



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., October 2, 2023

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

Commissioners absent: Jim Tobin

Others present: County Manager/Attorney, Robert Outten
Deputy County Manager/Finance Director, David Clawson
Master Public Information Officer, Dorothy Hester
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.

At 9:00 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Freyer to share a prayer, and then he led the Pledge of Allegiance to the flag.

Chairman Woodard asked that the agenda Item 7 be moved and heard as Item 3B.

MOTION

Vice-Chairman Overman motioned to approve the adjustment to the agenda.

Commissioner Bateman and Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

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

- The Vice-Chairman, Commissioner Ross, and himself attended the Mountain to Sea Trail Ribbon Cutting Ceremony at Jockey’s Ridge to unveil the Monument. He recognized the following individuals and groups that made it possible: North Carolina State Park Director, Brian Strong; Friends of the Mountains-to-Sea Trail Director, Brent Laurenz; Jockey’s Ridge State Park Leadership, Staff, and Members; Members of the Mountains-to-Sea State Trail; Members of the Friends of Jockey’s Ridge State Park; The Roanoke Island Women’s Group; and The Outer Banks Women’s Club. He stated that 18th and final segment of this Mountain-to-Sea Trail takes travelers through some of the most beautiful landscapes and diverse ecosystems the State of North Carolina has to offer.

- Recognized EMS Director Jennie Collins and the loss of her mother. Himself and other Board members attended the funeral and they are sending continued prayers to her and her family.
- Stated that the Board has been working on housing for over three years and in spite of some of our citizens, we have a housing problem in Dare County. He explained that the Board is working diligently to find solutions and he does not personally understand the opposition in trying to find housing for our EMS, police, fire, teachers, restaurant, and retail workers. He stated the Board will continue do everything humanly possible to make workforce housing available in Dare County and everyone needs to work together to find solutions to make it happen.

ITEM 2 – EMPLOYEE OF THE MONTH –SEPTEMBER & OCTOBER, 2023

Angie Austin received the September Employee of the Month award from Jennie Collins who described the many ways that she is an asset to the Emergency Medical Services Department.

Stephanie Banfield received the October Employee of the Month award from Dorothy Hester who described the many ways that she is an asset to the Public Relations Department.

ITEM 3 – PUBLIC COMMENTS

At 9:27 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks:

The following comments were made in Manteo

1. Amy Phillips

- Emphasized the word enough and stated enough over development in Manteo, enough traffic in Manteo, enough of not being able to enjoy what we have in Manteo because of the overcrowding.
- Feels that it is disingenuous that no one knew about what was going on at the State until recently.
- She believes in housing for essential employees but what she does not understand is why we have allowed so much expensive housing to be built prior to affordable housing.
- Stated that Manteo has affordable housing that was created by former Mayor Daniels.
- In her opinion, there has not been enough done for the people of Dare County, even though there has been a lot done to attract people from other areas.

2. Sybil Daniels Ross

- Stated she is part of Dare County's working poor and she works with individuals that do have two or three jobs.
- Explained that her income is less than \$40,000 and would not qualify for affordable housing.
- Discussed history and said the current Board is not to blame for the housing situation we are in and they did not create it.

- Back in 1976, the Coastal area Management Act came about and they gave prior Boards money to bring the people into the planning process and part of that planning process should have been affordable housing.
- In the 70's the Board decided they needed a seafood park and it ended up not working due to the low wages.
- Stated that the problem is how the Board is going about it and that Dare County is owned and operated by the Outer Banks Home Builders Association, not the residents.
- When the Friends of Roanoke Island were still around they received a \$20,000 grant and told the county that they were going to hire a college planning class to develop a survey and send it out to every property owner in Dare County. The County decided they should do it instead and the results were astonishing.
- The Town of Manteo went further and got the School of Design involved and went door to door and had community meetings. They developed a land use plan and in 20 years, they have achieved over 90% of that plan.
- Stated that it is time for Dare County to have a Housing Authority and not have to depend on whether or not the developers make money off of a project or not.

