Everest Indemnity Insurance Co.		10851
	<b>INSURER B :</b> Everest Denali Insurance Company		16044
	<b>INSURER C :</b> Arch Speciality Ins Co		21199
	<b>INSURER D :</b> Continental Indemnity Company		28258
	<b>INSURER E :</b>		
	<b>INSURER F :</b>		

**COVERAGES**

CERTIFICATE NUMBER: 74643936

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y	Y	SI8ML00891-231	1/14/2023	1/14/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	SI8CA00141-231	1/14/2023	1/14/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input checked="" type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	Y	UXP1035252-03	1/14/2023	1/14/2024	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
D	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	82-872096-04-27	6/7/2022	6/7/2023	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Excess Liability #2	Y	Y	SI8EX01314-231	1/14/2023	1/14/2024	Each Occ/ Aggregate \$5,000,000 Total Limits \$10,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

Avon Property Owners Association, Inc. Fireworks Display Date: July 4, 2023 Alternate Date: July 5, 2023

Location: Avon Fishing Pier, 41001 NC 12, Avon, NC 27915

Additional Insured: Avon Property Owners Association, Inc. (APOA); Avon Fishing Pier, 41001 NC 12, Avon, NC 27915; United States of America and the National Park Service; Dare County Tourism Board; County of Dare, NC; Koru Village, Inc.; Avon Fireworks Committee

**CERTIFICATE HOLDER****CANCELLATION**

Avon Property Owners Association, Inc.  
P. O. Box 9  
Avon NC 27915

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF                      ATF - Chief, FELC  
Correspondence To        244 Needy Road  
   Martinsburg, WV 25405-9431

License/Permit  
Number                      **8-PA-073-23-4J-12122**

Chief, Federal Explosives Licensing Center (FELC)  
*Mama Howard*

Expiration  
Date                              **September 1, 2024**

Name  
PYROTECNICO

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**299 WILSON RD  
NEW CASTLE, PA 16101-**

Type of License or Permit  
**23-IMPORTER OF EXPLOSIVES**

Purchasing Certification Statement

Mailing Address (Changes? Notify the FELC of any changes.)

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

PYROTECNICO FIREWORKS INC  
PYROTECNICO  
PO BOX 149  
NEW CASTLE, PA 16103-0149

*[Signature]*  
Licensee/Permittee Responsible Person Signature  
**STEPHEN VITALE**  
Printed Name  
*President/CEO*  
Position Title  
**Nov. 29, 2021**  
Date

ATF Form 5400.14/5400.15 Part I  
Revised September 2011

Previous Edition is Obsolete      PYROTECNICO FIREWORKS INC-299 WILSON RD-16101-8-PA-073-23-4J-12122-September 1, 2024-23-IMPORTER OF EXPLOSIVES

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)  
244 Needy Road  
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352  
Fax Number: (304) 616-4401  
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

**Change of Address (27 CFR 555.54(a)(1)).** Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

**Right of Succession (27 CFR 555.59).** (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card	
License/Permit Name:	PYROTECNICO FIREWORKS INC
Business Name:	PYROTECNICO
License/Permit Number:	8-PA-073-23-4J-12122
License/Permit Type:	23-IMPORTER OF EXPLOSIVES
Expiration:	September 1, 2024
Please Note: Not Valid for the Sale or Other Disposition of Explosives.	



## Standard Operating Procedure / Safety Plan Fireworks Displays

Pyrotecnico Fireworks, Inc.  
P.O. Box 149  
New Castle, PA 16103  
Headquarter Office: 800.854.4705  
www.pyrotecnico.com

### Pyrotecnico Emergency Contacts:

- Paul Gaffney, Director of Facilities/Safety & Compliance  
o [REDACTED]
- Vic Laurenza, Show Producer  
o [REDACTED]
- Chem-Tel 24-Hour Emergency Response: 1.800.255.3924

### Standard Guidelines:

All safety precautions as prescribed by the National Fire Protection Association (NFPA) code 1123 shall be adhered to at all times.

As required by the Authority Having Jurisdiction (“AHJ”), all inspections of the firing area(s) will be arranged in advance of the crew’s arrival on site.

All mortars and/or racks used in the display shall be made of and/or from approved materials sufficient to provide a safe display per the National Fire Protection Association (NFPA) code 1123.

A safe perimeter of 70 feet per inch, at minimum, of the largest shell size (National Fire Protection Association (“NFPA”) Guidelines, Section 1123) shall be maintained and secured at all times by the Sponsor and Pyrotecnico.

The fireworks and firing equipment shall not be left unattended at any time while on the display site and shall be protected from inclement weather at all times.



All Pyrotecnico personnel shall wear protective safety equipment for head, eye, hearing and feet as well as long sleeves and pants during the set-up, firing and clean up of the fireworks. Shorts are unacceptable attire.

Neither smoking nor smoking materials such as matches, lighters or open flame shall be within 50 feet of fireworks or pyrotechnic materials.

The use of cell phones and/or radios that generate radio frequencies will be kept to a minimum within the immediate discharge area while pyrotechnics are being prepared, loaded, set-up and firing.

Security on site will be arranged by the event Sponsor if needed.

Only assigned technicians required to set-up and perform the display will be allowed on the display site.

No person shall be allowed on site that is under the influence of alcohol, narcotics or medication which could adversely affect their ability to safely perform their duties.

Arrangements should be made by the event Sponsor for fire service and emergency medical services ("EMS") to be available during the fireworks display(s).

Pyrotecnico will have a minimum of two (2) water pressure fire extinguishers on site during the fireworks display.

Pyrotecnico provides appropriate insurance with limits of \$10M.

### **Fireworks Display Termination Procedure:**

Weather conditions will be assessed by the fire official and the lead fireworks operator on the display site according to the conditions on site at the time. Bad weather, including but is not limited to, is defined as winds in excess of 15 mph or wind gusts of 20 mph or more, along with rain and/or thunderstorms. Other non-weather related emergencies can also terminate firing which shall also be determined by the fire official and the lead fireworks exhibitor at the display site.

Crowd control is imperative and must be maintained by security personnel, monitors and barriers. If at any time during the load in, firing and strike, security patrols and/or monitors detect any breach of the fall out/safety zone perimeter, any and all activity will cease immediately. Activity will only resume when the security of the fall out zone has been reestablished.



### Arrival On-Site

The operator shall contact the sponsor, sponsor's on-site contact and the AHJ to confirm the following: their arrival, the display time, the method of communication to indicate when the firing should start, the length of the display, the wind direction, safety distances, cool down period, potential overhead obstructions and the first light search plan.

All AHJ requirements received shall be followed.

The operator will conduct a Pyrotecnico crew meeting to discuss all safety requirements, details of the display and assign tasks.

### Pre-Display

The lead operator shall verify the following:

An inspection of all equipment and materials has been completed prior to set up.

The safety/fall out zone is clear of all unauthorized personnel.

Fire extinguishers are placed at strategic locations.

All mortars racks are perpendicular to audience. Racks and pyrotechnic holders are free of debris, and secured and stable to prevent falling over during use.

All fireworks display shells are pre-loaded and properly fit into mortars.

All mortar racks and finale chains are covered with foil.

For a manual firing, extra fuses are readily available.

For electrical firing, the arming key has been removed from the board and in the lead operator's physical possession at all times during load-in. The lead operator will also confirm prior to testing and the display that the firing system battery is fully charged; the igniter wires are secured and cleared of adjacent mortars; the firing modules are secured and protected; and all cables (and ground wires, if applicable) are connected from the firing modules to the firing board.

For continuity testing of an electrical firing, in addition to confirming the firing board is in "TEST" mode prior to the test, the lead operator shall confirm that the safety fall out radius is clear of



unauthorized and non-essential personnel, everyone is informed of the testing is commencing and the board is disarmed & arming key is REMOVED after testing. Continuity testing shall continue until 100% continuity is confirmed. The final continuity check shall occur not more than 30 to 45 minutes prior to the display start time.

Immediately before the display, the lead operator shall confirm the crowd has been controlled and the safety/fall out zone is maintained; all applicable personnel, including fire service, EMS units and Pyrotecnico crew members, are available and ready; and that the current and approaching weather is favorable.

### **Post Display:**

Fifteen minutes after the conclusion of the display, a search will be conducted by Pyrotecnico personnel of the display and fallout areas to confirm that any unfired live product or shells are accounted for, properly handled, repackaged and secured according to federal DOT regulations.

Non-fired product shall not be shot without the permission of BOTH the sponsor and the fire department.

Once the all clear sign is given disassembly of the display shall begin.

The firing site shall be cleaned.

A mandatory first daylight search shall be conducted the following day to inspect the firing site, fall-out areas, spectator viewing areas and any reasonable surrounding areas for pyrotechnic debris and "duds". All pyrotechnic debris and "duds" shall be accounted for, properly handled, repackaged and secured according to federal DOT regulations.



# Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

Revision: 01/06/2017

## 1 Identification

· **Product identifier:** Fireworks, Division 1.3 Explosive

· **Trade name:**

Fireworks, Display

· **Product code:**

Fireworks, 1.3G UN0335

· **Recommended use and restriction on use**

· **Recommended use:** Explosive product for professional use for entertainment and technical purposes

· **Restrictions on use:** Contact manufacturer/supplier

· **Details of the supplier of the Safety Data Sheet**

· **Manufacturer/Supplier:**

Pyrotecnico Fireworks Inc.  
299 Wilson Rd  
New Castle, PA 16101  
724-652-9555

· **Emergency telephone number:**

ChemTel Inc.  
(800)255-3924, +1 (813)248-0585

## 2 Hazard(s) identification

· **Classification of the substance or mixture**

Expl. 1.3 H203 Explosive; fire, blast or projection hazard.

· **Label elements**

· **GHS label elements**

The product is classified and labeled according to the Globally Harmonized System (GHS).

· **Hazard pictograms:**



GHS01

· **Signal word:** Danger

· **Hazard statements:**

H203 Explosive; fire, blast or projection hazard.

· **Precautionary statements:**

P210 Keep away from heat/sparks/open flames/hot surfaces. No smoking.

P250 Do not subject to grinding/shock/friction.

P280 Wear protective gloves/protective clothing/eye protection/face protection.

P373 DO NOT fight fire when fire reaches explosives.

P370+P380 In case of fire: Evacuate area.

P372 Explosion risk in case of fire.

(Cont'd. on page 2)

# Safety Data Sheet

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**Trade name:**

Fireworks, Display

(Cont'd. of page 1)

P401 Store in accordance with local/regional/national/international regulations.

P501 Dispose of contents/container in accordance with local/regional/national/international regulations.

· **Other hazards** There are no other hazards not otherwise classified that have been identified.

· **Explosive Product Notice**

PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIVES - The prevention of accidents in the use of explosives is a result of careful planning and observance of the best known practices. The explosives user must remember that he is dealing with a powerful force and that various devices and methods have been developed to assist him in directing this force. He should realize that this force, if misdirected, may either kill or injure both him and his fellow workers.

WARNING - All explosives are dangerous and must be carefully handled and used following approved safety procedures either by or under the direction of competent, experienced persons in accordance with all applicable federal, state, and local laws, regulations, or ordinances. If you have any questions or doubts as to how to use any explosive product, DO NOT USE IT before consulting with your supervisor, or the manufacturer, if you do not have a supervisor. If your supervisor has any questions or doubts, he should consult the manufacturer before use.

### 3 Composition/information on ingredients

· **Chemical characterization: Mixtures**

· **Components:**

Components for product possessing only physical hazards do not require reporting. These components are considered proprietary.

### 4 First-aid measures

· **Description of first aid measures**

· **General information:**

Information is only applicable to product contents, and not to product as normally supplied. This information is applicable to damaged, leaking, or spilled product as contact with contents is possible under these conditions.

· **After inhalation:** Supply fresh air; consult doctor in case of complaints.

· **After skin contact:**

Wash with soap and water.

In case of minor burns, flush with cool water.

If skin irritation is experienced, consult a doctor.

· **After eye contact:**

Remove contact lenses if worn.

Rinse opened eye for several minutes under running water. If symptoms persist, consult a doctor.

· **After swallowing:**

Unlikely route of exposure.

Do not induce vomiting; immediately call for medical help.

