

RESOLUTIONS – 2023

***Following the List of 2023 Resolutions in Chronological Order,
Each Resolution Can Be Viewed in its Entirety***

- 23-01-01 Resolution in Support of a NC Department of Transportation Integrated Mobility Division Paved Trails and Sidewalk Feasibility Study Grant Application for Airport Road on Roanoke Island, (Jan. 3, 2023)
- 23-02-02 Resolution Requesting NC General Assembly to Pass Legislation to Protect Our Kids from Vaping and Nicotine Addiction, (Feb. 6, 2023)
- 23-02-03 Resolution to Sponsor the Island H Modifications Project, (Feb. 6, 2023)
- 23-02-04 Resolution to Sponsor the Avon Harbor Dredging Project, (Feb. 6, 2023)
- 23-02-05 Resolution Authorizing the Negotiation of an Installment Financing Contract, Directing the Publication of Notice with Respect Thereto and Providing for Certain Other Related Matters Thereto, (Feb. 6, 2023)
RE: S.S. and KDH EMS and Dare MedFlight Hangar
- 23-02-06 Resolution Supporting Step Pay and Compression Increases for Division of Juvenile Justice and Delinquency Prevention Secure Detention, Youth Development Center, and Court Services Staff, (Feb 6, 2023)
- 23-02-07 Resolution Approving Lease Agreement Between Dare County and Monarch Beach Club of Dare, (Feb. 6, 2023)
- 23-02-08 Resolution Requesting the NCGA to Revise and Expand the Good Samaritan Law GS 90-96.2, (Feb. 6, 2023)
- 23-03-09 Resolution Supporting the Display of the National Motto “In God We Trust” in a Prominent Location to Be Determined, (March 6, 2023)
- 23-03-10 Resolution of the Board of Commissioners of the County of Dare, NC, Approving an Installment Financing Contract and a Deed of Trust and the Delivery Thereof and Providing for Certain Other Related Matters, (March 6, 2023)
- 23-03-11 Resolution Approving Financing Terms (\$2,265,094 Public Works), March 6, 2023
- 23-03-12 Resolution Approving Financing Terms (\$1,823,834 Public Works), March 6, 2023)
- 23-03-13 Resolution by the County of Dare Authorizing Execution of Opioid Settlements and Approving the Supplemental Agreement for Additional

Funds Between the State of NC and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, (March 6, 2023)

- 23-03-14 Resolution by the County of Dare to Direct the Expenditure of Opioid Settlement Funds, (March 6, 2023)
- 23-03-15 Resolution Supporting the Naming of NC Ferries, (March 6, 2023)
- 23-03-16 Resolution Requesting for Addition to State Maintained Secondary Road System, (March 6, 2023)
- 23-05-17 Resolution Supporting The Lost Colony, (May 1, 2023)
- 23-05-18 Resolution to Sponsor the Miss Katie – 23/24 Oregon Inlet Dredging Project, (May 1, 2023)
- 23-05-19 Resolution to Sponsor the Miss Katie – 23/24 Hatteras Inlet Dredging Project, (May 1, 2023)
- 23-05-20 Resolution to Sponsor the Miss Katie - 23/24 Old Lighthouse Channel 2 Dredging Project, (May 1, 2023)
- 23-05-21 Resolution to Sponsor the Miss Katie – 23/24 17 Extension to Wanchese & Range 4 Dredging Project, (May 1, 2023)
- 23-05-22 Resolution to Sponsor the Miss Katie – 23/24 Crack & Walter Slough Dredging Project, (May 1, 2023)
- 23-05-23 Resolution to Sponsor the Crack & Walter Slough Project, (May 1, 2023)
- 23-05-24 Resolution Dare County Human Resources Personnel Manual, (May 17, 2023)
- 23-06-25 Resolution Requesting Emergency Dredging in Rollinson Channel, (June 5, 2023)
- 23-06-26 Resolution to Sponsor the 2023/24 Oregon Inlet Maintenance Project, (June 5, 2023)
- 23-06-27 Resolution to Sponsor the 2023/24 Hatteras Inlet Maintenance Project, (June 5, 2023)
- 23-06-28 Resolution for Approving Local Water Supply Plan for the Dare County Water Systems, (June 5, 2023)
- 23-06-29 Resolution for Approving Water Shortage Response Plan for the Dare County Water Systems, (June 5, 2023)

- 23-06-30 Resolution Honoring Katharine Wright and Recognizing Her Birthday to Co-Celebrated on National Aviation Day, (June 5, 2023)
- 23-07-31 Resolution Advocating Increased Funding for Voluntary Cost-Share Programs That Will Help Landowners Improve Their Property and Significantly Reduce Nutrient Loading in North Carolina's Coast Waters, (July 17, 2023)
- 23-07-32 Resolution Authorizing the Removal of Graves from the Dare County Regional Airport, (July 17, 2023)
- 23-07-33 Resolution North Carolina Governor's Highway Safety Program, (July 17, 2023)
- 23-07-34 Resolution FY23-24 Vehicle and Equipment Financing Projects, (July 17, 2023)
- 23-07-35 Resolution FY23-24 Sanitation Equipment Financing Projects, (July 17, 2023)
- 23-07-36 Resolution to Direct Expenditures of Opioid Settlement Funds, (July 17, 2023)
- 23-08-37 Resolution Enacting and Adopting Supplements to the Dare County Code of Ordinances (August 7, 2023)
- 23-08-38 Resolution NC Governor's Highway Safety Program (August 7, 2023)
- 23-08-39 Resolution Authorizing the use of a Sole Source Purchase Pursuant to G.S. 143-129 € (6) (August 7, 2023)
- 23-08-40 Resolution Reimbursement – Fiscal year 2023-2024 Public Works & IT Equipment Financing (August 7, 2023)
- 23-08-41 Resolution in Support of The National Flood Insurance Reauthorization & Reform Act of 2023 (August 7, 2023)
- 23-09-42 Resolution Opposing Consolidated Atlantic Highly Migratory Species Fishery Management Plan – Amendment 15 Section F Sub Section F2 (September 6, 2023)
- 23-09-43 Resolution by Governing Body of Applicant – LSII Application (September 6, 2023)
- 23-09-44 Resolution Authorizing the Dare County Board of Commissioners to Exempt the County from the Mini-Brooks Act Pursuant to G.S. 143-64.32 (September 6, 2023)

- 23-09-45 Resolution by the County of Dare to Direct the Expenditure of Opioid Settlement Funds (September 6, 2023)
- 23-09-46 Resolution Authorizing the Use of Sole Source Purchases Pursuant to G.S. 143-129(e)(6) (September 6, 2023)
- 23-10-47 Resolution Public Transportation Program FY 2025 (October 2, 2023)
- 23-10-48 Resolution in Support of Honoring Dare County's Veterans by Participating in Operation Green Light from November 6, 2023 through November 19, 2023 (October 2, 2023)
- 23-10-49 Resolution of the County of Dare, NC Declaring the Intent of the County of Dare, NC to Reimburse Itself for Capital Expenditures from the Proceeds of Certain Tax-Exempt Obligations (October 2, 2023)
- 23-11-50 Resolution Enacting and Adopting Supplements to the Dare County Code of Ordinances (November 6, 2023)
- 23-11-51 Resolution by the DCBOC Declaring it's Intent to Permanently Close a Portion of a DC Public Road known as G A Kohler Ct. (November 6, 2023)
- 23-11-52 Resolution Authorizing the Disposal of Certain Personal Property (November 6, 2023)
- 23-11-53 Resolution by the County of Dare to Direct the Expenditure of Opioid Settlement Funds (November 6, 2023)
- 23-12-54 Resolution North Carolina Highway Safety Program Local Government Resolution (December 4, 2023)
- 23-12-55 Resolution Authorizing the Use of a Sole Source Purchase Pursuant to G.S. 143-129(e)(6) and Federal Uniform Guidance 2 C.F.R 200.320 (December 4, 2023)

FOLLOWING ARE THE 2023 RESOLUTIONS

The **most recently adopted** item **appears first** in sequence

Scroll down to view all 2023 Resolutions



23-12-55

RESOLUTION AUTHORIZING THE USE OF A SOLE SOURCE PURCHASE PURSUANT TO G.S. 143-129(e)(6) and FEDERAL UNIFORM GUIDANCE 2 C.F.R 200.320

WHEREAS, the County of Dare desires to purchase a Security Onion Solutions SN7200 network monitoring appliance and 1 year of support; and

WHEREAS, the purchase of Security Onion Solutions SN7200 network monitoring appliance is critical to strengthen the cybersecurity posture of Dare County ; and

WHEREAS, North Carolina General Statute 143-129(e)(6) and Federal Uniform Guidance 2 C.F.R 200.320 authorizes a unit of local government to purchase from a sole source when a product is only available from a Single Source resulting in inadequate competition; and


WHEREAS, the Dare County Information Technology Department has performed an evaluation and determined that SOS SN7200 Appliance, 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 \$38,449.00 with Security Onion Solutions for the sole source purchase of SN7200 appliance and 1 year of support.
2. The County Manager is authorized to execute the agreement with Security Onion Solutions and is directed to take all steps necessary to place the appliance on order.
3. This Resolution shall be effective upon its adoption.

This the 4th day of December, 2023.




Robert Woodard, Sr., Chairman

Attest: 
Skyler Foley, Clerk to the Board

North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION

Resolution
23-12-54

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 (The Governing Body of the Agency)

(herein called the "Governing Body") has thoroughly considered the problem 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,

THIS 4th DAY OF December, 20 23, 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 \$ 30,000 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.

DONE AND ORDERED in open meeting by [Signature] (Chairperson/Mayor)

ATTESTED BY [Signature] (Clerk)

DATE December 4th 2023



**A RESOLUTION BY THE COUNTY OF DARE
TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS**

WHEREAS Dare County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids.

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and bankruptcy resolutions (“Opioid Settlement Funds”) are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (“MOA”) and the Supplemental Agreement for Additional Funds from Additional Settlements of Opioid Litigation (“SAAF”);

WHEREAS Dare County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS section E.6 of the MOA states that, before spending opioid settlement funds, the local government’s governing body must adopt a resolution that:

- (i) indicates that it is an authorization for expenditure of opioid settlement funds; and,
- (ii) states the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy; and,
- (iii) states the amount dedicated to each strategy for a specific period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the NC MOA and SAAF, Dare County authorizes the expenditure of opioid settlement funds as follows:

1. Strategy authorized
 - a. Name of strategy: Collaborative Strategic Planning
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #1
 - d. Amounted authorized for this strategy: \$15,000
 - e. Period of time during which expenditure may take place:
 - Start date Nov 1, 2023 through End date June 30, 2024
 - f. Description of the program, project, or activity: Engage facilitation services: Dr. Stephan Lloyd speaker fee and travel expenses, Eastern AHEC fees to provide CEUs and event coordination. Purpose: To engage stakeholders, providers and start the conversation to identify potential strategies to address root causes of addiction, drug misuse, overdoses and other aspects of the opioid epidemic in the community.
 - g. Provider: Dare County Health & Human Services

The total dollar amount of Opioid Settlement Funds appropriated across the above named and authorized strategies is \$15,000.

Adopted this the 6th day of November, 2023.



Robert Woodard Sr.,
Chair County Board of Commissioners

ATTEST:



Skyler Foley, Clerk to the Board



**RESOLUTION AUTHORIZING THE DISPOSAL OF
CERTAIN PERSONAL PROPERTY**

WHEREAS, the County of Dare owns certain items of personal property that have become surplus for its current needs;

WHEREAS, North Carolina General Statute 160A-274 permits the county to, upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property;

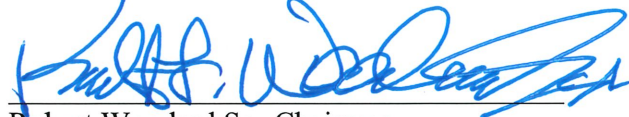
NOW, THEREFORE BE IT RESOLVED, by the Dare County Board of Commissioners that Dustin Peele, Dare County Purchasing Agent, is hereby authorized to convey, without consideration, to Pasquotank County the following items of surplus personal property:

1997 Minolta RP 603z Microfilm Reader & Printer

Said person is further authorized and directed to execute any documents, transfer title, and perform all necessary functions associated with this sale.

This the 6 day of November 2023.

COUNTY OF DARE, NORTH CAROLINA



Robert Woodard Sr., Chairman


Skyler Foley, Clerk to the Board

RESOLUTION

A RESOLUTION BY THE DARE COUNTY BOARD OF COMMISSIONERS DECLARING IT'S INTENT TO PERMANENTLY CLOSE A PORTION OF A DARE COUNTY PUBLIC ROAD KNOWN AS G A Kohler Ct.

WHEREAS, G A Kohler Ct is located in unincorporated Dare County, and

WHEREAS, the portion of G A Kohler Court is a publically-dedicated road as noted on the plat for Rodanthe by the Sea Subdivision, Plat Cabinet 9 Slide 33 dated November 9, 1976 in the Dare County Register of Deeds, and

WHEREAS, the Dare County Board of Commissioners declares its intent to permanently close a portion of G A Kohler located between East Point Drive and Sea Oats Drive in Rodanthe as noted on the map of the area labelled Attachment A with this resolution, and

WHEREAS, NCGS 153A-241 establishes procedures by which local governments can consider the abandonment of public roads after a duly advertised hearing and other public notice procedures are enacted.