3. Shelly Blackstone

- Agreed with everything the prior speakers said.
- Herself and others believe that Dare County should follow a process to correct the erroneous language in the state budget that dishonors the town's planning and zoning rights and if Dare County did not put that language in the budget then they need to make a correction and stand behind it.
- The overall problem is poor planning, putting in Target where Kmart was, that property could have been used for housing. There is too much tourism and high-end development with no balance.
- Explained that the community's resistance to the high-density housing projects is due to the lack of transparency and due to excluding them from planning for the solution.
- Asked who is "we" because the community has been excluded from the planning. There is no task force, no comprehensive plan, and the community has not been involved. The community needs to come together to create a plan that addressed housing for the essential workers and the stressed infrastructure.
- We need to think about public transportation for those who are not in the county and tax incentives to people that may take their vacation rentals off the market

4. Amy Stone

- Discussed the State Budget and wanted to know how nobody knew where the language on Affordable Housing came from.
- Stated she has spoken to Senator Norm Sanders, Representative Ed Goodwin, the Legislative Aids of Kidwell, Speaker of the House Cook, and the President pro tempore Burger.
- Noted that this is leftover language from when Senator Cook got the original \$35 million for the affordable housing project and his legislative aid is Jordan

Hennessey who is principal in Coastal Affordable Housing as well as the Dredge, LLC.

- Explained that Kidwell's office told her that it came out of the Senate and they had nothing to do with it and said either she was misinformed or lied.
- Told the Board she has seen some of the things with Kidwell's name on it, and the question is who put Kidwell up to it? When she tried to contact Kidwell's office again he was unavailable for comment.
- Stated that Norm Sanders called it a high priority list, but basically what happened is this language was slipped into the consensus report and no one read the report.
- She surmised that Jordan Hennessey was the individual that put Kidwell up to this and finds it very problematic because he is a principal in the corporation and he will personally benefit financially from that piece of legislation.
- Stated that the citizens problem is that there is no transparency on how this is trying to be pushed on everyone and if the Board thinks this is going to open up the doors for negotiations where people from all the municipalities are going to sit down and agree on something, they are wrong.

5. Basil Belsches

- Spoke on the legislation in the state budget that allows any affordable housing development funded by Dare County to be exempt from Municipal Planning and Zoning Regulations.
- He stated that he read in several publications that the Dare County Board of Commissioners nor the County Manager did not request nor have knowledge about this legislation and that this does not apply to Woda Cooper.
- He announced that Dare County should request the provision be removed from the budget during the technical corrections bill period and if that does not work then Dare should do the right thing and refrain from using this legislation and to make a proclamation to that effect.
- He addressed Chairman Woodard and stated that he heard his comments and he appreciates it and he volunteers his time to help in any way that he can to help solve this.

6. David Bragg

- Addressed the Board and stated that they need to revisit the Constitution and the Declaration of Independence.
- Stated that he lived in South Florida and worked three jobs to be able to live there, then moved to New Orleans and drove 45 minutes each way to work because he wanted to be in New Orleans. If people want to be in the Outer Banks then they need to take personal responsibility to do it.
- Discussed the affordable housing that was built in Portsmouth and how it was built up shortly after being built and it has now been plowed under.
- Addressed Commissioner House in regards to an email he sent him and that he never received a response. Stated that we the people elected you, and we the people are stopping you, there is no I in government and the Board works for the people.

- Stated that whenever a name is provided on who put the legislative language into the state budget he is going to put in a public records request in for all of the Board members requesting all emails, conversations, telephone calls, etc. that were had with that representative.
- Explained that Barack Obama wanted to put affordable housing in all neighborhoods and Congress and the Senate said no, but it appears that this State is going to do it.
- Noted that Chairman Woodard and Commissioner Ross attended a Nags Head Board Meeting to try to stiff arm our people into building there.
- Stated that the Board of Education owns land in Manteo that they are illegally renting with trailers on them. He asked why that site can no longer be used even though it was originally planned to?