(Cont'd. on page 3)

# Safety Data Sheet

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**Trade name:**

Fireworks, Display

(Cont'd. of page 2)

- **Most important symptoms and effects, both acute and delayed:**  
Blast injury if mishandled.  
Thermal burns, if mishandled.
- **Danger:** Danger of blast or crush-type injuries.
- **Indication of any immediate medical attention and special treatment needed:**  
Product may produce physical injury if mishandled. Treatment of these injuries should be based on the clinical presentation.

## 5 Fire-fighting measures

- **Extinguishing media**
- **Suitable extinguishing agents:**  
DO NOT fight fire when fire reaches explosives.  
Flood area with water. If no water is available, carbon dioxide, dry chemical or earth may be used. If the fire reaches the cargo, withdraw and let fire burn.
- **For safety reasons unsuitable extinguishing agents:** None.
- **Special hazards arising from the substance or mixture**  
Explosive; fire, blast or projection hazard.  
During heating or in case of fire poisonous gases are produced.
- **Advice for firefighters**
- **Protective equipment:**  
Wear self-contained respiratory protective device.  
Wear fully protective suit.
- **Additional information:**  
Eliminate all ignition sources if safe to do so.  
In case of fire: Evacuate area. Fight fire remotely due to the risk of explosion.  
Cool endangered receptacles with water spray.  
Flammability Classification: (defined by 29 CFR 1910.1200) Explosive. Can explode under fire conditions. Individual devices will randomly explode. Mass explosion of multiple devices is possible under certain conditions. Burning material may produce toxic and irritating vapors. In unusual cases, shrapnel may be thrown from exploding devices under containment. See 2012 Emergency response Guidebook for further information.

## 6 Accidental release measures

- **Personal precautions, protective equipment and emergency procedures**  
Wear protective equipment. Keep unprotected persons away.  
Remove persons from danger area.  
Ensure adequate ventilation.  
Isolate area and prevent access.
- **Environmental precautions**  
Do not allow undiluted product or large quantities of it to reach ground water, water course or sewage system.
- **Methods and material for containment and cleaning up**  
Pick up mechanically.

(Cont'd. on page 4)

# Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

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**Trade name:**

Fireworks, Display

(Cont'd. of page 3)

Send for recovery or disposal in suitable receptacles.

· **Reference to other sections**

See Section 7 for information on safe handling.

See Section 8 for information on personal protection equipment.

See Section 13 for disposal information.

## 7 Handling and storage

· **Handling**· **Precautions for safe handling:**

Handle with care. Avoid jolting, friction and impact.

Restrict the quantity stored at the work place.

Keep out of reach of children.

· **Information about protection against explosions and fires:**

In case of fire: Evacuate area.

Explosion risk in case of fire.

Keep away from sparks and open flames. - No smoking.

Emergency cooling must be available in case of nearby fire.

· **Conditions for safe storage, including any incompatibilities**· **Storage**· **Requirements to be met by storerooms and receptacles:**

Avoid storage near extreme heat, ignition sources or open flame.

· **Information about storage in one common storage facility:**

Store in accordance with local/regional/national/international regulations.

Store away from foodstuffs.

Store away from flammable substances.

· **Further information about storage conditions:**

Store in cool, dry conditions in well sealed receptacles.

Store locked up.

· **Specific end use(s)** No relevant information available.

## 8 Exposure controls/personal protection

· **Control parameters**· **Components with limit values that require monitoring at the workplace:**

The product does not contain any relevant quantities of materials with critical values that have to be monitored at the workplace.

· **Exposure controls**· **Personal protective equipment:**· **General protective and hygienic measures:**

The usual precautionary measures for handling chemicals should be followed.

Keep away from foodstuffs, beverages and feed.

Wash hands before breaks and at the end of work.

· **Engineering controls:** Provide adequate ventilation.

(Cont'd. on page 5)

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acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

Revision: 01/06/2017

**Trade name:**

Fireworks, Display

(Cont'd. of page 4)

- **Breathing equipment:** Not required under normal conditions of use.
- **Protection of hands:** When needed, wear gloves for protection against mechanical hazards.
- **Eye protection:**



Safety glasses

Follow relevant national guidelines concerning the use of protective eyewear.

- **Body protection:** When needed, wear protective clothing for protection against mechanical hazards.
- **Limitation and supervision of exposure into the environment**  
No relevant information available.
- **Risk management measures**  
Organizational measures should be in place for all activities involving this product.

## 9 Physical and chemical properties

### Information on basic physical and chemical properties

- |   |  |
|---|--|
| · <b>Appearance:</b>                    |  |
| <b>Form:</b>                            | Outer shell containing powder, granular, or solid materials. |
| <b>Color:</b>                           | According to product specification                           |
| · <b>Odor:</b>                          | Odorless   |
| · <b>Odor threshold:</b>                | Not determined.  |
| · <b>pH-value:</b>                      | Not applicable.  |
| · <b>Melting point/Melting range:</b>   | Not determined.  |
| · <b>Boiling point/Boiling range:</b>   | Not determined.  |
| · <b>Flash point:</b>                   | Not applicable.  |
| · <b>Flammability (solid, gaseous):</b> | Fire or projection hazard.                                   |
| · <b>Auto-ignition temperature:</b>     | Not determined.  |
| · <b>Decomposition temperature:</b>     | Not determined.  |
| · <b>Danger of explosion:</b>           | Heating may cause an explosion.                              |
| · <b>Explosion limits</b>               |  |
| <b>Lower:</b>                           | Not determined.  |
| <b>Upper:</b>                           | Not determined.  |
| · <b>Vapor pressure:</b>                | Not applicable.  |
| · <b>Density:</b>                       | Not determined.  |
| · <b>Relative density:</b>              | Not determined.  |
| · <b>Vapor density:</b>                 | Not applicable.  |
| · <b>Evaporation rate:</b>              | Not applicable.  |

(Cont'd. on page 6)

# Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

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**Trade name:**

Fireworks, Display

(Cont'd. of page 5)

- |   |                                    |
|---|------------------------------------|
| <b>· Solubility in / Miscibility with Water:</b>  | Insoluble.                         |
| <b>· Partition coefficient (n-octanol/water):</b> | Not determined.                    |
| <b>· Viscosity</b>                                |                                    |
| <b>Dynamic:</b>                                   | Not applicable.                    |
| <b>Kinematic:</b>                                 | Not applicable.                    |
| <b>· Other information</b>                        | No relevant information available. |

## 10 Stability and reactivity

- **Reactivity:** No relevant information available.
- **Chemical stability:**
- **Thermal decomposition / conditions to be avoided:** Risk of explosion if heated under confinement.
- **Possibility of hazardous reactions**  
Explosive; fire, blast or projection hazard.  
Toxic fumes may be released if heated above the decomposition point.  
Reacts with strong acids and alkali.
- **Conditions to avoid**  
Excessive heat.  
Sources of ignition: sparks, open flame, incompatible materials
- **Incompatible materials** Oxidizers, strong bases, strong acids
- **Hazardous decomposition products**  
Carbon monoxide and carbon dioxide  
Nitrogen oxides  
Sulfur oxides (SO<sub>x</sub>)

## 11 Toxicological information

- **Information on toxicological effects**
- **Acute toxicity:**
- **LD/LC50 values that are relevant for classification:** None.
- **Primary irritant effect:**
- **On the skin:**  
Not a skin irritant in unused form. Vapors/particles from used product are possibly irritating to skin.
- **On the eye:**  
Not an eye irritant in unused form. Vapors/particles from used product are possibly irritating to eyes.
- **Sensitization:** Based on available data, the classification criteria are not met.
- **Carcinogenic categories**

<b>· IARC (International Agency for Research on Cancer):</b>
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None of the ingredients are listed.
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(Cont'd. on page 7)

# Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

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**Trade name:**

Fireworks, Display

(Cont'd. of page 6)

· **NTP (National Toxicology Program):**

None of the ingredients are listed.

· **OSHA-Ca (Occupational Safety & Health Administration):**

None of the ingredients are listed.

· **Probable route(s) of exposure:**

Skin contact.

Eye contact.

Inhalation.

· **Acute effects (acute toxicity, irritation and corrosivity):**

Danger of blast or crush-type injuries.

Risk of thermal burns.

· **Repeated dose toxicity:** From product as supplied: None.· **CMR effects (carcinogenicity, mutagenicity and toxicity for reproduction)**· **Germ cell mutagenicity:** Based on available data, the classification criteria are not met.· **Carcinogenicity:** Based on available data, the classification criteria are not met.· **Reproductive toxicity:** Based on available data, the classification criteria are not met.· **STOT-single exposure:** Based on available data, the classification criteria are not met.· **STOT-repeated exposure:** Based on available data, the classification criteria are not met.· **Aspiration hazard:** Based on available data, the classification criteria are not met.

## 12 Ecological information

· **Toxicity**· **Aquatic toxicity** No relevant information available.· **Persistence and degradability** No relevant information available.· **Bioaccumulative potential:** May be accumulated in organism· **Mobility in soil:** No relevant information available.· **Other adverse effects** No relevant information available.

## 13 Disposal considerations

· **Waste treatment methods**· **Recommendation:**

Must not be disposed of together with household garbage. Do not allow product to reach sewage system. Incinerate in accordance with local, state and federal regulations.

The user of this material has the responsibility to dispose of unused material, residues and containers in compliance with all relevant local, state and federal laws and regulations regarding treatment, storage and disposal for hazardous and nonhazardous wastes. Residual materials should be treated as hazardous.

(Cont'd. on page 8)

# Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

Revision: 01/06/2017

**Trade name:**

Fireworks, Display

(Cont'd. of page 7)

- **Uncleaned packagings**
- **Recommendation:** Disposal must be made according to official regulations.

## 14 Transport information

· **UN-Number**  
 · DOT, ADR, IMDG UN0335  
 · IATA FORBIDDEN

· **UN proper shipping name**  
 · DOT, ADR, IMDG Fireworks  
 · IATA FORBIDDEN

· **Transport hazard class(es)**

· DOT



· **Class** 1.3  
 · **Label** 1.3G

· ADR



· **Class** 1.3  
 · **Label** 1.3G

· IMDG



· **Class** 1.1  
 · **Label** 1.3G

· IATA

· **Class** FORBIDDEN

· **Packing group**

· DOT II

· **Environmental hazards**

· **Marine pollutant:** No

· **Special precautions for user**

Not applicable.

(Cont'd. on page 9)



# Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

Revision: 01/06/2017

**Trade name:**

Fireworks, Display

(Cont'd. of page 8)

· **EMS Number:** F-S,B-X· **Transport in bulk according to Annex II of  
MARPOL73/78 and the IBC Code** Not applicable.**15 Regulatory information**

- **Safety, health and environmental regulations/legislation specific for the substance or mixture**
- **United States (USA)**
- **SARA**

· **Section 302 (extremely hazardous substances):**

None of the ingredients are listed.

· **Section 304 (emergency release notification):**

None of the ingredients are listed.

· **Section 355 (extremely hazardous substances):**

None of the ingredients are listed.

· **Section 313 (Specific toxic chemical listings):**

Contact manufacturer.

· **TSCA (Toxic Substances Control Act)**

All ingredients are listed.

· **Proposition 65 (California)**· **Chemicals known to cause cancer:**

Contact manufacturer.

· **Chemicals known to cause reproductive toxicity for females:**

Contact manufacturer.

· **Chemicals known to cause reproductive toxicity for males:**

Contact manufacturer.

· **Chemicals known to cause developmental toxicity:**

Contact manufacturer.

· **Carcinogenic categories**· **EPA (Environmental Protection Agency):**

None of the ingredients are listed.

· **IARC (International Agency for Research on Cancer):**

Contact manufacturer.

(Cont'd. on page 10)

# Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

Revision: 01/06/2017

**Trade name:**

Fireworks, Display

(Cont'd. of page 9)

· **NIOSH-Ca (National Institute for Occupational Safety and Health):**

Contact manufacturer.

**16 Other information**

This information is based on our present knowledge. However, this shall not constitute a guarantee for any specific product features and shall not establish a legally valid contractual relationship.