NOW, THEREFORE, BE IT RESOLVED the Dare County Board of Commissioners declares its intent to permanently close a portion of the publicly-dedicated road known as G A Kohler Court in Rodanthe, North Carolina and in accordance with North Carolina General Statute 153A-241 a public hearing on the question shall be held at 9:00 a.m. on December 4, 2023.

ADOPTED the 6th day of November 2023 by the Dare County Board of Commissioners

SEAL:



Robert L. Woodard, Chairman
Dare County Board of Commissioners

ATTEST:

Skyler Foley, Clerk



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

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the S-15 supplement to the County of Dare Code of Ordinances, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the County of Dare Code of Ordinances; and

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

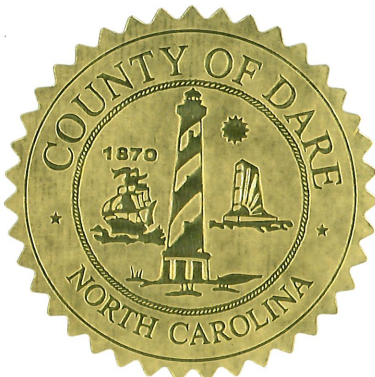
WHEREAS, it is the intent of the Dare County Board of Commissioners to accept these updated sections in accordance with the changes in the law of the State of North Carolina; and

WHEREAS, it is necessary to provide for the usual daily operation of Dare County and for the immediate preservation of the public peace, health, safety, and general welfare of 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-15 supplement to the County of Dare Code of Ordinances as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and attached hereto is hereby adopted by reference as if set out in its entirety,
2. Such 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 6th day of November, 2023.



Robert Woodard, Sr., Chairman

Attest:

Skyler Foley, Clerk to the Board

**RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA
DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH
CAROLINA TO REIMBURSE ITSELF FOR CAPITAL
EXPENDITURES FROM THE PROCEEDS OF CERTAIN TAX-
EXEMPT OBLIGATIONS**

WHEREAS, the Board of Commissioners of the County of Dare, North Carolina (“*County*”) has determined that it is in the best interests of County to finance (1) the construction of a new youth center in the Town of Manteo and (2) the construction, renovation, and improvements to various County EMS stations (collectively, the “*Projects*”);

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

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

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

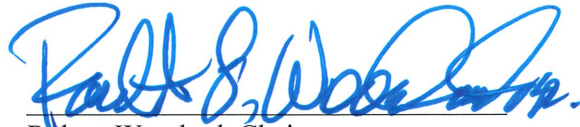
Section 1. ***Official Declaration of Intent.*** The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to execute and deliver the Obligations to finance all or a portion of the costs of the Projects 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 Projects is approximately \$22,000,000.

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

Section 3. ***Itemization of Capital Expenditures.*** The Finance Director of the County, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the Original Expenditures incurred and paid by the County in connection with the Projects 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 the 2nd day of October, 2023.



Robert Woodard, Chairman

Attest:



Skyler Foley, Clerk to the Board

STATE OF NORTH CAROLINA)
)
COUNTY OF DARE)

) SS:

I, *Skyler Foley*, Clerk to the Board of Commissioners of the County of Dare, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS**” duly adopted by the Board of Commissioners of the County of Dare, North Carolina at a meeting held on the 2nd day of October, 2023.

WITNESS my hand and the corporate seal of the County of Dare, North Carolina, this the 2nd day of October, 2023.



Skyler Foley

Skyler Foley
Clerk to the Board of Commissioners
County of Dare, North Carolina



RESOLUTION IN SUPPORT OF HONORING DARE COUNTY'S VETERANS BY PARTICIPATING IN OPERATION GREEN LIGHT FROM NOVEMBER 6, 2023 THROUGH NOVEMBER 19, 2023

WHEREAS, Dare County recognizes the necessity and value of employing a dedicated Veterans Services Officer whose role includes aiding and advocating for local veterans by helping them to navigate the complexities of veteran-specific benefits, resources and programs and ensuring they receive the benefits and assistance they deserve, and;

WHEREAS, the Dare County Board of Commissioners established the Dare County Veterans Advisory Council in respectful recognition of the service and sacrifice of all Dare County veterans as represented in all five branches of the United States military, and;

WHEREAS, members of the Dare County Veterans Advisory Council assist Dare County veterans by serving as a liaison with the community in coordinating services and activities that benefit local veterans and their families and also solicit information and provide updates about activities honoring veterans in our community, and;

WHEREAS, the residents of Dare County have utmost respect, appreciation and gratitude for all of the men and women who have selflessly served our country and our community in the U.S. Armed Forces and believe these service members should be granted specific recognition, and;

WHEREAS, the contributions and sacrifices made by those who have served in the U.S. Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens, and Dare County seeks to honor these individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all, and;

WHEREAS, veterans continue to serve our community in various organizations such as the American Legion, Veterans of Foreign Wars, religious groups and community organizations, as well as through civil service and by volunteering at various community-based events, and;

WHEREAS, approximately 200,000 service members transition to civilian communities annually, and an estimated 20 percent increase of service members will transition to civilian life in the near future, and;

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life and that active military service members transitioning from military service are at a high risk for suicide during their first year after military service, and;

WHEREAS, as of 2022, 40 percent of transitioning service members stationed in bases throughout North Carolina decided to stay in North Carolina upon their transition to civilian life,

and 55 percent of service members retiring from the military with 20-plus years of service also made the decision to stay in North Carolina, and;

WHEREAS, more than 3,200 veterans who are currently residing within Dare County are receiving services provided by the U.S. Department of Veterans Affairs (VA) that range from healthcare to assistance with filing claims, and;

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to participate in Operation Green Light for Veterans 2023 by shining green lights throughout their communities to let local veterans know they are seen, appreciated and supported, and;


WHEREAS, the Dare County Veterans Advisory Council worked with the Vietnam Veterans Memorial Fund to bring The Wall That Heals—a traveling, three-quarter scale replica of the Vietnam Veterans Memorial in Washington, D.C., that tours the country—to Dare County, where it will be on display at the Soundside Event Site in Nags Head from November 16, 2023 through November 19, 2023, and;

THEREFORE, BE IT RESOLVED, that having officially been designated a “Green Light for Veterans County,” Dare County hereby declares now through November 19, 2023 a time to salute and honor the service and sacrifices of our men and women in uniform, and;

THEREFORE, BE IT FURTHER RESOLVED, that in observance of Operation Green Light 2023, 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.

This the 2nd day of October 2023.




Robert Woodard, Sr., Chairman

Attest: 
Skyler Foley, Clerk to the Board

UNIFIED GRANT APPLICATION

PUBLIC TRANSPORTATION PROGRAM RESOLUTION

FY 2025 RESOLUTION

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

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

A motion was made by Commissioner Houze + Vice-Chairman Overman and seconded by Commissioner Bateman for the adoption of the following resolution, and upon being put to a vote was duly adopted.

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

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

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

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for "purchase-of-service" projects under the Capital Purchase of Service budget, Section 5310 program.

WHEREAS, Dare County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative

UNIFIED GRANT APPLICATION

requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the Dare County Transportation Supervisor of Dare County is hereby authorized to submit grant application(s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

I Shylke Foley, Clerk to the Board of Commissioners, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Dare County Board of Commissioners duly held on the 2nd day of October, 2023.

Pat L. Woodruff
Dare County Board of Commissioners

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

Seal Subscribed and sworn to me
(date)

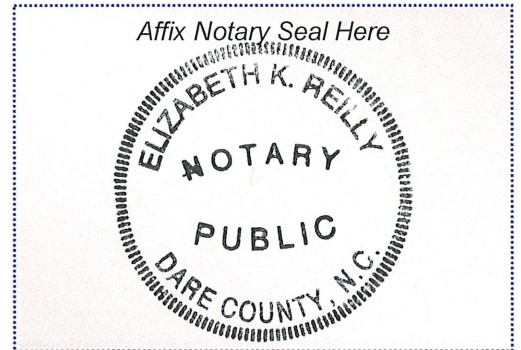
10/2/2023

Elizabeth K. Reilly
Notary Public *

Elizabeth K. Reilly PO Box 1000
Printed Name and Address Manteo NC 27954

My commission expires
(date)

4/29/2024



UNIFIED GRANT APPLICATION

FY 2025 LOCAL SHARE CERTIFICATION FOR FUNDING

Dare County Community Transportation

Requested Funding Amounts

Project	Total Amount	Local Share**
5311 Administrative	\$ 162,261	\$ 24,339 (15%)
5311 Operating (No State Match)	\$ _____	\$ _____ (50%)
5310 Operating (No State Match)	\$ 100,000	\$ 50,000 (50%)
Combined Capital	\$ <u>195,000</u>	\$ 19,500 (10%)
Mobility Management	\$ _____	\$ _____ (50%)
5310 Capital Purchase of Service	\$ _____	\$ _____ (10%)
ConCPT	\$ _____	\$ _____ (50%)
Capital Cost of Contracting	\$ _____	\$ _____ (%)
Traveler's Aid	\$ _____	\$ _____ (50%)
_____	\$ _____	\$ _____ (%)
_____	\$ _____	\$ _____ (%)
_____	\$ _____	\$ _____ (%)

Funding programs covered are 5311, 5310, 5339 Bus and Bus Facilities, 5307 (Small fixed route, regional, and consolidated urban-rural systems)

TOTAL	\$ 457,261	\$ 93,840
	Total Funding Requests	Total Local Share

****NOTE: Applicants should be prepared for the entire Local Share amount in the event State funding is not available.**

The Local Share is available from the following sources:

<u>Source of Funds</u>	<u>Apply to Grant</u>	<u>Amount</u>
General Funds	5311 Administrative	\$24,339
General Funds, ROAP	5310 Operating	\$50,000
General Funds	Combined Capital	\$19,500
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

UNIFIED GRANT APPLICATION

_____	_____	\$ _____
_____	_____	\$ _____
<hr/>		
TOTAL		\$ 93,840

**** Fare box revenue is not an applicable source for local share funding**

I, the undersigned representing Dare County do hereby certify to the North Carolina Department of Transportation, that the required local funds for the FY2025 Community Transportation Program and 5307 Governors Apportionment will be available as of **July 1, 2024**, which has a period of performance of July 1, 2024 – June 30, 2025.



Signature of Authorized Official

Robert Outten, County Manager

Type Name and Title of Authorized Official

10/02/23

Date

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Sally DeToose 9/18/23

PUBLIC HEARING RECORD

Important – A public hearing **MUST** be conducted whether or not requested by the Public.

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

APPLICANT: Dare County

DATE: October 2, 2023

PLACE: 954 Marshall C. Collins Drive, Manteo, NC 27954

TIME: 9:00 am

How many **BOARD MEMBERS** attended the public hearing?

6

How many members of the **PUBLIC** attended the public hearing?

13

Public Attendance Surveys

(Attached)

(Offered at Public Hearing but none completed)

I, the undersigned, representing Dare County do hereby certify to the North Carolina Department of Transportation, that a Public Hearing was held as indicated above and **During**

the Public Hearing

(NO public comments)

(Public Comments were made and meeting minutes will be submitted after board approval)

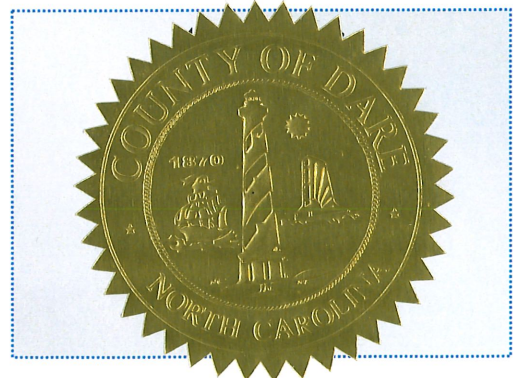
The estimated date for board approval of meeting minutes is:

11/06/23

Skyler Foley
Signature or Clerk to the Board

Skyler Foley, Clerk to the Board
Printed Name and Title

10/2/23
Date



CONFLICT OF INTEREST POLICY

Dare County Transportation System
Board adopted policy on 7/21/2008

In accordance with Board policy and related legislation, no employee, officer, agent, immediate family member, or Board member of the agency shall participate in the selection, award, or administration of a contract supported by Federal and/or State funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

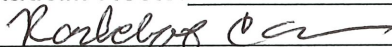
- The employee, officer, agent, or Board member,
- Any member of his/her immediate family,
- His or her partner, or
- An organization that employs, or is about to employ, any of the above.

The agency's officers, employees, agents, or Board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.

Grantees may set minimum rules when the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by state or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the grantee's officers, employees, or agents, or by contractors or their agents.

The undersigned hereby acknowledges, understands, and agrees to abide by this policy.