7. Ruth Stetson

- Stated she was a Town of Manteo Commissioner and after reaching out to a Pastoral Council on this topic and she was told Proverbs 252, which essentially states that leaders need to bring truth to light for the people and we cannot hold anything back from them.
- Wanted to know about the legislation at the state and where it came from. She stated that she has been told allegedly that the North Carolina Home Builders Association and the Outer Banks Relators Association hired a lobbyist as far back as May and that lobbyist has part in this.
- Explained that she has spoken with the County Manager and the Board numerous times and feels that a voice at the table is missing. She expressed that there are many businesses and people that want housing, but there is also a lot of citizens that do not want housing and we should not insult them if they do not want it.
- She stated that the AMI is \$72,000 and the units are going to be market rate or they are going to be no more than 80% of that which is \$56,000 a year. She began talking to citizens that make these local salaries and realized that most of them do not qualify.
- She referenced the Bowsertown Project and stated that there could be ten teacher units but those units had to be put in a complete separate way.
- Stated that there are 800 housing units in the Town of Manteo and that Chairman Woodard expressed that we need 2,500 so she did a Freedom of Information Act and requested the RFQ from Coastal Affordable Housing and the signed contract. She pointed out that there is a potential proposed element of 1,000 J-housing dormitories on the signed contract.
- She asked why we are not letting the economy breath and if the Board is Republicans than they are free market capitalist and subsidizing housing is against that.
- Expressed that she can not put the puzzle together and that Dare County is the fourth largest economy in North Carolina with a \$250 million budget and was up 5% last year without raising taxes.

8. Micah Daniels

- Expressed that she is citizen and native of Dare County and she loves Dare County, and knows the Board does too.
- Stated she is extremely concerned on how affordable housing is being approached, and has many concerns about the infrastructure, medical services, and other emergency services.
- Inquired if there are creative approaches like tax incentives, or something to that nature, that would encourage people to rent out their Airbnb's as long-term rentals instead.
- Feels that Bowsertown is just low hanging fruit because she lives in Manteo and works in Wanchese and multiple times a week she is unable to get through Manteo and has to go around through Manns Harbor and cannot imagine the additional infrastructure.
- Stated she has a friend that lives behind Front Porch Café and her water is brown and it ruins her wash sometimes and the Town of Manteo has to come and work on it. Expressed that we already have a water problem and the water at her home has so much chlorine in it she has to have filters on the house.
- Feels that East Lake could be an option, it would be much more challenging in getting the infrastructure, emergency services, septic etc. but there would be more room.
- Stated that her parents have to go out of Dare County for their eye doctor appointments and their GP is six months out.
- Inquired if taking some of the housing funds and putting it towards increasing pay for teachers, emergency service workers, etc. is a possibility or if any of the money that goes to the Tourism Board could be used towards building housing in East Lake.
- Announced that she ran into someone at the Post Office who is very involved in the housing projects and shared her concerns and they told her that Dare County has the power to say no and can reject any aspect of it.

9. Debbie Carrera

- Stated that it is difficult to discuss a response to the Dare County Affordable Housing Section of the North Carolina Budget, although what is clear is that this Section of House Bill 259 limits the ability of the members of the Towns of Dare County to govern.
- Explained that after several calls to the NC General Assembly seven Representative Offices, three Senators, and two General Assembly employees a complete consensus revealed that this directive came most definitely and directly from within Dare County, the process of elimination leads us here.
- Expressed that she believes that the members of the Board care deeply about Dare County and its residents, and the Board thought the drastic measure to strip the towns of their managing control was needed after multiple failed attempts to develop affordable housing, but we are a democracy and majority of the members of Dare County do not agree. Feels that the act of defiance showed a lack of trust in the constituents and colleagues and town leaders.

- Senator Anderson, Representative Goodwin, and Representative Kidwell do not seem to remember much of the events leading up to the vote, the budget or the vote itself.
- Feels that Dare County does not need legislation from Raleigh to create housing for its residents and people want transparency in their elected officials.
- Proposed moving forward in a different direction, a more collaborative effort between the county and townships and listening to the people and create a task force amongst the Dare County Towns with each town represented.
- She asked that at the short-term session of the General Assembly in May that Dare County asked to retract the Dare County Affordable Housing Section.

10. Malcolm Fearing

- Began by saying thank you and that the emotions are high, this is a difficult issue that did not start with this Board, this issue has been around for decades. He then thanked the General Assembly and our Representatives for the \$35 million and the county for the \$12 million to address this issue.
- He expressed that he is not caring about what has happened and who did what, he is primarily caring about the person who is not in the room working that second or third job that needs a place to live.
- Referenced a contentious time with the schools when everybody was mad and the emotions were high, but the community came together and created some of the best schools in the state, he believes this can happen again with affordable housing.
- Believes that affordable home ownership should be looked at on top of affordable rent.
- Noted that one reason we have an issue is prior community leaders conserved 80% of our land mass in public hands, which leaves very little available land left to build on.
- Advocated for Buffalo City and a parcel of land that the county owns, that is cleared, has roads, and ditches. He recognized that there are issues and concerns that would be applied to that piece of property, but he suggested we look westward not just for housing, but for ballfields, schools, and pickleball courts, etc.
- Stated that it is more important to handle this situation correctly rather than quickly and that it does not fail.