· **Date of preparation / last revision** 01/06/2017 / -· **Abbreviations and acronyms:**

ADR: European Agreement concerning the International Carriage of Dangerous Goods by Road

IMDG: International Maritime Code for Dangerous Goods

DOT: US Department of Transportation

IATA: International Air Transport Association

CAS: Chemical Abstracts Service (division of the American Chemical Society)

LC50: Lethal concentration, 50 percent

LD50: Lethal dose, 50 percent

NIOSH: National Institute for Occupational Safety

OSHA: Occupational Safety &amp; Health

TLV: Threshold Limit Value

PEL: Permissible Exposure Limit

REL: Recommended Exposure Limit

LDLo: Lowest Lethal Dose Observed

Expl. 1.3: Explosives – Division 1.3

· **Sources**Website, European Chemicals Agency ([echa.europa.eu](http://echa.europa.eu))Website, US EPA Substance Registry Services ([ofmpub.epa.gov/sorinternet/registry/substreg/home/overview/home.do](http://ofmpub.epa.gov/sorinternet/registry/substreg/home/overview/home.do))Website, Chemical Abstracts Registry, American Chemical Society ([www.cas.org](http://www.cas.org))

Patty's Industrial Hygiene, 6th ed., Rose, Vernon, ed. ISBN: 978-0-470-07488-6

Casarett and Doull's Toxicology: The Basic Science of Poisons, 8th Ed., Klaasen, Curtis D., ed., ISBN: 978-0-07-176923-5.

Safety Data Sheets, Individual Manufacturers

SDS Prepared by:

ChemTel Inc.

1305 North Florida Avenue

Tampa, Florida USA 33602-2902

Toll Free North America 1-888-255-3924 Intl. +01 813-248-0573

Website: [www.chemtelinc.com](http://www.chemtelinc.com)



*48944 NC Hwy. 12 - Parcel 026511000  
Buxton Harbor*

**Description**

On September 21, 2020, the Board approved the sale of 28,640 sq. ft., with the majority of the site comprised of a water channel and boat basin to Daniel Burrus. The following Quitclaim Deed will clean up any ambiguity of the property description.

**Board Action Requested**

Approve and authorize signature of quitclaim deed

**Item Presenter**

Robert Outten, County Manager

**Prepared by and Return to:**  
Robert B. Pike, III  
The Pike Law Firm, PLLC  
Post Office Box 1581  
Morehead City, North Carolina 28557

Excise Tax: \$0.00

Tax Parcel(s): 026511000

**NORTH CAROLINA**

**DARE COUNTY**

**QUITCLAIM DEED**

\*Title Not Examined by Preparer

**THIS QUITCLAIM DEED** made this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between **DARE COUNTY**, a body politic and corporate of the State of North Carolina (the "Grantor"); and **DANNY BURRUS**, whose address is 433 West Bridge Lane, Nags Head, NC 27959 (the "Grantee"). The designations Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context. \*The Preparer makes no warranty as to the state of title to the real property conveyed herein.

**W I T N E S S E T H**

That Grantor for valuable consideration paid to it by Grantee, the receipt of which is hereby acknowledged, has remised and released, and by these presents does remise, release and forever quitclaim unto Grantee all of its right, title and interest, if any, in and to that certain real estate situated in Dare County, North Carolina, and being more particularly described as follows (the "Property"):

**BEING all of the remaining part of that real property described in Deed Book 78, Page 424, Dare County Registry.**

**TO HAVE AND TO HOLD** the Property and all privileges and appurtenances thereunto belonging to Grantee, its heirs, successors and assigns, in fee simple forever, free and discharged from all right, title, claim or interest of the Grantor.

The Property is being conveyed in its “**AS IS, WHERE IS**” and “**WITH ALL FAULTS**” condition. The Property is conveyed without any covenant or warranty, express or implied, relating to the title or physical, environmental, health or safety conditions, existing in, on, at or relating to the Property and all responsibilities or liabilities arising out of or in any way relating to the title and any such conditions are expressly disclaimed.

Grantor, pursuant to N.C. Gen. Stat. § 105-317.2, hereby certifies that the Property does not include its primary residence.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGE FOLLOWS]

**IN WITNESS WHEREOF**, Grantor has hereunto set its hand and seal, the day and year first above written.

**GRANTOR:**

**DARE COUNTY**

By: \_\_\_\_\_ (SEAL)

Robert L. Woodard, Chairman,  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Cheryl Anby - Clerk to the Board

STATE OF NORTH CAROLINA  
COUNTY OF DARE

I, \_\_\_\_\_, a Notary Public of the aforesaid County and State, do hereby certify that ROBERT L. WOODARD came before me this day and acknowledged that he is the Chairman of the Board of Commissioners of DARE COUNTY, a body politic and corporate of the State of North Carolina, and that by authority duly given and as the act of DARE COUNTY, the foregoing instrument was signed in its name by himself as Chairman of its Board of Commissioners, sealed with its corporate seal, and attested by CHERYL ANBY as Clerk to the Board.

Witness my hand and notarial stamp or seal this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public (signature)

\_\_\_\_\_  
Notary Public (print/type)

My Commission Expires: \_\_\_\_\_

[NOTARY PUBLIC SEAL/STAMP]



*Water Department NC Division Resources Local Water Supply Resolution*

**Description**

The Dare County Water Department is requesting that the NCDEQ Local Water Supply Plan be approved.

**Board Action Requested**

Approval of NCDEQ Local Water Supply Plan.

**Item Presenter**

Pat Irwin

# Resolution for Approving Local Water Supply Plan for the Dare County Water Systems

WHEREAS, North Carolina General Statute 143-355 (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 Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems, 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 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems as well as useful information to the Department of Environmental Quality 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 Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems that the Local Water Supply Plan entitled, Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water Local Water Supply Plan dated 2022, is hereby approved and shall be submitted to the Department of Environmental Quality, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Name: \_\_\_\_\_

Title: \_\_\_\_\_ (Mayor or Board Chairman)

Signature: \_\_\_\_\_

ATTEST:





*Water Department NC Division of Water Resources Water Shortage Response Plan Resolution*

**Description**

The Dare County Water Department is requesting that the NCDEQ Water Shortage Response Plan for 2023 be approved.

**Board Action Requested**

Approval of NCDEQ Water Shortage Response Plan.

**Item Presenter**

Pat Irwin

# **Resolution for Approving Water Shortage Response Plan for the Dare County Water Systems**

WHEREAS, North Carolina General Statute 143-355 (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 Water Shortage Response Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems, 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 Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems, 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 Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems that the Water Shortage Response Plan entitled, Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water; Water Shortage Response Plan dated 2023, is 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Name: \_\_\_\_\_

Title: \_\_\_\_\_ (Mayor or Board Chairman)

Signature: \_\_\_\_\_

ATTEST:



*East Albemarle Regional Library Agreement Renewal*

**Description**

The current East Albemarle Regional Library agreement is up for renewal. The proposed new agreement is for a period of three years, July 1, 2023-June 30, 2026. The proposed agreement contains only two minor changes from the current expiring agreement. There is no fiscal impact for our member counties.

**Board Action Requested**

Approval of the new agreement.

**Item Presenter**

Jonathan Wark, East Albemarle Regional Library System Director

## **Contract for the East Albemarle Regional Library System**

This agreement made and entered into this the \_\_\_ day of \_\_\_\_ 2023 by and between the Counties of Camden, Currituck, Dare and Pasquotank.

**WHEREAS**, the Mission of the East Albemarle Regional Library System is to serve citizens of all ages by making available materials that meet their informational and recreational interests and to support formal education, independent learning and literacy/reading enhancement; and,

**WHEREAS**, the East Albemarle Regional Library System strives to serve as a reliable resource that meets our community's need for information, recreation, entertainment, education and personal fulfillment; and,

**WHEREAS**, the East Albemarle Regional Library System attempts to appeal to a broad spectrum of citizens, catering in a professional and courteous manner to their needs; and

**WHEREAS**, this collaboration provides for a more effective and efficient use of local resources and better technology for the benefit of their residents and;

**WHEREAS**, this collaboration provides opportunities for service and resource allocations beyond the financial and service capacities of the individual governments and libraries.

**NOW, THEREFORE**, pursuant to resolutions duly adopted by their governing boards, the parties, hereto renew their commitment for the organization of the East Albemarle Regional Library System upon the terms set forth below therein for a term extending from 1 July 2023 through 30 June 2026.

### **I. Governments Involved**

- a. Camden County
- b. Currituck County
- c. Dare County
- d. Pasquotank County

### **II. Purpose statement**

- a. This agreement is to perpetuate excellent library and information services to the residents of the areas included within the jurisdictions of the aforementioned governing bodies through their collaborative and collective efforts under the legal authority of N.C.G.S. 153A-270 and N.C.G.S. 160A, Article 20, Part 1.

### **III. Board of Trustees**

- a. The board of Trustees shall be the governing body of the Regional Library System.
- b. Membership
  - i. There shall be twelve (12) members of the Board of Trustees providing equitable representation of each participating governmental unit.
    1. Camden County: three (3) members appointed by the Camden County Board of Commissioners.
    2. Currituck County: three (3) members appointed by the Currituck County Board of Commissioners.
    3. Dare County: three (3) members appointed by the Dare County Board of Commissioners.
    4. Pasquotank County: three (3) members appointed by the Pasquotank County Board of Commissioners.

- ii. Members shall be appointed from the membership of the local library advisory boards according to bylaws and policies approved by each County Board of Commissioners for that library.
  - iii. Members shall be appointed in staggered terms to promote consistency as well as to accommodate change. Regional Bylaws shall clearly define the term limits and how staggered terms shall be accomplished. Members shall be serving as members of the local advisory boards at the time of their appointment.
  - iv. Members shall serve no more than two consecutive terms with no single term longer than four years.
  - v. Vacancies on the Board shall be filled with appointments by the appropriate governing body to serve the remainder of the unexpired term of the member creating the vacancy.
  - vi. Any member missing three (3) consecutive Board meetings shall be considered to have resigned, and the County Commissioners shall appoint a new member to serve the remainder of the unexpired term upon notification by the Chairman of the Regional Library Board of Trustees.
- c. Powers and Duties delegated to the Regional Library Board of Trustees by the Counties of Camden, Currituck, Dare and Pasquotank.
- i. The Board of Trustees shall be delegated the power to adopt bylaws and rules for its own governance.
  - ii. The Board of Trustees shall be delegated the power to adopt policies for the regional library system's administration and operation.
  - iii. The Board of Trustees shall be delegated the power to select, appoint, remove, determine salary and other terms of employment of a regional library director.
    - 1. These actions shall require a majority vote of the Board at which a quorum is present.
    - 2. The EARL Regional Library Director shall:
      - a. Have a valid North Carolina Public Librarian Certificate;
      - b. Be the chief executive and administrative officer of the East Albemarle Regional Library and function in accordance with the approved policies of the EARL Board.
      - c. Be authorized to appoint other employees and will seek advice from local trustees and officials in appointing management personnel.
      - d. All regional library personnel will be under the administration of the director.
  - iv. The Board of Trustees shall develop and approve an annual budget which shall:
    - 1. Be administered under the same provisions as units of local government (G.S. 159), with all state funds administered by the regional library and expended throughout the region as described in 07 NCAC 021.0202.
  - v. The Board of Trustees shall be delegated the power to appoint a regional finance officer who shall:
    - 1. Ensure expenditure of funds consistent with the budget adopted by the Board;
    - 2. Receive, deposit and expend all funds in accordance with generally accepted accounting principles;
    - 3. Report directly to the regional library director and at all meetings of the Board.

- vi. The Board of Trustees shall be delegated the power to assure compliance with all applicable State and Federal laws and eligibility requirements for the receipt of State and Federal Funds.
- vii. The Board of Trustees shall be delegated the power to make recommendations to the governing units concerning the construction and improvement of the physical facilities of the libraries within the region; however, construction and facility maintenance shall be the responsibility of the local governing unit unless the Regional Board negotiates and approves a collaborative effort.
- viii. The Board of Trustees shall make regular reports related to services and operations to each governing body as conveyed by approved reports of the Regional Library Director.
- ix. The Board of Trustees shall obtain an annual independent audit of regional library accounts consistent with generally accepted accounting principles, and submit a copy of this audit to the State Library of North Carolina.