Radcliff Hester _____ (Printed Name)

 _____ (Signature)

10/2/23 _____ (Date)



23-09-46

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

WHEREAS, the County of Dare desires to purchase five (5) Rescue 42 Compact Rapid Deployable for FirstNet (CRD) cell tower on wheel devices and a two-year First Responder Priority, Ka-Band, Pooled 500GB Prepaid Bandwidth Plan for satellite internet service from Expedition Communications for the Dare County Emergency Management Department; and

WHEREAS, the purchase of Rescue 42 CRD's and satellite internet service from Expedition Communications, which is Rescue 42's only approved satellite internet service provider, is critical to ensuring the rapid restoration of 911 and public safety communication service when commercial service is disrupted; 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 Emergency Management Department has determined the Rescue 42 CRD with Expedition Communications satellite service is the only device manufactured and able to restore FirstNet public safety communications, 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 \$389,975 with Rescue 42 for the sole source purchase of five (5) Rescue 42 Compact Rapid Deployable for FirstNet cell tower on wheel devices and a two-year contract in the amount of \$29,990 with Expedition Communications for the sole source purchase of a First Responder Priority, Ka-Band, Pooled 500GB Prepaid Bandwidth Plan for the Dare County Emergency Management Department.
2. The County Manager is authorized to execute the agreements with Rescue 42 and Expedition Communications and is directed to take all steps necessary to place the CRD devices and satellite internet service on order.
3. This Resolution shall be effective upon its adoption.

This the 6th day of September, 2023.




Robert Woodard, Sr., Chairman

Attest: 
Skyler Foley, Clerk to the Board

**A RESOLUTION BY THE COUNTY OF DARE
TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS**

WHEREAS Dare County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids.

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and bankruptcy resolutions (“Opioid Settlement Funds”) are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (“MOA”) and the Supplemental Agreement for Additional Funds from Additional Settlements of Opioid Litigation (“SAAF”);

WHEREAS Dare County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS section E.6 of the MOA states that, before spending opioid settlement funds, the local government’s governing body must adopt a resolution that:

- (i) indicates that it is an authorization for expenditure of opioid settlement funds; and,
- (ii) states the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy; and,
- (iii) states the amount dedicated to each strategy for a specific period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the NC MOA and SAAF, Dare County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized

- a. Name of strategy: Post Overdose Response Team
- b. Strategy is included in Exhibit A
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #8
- d. Amounted authorized for this strategy: \$64,188
- e. Period of time during which expenditure may take place:
Start date July 1, 2023 through End date June 30, 2024
- f. Description of the program, project, or activity: Peer Support Specialist, Overdose Response Coordinator. Duties include follow up on overdoses and with people at high risk for overdose via collaboration with EMS and local law enforcement in the community and connecting this population and businesses in Dare County with harm reduction tools.
- g. Provider: Dare County Health & Human Services

2. Second strategy authorized

- a. Name of strategy: Evidenced-based addiction Treatment
- b. Strategy is included in Exhibit A

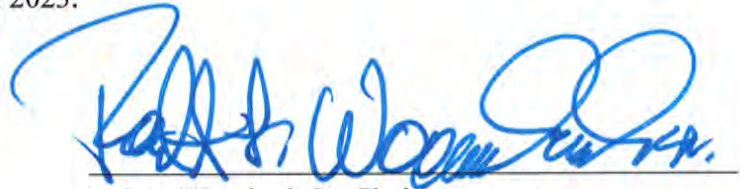
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #2
 - d. Amounted authorized for this strategy: \$25,000
 - e. Period of time during which expenditure may take place:
Start date July 1, 2023 through End date June 30, 2024
 - f. Description of the program, project, or activity: Fund tuition for Dare residents who are uninsured/self-pay. This program provides evidenced-based addiction treatment and along with medication assisted treatment.
 - g. Provider: Changing Tides Addiction Center.
3. Third authorized strategy
- a. Name of strategy: Criminal Justice Diversion
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #10
 - d. Amounted authorized for this strategy: \$100,000
 - e. Period of time during which expenditure may take place:
Start date July 1, 2023 through End date June 30, 2024
 - f. Description of the program, project, or activity: Recovery Court Coordinator to provide case management/linkage to resources for recovery court participants
 - g. Provider: Dare County/NC Courts
4. Fourth authorized strategy
- a. Name of strategy: Reentry Programs
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #12
 - d. Amounted authorized for this strategy: \$50,000
 - e. Period of time during which expenditure may take place:
Start date July 1 2023 through End date June 30 2024
 - f. Description of the program, project, or activity: Link Jail population to resources needed, counseling services, co pays, entry fees, Rehab costs, clothing, medical assistance, healthcare
 - g. Provider: Dare County Detention Center
5. Fifth authorized strategy
- a. Name of strategy: Naloxone Distribution
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #7
 - d. Amounted authorized for this strategy: \$150,000
 - e. Period of time during which expenditure may take place:
Start date July 1, 2023 through End date June 30, 2024
 - f. Description of the program, project, or activity: Supply Naloxone and Fentanyl test strips to the community
 - g. Provider: Dare County Health & Human Services

6. Sixth authorized strategy

- a. Name of strategy: Recovery Support Services
- b. Strategy is included in Exhibit A
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #3
- d. Amounted authorized for this strategy: \$35,000
- e. Period of time during which expenditure may take place:
Start date July 1, 2023 through End date June 30, 2024
- f. Description of the program, project, or activity: Dare County's HHS will address community recovery supports for transportation assistance to recovery groups, counseling appointments, rehabilitation, food, clothing, healthcare needs, medications. Dare residents with Opioid Use Disorder or histories of opioid use will also be eligible to have their entrance fees to Dare Challenge's abstinence / faith based treatment program covered if necessary.
- g. Provider: Dare County Health & Human Services (\$10,000). Dare Challenge residential program (\$25,000)

The total dollar amount of Opioid Settlement Funds appropriated across the above named and authorized strategies is \$424,188.

Adopted this the 6th day of September, 2023.



Robert Woodard, Sr. Chairman
Dare County Board of Commissioners

ATTEST:



Skyler Foley, Clerk to the Board



**RESOLUTION AUTHORIZING THE DARE COUNTY BOARD OF COMMISSIONERS
TO EXEMPT THE COUNTY FROM THE MINI-BROOKS ACT
PURSUANT TO G.S. 143-64.32**

WHEREAS, North Carolina General Statute 143-64.32 (often referred to as the "Mini-Brooks Act") requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and,

WHEREAS, Dare County proposes to enter into one or more contracts for engineering services with Quible and Associates to aid in the design and submission process for two (2) new HARN Nano-filtration train units at the Skyco Water Plant; and,

WHEREAS, North Carolina General Statute 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of North Carolina General Statute 143-64.32 if the estimated fee for any such service is less than \$50,000; and,

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

The above-described project is hereby made exempt from the provisions of North Carolina General Statute 143-64.32

This the 6th day of September, 2023.

COUNTY OF DARE, NORTH CAROLINA


Robert Woodard Sr., Chairman




Skyler Foley, Clerk to the Board

Project Resolution and Form for Certification by the Recording Officer
RESOLUTION BY GOVERNING BODY OF APPLICANT

23-09-43

WHEREAS, Dare County has need for and intends to construct, plan for, or conduct a study in a project described as Dare County Unincorporated Area Drainage Project, and

WHEREAS, Dare County intends to request State loan and/or grant assistance for the project,

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

That Dare County, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Dare County to make a scheduled repayment of the loan, to withhold from Dare County any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

If applying for a regional project, that the **Applicant** will partner and work with other units of local government or utilities in conducting the project.

That Robert L. Outten (County Manager & County Attorney) and Barton Grover (Grants & Waterways Administrator), the **Authorized Representatives** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representatives**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of September, 2023 at 954 Marshall C. Collins Drive, Manteo, North Carolina.



Attest:

A blue ink signature of Robert Woodard, Sr., written over a horizontal line.

Robert Woodard, Sr., Chairman

A blue ink signature of Skyler Foley, written over a horizontal line.

Skyler Foley, Clerk to the Board

Project Resolution and Form for Certification by the Recording Officer
FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting Clerk of the Dare County Board of Commissioners does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Dare County Board of Commissioners duly held on the 6th day of September, 20 23; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of September, 20 23.

Rdin Shylor Folly
(Signature of Recording Officer)

Clerk to the Board
(Title of Recording Officer)



**Resolution Opposing Consolidated Atlantic Highly Migratory Species Fishery
Management Plan
Amendment 15 Section F Sub Section F2**

WHEREAS, Dare County has a long heritage in commercial fishing, and commercial fishing is the second largest economic driver in Dare County; and,

WHEREAS, due to overregulation of the commercial fishing industry, the economic viability and the ever-decreasing number of area watermen threatens this valuable economic engine in Dare County and other coastal counties along the Eastern Seaboard of the United States; and,

WHEREAS, Dare County is the home port to 18 pelagic longline vessels and four seafood processing plants, directly providing employment for hundreds of our citizens and providing fresh, wild-caught product to seafood markets, restaurants and consumers across the country; and,

WHEREAS, in 2006, the National Oceanic and Atmospheric Administration (NOAA) adopted the Consolidated Atlantic Highly Migratory Species Fishery Management Plan; and,

WHEREAS, in 2015, NOAA adopted Amendment 7, adding the Electronic Monitoring Camera System on all pelagic longline vessels, and this system was installed and maintained by funding from NOAA; and,

WHEREAS, on May 7, 2019, Procedure 04-115-02, "Cost Allocation in Electronic Monitoring Programs for Federally Managed Fisheries," was implemented and electronic monitoring continued to be funded by NOAA; and,

WHEREAS, in May 2023, NOAA released the Draft Amendment of the Consolidated Atlantic Highly Migratory Species Fishery Management Plan; and,

WHEREAS, in Draft Amendment 15, Alternatives Section F, "Electronic Monitoring Program," Subsection F2, would transfer all costs of the Electronic Monitoring Program from NOAA to the fishing industry, and vessel owners would be financially responsible for all aspects of electronic monitoring, including the equipment, services, sampling and data storage of footage in which only 10% of a set would be viewed, creating an untenable and devastating financial burden on the fishermen; and,

WHEREAS, Draft Amendment 15 establishes a cost for any and all sets at \$280.00 each, resulting in an estimated \$1,700.00 additional cost per trip on average; and,

WHEREAS, it appears that in Amendment 15, NOAA mandates that all of the costs associated with data collection would be borne by the fishermen collecting the data rather than by NOAA, the agency that desires, needs and requires the information in order to manage the fishery; and,

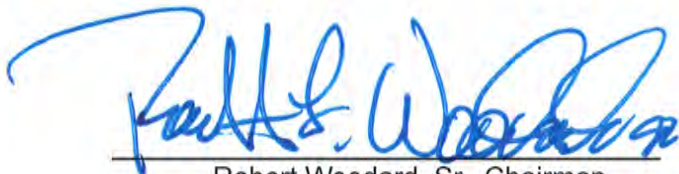
WHEREAS, since 2015, the number of North Atlantic pelagic longliners has fallen from approximately 135 to less than 80 vessels, the resultant overall cost to NOAA for the electronic monitoring program is significantly lower than before, and it would therefore appear that the purpose and effect of Amendment 15 is purely punitive rather than an economic necessity; and,

WHEREAS, on August 9, 2023, NOAA released the National Seafood Strategy report, which outlines NOAA's direction over the next five years for supporting a thriving domestic U.S. seafood economy and enhancing the resilience of the seafood sector in the face of climate change and other stressors; and,

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners strongly opposes Draft Amendment 15 Section F subsection F2 as this would add an overwhelming and unsustainable financial burden on our already overregulated commercial watermen and seafood industry in Dare County specifically and on the pelagic longline fishing industry of the East Coast of the United States in general.

This the 6th day of September 2023.





Robert Woodard, Sr., Chairman

Attest:



Skyler Foley, Clerk to the Board



**A RESOLUTION IN SUPPORT OF THE NATIONAL FLOOD INSURANCE
REAUTHORIZATION AND REFORM ACT OF 2023**

WHEREAS, the National Flood Insurance Program has been the subject of twenty-five short term reauthorizations since 2017 with the latest short-term reauthorization set to expire on September 30, 2023, and

WHEREAS, Senator Bob Menendez (R-NJ) has introduced the NATIONAL FLOOD INSURANCE REAUTHORIZATION AND REFORM ACT OF 2023 which proposes to reauthorize the National Flood Insurance Program (NFIP) program for five years until September 30, 2028, and to significantly reform the NFIP to provide better consumer protection and to address the long-term solvency of the NFIP, and

WHEREAS, these proposed reforms include an annual 9% cap on flood insurance premium increases, continued funding of grant programs for mitigation of flood risks, more accurate mapping of flood hazards, updated claims appeal processes, and suspension of interest payments of the NFIP debt to the US Treasury for five years, and

WHEREAS, this bill has received bipartisan co-sponsorship from elected officials from the coastal states of New York, Maryland, Florida, and Louisiana, and

WHEREAS, flooding is the most frequently occurring natural disaster and affects all areas of the United States therefore flood insurance is an essential tool for property owners to protect their homes and businesses from flood damages, and

WHEREAS, the Dare County Board of Commissioners recognizes the importance of ensuring the sustainability of the NFIP through a long-term reauthorization and appropriate reforms to address the affordability of flood insurance and other problematic aspects of the program.

NOW, THEREFORE BE IT RESOLVED, that the Dare County Board of Commissioners does hereby adopt this resolution in support of the National Flood insurance Reauthorization and Reform Act of 2023 as recently introduced by Senator Menendez and encourages its enactment by the US Senate and US House of Representatives before September 30, 2023.

This 7th day of August, 2023.



