



**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, August 07, 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 - August, 2023
- ITEM 3**      Employee of the Month
- ITEM 4**      Public Comments
- ITEM 5**      Public Hearing - Dare County Ordinances S-13 and S-14
- ITEM 6**      William David Stowe Cluster Home Development--Special Use Permit App. #5 2023
- ITEM 7**      Proclamation - Child Support Awareness Month
- ITEM 8**      Savings Lives Task Force and Health & Human Services - Overdose Awareness Month Proclamation
- ITEM 9**      Outer Banks SPCA
- ITEM 10**     USDOT's 2023 PROTECT Grant Program
- ITEM 11**     FY 2024 2028 Recommended Capital Improvements Plan
- ITEM 12**     Consent Agenda
- 1. Approval of Minutes
  - 2. North Carolina Governor's Highway Safety Program (GHSP) Local Government Resolution
  - 3. Dare County DHHS -Public Health - Opioid Settlement Funds Budget Amendment - FY24
  - 4. Southern Albemarle Association, Annual Meeting Invitation List
  - 5. Resolution to Approve Sole Source Purchase
  - 6. Resolution Reimbursement - Fiscal Year 2023-2024 Public Works & IT Financing
- ITEM 13**     Board Appointments
- 1. Roanoke Island Community Center
  - 2. Upcoming Board Appointments
- ITEM 14**     Commissioners' Business & Manager's/Attorney's Business

ADJOURN UNTIL 9:00 A.M. ON SEPTEMBER 6, 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 - August, 2023*

**Description**

Service pins for the month of August will be presented

**Board Action Requested**

None

**Item Presenter**

Robert Outten, County Manager



*Employee of the Month*

**Description**

The Employee of the Month Certification will be presented.

**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 - Dare County Ordinances S-13 and S-14*

**Description**

American Legal Publishing Company has completed an update of the Dare County Code of Ordinances with all of the amendments adopted since January 2020. Although all of the amendments have previously been adopted, it is recommended that a public hearing on the complete supplement S-13 and S-14 be held. A resolution for adoption is attached.

**Board Action Requested**

Conduct Public Hearing and Adopt Resolution

**Item Presenter**

Robert Outten, County Manager



**Resolution  
Enacting and Adopting Supplements  
to the Dare County Code of Ordinances**

**WHEREAS**, American Legal Publishing Corporation of Cincinnati, Ohio has completed the S-13 and S-14 supplements to the County of Dare Code of Ordinances, which supplements contains all ordinances of a general and permanent nature enacted since the prior supplement to the County of Dare Code of Ordinances; and

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

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

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

**THEREFORE, BE IT RESOLVED BY THE DARE COUNTY BOARD OF COMMISSIONERS:**

1. That the 2023 S-14 and 2022 S-13 supplements to the County of Dare Code of Ordinances as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and attached hereto is hereby adopted by reference as if set out in its entirety,
2. Such supplements shall be deemed published as of the day of its adoption and approval by the Dare County Board of Commissioners and such supplements shall be inserted into the Code of Ordinances kept on file in the Office of the Clerk.

This the 7th day of August, 2023.

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Robert Woodard, Sr., Chairman

Attest:

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Skyler Foley, Deputy Clerk to the Board



*William David Stowe Cluster Home Development--Special Use Permit Application #5-2023*

**Description**

William David Stowe has submitted a special use permit application to construct a cluster home group development consisting of 7 single family dwellings, and associated infrastructure on Parcel #014690002 located on Old Main Rd in Avon. 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 #5-2023 and associated site plan for the proposed cluster home group development be approved."

**Item Presenter**

Noah H Gillam, Planning Director



July 13, 2023

MEMORANDUM

TO: DARE COUNTY BOARD OF COMMISSIONERS

FROM: Noah Gillam, Planning Director

RE: Special Use Permit Application 5-2023 Cluster Home Group Development for David Stowe

A special use permit application and a site plan for a cluster home group development has been submitted by David Stowe. The property is located on Old Main Rd in Avon and is identified as parcel 014690002 in the Dare County Tax Records. The property is zoned R-2A, and at the time of the submittal cluster homes were permitted as a special use. The application was received before the removal of cluster home use from 22 zoning districts including the R-2A district on May 17, 2023 at the Dare County Board of Commissioners meeting held at 5 p.m.. Section 22-87 of the Dare County Ordinance establishes permit choice, if a permit application made for development approval is submitted and a development regulation changes between the time the application was submitted and a decision is made, the applicant may choose which version of the development regulation will apply to the application. For this application the applicant is choosing the prior ordinance that established Cluster Homes in the R-2A as a special use and shall be reviewed subject to the requirements of Section 22-31.1. The special use permit shall serve as a site specific vesting plan subject to the requirements of Section 22-88.

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 1.58 acres (68,963 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 1,200sq.ft of heated/conditioned space. The applicant is proposing to construct 7 two

bedroom individual dwelling units on the 1.58 acres. The dwellings are proposed as 900sq.ft and separated by 24 foot meeting the requirements of the ordinance.

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 20 foot paved road with a 30 foot right-of-way as depicted on the site plan to provide access to the dwellings.

The 1.58 acre parcel is currently vacant and free of improvements. The proposed improvements as shown on the site plan show a lot coverage area of 20,640sq.ft(29.93%) of the allotted 20,689sq.ft(30%) 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 7 individual septic systems. Before issuance of building permits the applicant will have to obtain 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, 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. The required number of spaces for the development is 14 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 Dare County Fire Marshal has reviewed the site plan and provided the following comments. The road shall be paved to have an all-weather surface capable of carrying

the imposed weight of fire apparatus of at least 75,000 pounds, and shall be maintained with the noted width of at least 20 feet and clear height of 13-feet 6-inches. A minimum of two “No Parking-Fire Lane Either Side” signs shall be installed along the roadway. The provided turn around area as shown on the site plan will require pavement markings of the fire lane, and signage. The required water flow for the development shall be 750 gallons per minute, and documentation will be required stating the waterline is capable of providing the needed fire flow requirement. All water lines for the fire hydrant and basic road improvements must be installed and approved prior to the commencement of any home construction. 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 July 6, 2023. The planning board found the site plan and conditions of the SUP to be reasonable and appropriate.

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 5-2023 and associated site plan for the proposed cluster home group development be approved.”



**Special Use Permit No. #5-2023**

Dare County Sections 22-2, 22-22.1, 22-31.1, 22-65, 22-70, 22-87, & 22-88

**Application of:** William David Stowe

This matter coming on to be heard and being heard by the Dare County Board of Commissioners at the August 7, 2023 meeting of the Dare County Board of Commissioners upon the application of the Petitioner, William David Stowe, (hereinafter Petitioner) for a Special Use Permit under 22-2, 22-22.1, 22-31.1, 22-65, 22-70, 22-87, & 22-88 of the Dare County Code of Ordinances, which application is on file with the Dare County Planning Department. Upon the evidence presented the Board of Commissioners finds as follows:

Findings of Fact:

1. That the written application of Petitioner with attachments has been duly submitted to the Dare County Planning Department as required by Section 22-65 of the Dare County Code (hereinafter referred to as "Code") on May 17, 2023.
2. The application was request for cluster home development pursuant to Dare County Ordinance Section 22-31.1.
3. The parcel to be developed and the subject of the Petitioner's application is 1.58 acre parcel located on Old Main Rd in the Avon Tax District, identified in the Dare County tax records as Parcel Number 014690002, PIN of 064017103452 and zoned R-2A under the Dare County Code of Ordinances.
4. The Current owner of the property is the Petitioner William David Stowe who has applied for the special use permit requested.
5. Cluster Home Developments are Subject to review and special use permit pursuant to the terms set forth under Section 22-31.1.
6. Petitioner presented a proposed site plan for the 1.58 acre parcel.

7. The proposed site plan consists of 7 individual dwelling units with 2 bedrooms, and associated infrastructure. All are within the 1,200 square foot maximum requirement.
8. The proposed site plan shows that the proposed units will be separated by the 15-foot minimum requirement.
9. The proposed site plan shows lot coverage shall not exceed thirty percent (30%) of the total lot area.
10. The proposed site plan shows that the dwellings constructed as part of this cluster home development meet the setback requirements set forth in the R-2A zoning district.
11. The total number of parking spaces required for the development is 14 spaces. The proposed site plan shows 14 spaces, with 50% of the required parking being of an impervious surface of concrete or asphalt.
12. The proposed site plans show that the dwelling units shall be constructed on piling foundations with paved parking underneath.
13. The applicant shall manage stormwater runoff internal to the property through a series of basins and swales as shown on the site plans.
14. Wastewater will be handled by seven onsite septic systems with one unit hooked to each system.
15. The wastewater system meets all the requirements set forth by North Carolina State Statutes and Administrative Regulations.
16. The Dare County Fire Marshal has reviewed the site plans and the applicant has accepted his recommendations and incorporated said recommendations as reflected in the site plans.

17. The site plan for the development shows it is accessible to both emergency and service vehicles from the proposed 30 foot right-of-way with 20 foot of paved improvements as shown on the site plans
18. The application requests a use permitted by special use permit under the Dare County Code of Ordinances, subject to the quasi-judicial procedures set forth in Section 22-70, which include Cluster Home Developments and Petitioner's plan of development complies with the requirements of the Dare County Code of Ordinances.
19. That the Dare County Board of Commissioners is empowered under sections of the Code set out above to approve special uses and apply reasonable and appropriate conditions
20. That the notice procedures of Section 22-72 of the Code have been complied with prior to the hearing of this matter.

Upon the evidence presented and the forgoing findings of fact, the Board concludes that Petitioner has met all conditions of the Dare County Code of Ordinances and is entitled to the requested Special Use Permit. Based upon the forgoing, the Board issues Petitioner a Special Use Permit upon the following terms and conditions:

**CONDITIONS:**

1. This Special Use Permit shall serve as a site specific vesting plan. The petitioner submitted an application and site plan prior to the adoption of amendments to Section 22-31.1 and 22-22.1 that removed cluster homes as a special use from the R2-A district as adopted on May 17, 2023 at the Dare County Board of Commissioners meeting. The petitioner is exercising Permit Choice under section 22-87, and is choosing to select the ordinance that was in place at time of application submittal. This site specific vesting plan is valid for 2-years from the date of the approval of this Special Use Permit and substantial commencement of work as defined in Section 22-2 of Dare County Zoning Ordinance shall occur before the 2-year time frame expires. The standards of Section 22-87 Permit Choice and 22-88 Vesting Plans shall apply.
2. The use permitted shall be a Cluster Home Group Development consisting of 7 residential structures and associated infrastructure built in accordance with the site plan submitted as part of Petitioners application and attached as Appendix A and included as part of this Special Use Permit and in accordance with the conditions herein.

3. The cluster home group development shall operate as prescribed in the definition set forth in Section 22-31.1 of the Dare County Zoning Ordinance. The structures shall be constructed as depicted on the Appendix A and shall not be occupied or rented on a short-term basis (less than 31 days) as defined in Section 22-2 of the Dare County Zoning Ordinance.
4. All structural improvements shall be located in the dwelling footprints as recorded on the final plat. The conditioned space of each structure shall not exceed 1200 square feet in area.
5. The structures shall be located on the parcel in conformance with the setbacks of Section 22-23.3 and Section 22-31.1 of the Zoning Ordinance and the Dare County Flood Damage Prevention Ordinance.
6. A final site plan of the cluster home development depicting the footprint areas shall be recorded in the Register of Deeds. The cluster home sites may be transferred to individual owners with the remaining of the site dedicated as common area owned by a homeowners association or other similar entity. A copy of the signed special use permit shall be recorded with the final site plan. The homeowner's documents shall include language that defines the occupancy of the structure as long-term as defined in the Dare County Zoning Ordinance.
7. The recorded homeowner's documents shall include fees for the maintenance of the wastewater systems, stormwater infrastructure, road improvements, and any other infrastructure. A copy of the recorded homeowner's documents shall be provided to the Dare County Planning Department.
8. The homes shall not be occupied or rented for any period of less than 31 days and such restrictions shall be included in restrictive covenants upon the property which shall be recorded in the Dare County Registry prior to any rental, sale or other transfer of a property interest. This provision in the covenants shall not be amended, changed, modified, or withdrawn without written consent of Dare County.
9. Building permits for the structures shall be secured within 24 months from date of Board of Commissioners approval. An as-built survey for the property shall be submitted to the Planning Department upon the completion of all of the structures to confirm compliance with the terms of the Dare County Zoning Ordinance. If the developer chooses to construct the structures at different times, then individual as-built surveys for each structure shall be required before any structure is certified for occupancy.
10. Roads internal to the development shall be paved and constructed as depicted on the approved site plan. The road shall be constructed to support 75,000 pounds as indicated by the Dare County Fire Marshal. Upon completion, road improvements shall be certified by a NC licensed engineer to meet the weight specification stipulated by the Fire Marshal. Road maintenance shall be the responsibility of the

Petitioner or any homeowners association that is established for the cluster home development. The road improvements shall be perpetually maintained to comply with the approved construction specifications. All roads shall be maintained with a width of at least 20-feet and clear height of 13-feet 6-inches, this note shall be included on the final recorded plat.