11. Chris Carey

- Commented on Section 24.8 A & B and acknowledged that municipalities have raised a lot of alarms about this but has not heard anything from the county other than denials.
- Asked who Coastal Affordable Housing is that has the \$35 million, and stated that a gentleman he works with stated that they are the company that tried to build on top of the Outer Banks Disc Golf Course which did not work out.
- He stated that he researched Coastal Affordable Housing on the Secretary of State website and found someone named Tanya Twig as a representative of a

law firm in Shallotte, NC that specialize in injuries, criminal law, wrongful death, and state administration.

- Expressed that Coastal Affordable Housing does not even have a website or a public information officer. Although, Woda Cooper has a website and made comments in the newspaper, and they are reachable.
- Pointed out the following architect/construction companies and what they specialize in: SfL+A, Timmons Group Engineering, Brindley Beach Vacations, and lastly Jorden Hennessy of Pamlico Management Group who owns the dredge.
- Elaborated on Pamlico Management Group and how he does not know what that is, or the recently filed Pamlico Management Group Capital Holdings LLC that was opened back up in June. He asked was that part of the consortium or is that his own deal?
- Stated that a lot of goodwill from the communities has been lost, the heavy-handed opaque methods have scorched the earth and squandered the citizens goodwill. He does not believe the community input will count with this, it did not count with the cluster homes in Wanchese.
- It appears to him that the same things keep being tried and expecting different results and he encourages the Board to refrain from using this legislation.

The following comments were made in Buxton – There were no comments made in Buxton

The County Manager closed Public Comments at 10:11 a.m.

Chairman Woodard thanked everyone for their comments and took a moment to provide feedback to the comments.

ITEM 3B – WORKFORCE HOUSING UPDATE

A full account of the County Manager's and Board's discussion on this item is archived on a video that is available for viewing on the Dare County website.

The County Manager provided an update and history on the workforce housing projects. Highlights of his comments are shown below:

- Affordable housing has been on the table for a while, close to 30 years.
- There was a previous Community Development Corporation that met for years trying to further the need of affordable housing. Although, they accomplished very little.
- At one-point Bowsertown became an option and a site plan was created with 45 to 47 housing units on it. Although, there were no developers that were willing to invest their money at that time.
- For over thirty years the market has not been able to address affordable housing and that is not unique to Dare County, there is an article in the paper almost every day of a community in NC that is having similar issues
- The only way to address this issue is by having some form of assistance from the government, whether it is local, state, or federal in order for it to be profitable to developers and keeping the rent reasonable.

- Before the state money became available, Dare County began working on the Bowsertown project again and was prepared to provide the money to fund it. The site! is within the Town of Manteo jurisdiction and was zoned appropriately, but the county! knew the main issue was trying to make the sewage work.
- The county and the Town of Manteo met multiple times over the course of a year, year! and a half. The county addressed all of the issues that the Town of Manteo showed! concern about, but at the end of day they still did not feel comfortable allowing the! project to connect to their sewer, so that project went away.
- Around the same time the legislature identified that their fourth largest economy has a! housing problem and made a substantial contribution to try to solve it and gave the! county \$35 million which had strings attached and it has to be spent in a certain way.
- This money is not in the developers account, it is in the county's own trust account and! the county controls it.
- Despite the land being expensive, the site in Nags Head was chosen because it was! zoned for multi-family housing and it was zoned for the density of the number of units! that was desired to be put there. We encouraged our developer to work with them and! create a site plan that met their zoning ordinances. The developer did just that and! when the town became aware that someone was going to do something in their town! pursuant to their ordinances they changed the ordinances which put a stop to that! project as well.
- These series of events have led us to where we are today and there has been a lot of! consternation about the statute, the county did not request that, and the county's! lobbyist did not lobby for it.
- Just as the Chairman meets with the Mayors monthly, the managers meet monthly as! well. At the last gathering he informed all of the managers exactly what was stated at! this meeting and that the county in his view had no intention of going into any town!and bulldozing them.
- The \$12 million that Dare County put up is restricted to the 80% AMI and the \$35! million that the county received from the state would be roughly a hundred-million-! dollar project. 35% of those units would be restricted by the 80% AMI, but the balance! of those units would be whatever rent we negotiate with the developer and they would! be less than market. We could solve a whole variety of our housing problems because! we will have a range from 80% AMI all the way up to 120% AMI.
- The legislation only applies to the \$35 million and that money was not being used to! build anything in Nags Head or Manteo, those projects came out of the \$12 million pot! which is the county's money.
- It is unlikely that the county will build its way out of the housing situation, we are not! going to build 2,500 or 3,000 housing units, we do not have the land for it nor the! money, we have to find solutions.
- Solutions that have been suggested have been looked at. In Vale, Colorado they do! some of the things that were suggested and the county has looked into some studies! where you give homeowners incentives to put covenants on their houses.
- The issue in North Carolina is that a county is very limited on how they can use dollars! for housing and so to do some of those things is going to require the county to do! something with the legislature but we need to start having those conversations if we! are ever going to solve this problem.