Robert Woodard, Sr., Chairman

Attest:

Skyler Foley, Clerk to the Board

Resolution No. 23-08-40

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





**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

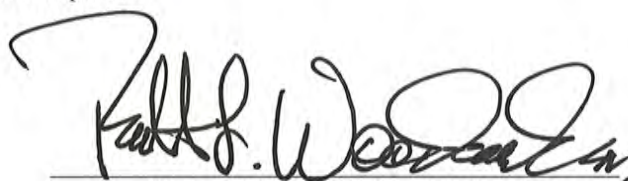
WHEREAS, the Dare County Water Department has performed an evaluation and determined that Harn Nanofiltration Water Treatment Units, which will be built to specification, are needed.

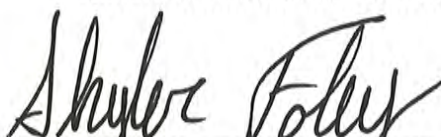
NOW, THEREFORE BE IT RESOLVED, by the Dare County Board of Commissioners that:

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 8th day of August, 2023.




Robert Woodard, Sr., Chairman

Attest: 
Skylee Foley, Clerk to the Board

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 7th DAY OF August, 20 23, 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.

DONE AND ORDERED in open meeting by [Signature] (Chairperson/Mayor)

ATTESTED BY [Signature] (Clerk)

DATE August 7, 2023





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

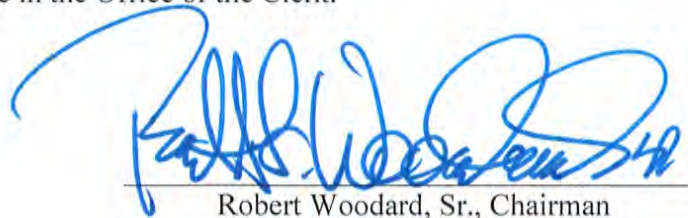
WHEREAS, it is necessary to provide for the usual daily operation of Dare County and for the immediate preservation of the public peace, health, safety, and general welfare of Dare County that this ordinance take effect at an early date;

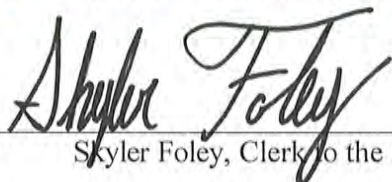
THEREFORE, BE IT RESOLVED BY THE DARE COUNTY BOARD OF COMMISSIONERS:

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.




 Robert Woodard, Sr., Chairman

Attest: 
 Skyler Foley, Clerk to the Board

A RESOLUTION BY THE COUNTY OF DARE
TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS

WHEREAS Dare County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids, including settlements with drug distributors Cardinal, McKesson, and AmerisourceBergen, and the drug maker Johnson & Johnson and its subsidiary Janssen Pharmaceuticals;

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and certain bankruptcy resolutions (“Opioid Settlement Funds”) are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (“MOA”);

WHEREAS Dare County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS section E.6 of the MOA states:

E.6. Process for drawing from special revenue funds.

- a. Budget item or resolution required. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
- b. Budget item or resolution details. The budget or resolution should (i) indicate that it is an authorization for expenditure of opioid settlement funds; (ii) state the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy, and (iii) state the amount dedicated to each strategy for a stated period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the NC MOA, Dare County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized
 - a. Name of strategy: Recovery Support Services
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #3
 - d. Amount authorized for this strategy: \$64,188
 - e. Period of time during which expenditure may take place:
Start date July 1 2023 through End date June 30 2024
 - f. Description of the program, project, or activity: Post Overdose Response Coordinator
 - g. Provider: Dare County Health & Human Services
2. Second strategy authorized
 - a. Name of strategy: Evidenced based addiction Treatment

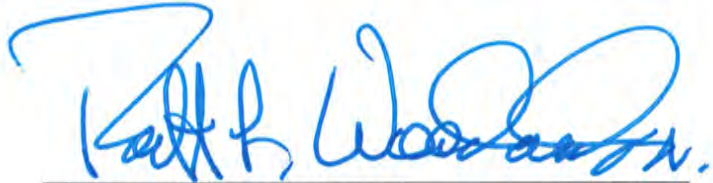
- b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #2
 - d. Amounted authorized for this strategy: \$50,000
 - e. Period of time during which expenditure may take place:
Start date July 1 2023 through End date June 30 2024
 - f. Description of the program, project, or activity: Tuition for treatment fee's
 - g. Provider: Changing Tides Addiction Center & Dare Challenge Addiction Center.
3. Third authorized strategy
- a. Name of strategy: Criminal Justice Diversion
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #10
 - d. Amounted authorized for this strategy: \$100,000
 - e. Period of time during which expenditure may take place:
Start date July 1 2023 through End date June 30 2024
 - f. Description of the program, project, or activity: Recovery Court Coordinator
 - g. Provider: Dare County/NC Courts
4. Fourth authorized strategy
- a. Name of strategy: Criminal Justice Diversion
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #10
 - d. Amounted authorized for this strategy: \$50,000
 - e. Period of time during which expenditure may take place:
Start date July 1 2023 through End date June 30 2024
 - f. Description of the program, project, or activity: Link Jail population to resources needed, counseling services, co pays, entry fees, Rehab costs, clothing, med assistance, healthcare
 - g. Provider: Dare County Detention Center
5. Fifth authorized strategy
- a. Name of strategy: Naloxone Distribution
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #7
 - d. Amounted authorized for this strategy: \$150,000
 - e. Period of time during which expenditure may take place:
Start date July 1 2023 through End date June 30 2024
 - f. Description of the program, project, or activity: Supply Naloxone and Fentanyl test strips to the community
 - g. Provider: Dare County Health & Human Services
6. Sixth authorized strategy
- a. Name of strategy: Recovery Support Services
 - b. Strategy is included in Exhibit A
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #3
 - d. Amounted authorized for this strategy: \$10,000
 - e. Period of time during which expenditure may take place:
Start date July 1 2023 through End date June 30 2024

- f. Description of the program, project, or activity: Address community recovery supports for transportation assistance to recovery groups, counseling appts, rehab, food, clothing, healthcare needs, medications.
- g. Provider: Dare County Health & Human Services

7.

The total dollar amount of Opioid Settlement Funds appropriated across the above named and authorized strategies is \$424,188.

Adopted this the 17th day of July, 2023.



Robert Woodard Sr, Chairman
Dare County Board of Commissioners

ATTEST:



Cheryl C Anby, Clerk to the Board



Resolution No. 23-07-35

**REIMBURSEMENT RESOLUTION – FISCAL YEAR 2023-2024 SANITATION
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 \$1,077,525.

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.

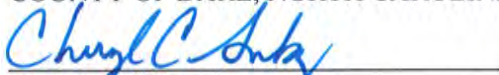
Section 4. *Effective Date.* This resolution shall become effective immediately upon the date of its adoption.

Adopted this 17th day of July, 2023.


Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA


Clerk to the Board



Resolution No. 23-07-34

REIMBURSEMENT RESOLUTION – FISCAL YEAR 2023-2024 VEHICLE AND EQUIPMENT FINANCING PROJECT

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

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 \$2,737,200.

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 17th day of July, 2023.

Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA

Clerk to the Board





23-07-32

Resolution
Authorizing the Removal of Graves from
The Dare County Regional Airport

WHEREAS, there is a cemetery, known locally as the Wescott Cemetery (the "Cemetery") that is located within the paved aircraft ramp (aircraft parking area) of the Dare County Regional Airport (the "Airport"); and

WHEREAS, the land on which the Cemetery is located is owned by Dare County (the "County") and is leased exclusively by the County to the Dare County Airport Authority ("DCAA"); and

WHEREAS, the Cemetery contains marked and unmarked gravesites which are believed to be occupied with human remains; and

WHEREAS, the DCAA Board of Directors has determined that it is in the best interest of the safety of aircraft operations at the Airport and the flying public to move the Cemetery from the Airport to another location away from busy aircraft operations (the "Project"); and

WHEREAS, the DCAA is the owner of the Roanoke Island Memorial Gardens Cemetery, which is a perpetual care cemetery, and which has ample room to receive the relocation of the Cemetery from the Airport as part of the Project, and would be a more appropriate location for the Cemetery; and

WHEREAS, North Carolina General Statute Section 65-106 authorizes the disinterment and reinterment of graves after securing the permission of the governing body in which the cemetery is located; and

WHEREAS, the DCAA has certified to the County Board of Commissioners that such removal of graves is reasonably necessary for the DCAA to perform its governmental functions and the duties delegated to it by law; and

WHEREAS, the consent and cooperation of the County Board of Commissioners is required by statute for the DCAA to proceed with the Project.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Dare County Board of Commissioners hereby approves the Project described above and authorizes the DCAA to commence the Project described above.

2. The Dare County Board of Commissioners delegates to the DCAA any and all responsibility to take any action necessary on behalf of the Board of Commissioners to commence and complete the Project described above.

This the 17th day of July, 2023.



A handwritten signature in blue ink, reading "Robert F. Woodard, Sr.", written over a horizontal line.

Robert Woodard, Sr., Chairman

Attest:

A handwritten signature in blue ink, reading "Cheryl C. Anby", written over a horizontal line.

Cheryl C. Anby, Clerk to the Board

23-07-31



Resolution Advocating Increased Funding for Voluntary Cost-Share Programs That Will Help Landowners Improve Their Property and Significantly Reduce Nutrient Loading in North Carolina's Coast Waters

WHEREAS, the undersigned endorse and approve immediate implementation of the non-regulatory actions described below and strongly advocate that this Resolution immediately be shared with key State and Federal agencies and decision-makers that have the authority to significantly increase funding for landowner cost-share programs already proven to greatly reduce harmful nutrient loading in the State's coastal waters.

WHEREAS, Article XIV, Section 5 of our Constitution, entitled "Conservation of Natural Resources," expressly provides: "It shall be the policy of this State to conserve and protect its lands and waters for the benefit of all its citizenry, and to this end it shall be a proper function of the State of North Carolina and its political subdivisions to acquire and preserve park, recreational, and scenic areas, to control and limit the pollution of our air and water, to control excessive noise, and in every other appropriate way to preserve as a part of the common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty."

WHEREAS, much of the coastal economy in North Carolina depends on clean water to thrive and grow; and

WHEREAS, excessive amounts of nitrogen and phosphorus currently entering the State's coastal waters are well-documented as significantly contributing to one of North Carolina's most widespread, costly, and continuing water quality problems; and

WHEREAS, while nitrogen and phosphorus are nutrients that are natural parts of our aquatic systems and important for the growing of crops, when too much nitrogen and phosphorus enter the State's waters they cause a wide range of pollution issues that have negative effects on our streams, rivers, lakes, bays, sounds, and other coastal waters, and are causing serious environmental and human health issues that adversely affect our fisheries, wetlands, estuaries, beaches, parks, recreational areas, open lands, places of beauty, and the ability of our citizens to safely use and enjoy these important public resources – all to the detriment of property owners, fishermen, recreational businesses, tourism, real estate, local communities and our entire State economy; and

WHEREAS, these excessive nutrients cause algal blooms that result in large fish kills, significant loss of submerged aquatic vegetation, and otherwise endanger public health; and

WHEREAS, the Coastal Habitat Protection Plan Amendment approved by the Environmental Management Commission, Marine Fisheries Commission and Coastal Resources Commission in 2021 calls for adoption of voluntary measures to help landowners reduce the amount of these nutrients entering the State's waters; and

WHEREAS, there are a wide range of proven best management practices and cost share programs already available to landowners that are proven non-regulatory ways to significantly reduce the amount of excess nutrients that reach the State's waters; and

WHEREAS, these proven non-regulatory programs currently are underfunded and in need of data-driven strategic efforts to focus them where the needs are greatest; and

WHEREAS, these same best management practices frequently provide concurrent benefits that can help our citizens to increase the productivity of their lands, reduce flooding, and make land uses more resilient to extreme weather; and

WHEREAS, the current funding levels for these landowner assistance programs have not kept pace with population growth or price increases in our economy; and

WHEREAS, these programs are needed by landowners in both rural and urban areas, and especially in watersheds that are near the State's coastal waters and the rivers, streams, creeks and tributaries that flow into these coastal waters; and


WHEREAS, the 2021 CHPP Amendment recommends forming a public-private partnership of stakeholders to advance voluntary water quality protection to safeguard coastal habitats such as submerged aquatic vegetation, wetlands, and oyster reefs through a variety of strategies; and

WHEREAS, a public-private stakeholder group was organized by North Carolina Department of Environmental Quality, and that group requests that interested parties endorse this resolution to help expand voluntary cost-share programs to improve coastal water quality.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners fully support a significant increase in one-time, but more importantly in reoccurring funding, for cost-share programs that will assist landowners in managing and reducing the amount of nutrient runoff into the State's waters. We call upon our State's decision-makers to expeditiously address and evaluate how to most effectively expand these already proven and effective cost-share programs with sufficient annual planning, staffing, and funding. We further call upon our State's decision-makers to use their best efforts to further increase the effectiveness of these proven programs by communicating and coordinating with appropriate Federal agency partners. We further pledge to work together with each other and our state's decision-makers and leaders to expeditiously increase funding and staff support for these proven cost-share programs, thereby significantly reducing unhealthy nutrient loading in our State's waterways and thereby greatly enhancing our State's economic health.