11. There shall be no parking allowed on the roads within the development. A minimum of two "No parking-Fire Lane Either Side" signs shall be installed along the roadway and surface markings shall be installed in the turnaround area per the Dare County Fire Marshal letter dated June 20, 2023.
12. A fire hydrant shall be installed within 400-feet of the structures along the right-of-way. Water fire flow shall be provided at 750 gallons per minute. Documentation shall be provided showing that the fire flow can be obtained prior to issuance of building permits.
13. All firefighting apparatus and basic road improvements must be installed and approved by the DCFMO prior to the issuance of building permits. Roads shall remain clear during construction for emergency vehicle access.
14. Driveway permits or approvals from NCDOT shall be provided to the Planning Department before land disturbing activity can occur.
15. There shall be no staging of equipment or materials in or along the right-of-way of Old Main Rd (S.R. 1466).
16. All supplemental State and Federal permits shall be secured prior to ground disturbing activities. This shall include Sedimentation and Erosion Control, Stormwater, Environmental Health, and CAMA permits. Copies of these permits shall be provided to the Dare County Planning Department.
17. No changes or deviation from the terms and conditions of the special use approval shall be made until written approval of the proposed changes or deviations has been obtained from Dare County. The quasi-judicial procedures set forth in the Code shall be followed for the review and approval of major modifications. Minor modifications as established in Section 22-70 of the Code may be authorized administratively by the Planning Director.
18. A violation of this Permit shall be a violation of the Code and the special use may be revoked by the Board of Commissioners. Special use approval shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any development regulation or any State law delegated to Dare County for enforcement purposes; or for false statements or misrepresentations made in securing special use approval. The



same process for approval of a special use permit, including notice and hearing, shall be followed in the revocation of a special use permit.

19. All other terms and provisions of the Dare County Zoning Ordinance shall remain in full force and effect except as herein specifically permitted otherwise;

This \_\_\_\_\_ day of August 2023

SEAL:

COUNTY OF DARE

By: \_\_\_\_\_  
Robert L Woodard Sr.  
Dare County Board of Commissioners

ATTEST:

By: \_\_\_\_\_  
Skyler Foley  
Clerk to the Board

**THIS PERMIT AND THE CONDITIONS HEREIN ARE ACCEPTED**

By: \_\_\_\_\_  
William David Stowe

APPROVED AS TO LEGAL FORM

By: \_\_\_\_\_  
Robert L Outten  
County Attorney

**SPECIAL USE PERMIT APPLICATION**

Date: 5-17-23 Application No. 5-2023  
Property Owner/Petitioner: William David Stowe  
Address: PO Box 328, Buxton, NC 27920  
Telephone: (252) 995-6677 Email: david.hffc@yahoo.com  
Review Fee Paid: \$350.00  
Project Description: 7-unit cluster development located off Old Main Road in Avon, NC

**Property Description:**

Lot	Phase/Section	Block	Subdivision
1	n/a	n/a	n/a

Parcel: 014690002 PIN: 064017103452

**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 Development

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.

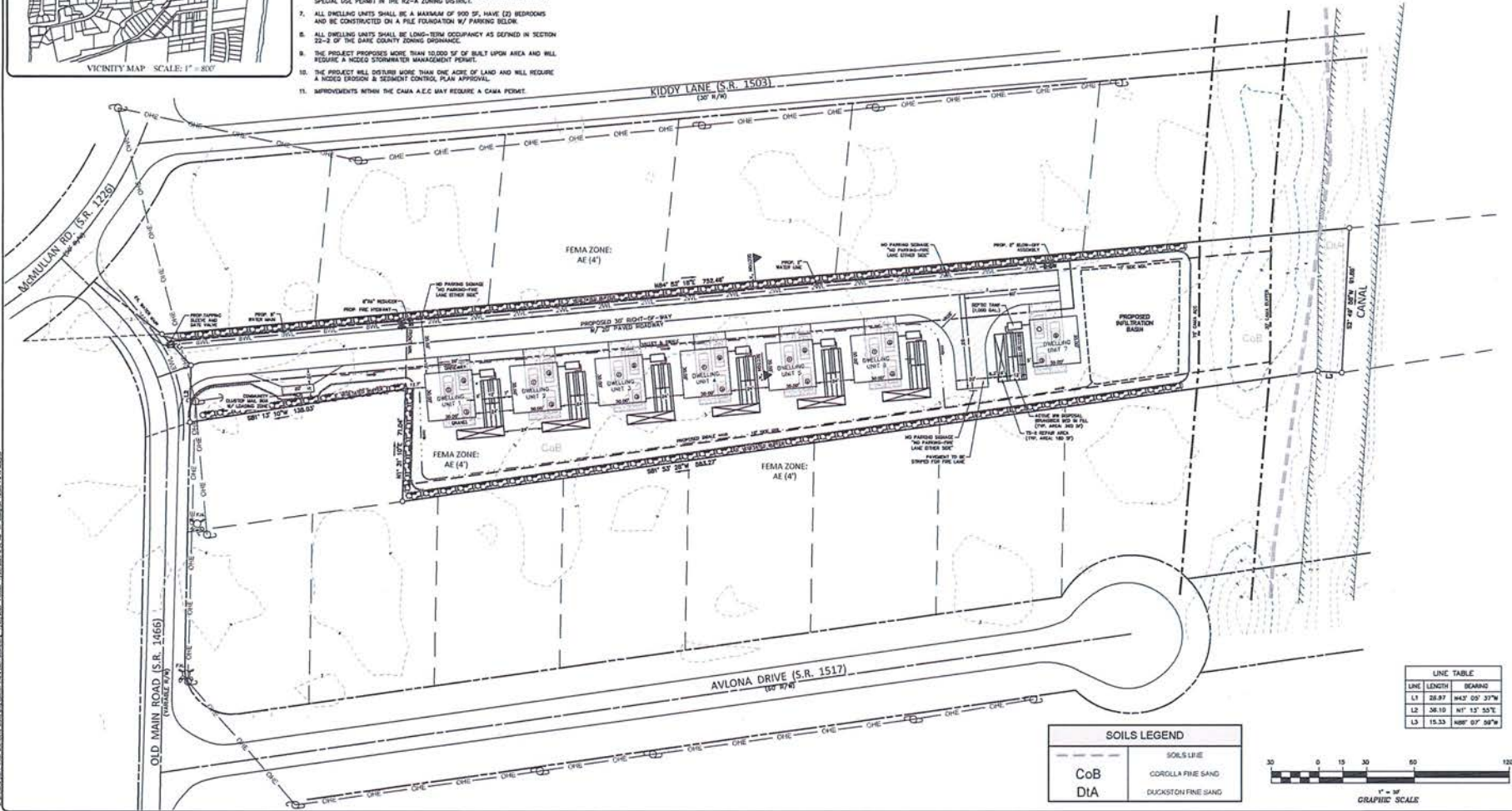
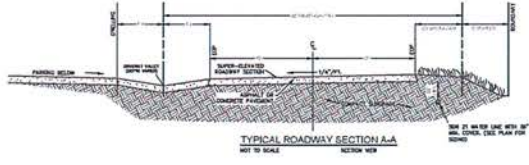
Applicant: William David Stowe Date: 5-17-23



- GENERAL NOTES:**
- OWNER: WILLIAM DAVID STONE & MONY C. STONE  
P.O. BOX 328  
BOSTON, MA 02120
  - PROPERTY DATA:  
PARCEL: 02B 04480002  
PIN #: 0640703402  
ADDRESS: 9 OLD MAIN RD.  
RECORDED REFERENCES: D.B. 2875, P.S. 0326-PL. 2, S.L. 290  
PROPERTY ZONING: R2-A
  - F.R.M. DATA:  
(ZONE AE(4) FOR F.E.M.A. F.R.M. MAP NUMBER 2720084000 K, EFFECTIVE DATE: APR. 16, 2005)
  - EXISTING CONSTRUCTION INFORMATION BASED ON A COMBINATION OF THE FOLLOWING:  
+ MINOR SUBDIVISION PLAT BY SEABOARD SURVEYING & PLANNING, INC. FILE NO. 2700000, DATED 11/23/01.  
+ AERIAL PHOTOGRAPH FROM MCDONALD.COM  
+ LEGAL DATA FROM FRED MCCOY
  - TOTAL PARCEL AREA: 88,963 S.F. (1.08 AC)  
PROPOSED LOT COVERAGE:  
ROADWAY: 12,427 SF  
DWELLING: 8,300 SF  
SERVICED: 1,400 SF  
CIVIL SITE: 373 SF  
TOTAL: 22,842 SF (26.83%) [30% ALLOWABLE]
  - PURSUANT TO SECTION 22-31.1 OF THE DADE COUNTY ZONING ORDINANCE, THIS PROJECT IS CONSIDERED A CLUSTER HOUSING DEVELOPMENT THAT REQUIRES A SPECIAL USE PERMIT IN THE R2-A ZONING DISTRICT.
  - ALL DWELLING UNITS SHALL BE A MAXIMUM OF 900 SF, HAVE (2) BEDROOMS AND BE CONSTRUCTED ON A PILE FOUNDATION W/ PARKING BELOW.
  - ALL DWELLING UNITS SHALL BE LONG-TERM OCCUPANCY AS DEFINED IN SECTION 22-2 OF THE DADE COUNTY ZONING ORDINANCE.
  - THE PROJECT PROPOSES MORE THAN 10,000 SF OF BUILT UPON AREA AND WILL REQUIRE A NEXOS STORMWATER MANAGEMENT PERMIT.
  - THE PROJECT WILL DISTURB MORE THAN ONE ACRE OF LAND AND WILL REQUIRE A NEXOS EROSION & SEDIMENT CONTROL PLAN APPROVAL.
  - IMPROVEMENTS WITHIN THE CANAL A.E.C. MAY REQUIRE A CANAL PERMIT.

**LEGEND**

---	PROPERTY CENTERLINE
---	RIGHT-OF-WAY
---	PROPERTY BOUNDARY
---	ADJOINING PROPERTY LINE
---	EXISTING EARTH
---	TOP OF BANK
---	EXISTING GRADE CONTOUR
---	UNDERGROUND ELECTRIC LINE
---	EXISTING WATER LINE
---	CANAL A.E.C. LINE & BUFFER
---	PROPOSED SWALE
---	PROPOSED WATER LINE

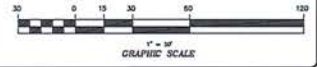


**SOILS LEGEND**

---	SOILS LINE
CoB	COROLLA FINE SAND
Dia	DUCKSTON FINE SAND

**LINE TABLE**

LINE	LENGTH	BEARING
L1	28.87	N43° 00' 37"W
L2	38.10	N1° 13' 55"E
L3	15.33	N88° 07' 38"W



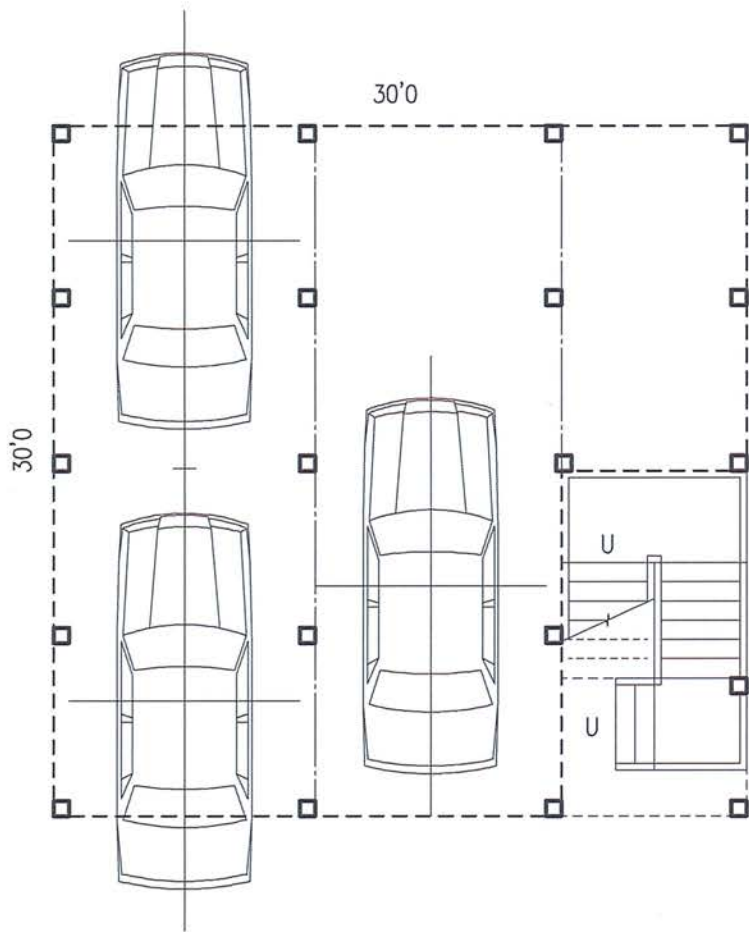
**RUSSELL**  
Engineering, Planning, Surveying  
and Environmental Services  
10000 NW 22nd Ave., Suite 200  
Miami, FL 33187  
Tel: 305.444.1000  
Fax: 305.444.1001  
www.russellcorp.com