- If we build everything we have the money to build today we would build roughly 400 units, which is a drop in the bucket to what is actually needed.
- A task force that consists of an elected officials, managers, and planners from each! entity to start to talk about how to get these problems solved could be beneficial.
- The first step is for everyone to recognize that there is a housing problem, if everyone agrees on that then everyone can work together and accomplish great things.

Chairman Woodard opened the floor up for discussion and comment.

Commissioner Couch stated that he thinks we agrees on the what, it's the how, but we can solve these problems.

Commissioner Bateman asked Mr. Outten if they put the Task Force together, could we also give them direction? It is going to take cooperation from the municipalities to look at the 10,000 plus short-term rentals we have. Could we have our lobbyist lobby to possibly turn those short-term rentals into long-term rentals through tax incentives or tax credits, or maybe if we could use some of the \$35 million to give money back to those individuals?

Mr. Outten explained that the \$35 million is restricted strictly to building units by a private partner, so it is designated that you have to select somebody to build the units and then you give them the money to do that. It does not allow us to do anything else with it. When it comes to the goals of this committee, he explained that it is not his committee it is the Board's committee and the goals are whatever the Board sets as the goals.

Commissioner Bateman stated that his direction to the Board would be that he believes that they are missing something. There are homes west of the bypass that are not renting short-term like they were in 2021 and the houses between the highways are down roughly 35% from what they were in 2021. The oceanfront homes are still renting non-stop, but there are properties out there that people might turn to long term rentals if they get some type of incentives from the government.

Mr. Outten referenced the Veil, Colorado study and stated that they bought some houses, they paid a property owner to put covenants on a house to guarantee that it be a long-term rental, and they paid some Airbnb owners to convert then back to long-term rentals. Although, they have those authorities that we currently do not have, but it does not mean we couldn't get them. He stated that his vision of this committee would bring those type of ideas forward and we could begin doing the things we can do and then begin looking into getting the permissions that we need to do the things we can not do.

Commissioner Ross addressed Commissioner Stetson, he stated that he recalled meeting in small meetings with several of the Manteo Commissioners and speaking at length about the Bowsertown property and went through the list of things that were concerns and during those discussions, we did not slander. We meet each of the seven or eight conditions, and the Manteo Board ultimately voted unanimously no. He believes the only option forward is to speak and cooperate with an attempt to establish some common ground with each of the towns and to make the process and the negotiations very transparent.

Vice-Chairman Overman thanked everyone for the comments and that the establishment of a Task Force is the only thing left we can do and there needs to be a time frame to come up with some answers.

Mr. Outten stated that this housing issue is a long-term solution, this is going to be something that will take years, not five meetings and be done.

Chairman Woodard stated that he has spoken to several of the Mayors about forming the Task Force and they are very appreciative and very much on board. He thanked everyone for their comments and stated he was just trying to make suggestions. He reiterated what the County Manager said and that the Board does not want to come into any town and disrupt anything ordinance wise, and that they want to work with the towns. The Board respected the decision from the Town of Manteo and never criticized them one bit, and the same thing with the situation in the Town of Nags Head.