#### **IV. Terms of Property Ownership**

- a. A major benefit of regional cooperation is that limited resources may be shared among the various county residents without wasteful duplication; however, certain ownership restrictions shall apply:
  - i. All buildings, vehicles, and grounds paid for with local funds shall remain the property of their respective county.
  - ii. All books, technology, furnishings or other resources paid for with local funds shall remain the property of the respective county.
  - iii. All books, technology, vehicles or other resources paid for with Regional or State funds shall remain the property of the Regional Library System. If one county should withdraw, it forfeits any rights to joint property. If the agreement is terminated or the Regional Library dissolved, the joint property shall be divided equally or sold and the receipts divided equally among the participating counties.

#### **V. Insurance Coverage and Indemnification**

- a. Insurance Coverage
  - i. The local government units shall maintain insurance coverage for the building and for contents of the buildings for each of their individual libraries including general liability insurance.
  - ii. The Regional Library shall maintain insurance coverage for all items on the Regional inventory list and capitalization listing in all library facilities, the Regional Library office, and the vehicles used to provide service.
- b. Indemnification
  - i. The Regional Library shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as an officer, director, board member, or regional library employee against all expenses and liabilities, including, without limitation, counsel fees, judgements, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity; provided that no indemnification shall be provided for any such person with respect to any matter as to which he or she shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interests of the corporation; and further provided that any compromise or settlement payment shall be approved by a majority vote of a quorum of directors who are not at that time parties to the proceeding.

## **VI. Provisions for Amendment**

- a. This agreement can be amended providing that all parties accept those amendments by a majority vote in a regular meeting of those parties.
- b. Recommendations for amendments shall be forwarded to each of the county governments in writing with a thirty-day period for consideration given. At the next regular meeting of the county boards after this thirty-day period, the amendments shall be voted on by those bodies.
- c. Disagreements related to this agreement shall be resolved first by a committee of representatives from each governmental unit and then by their legal counsels if necessary.

## **VII. Provisions for Withdrawal**

- a. If any county, or counties, participating in the East Albemarle Regional Library wishes to withdraw from the Region, it must give written notice to the other counties and the Regional Library Board no later than July 1 that it wishes to withdraw from the Region on June 30<sup>th</sup> of the following year as described in 07 NCAC 021.0308.
- b. Should that member decide within this time period to rescind the proposal, that member shall remain a part of the Regional Library System under the same conditions and requirements as the agreement under which they became a member.
- c. Should more than one party wish to withdraw from the region, the Regional Library Board shall recommend to the remaining parties a best course of action for future library services to the remaining counties including remaining as a smaller regional library system or dissolution of the region.
- d. Should a member fully withdraw, the Terms of Property Ownership as stated in Section IV (above) shall apply.
- e. Any penalty or additional costs to the Regional Library System by a vendor for renegotiation of a multi-year contract or agreement due to the withdrawal of a party from the regional system shall be borne by the withdrawing party.
- f. In case of withdrawal from the East Albemarle Regional Library System by one or more parties, plans will be made to provide uninterrupted and equitable library services in remaining EARL locations the following July 1. The cost of new and/or additional network hardware and software required for the remaining EARL locations shall be purchased with regional funds.
- g. The East Albemarle Regional Library System will be dissolved if three of the four parties withdraw in accordance with the procedures stated above.
- h. As included under NCGS 160A, Article 20, Part 1, Joint Exercise of Power, property purchased by the region is owned jointly as tenants in common by the participating counties; therefore, if the East Albemarle Regional Library System is dissolved, the counties of Currituck, Dare, Pasquotank and Camden shall divide the joint assets equally among themselves.
- i. Upon dissolution of the East Albemarle Regional Library System, the distribution of properties and resources jointly owned shall be accomplished by a committee composed of representatives from each governmental unit, the current Regional Library Director, and a representative from the State Library of North Carolina.
- j. Upon dissolution of the East Albemarle Regional Library System, after all outstanding debts are resolved, any remaining funds from local governmental units shall be returned to them and the distribution of any remaining State or Federal funds shall be determined by the State Library. Any land and building property owned by the Regional Library shall be sold and the proceeds distributed to the local governmental units. Other property owned by the region, such as outreach vans, computers and other technology, books, and any other assets shall be sold and the proceeds divided among the units or distributed in some other equitable manner as agreed upon by the committee of representatives.

**VIII. Review and Termination.**

- a. This agreement shall continue to be in effect for three (3) years from the dated signatures on the contract unless reasonable cause for termination is presented in writing to each of the participating local governmental units, the Regional Library Board and the State Library of North Carolina on or before July 1, with an effective date of the following June 30.
- b. The agreement may be reviewed at any time by any local governmental body or the Regional Library Board and, if modifications are deemed reasonable and necessary, amendments may be made according to the procedures stated above.
- c. At the end of the three year agreement period, the Regional Library Board shall review the agreement, recommend any modifications, and submit it for review and renewal to each of the local governmental units which shall review, suggest modifications, and vote to extend or rescind the agreement.
- d. The effective dates for termination shall be the same as a withdrawal from the System.
- e. If the agreement terminates, and no successor agreement is to be executed, the East Albemarle Regional Library System shall be dissolved and joint assets distributed as described above in Section VII.

This AGREEMENT shall be effective upon acceptance by all parties.

**IN WITNESS WHEREOF**, this agreement has been executed by the principal official of the governing board of each party hereto, pursuant to authority of each respective board.

**Attest:**

**CAMDEN COUNTY**

\_\_\_\_\_ by \_\_\_\_\_  
Clerk to the Board Board of Commissioners, Chair

**CURRITUCK COUNTY**

\_\_\_\_\_ by \_\_\_\_\_  
Clerk to the Board Board of Commissioners, Chair

**DARE COUNTY**

\_\_\_\_\_ by \_\_\_\_\_  
Clerk to the board Board of Commissioners, Chair

**PASQUOTANK COUNTY**

\_\_\_\_\_ by \_\_\_\_\_  
Clerk to the board Board of Commissioners, Chair





*Budget Amendment for equipment leases*

**Description**

Budget amendment for GASB87 (accounting for leases) which requires leases with a term exceeding 12 months to be treated as a financial transaction. Three equipment leases were initiated during FY23 - postage meter for General Services (60 months), digital wide format copier for Register of Deeds (60 months), and dishwashing machine for Detention Center (36 months).

**Board Action Requested**

Approve budget amendment.

**Item Presenter**

None

# DARE COUNTY

## BUDGET AMENDMENT

F/Y 2022-2023

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<b>Department:</b>					
<u>Revenues:</u>					
Other Financing Source-Capital Lease	103090	471800		\$69,000	
<u>Expenditures:</u>					
General Services-Capital Lease	104475	537480		\$45,000	
Register of Deeds-Capital Lease	104460	537480		\$14,000	
Detention Center-Capital Lease	104520	537480		\$10,000	

Explanation:

Budget amendment for GASB87 (accounting for leases) which requires leases with a term exceeding 12 months to be treated as a financial transaction. Three equipment leases were initiated during FY23 - postage meter for General Services (60 months), digital wide format copier for Register of Deeds (60 months), and dishwashing machine for Detention Center (36 months).

**Approved by:**

Board of Commissioners: \_\_\_\_\_

Date: \_\_\_\_\_

County Manager: \_\_\_\_\_

Date: \_\_\_\_\_

*Finance only:*

Date entered: \_\_\_\_\_ Entered by: \_\_\_\_\_ Reference number: \_\_\_\_\_



*Grant Application - Oregon Inlet Construction Administration Services*

**Description**

Grants & Waterways is requesting the Board of Commissioners authorize the submission of a N.C. DEQ Shallow Draft Navigation Fund grant application to cost share on construction administration services for maintenance dredging in Oregon Inlet during 2023/2024. Cost share match is included in County Manager's proposed FY24 budget. Total project cost: \$60,000. State match: \$45,000.

**Board Action Requested**

Adopt Resolution and authorize the County Manager to enter into contract with Coastal Protection Engineering.

**Item Presenter**

Barton Grover, Grants & Waterways Administrator



## **Resolution to Sponsor the 2023/2024 Oregon Inlet Maintenance Project**

**WHEREAS**, Dare County desires to sponsor the 2023/2024 Oregon Inlet Maintenance Project to provide funding for construction administration services associated with maintaining navigation channels in Oregon Inlet.

**THEREFORE, BE IT RESOLVED THAT:**

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the 2023/2024 Oregon Inlet Maintenance Project in the amount of \$45,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 5<sup>th</sup> day of June, 2023.

---

Robert Woodard, Sr., Chairman

Attest:

---

Cheryl C. Anby, Clerk to the Board



*Grant Application - Hatteras Inlet Construction Administration Services*

**Description**

Grants & Waterways is requesting the Board of Commissioners authorize the submission of a N.C. DEQ Shallow Draft Navigation Fund grant application for cost share on construction administration services associated with maintenance dredging in Hatteras Inlet during 2023/2024. Cost share match is included in County Manager's proposed FY24 budget. Total project cost: \$80,000. State match: \$60,000.

**Board Action Requested**

Adopt Resolution and authorize the County Manager to enter into contract with Coastal Protection Engineering.

**Item Presenter**

Barton Grover, Grants & Waterways Administrator



## **Resolution to Sponsor the 2023/2024 Hatteras Inlet Maintenance Project**

**WHEREAS**, Dare County desires to sponsor the 2023/2024 Hatteras Inlet Maintenance Project to provide funding for construction administration services associated with maintaining navigation channels in Hatteras Inlet.

**THEREFORE, BE IT RESOLVED THAT:**

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the 2023/2024 Hatteras Inlet Maintenance Project in the amount of \$60,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 5<sup>th</sup> day of June, 2023.

---

Robert Woodard, Sr., Chairman

Attest:

---

Cheryl C. Anby, Clerk to the Board



*Dare County Tourism Board Request Consent  
Expenditure from Restricted Fund Line Item 4503*

**Description**

Expenditure of \$115,000.00 for Outer Banks Visitors Bureau Administrative Offices renovations, HVAC in server room, and construction of two additional offices.

**Board Action Requested**

Commissioners consent for expenditure of \$115,000.00 to Outer Banks Visitors Bureau Administrative Offices renovations.

**Item Presenter**

Lee Nettles, Executive Director



*Board Appointments*

**Description**

The following Boards have appointments or actions this month:

- |  |                                  |
|--|----------------------------------|
| 1. Extra Territorial Jurisdiction (ETJ) District - Nags Head | 5. Game and Wildlife Commission  |
| 2. Airport Authority   | 6. Hatteras Community Center     |
| 3. Dare County Waterways Commission                          | 7. Transportation Advisory Board |
| 4. Roanoke Island Community Center                           | 8. Upcoming Board Appointments   |

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager





*Extra Territorial Jurisdiction (ETJ) District  
Town of Nags Head*

**Description**

See Attached Summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager

June 2023

**BOARD APPOINTMENT**

**EXTRA TERRITORIAL JURISDICTION (ETJ) DISTRICT**

(Three Year Term)  
(Town of Nags Head)

**Peregrine White's term expired 5/2021  
He did not wish to be reappointed.**

An application has been received from Gary Ferguson for appointment

**EXTRA TERRITORIAL JURISDICTION (ETJ) DISTRICT**

(Three Year Term)  
(Town of Nags Head)

**MEMBER**

**TERM EXPIRATION**

**ACTION**

Vacant

Notes: Dare County appointee serves as a member of the Nags Head Planning Board as well as a member of the Nags Head Board of Adjustment and Represents Dare County in the ETJ District.

Peregrine White replaced Moncie “Punk” Daniels 6/15

Peregrine White resigned 2021

Revised 12/22



APPLICATION FOR APPOINTMENT TO  
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

**Advisory Board or Committee interested in:**

1<sup>st</sup> choice: Extra Territorial Jurisdiction District (ETJ) - Town of Nags Head

2<sup>nd</sup> choice:

3<sup>rd</sup> choice:

**Name:** GARY FERGUSON

**Address:** 103 E.SEA SPRAY CT.

**City/State/Zip:** NAGS HEAD, NC 27959

**Email Address:** garysandyferguson@yahoo.com

**Telephone:** Home: (252)489-8005 Business:

**Resident of Dare County:** YES

**Occupation:** RETIRED

**Business Address:**

**Educational background:**

Masters in urban planning

**Business and civic experience and skills:**

Current member of the nags head planning board since 2021 and served as the planning director from 1987 until 2002. Worked for currituck co as their planning director from 2002 until 2006 then I worked for Oak Island (same position) then Carolina Beach where I then retired.