**EXISTING SITE FEATURES & CONCEPTUAL DEVELOPMENT PLAN**  
NORTH CAROLINA  
DADE COUNTY  
TOTAL OF 4000  
STOWE CLUSTER HOUSING  
CONCEPTUAL SITE DEVELOPMENT PLAN

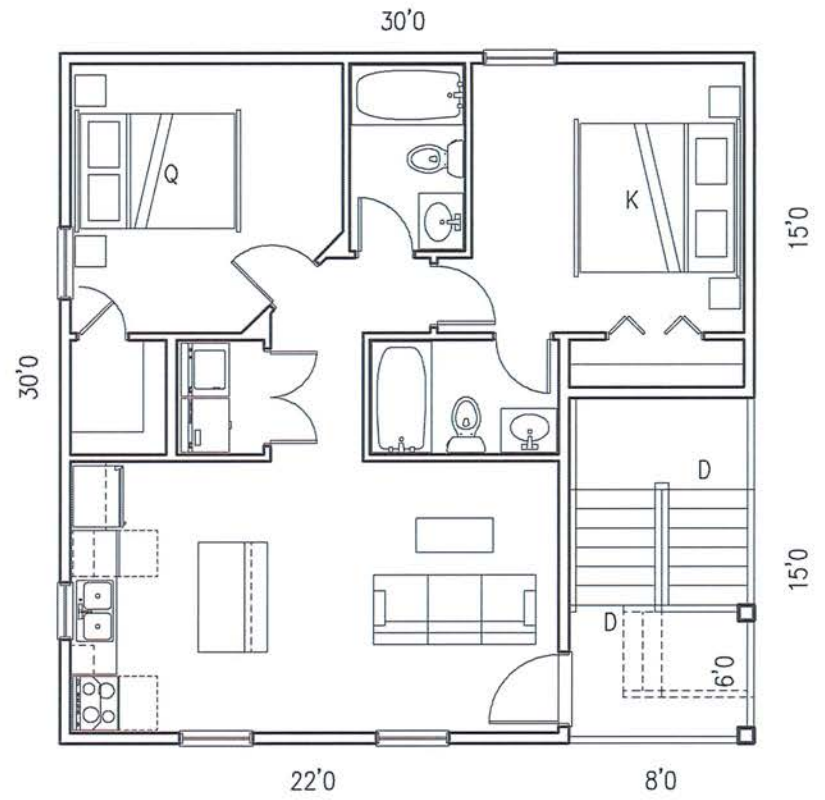
NO.	DATE	BY	DESCRIPTION
1	01/15/24	JLS	ISSUED FOR PERMITTING
2	01/15/24	JLS	REVISED PER COMMENTS
3	01/15/24	JLS	REVISED PER COMMENTS

**PRELIMINARY DO NOT USE FOR CONSTRUCTION**

DATE: 01/15/24  
DRAWN BY: JLS  
CHECKED BY: JLS  
PROJECT NO.: 24-1715K2  
SHEET: 4817



1 GROUND FLOOR PLAN



2 FIRST FLOOR PLAN



**COUNTY OF DARE**  
**Department of Emergency Management**  
**Office of the Fire Marshal**  
 P.O. Box 1000, Manteo, North Carolina, 27954

**Steven R. Kovacs, NC-CFI**  
 Deputy Emergency Manager/Fire Marshal

(252) 475-5750

**To:** Noah Gilliam, Planning Director  
**From:** Steven R. Kovacs, Fire Marshal  
**Date:** June 20, 2023  
**Re:** Stowe Cluster Housing

I have reviewed the submitted site plan and have the following comments:

- All roads shall be constructed of a material so to have an all-weather surface capable of carrying the imposed weight of fire apparatus of at least 75,000 pounds.
- All roads shall be maintained with the noted width of at least 20 feet and the clear height of 13-feet 6-inches, and an all-weather surface. This shall be noted on the final recorded plat.
- There shall be no parking allowed on the roads within the subdivision. Signs and surfacing markings shall be as specified by the Dare County Fire Marshal’s Office. A minimum of two “No Parking – Fire Lane Either Side” shall be required and located as noted on the plan comments.
- The road length exceeds 150-feet and will require a turn around area for fire apparatus. This area is noted on the plan. If this is required to be paved, then pavement markings of the fire lane will be required. The Fire Marshal’s office will provide detail if necessary.
- There needs to be a fire hydrant within 400-feet of the structures along the travel path of the fire apparatus. The fire hydrant shown on the plan needs to be shifted approximately 37 feet to the east (towards the end of the road) to meet this requirement.
- The needed water fire flow for the proposed subdivision at this time is 750 gallons per minute. This is based on a 24-foot separation, as noted below. Dwellings not exceeding 2-stories in height which includes parking area underneath as one story and overall square footage of 4,800 square feet. Any changes to these conditions would change the needed fire flow requirements. Documentation shall be provided prior to approval showing that the required fire flow can be obtained.

*For 1- and 2-family dwellings not exceeding 2 stories in height, the following needed fire flows shall be used shall be based on distance between the two homes:*

*DISTANCE BETWEEN BUILDINGS NEEDED FIRE FLOW*

<i>More than 30 feet</i>	<i>500 gpm</i>
<i>21 – 30 feet</i>	<i>750 gpm</i>
<i>11 – 20 feet</i>	<i>1,000 gpm</i>
<i>0 – 10 feet</i>	<i>1,500 gpm</i>

*For 1- and 2-family dwellings, exceeding the two-story height or with an effective area greater than 4,800 square feet the needed fire flow will be calculated the same as commercial projects.*

- Need to obtain current with test data and provide documentation that the designed waterline shall be capable of providing the needed fire flow requirement as previously noted.
- All water lines for the fire hydrants and basic road improvements must be installed and approved prior to the commencement of any home construction. Roads must remain clear during construction for emergency vehicle access.

*\* 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.*

**SECTION 22-31.1 - CLUSTER HOME DEVELOPMENTS (Adopted 10-15-2018)**

Cluster home developments consist of more than one residential dwelling on one parcel of land whereby 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:

- (a)** Cluster homes developments shall be subject to review and approval as special uses in the following zoning districts: R-2, R-2A, R-2B, R-2H, R2-AH, R-3, RS-6, RS-8, SP-2, SP-C VC-2, C-2, C-2-H, C-3, 1-1, S-1, CS, BT, RB, MLM, WVC, MC-1, MC-2, and Highway 345. Minimum lot size: 20,000 square feet in these zoning districts.
- (b)** Cluster homes developments shall be subject to review and approval as special uses in the following zoning districts: NH, RS-1, R-1, SNC, VR, WR1, MH-A, MH-B, ELR, and ELNH. Minimum lot size: 30,000 square feet in these zoning districts.
- (c)** Setbacks: Dwellings constructed as part of a cluster home development shall be subject to the setbacks of the applicable zoning district.
- (d)** Separation of dwellings: 15 feet.
- (e)** Lot coverage: 30% of the total lot area.
- (f)** Building height: Same as the applicable zoning district.
- (g)** 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.
- (h)** Parking: Parking for cluster homes shall be provided at a rate of one parking space per bedroom of each cluster home. Such parking may be provided at individual dwelling sites or in a congregate area for the entire development. Fifty percent (50%) of the required parking shall be of an impervious surface of concrete or asphalt (not to include asphalt millings or other similar products).
- (i)** Roads – cluster home developments that cannot be properly served by emergency or service vehicles from an existing abutting road or street, shall be made accessible to such vehicles from a 30' right-of-way with 20 feet of paved improvements.
- (j)** 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 for long-term occupancy as defined in Section 22-2 of the Zoning Ordinance.
- (k)** A copy of the approved special use permit for a cluster home development shall be recorded with the approved site plan of the development.
- (l)** Other reasonable and appropriate conditions to reflect individual specific site conditions may be applied to cluster home development as part of the special use review and approval process.

(Ord. passed 10-15-2018; Am. Ord. passed - - ; Am. Ord. passed 6-21-2021)

## Cluster Home Special Use Permit Review Checklist

- Permitted as Special Use in the Zoning District-R-2A at time of application submittal
- Minimum Lot size for Cluster Home Development in applicable zone district (R-2A)-20,000 sqft
- Setbacks for the R-2A 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: Building height shall be limited to 35 feet for the highest horizontal structural member of the highest habitable floor, plus 10 feet for interior walls or a top plate level of 45 feet, plus 7 additional feet for attic space and roof line design, for a total building height of 52 feet, measured at the peak of the roof.
- 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





*Proclamation - Child Support Awareness Month*

**Description**

Dare County Health & Human Services asks that the Board of Commissioners adopt the proclamation recognizing August 2023 as "Child Support Awareness Month".

**Board Action Requested**

Adopt Proclamation

**Item Presenter**



**A PROCLAMATION  
Child Support Awareness Month**

**WHEREAS**, Dare County is recognizing August as Child Support Awareness Month, and reaffirms its commitment to strengthening Dare County families by providing child support services to improve the economic stability and well-being of children; and

**WHEREAS**, in State Fiscal Year 2022-23, more than \$2.2 million in child support was collected from parents of Dare County children, and

**WHEREAS**, there are nearly 731 child support orders in place, working to ensure that more than 791 children receive financial support from their parents: and

**WHEREAS**, the court must order either parent to obtain and maintain medical health insurance coverage for a child if it is actually and currently available to the parent at a reasonable cost.

**WHEREAS**, Child Support Awareness Month salutes the diligent working parents who spend time with their child and who make regular child support payments, to safeguard their children's future: and

**WHEREAS**, strengthening individuals and families promotes the safety and well-being of children, provides stability, improves the lives of children, and provides opportunities for families to be able to enhance their children's futures; and

**WHEREAS**, children who do not receive adequate financial and emotional support from their parents may experience greater difficulty in becoming healthy, happy, and productive citizens; and

**WHEREAS**, many concerned and dedicated judges, district attorneys, clerks of court, sheriff's personnel, and child support professionals work to establish and enforce child support orders for Dare County children, one of our county's most vital resources.

**NOW, THEREFORE**, Dare County Board of Commissioners do hereby proclaim August 2023, as "**CHILD SUPPORT AWARENESS MONTH**" in Dare County, and commend its observance to all citizens.

This the 7<sup>th</sup> day of August, 2023.

SEAL

---

Robert Woodard, Sr., Chairman

Attest:

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Skyler Foley, Clerk to the Board



*Saving Lives Task Force & Health & Human Services  
Overdose Awareness Month Proclamation*

**Description**

To increase awareness in our community and recognize that August is Overdose Awareness Month.

**Board Action Requested**

Approve Proclamation

**Item Presenter**

Roxana Ballinger



**A PROCLAMATION  
Overdose Awareness Month**

**WHEREAS**, Overdose is the leading cause of death for people ages 18 to 45 in the United States today;

**WHEREAS**, many lives are changed and impacted by drug overdose, including family, friends, caregivers, people working in healthcare and support services and first responders who often assume the role of lifesavers;

**WHEREAS**, due to the unfair stigma attached to drug use, those individuals grieving the loss of a loved one due to overdose must often bear the burden of their loss alone;

**WHEREAS**, Dare County would like to continue to raise greater awareness of the overdose crisis and recognize those in our community who are impacted by the crisis and are doing essential work to prevent more fatalities;

**WHEREAS**, Dare County would like to dedicate a month to recognize those whose lives are impacted by the overdose crisis.

**NOW, THEREFORE**, we, the Dare County Board of Commissioners, do hereby proclaim the month of August 2023, as Overdose Awareness Month, and call upon the people of Dare County to observe this month by helping our families, friends, neighbors, co-workers and leaders better understand the importance of Overdose Awareness.

This the 7<sup>th</sup> day of August, 2023.

SEAL

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Robert Woodard, Sr., Chairman

Attest:

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Skyler Foley, Clerk to the Board



*Outer Banks SPCA*

**Description**

At the previous Board meeting, Bill Coleman, Executive Director of the Outer Banks SPCA, advised they had hired a veterinarian to perform simple pet procedures to include spay and neutering. Funds would be needed to properly equip the office.