This the 17th day of July, 2023.




Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board

23-06-30



RESOLUTION HONORING KATHARINE WRIGHT AND RECOGNIZING HER BIRTHDAY TO BE CO-CELEBRATED ON NATIONAL AVIATION DAY

WHEREAS, National Aviation Day (August 19) is a United States national observation that celebrates the development of aviation, and;

WHEREAS, the holiday was established in 1939 by President Franklin Delano Roosevelt, who issued a presidential proclamation that designated the anniversary of Orville Wright's birthday to be National Aviation Day, and;

WHEREAS, Katharine Wright was the younger sister of aviation pioneers Wilbur and Orville Wright and shared the same August 19 birth date as Orville Wright, and;

WHEREAS, the devoted sister played an immense role in her brothers' endeavors that has been generally understood and acknowledged outside of the Wright family and certain Wright biographers, and;

WHEREAS, Katharine Wright's strong character, unwavering support, practical advice and business acumen during the brothers' experiments and travels enabled her exceptional management skills of communications, writing and providing support for their test-flight operations, and;

WHEREAS, successful endeavors achieved in the indomitable American spirit of ingenuity sometimes overlooks the invaluable contributions of individuals and entities for the greater good, and;

WHEREAS, the First Flight Society, generally recognized as North Carolina's oldest non-profit organization, fosters and promotes public awareness of and widespread interest in the origin, history and future of flight, in all its forms, and to memorialize Orville and Wilbur Wright, first in the world to successfully achieve powered flight in a heavier-than-air machine, and;

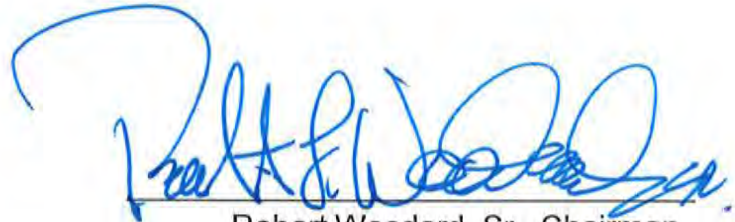
THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners—proudly acknowledging that the Wright brothers (and their sister

Katharine) taught the world how to fly on the windswept sands of Kitty Hawk—heartily endorses and strongly urges the state legislatures of Ohio and North Carolina, to co-celebrate the contributions of Katharine Wright to powered flight on National Aviation Day, and;

THEREFORE, BE IT FURTHER RESOLVED, that the General Assembly of the great state of North Carolina begin, in earnest, support and initiative for the 125th anniversary in 2028 of Wilbur and Orville Wright’s legacy as pioneers of powered flight.

This the 5th day of June 2023.




Robert Woodard, Sr., Chairman

Attest: 
Cheryl C. Anby, Clerk to the Board

23-06-29

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

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Water Shortage Response Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems, has been developed and submitted to the Dare County Board of Commissioners for approval; and

WHEREAS, the Dare County Board of Commissioners finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Dare County Board of Commissioners of Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems that the Water Shortage Response Plan entitled, Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water; Water Shortage Response Plan dated 2023, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

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

This the 5th day of June, 2023.



Name: Robert Woodard, Sr.

Title: Dare Chairman (Mayor or Board Chairman)

Signature: [Handwritten Signature]

[Handwritten Signature]
Clerk

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

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems, has been developed and submitted to the Dare County Board of Commissioners for approval; and

WHEREAS, the Dare County Board of Commissioners finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Dare County Board of Commissioners of Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water systems that the Local Water Supply Plan entitled, Cape Hatteras Water, RWS Water, Stumpy Point Water, and the Dare County Regional Water Local Water Supply Plan dated 2022, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

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

This the 5th day of June, 2023.

Name: Robert Woodard, Sr.

Title: Dare Chairman (Mayor or Board Chairman)

Signature: [Handwritten Signature]



Cheryl Coby
Clerk to the Board.



23-06-27

Resolution to Sponsor the 2023/2024 Hatteras Inlet Maintenance Project

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

THEREFORE, BE IT RESOLVED THAT:

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

This the 5th day of June, 2023.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



23-06-26

Resolution to Sponsor the 2023/2024 Oregon Inlet Maintenance Project

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

THEREFORE, BE IT RESOLVED THAT:

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

This the 5th day of June, 2023.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



23-06-25

Resolution Requesting Emergency Dredging in Rollinson Channel

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

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

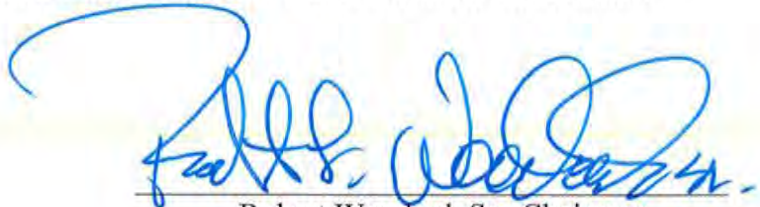
WHEREAS, the Coast Guard uses Hatteras Harbor as a safe haven for vessels during search and rescue cases, and

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

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

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

This the 5th of June, 2023.


Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board





23-05-24

Resolution
Dare County Human Resources Personnel Manual

BE IT RESOLVED, by the Board of County Commissioners of Dare County, that the following policies and procedures shall govern the recruitment, selection, appointment, classification, salary, promotion, discipline and dismissal, grievance rights, and all other conditions of employment of the employees of Dare County.

This the 17th day of May, 2023.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



23-05-23

Resolution to Sponsor the Crack & Walter Slough Project

WHEREAS, Dare County desires to sponsor the Crack & Walter Slough Project to provide funding for SAV, Shellfish, and Cultural Resource Surveys for the upcoming dredging project by the Miss Katie.

THEREFORE, BE IT RESOLVED THAT:

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Crack & Walter Slough Project in the amount of \$97,500 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 1st day of May, 2023.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



23-05-21

**Resolution to Sponsor the
Miss Katie – 23/24 Crack & Walter Slough Dredging Project**

WHEREAS, Dare County desires to sponsor the Miss Katie – 23/24 Crack & Walter Slough Dredging Project to provide funding for dredging activities by the Miss Katie.

THEREFORE, BE IT RESOLVED THAT:

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Miss Katie- 23/24 Crack & Walter Slough Dredging Project in the amount of \$1,125,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 1st day of May, 2023.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



23-05-21

**Resolution to Sponsor the
Miss Katie – 23/24 17 Extension to Wanchese & Range 4 Dredging Project**


WHEREAS, Dare County desires to sponsor the Miss Katie – 23/24 17 Extension to Wanchese & Range 4 Dredging Project to provide funding for dredging by the Miss Katie.

THEREFORE, BE IT RESOLVED THAT:


- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Miss Katie- 23/24 17 Extension to Wanchese & Range 4 Dredging Project in the amount of \$1,200,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 1st day of May, 2023.




Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board



23-05-20

**Resolution to Sponsor the
Miss Katie – 23/24 Old Lighthouse Channel 2 Dredging Project**

WHEREAS, Dare County desires to sponsor the Miss Katie – 23/24 Old Lighthouse 2 Dredging Project to provide funding for dredging of Old Lighthouse Channel 2 by the Miss Katie.

THEREFORE, BE IT RESOLVED THAT:

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Miss Katie- 23/24 Old Lighthouse Channel 2 Dredging Project in the amount of \$300,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 1st day of May, 2023.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



23-05-19

Resolution to Sponsor the Miss Katie – 23/24 Hatteras Inlet Dredging Project

WHEREAS, Dare County desires to sponsor the Miss Katie – 23/24 Hatteras Inlet Dredging Project to provide funding for dredging in Hatteras Inlet by the Miss Katie.

THEREFORE, BE IT RESOLVED THAT:

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Miss Katie- 23/24 Hatteras Inlet Dredging Project in the amount of \$750,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 1st day of May, 2023.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board

23-05-18



**Resolution to Sponsor the
Miss Katie – 23/24 Oregon Inlet Dredging Project**

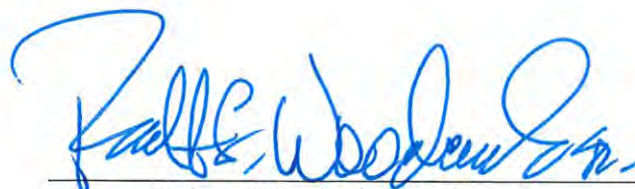
WHEREAS, Dare County desires to sponsor the Miss Katie – 23/24 Oregon Inlet Dredging Project to provide funding for dredging in Oregon Inlet and nearby channels.

THEREFORE, BE IT RESOLVED THAT:

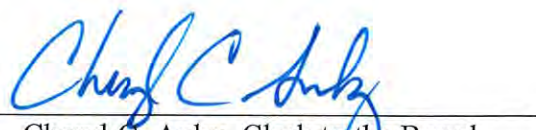
- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Miss Katie- 23/24 Oregon Inlet Dredging Project in the amount of \$6,375,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 1st day of May, 2023.




Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board



23-05-17

Resolution Supporting The Lost Colony

WHEREAS, The Lost Colony has been the Outer Banks' most prominent Heritage Tourism attraction for 85 years; and

WHEREAS, summer productions of *The Lost Colony* at the Waterside Theatre on Roanoke Island have entertained millions of visitors; and

WHEREAS, the mission of the Roanoke Island Historical Association is to celebrate and depict the first English settlement in America on Roanoke Island and the birth of the first English child on these shores; and

WHEREAS, *The Lost Colony*, based on a screenplay by North Carolina's Paul Green, first was performed in 1937, in the depths of the Depression, and President Franklin D. Roosevelt was among those who viewed the production that summer; and

WHEREAS, the show has been performed continuously for 85 years, interrupted only by World War II and the Covid epidemic; and

WHEREAS, *The Lost Colony* should be an important part of our nation's 250th anniversary celebration in 2026; and


WHEREAS, we eagerly anticipate the 100th anniversary of *The Lost Colony* in 2037, just fourteen years from now; and

WHEREAS, *The Lost Colony* remains a vital and valuable part of the life and history of our community, Dare County and the entire Outer Banks;

NOW, THEREFORE, be it resolved that the Dare County Board of Commissioners expresses its sincere thanks and appreciation to the Board of Directors of the Roanoke Island Historical Association for its hard work, and we pledge our continuing support for *The Lost Colony*.

This the 1st day of May, 2023.




Robert Woodard, Sr., Chairman

Attest: 
Cheryl C. Anby, Clerk to the Board

23-03-16

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

North Carolina

County: Dare

Road Description: Swan View Drive, Colington, NC (Swan View Shores Subdivision)

1203.56 feet

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

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

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

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 6th day of March, 2023.

WITNESS my hand and official seal this the 6th day of March, 2023.



Clerk, Board of Commissioners

Dare County: Cheryl C. Aubrey

PLEASE NOTE:

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



**A RESOLUTION
SUPPORTING THE NAMING OF NORTH CAROLINA FERRIES**

WHEREAS, the County of Dare is within the North Carolina Department of Transportation (NCDOT) Division 1; and

WHEREAS, the Dare County Board of Commissioners supports the tradition of naming NC Ferries after towns and regions of coastal North Carolina; and

WHEREAS, Dare County Board of Commissioners requests that the two new ferry vessels be named MV Avon and the MV Salvo; and


WHEREAS, Dare County, as the Birthplace of English-speaking America, also supports the rich Native American heritage and acknowledges the great service the Hatteras-class ferries have provided the citizens and visitors of North Carolina, and

WHEREAS, the Dare County Board of Commissioners is proud to uphold this rich heritage and strongly urges the Albemarle RPO and the North Carolina Ferry Division to consider naming future vessels using the Algonquian named areas of our region.

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners requests that the two new ferry vessels be named the MV Avon and the MV Salvo.

ADOPTED this 6th day of March, 2023




Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board

**County of Dare, North Carolina
Grant Project Ordinance
for
Opioid Settlement Funds**

BE IT ORDAINED 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 grant project ordinance is adopted:

Section 1 This ordinance is to establish a budget for Opioid Settlement activities funded by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation.

Section 2 The following budget shall be conducted within the Opioid Settlement Fund (fund #31). This Ordinance replaces the budget established in the original fiscal year 2023 budget and the budget amendment adopted August 1, 2022 and those annual budget amounts are hereby reversed and eliminated.

Section 3 The following amounts are appropriated for the projects with project number 56011 for NC Opioid Settlement funds:

Salaries	314600-500200-56011	\$38,921
FICA	314600-500300-56011	\$2,977
Retirement	314600-500400-56011	\$4,733
Health	314600-500500-56011	\$21,317
401k	314600-500601-56011	\$1,168
Contracted services	314600-510700-56011	\$125,000
Professional services – court	314600-510900-56011	\$100,000
Supplies	314600-513300-56011	\$42,000
Awareness & education	314600-525500-56011	\$40,000
Linkage	314600-525722-56011	\$25,000

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

NC Opioid Settlement funds	143025-460100-56011	\$401,116
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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 and annual reporting processes.

Section 6 The Opioid Settlement Fund is a multi-year special revenue fund for non-recurring activities. All funds are appropriated pursuant to section 13.2 of Chapter 159 of the NCGS, therefore, appropriations do not lapse at the end of the fiscal year.

Section 7 Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to the Board of Commissioners.