**Other Boards/Committees/Commissions on which you presently serve:**

None

**REFERENCES**

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	WEBB FULLER
Business/Occupation	UNKNOWN
Address	UNKNOWN
Telephone	(252)441-3922

---

Name	CAROLYN MORRIS
Business/Occupation	TOWN CLERK NAGS HEAD NC
Address	
Telephone	(252)-5508



APPLICATION FOR APPOINTMENT TO  
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

---

Name                                BEN CAHOON  
Business/Occupation  
Address  
Telephone                        (252)-5508

---

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Signature of applicant:

*Gary Ferguson*

Date: 4/24/2023



*Airport Authority*

**Description**

See Attached Summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager

June, 2023

**AIRPORT AUTHORITY**

(Four Year Term)

**The Airport Authority Board is responsible for maintaining and operating airports owned by the Authority or Dare County. They provide air transportation services to the aviation traveling public and other aviation related services.**

**The Authority recommends George Henderson, Joseph Blakaitis, Walton “Pete” Burkheimer, Jr. and David Crownover for reappointment**

**Applications on file:**

**William J. Overman, Jr.,**

**Raymond Pate, and Earl (Tim) Shearin, Jr.**

Other Members: See attached list

**AIRPORT AUTHORITY**

(Four Year Term)

**The Airport Authority's mission is to manage the operation, maintenance and improvement of air services and facilities for the use, convenience, and benefit of the air traveling public.**

<b><u>MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>	<b><u>ACTION</u></b>
George Henderson P.O. Box 606 Manteo, NC 27954 473-2791	7-23	Reaptd. 7/87 91,95,99,03, 07,11,15,19
Joseph Blakaitis, Treasurer P.O. Box 8212 Duck, NC 27949 261-7513 (H), 973-723-4434 (C)	7-23	Apptd. 7/15,19
Walton P. Burkhimer, Jr "Pete" 302 Saint Louis Street Kill Devil Hills, NC 27948 757-478-5970	7-23	Apptd. 7/19
Wally Overman 549 Skyco Rd. Manteo, NC 27954 252-473-3433 (Commissioner Representative)	4-26	Apptd. 1/15 Reaptd. 4/18 3/22
Charles Davidson, Chairman 3618 Old Nags Head Woods Rd. Nags Head, NC 27959 715-0662 (H), 548-9141 (C) (Commissioner Appointee)	7-26	Apptd. 7/15 Reaptd. 7/18 8/22
Fred Newberry, Vice-Chairman 267 N. Dogwood Trail Southern Shores, NC 27949 252-564-5108 (H)	8-26	Apptd. 1/16 Reaptd. 8/18 8/22
David Crownover 202 Landing lane Manteo, NC 27954 717-829-6319 (C)	7-23	Apptd. 6/20
James R. Kenny 4535 Hilltop Lane. Kitty Hawk, NC 27949 252-256-0540 (C)	4-27	Apptd. 1/23 Reaptd 4/23



Comm. Jack Shea  
290 Wax Myrtle Trail  
Southern Shores, NC 27949  
261-4158

7-26

Apptd. 10/13  
Reapptd. 4/15,  
7/18, 8/22

**Notes:** Meeting Date: 4<sup>th</sup> Wednesday of each month, 7:00 p.m., at the Dare County Airport

Louise Dollard replaced Clarence Skinner who resigned 8/86; Phelpie Edmondson resigned 8/86.  
John Watkins replaced Dwight Wheless who resigned 4/87.  
Russell Langley replaced Orman Mann who resigned 10/84.  
Tommie Gray replaced Russell Langley who resigned 8/86.  
Ellis Gray, Jr. replaced Lionel Shannon who resigned 3/87.  
Phil Olear replaced Ellis Gray who resigned 2/90; Charles Elms replaced Jim Welch who resigned 2/90.  
William D. Smith replaced Ken Mann who resigned 2/90.  
Lester Scarborough replaced Phil Olear; Louise Dollard replaced Harold Gray.  
Clarence Skinner replaced Sonny Ambrose 1/93; Sammy Smith replaced Lester Scarborough.  
Glenn Futrell replaced Charles Elms 12/93; Paul Breaux replaced Mearl Meekins 3/94.  
Al Jones replaced R.D. Sawyer, Jr., Davis Balance replaced John Watkins 4/94.  
Charles Davidson replaced Louise Dollard, Dwight Burrus replaced Paul Breaux 8/94.  
Jack Overman replaced Dwight Burrus 2/96; Eugene Thomas replaced Davis Balance 10/96.  
Alvin Hibbs replaced Clarence Skinner 2/94; Jay Wheless replaced Glenn Futrell.  
Richard Johnson replaced Sammy Smith 4/99;  
Olin Davis replaced Al Jones, Warren Judge replaced Richard Mapp 7/99.  
Connie Brothers replaced Eugene Thomas 2/01; Linda Willey filled term of Warren Judge 2/01.  
Bill Plyler filled term of Olin Davis 11/01; George Wood filled unexpired term Alvin Hibbs 11/01.  
Jack Shea replaced Jack Overman 7/02; David Jack Kenny filled unexpired term of Bill Plyler 1/06.  
Steven C. Evans filled seat left vacant by Jay Wheless 4/07.  
Jon David Harden replaced Connie Brothers 4/07; Dwight Burrus filled term of David Jack Kenny 1/08.  
Phelpie Edmondson apptd to fill term of David Harden (resigned 1/11) 4/11.  
Ali Breaux replaced Steven Evans 8/11.  
Deke Bolte filled term of Dr. Charles Davidson, David Twiddy filled term of Ali Breaux 6/13.  
Jack Shea appointed as the Commissioner rep. to fill the term of Richard Johnson. Mr. Shea was originally appointed to the Airport Authority in July 2002; 10/13  
10/13 Max Dutton was appointed to fill the unexpired term of Jack Shea.  
12/14 Beverly Boswell was appointed to fill unexpired term of Max Dutton.  
01/15 Wally Overman was appointed to replace Beverly Boswell.  
04/15 William Pope replaced Phelpie Edmondson.  
07/15 Joseph Blakaitis replaced Linda Willey, Charles Davidson filled unexpired term of Dwight Burrus.  
09/15 Wally Overman is now Commissioner Representative & Jack Shea is a regular member.  
11/15 Jack Thomson filled unexpired term of the late Deke Bolte.  
01/16 Fred Newberry filled unexpired term of the late Jack Thomson.  
07/19 – Walton P. Burkheimer, Jr. “Pete” replaced George H. Wood, Chad Jones replaced David Twiddy, V  
05/20 – Chad Jones deceased. 6/20 David Crownover apptd. to fill unexpired term of Chad Jones.  
08/22 – Charles Davidson, Jack Shea and Fred Newberry reappointed for another term.  
1/23 – James Kenny appointed to complete term of William Pope.  
4/23 – James Kenny reappointed for a full term.

**REVISED 4/23**

APPLICATION FOR APPOINTMENT TO  
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Rhonda Creef, Dare County Deputy Clerk to the Board, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-6312, or send it by email to rhonda@darenc.com

Advisory Board or Committee interested in:

1<sup>st</sup> choice Airport Authority

2<sup>nd</sup> choice PLANNING BOARD

3<sup>rd</sup> choice ~~Veterans Advisory Council~~

Name William J. OVERMAN, JR.

Address 110 Puddle Lane

City/State/Zip MANTEO, NC 27954-9595

Email Address four6branch@carthlink.net

Telephone Home: 252-473-2126 wjack.overman@gmail.com

Business: —

Resident of Dare County:  yes  no

Occupation: RETIRED U.S. NAVY

Business Address: —

Educational background:

B.S. WAKE FOREST UNIVERSITY

POST GRAD U OF PIT

Business and civic experience and skills:

Airport Authority early 2000s

Albemarle Commission

FIRST FIT SOCIETY Bd 20 YRS

1<sup>ST</sup> FIT MILITARY OFFICERS ASS. (MOAA) LOCAL CHAPTER 4 YRS PRES

MOAA STATE PRESIDENT & Bd OF DIRECTORS

4<sup>TH</sup> BRANCH Bd (Federal Co-Chair)

BOY SCOUTS

Other Boards/Committees/Commissions on which you presently serve:

NONE

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
<u>CLARENCE SKINNER</u>			
<u>Dr. Charles Davidson</u>			
<u>Jay Wheeler</u>			

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 1/26/17

Signature of applicant:

FOR OFFICE USE ONLY:

Date received: 1/26/17

Application renewed  
via attached letter  
received 7/6/2020

Cheryl Anby, Clerk.

William J "Jack" Overman, Jr  
110 Puddle Lane  
Manteo, NC 27954  
473-2126  
WJack.Overman@gmail.com

Please list me as desiring to be appointed to the  
1<sup>st</sup> Airport Authority  
2<sup>nd</sup> Planning Board





# APPLICATION FOR APPOINTMENT

TO DARE COUNTY ADVISORY BOARDS AND COMMITTEES

**1st Choice** Airport Authority  
**2nd Choice** Zoning Board of Adjustment - Dare County  
**3rd Choice** Planning Board  
**Name** Raymond G Pate  
**Address** POB 350  
**City/State/Zip** Kill Devil Hills, NC 27948  
**Email** rgpatepepls@gmail.com  
**Personal Phone** (252)435-8785  
**Business Phone** (252)435-8785  
**Business Address** POB 228, Point Harbor, NC, 27964, United States  
**Occupation** Professional Engineer & Professional Land Surveyor  
**Dare County Resident**  YES  
 NO

The text boxes for Education, experience and other should only be 6 lines in order to format nicely on final application form. Text box is limited to 450 characters, but you may have to delete the line breaks.

**Educational Background** Attended Louisburg College in Louisburg , NC from August 1972 to August 1974 studying general college with an emphasis on English literature. Attended the University of North Carolina at Wilmington from January 1975 to May 1977 receiving a BA degree in earth sciences with an emphasis on global positioning/geology. Attended North Carolina State University from 1978 to May 1981 receiving a BS degree in Civil Engineering-Construction Option.

**Business and civic experience and skills** Received Private Pilot single engine land certification with flight training in Bessemer Alabama and glider certification in 1992 with flight training in Hampton County NC.

**Other boards, Committees, Commissions on which you presently serve** Member of St. Andrews Episcopal by the Sea, Nags Head, NC.

## REFERENCE #1

**Name** Dr. Charles Davidson  
**Business Address** 3618 Old Nags Head Woods  
**Address** 3618 Old Nags Head Woods, Nags Head, NC, 27959  
**Phone** (252)548-9141

**REFERENCE #2**

**Name** Mr. George Henderson  
**Business** POB 606 Manteo, NC 27954  
**Address** 153 Dogwood Circle, Manteo, NC 27954  
**Phone** (252)473-2791

**REFERENCE #3**

**Name** Mrs. Lib Fearing  
**Business** POB 184, Manteo, NC 27954  
**Address** 337 Aripport Rd., Manteo, NC, 27954  
**Phone** (252)473-3307

**Signature** I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

*Raymond G Pate*

**Date** 12/31/2021



# APPLICATION FOR APPOINTMENT

TO DARE COUNTY ADVISORY BOARDS AND COMMITTEES

**1st Choice**                      Tourism Board  
**2nd Choice**                      ABC Board  
**3rd Choice**                      Airport Authority  
**Name**                              Earl C Shearin, Jr. (Tim)  
**Address**                            136 Cannon Trail  
**City/State/Zip**                    Manteo, NC 27954  
**Email**                              tim.shearin3@gmail.com  
**Personal Phone**                    (252)216-0260  
**Business Phone**                    (252)475-5980  
**Business Address**  
**Occupation**                        Retired  
**Dare County Resident**             YES  
    NO

The text boxes for Education, experience and other should only be 6 lines in order to format nicely on final application form. Text box is limited to 450 characters, but you may have to delete the line breaks.