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager



*USDOT's 2023 PROTECT Grant Program*

**Description**

The NCDOT, with support from US Fish and Wildlife and the National Park Service, is applying for a Solving Access for NC 12 in Dare County (SAND) grant. This study will establish a solid foundation for a streamlined National Environmental Policy Act (NEPA) process, permitting, and construction, with the goal of securing the long-term resiliency of NC 12 in the Outer Banks of North Carolina. The project SAND is designed to build a common framework for decision-making to address challenges caused by flooding, sand and ocean overwash, and shoreline erosion along NC 12 on Hatteras Island.

**Board Action Requested**

Approve a letter of support to the Secretary of the US Department of Transportation.

**Item Presenter**

Robert Outten, County Manager



## County of Dare

### Office of the Board of Commissioners

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

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**Robert Woodard**  
*Chairman*

**Wally Overman**  
*Vice Chairman*

**Rob Ross**  
**Steve House**  
**Jim Tobin**

**Danny Couch**  
**Ervin Bateman**

**Robert L. Outten**  
*County Manager / Attorney*

**Skyler Foley**  
*Clerk to the Board*

August 7th, 2023

The Honorable Pete Buttigieg  
Secretary of Transportation  
US Department of Transportation  
1200 New Jersey Avenue, S.E.  
Washington, DC 20590

Dear Secretary Buttigieg,

Please accept this letter of support for the **Solving Access for NC 12 in Dare County (SAND, or "the Project")** application to the USDOT's 2023 PROTECT Grant program. This collaborative project, spearheaded by the North Carolina Department of Transportation (NCDOT) with support from project partners US Fish and Wildlife Service and National Park Service, will undertake a Planning and Environmental Linkages (PEL) study. This study will establish a solid foundation for a streamlined National Environmental Policy Act (NEPA) process, permitting, and construction, with the goal of securing the long-term resiliency of NC 12 in the Outer Banks of North Carolina.

SAND is requesting PROTECT funding to perform comprehensive resiliency planning, alternatives development and evaluation, and extensive public and stakeholder engagement for an 11-mile section of NC 12 between Oregon Inlet and Rodanthe in Dare County, North Carolina. This stretch of NC 12 is vital to the safety, quality of life, and economy of the Outer Banks. It is a critical lifeline connecting residents, tourists, and property owners in Hatteras Island to the rest of Dare County and mainland North Carolina. Moreover, it traverses areas with substantial ecological and recreational value in the Cape Hatteras National Seashore and Pea Island National Wildlife Refuge, which provide recreational opportunities, while conserving a diverse array of habitats that support migratory waterfowl and endangered species like the loggerhead sea turtle.

Storms, ocean currents, and wave and wind action are continually and dynamically reshaping the low-lying barrier islands that NC 12 traverses. Rising sea levels, coupled with the increasing severity and frequency of coastal storms are accelerating the impacts of these forces, leading to flooding, shoreline erosion, and sand and ocean overwash that damages the roadway and causes extensive repair and cleanup costs. Since 2010, NCDOT has spent more than \$72 million to keep NC 12 south of Oregon Inlet passable following storm events. These persistent challenges disrupt the lives of residents and visitors, negatively impact the Cape Hatteras National Seashore and the Pea Island Wildlife Refuge, and lead to negative impacts on the regional economy. To address these concerns, SAND will build upon prior decision-making and environmental analyses for phases I, IIa, and IIb of State Transportation Improvement Program project B-2500 and the efforts of the NC 12 Task Force to identify the range of reasonable alternatives for subsequent NEPA evaluation and support the identification of a preferred

alternative. The Project will perform environmental screening and develop conceptual roadway and structure design for these alternatives, including preliminary hydraulic modeling, to understand their cost, constructability, and environmental impacts. Resiliency and mitigation planning will also be a key focus, and the Project will identify opportunities to incorporate innovative strategies such as oyster reef restoration and nature-based solutions for stormwater management. SAND will also identify permitting and resource needs required for successful implementation. Robust public and stakeholder engagement will occur throughout the project, ensuring that all diverse perspectives are considered in the decision-making process. These project elements will address vulnerabilities at projected future breach locations as well as the Canal Zone and Pea Island Visitor Center Hot Spots. At these locations, rising tides are breaching dunes, and sand and ocean overwash are a major challenge during and after coastal storms.

For many years, various sections of N.C. Highway 12 on Hatteras Island have closed due to coastal storms and flooding, creating severe disruptions to the life, health, safety, and welfare of the residents and visitors to Hatteras Island

Recognizing the need to address the impacts associated with this vulnerable stretch of highway, Dare County officials created the N.C. 12 Task Force in 2020 – with stakeholders from multiple agencies – to formally begin the process to identify viable solutions for N.C. Highway 12. In February 2023, the Task Force released their report listing the most critical areas of concern. The 11-mile section that would be addressed in this study was identified as the top priority.

SAND will bring together Federal and state agencies, local communities, academia, and advocacy groups to build a common framework for decision-making and advance the development of long-term solutions to enhance the resilience of this critical transportation link. Thank you for your consideration of the SAND grant application for funding through the PROTECT program.

The funding of this SAND grant application will build upon the work of the NC 12 Task Force and provide the road map for moving forward. The Dare County Board of Commissioners strongly recommends and supports the funding of the Solving Access for N.C. 12 in Dare County (SAND) grant application.

Sincerely,

Robert L. Woodard, Sr.

Chairman, Dare County Board of Commissioners





*Recommended FY 2024 Capital Improvements Plan*

**Description**

The recommended FY 2024 CIP is per the following seven pages.

Following the recommended CIP are:

- A CIF (#11) budget amendment to create the School CIF (#19);
- A School CIF (#19) budget amendment to create the School CIF;
- A capital project ordinance for the Capital Projects Fund (#61);
- A budget amendment for the CIF (#11) for the recommended CIP; and
- A capital Project ordinance for the School Capital Projects Fund (#63).

The budget and budget changes for EMS Phase II will follow after receipt from Oakley Collier and Barnhill. A budget amendment for the transfer from the General Fund fund balance will be presented after FYE close.

**Board Action Requested**

Adopt the three budget amendments and two capital project ordinances listed above.

**Item Presenter**

Bobby Outten, County Manager  
David Clawson, Finance Director

County of Dare, NC  
 Recommended FY 2024 - 2028 Capital Improvements Plan  
 Summary

Major Projects			
<b>Phase 1</b>		<b>\$42,966,952</b>	<b>Prior CIP Under construction</b>
	EMS Kill Devil Hills	\$24,652,538	
	EMS Southern Shores	\$8,753,325	
	HEMS Dare Medflight	\$9,561,089	
<b>Phase 2</b>		<b>\$21,977,920</b>	<b>FY 2024 ~ February 2024</b>
	EMS Manns Harbor	\$9,313,672	
	Manteo Youth Center	\$2,564,248	
	EMS Kitty Hawk	\$10,100,000	
<b>Phase 3</b>		<b>\$49,137,507</b>	<b>FY 2025 ~February 2025</b>
	Public Works revised	\$31,100,000	
	Buxton Solid Waste Transfer Station	\$5,937,507	
	EMS Nags Head	\$10,100,000	
	Sheriff CID/Evidence Bldng	\$2,000,000	
<b>Phase 4</b>		<b>Paygo as can afford</b>	<b>TBD TBD</b>
	EMS Manteo		
	EMS Frisco		
	EMS Rodanthe		
	Parks & Recreation		

**Capital Investment/Debt Affordability Model**

Model Debt Service Coverage		
	2024	3.16
	2025	2.46
	2026	2.78
	2027	2.13
	2028	2.01
	Minimum = 2041	0.97

Annual Growth in Land Transfer Tax Revenue	0.25%
--	-------

Use of FY 2023 General Fund unassigned fund balance over revised target of 25%	\$6,000,000
Projected FYE 2023 amount over 25% target	\$10,900,000

Assumed 2028 grant for Collins Walkway	\$1,118,178
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County of Dare, NC  
 Recommended FY 2024 - 2028 Capital Improvements Plan  
 Summary By Project Type & Funding Method

	Fiscal Year					Totals
	2024	2025	2026	2027	2028	
EMS/Other Phase II	\$21,977,920	\$ -	\$ -	\$ -	\$ -	\$ 21,977,920
Public Works & EMS Phase III	-	49,137,507	-	-	-	49,137,507
County CIP Paygo	1,126,341	913,100	617,435	1,066,000	2,035,031	5,757,907
County CIP Debt (5 years)	917,377	268,167	540,676	966,265	1,498,874	4,191,359
Annual Support to School CIF	1,622,672	645,371	-	-	-	2,268,043
Capital Outlay - Paygo	617,282	8,344	275,000	286,000	297,440	1,484,066
Capital Outlay - Vehicle Financings	2,737,200	2,175,106	2,262,110	2,352,595	2,446,698	11,973,709
Major Equipment Paygo	300,000	157,500	231,321	173,644	362,326	1,224,791
Major Equipment Debt (5 years)	-	-	3,052,500	-	-	3,052,500
Roof Replacements Paygo	30,800	31,633	63,266	81,588	68,428	275,715
HVAC Replacements Paygo	33,692	4,867	26,192	258,449	286,715	609,915
Dare Medflight Debt (5 years)	-	-	-	-	1,791,078	1,791,078
Dare Medflight Paygo	268,839	274,216	279,700	285,294	291,001	1,399,050
Totals	\$29,632,123	\$53,615,811	\$7,348,200	\$5,469,835	\$9,077,591	\$105,143,560

Debt - long-term	\$21,977,920	\$49,137,507	\$ -	\$ -	\$ -	\$ 71,115,427
Debt - short-term	3,654,577	2,443,273	5,855,286	3,318,860	5,736,650	21,008,646
Paygo	3,999,626	2,035,031	1,492,914	2,150,975	3,340,941	10,751,444
Totals	\$29,632,123	\$53,615,811	\$7,348,200	\$5,469,835	\$9,077,591	\$102,875,517

County of Dare, NC  
 Recommended FY 2024 - 2028 Capital Improvements Plan  
 Projects Detail

	Fiscal Year				
	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
<b>Major Projects - Debt 20 year LOBs</b>					
<u>EMS/Barnhill Phase II</u>					
EMS Manns Harbor	\$ 9,313,672				
Manteo Youth Center	2,564,248				
EMS Kitty Hawk	10,100,000				
	21,977,920				
<u>Public Works &amp; EMS Phase III</u>					
Public Works		\$ 31,100,000			
Buxton Transfer Station		5,937,507			
EMS Nags Head		10,100,000			
Sheriff CID/Evidence Bldng		2,000,000			
		49,137,507			
<b>County CIP</b>					
<u>Paygo</u>					
C&D Cell #6		150,000		\$ 700,000	
Buxton scales		100,000			
Voting equipment		126,000			
EOC distributed antenna		110,000	\$ 125,000	90,000	
EMS ventilators		60,000			
EMS IV pumps		65,000			
Detention Center sewer	250,000				
EMS manikins			214,135		
EMS ultrasound			75,900		
EMS blood analysis			202,400		
EMS power stretchers				276,000	
Elevator Health	92,896				
Elevator DSS	87,099				
IT backup infrastructure					\$ 300,000
Dump truck					244,126
Collins walkway					1,490,905
Transfer station		302,100			
Architect fees EMS	463,375				
Elevator Administration	232,971				
	1,126,341	913,100	617,435	1,066,000	2,035,031

County of Dare, NC  
 Recommended FY 2024 - 2028 Capital Improvements Plan  
 Projects Detail

	Fiscal Year				
	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
<u>Debt (5 years)</u>					
Rolloff truck		268,167			
D6 Dozer				580,605	
Trailer	120,500				
Road tractor	221,493				
Backhoe			137,725		
Core network replacement	500,000				
Dump truck			402,951		
Farm tractor				113,280	
Excavator				272,380	
Forklift	75,384				
Compactor					867,127
EMS power stairs					631,747
	917,377	268,167	540,676	966,265	1,498,874
<b><u>Annual Support to School CIF</u></b>					
Annual transfer	1,622,672	645,371	-	-	-
<b><u>General Fund</u></b>					
Capital Outlay - Paygo	617,282	8,344	275,000	286,000	297,440
Capital Outlay - Vehicle Financings	2,737,200	2,175,106	2,262,110	2,352,595	2,446,698
<b><u>Major Equipment</u></b>					
<u>Paygo</u>					
EMS MD computers	150,000				180,000
Sheriff MD comupters			65,946		
IT computers	150,000	157,500	165,375	173,644	182,326
	300,000	157,500	231,321	173,644	362,326
<u>Debt</u>					
Portable radios - LE & EM			1,215,000		
Portable radios - EMS			337,500		
EMS cardiac monitors			1,500,000		
	-	-	3,052,500	-	-