Adopted this 6th day of March, 2023



A handwritten signature in blue ink, appearing to read "Robert Woodruff", written over a horizontal line.

Chairman, Board of Commissioners

A handwritten signature in blue ink, appearing to read "Cheryl Anby", written over a horizontal line.

Cheryl Anby, Clerk to the Board of Commissioners

**A RESOLUTION BY THE COUNTY OF DARE
TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS**

WHEREAS Dare County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids, including settlements with drug distributors Cardinal, McKesson, and AmerisourceBergen, and the drug maker Johnson & Johnson and its subsidiary Janssen Pharmaceuticals;

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and certain bankruptcy resolutions (“Opioid Settlement Funds”) are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (“MOA”);

WHEREAS Dare County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS section E.6 of the MOA states:

E.6. Process for drawing from special revenue funds.

- a. Budget item or resolution required. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
- b. Budget item or resolution details. The budget or resolution should (i) indicate that it is an authorization for expenditure of opioid settlement funds; (ii) state the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy, and (iii) state the amount dedicated to each strategy for a stated period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the NC MOA, Dare County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized
 - a. Name of strategy: Evidenced Based Addiction Treatment
 - b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #2
 - d. Amounted authorized for this strategy: \$ \$24,000
 - e. Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
 - f. Description of the program, project, or activity: Tuition for treatment costs
 - g. Provider: Changing Tides Addiction Center
2. Second strategy authorized
 - a. Name of strategy: Evidenced Based Addiction Treatment
 - b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)

- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: ___#2___
- d. Amounted authorized for this strategy: \$ ___\$25,000___
- e. Period of time during which expenditure may take place:
Start date ___Oct 1 2022___ through End date June 30 2023___
- f. Description of the program, project, or activity: ___Support Capacity for Implementation of Vivitrol-MAT___
- g. Provider: ___Community Care Clinic of Dare___

3. Third authorized strategy

- a. Name of strategy: ___Recovery Support Services
- b. Strategy is included in Exhibit ___A___ (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #3___
- d. Amounted authorized for this strategy: \$ ___2,000___
- e. Period of time during which expenditure may take place:
Start date ___Oct 1 2022___ through End date June 30 2023___
- f. Description of the program, project, or activity: Implementation of Yoga recovery classes EBS. ___
- g. Provider: ___OBX Yoga___

4. Fourth authorized strategy

- a. Name of strategy: ___Recovery Support Services
- b. Strategy is included in Exhibit ___A___ (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #3___
- d. Amounted authorized for this strategy: \$ ___4,000___
- e. Period of time during which expenditure may take place:
Start date ___Feb 1 2023___ through End date June 30 2023___
- f. Description of the program, project, or activity: ___Peer Support Specialist to support recovery Court and womens programs in Dare county Jail___
- g. Provider: Jessica Urbano _____

5. Fifth authorized strategy

- a. Name of strategy: ___Recovery Support Services
- b. Strategy is included in Exhibit A ___ (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #3___
- d. Amounted authorized for this strategy: \$12,500 ___
- e. Period of time during which expenditure may take place:
Start date ___Oct 1 2022___ through End date ___June 30 2023___
- f. Description of the program, project, or activity: Support Capacity for organization to provide SUD services to include Rehab/detox, transportation, support, shelter ___
- g. Provider: ___OBX Crossroads___

6. Sixth authorized strategy

- a. Name of strategy: ___Recovery Support Services
- b. Strategy is included in Exhibit ___A___ (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #3___
- d. Amounted authorized for this strategy: \$ ___69,116___
- e. Period of time during which expenditure may take place:
Start date ___Oct 1 2022___ through End date ___June 30 2023___

- f. Description of the program, project, or activity: Post Overdose response Coordinator
- g. Provider: Dare cty HHS
7. Seventh authorized strategy
- a. Name of strategy: Recovery Housing Support
- b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #4
- d. Amounted authorized for this strategy: \$ 5,000
- e. Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
- f. Description of the program, project, or activity: To assist SUD population with Rent, Deposits, and end of life funeral expenses.
- g. Provider: Interfaith Community Outreach, Inc
8. Eighth authorized strategy
- a. Name of strategy: Employment Related Services
- b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #5
- d. Amounted authorized for this strategy: \$ 15,000
- e. Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
- f. Description of the program, project, or activity: To obtain supplies and tools in partnership with College of the Albemarle for those in recovery the skills to gain employment upon completion of the recovery program
- g. Provider: Dare Challenge SUD residential program
9. Ninth authorized strategy
- a. Name of strategy: Early Intervention
- b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #6
- d. Amounted authorized for this strategy: \$ 10,000
- e. Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
- f. Description of the program, project, or activity: Send 3 people to MHFA instructor training
- g. Provider: OBX Room In The Inn
10. Tenth authorized strategy
- a. Name of strategy: Naloxone Distribution
- b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: #7
- d. Amounted authorized for this strategy: \$ 2,500
- e. Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
- f. Description of the program, project, or activity: Purchase Naloxone Vending Machine for community
- g. Provider: Just Inn Case

11. Eleventh authorized strategy
- Name of strategy: Naloxone Distribution
 - Strategy is included in Exhibit A (Exhibit A, Exhibit B)
 - Item letter and/or number in Exhibit A or Exhibit B to the MOA: #7
 - Amounted authorized for this strategy: \$ 42,000
 - Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
 - Description of the program, project, or activity: Harm Reduction supplies-Naloxone and Fentanyl strips
 - Provider: Dare cty HHS
12. twelfth authorized strategy
- Name of strategy: Criminal Justice Diversion
 - Strategy is included in Exhibit A (Exhibit A, Exhibit B)
 - Item letter and/or number in Exhibit A or Exhibit B to the MOA: #10
 - Amounted authorized for this strategy: \$ 25,000
 - Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
 - Description of the program, project, or activity: To provide counseling services, co pays, transportation to recovery programs, probation meetings to support recovery upon integration back into the community
 - Provider: Dare cty Recovery Court program
13. Thirteenth authorized strategy
- Name of strategy: Criminal Justice Diversion
 - Strategy is included in Exhibit A (Exhibit A, Exhibit B)
 - Item letter and/or number in Exhibit A or Exhibit B to the MOA: #10
 - Amounted authorized for this strategy: \$ 100,000
 - Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
 - Description of the program, project, or activity: Need dedicated Probation officer for Recovery Court
 - Provider: Dare cty
14. Fourteenth authorized strategy
- Name of strategy: Criminal Justice Diversion
 - Strategy is included in Exhibit A (Exhibit A, Exhibit B)
 - Item letter and/or number in Exhibit A or Exhibit B to the MOA: #10
 - Amounted authorized for this strategy: \$ 25,000
 - Period of time during which expenditure may take place:
Start date Oct 1 2022 through End date June 30 2023
 - Description of the program, project, or activity: Link Jail population to resources needed, Rehab, Transportation, clothing, Med assistance, healthcare. SDOH
 - Provider: Dare county HHS and Sheriff's Office
15. Fifteenth authorized strategy
- Name of strategy: Prevent the misuse of Opioids
 - Strategy is included in Exhibit B (Exhibit A, Exhibit B)

- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: Item G_
- d. Amounted authorized for this strategy: \$ 40,000__
- e. Period of time during which expenditure may take place:
 Start date __Oct 1 2022__ through End date June 30 2023__
- f. Description of the program, project, or activity: _Education & Awareness to the community on the dangers of Fentanyl_____
- g. Provider: _Dare county HHS_____

The total dollar amount of Opioid Settlement Funds appropriated across the above named and authorized strategies is \$401,116.

Adopted this the 6th day of March, 2023.

Chairman,
 County Board of Commissioners

ATTEST:

Clerk to the Board



COUNTY SEAL



**RESOLUTION BY THE COUNTY OF DARE, NORTH CAROLINA
AUTHORIZING EXECUTION OF OPIOID SETTLEMENTS AND APPROVING THE
SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS BETWEEN THE STATE OF
NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE
SETTLEMENT OF OPIOID LITIGATION**

WHEREAS, the opioid overdose epidemic had taken the lives of more than 32,000 North Carolinians (2000-2021); and

WHEREAS, the COVID-19 pandemic has compounded the opioid overdose crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total economic burden of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, Dare County's emergency room visits for overdose and overdose death rates are high related to other counties; and

WHEREAS, the opioid crisis unreasonably interferes with rights common to the general public of Dare County; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Dare County; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, settlements have been reached in litigation against Walmart, Inc., Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Allergan Limited, CVS Health Corporation, CVS Pharmacy, Inc., and Walgreen Co., as well as their subsidiaries, affiliates, officers, and directors named in these Settlements; and

WHEREAS, by joining the settlements and approving the SAAF, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Dare County and its residents, to sign onto the settlements and SAAF and demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in the state and in Dare County to help abate the harm; and

WHEREAS, the SAAF directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners hereby authorizes the County Manager to execute all documents necessary to enter into opioid settlement agreements with Walmart, Walgreens, CVS, Allergan, and Teva, to execute the SAAF, and to provide such documents to Rubris, the Implementation Administrator.

Adopted this the 6th day of March, 2023.



A handwritten signature in blue ink, reading "Robert Woodard, Sr.", written over a horizontal line.

Robert Woodard, Sr., Chairman

Attest:

A handwritten signature in blue ink, reading "Cheryl C. Anby", written over a horizontal line.

Cheryl C. Anby, Clerk to the Board

23-03-12

Resolution Approving Financing Terms

WHEREAS: The County of Dare ("Borrower") has previously determined to undertake a project for the financing of an installment financing agreement (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated February 16, 2023. The amount financed shall not exceed \$1,823,834.00 the quarterly interest rate (in the absence of default or change in tax status) shall not exceed 3.75% and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 6th day of March, 2023

By: *Cheryl C. Aubrey*
Title: Clerk to the Board of Commissioners

By: *Jeffrey W. Wood*
Title: Chairman, Board of Commissioners



SEAL

23-03-11

Resolution Approving Financing Terms

WHEREAS: The County of Dare, NC ("Borrower") has previously determined to undertake a project for the financing of an installment financing agreement (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated February 16, 2023. The amount financed shall not exceed \$2,265,094.00 the semi-annual interest rate (in the absence of default or change in tax status) shall not exceed 3.75% and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 6th day of March, 2023

By: 

Title: Clerk to the Board of Commissioners



Title: Chairman, Board of Commissioners



RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND A DEED OF TRUST AND THE DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS

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

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price of such property;

WHEREAS, the Board of Commissioners of the County (the "*Board*") has previously determined that it is in the best interest of the County to engage in a long-term plan to finance (a) the construction of a new youth center in the Town of Manteo (the "*Youth Center*"), (b) the construction of a replacement County EMS station in the Town of Kill Devil Hills and a fire station on behalf of the Town of Kill Devil Hills (the "*KDH Facility*"), (c) the construction, renovation, and improvements to various EMS stations throughout the County (collectively, the "*EMS Stations*"), (d) the construction of a new airport hangar for Dare MedFlight, including crew quarters (the "*Hangar*"), and (e) other projects that may be identified as part of the County's future capital improvement plans (collectively, the "*Projects*");

WHEREAS, as part of its plan to finance the Projects, the Board has previously determined that it is in the best interest of the County to finance a portion of the Projects by entering into an Installment Financing Contract (the "*Contract*") with Dare County Public Facilities Corporation (the "*Corporation*") in order to finance (a) the capital costs of the KDH Facility, the County EMS Station in the Town of Southern Shores, and the Hangar (collectively, the "*2023A Projects*"), and (b) the costs related to the execution and delivery of the Contract;

WHEREAS, in order to secure the County's obligations under the Contract, the County will enter into a Deed of Trust, Security Agreement and Fixture Filing (the "*Deed of Trust*") granting a lien on the real property on which the KDH Facility will be located and the improvements thereon;

WHEREAS, the Corporation will execute and deliver its Limited Obligation Bonds (County of Dare, North Carolina), Series 2023A (the "*Bonds*") in an aggregate principal amount not to exceed \$49,250,000, evidencing proportionate undivided interests in rights to receive certain Revenues (as defined in the Contract) pursuant to the Contract;

WHEREAS, in connection with the sale of the Bonds to Piper Sandler & Co. (the "*Underwriter*"), the Corporation will enter into a Contract of Purchase (the "*Purchase Contract*") between the Corporation and the Underwriter relating to the Bonds, and the County will execute a Letter of Representation to the Underwriter (the "*Letter of Representation*");

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

- (1) the Contract;
- (2) the Deed of Trust;

(3) an Indenture of Trust dated as of May 1, 2023 (the “*Indenture*”) between the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee, including the form of the Bonds; and

(4) the Purchase Contract and the Letter of Representation.