**Educational Background**                      BSBA East Carolina University  
**Business and civic experience and skills**                      Manager, Belk Dept. Store 36 years  
**Other boards, Committees, Commissions on which you presently serve**                      Dare County Health/Human Services Board Chairman

## REFERENCE #1

**Name**                                  Mr. Browny Douglas  
**Business**                                Retired  
**Address**                                112 Lidia Lane, Manteo, NC 27954  
**Phone**                                 (252)216-8294

## REFERENCE #2

**Name** Mr. Robert Woodard  
**Business** Towne Bank  
**Address** 2305 Bay Dr., Kill Devil Hills NC 27948  
**Phone** (252)702-7219

**REFERENCE #3**

**Name** Mr. Jay Burrus  
**Business** Retired  
**Address** 134 Cannon Trail, Manteo, NC 27954  
**Phone** (252)473-7148

**Signature** I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

*Earl C. Sharin, Jr.*

**Date** 7/11/2022





APPLICATION FOR APPOINTMENT TO  
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

**Advisory Board or Committee interested in:**

1<sup>st</sup> choice: Airport Authority

2<sup>nd</sup> choice:

3<sup>rd</sup> choice:

**Name:** CHARLIE SNOW

**Address:** 171 ROANOKE TRAIL

**City/State/Zip:** MANTEO, NC 27954

**Email Address:** charliesnow999@gmail.com

**Telephone:** Home: (252)473-7557 Business: (252)473-2148

**Resident of Dare County:** YES

**Occupation:** PROFESSIONAL PILOT, STRUCTURAL/CIVIL ENGINEER, MASTER  
CLOCKSMITH, BUSINESS OWNER

**Business Address:** POB 565 MANTEO, NC 27954

**Educational background:**

BS Civil Engineering Virginia Tech

**Business and civic experience and skills:**

32 years as Federal Engineer & Project Manager, FAA (20) & NPS (12)

2 years Director of Project Management, private engineering firm, building schools

63 years flying experience as pilot

37 years flying as professional pilot

30+ years as business owner, 27 owning OBX Airlines, OBX Air Charters & OBX Aviation

This year receiving the FAA Wright Brothers Master Pilot Award, 50+ years of pilot experience with  
no violations, citations, accidents

**Other Boards/Committees/Commissions on which you presently serve:**

N/A

**REFERENCES**

List three persons who are not related to you and who have definite knowledge of your  
qualifications for the position for which you are applying.

Name	DR. CHARLIE DAVIDSON
Business/Occupation	PHYSICIAN, AME, CHAIRMAN DARE CO. AIRPORT AUTHORITY
Address	410 AIRPORT RD, MANTEO, NC 27954
Telephone	(252)548-9141

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APPLICATION FOR APPOINTMENT TO  
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

Name STACY AMBROSE  
Business/Occupation AIRPORT DIRECTOR  
Address 410 AIRPORT ROAD MANTEO, NC 27955  
Telephone (252)216-7028

---

Name DAVID DANIELS  
Business/Occupation FORMER AIRPORT DIRECTOR, DARE CO. REGIONAL AIRPORT  
Address 410 AIRPORT RD. MANTEO, NC 27954  
Telephone (252)216-8407

---

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Signature of applicant:

*Charles A. Snow*

Date: 5/3/2023



*Dare County Waterways Commission*

**Description**

See Attached Summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager

June, 2023

**DARE COUNTY WATERWAYS COMMISSION**

(Two Year Term)

**This commission promotes the Oregon Inlet Jetty Project, the Hatteras Inlet Project and oversees County dredging projects and waterways related issues.**

**The Commission recommends John K. Berquist be appointed to fill a vacancy.**

Other Members:  
See attached list

**DARE COUNTY WATERWAYS COMMISSION**

(Two Year Term)

**This Commission promotes the Oregon Inlet Jetty Project, the Hatteras Inlet Project and oversees County dredging projects and waterways related issues.**

<b><u>MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>	<b><u>ACTION</u></b>
Danny Couch P.O. Box 1001 Buxton, NC 27920 995-5671 (H) 216-7383 (Cell)	6-24	Apptd. 1/17 Reapptd. 6/18; 6/20; 5/22
Ernie Foster P.O. Box 120 Hatteras, NC 27943 986-2515 (H)	6-24	Apptd. 2/08 Reapptd. 6/08,10,12,14 6/16,18, 20, 5/22
Michael Flynn PO Box 276 Wanchese, NC 27981 609-462-4739 (H) 252-473-1607 (W) michaelf@nccoast.org	6-25	Apptd. 3/19 Reapptd. 6/19, 21
Natalie Perry Kavanagh P.O. Box 598 Frisco, NC 27936 252-996-0551 (H) 252-995-5366 (W) nataliesusanperry@hotmail.com	6-24	Apptd. 6/18 Reapptd. 6/20, 5/22, 5/23
Kenneth "KP" Scott III P.O. Box 361 Hatteras, NC 27943 252-986-2877 (H) 252-986-2365 natandkp@icloud.com	6-25	Apptd. 7/21 Reapptd. 5/23
<b>Vacant</b>		
Steve Coulter, Chairman P.O. Box 189 Hatteras, NC 27943 995-4832 (H)	6-24	Apptd. 3/16 Reapptd. 8; 20, 22

NOTES:

**MEETING INFO:** Monthly, odd months in Manteo, even months in Buxton.

**CONTACT INFO:** Steve Coulter, Chairman  
Barton Grover, DCWC Clerk

**MEMBERS COMPENSATED:** Members - \$50 per meeting  
Chairman - \$75 per meeting

Robert Williams replaced Jim Bunch 6/91; Wayne Gray replaced John Blair 7/92.  
Barry Martin replaced Harry Schiffman 6/93; Ephraim O'Neal replaced Chris Costenbader 6/94.  
Floyd L. Basnight appointed to fill term of H.O. Golden 8/96.  
Billy Carl Tillett replaced Wayne Gray 8/96.  
Richard Johnson appointed to fill term of the late Robert Williams 1/97.  
Moon Tillett appointed chairman 1/97; Ron Tillett appointed to fill term of Richard Perkins 4/97.  
DCBC appointed Moon Tillett as Chairman, Glen Miller as Vice Chairman 6/97.  
Michael Davenport replaced Barry Martin 6/98; Ervin Farrow III replaced Glenn Miller 6/01.  
Lee Tugwell filled term of Moon Tillett 10/04.  
Warren Judge apptd. to fill term of Richard Johnson 6/05.  
Allen Burrus apptd. to fill unexpired term of Warren Judge 1/07.  
Robin Mann replaced Lee Tugwell and David May replaced Jerald Craddock 6/07.  
Ernie Foster filled unexpired term of Ephraim O'Neal 2/08.  
Jed Dixon replaced Robin Mann 12/11 (for term 6/11-6/13).  
Jim Tobin filled unexpired term of Richard Johnson 6/13.  
Danny Couch filled unexpired term of Jed Dixon 4/16; Holly White replaced Jim Tobin 6/16.  
Ronald Lowe appointed to replace Holly White who moved out of area 8/16.  
Dan Oden appointed to fill unexpired term of Arvin Midgett 8/16.

**OIWC membership was reduced to 9 members 6/3/02 (consent agenda)**  
**DCBC relinquished responsibility of appointing chairman and vice chairman to the OIWC effective 9/17/02.**  
**OIWC membership reduced to 7 members 6/03.**  
**DCBC added another member (Steve Coulter) for a two-year term ending 6/18. (3/16)**  
**\*\*\*Name changed to Dare County Waterways Commission 8/15/16\*\*\***

At the DCBC meeting on 1/3/17, Commissioner Danny Couch was moved from the At Large seat to the Commissioner's seat. The At Large seat is vacant until an appointment by the DCBC.  
Chuck Earley was appointed to fill at large seat 6/17; Chuck Earley resigned 1/18  
Natalie Perry Kavanagh replaced Ronald Lowe 6/18

**Chairman Woodard noted that with the previous resignation of Charles Earley, the Waterways Commission is back to its proper composition of seven members 6/18**

Michael Flynn filled unexpired term of David May who resigned 3/19  
Kermit W. Skinner, Jr. appointed to fill unexpired term of Fletcher Willey who resigned 7/19  
Kenneth "KP" Scott, III appointed to replace Dan Oden 7/21  
Danny Couch, Ernie Foster, Natalie Perry Kavanagh, & Steve Coulter were reappointed. 5/22  
Michael Flynn and KP Scott were reappointed. Kermit W. Skinner, Jr. resigned 5/23

**6/23**



# APPLICATION FOR APPOINTMENT

TO DARE COUNTY ADVISORY BOARDS AND COMMITTEES

1st Choice Waterways Commission

2nd Choice Oregon Inlet Task Force

3rd Choice

Name John K. Berquist

Address 105 Mariners View

City/State/Zip Kitty Hawk NC 27949

Email john@drumbeatfishing.com

Personal Phone (252)455-2707

Business Phone

Business Address

Occupation Charter Fishing

Dare County Resident  YES  
 NO

The text boxes for Education, experience and other should only be 6 lines in order to format nicely on final application form. Text box is limited to 450 characters, but you may have to delete the line breaks.

**Educational Background** In 2000, I graduated from Hickory High School and sought further education at Tidewater Community College and Old Dominion University. Despite not acquiring a college diploma, I continued the EMT work that I was certified and employed with beginning my senior year in high school. Ongoing education has remained a high priority of mine. I completed my Private Pilot's License in 2016 and OUPV in 2017 while pursuing varying business ventures.

**Business and civic experience and skills** Post EMT, I worked as a Commercial Insurance Producer- greatly increasing knowledge & understanding of a vast field of regulation & risk. Relocated from Norfolk to Kitty Hawk in 2011 & worked as owner/operator of Pizza Stop in Southern Shores. After selling, I put my OUPV license to work & began Drumbeat Fishing, running charters out of Oregon Inlet. I also developed Kitty Hawk Chairs, designing & building durable, eco-friendly outdoor furniture.

**Other boards, Committees, Commissions on which you presently serve** Though not currently serving on any boards, community involvement is extremely important to me. The maintenance & health of our local waterways is tantamount to the recreation & fishing industry as a whole & an issue I'm strongly passionate about. I have a keen interest in local policy & would love the opportunity contribute to the Dare County Waterways Commission.

## REFERENCE #1

Name David Hines

Business Coastal NC Holdings

**Address** 306 First Flight Run, Kitty Hawk NC 27949

**Phone** (252)573-9547

**REFERENCE #2**

**Name** Will Thorp

**Business** High Cotton BBQ

**Address**

**Phone** (252)202-5378

**REFERENCE #3**

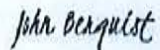
**Name** Justin Stewart

**Business** TWS Tackle Kitty Hawk

**Address**

**Phone** (252)619-1198

**Signature** I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

A handwritten signature in black ink that reads "John Bergquist". The signature is written in a cursive style and is centered within a light blue rectangular background.

**Date** 3/28/2022





*Roanoke Island Community Center*

**Description**

See Attached Summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager

June, 2023

**ROANOKE ISLAND COMMUNITY CENTER BOARD**

(Two Year Term)

The following members have terms that expire this month:

**Jonique Lee, Betty Selby and Clarence Lewis**

**All would like to be reappointed**

Other Members:  
See attached list

**ROANOKE ISLAND COMMUNITY CENTER**  
(Two Year Term)

**This Board operates and maintains the community center facility and amenities for the use and benefit of all members of the community.**

<b><u>MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>	<b><u>ACTION</u></b>
Jonique Lee 1014 Burnside Rd. Manteo, NC 27954 216-6464 (C)	6-23	Apptd. 6/15 Reapptd. 17,19, 21
Betty Selby P.O. Box 1485 Manteo, NC 27954 473-3570(H)	6-23	Apptd. 1/06 Reapptd. 6/07,09,11,13 15,17,19, 21
Lynette Ford 104 Elsie Daniels Lane Manteo, NC 27954 305-5748 (H) lynettford5748@gmail.com	6-24	Apptd. 6/18 Reapptd. 6/20; 5/22
Daniel Selby, Ch. P.O. Box 1544 Manteo, NC 27954 216-8226	6-24	Apptd. 9/06 Reapptd.6/08,10,12 14,16,18,20; 5/22
Clarence Lewis 514 Sir Walter Raleigh Street Manteo, NC 27954 473-3151	6-23	Apptd. 6/18 Reapptd. 6/19, 21

**NOTES:**

Meeting Date: 1<sup>st</sup> Weds. of each month, 6:00 pm at the RI Comm. Ctr.  
 Betty Govan replaced Lemuel Anderson 8/91; Beulah Charity replaced Jerome Selby 6-93.  
 Wilford Wescott replaced Snooks Tillett 6/97; Arvilla Bowser replaced Wilford Wescott 6/99.  
 Earl W. Bryant replaced Betty Selby 9/01; Roland Bowser filled term of Earline Simmons 1/06.  
 Betty Selby filled unexpired term of Dell Collins 1/06.  
 Willie Brickhouse filled unexpired term of Arvilla Bowser 4/06.  
 Daniel Selby filled unexpired term of Earl Bryant 9/06.  
 Jonique Lee, Allen Moran & David Twiddy replaced Roland Bowser, Dorothy Tillett & Willie Brickhouse 6/15  
 Kelli Harmon filled unexpired term of John Daniels 7/15.  
 Willer Spencer replaced David Twiddy 6/17; Lynette Ford replaced Doris Creecy 6/18  
 Clarence Lewis filled unexpired term of Willer Spencer 6/18, reappointed 6/19  
 Jonique Lee, Betty Selby and Clarence Lewis reappointed 10/21  
 Lynette Ford & Daniel Selby were reappointed. 5/22

**REVISED 05/22**



*Game and Wildlife Commission*

**Description**

See Attached Summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager

June, 2023

**GAME AND WILDLIFE COMMISSION**  
**(Three Year Term)**

The Game and Wildlife Commission issues and renews duck blind licenses in all Dare County waters. Renewals and new licenses are received on a yearly basis from August through December of each year.