County of Dare, NC  
 Recommended FY 2024 - 2028 Capital Improvements Plan  
 Projects Detail

	Fiscal Year				
	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
<b>Replacements - Paygo</b>					
<u>Roofs</u>					
Nags Head DHHS	30,800				
Dialysis Center		31,633			
Baum Center			63,266		
Fessenden & Rec Park				81,588	
SW Transfer Station					68,428
	30,800	31,633	63,266	81,588	68,428
<u>HVAC</u>					
Admin, COA, Wilkerson	33,692				
KDH Library		4,867			
NH DHHS, AB Welcome			26,192		
Admin, Extension				258,449	
Admin, Old Courthouse					286,715
	33,692	4,867	26,192	258,449	286,715
<b>Dare Medflight</b>					
Engine replacement - Debt					1,791,078
Paygo - HCare	268,839	274,216	279,700	285,294	291,001
	268,839	274,216	279,700	285,294	2,082,079
<b>Grand Totals</b>	<b>\$ 29,632,123</b>	<b>\$ 53,615,811</b>	<b>\$ 7,348,200</b>	<b>\$ 5,469,835</b>	<b>\$ 9,077,591</b>

County of Dare, NC  
 Recommended FY 2024 - 2028 Capital Improvements Plan  
 Summary - Schools Capital Investment Model & Capital Improvements Plan

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
<b>Revenues:</b>					
Restricted sales tax revenue A40 (30%)	\$ 1,312,643	\$ 1,352,022	\$ 1,392,583	\$ 1,434,360	\$ 1,477,391
Restricted sales tax revenue A42 (60%)	5,459,334	5,623,114	5,791,807	5,965,562	6,144,529
Restricted sale tax revenue	6,771,977	6,975,136	7,184,390	7,399,922	7,621,920
Contribution from General CIF	1,622,672	645,371	-	-	-
<b>Expenditures:</b>					
School debt service	5,749,649	4,768,007	2,648,763	2,536,768	1,847,044
Local capital outlay - Paygo	600,000	610,000	640,500	672,525	706,151
Capital Improvements Plan - Paygo	2,045,000	2,242,500	2,072,500	2,025,000	2,020,000
<b>Balances:</b>					
Ending School CIF balance	-	-	1,822,628	3,988,256	7,036,981
PSCBF balance held by State	722,963	1,079,715	1,445,313	1,819,943	2,203,795
Totals	\$ 722,963	\$ 1,079,715	\$ 3,267,941	\$ 5,808,199	\$ 9,240,776
Total available after 1.0 times DS coverage	\$ -	\$ -	\$ 619,178	\$ 3,271,431	\$ 7,393,732

**Dare County Board of Education**  
**Capital Improvement Plan**  
**Projected Projects for Fiscal Years 2023-24 through 2027-28**

Facility	Project	2024	2025	2026	2027	2028	Totals
KHES	Exterior Paint/Siding				\$150,000		\$150,000
<b>KHES Total</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$150,000</b>	<b>\$0</b>	<b>\$150,000</b>
FFHS	Roof replacement	\$600,000	\$450,000				\$1,050,000
FFHS	Section/Siding replacement/paint		\$250,000				\$250,000
FFHS	Gym Floor Renovations					\$150,000	\$150,000
<b>FFHS Total</b>		<b>\$600,000</b>	<b>\$700,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$150,000</b>	<b>\$1,450,000</b>
FFES	Renovations		\$400,000	\$400,000			\$800,000
FFES	Air handler replacement	\$135,000	\$155,000				\$290,000
<b>FFES Total</b>		<b>\$135,000</b>	<b>\$555,000</b>	<b>\$400,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,090,000</b>
FFMS	Renovations			\$400,000	\$400,000		\$800,000
FFMS	Air handler replacement			\$150,000			\$150,000
<b>FFMS Total</b>		<b>\$0</b>	<b>\$0</b>	<b>\$550,000</b>	<b>\$400,000</b>	<b>\$0</b>	<b>\$950,000</b>
NHES	Chiller compressor overhaul			\$190,000			\$190,000
NHES	Roof Replacement				\$420,000		\$420,000
<b>NHES Total</b>		<b>\$0</b>	<b>\$0</b>	<b>\$190,000</b>	<b>\$420,000</b>	<b>\$0</b>	<b>\$610,000</b>
MHS	Track Resurface and Configure	\$300,000					\$300,000
MHS	Gym floor major renovations		\$90,000				\$90,000
MHS	Chiller Replacements (3)	\$210,000	\$397,500	\$397,500			\$1,005,000
<b>MHS Total</b>		<b>\$510,000</b>	<b>\$487,500</b>	<b>\$397,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,395,000</b>
MES	Roof Replacement			\$400,000			\$400,000
MES	Rooftop HVAC					\$240,000	\$240,000
<b>MES Total</b>		<b>\$0</b>	<b>\$0</b>	<b>\$400,000</b>	<b>\$0</b>	<b>\$240,000</b>	<b>\$640,000</b>
MMS	South Wing roof	\$300,000					\$300,000
MMS	Chiller Replacement					\$450,000	\$450,000
<b>MMS Total</b>		<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$450,000</b>	<b>\$750,000</b>
CHSSCS	Kitchen renovations		\$500,000				\$500,000
CHSSCS	Roof replacement	\$200,000			\$500,000		\$700,000
CHSSCS	Chiller Replacement					\$850,000	\$850,000
<b>CHSSCS Total</b>		<b>\$200,000</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$500,000</b>	<b>\$850,000</b>	<b>\$2,050,000</b>
CHES	Playground pour-in-place path	\$150,000					\$150,000
CHES	Roof Replacement				\$400,000		\$400,000
<b>CHES Total</b>		<b>\$150,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$400,000</b>	<b>\$0</b>	<b>\$550,000</b>
CO	Roof Replacement				\$155,000		\$155,000
CO	Window Replacement					\$150,000	\$150,000
CO	Building HVAC Unit			\$135,000			\$135,000
<b>CO Total</b>		<b>\$0</b>	<b>\$0</b>	<b>\$135,000</b>	<b>\$155,000</b>	<b>\$150,000</b>	<b>\$440,000</b>
District	HVAC Controls Hdwr	\$60,000					\$60,000
District	Playground Equipment	\$90,000				\$180,000	\$270,000
<b>District Total</b>		<b>\$150,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$180,000</b>	<b>\$330,000</b>
<b>Grand Total</b>		<b>\$2,045,000</b>	<b>\$2,242,500</b>	<b>\$2,072,500</b>	<b>\$2,025,000</b>	<b>\$2,020,000</b>	<b>\$10,405,000</b>



# DARE COUNTY

## BUDGET AMENDMENT

F/Y 2023-2024

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<b>Capital Investment Fund</b>					
<u>Revenues:</u>					
A42 restricted sales tax	113015	405002			\$5,459,334
A40 restricted sales tax	113015	405003			\$1,312,643
<u>Expenditures:</u>					
Reserved for CIP	114490	555009			\$995,459
Debt service Prin S13A	114495	548313	98990		\$2,815,000
Debt service Prin S14	114495	548314	98990		\$205,000
Debt service Prin S20A	114495	548316	98990		\$2,294,310
Debt service Prin S21A	114495	548317	98990		\$41,550
Debt service Int S13A	114495	549313	98990		\$140,750
Debt service Int S14	114495	549314	98990		\$48,006
Debt service Int S20A	114495	549316	98990		\$178,026
Debt service Int S21A	114495	549317	98990		\$53,876

Explanation:

CIF budget adjustment for the creation of the School Capital Investment Fund.

**Approved by:**

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

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

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

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

*Finance only:*

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

# DARE COUNTY

## BUDGET AMENDMENT

F/Y 2023-2024

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<b>School Capital Investment Fund</b>					
<u>Revenues:</u>					
A42 restricted sales tax	193015	405002		\$5,459,334	
A40 restricted sales tax	193015	405003		\$1,312,643	
Transfer from CIF	193090	491100		\$1,622,672	
<u>Expenditures:</u>					
Transfer to School Capital Projects	194925	596300		\$2,645,000	
Debt service Prin S13A	194495	548313	98990	\$2,815,000	
Debt service Prin S14	194495	548314	98990	\$205,000	
Debt service Prin S20A	194495	548316	98990	\$2,294,310	
Debt service Prin S21A	194495	548317	98990	\$41,550	
Debt service Int S13A	194495	549313	98990	\$140,750	
Debt service Int S14	194495	549314	98990	\$48,006	
Debt service Int S20A	194495	549316	98990	\$178,026	
Debt service Int S21A	194495	549317	98990	\$27,007	

Explanation:

To create the FY 2024 budget for the School Capital Investment Fund.

**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  
Approved FY 2024 CIP Projects**

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 approved FY 2024 CIP projects per the Capital Investment Model.

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

Section 3 The following amounts are appropriated for the projects:

*Paygo Projects:*

Sewer Detention Center	615520-737527-71024	\$250,000
Elevators DHHS	615600-737584-71024	\$179,995
Elevators Administration	615490-737584-71024	\$232,971
EMS Architect Fees	615531-710900-71024	\$463,375

*Financed Projects:*

Public Works Equipment	615717-737583-71024	\$417,377
I.T. Core Network Replacement	615445-737583-71024	\$500,000

Section 4 The following revenues are anticipated to be available to complete the projects:

Transfer from Capital Investment Fund 2024	613090-491100-71024	\$1,126,341
LP Proceeds PW & I.T. Equipment (59 months)	613090-470100-98739	\$917,377

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 7<sup>th</sup> day of August, 2023

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Chairman, Board of Commissioners

[SEAL]

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Clerk to the Board of Commissioners

# DARE COUNTY

## BUDGET AMENDMENT

F/Y 2023-2024

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<b>Capital Investment Fund</b>					

Revenues:

Expenditures:

Transfer to Capital Projects Fund	114925	596100	\$1,126,341	
Transfer to Capital Projects Fund	114925	596100	\$300,000	
Transfer to School CIF/Fund	114925	591900	\$1,622,672	
Roof Replacement	114470	737514	\$30,800	
HVAC Replacement	114470	737518	\$33,692	
Debt service	114495	518400	\$154,010	
Reserved for CIP	114495	555009		\$3,267,515

Explanation:

Budget changes for adopted FY 2024 CIP.

**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 - Schools  
for  
Fiscal Year 2024 Projects in the Adopted Capital Improvements Plan**

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 approved projects for fiscal year 2024 per the adopted Capital Improvements Plan and School Capital Investment Fund model.

Section 2 The following budget shall be conducted within the School Capital Projects Fund (fund #63).

Section 3 The following amounts are appropriated for the projects:

Local capital outlay	635675-570101-71024	\$600,000
DCS Capital Improvements Plan	635675-711500-71024	\$2,045,000

Section 4 The following revenues are anticipated to be available to complete the projects:

Transfers from School Capital Investment Fund FY 2024	633090-491900-71024	\$2,645,000
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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, the Superintendent of the Dare County Schools and the Clerk to the Board of Commissioners.

Adopted this 7<sup>th</sup> day of August, 2023.

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

[SEAL]

\_\_\_\_\_  
Clerk to the Board of Commissioners



*Consent Agenda*

**Description**

See attached summary

**Board Action Requested**

Approval

**Item Presenter**

Robert Outten, County Manager

## **Consent Agenda Summary**

1. Approval of Minutes (July 17)
2. NC Governor's Highway Safety Program (GHSP) Local Government Resolution
3. Dare County DHHS-Public Health Opioid Settlement Funds Budget Amendment -FY 2024
4. Southern Albemarle Association, Annual Meeting Invitation List
5. Resolution to Approve Sole Source Purchase
6. Resolution Reimbursement – Fiscal Year 2023-2024 Public Works & IT Equipment Financing



*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 MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., July 17, 2023

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

Commissioners absent: none

Others present: County Manager/Attorney, Robert Outten  
Deputy County Manager/Finance Director, David Clawson  
Master Public Information Officer, Dorothy Hester  
Clerk to the Board, Cheryl Anby, 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 5:01 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He read the invocation provided by Rev. Cindy Simpson, and then he led the Pledge of Allegiance to the flag.

Recognized several school board members, Steve Basnight, Ron Payne, and Mary Balance. He also noted Bill Coleman, Director of the SPCA, was in attendance.

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

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

- Recognized the Manteo High School Woman’s Varsity Soccer Team for winning the State 2A Championship for the first time in team history. He stated Assistant Coach Tony Calvillo had coached these young ladies since they were in middle school and told them all he wanted was for the team to be successful and confident within themselves.

Chairman Woodard asked that agenda Item 17 be moved and heard as Item 4B.

#### **MOTION**

Commissioner Couch motioned to approve the adjustment to the agenda.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

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

- 1) Aaron Felton, Deputy Sheriff, received a twenty-five-year pin.