The Dare County Board of Commissioners Meeting went into recess at 10:46 a.m. The meeting resumed at 11:03 a.m.

ITEM 4 – FY 2025 NCDOT 5310, 5311, & COMBINED PROGRAM GRANT APPLICATIONS PUBLIC HEARING (Att.# 1)

Mr. Outten explained that a public Hearing is required for FY2025 NCDOT Grant Applications. The 5310 operational grant funds are used to provide transportation to seniors and individuals with disabilities. The 5311-community transportation grant reimburses administrative expenses. The combined capital grant will cover expenses for two replacement vans (per NCDOT replacement schedules) and for a total of ten revenue vans.

At 11:03 a.m. the Board held a Public Hearing to receive input concerning this agenda item.

The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton.

No one responded to the invitation to address the Board of Commissioners on this issue.

The County Manager closed the Public Hearing at 11:04 a.m.

MOTION

Vice-Chairman Overman and Commissioner House motioned to adopt the Public Transportation Resolution.

Seconded by Commissioner Bateman

Vote: AYES unanimous

ITEM 5 – C-2 ZONING TEXT AMENDMENT PUBLIC HEARING (Att.# 2)

At 11:04 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton.

No one responded to the invitation to address the Board of Commissioners on this issue.

The County Manager closed the Public Hearing at 11:05 a.m.

Mr. Gillam stated that approving the text amendment to add breweries to the list of uses in the C-2 district would also add that use in the C-3 district because the C-3 district allows all

uses that are in the C-2 district. This would primarily affect Avon, Buxton, and a small portion of Roanoke Island.

MOTION

Vice-Chairman Overman motioned that the draft amendment to add breweries to the C-2 Zoning district, section 22-25 of the Dare County Zoning Ordinance be adopted as drafted. A statement of consistency and reasonableness as prepared by staff is adopted as part of this motion.

Seconded by Commissioner Ross.

Vote: AYES unanimous

ITEM 6 – AVON ZONING MAP AMENDMENT PUBLIC HEARING (Att.# 3)

Mr. Gillam addressed the Board and stated that Joe Thompson of Land's End Development, LLC submitted a zoning map amendment for his property located in Avon, identified as 41027 NC Hwy 12, and is currently zoned C-2. Mr. Thompson owns the adjoining property that is to the north that is zoned C-3, so he is seeking his property to be rezoned to the designation of his property next door. If the zoning amendment was to be approved, his intention is to abandon the property lines and have the property function as one which allows him to have a wider range of uses.

Commissioner Bateman inquired if it will add any addition uses? Mr. Gillam responded that it would to the property he is asking to have rezoned.

At 11:10 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton.

No one responded to the invitation to address the Board of Commissioners on this issue.

The County Manager closed the Public Hearing at 11:10 a.m.

Joe Anlauf, applicant, stated that the main thing is the functionality. The property with the pier on it has a tremendous septic system that was originally built and designed for a four-story 95 room hotel that was never built. The property has water lines and hydrants throughout the property so being able to recombine the lots would maybe allow for there to be a possible expansion of the RV Park. Mr. Anlauf then inquired how long would they have to complete all the required steps? Mr. Outten stated that it would be zoned until it is un-zoned.

MOTION

Commissioner Couch motioned that the map amendment for Land's End Development property located 41027 NC 12 Hwy in Avon be reclassified from C-2 commercial to C-3 commercial and a finding of consistency and reasonableness is adopted as part of this motion.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – GARAGE BAND CHARITIES

Michael Tillett, Richard Quidley, and Sara Hole expressed their gratitude to the Board for everything they have done to make the OBX Rod & Customs Festival possible. They

completed their fifth year of the festival which has allowed them to donate \$40,000 back to the community. They presented Angie Willis from ECSU with a \$2,500 check towards the Virginia Tillett Fund and Carla Heppert a \$10,000 check towards the Children & Youth Foundation.

ITEM 9 – RESOLUTION IN SUPPORT OF HONORING DARE COUNTY’S VETERANS BY PARTICIPATING IN OPERATION GREEN LIGHT FROM NOVEMBER 6, 2023 TO NOVEMBER 19, 2023 (Att. #4)

A resolution in support of honoring Dare County’s veterans by participating in Operation Green Light, a National Association of Counties initiative that encourages residents and businesses to show their support to local veterans by shining green lights throughout their communities to let local veterans know they are seen, appreciated and supported. The Dare County Board of Commissioners encourages its citizens to recognize the importance of honoring all those who made immeasurable sacrifices to preserve our freedom by displaying green lights in a window of their place of business or residence from November 6, 2023 through November 19, 2023.