The following have terms to expire July 2023:

**Kyle Perry**  
**Missy McPherson**  
**Robert Owens**  
**George Henderson**

**They would all like to be reappointed for another three-year term**

There are no applications on file.

Other Members: See attached list

**DARE COUNTY GAME AND WILDLIFE COMMISSION**  
(Staggered/Three Year Terms)

**Issues and renews blind licenses in all Dare County waters. Renewals and new licenses are received on a yearly basis from August through December of each year.**

<b><u>MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>	<b><u>ACTION</u></b>
Kyle Perry 50304 Snug Harbor Drive Frisco, NC 27936 996-0186 (H) 995-5366 (W) kyle@friscorodandgun.com	7-23	Apptd. 7/17 Reapptd. 6/20
Missy McPherson 119 Margaret Court Manteo, NC 27954 473-6831 (H) 216-6831 (C) 473-1292 (W) missyseca@hotmail.com	7-23	Apptd. 7/17 Reapptd. 6/20
Timmy Midgett P.O. Box 250 Manns Harbor, NC 27953	7-25	Apptd. 8/16 Reapptd. 7/19, 6/22
Mike Johnson P.O. Box 9 Wanchese, NC 27981 441-6958 (H) 473-8262 (W)	7-25	Apptd. 11/05 Reapptd. 7/07,10,13,16, 07/19, 6/22
Edward "Bow" Meekins P.O. Box 532 Wanchese, NC 27981 423-1403 (H) 473-1803 (W)	7/25	Apptd. 7/13 Reapptd. 7/16,19, 6/22
Robert Owens 711 Carolina Court Manteo, NC 27954 202-3425 (W) homedevlopment@yahoo.com	7-23	Apptd. 7/17 Reapptd. 6/20
George Henderson PO Box 606 Manteo, NC 27954 256-0596 (C) <a href="mailto:lforester924@gmail.com">lforester924@gmail.com</a>	7-23	Apptd. 8/77 Reapptd. 8/90, 7/92, 7/94, 8/97, 8/00, 7/02,05,08 11,14,17,20
Dr. Andrew F. Horne 6405 N. Croatan Hwy. Kitty Hawk, NC 27949 261-2250 (W) 261-2725 (H)	7-24	Apptd. 10/97 Reapptd. 8/00, 7/03,06,09,12,15 7/18, 6/21
Phil Haywood 2473 Colington Rd. Kill Devil Hills, NC 27948 441-5705	7-24	Apptd. 8/90 Reapptd. 7/92, 7/94, 8/97, 8/00, 7/03,06,09,12,15,18 21

Harvey Scarborough, Jr. 7-24 Apptd. 7/11  
P.O. Box 571 Reapptd.; 7/12,15,18, 21  
Avon, NC 27915  
252-996-0050 (C)

Buddy Shelton 7-24 Apptd. 7/18  
291 Bayview Drive Reapptd. 6/21  
Stumpy Point, NC 27978  
473-5572  
buddy.shelton59@gmail.com

**NOTES:**

**MEETING INFO:** Once a month, August – December, 7 p.m., Rm. 168, Dare County Adm. Building

**CONTACT INFO:** Dr. Andrew F. Horne, Chairman  
Melva Garrison, Game and Wildlife Clerk

**MEMBERS COMPENSATED:** \$25 per meeting  
\$50 per meeting – Chairman

Bill Walker replaced Randy O'Neal 8/86; Phil Haywood replaced Robert D. Parker 1986.  
Sonny Briggs replaced Ken Mann 8/90; David Pruitt replaced Gary Dowdy 8/93.  
Leland Midgett replaced Allen Burrus & Barry Martin replaced John Booth, Jr. 7/94.  
Bryan Perry replaced Leland Midgett 8/94.  
Gen. Statute required term to be for 3 years. Changed terms at direction of County Attorney. (6/24/96)  
William H. Wilson replaced Barry Martin and Allan Newcomb replaced Ray Scarborough 8/97.  
Dr. Andrew F. Horne replaced Allan Newcomb 10/97.

Timmy Midgett appointed to fill unexpired term of Harry Mann 12/98.

**To create staggered terms enacted by the Gen. Assembly, Atty Al Cole recommended: Reappt. Timmy Midgett, David Pruitt, Bill Walker for 1 yr.; Reappt. Bryan Perry, Earl Ray Mann, Sonny Briggs, George Henderson for 2 yrs; Reappt. Andrew Horne, Phil Haywood, William Wilson, Manson Meekins for 3 yrs. This action was done at the 8/7/00 DCBOC meeting.**

Mike Johnson apptd. to fill unexpired term of David Pruitt 11/05; Buddy Shelton replaced Earl Mann 7/08.

Harvey Scarborough, Jr. appointed to fill unexpired term of William Wilson, 7/11.

Phil Sawyer appointed to fill unexpired term of Manson Meekins 9/11.

Edward "Bow" Meekins replaced Bill Walker 7/13; Eddie Twyne replaced Timmy Midgett 7/16.

Timmy Midgett apptd. to fill unexpired term of Eddie Twyne 8/16.

Mr. Twyne unable to serve due to work schedule conflict.

Kyle Perry replaced Bryan Perry and Missy McPherson replaced Buddy Shelton 7/17

Robert Owens replaced Sonny Briggs 7/17

Buddy Shelton replaced Phil Sawyer who resigned & did not want to be reappointed 7/18

Timmy Midgett, Mike Johnson and Edward Meekins reappointed 7/19

Kyle Perry, Missy McPherson, Robert Owens and George Henderson reappointed 6/20

Andrew Horne, Phil Haywood, Harvey Scarborough, Jr. and Buddy Shelton reappointed 6/21

Timmy Midgett, Mike Johnson and Bow Meekins reappointed 6/22

**REVISED 6/22**



*Hatteras Community Center*

**Description**

See Attached Summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager



June 2023

**HATTERAS COMMUNITY CENTER BOARD**

(Two Year Term)

**The following terms expire June 2023:**

**George Banks**

**Dennis Robinson**

**Jeff Oden**

**ALL WISH TO BE REAPPOINTED FOR ANOTHER TERM**

There are no applications on file.

Other Members:

See attached list

**HATTERAS COMMUNITY CENTER**  
(Two Year Term)

**This board operates and maintains the Hatteras Community Center.**

<b><u>MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>	<b><u>ACTION</u></b>
George Banks P.O. Box 367 Hatteras, NC 27943 986-2709 (H) 475-0297 (Cell)	6-23	Apptd. 6/97 Reapptd. 6/17, 6/19 5/21
Dennis Robinson P.O. Box 62 Hatteras, NC 27943 475-4388 (H) 986-6335 (O)	6-23	Reapptd. 6/17, 6/19 5/21
Laura C. Young P.O. Box 573 Hatteras, NC 27943 986-2568 (H) 986-2398 (W) Youngs_research@yahoo.com	6-24	Apptd. 6/18 Reapptd. 6/20, 5/22
Jeff Oden P.O. Box 374 Hatteras, NC 27943 slshcrkwtrwks@aol.com	6-23	Apptd. 3/21 Reapptd. 5/21
Rom Whitaker P.O. Box 151 Hatteras, NC 27943 986-1032	6-24	Apptd. 3/03 Reapptd. 7/04,06,08,10, 12,14,16,18, 5/22

**NOTES:**

Meeting Date: 3<sup>rd</sup> Wednesday, each month - Board 7:30 p.m.  
General meeting quarterly – July 8:30 p.m.

Richard A. Midgett replaced Gary Austin 6/93.  
Raymond Willis replaced Belinda Willis 7/95.  
Ricki Shepherd appointed to fill unexpired term of Cora Simmons 10/96.  
Shanklin Peele Jr. appointed to fill unexpired term of Bert Austin 1/97.  
Ernie Foster, Jr. replaced Raymond Willis 6/97.  
Rom Whitaker appointed to fill unexpired term of Shanklin Peele Jr. 3/03.  
Richard Midgett apptd. for one year 6/03 in order to stagger terms.  
George Banks and Dennis Robinson replaced Ernie Foster, Jr. and Geraldine Farrow 6/15.  
Laura Young replaced Richard Midgett 6/18, Jeff Oden replaced Ricki Shepherd to serve unexpired term 3/21, George Banks, Dennis Robinson & Jeff Ogden reappointed for another term on 5/21.  
Rom Whitaker & Laura C. Young were reappointed. 05/22

**REVISED 5/22**



*Dare County Transportation Advisory Board*

**Description**

See Attached Summary

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager

June, 2023

**DARE COUNTY TRANSPORTATION ADVISORY BOARD**

(Four Year Term)

Brandi Bohanan retired in March, 2023

Lorenzo Foster has been removed due to attendance issues.

The Advisory Board recommends the appointment of Jenna Wienert, new director of Thomas A. Baum Senior Center, as Older Adult Services member.

Applications on file:

Maggie May, Jo A. Wilson-Harfst and Jenna Wienert

Other Members: See attached list

**DARE COUNTY TRANSPORTATION ADVISORY BOARD**

(Staggered Terms/Four Year Term)

**The Dare County Transportation System is required by the State's Community Transportation Program to have a local Transportation Advisory Board. This Board is expected to maintain a minimum level of coordinated transportation service and to maintain ongoing communications as a means of seeking public involvement and ongoing administrative oversight.**

<b><u>MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>	<b><u>ACTION</u></b>
<b>Vacant</b>		
<b>Brandi Bohanan</b> Older Adult Services (Government Sector)	6-26	retired
Chuck Lycett P.O. Box 1000 Manteo, NC 27954 475-5526 Health & Human Services (Government Sector)	6-26	Apptd. 6/98 Reapptd. 7/02,06,10,14, 18, 5/22
George Carver, Jr. 110 Scarborough Street Manteo, NC 27954 305-86-71 home Dareminoritycoalition1@gmail.com (Public Business Sector)	12-23	Apptd. 12/19
<b>Vacant</b> <b>(Government Sector)</b>		
Mayte Hernandez-Beacham 233 Broadbay Drive Kill Devil Hills, NC 27948 252-441-1694 Ethnic Minority Rep (Human Services Sector)	10-23	Apptd. 10/19
Nessie Siler 146 Airport Rd. Manteo, NC 27954 473-3376 User with a Disability (Public/Business Sector)	6-26	Apptd. 6/14 Reapptd. 6/18, 5/22
John B. Rafferty 205 W. Kitty Hawk Road Kitty Hawk, NC 27949 678-908-6241 (Public/Business Sector)	9/26	Apptd. 9/22