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

Due to scheduling conflicts, the July recipient of the Employee of the Month award would be presented at the September meeting.

**ITEM 4 – PUBLIC COMMENTS**

At 5:16 p.m. the Manager outlined the procedure for making public comments in Manteo and via video link to the Fessenden Center Annex in Buxton. Following is a summary of remarks made in Manteo:

1. Jennifer Hammer gave an update on the Camp Emmanuel project. The church had raised \$1.1 million thus far and had completed phase one of construction. They wanted the building to become a resource to more than just the church community.
2. Bill Coleman gave an update on the SPCA. He reported 450 cats had been spayed. They had hired a veterinarian to preform minor treatments and would be able to spay and neuter in the facility once it was properly set up with equipment.

With no comments from Buxton, the County Manager closed Public Comments at 5:25p.m.

**ITEM 4B DARE EDUCATIONAL FOUNDATION AND TEACHER HOUSING**

Mr. Outten explained the Dare County Schools had lost many great applicants due to the lack of housing. The school superintendent had met with the County Manager to see if they could work with Coastal Affordable Housing to add 12 more units to the school's housing units. The Manager asked for approval of the two budget amendments to secure the one million dollars needed for the Dare County Educational Foundation construction project.

**MOTION**

Commissioner House motioned to approve the two budget amendments presented to aid in the school's housing project.

Commissioner Ervin Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 5 – UPDATE – SENIOR TAR HEEL LEGISLATURE**

Kaye White and Sue Kelly presented an update of legislative actions. Kaye discussed the aging population of North Carolina and why older adult legislation was important. She explained the purpose of the Senior Tar Heel Legislature was to provide information and education to senior citizens on the legislative process. Vice-Chairman Overman asked if there were elected officials working with them. Mrs. White stated they had some, but not quite enough. Chairman Woodard asked if our local legislatures were aware of the STHL recommendations and priorities. Kaye stated she had sent the information to them, but she had not yet had a verbal conversation. Sue Kelly had attended the March state meeting and attendees were tasked with getting meetings set up with their local representatives. There are ten counties in our STHL region with headquarters in Hertford. She had had a pleasant meeting with District 1 Senator, Norman Sanderson. Chairman Woodard stated the Board would reach out to the county lobbyists in Raleigh to help with the STHL priorities and goals for our citizens.

*Cheryl Anby, left the meeting at 5:54 p.m. and returned at 5:56 p.m.*

**ITEM 6 – DARE COUNTY N.C. COOPERATIVE EXTENSION REPORT**

Tanya Lamo, County Extension Director, provided her annual report with an interactive presentation. The following topics were highlighted: Family Consumer Sciences, Dare County 4-H Program, Horticulture Program, Master Gardner’s Achievements, Volunteers, and Partnerships. In 2022, the office programs had reached over 117,400 residents and visitors. Their program volunteers worked a total of 6,904 hours. See video for additional details.

*Dorothy Hester, left the meeting at 6:07 p.m. and returned at 6:14 p.m.*

**ITEM 7 – RESOLUTION ADVOCATING INCREASED FUNDING TO HELP LANDOWNERS IMPROVE THEIR PROPERTY AND SIGNIFICANTLY REDUCE NUTRIENT LOADING IN NORTH CAROLINA’S COASTAL WATERS (Att.#1)**

Charlie Saunders, Community Conservationist with Soil and Water Department, explained that the state funds several cost-share programs to address erosion. The Stakeholder Engagement for Collaborative Coastal Habitats Initiative had crafted a resolution to be presented to key state and federal agencies and decision makers that have the authority to increase funding for voluntary landowners’ cost-share programs in order to reduce nutrient loading in local waters.

**MOTION**

Commissioner House motioned to adopt the resolution as presented.

Commissioners Ross and Bateman seconded the motion.

VOTE: AYES unanimous

*Dave Clawson left the meeting at 6:35 p.m. and returned at 6:38 p.m.*

**ITEM 8 – DARE COUNTY DHHS – PUBLIC HEALTH – OPIOID SETTLEMENT FUNDS RESOLUTION (Att.#2)**

Roxana Ballinger addressed the Board with the ordinance and resolution relative to the budget and strategies for the opioid settlement funds for the upcoming year. Vice-Chairman Overman asked her to outline the strategies on how the funds would be allocated: Recovery Support Services, Evidence Based Addiction Treatment, Criminal Justice Diversion, Naloxone Distribution, and Recovery Support Services.

**MOTION**

Vice Chairman Overman motioned to adopt the Grant Project Ordinance Amendment and resolution to direct the expenditure of opioid settlement funds.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – HEALTH AND HUMAN SERVICES – MEDICAID EXPANSION PRESENTATION**

Dr. Sheila Davies and Chuck Lycett provided an update on the potential impact of Medicaid expansion in Dare County. The following topics were highlighted: status of state action on Medicaid Expansion and its benefits of early intervention. The House had passed NC Health Works on February 16, 2023, the Senate on March 15, and the Governor on March 27. Implementation in North Carolina would be determined by FY23/24 NC budget approval. Funding for the program would come from the Federal Government (90%) and 10% from the State. NC Social Service offices would be responsible for determining Medicaid eligibility for applicants, which is a manual process. Mr. Lycett reported there were currently 7,083 individuals on Medicaid in Dare, with an expected increase of 1,843 once the expansion

occurs. The expansion would cover those that qualify at the ages of 18-64, at less than 138% of the federal poverty level (\$20,000 at individual and family of three at \$33,000). In June the Board had approved the hiring of three income maintenance workers. They were now requesting the creation of two more positions: one quality control caseworker and one supervisor. Dr. Davies stated for FY23/24 the Social Services' budget was prepared to cover the additional salaries. Mr. Outten explained the Board had to authorize the establishment of the additional positions. Vice-Chairman commented that it would be foolhardy to go into Medicaid Expansion without a quality control caseworker.

**MOTION**

Commissioner Couch motioned to approve creation of two positions to the Health and Human Services Department for Medicaid Expansion as discussed.

Vice-Chairman Overman and Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

Mr. Outten remarked it would be a good time to discuss the elimination of DHHS's part-time advanced practice provider and physician positions and create one new position described as a full-time certified nurse midwife or advanced practice practitioner. This would be a budget neutral cost change and it was hopeful it would make it easier to fill the position.

**MOTION**

Commissioner Bateman motioned to create the fulltime Advanced Practice Practitioner.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 10 – RELOCATION OF GRAVES AT THE DARE COUNTY AIRPORT (Att. #3)**

The Dare County Airport Authority had adopted a resolution expressing the need to relocate the graves at the Wescott Cemetery. Vice-Chairman Overman stated there were approximately seven graves located in a high-traffic area and it had become a safety hazard for anticipated increased air traffic. Stacy Ambrose, Airport Director, advised the airport apron had been built around the gravesite by the military over eighty years ago. Johny Hallow, Esq., attorney for the airport, stated there was a statutory process to be followed. A research firm would be hired for genealogical and historical family research. The process would include written notice to the families, publication in the newspaper, and the hiring of a contractor and a licensed funeral director. DCAAB had adopted their resolution and now needed one from the Board. Vice-Chairman Overman stated it was the intent to move the graves to airport owned Roanoke Island Memorial Gardens Cemetery with possibly the same layout as at the airport. Stacy Ambrose was hopeful to receive state funding to aid with the cost and with the lengthy process to respectfully move the gravesite.

**MOTION**

Commissioner Couch motioned to adopt the resolution as presented.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 11– REVISION TO TRAVEL POLICY**

Mr. Clawson presented a revision to Section 2.3.2b of the county's travel policy. It would expand the authorized use of the county credit cards for use by the Finance Director, Human Resources Director, Health Director, Planning Director, Social Services Director, the Sheriff,

and the Public Utilities Director. He explained this would eliminate approximately fifteen to twenty travel advance checks and reconciliations each year by the Finance Department.

**MOTION**

Commissioner House motioned to approve the revision to the travel policy.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

**ITEM 12 – RODANTHE BEACH NOURISHMENT FEASIBILITY STUDY (Att.#4)**

Mr. Outten stated Dare County was not in a position to fund a beach nourishment feasibility study for Rodanthe. Congressman Murphy had begun a process to begin a feasibility study by the Corps of Engineers. They needed a commitment by a local government entity with a 50% cost share. If the study was completed, it would average a cost of \$3 million dollars, with Dare County's contribution being half. Mr. Outten explained it was an incremental long process. As the Board discussed the matter, Mr. Outten said he could not estimate the expense of a cost-benefit analysis. Commissioner Tobin stated that he believed the Board needed more details in writing as to the procedure and Dare's responsibility. If the process concluded successfully, the area could receive approximately \$40 million in nourishment. Mr. Outten would follow-up with the Corps to try to confirm a schedule of procedure.

**MOTION**

Vice-Chairman Overman motioned to send a letter of support to the U.S. Army Corps of Engineers to cost share the feasibility study.

Commissioner Couch seconded the motion and amended same with the letter to contain qualifying and confirmed language of the incremental process to be followed for the feasibility study.

VOTE: AYES unanimous

***The meeting recessed at 7:33 p.m. and reconvened at 7:42 p.m.***

**ITEM 13 – WATER DEPARTMENT WATER SYSTEM DEVELOPMENT FEE & WATER CONNECTION FEE INCREASE**

Raftelis had completed an evaluation for a "cost-justified" water system development fees (formerly known as impact fees) and water connection fees in May, 2023. William Nash, new water director, stated the connection fees was what it cost to put new service in the ground. One meter was currently \$360 and the connection fee charged was \$340. The county's fees were well below the cost to install the most basic meter. He requested moving forward to increase the cost to properly recover the costs and avoid being in the negative in connection fee costs. A development fee was solely to recover the cost in the production impact system fee and the actual cost to install it. Mr. Nash said approval of the proposed increase would still leave Dare's fees less expensive than all the towns, except Nags Head, and still lower than most counties in North Carolina. The Board discussed water rates. If approved, the connection fee increases would likely begin August 1, 2023; and system development fees would increase beginning January, 2024 in a phased system.

**MOTION**

Vice-Chairman Overman motioned to approve the increase to water development and connection fees as recommended by Raftelis and presented.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 14 – RECOMMENDED WATER CAPITAL IMPROVEMENTS PLAN FOR 2024 THROUGH 2029**

Dave Clawson stated that everything in the plan was recommended cash fund pay-as-you-go. Last year’s model had a \$6 million debt issue and the county ended at \$30.5 million for the Water Fund. He reviewed the fund balances and briefly the rate model. Mr. Nash briefly explained the FY2024 projects. They would complete the AML system, with completion of the installation of meters. This would eliminate the need of in-person meter reading and potential leaks could be recognized within 24 hours. Mr. Nash stated they had not had many issues with the meters except during this year’s December cold spell, which caused some tops to pop off. They were designed to have a 25-year battery life. Commissioner Ross asked if there had been any issues with the quality of county water. Mr. Outten explained the county used an aquifer instead of surface water. The Board briefly discussed the naming procedures of the water towers, as they come up for painting. It was Board consensus to leave the names as they were at this time. Commissioner House inquired as to why Southern Shores’ tower was not in CIP for painting. Mr. Nash explained it had been painted last year.

**MOTION**

Vice-Chairman Overman motioned to approve the 2024 – 2029 Water CIP, adopt the Capital Projects Ordinance, and adopt the budget amendments for the Water Fund and the Water Capital Reserve Fund.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

**ITEM 15 - S-13 AND S-14 SUPPLEMENTS TO THE COUNTY ORDINANCES**

County Manager explained this item was a housekeeping item and requested a public hearing on August 7, 2023, at 10:00 a.m. to adopt the S13 and the S-14 Code of Ordinance supplements, which the Board had adopted as individually presented at previous meetings.

**MOTION**

Commissioner Ross motioned to hold a public hearing to adopt S-13 and S-14 ordinance supplements on August 7, 2023 at 10:00 a.m.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 16 - NCACC VOTING DELEGATE**

Each county was entitled to one vote on all questions at the NCACC (North Carolina Association of County Commissioners) August annual conference held in Wake County.

