



# 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 17, 2023

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

Commissioners absent: Danny Couch, Jim Tobin

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 special meeting. He shared an invocation and then he led the Pledge of Allegiance to the flag.

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

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

- The Lost Colony would begin their 86<sup>th</sup> season on June 2, 2023.
- National Parks Service had begun the path for the Buxton Multi Use Path. It would be constructed in two segments with the first possibly completed by next summer.

#### ITEM 2 – PUBLIC HEARING ON ZONING TEXT AMENDMENT FOR THE REMOVAL OF 22 ZONING DISTRICTS FROM SECTION 22-31.1 CLUSTER HOME DEVELOPMENT ORDINANCE

Noah Gillam explained that in March the Board had asked the Planning Board and staff to look at potential revisions to the Cluster Home Ordinance. In April when the Planning Board met, a motion was made to remove cluster home developments from a number of districts. When their discussion concluded, twenty-two residential districts were identified for removal of cluster homes. A table of districts identified with maps were provided to the Board.

At 5:06 p.m. the Mr. Outten outlined the procedure for making comments during today’s public hearing. There were no comments from Buxton.

Following is a summary of all citizen remarks in Manteo:

1. Audra Shackelford voiced her concerns of watershed quality, amount of fill being used, lack of space in the schools, and rooms in the hospital. She estimated the cost of the Old Wharf homes would be \$2,500/month and not be affordable.
2. Lorraine Tillett wanted the cluster home ordinance removed and rescinded from Wanchese Village. Zoning was created in 2006 to maintain the village because in 2004 the Commissioners were concerned with overdevelopment.
3. Angel Khoury stated there was a piece of property that could be developed under this ordinance near the Mother Vine. She wanted the Board to move forward with the Planning Board's recommendation to remove cluster homes from the ordinance.
4. Mitchell Bateman thanked Commissioner Bateman for attending the community meeting last night. He thanked the Planning Board for the community's request to change the zoning and remove the cluster home from Wanchese Village.
5. Britton Shackelford appreciated the work by the Board as to dredging and other good accomplishments by the Board. He asked the Board to remember that they were working for area families and children.
6. Pixie Wescott remembered her mother taking her to the United Nations as a child. UN members worked together to solve problems and respect one another and the same should be done with regard to the cluster home situation.
7. Robin Mann supported the 2007 zoning committee's zoning as written. She wanted to preserve the village and recalled the 2005 battle with a housing project to replace the Wanchese marina, but it did not get approved. She wanted the ordinance rescinded.
8. Joseph Willis stated Mr. Alexander owned the Board. Real estate developers were only interested in money. He asked the Board to make it a prerequisite for businesses to support their staff with housing. He wanted cluster homes rescinded.
9. Lynne Davis had been a resident since 1978 and stated the fire department could not handle the number of calls they were currently receiving as a volunteer facility. He wanted the cluster home ordinance rescinded.
10. Michelle Lewis, a Manteo resident, felt community services and schools were strained with the current population and growth. She encouraged environmental impact reports should be conducted before more development was done.
11. Andy Petsch, an attorney, handed out Section 22-31.1 Cluster Home Development. He stated there was no contrary evidence to avoid the passage of the Old Wharf Road development. He urged the passage of the zoning amendment.
12. Sandra Barile thanked the Planning Board for listening to them and reviewing the zoning ordinance. She wanted the cluster home ordinance rescinded.
13. Will Brooks, a Wanchese resident, presented a prayer.
14. Ralph Barile thanked the Board for the speed in which the Planning Board reviewed the cluster home development zoning concerns.

15. Craig Parker disagreed with the additional developments. He noted the townships on the beach had over built and now they wanted Wanchese to pay the price with cluster homes. He wanted cluster home developments rescinded.
16. Connie Bateman, Wanchese resident, was concerned about the growth and traffic. She wanted to remove the text of cluster housing in Wanchese.
17. Cammie Daniels, former Wanchese resident, asked the Board to consider what the cluster home development would do in Wanchese.
18. Ken Mann asked the Board to move slowly and see what happens with the current projects. He felt efforts to bring forth some ease in housing issues were needed and offered his help to the Board.
19. Rex Mann felt growth needed to be looked at and a vision was needed moving forward. He stated strict standards in the future would protect the future.
20. Laurie Tillett thanked the Board and Planning Board for the expeditious review of the ordinance. She stated there was a need to try to control the county's growth and asked for the Board to rescind the ordinance.
21. Justin Bateman apologized for his statements from the previous meeting. He thanked the Board for moving forward with the ordinance text amendment review. He asked if the text amendment could be "put to bed" and not changed again in the future.
22. Mickey Daniels asked the Board what their vision was for Wanchese. He was concerned about the water quality in the area and wanted the community to help clean up the waterways.
23. Donna McGarris, moved here in 1988, and gave remembrances of how her life had been blessed with her family in Wanchese. She warned the cluster home development would change the safety of the village and asked the Board to vote for the changes.
24. Chris Garey thanked the Board for reviewing the cluster home development zoning ordinance and asked for rescission. He stated the ordinances had not been properly vetted and the Board should consider county engineer oversight.
25. Michael Egan, a longtime resident, wanted to protect the trees. He stated the islands were here because of the trees. Trees reduced the threat of wind damage and he did not want clear cutting done with the new developments.
26. Amy Stone thanked the Board for the speed in review and wanted the cluster home text removed from county ordinances. Mr. Alexander said he would build more developments and she was concerned about the saturation point in Dare County.
27. Rosemarie Doshier, resident of East Lake and a Realtor, spoke regarding Wanchese and stated it was a serious problem. She was thankful East Lake was included in the conversation for exclusion of future cluster home developments.

