



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., June 17, 2019

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

Commissioners absent: None

Others present: County Manager/Attorney, Robert Outten
Deputy County Manager/Finance Director, David Clawson
Public Information Officer, Dorothy Hester
Clerk to the Board, Cheryl C. Anby & retiring Clerk, Gary L. Gross

A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website www.darenc.com.

At 5:01p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Morris, from the Unitarian Universalist Congregation of the Outer Banks, to share a prayer, and then he led the Pledge of Allegiance to the flag.

Chairman Woodard offered a moment of silence for Commissioner Ross's father-in-law, recently hospitalized, noting that the Chairman's mother had also recently had a fall.

ITEM 1 – OPENING REMARKS – CHAIRMAN'S UPDATE

- Reported that he spoke to the League of Women Voters and presented them with an update regarding the Board's commitment to education, the County's budget and other projects.
- Attended a long Planning Board meeting with other Commissioners relative to SAGA Construction and proposed hotel changes on Hatteras Island. It was a good conversation on both sides with SAGA withdrawing their request at this time.
- Presentation was made by Chairman Woodard to Gary L. Gross, as retiring Clerk to the Board, with his wife, Janice Gross by his side, acknowledging more than 20 years of dedication and service to the County. In addition to a Certificate of Appreciation, the Chairman presented him with The Old North State Award sent by Governor Roy Cooper.

ITEM 2 – PUBLIC COMMENTS

At 5:20 p.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which can be viewed in their entirety in a video on the County website –

The following comments were made in Manteo –

1. Bea Basnight and Mary Ellon Balance, Chair and Vice-Chair respectively of the Board of Education, presented the Board with a copy of the BOE's Resolution requesting that the Dare County Board of Education be removed from SL 2017-78 (SB 253), which beginning in 2018 mandated the method of election for the Dare County BOE change from nonpartisan to partisan. Ms. Basnight offered that Dare's emphasis should be to place students first and not be motivated by political influences. After discussion, Chairman Woodard stated the Board would like to give this matter further consideration and perhaps open it to the public at the July meeting.
2. Gayle Dolan spoke to her opposition of Timothy Jennette's request to fill in a ditch in Buxton and expressed that the current condition of the ditch was currently deplorable and would be compounded if filled in. She provided pictures to the Board and added that she was under the impression that the ditch could never be filled in when she had had plans on placing a restaurant on her property.
3. Manny Medeiros provided comments to address his concerns with the area's education plans stating the Coastland Times had reported there was a five-year strategic plan for Dare County's students. He felt no clear strategy was outlined and suggested the Commissioners inquire as to the plan's mission in order to offer oversight.

The following comments were made in Buxton –

1. Eddie Williams spoke in opposition of the filling in of the ditch in Buxton and inquired as to how the timber had been allowed to be dumped within it. He felt this was an emergency drain and referenced a 1979 survey which did not reflect the ditch, adding it was his understanding that any canal over fifty years old could not be filled in.
2. Bob Verras stated he had lived here for over forty years and property rights were important to him. He owns two properties along the ditch and remarked that during hurricanes ninety percent of his properties flooded. He opined the ditch should not be filled in.

The County Manager closed Public Comments at 5:42p.m.

ITEM 3 – 2020 CENSUS COMPLETE COUNT COMMITTEE

Donna Creef and Dorothy Hester attended a 2020 census organizational meeting and raised the possibility of the County creating a Count Committee prior to April 2020 to facilitate an accurate census completion for Dare County and provided a list of local organizations to assist with the process. Ms. Creef noted that every county in North Carolina was being

asked to establish a committee to make sure everyone would be counted. Dorothy Hester added that communications would play a big part in accomplishing a good outreach, coupled with bumper stickers and other media resources. A more complete and comprehensive census would also be key for Federal and State funding programs in the future. The Board provided some additional contact suggestions for the Count Committee.

MOTION

Commissioner House and Overman motioned to authorize a letter to the organizations soliciting their participation for the Chairman's signature and to authorize the addition of other groups to assist in the effort, currently not on the list provided in the presentation.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 4– FEDERAL BUILD GRANT APPLICATION FOR HATTERAS PATHWAYS (Att. 1)

Donna Creef presented information concerning a grant opportunity in partnership with the Hatteras Civic Association to secure Federal BUILD grant funding for multi-use pathways along NC 12 and Eagle Pass Road. She presented a resolution in support of the BUILD grant noting that last year's grant application had not been approved. Hatteras Village has indicated they have someone to assist with the submission of this year's grant application. Since Dare County is considered rural, there is a possibility of an award of funds which could be used for valuable infrastructure improvements, such as paths along NC 12 and Eagle Pass Road.