**MOTION**

Commissioner Couch motioned to appoint Chairman Woodard as voting delegate and Vice-Vice-Chairman Overman as the alternate delegate for all upcoming NCACC conferences.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 18 – CONSENT AGENDA**

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

**MOTION**

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (05.17.23 and 06.05.23) **(Att. #5 & #6)**
- 2) Budget Adjustments for FY 2022 Actual Collections of System Development Fees

- 3) Transportation Dept. SureBus Software License Agreement
- 4) Dare County Wilkenson Building Lease
- 5) NC Governor's Hwy. Safety Program (GHSP) Local Government Resolution (**Att.#7**)
- 6) Outer Banks Gun Club Lease
- 7) Public Works – Refuse Truck Budget Amendment
- 8) Systel Multi-Function Machine Lease
- 9) Tax Collector's Report
- 10) Amendment to Capital Project Ordinance & Budget Amendment for Final FY23 System Development Fees
- 11) Water Department NCDOT Three Party Right of Way Encroachment Agreement
- 12) Health & Human Services-Public Health Division Community Linkages to Care for Overdose Prevention and Response Grant
- 13) Health & Human Services-Public Health Division Breaking Through Task Force – Public Awareness Campaigning to Address Community Mental Health Grant
- 14) Reimbursement Resolutions-FY23-24 Vehicle & Equipment Financing and FY23-24 Sanitation Equipment Financing (**Att.#8 and #9**)
- 15) Dare County Sheriff's Office – Flock Safety License Plate Reader

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

#### **ITEM 19 – BOARD APPOINTMENTS**

1) Jury Commission Board

Vice-Chairman Overman motioned to reappoint Elizabeth Creef-Meekins.

Commissioner House seconded the motion.

VOTE: AYES unanimous

2) Fessenden Center Advisory Board

Commissioner Couch motioned to appoint Brian Jones.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

3) Manns Harbor Community Center Board

Vice-Chairman Overman motioned to reappoint Jennifer Gilbert, Betty Beasley, and Vicki Craddock.

Commissioners Tobin and House seconded the motion.

VOTE: AYES unanimous

4) A.B.C. Board

Vice-Chairman Overman motioned to reappoint Fields Scarborough, and Jimmy Pierce.

Commissioner House seconded the motion.

VOTE: AYES unanimous

5) Wanchese Community Center

Vice-Chairman Overman motioned to reappoint Tina Sherrod, Bill Wilson, Becky Beachum, Joseph Lee Willis, and to appoint Elizabeth Ann Creef-Meekins.

Commissioners House and Bateman seconded the motion.

VOTE: AYES unanimous

6) Virginia S. Tillett Community Center Advisory Board

Commissioner Bateman motioned to reappoint Teresa Griffin, Johnathan DeLucia, Mitchell Bateman, Jennifer Phillips, and Rob Ross for another term.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

7) Upcoming Board Appointments

The upcoming Board appointments for August, September and October, 2023 were announced.

**ITEM 20 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS**

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

Mr. Outten updated that the channel permits had three issues with the Division of Coastal Management: Dredge windows (we are trying to have the dredge windows unrestricted); depth trigger; and sand needed for the project. An agency wants to do it by the Corps and we want to do it when it needs it. He wanted the Board to be aware of the situation. A call had been scheduled tomorrow morning with Coastal, which may resolve the issues.

Commissioner Ross

- He attended the dedication of an historic marker for Carolista Baum on July 7, which commemorated her efforts in establishing Jockey’s Ridge State Park.
- On the 11<sup>th</sup> they attended the Manteo Health Clinic opening.
- He attended a webinar by Project Opioid USA with the Vice Chairman. He remarked it had been predicted that 110,000 Americans would die from opioid poisoning, with 70-80% tied to fentanyl. It was now the leading cause of deaths among young adults.
- He attended a Nags Head farmers market event with the Public Relations Department.
- There would be a silent auction on July 29, sponsored by the Virginia Tillett Community Center, to raise funds for the area’s Special Olympics.
- He would also be attending an event at the Lost Colony on Aug 1, 2023, hosted by RIHA.

Commissioner House

- There were laborious, ongoing issues with permits for Island H.
- There had been joint meetings with the advisory committees and NC Fisheries Commission. He said meetings had been positive with some great ideas shared.
- For a day in history, he recalled that Tsar Nicholas II of Russia and his family were assassinated in 1918. In 1955, Disneyland had opened in Anaheim, California.
- He presented the Pet of the Week video (kittens named Boots and Socks) and encouraged pet adoption.

Vice-Chairman Overman

- Congratulated twenty-five-year service pin recipient, Aaron Felton.
- He discussed the opioid webinar and stated the webinar creator had mentioned we no longer had an opioid crisis; we had a fentanyl crisis.
- Acknowledged that the newly opened healthcare center in Manteo was definitely needed.
- On June 20, he met the management of North Carolina Blue Cross/Blue Shield at COA.



- He had attended with Roxana Ballinger the NCACC Opioid Summit on June 7-8 in Durham with many great presentations.

#### Commissioner Bateman

- Congratulated the Manteo High School girls' soccer team.
- Commented on how area water had greatly improved since he was a younger boy. He reflected on memories of orange-stained bathtubs and clothes in his youth.

#### Commissioner Couch

- Remembered the passing of Tommy Gray, a former Dare County IT Director with a thirty-year career. He also noted the passing of Zola Steger, who had been a "Buxton Mom" to many in the area.
- He attended the flag raising ceremony at the U.S. weather station in Hatteras. It had the distinction of being the first official weather station. He also shared additional history on hurricane observation science in the area.
- Mentioned several calls had been received concerning the roundabout (traffic circle) in Rodanthe. There was camper traffic there with backups, especially during check-in and check-out times. He recommended that it be monitored, as ambulances were also having problems responding to emergencies as a result of the roundabout traffic.

#### Commissioner Tobin

- Thanked his fellow Commissioners for his thoughtful and uplifting gifts. He provided an update on his chemo treatments, which would conclude the end August.

#### Chairman Woodard

- He asked the Board's consideration for a one-time donation of \$15,000 to 20,000 to the four Rotary Clubs so they could continue their vascular screening in Dare County.

#### **MOTION**

Commissioner House motioned to provide \$20,000 from contingency to the Rotary Clubs for their vascular screening program.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

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

Dorothy Hester stated her department had been attending many markets with some members of the Board attending, as meet and greet opportunities. They would be in Avon tomorrow.

#### **ITEM 21 – CLOSED SESSION**

The Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the County in order to preserve the attorney-client privilege relative to litigations with O'Hara, Blackburn; Robertson and opioid matters. Pursuant to NCGS-143-318.11(a)(6) to review the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, and to approve the minutes of the last Closed Session.

**MOTION**

Vice Chairman Overman motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

At 8:52 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 9:20 p.m. Mr. Outten reported that during the Closed Session the Board approved previous Closed Session minutes, consulted with the attorney regarding the O’Hara, Blackburn; Robertson and opioid litigations and gave the attorney guidance. They also considered the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial appointment of an individual public officer or employee, to-wit the County Clerk and recommended that Skyler Foley be appointed as Clerk to the Board position, and considered the hiring of Skyler Foley and moved in closed session to make that appointment.

**MOTION**

Vice-Chairman Overman motioned to approve the hiring of Skyler Foley for the position of Clerk to the Board of Commissioners with terms established by the Human Resources Department.

Commissioners House and Tobin 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.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 9:20 p.m., the Board of Commissioners adjourned until 9:00 a.m., August 7, 2023.

Respectfully submitted,

[SEAL]

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

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

Note: Copies of attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board at this meeting are on file in the office of the Clerk. Attempts have been made to accurately spell the name of each podium speaker.



*North Carolina Governor's Highway Safety Program (GHSP)  
Local Government Resolution*

**Description**

The Dare County Sheriff's Office requests the attached resolution to comply with the award requirements (This grant is for the Officer Overtime).

**Board Action Requested**

Approval

**Item Presenter**

Robert Outten, County Manager

# North Carolina Governor's Highway Safety Program LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Dare County Sheriff's Office (herein called the "Agency")

(The Applicant Agency)

has completed an application contract for traffic safety funding; and that Dare County Board of Commissioners (herein called the "Governing Body") has thoroughly considered the problem

(The Governing Body of the Agency)

identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Dare County Board of Commissioners IN OPEN MEETING ASSEMBLED IN THE CITY OF Manteo, NORTH CAROLINA,

(Governing Body)

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Edward Jack Scarborough is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$ 25,000 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$ 0.0 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

(Federal Dollar Request)

(Local Cash Appropriation)

DONE AND ORDERED in open meeting by \_\_\_\_\_ (Chairperson/Mayor)

ATTESTED BY \_\_\_\_\_ (Clerk)

**SEAL**

DATE \_\_\_\_\_



*Dare County DHHS -Public Health  
Opioid Settlement Funds Budget Amendment - FY2024*

**Description**

Budget amendment to authorize the expenditure of opioid settlement funds for fiscal year 2024.

A grant ordinance amendment was previously adopted on 7/17/2023 along with a resolution directing the expenditure of opioid settlement funds. Finance has since received direction from NC DOJ that a grant project ordinance cannot be used for opioid settlement funds.

**Board Action Requested**

Rescind the grant ordinance amendment adopted 7/17/2023.  
Adopt the budget amendment for fiscal year 2024.

**Item Presenter**

n/a

# DARE COUNTY

## BUDGET AMENDMENT

F/Y 2023-2024

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<b>Department:</b>					
Opioid Settlement Special Revenue Fund					
<u>Revenues:</u>					
Opioid settlement funds	313052	460100	56011	\$424,188	
<u>Expenditures:</u>					
Salaries	314600	500200	56011	\$42,418	
FICA	314600	500300	56011	\$3,245	
Retirement	314600	500400	56011	\$5,468	
Health insurance	314600	500500	56011	\$11,712	
401k	314600	500601	56011	\$1,273	
Retiree health insurance	314600	500700	56011	\$72	
Contracted services	314600	510700	56011	\$50,000	
Professional services - court	314600	510900	56011	\$100,000	
Supplies	314600	513300	56011	\$150,000	
Linkage	314600	525722	56011	\$60,000	

Explanation:

Authorization for expenditure of opioid settlement funds for fiscal year 2024.

Strategy 1: recovery support services	\$64,188
Strategy 2: evidenced based addiction treatment	\$50,000
Strategy 3: criminal justice diversion - court	\$100,000
Strategy 4: criminal justice diversion - linkage	\$50,000
Strategy 5: naloxome distribution	\$150,000
Strategy 6: recovery support services	\$10,000

**Approved by:**

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

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

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

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

(sign in red)

*Finance only:*

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



*Southern Albemarle Association, Annual Meeting Invitation List*

**Description**

The Southern Albemarle Association (SAA) is dedicated to the maintenance, enhancement, and advancement of roads, bridges, waterways, and airports in Beaufort, Dare, Hyde, Martin, Tyrrell, and Washington Counties.

The SAA has asked the Board of Commissioners to submit a list of 50 people from Dare County for the SAA to invite to their upcoming annual meeting.

The SAA recommends that the list include elected officials and others that have an interest in our airports, waterways, bridges, ferries, and roadways. The attached invitation list will be submitted to the SAA.

**Board Action Requested**

Approve Submitting the Invitation List to the Southern Albemarle Association

**Item Presenter**

Robert Outten, County Manager

## **Southern Albemarle Association (SAA)**

### **Dare County Invitation List - 2023**

50 Dare County names to be invited to the upcoming annual SAA meeting.

The SAA is dedicated to the maintenance, enhancement, and advancement of the roads, bridges, waterways, and airports in Beaufort, Dare, Hyde, Martin, Tyrrell, and Washington Counties.

#### **Board of Commissioners, Elected Officials, and County Staff**

1. Robert Woodard, Chairman
2. Wally Overman, Vice-Chairman
3. Ervin Bateman, Commissioner
4. Steve House, Commissioner
5. Rob Ross, Commissioner
6. Jim Tobin, Commissioner
7. Danny Couch, Commissioner
  
8. Doug Doughtie, Sheriff
9. Cheryl House, Register of Deeds
10. Dean Tolson, Clerk of Court
  
11. Robert Outten, County Manager
12. Noah Gillam, Planning Director

#### **Dare County Airport Authority**

13. Tess Judge
14. Stacy Ambrose, Director

#### **Dare County Boatbuilders Foundation**

15. John Bayliss, President

#### **Dare County Municipalities – Mayors & Managers**

16. Town of Duck – Mayor Don Kingston & Manager
17. Town of Kill Devil Hills – Mayor Ben Sproul & Manager
18. Town of Kitty Hawk – Mayor Graig Garriss & Manager
19. Town of Nags Head – Mayor Ben Cahoon & Manager
20. Town of Manteo – Mayor Bobby Owens & Manager
21. Town of Southern Shores – Mayor Elizabeth Morey & Manager

#### **Dare County Restaurant Association**

22. Wes Stepp, President



**Dare County Tourism Board**

- 23. Chair
- 24. Lee Nettles, Executive Director

**National Park Service**

- 25. David Hallac, Superintendent, Outer Banks Group

**NCDOT Board Member**

- 26. Allen Moran

**Dare County Waterways Commission**

- 27. Michael Flynn
- 28. Ernie Foster
- 29. Kenneth "KP" Scott, III)
- 30. Natalie Perry Kavanagh
- 31. John K. Berquist
- 32. Steve Coulter

**Oregon Inlet Task Force Advisory Committee**

- 33. Mikey Daniels
- 34. Harry Schiffman
- 35. Bob Peele
- 36. Jamie Reibel
- 37. Russ King

**Outer Banks Association of REALTORS**

- 38. President, Outer Banks Association of REALTORS
- 39. CEO, Willo Kelly

**Outer Banks Chamber of Commerce**

- 40. Karen Brown, President & CEO
- 41. Chair, Outer Banks Chamber of Commerce

**Outer Banks Homebuilders Association**

- 42. President, Outer Banks Homebuilders Association

**Outer Banks Hotel/Motel Association**

- 43. President, Outer Banks Hotel/Motel Association
- 44. Tonia Cohen, Secretary

**Outer Banks Scenic Byways**

- 45. Mary Helen Goodloe-Murphy

**Additional names of Dare County residents participating in the SAA**

46. Moon Tillett
47. Jean Tillett
48. Elaine Vann
49. Merlee Austin
50. Fletcher Willey
51. Dock Sawyer



*Resolution to Approve Sole Source Purchase*

**Description**

The Water Department's CIP was approved during the June commissioners meeting. The CIP included the expansion of the SKYCO filtration system. Currently, there are three HARN train systems being used and there is a need for two additional trains. Because these trains are custom built and designed to work together there is a need for standardization and compatibility. Because of this, a Sole Source purchase is needed.