WHEREAS, to make an offering and sale of the Bonds, there will be prepared a Preliminary Official Statement with respect to the Bonds (the “*Preliminary Official Statement*”), a draft thereof having been made available to the Board, and a final Official Statement relating to the Bonds (together with the Preliminary Official Statement, the “*Official Statement*”), which Official Statement will contain certain information regarding the County and the Bonds;

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

WHEREAS, a public hearing on the Contract and the 2023A Projects to be financed thereby after publication of a notice with respect to such public hearing must be held and the Board conducted such public hearing at this meeting; and

WHEREAS, the County has filed an application to the Local Government Commission of North Carolina (the “*LGC*”) for approval of the Contract and will receive the approval of the LGC before executing and delivering the Contract;

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

Section 1. ***Ratification of Instruments.*** All actions of the County Manager, the Deputy County Manager/Finance Director, the Clerk to the Board of Commissioners, the County Attorney, and their respective designees (individually and collectively, the “*Authorized Officers*”), whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. ***Authorization of the Official Statement.*** The form, terms and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the Underwriter’s use of the Preliminary Official Statement and the final Official Statement in connection with the offering and sale of the Bonds is hereby in all respects authorized, approved and confirmed. The Authorized Officers are hereby authorized and directed to deliver, on behalf of the County, the Official Statement in substantially such form, with such changes, insertions and omissions as they may approve.

Section 3. ***Authorization to Execute the Contract.*** The County hereby approves the financing in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Contract are hereby in all respects authorized, approved and confirmed, and the Authorized Officers are hereby authorized, empowered and directed to execute and deliver the Contract, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as they deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the County’s approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract presented to the Board. From and after the execution and delivery of the Contract, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

Section 4. ***Authorization to Execute the Deed of Trust.*** The County approves the form and content of the Deed of Trust, and the Deed of Trust is in all respects authorized, approved and confirmed. The Authorized Officers are hereby authorized, empowered and directed to execute and deliver the Deed of Trust, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as they deem necessary, desirable or appropriate. Execution by the Authorized Officers constitutes conclusive evidence of the County's approval of any and all such changes, modifications, additions or deletions therein from the form and content of the Deed of Trust presented to the Board, and from and after the execution and delivery of the Deed of Trust, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Deed of Trust as executed.

Section 5. ***Authorization to Execute the Purchase Contract and Letter of Representation.*** The form and content of the Purchase Contract are hereby approved in all respects. The Authorized Officers are authorized to execute the Letter of Representation for the purposes stated therein, including necessary counterparts, in substantially the form and content of the Letter of Representation presented to the Board, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the County's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Letter of Representation presented to the Board. From and after the execution and delivery of the Letter of Representation, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Letter of Representation as executed.


Section 6. ***County Representative.*** The Authorized Officers are each hereby designated as the County's representative to act on behalf of the County in connection with the transactions contemplated by the Instruments and the Official Statement, and the Authorized Officers are authorized to proceed with the financing in accordance with the Instruments and to seek opinions as a matter of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The County's representative and/or designee or designees are in all respects authorized on behalf of the County to supply all information pertaining to the County for use in the Official Statement and the transactions contemplated by the Instruments or the Official Statement. The County's representatives or their respective designees are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments or the Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution and the on-going administration of the Instruments. Any provision in this Resolution that authorizes more than one officer of the County to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively and any action authorized may be taken by anyone designated to act on their behalf.

Section 7. ***Severability.*** If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 8. ***Repealer.*** All motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 9. ***Effective Date.*** This Resolution is effective on the date of its adoption.

Adopted this 6th day of March, 2023.


Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board

23-03-09



Resolution Supporting the Display of the National Motto “In God We Trust” in a Prominent Location to Be Determined

WHEREAS, “In God We Trust” became the United States national motto on July 30, 1956, shortly after our nation led the world through the trauma of World Warr, II; and

WHEREAS, “In God We Trust” has been used on United States currency since 1864; and

WHEREAS, this inspiring motto has been an integral part of United States society since it’s founding; and

WHEREAS, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker’s dais in the House of Representatives; and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, the National Anthem of the United States says, “... and this be our motto: in God is our trust;” and

WHEREAS, the Declaration of Independence recognizes God, our Creator, as the source of our rights; and

WHEREAS, in 2011, the United States House of Representatives passed House Concurrent Resolution 13, which reaffirmed “In God We Trust” as the official motto of the United States and supported and encouraged the display of the national motto; and

WHEREAS, a number of our presidents have written or spoken about religion and God, with President John F. Kennedy stating, “The guiding principle and prayer of this Nation has been, is now, and shall every be “In God We Trust; and

WHEREAS, the County desires to display this patriotic motto in a way to solemnize public occasions and express confidence in our society.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners does hereby declare that the historic and patriotic words of our national motto, "In God We Trust" shall be permanently and prominently displayed in a manner and location to be determined.

This the 6th day of March, 2023.



A handwritten signature in blue ink, reading "Robert Woodard, Sr.", written over a horizontal line.

Robert Woodard, Sr., Chairman

Attest:

A handwritten signature in blue ink, reading "Cheryl C. Anby", written over a horizontal line.

Cheryl C. Anby, Clerk to the Board



23-02-08

**Resolution Requesting the NCGA to
Revise and Expand the Good Samaritan Law GS 90-96.2**

WHEREAS, the North Carolina General Assembly adopted GS 90-96.2, also known as the Good Samaritan Law in 2013; and

WHEREAS, the North Carolina General Assembly Good Samaritan Law was recognized as both timely and one of the best in the Nation; and

WHEREAS, as a result of this law, a number of lives in North Carolina have been saved, specifically from opioid overdose and fear of prosecution; and

WHEREAS, people are still too often deterred from calling for help at the scene of an overdose if they fear arrest and prosecution, which undermines the very purpose of the law; and

WHEREAS, continually rising overdose fatalities show that North Carolina's current Good Samaritan Law fails to provide adequate protections to ensure individuals feel safe and willing to call 911; and

WHEREAS, since the passage of the Good Samaritan Law in 2013, several new substances have become threats to the lives of our citizens; and

WHEREAS, these new substances are not specifically designated and are therefore not covered by the current law, resulting in unnecessary and tragic deaths; and

WHEREAS, while the current Good Samaritan Law has helped save lives in the past, it is apparent that the law needs to be revised and expanded to include a wider range of threats to our citizenry.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners requests the North Carolina General Assembly to urgently consider revising and expanding the Good Samaritan Law to include a broader spectrum of substance-related threats to our citizenry as a matter of public safety; and

BE IT FURTHER RESOLVED, that the Dare County Board of Commissioners believes that this action will ultimately save people who will have the chance to recover and go on to have meaningful and productive lives in our communities.

This the 6th day of February, 2023.





Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board

23-02-07



RESOLUTION APPROVING LEASE AGREEMENT BETWEEN DARE COUNTY AND MONARCH BEACH CLUB OF DARE

WHEREAS, the County of Dare owns 715 N. Highway 64/264, Manteo, NC;

WHEREAS, the County of Dare and the Monarch Beach Club of Dare have agreed upon a renewal lease under which the Monarch Beach Club of Dare will lease of portion of that certain building located at 715 N. Hwy 64/264, Manteo, NC 27954, commonly known as “the Old Kellogg Supply building”, containing approximately 3,600 square feet, together with adjacent parking and signage, for a term of three years beginning on the date of execution of the lease, for the purpose of a day activity program for adults with intellectual and developmental disabilities; and

WHEREAS, North Carolina General Statute 160A-272 authorizes the County to enter into leases of up to 10 years upon resolution of the County Commissioners adopted at a regular meeting after 30 days public notice; and

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

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners approves renewal lease of the county property described above to the Monarch Beach Club of Dare for three years, and directs the County Manager to execute any instruments necessary to the lease.

Adopted this the 6th day of February, 2023.



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

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

Attest: 
Clerk to the Board



23-02-06

**Resolution Supporting Step Pay and Compression Increases for
Division of Juvenile Justice and Delinquency Prevention
Secure Detention, Youth Development Center, and Court Services Staff**

WHEREAS, the Division of Juvenile Justice and Delinquency Prevention provides secure confinement in Juvenile Detention Centers and commitment services in the State’s Youth Development Centers that are essential to the protection of the community and rehabilitation of juveniles; and

WHEREAS, the lack of adequate staffing constrains effective implementation of the therapeutic and rehabilitative model of care in the state’s juvenile facilities; and

WHEREAS, the Juvenile Crime Prevention Councils are charged with ensuring the availability of appropriate dispositional alternatives, up to and including “confinement” for justice-involved youth that are both therapeutic and conducive to rehabilitation; and

WHEREAS, the staff within the State’s juvenile facilities have been passed over for step-pay plan and compression relief that would recognize and reward experience, and make compensation more competitive, as well as ensure qualified staff recruitment and retention; and

WHEREAS, the Division of Juvenile Justice and Delinquency Prevention is contending with an overwhelming vacancy rate, largely due to the impact of the pandemic which has driven salaries and wages higher across the board; and

WHEREAS, the Step Pay and Compression relief for Division of Juvenile Justice and Delinquency Prevention facility staff and court services staff were removed from the state’s budget prior to final approval; and

WHEREAS, similar salary adjustments or increases WERE approved for staff in the State’s adult correctional facilities and community corrections employees.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners supports the adequate and timely increase of the salaries of juvenile facility and court service staff across the State of North Carolina to make those positions competitive and to ensure qualified staff are compensated adequately for years of experience for the purposes of retention, as well as lay the groundwork for recruitment of qualified staff for youth facilities which will ensure the immediate and ongoing protection of the community and strengthen rehabilitative services for those juveniles most in need.

This the 6th day of February, 2023.




Robert Woodard, Sr., Chairman

Attest: 
Cheryl C. Anby, Clerk to the Board

23-02-05

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

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

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the "*Board of Commissioners*") hereby determines that it is in the best interest of the County to engage in a long-term plan to finance (a) the construction of a new youth center in the Town of Manteo (the "*Youth Center*"), (b) the construction of a replacement County EMS station in the Town of Kill Devil Hills and a fire station on behalf of the Town of Kill Devil Hills (the "*KDH Facility*"), (c) the construction, renovation, and improvements to various EMS stations throughout the County (collectively, the "*EMS Stations*"), (d) the construction of a new airport hangar for Dare MedFlight, including crew quarters (the "*Hangar*"), and (e) other projects that may be identified as part of the County's future capital improvement plans (collectively, the "*Projects*");

WHEREAS, the Corporation will assist the County by the issuance of its Limited Obligation Bonds in one or more series (the "*Bonds*") to finance the Projects;

WHEREAS, as part of its plan to finance the Projects, the Board of Commissioners hereby determines that it is in the best interest of the County to finance a portion of the Projects by (1) entering into an Installment Financing Contract (the "*Contract*") with Dare County Public Facilities Corporation (the "*Corporation*") in order to finance the capital costs of the KDH Facility, the County EMS Station in the Town of Southern Shores, and the Hangar (collectively, the "*2023A Projects*"), and (2) entering into a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") related to the County's fee simple interest in certain real property on which the KDH Facility will be located (the "*Mortgaged Property*"), that will provide security for the County's obligations under the Contract;

WHEREAS, the County hereby determines that the 2023A Projects are essential to the County's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the 2023A Projects will provide an essential use and will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County hereby determines that the Contract allows the County to finance the 2023A Projects and take title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of financing the 2023A Projects is an amount not to exceed \$49,250,000, and that such cost of the 2023A Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of financing the 2023A Projects pursuant to the Contract is expected to exceed the cost of financing the 2023A Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of financing the 2023A Projects pursuant to the Contract and the Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of the 2023A Projects; and (3) no revenues are produced by the 2023A Projects so as to permit a revenue bond financing;

WHEREAS, the County has determined and hereby determines that the estimated cost of financing the 2023A Projects pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County anticipates that any property tax increase, if necessary, to pay installment payments falling due under the Contract will not be excessive;

WHEREAS, Parker Poe Adams & Bernstein LLP, as bond counsel ("*Bond Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

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

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

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

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

WHEREAS, a public hearing on the Contract after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the Contract must be received; and

WHEREAS, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract and the Deed of Trust and the 2023A Projects to be financed.

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

Section 1. **Authorization to Negotiate the Contract.** That the County Manager and the Deputy County Manager/Finance Director, individually and collectively, with advice from Bond Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the County for the financing of the 2023A Projects for a principal amount not to exceed \$49,250,000 under the Contract to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide in connection with the Contract, as security for the County's obligations thereunder, a Deed of Trust conveying a lien and interest in the Mortgaged Property, including the improvements thereon, as may be required by the entity, or its assigns, providing the funds to the County under the Contract.

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

Section 3. **Direction to Retain Professionals.** That the Deputy County Manager/Finance Director is hereby authorized and directed to retain the assistance of Parker Poe Adams & Bernstein LLP, as bond counsel; DEC Associates, Inc., as financial advisor; The Bank of New York Mellon Trust Company, N.A., as trustee, and Piper Sandler & Co., as underwriter. The Deputy County Manager/Finance Director is hereby authorized to retain such other professionals as he deems necessary in his judgment to carry out the transaction contemplated in this Resolution.

Section 4. **Public Hearing.** That a public hearing (the "Public Hearing") shall be conducted by the Board of Commissioners on March 6, 2023 at 9:00 a.m. in the Board of Commissioners' Meeting Room, Dare County Administration Building, 954 Marshall C. Collins Drive, Manteo, North Carolina 27954, concerning the Contract and the proposed 2023A Projects.

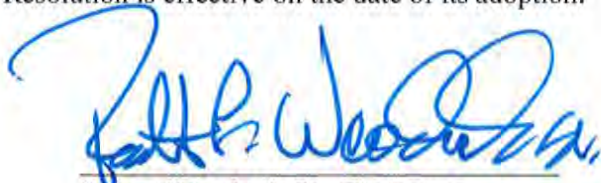
Section 5. **Notice of Public Hearing.** That the Clerk to the Board is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the County no fewer than 10 days prior to the Public Hearing.