MOTION

Commissioner House motioned to adopt the Resolution in Support of Honoring Dare’s County’s Veterans by Participating in Operation Green Light from November 6, 2023 to November 19, 2023.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 10 – 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 (09/06/23 & 09/19/23) **(Att. #5)**
- 2) Tax Collector’s Report
- 3) NC State Extension - Memorandum of Agreement
- 4) Budget Amendment - NCRPA Grant - Nerf Gun Program Fessenden Center
- 5) Reimbursement Resolution for the Series 2024A Limited Obligation Bonds **(Att. # 6)**
- 6) General Fund Budget Amendment for Transfers to Other Funds
- 7) Budget Amendment for Dredge Loan Forgiveness
- 8) Authorization to Present Service Weapon to Retiring Deputy Sheriff
- 9) DHHS-Social Services- Adult Protective Services Essential Services Fund
- 10) DHHS-Public Health Division-COVID-19 Vaccination Program Funding

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 11 – BOARD APPOINTMENTS

- 1) Juvenile Crime Prevention Council

Commissioner House motioned to reappoint Paul Pollock, Lora Gilreath, Shannon Glaser and to appoint Robin Vermillion and Eva Anderson.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

2) Library Board

Vice-Chairman Overman motioned to appoint Lisa Matthews.
Commissioner House seconded the motion.
VOTE: AYES unanimous

3) Transportation Advisory Board

Mayte Hernandez-Beacham's term expired and she did not wish to be reappointed.
Amanda Hooper resigned from her position.
The Board took no action at this time.

4) Upcoming Board Appointments

The upcoming Board appointments for November 2023, December 2023, and January, 2024 were announced.

ITEM 12 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Following is a brief summary outline of the items mentioned by Commissioners and the County Manager during this segment:

Commissioner Ross

- Sits on the VTCC Board and stated that they have lost one of their regular major donors to the Christmas Toy Drive.

MOTION

Commissioner Ross motioned that the Board to donates \$10,000 to the Virginia Tillett Center Christmas Toy Drive.

Seconded by Commissioner Bateman

VOTE: Ayes unanimous

- Oct. 7th: 9:00 a.m. Alzheimer's walk at the Border Station sponsored by the Dementia Friendly Task Force.
- Oct 13th: 6:00 p.m. SPCA Sponsored Stand up for Strays Comedy Club Event in Nags Head.
- Oct 21st: Love to Remember Fundraiser for the Dementia Friendly Coalition at the Duck Woods Country Club
- Oct. 27th: The OBX Hospital Cancer Center is raising funds at the "Cancer Shucks" event at Pirates Cove.
- Attended the Mountains to Sea Trail Commemoration that was supported by the group of volunteers that help make Jockey's Ridge State Park such a tremendous destination.
- Announced that Jockey's Ridge State Park are raising funds through a designated dune themed license plate.

Commissioner House

- Addressed Mr. Bragg and announced he received a copy of the email, it had gone straight to the spam mail folder, but he will respond.
- Stated that the NC Division of Marine Fisheries is getting more involved in social media and it is blatantly clear that every single post recognizes recreational fishing, there is nothing that commemorates with the commercial fishing industry.
- Our day in history: 1836 Charles Darwin completed his trip on the HMS Beagle and ended up in England which is when he began writing his theory of evolution.

- Pet of the Week: Big Yellow – a cat that is available for adoption at the OBX SPCA.

Vice-Chairman Overman

- September 13th: The Albemarle RPO met in Hertford and Mr. Bridgers stated that the planning for the Alligator River Bridge is now 95% complete.
- September 18th: The Wall the Heals Committee met with the Outer Banks Bureau, Ms. Lori Love, and the Town of Nags Head to discuss some of the late stage planning for the event. He thanked all of the Nags Head Departments for their support of this event.
- Stated that he has served on the Local CSI Board of Directors since February 2017 and it has been his pleasure to do so. He expressed that it has been challenging and informative and CSI is a great resource for Dare County. Although, feels that it is his time to step aside and have another Commissioner serve.