28. Denise Davis, resident since 1978, had cleaned up the lots she had purchased. She was unhappy with the cluster home development which had been approved for Wanchese Village.

With no other speakers, the County Manager closed the public hearing at 6:34 p.m. Chairman Woodard yielded to the Board for comment.

**MOTION**

Commissioner Bateman motioned for the draft amendment to Section 22-31.1 of the Dare County Zoning Ordinance to remove the 22 zoning districts listed on the Statement of Consistency and Reasonableness be adopted as proposed. A statement of consistency and reasonableness, as prepared by staff, to be adopted as part of this motion and of public record.

Commissioner House seconded the motion.

Vice-Chairman Overman wanted to add to the motion something to require the Planning Board to go back at the cluster home language and redefine what Dare County wanted a higher density development to look like. Mr. Gillam advised the Board the Planning Board was still looking at further revisions.

Chairman Woodard supported the motion and stated moving forward the County needed to publish with large newspaper articles and highway notices for better citizen awareness of zoning actions. The county had grown and we need to find a way to work through future issues.

VOTE: AYES unanimous

***Meeting recessed at 6:42 a.m. – and reconvened at 6:59 p.m.***

**ITEM 3 – COUNTY OF DARE HUMAN RESOURCES PERSONNEL MANUAL (Att. #2)**

Elizabeth Reilly, Dare County Human Resources Director, presented the Board with a revised personnel manual. The manual had been revised and updated with the help of a consultant who worked with HR to bring it up to modern standards. It had been vetted by Human Resources and department heads for their input. There were changes to holiday leave and retiree health payment benefits, which would be applied to personnel hired after the new manual was approved. The grievance procedure had been streamlined.

**MOTION**

Vice-Chairman Overman motioned to adopt the revised Dare County personnel manual as presented and adopt the resolution.

Commissioner House seconded the motion.

Discussion followed: Chairman Woodard asked for a succession plan by departments in writing and placed in the manual and under the responsibility of Human Resources. Mr. Outten stated staff would prepare a written succession plan. One had been done several years ago and it would be brought back to the Board for discussion. It would not be part of the personnel manual, but the Board would have to discuss a plan and set up a timeframe.

VOTE: AYES unanimous

**ITEM 4 – PRESENTATION OF MANAGER’S 2024 RECOMMENDED BUDGET  
(Please reference the PowerPoint presentation provided during the meeting)**

Mr. Outten announced the budget for fiscal year 2023-24 Dare County Budget \$224,553,176 with the General Fund at \$130,083,408 of that amount. (See budget as posted on website)

Commissioner Ross said safety and welfare should be added as a key goal in the future.

There would be no property tax increase. Negative effects from COVID-19 were short lived for Dare with higher than normal tourism levels. The CIP would be completed sometime in the near future. He explained the budget requests were provided by department heads in February and then expenditures exceeded the revenues. He reviewed the major requests and then the expenditure increases. Mr. Outten reviewed expenditures: Personnel, Health Plan (no projected increase in cost), Position Changes (adds one position and eliminates 11 positions), Employee Compensation (3% cost of living increase) and Capital. The Dare County Schools (local funding for school operating costs increased to \$28,306,301). Additional departmental increases included the animal shelter, COA, detention center, emergency medical services, helicopter, grounds maintenance, health department, information technology, parks and recreation, recycling, sheriff, and tax assessment. Mr. Outten referenced from the recent CIPC meeting that funding levels may not allow all the projects in the timeframe originally planned. They would re-evaluate moving forward and be providing recommendations to the Board as soon as available. The approved CIP will be incorporated into budget

Mr. Outten also reviewed the Disaster Recovery Fund, E911 Fund, Beach Nourishment Fund, and the Sanitation Fund. The Water Fund reflected an annual 2% rate increase over the next five years.

Commissioner House asked how often the healthcare policies were shopped. County Manager advised the county was self-insured and MedCost manages our funds. High deductibles were chosen by the county to keep costs in line.

**MOTION**

Commissioner Ross motioned to set a Public Hearing on the recommended budget for June 5, 2023 at 9:00 a.m.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 5 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS**

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

**Commissioner Bateman**

- Voiced concerns regarding a development at 706 Ocean Boulevard in Kill Devil Hills. There were fourteen houses on one lot, close together, and he commented they looked out of place. He was concerned with overdevelopment and wanted unincorporated Dare to have an updated land use plan.

Vice-Chairman Overman had no further business to add.

Commissioner House

- Stated HB 655 was introduced with Coastal Fisheries licensing reforms. He would follow up with an update, as it was currently in wildlife committee.
- History: In 1973, Senate committee was formed to investigate Watergate, in 1792 the New York Stock Exchange was organized, and in 1875 the first Kentucky Derby was held.

Commissioner Ross

- He had attended an Outer Banks Hotline meeting and toured their facility in Nags Head. He applauded the services they provided to those experiencing family violence.

**MANAGER'S/ATTORNEY'S BUSINESS**

Mr. Outten had no further business.

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

**MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 8:09 p.m., the Board of Commissioners adjourned until 9:00 a.m., June 5, 2023.



APPROVED:

Respectfully submitted,

By: *Cheryl C. Anby*  
Cheryl C. Anby, Clerk to the Board

By: *Robert Woodard, Sr.*  
Robert Woodard, Sr., Chairman  
Dare County Board of Commissioners

Note: Copies of attachments (Att.), 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.