<b>Jim Tobin</b>	<b>6/23</b>	<b>Apptd. 1/19</b>
6951 Pecan Lane PO Box 243 Manns Harbor, NC 27953 <a href="mailto:Jim.tobin@darenc.com">Jim.tobin@darenc.com</a> 216.7732 Dare County Commissioner (Government Sector)		
Alex Chandler	6/26	Apptd. 6/18, 5/22
1229 Burnside Road Manteo, NC 27954 216-6058 (H) 473-3717 (W) <a href="mailto:chandleral@daretolearn.org">chandleral@daretolearn.org</a> Education Institution (Government Sector)		
Tiffanie Herring	3/26	Apptd. 11/22
201 W 1 <sup>st</sup> Street Greenville, NC 27834 <a href="mailto:tiffanie.herring@trilliumnc.org">tiffanie.herring@trilliumnc.org</a> Hospital Rep (Human Services Sector)		
Amanda Hooper	2/25	Apptd. 2/21
1202 9 <sup>th</sup> Ave. Kill Devil Hills, NC 27948 <a href="mailto:manda.hooper@icloud.com">manda.hooper@icloud.com</a> (Public/Business Sector)		
<b>Lorenzo Foster</b>	<b>2/25</b>	<b>Appt. 2/21</b>
705 Swan Street Kill Devil Hills, NC 27948 <a href="mailto:lnzo2000@gmail.com">lnzo2000@gmail.com</a> (Non-Profit)		

**NOTES:**

**CONTACT INFO:** Radcliff Hester, Transportation Director - 475-5641

**MEETING DATE:** Quarterly, Dare Co. Admin. Center, 8:30 a.m.

Stuart Bell appointed to fill unexpired term of Dick Wood 2/99.  
Warren Judge replaced Stuart Bell 7/99. Doug Tutwiler replaced John Xenakis 7/99.  
Randy Hemmis filled unexpired term of Al Valentino and Bryan Shaw filled unexpired term of Ward Barnett 1/00; Richard Wescoat appointed to fill unexpired term of Al Forman 2/00.  
Donnie Just apptd. to fill unexpired term of Doug Tutwiler & Ray Seiwel filled unexpired term of Randy Hemmis 2/00; Trish Blacmon appointed to fill unexpired term of Wilson Shearin 6/00.  
Christan Zdanski replaced Uli Bennewitz 6/00.  
Oral Ali replaced Lani Goodwin 6/00; Dawn Enochs replaced Warren Judge 6/00.  
David Hoare appointed to fill unexpired term of Richard Wescoat 10/00.  
Curtis Creech appointed to fill unexpired term of Chris Zdanski 12/00.  
Comm. Geneva H. Perry filled unexpired term of outgoing Comm. Cheryl Byrd 1/01.  
Kim Bailey replaced Ann Laughlin 7/01; David Quidley replaced Bryan Shaw 7/01.  
Jeff Tack filled unexpired term of Dawn Enoch 7/01; Eric Spears filled unexpired term of Donnie Just 7/01.

Kermit Skinner filled unexpired term of the late Curtis Creech 6/02.  
DCBC eliminated seat for Cancer Support Group 7/1/02.  
Jody Crosswhite filled unexpired term of Trish Blackmon 12/02.  
Comm. Cheryl Byrd appointed to fill unexpired term of outgoing Comm. Geneva Perry 2/03.  
Margie Midgett appointed to fill unexpired term of Dell Collins 3/03.  
Doug Seay replaced Jeff Tack and Sandy Morrison apptd. to fill term of David Hoare 6/03.  
Pete Groom replaced Alex Risser 6/04; Pat Morrissey replaced Kermit Skinner, 6/04.  
Kenny Kee replaced Jimmy Perry 6/04; Megan Gregory replaced David Quidley 1/05.  
Robert Woodard apptd. to fill unexpired term of Doug Seay 2/05.  
Amy Etheridge apptd. to fill unexpired term of Kim Bailey 2/05.  
Ben Sproul apptd. to fill vacant OB Rest. Assoc. seat 4/05.  
Andy Szakos filled term of Sandy Morrison & Michelle Pharr filled term of Bob Woodard 3/06  
Tim Shearin filled unexpired term of Pat Morrissey 4/06.  
David Kleinschuster apptd. to fill unexpired term of Amy Etheridge 6/06.  
Comm. Jack Shea apptd. to fill unexpired term of Cheryl Byrd 1/07.  
Amy Montgomery filled unexpired term of Gina Scarborough 9/11.  
Kristen Parrino filled vacant Hatteras Island seat 4/15.  
Apptd. Ginny Zdanski to fill vacant Public Human Service Agency seat 11/16.  
Apptd. Mandy Earnest to fill Human Services Sector seat 10/17.  
Alex Chandler appointed to replace John Winston, Jr. 6/18  
Chuck Lycett replaced Jay Burrus who retired 9/18; Jim Tobin replaced Jack Shea 1/19  
Mandy Earnst removed from list, never attended meetings per Don Cabana 1/19  
Mayte Hernandez-Beacham apptd. 10/19; Maria Heifferon resigned 10/19  
George Carver, Jr. apptd. 12/19  
Lorenzo Foster and Amanda Hooper apptd. 2/21  
Stephanie Webb apptd. to serve in Human Services Sector seat. 3/22  
Brandi Bohanan, Chuck Lycett, Nessie Siler, and Alex Chandler were reappointed. Kenny Kee  
did not want to be reappointed. 5/22  
John B. Rafferty appointed for Public/Business Section 9/22  
Tiffanie Herring appointed to complete term of Stephanie Webb 11/22  
Brandi Bohanan retired 03/2023  
Lorenzo Foster removed from Board for attendance 5/4/23

**REVISED 05/23**

APPLICATION FOR APPOINTMENT TO  
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to cheryl.anby@darenc.com

Advisory Board or Committee interested in:

1<sup>st</sup> choice Albemarle Region Resource & Development

2<sup>nd</sup> choice Library

3<sup>rd</sup> choice Transportation

Name Maggie May

Address 109 E Sir Walter Raleigh Dr, KDH

City/State/Zip \_\_\_\_\_

Email Address cmmay2@ncsu.edu

Telephone Home: ~~(828) 773-6704~~ (252) 489-9945

Business: \_\_\_\_\_

Resident of Dare County:  yes  no

Occupation: Professor

Business Address: \_\_\_\_\_

Educational background:

NC state university, EdD

Appstate, Masters

Business and civic experience and skills:

Attached



Other Boards/Committees/Commissions on which you presently serve:

Attached

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

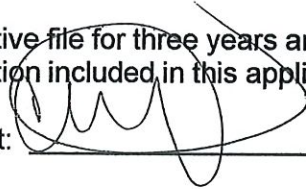
Name	Business/Occupation	Address	Telephone
<u>Attached</u>			

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date:

8/11/2020

Signature of applicant:



FOR OFFICE USE ONLY:

Date received:

8/2020

APPLICATION FOR APPOINTMENT TO  
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to [cheryl.anby@darenc.com](mailto:cheryl.anby@darenc.com)

Advisory Board or Committee interested in:

1<sup>st</sup> choice Library Board

2<sup>nd</sup> choice Transportation Advisory Board

3<sup>rd</sup> choice Zoning Board of Adjustment

Name Jo A. Wilson-Harfst

Address 1723 Virginia Ave.

City/State/Zip Kill Devil Hills, NC 27948

Email Address joannharfst@gmail.com

Telephone Home: 804-384-1584

Business: NA

Resident of Dare County:  yes  no

Occupation: retired

Business Address: \_\_\_\_\_

Educational background:

MPA - Pub. Admin., BA - Sociology

SPHR - Human Res. certification

Business and civic experience and skills:

Served as local director of Social Services in Mathews Co. VA 17 years. Was Eastern Reg. Dir. of Social Services in VA 4 years. Was program Dir. for VA chapter March of Dimes 4 years. Have served on numerous family services boards over the years and on board of a local charitable foundation for 6-8 yrs.

Other Boards/Committees/Commissions on which you presently serve:

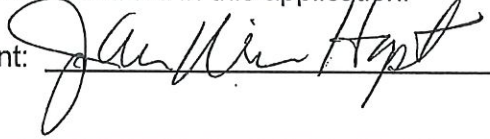
\_\_\_\_\_  
\_\_\_\_\_

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Kimberly Irvine	Administrator	906 Marlbank Dr. Yorktown VA	757-272-6028
Janine Sewell	retired Admin.	P.O. Box 41 Avon, NC 27915	540-376-2358
Gail Davidson	Child Protective Ser. Consultant	417 Fishermans Rd. Norfolk, VA	757-288-8338

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 10/10/2020 Signature of applicant: 

FOR OFFICE USE ONLY:

Date received: 10/13/2020



# APPLICATION FOR APPOINTMENT

TO DARE COUNTY ADVISORY BOARDS AND COMMITTEES

---

**1st Choice** Older Adult Services Advisory Council

**2nd Choice** Transportation Advisory Board

**3rd Choice**

**Name** Jenna Wienert

**Address** 605 West Third Street

**City/State/Zip** Kill Devil Hills, NC

**Email** jenna.wienert@darenc.gov

**Personal Phone** (757)295-1927

**Business Phone** (252)475-5636

**Business Address** 300 Mustian Street Kill Devil Hills, NC 27948

**Occupation** Director- Thomas A. Baum Center

**Dare County Resident**  YES  NO

The text boxes for Education, experience and other should only be 6 lines in order to format nicely on final application form. Text box is limited to 450 characters, but you may have to delete the line breaks.

**Educational Background** I received at Bachelors of Science in Exercise Science from Old Dominion University and a Masters in Business Administration with an emphasis in Sports Business from Saint Leo University.

**Business and civic experience and skills** I was the Fitness and Aquatics Director for the U.S. Naval Base Guam in Santa Rita, Guam as well as the the Norfolk Yacht Club located in Virginia. I was hired as the Director of the Thomas A. Baum Center on 5/1/2023.

**Other boards, Committees, Commissions on which you presently serve** I do not serve on any other boards or committees at this time.

## REFERENCE #1

**Name** Tim White

**Business** Dare County Public Services

**Address** Westcott Park Manteo, NC

**Phone** (252)475-5910

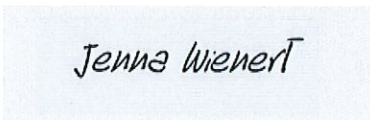
## REFERENCE #2

**Name** Debbie Monday  
**Business** Thomas A. Baum Center  
**Address** 300 Mustian Street Kill Devil Hills, NC 27948  
**Phone** (252)475-5635

**REFERENCE #3**

**Name** Charlotte Midgett  
**Business** Dare County Parks and Recreation Department  
**Address** 602 Mustian Street Kill Devil Hills, NC  
**Phone** (252)475-5921

**Signature** I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.



*Jenna Wiener*

**Date** 5/5/2023



*Upcoming Board Appointments*

**Description**

The Dare County Board of Commissioners welcomes citizen participation on its many Boards and Committees.

Following is a list of the Boards and Committees that have terms expiring during the next 3 months. The list indicates when the item will be presented to the County Commissioners and any requirements that may pertain to the appointment.

Instructions on how to obtain and submit an application are attached along with additional information about each of the Boards and Committees with upcoming term appointments.

**Board Action Requested**

None

**Item Presenter**

Robert Outten, County Manager

## **Upcoming Board & Committee Appointments**

The Dare County Board of Commissioners welcomes citizen participation on advisory boards and committees. This type of grassroots public involvement is the foundation of democracy and a vital part of maintaining Dare County as a quality place to live.

Following is a list of Boards and Committees with terms expiring during the next three months.

***Information on how to obtain and submit applications follows the list.***

***There are also several boards with vacancies. Please check the website.***

### **July, 2023**

Airport Authority – 4 terms expiring  
East Lake Community Center Board – 1 term expiring  
Wanchese Community Center Board – 5 terms expiring

### **August, 2023**

A.B.C. Board – 2 terms expiring  
Jury Commission – 1 term expiring  
Virginia S. Tillett Community Center Advisory Board – 5 terms expiring

### **September, 2023** Health and Human Services Board – 6 terms expiring

#### ***~~~~~Instructions for Obtaining and Submitting Applications~~~~~***

An application must be submitted to the Clerk in order for your name to be considered for a board or committee appointment. Applications are kept on file for three years.

The application form is available on the Dare County website

(Please see Board of Commissioners under Advisory Boards and Committees for link)

***Cheryl C. Anby, Clerk to the Board at 252-475-5700***



*Commissioners' Business & Manager's/Attorney's Business*

**Description**

Remarks and items to be presented by Commissioners and the County Manager.

**Board Action Requested**

Consider items presented

**Item Presenter**

Robert Outten, County Manager