MOTION

Vice-Chairman Overman motioned to appoint Commissioner Rob Ross to serve on the Local CSI Board of Directors as the Dare County Commissioner Representative.

Seconded by Commissioner Bateman

VOTE: Ayes unanimous

- Congratulated and thanked Angie Austin and Stephanie Banfield, the two Employee of the Month recipients.
- Noted that we have effectively had only had one week of flounder season this year due to weather.

Commissioner Bateman

- On September 28th, we lost a local fisherman Jimmy Ruhle. He was a fisherman for almost 50 years and very active in the community.
- Commissioner Ross paired him with NC Works and he went to his first meeting in Hertford. He stated that it was very informative and feels like he can make a difference.
- Recognized October as Domestic Violence Month.
- Discussed the housing issue in Dare County and thought to himself what he has done on his end to make a difference. He concluded that he feels that he has not been successful with his efforts and feels defeated. He expressed that he is optimistic after this meeting and where the next steps may lead.
- Referenced interactions he has had with three or four people concerning housing and they need to be recognized to help show what we the Board is working towards helping.
- In July he was approached by a single mother in Kill Devil Hills, working at a convenience store and at a restaurant as a hostess, and was living in an apartment paying \$2,200 a month.
- In the Town of Manteo, there is a trailer that he went to during the storm that had a 4x4 hole in the bathroom floor where the kids jump out of the bathtub to dry off, and a hole in the roof that we give tarpons to put over it to try to prevent water from running into the house.
- There is a young lady who just graduated from COA with a nursing degree that found out by graduating and getting a \$34 an hour job, she is no longer qualified to live in the Manteo HUD Housing because she makes too much money. She can only make \$38,000 with a family of three to live in that house.

Commissioner Couch

- Acknowledged that there is a lot of vocalization going on about people that are not for essential housing, and added that he hears from his constituents on Hatteras Island on a regular basis that they are concerned that they do not have any place to live, there are grown adults living in travel trailers.
- Recognized that it is time to deal with this situation and sit down with the powers it be and go ahead and resolve the housing issue here and try to get the working people who make our economy go a place to live, it will benefit everybody.
- Stated that Hatteras Island is extremely busy, and he appreciates the traffic problems that people spoke of, but he lives in an area with one road and lives 42 miles from McDonalds and 67 miles from Wal-Mart.
- Recognized the life of Lauch Faircloth who passed away on September 14th at 95 years old, he was in the State Government and he was our Federal Representative.
- Congratulated and thanked Angie Austin and Stephanie Banfield, the two Employee of the Month recipients.

Chairman Woodard asked if the individuals that have issues with the housing projects move forward with an open mind. He also acknowledged Johnny Tillett who represents Dare County's Lobbyist group from Maguire Woods, and that we could not have a finer group of gentlemen representing us in Raleigh.

MANAGER'S/ATTORNEY'S BUSINESS

County Manager/Attorney

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; 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 House seconded the motion.

VOTE: AYES unanimous

At 12:00 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 12:22p.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes, had discussion with the County Attorney in regard to the O'Hara vs. Dare case, and took no other actions.

Dorothy Hester - none

Dave Clawson – none

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

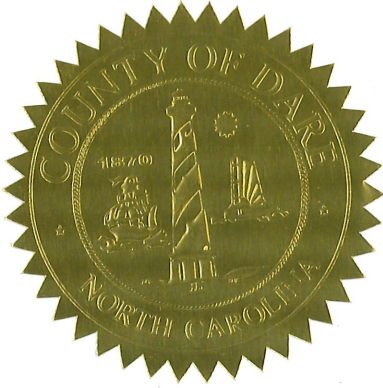
MOTION

Commissioner Ross motioned to adjourn the meeting.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 12:22p.m., the Board of Commissioners adjourned until 9:00 a.m., November 6, 2023.



APPROVED:

Respectfully submitted,

By: Skyler Foley
Skyler Foley, Clerk

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

Note: Copies of attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board at this meeting are on file in the office of the Clerk.

During the meeting, several agenda items involved public comment and each speaker's position has been summarized. Attempts have been made to accurately reflect the spelling of each name as spoken at the podium or based on the legibility of the sign-in sheet.