**Board Action Requested**

Approve the resolution to make the Sole Source purchase

**Item Presenter**

Dustin Peele - Project and Procurement Manager



**RESOLUTION AUTHORIZING THE USE OF A SOLE SOURCE PURCHASE PURSUANT TO G.S. 143-129(e)(6)**

**WHEREAS**, the County of Dare desires to purchase two (2) Harn Nanofiltration Water Treatment Units for the Dare County Skyco Water Treatment Plant; and

**WHEREAS**, the purchase of two (2) additional Nanofiltration Units is critical to meet the usage demand of the Dare County water supply; and

**WHEREAS**, North Carolina General Statute 143-129(e)(6) authorizes a unit of local government to purchase from a sole source when a product is needed and standardization or compatibility is the overriding consideration; and

**WHEREAS**, the Dare County Water Department has performed an evaluation and determined that Harn Nanofiltration Water Treatment Units, which will be built to specification, are needed.

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

1. The County of Dare is authorized to enter into a contract in the amount of \$1,800,000.00 with Harn RO for the sole source purchase of two (2) Nanofiltration Water Treatment Units for the Dare County Skyco Water Treatment Plant.
2. The County Manager is authorized to execute the agreement with Harn RO and is directed to take all steps necessary to place the nanofiltration units on order.
3. This Resolution shall be effective upon its adoption.

This the 8<sup>th</sup> day of August, 2023.

---

Robert Woodard, Sr., Chairman

Attest:

---

Skyler Foley, Clerk to the Board



***Reimbursement Resolution***  
***Fiscal Year 2023-2024 Public Works & IT Equipment Financing***

**Description**

The FY 2024 Sanitation fund budget, as amended, and CIP capital project ordinance includes \$2,014,911 to be financed for the purchase of public works and information technology equipment. Adoption of the attached resolution will allow the County to be reimbursed from the proceeds of the financing for those items that need to be purchased prior to the placement of the financing.

**Board Action Requested**

Adopt the reimbursement resolution.

**Item Presenter**

None

Resolution No. \_\_\_\_\_

**REIMBURSEMENT RESOLUTION – FISCAL YEAR 2023-2024 PUBLIC WORKS AND  
IT EQUIPMENT FINANCING PROJECT**

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

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

Section 1. *Official Declaration of Intent.* The County presently intends, and reasonably expects, to reimburse itself for the original expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this resolution from a portion of the proceeds of the obligations. The County reasonably expects to execute and deliver the obligations to finance all or a portion of the costs of the project and the maximum principal amount of obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the project is \$2,014,911.

Section 2. *Compliance with Regulations.* The County adopts this resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County’s intent to reimburse itself for the original expenditures from proceeds of the obligations.

Section 3. *Itemization of Capital Expenditures.* The Finance Director of the County is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the original expenditures incurred and paid by the County in connection with the project during the period commencing on the date occurring 60 days prior to the date of adoption of this resolution and ending on the date of execution and delivery of the obligations.

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

Adopted this 7th day of August, 2023.

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

[SEAL]

COUNTY OF DARE, NORTH CAROLINA

\_\_\_\_\_  
Clerk to the Board



*Board Appointments*

**Description**

The following Boards have appointments or actions this month:  
1. Roanoke Island Community Center  
2. Upcoming Board Appointments

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager



*Roanoke Island Community Center*

**Description**

The Bylaws for the Roanoke Island Community Center were found to have several Scrivener's errors. Amended bylaws are attached for Board approval.

**Board Action Requested**

Take Appropriate Action

**Item Presenter**

Robert Outten, County Manager



# **BY-LAWS OF THE ROANOKE COMMUNITY CENTER**

## **ARTICLE 1 PURPOSES**

1. To promote fellowship and goodwill among the community and its members.
2. To help unify the efforts of individuals, institutions and organizations in the community to make it a better place to live.
3. To help promote those agencies within the community.
4. To inspire each other.
5. To provide a safe and clean facility for the use of the residents and non-residents alike.

## **ARTICLE 2 NAME**

The name shall be the Roanoke Community Center Executive Board.

## **ARTICLE 3 MEMBERSHIP**

1. Any person having been a resident of Roanoke Island for the past twelve (12) months is eligible for membership.
2. Members are appointed by the Dare County Board of Commissioners.
3. The Roanoke Community Center Executive Board shall be made up of five (7) members.

## **ARTICLE 4 DURATION OF BOARD MEMBERSHIP**

1. Term is for a period of two (2) years.
2. The resignation of any Board member shall become effective upon written notice to the Dare County Board of Commissioners and the Roanoke Community Center Executive Board President.

4. No person who is not a resident of Roanoke Island, North Carolina, shall be eligible to hold a position on the Board.

## **ARTICLE 7 DUTIES OF OFFICER**

1. The president shall be the chief executive officer of the Board and shall preside at all meetings.
2. If for any reason the president is unable to perform his/her duties, the vice-president shall occupy that position and perform his/her duties, having the same authority.
3. If for any reason the office of the president shall become vacant, the vice-president shall succeed him/her in office. In the event of a vacancy in any office, with the exception of the president, the Board shall elect a member to fill the unexpired term.
4. The secretary shall keep a record of transactions of each meeting, a correct list of members and all correspondence. He/she shall make the required reports and perform such other duties as ordinarily required of his office.
5. The treasurer shall collect all monies due to the Board and shall deposit it in a bank designated by the Board, and shall pay out monies only as directed by the Board. All monies shall be paid out by check, signed by the treasurer. The treasurer shall be in charge of scheduling building rentals.
6. The duties of Board members shall be as follows:
  - a. They shall be responsible for the execution of the authorized policies of the Board.
  - b. They shall hold special meetings when called by the President or upon written request signed by a majority of the Board.
  - c. They shall hold regular meetings at least once every two months.

## **ARTICLE 8 MEETINGS**

1. The Board will hold at least one meeting every month unless the board decides on a different time frame. Special meetings may be called when considered necessary by the Board.

2. There must be at least three (3) members present for a quorum at any meeting of the Board.

## **ARTICLE 9**

1. Meeting called to order – president
2. Report of treasurer – treasurer
3. Minutes from last meeting – secretary
4. Old business – president
5. New business – Board Members
6. Adjournment

## **ARTICLE 10 RENTAL OF BUILDING**

1. Any person(s) over the age of 21 shall be permitted rental of the Roanoke Community Center without prejudice.
2. Any person(s) who wishes to rent the building will be required to sign a contract and comply with all rules and regulations set forth in said contract and will be liable for any damage to the building during the time of rental.
3. Rental fees shall be set by the Board members.

**AMENDED BYLAWS FOR THE  
ROANOKE ISLAND COMMUNITY CENTER**

**ARTICLE I – PURPOSES**

1. To promote fellowship and goodwill among the community and its members.
2. To help unify the efforts of individuals, institutions and organizations in the community to make it a better place to live.
3. To help promote those agencies within the community.
4. To inspire each other.
5. To provide a safe and clean facility for the use of the residents and non-residents alike.

**ARTICLE II – NAME**

The name shall be the Roanoke Island Community Center.

**ARTICLE III – MEMBERSHIP**

1. Any person having been a resident of Roanoke Island for the past twelve (12) months is eligible for membership.
2. Members are appointed by the Dare County Board of Commissioners.
3. The Roanoke Island Community Center Board shall be made up of five (5) members.

**ARTICLE IV – DURATION OF BOARD MEMBERSHIP**

1. Term is for a period of two (2) years.
2. The resignation of any Board member shall become effective upon written notice to the Dare County Board of Commissioners and the Roanoke Island Community Center Executive Board President.
3. Any member who neglects to participate or perform said duties will be asked to resign his/her position on the board.
4. Members shall comply with the Dare County Board of Commissioners Policy on Attendance for Appointees to Boards and Commissions dated April 7, 2003 and recorded in the Register of Deeds Office as Book 38, pages 636-637.

5. Upon written application to the Board setting forth good and sufficient reason, a leave of absence may be granted a member excusing him/her from attending meetings for a specific length of time. A member on leave of absence shall be counted neither present or absent.
6. Any Board member who should move his/her residence from the area of Roanoke Island will forfeit his/her position on the Roanoke Island Community Center Executive Board.

#### **ARTICLE V – OFFICERS**

1. The officers of this Board shall be president, vice-president, secretary, and treasurer.
2. A majority of the Board shall constitute a quorum.
3. There must be at least three members of the Board present to constitute a quorum.

#### **ARTICLE VI – ELECTIONS**

1. The officers whose term of office expires at the end of one year shall be elected as follows:
  - a. At the regular meeting held in July of that year.
  - b. Members shall nominate the necessary officers provided in Article 5 of the by-laws.
  - c. At the July meeting, members will elect officers. The person receiving the majority of the votes cast shall be declared elected.
2. All elected officers shall be installed at the July meeting and shall hold office for a term of one (1) year.
3. No officer of this Board shall be eligible to receive any compensation for services rendered as a Board member.
4. No person who is not a resident of Roanoke Island, North Carolina, shall be eligible to hold a position on the Board.

#### **ARTICLE VII – DUTIES OF OFFICERS**

1. The president shall be the chief executive officer of the Board and shall preside at all meetings.
2. If for any reason the president is unable to perform his/her duties, the vice-president shall occupy that position and perform his/her duties, having the same authority.

3. If for some reason the office of the president shall become vacant, the vice-president shall succeed him/her in office. In the event of a vacancy in any office, with exception of the president, the Board shall elect a member to fill the unexpired term.
4. The secretary shall keep a record of transactions of each meeting, a correct list of members and all correspondence. He/she shall make the required reports and perform such other duties as ordinarily required of his office.
5. The treasurer shall collect all monies due to the Board and shall deposit it in a bank designated by the Board, and shall pay out monies only as directed by the Board. All monies shall be paid out by check, signed by the treasurer. The treasurer shall be in charge of scheduling building rentals.
6. The duties of Board members shall be as follows:
  - a. They shall be responsible for the execution of the authorized policies of the Board.
  - b. They shall hold special meetings when called by the President or upon written request signed by a majority of the Board.
  - c. They shall hold regular meetings at least once every two months.

#### **ARTICLE VIII – MEETINGS**

1. The Board will hold at least one meeting every month unless the Board decides on a different time frame. Special meetings may be called when considered necessary by the Board.
2. There must be at least three (3) members present for a quorum at any meeting of the Board.

#### **ARTICLE IX – ORDER OF BUSINESS**

1. Meeting call to order – President
2. Report of treasurer – Treasurer
3. Minutes from last meeting – Secretary
4. Old business – President
5. New business – Board Members
6. Adjournment

**ARTICLE X – RENTAL OF BUILDING**

1. Any person(s) over the age of 21 shall be permitted rental of the Roanoke Island Community Center without prejudice.
2. Any person(s) who wishes to rent the building will be required to sign a contract and comply with all rules and regulations
3. Rental fees shall be set by the Board members.

These amended bylaws shall be in full force and effect from and after the date of their approval by the Dare County Board of Commissioners.

Approved by the Dare County Board of Commissioners this 7<sup>th</sup> day of August, 2023.

\_\_\_\_\_  
Robert L. Woodard, Sr., Chairman  
Dare County Board of Commissioners

Attest:

\_\_\_\_\_  
Clerk to the Board



*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.***

**September, 2023** Health and Human Services Board – 2 terms expiring

**October, 2023** Juvenile Crime Prevention Council – 3 terms expiring  
Transportation Advisory Board – 1 term expiring

**November, 2023** Health and Human Services Board – 1 term 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)

***Skyler Foley, 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