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

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

Adopted this the 6th day of February, 2023.




Robert Woodard, Sr., Chairman

Attest:


Cheryl C. Anby, Clerk to the Board

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

I, *Cheryl C. Anby*, Clerk to the Board of Commissioners of the County of Dare, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**” duly adopted by the Board of Commissioners of the County of Dare, North Carolina at a meeting held on the 6th day of February, 2023.

WITNESS my hand and the corporate seal of the County of Dare, North Carolina, this the 6th day of February, 2023.



Cheryl C. Anby

Cheryl C. Anby
Clerk to the Board of Commissioners
County of Dare, North Carolina

EXHIBIT A
NOTICE OF PUBLIC HEARING

The County of Dare (the "*County*") is considering entering into an installment financing contract (as may be amended or supplemented from time to time, the "*Contract*") in order to finance (a) the construction of a new youth center in the Town of Manteo (the "*Youth Center*"), (b) the construction of a replacement County EMS station in the Town of Kill Devil Hills and a fire station on behalf of the Town of Kill Devil Hills (the "*KDH Facility*"), (c) the construction, renovation, and improvements to various EMS stations throughout the County (collectively, the "*EMS Stations*"), and (d) the construction of a new airport hangar for Dare MedFlight, including crew quarters (the "*Hangar*" and collectively with the Youth Center, the KDH Facility, and the EMS Stations, the "*Projects*").

The County, as grantor, will secure its obligations under the Contract by entering into a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") under which the real property on which all or a portion of the Projects will be located (the "*Mortgaged Property*") will be mortgaged by the County to create a lien thereon for the benefit of the entities, or its assigns, providing the funds to the County under the Contract.

The EMS Stations will be located at 515 Bowsertown Road Manteo, NC 27954; 50346 Highway 12 Frisco, NC 27936; 28 East Dogwood Trail Southern Shores, NC 27949; and 6677 Highway 64/264 Manns Harbor, NC 27953. The KDH Facility will be located at 1630 North Croatan Highway Kill Devil Hills NC 27948. The Hangar will be located at 410 Airport Road Manteo NC 27954.

As part of its plan to finance the Projects, the Board of Commissioners of the County adopted a resolution at its February 6, 2023 meeting which authorized the County to (1) finance a portion of the Projects, including the KDH Facility, a County EMS Station in Southern Shores, and the Hangar (collectively, the "*2023A Projects*") pursuant to the Contract in a principal amount not to exceed \$49,250,000, and (2) grant a security interest in the KDH Facility pursuant to the Deed of Trust for the benefit of the entity, or its assigns, providing the funds to the County under the Contract.

The Contract and the Deed of Trust permit the County to enter into amendments to finance the remainder of the Projects or other additional projects and refinance projects using the Mortgaged Property as collateral and the County may or may not grant additional collateral in connection with such amendments. The County currently plans to finance the remainder of the Projects pursuant to the Contract and the Deed of Trust at a later time. On the County's payment of all installment payments due under the Contract, including any future amendments to finance the Projects or other additional projects or refinance projects, the lien created in the Mortgaged Property will terminate and any security interest granted under the Deed of Trust will be released.

NOTICE IS HEREBY GIVEN, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on March 6, 2023 at 9:00 a.m., or as soon thereafter as practicable, in the Board of Commissioners' Meeting Room, Dare County Administration Building, 954 Marshall C. Collins Drive, Manteo, North Carolina 27954, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract and the County's financing of the 2023A Projects. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract and the 2023A Projects to be financed thereby. Any person wishing to comment in writing should do so between the date of publication of this notice and the start of the public hearing by submitting comments to the County of Dare, Dare County Administration Building, 954 Marshall C. Collins Drive, Manteo, North Carolina 27954, Attention: Clerk to the Board of Commissioners, or cheryl.anby@darenc.com.

/s/ Cheryl C. Anby
Clerk to the Board of Commissioners
County of Dare, North Carolina

Published: February __, 2023



23-02-04

Resolution to Sponsor the Avon Harbor Dredging Project

WHEREAS, Dare County desires to sponsor the Avon Harbor Dredging Project to perform vibracore sampling and trucking for the upcoming U.S. Army Corps of Engineers dredging project.

THEREFORE, BE IT RESOLVED THAT:

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Avon Harbor Dredging Project in the amount of \$120,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 6th day of February, 2023.





Robert Woodard, Sr., Chairman

Attest:



Cheryl C. Anby, Clerk to the Board



23-02-03

Resolution to Sponsor the Island H Modifications Project

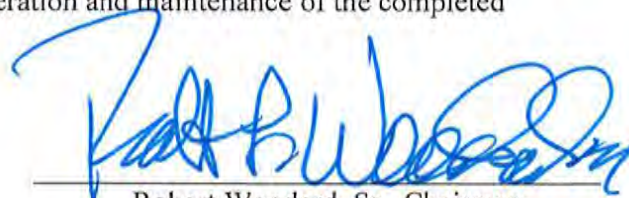
WHEREAS, Dare County desires to sponsor the Island H Modifications Project to prepare the confined disposal facility for the upcoming U.S. Army Corps of Engineers dredging project.

THEREFORE, BE IT RESOLVED THAT:

- 1) Dare County requests the State of North Carolina provide financial assistance to Dare County for the Island H Modifications Project in the amount of \$375,000 or 75% of project cost, whichever is the lesser amount;
- 2) Dare County assumes full obligation for payment of the balance of project costs;
- 3) Dare County will obtain all necessary State and Federal permits;
- 4) Dare County will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) Dare County will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) Dare County will obtain appropriate easements, rights-of-way or suitable dredge material disposal areas that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) Dare County will ensure that the project is open for use by the public on an equal basis with limited restrictions, if on public property;
- 8) Dare County will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) Dare County accepts responsibility for the operation and maintenance of the completed project.

This the 6th day of February, 2023.





Robert Woodard, Sr., Chairman

Attest:



Cheryl C. Anby, Clerk to the Board

**Resolution Requesting North Carolina General Assembly to Pass Legislation to Protect
Our Kids from Vaping and Nicotine Addiction**

WHEREAS, one of every five deaths in North Carolina is associated with cigarette smoking,¹ and for each death, 30 more people are sick or live with a disability²; and

WHEREAS, 95% of tobacco users start before the age of 21³; and

WHEREAS, as of 2019, 27.3% of high school students in North Carolina report tobacco use. E-cigarette use has significantly increased among youth since 2011⁴; and

WHEREAS, nicotine is harmful to developing brains, and its use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction⁵; and

WHEREAS, in a 2020 study among NC schools, a high proportion of school administrator and teacher respondents believed that e-cigarette use among students is somewhat or very problematic (91%), and that student e-cigarette use it is a somewhat or high priority issue for their school administration (90%)⁶; and

WHEREAS, most North Carolina young people obtain tobacco products, including e-cigarettes, from retailers. NC young people who get e-cigarettes from friends primarily get them from friends who are under 21⁷; and

WHEREAS, in 2019, Congress increased the federal minimum legal sales age of all tobacco products, including e-cigarettes, from 18 to 21. While a majority of states (41 states, as of September 2022) have increased their minimum tobacco sales age to 21 to match federal law, North Carolina's minimum sales age remains 18⁸; and

WHEREAS, having the same legal sales age at 21 for alcohol and tobacco products reduces the burden on retailers; and

WHEREAS, North Carolina is one of only 10 states in the country that do not require tobacco retailers to obtain a license or permit⁹; and

WHEREAS, the North Carolina ABC Commission is capable of implementing an efficient and effective tobacco retailer permitting system based on the system also in place for alcohol retailer permitting; and

WHEREAS, establishing a retailer permitting system AND raising the minimum legal sale age to 21 will:

- Allow the state to know where tobacco products are being sold
- Improve merchant education efforts
- Allow the state to inspect for responsible retail practices
- Protect law-abiding retailers by holding non-compliant retailers accountable
- Prevent and reduce youth use of highly addictive nicotine products

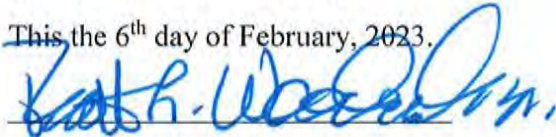
- Help eliminate the use of e-cigarette and other emerging nicotine products in schools
- Reduce any confusion among retailers and consumers by having one legal sales age for state and federal law^{10, 11}; and

WHEREAS, Under the Federal Synar law, states are expected to reduce the illegal sale of tobacco products to individuals under the age of 21. NC could lose over \$4 million in annual funding from the Substance Abuse Prevention and Treatment Block Grant money (money NC uses to pay for drug treatment) through penalties under the federal Synar amendment if sales to underage youth are too high in required annual inspections¹²; and

WHEREAS, current NC state law G.S. 14-313 preempts local authority to adopt evidence-based regulations regarding the sale, distribution, display and promotion of tobacco products; this preemption should be removed to allow local governments to protect minors¹³; and

NOW, THEREFORE, BE IT RESOVED, that we, the Dare County Board of Commissioners strongly supports that North Carolina must protect our kids from vaping and nicotine addiction by establishing a tobacco retailer permitting system, raising the minimum age of sales from 18 to 21, restoring local authority, and adopting other needed provisions of legal sales of tobacco products to match federal law.

This the 6th day of February, 2023.



Chair

Attest:





Sources:

- 1) Centers for Disease Control and Prevention. Best Practices for Comprehensive Tobacco Control Programs—2014. 2014.
https://www.cdc.gov/tobacco/stateandcommunity/best_practices/index.htm.
- 2) National Center for Chronic Disease Prevention and Health Promotion (US) Office on Smoking and Health. Reports of the Surgeon General. The Health Consequences of Smoking-50 Years of Progress: A Report of the Surgeon General. 2014.
- 3) Source: U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention,

National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012.

- 4) Source: Tobacco Prevention and Control Branch, North Carolina Department of Health and Human Services. North Carolina Youth Tobacco Survey Middle & High School Fact Sheet.
<https://tobaccopreventionandcontrol.dph.ncdhhs.gov/data/yts/docs/YouthTobaccoSurveyFactSheet-2019.pdf>.
- 5) U.S. Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.
- 6) Tanz, L., Heck, C., Herzig, C., Ranney, L., Herndon, S., Martin, J., Hast, M., McGowan, E., Baler, G., Shamout, M., King, B., Tynan, M., Kansagra, S. (2020). Rapid Assessment of the Impact of E-cigarettes on Schools as Reported by School Staff and E-cigarettes Confiscated by Schools — North Carolina, 2019. Unpublished manuscript.
- 7) CDC Foundation. North Carolina Cross-Sectional, Online Survey Summary Tables. 2021: 1-104.
- 8) Preventing Tobacco Addiction Foundation, Tobacco 21, (2021), <https://tobacco21.org/>.
- 9) State Tobacco Activities Tracking and Evaluation (STATE) System Licensure Fact Sheet, Ctr. For Disease Control (last reviewed: May 18, 2021),
https://www.cdc.gov/statesystem/factsheets/licensure/Licensure.html#anchor_1562854161.
- 10) Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General, U.S. Dept of Health and Hum. Serv. (2014),
https://www.ncbi.nlm.nih.gov/books/NBK99237/pdf/Bookshelf_NBK99237.pdf.
- 11) Roe L. Astor, et al., Tobacco Retail Licensing and Youth Product Use, Pediatrics (Jan. 7, 2019),
<https://pediatrics.aappublications.org/content/pediatrics/143/2/e20173536.full.pdf>.
- 12) Revision to SAMSHA Guidance on Tobacco Regulation, Substance Abuse and Mental Health Services Administration (June 13, 2022).
- 13) N.C. Gen. Stat. § 14-313 (2014).



A RESOLUTION IN SUPPORT OF A NORTH CAROLINA DEPARTMENT OF TRANSPORTATION INTEGRATED MOBILITY DIVISION PAVED TRAILS AND SIDEWALK FEASIBILITY STUDY GRANT APPLICATION FOR AIRPORT ROAD ON ROANOKE ISLAND

WHEREAS, the North Carolina Department of Transportation – Integrated Mobility Division offers a Feasibility Study Grant for Paved Trails and Sidewalks; and

WHEREAS, a pathway alongside Airport Road on Roanoke Island has been recommended in the Albemarle Regional Bicycle Plan and the 2015 Dare County Comprehensive Transportation Plan; and

WHEREAS, the Dare County Board of Commissioners previously passed a Resolution in 2019 in support of including construction of a multi-use path alongside Airport Road in future planning documents; and


WHEREAS, the Dare County Board of Commissioners held a Special Meeting on August 11, 2022 to receive public comment and discuss a multi-use path on Airport Road; and

WHEREAS, the Dare County Board of Commissioners supports multi-use pathways as a way of enhancing public safety and providing much needed infrastructure for the community.

NOW, THEREFORE BE IT RESOLVED, the Board of Commissioners of Dare County, North Carolina hereby adopts the following resolution for the NCDOT Integrated Mobility Division to consider the Dare County Feasibility Study Grant application for Airport Road.

This 3rd day of January, 2023.




Robert Woodard, Sr., Chairman

Attest: 
Cheryl C. Anby, Clerk to the Board