MOTION

Commissioner House motioned to adopt a resolution in support of the grant application.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 5–TIMOTHY JENNETTE REQUEST TO FILL DITCH

Donna Creef presented a follow-up report on the request by Timothy Jennette to fill in a ditch on his property. She reported that last month there was a public hearing. Jeffrey D. Ryder, County Maintenance Engineer for NCDOT, after additional research, reported they were unable to locate any culvert in the vicinity of the proposed grading operation on their maps. To the best of their knowledge NCDOT/NC 12 has not been adversely affected by the absence of a functioning crossline in this location. The question is now whether the filling of the ditch could affect the neighboring property owners or result in possible harm to the public health.

- Timothy Jennette spoke stating the ditch was a product of the WPA in 1930 and was not maintained. Currently it was dry with many full-grown trees in the middle. He added the ditch was located on very elevated property and was not necessarily a drain for the nearby swamp.
- Doug Dorman, Consultant at Atlantic Environmental Consultants, LLC, addressed the Board adding that the road is 10-15' above elevation and all the water runs back to Peter's ditch, which causes Peter's ditch to back up.
- Donna Creef informed the Board she had been provided with various surveys which showed a culvert and others that did not and NCDOT could not find a culvert on their mapping. Peter's Ditch has many culverts, crosses various properties, drains to the East and no one knows who actually owns the long ditch.

After weighing discussion, questions and the information provided by speakers, the Board took no action on this item.

RECESS: 6:30 p.m. – 6:40 p.m.

ITEM 6–ARCHITECT SELECTION & CONTRACT FOR DHHS BUILDING PROJECT(Att. #2)

David Clawson, Finance Director, provided a summary of the DHHS project. After completion of an RFQ for architectural services and the receipt of four responses, the CIPC voted to recommend to the Board that Oakley Collier Architects, PA be selected. He presented a standard contract along with the amendment to the Capital Project Ordinance.

MOTION

Vice Chairman Overman motioned to select Oakley Collier Architects, PA as the architects for the DHHS building project; to approve the contract; authorize the County Manager to execute the contract; and adopt the amendment to the Capital Project Ordinance.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 7– ARCHITECT RECOMMENDATIONS BY CAPITAL IMPROVEMENTS COMMITTEE

Robert Outten, County Manager, provided the recommendations by the Capital Improvements Committee for the selection of an architect for the College of the Albemarle Project (COA). He advised the CIPC had interviewed two firms, JKF Architects and Boomerang Design, both highly qualified companies. It was the consensus of the Committee to recommend Boomerang Design for the project.

MOTION

Commissioner Ross motioned to select Boomerang Design as the architect for the College of the Albemarle Project and to authorize the County Manager to negotiate a contract for Board approval.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8– APTIM AGREEMENT / SHALLOWBAG BAY PROJECT

Robert Outten provided the agreement from APTIM pertaining to the services of the Shallowbag Bay Project. This project is funded through State Funds with no County monetary contribution. The project would provide multiple services to facilitate a one-time maintenance dredging of Manteo's Shallowbag Bay.

MOTION

Vice Chairman Overman motioned to approve the agreement with APTIM for the Shallowbag Bay Project and to authorize County Manager to sign the Services Agreement.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 9 – CONSENT AGENDA

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

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (06.03.19) **(Att. 3)**

- 2) Public Works/Budget Amendment for Sale of Surplus Equipment
- 3) Public Health Division – Veterans’ Care Agreement
- 4) Tax Collector’s Report

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 10 – BOARD APPOINTMENT

Commissioner Tobin presented a request by the Oregon Inlet Task Force for Russ King to be appointed to replace Jed Dixon, who has resigned.

MOTION

Commissioner Tobin motioned to appoint Russ King to replace Jed Dixon on the Oregon Inlet Task Force

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 11 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety in a video on the Dare County website. Following is a brief summary outline of the items mentioned by Commissioners during this segment –

Commissioner Couch

- Noted that Dr. Riddick had died and she would be remembered for her sense of humor.
- David Stowe had also died and his memorial was scheduled for this week.
- He attended the Cape Hatteras graduation and congratulated them again.
- He extended thanks to the Planning Board for their organized and fair process throughout the detailed discussion over the height issues of the hotel in Hatteras.

Commissioner Tobin

- Requested continued prayer for those injured in a Currituck head-on collision where three people died and others were recovering.
- He attended the Community Advisory meeting at Spring Harbor to continue the discussion on elderly abuse prevention.
- The Oregon Inlet Task Force met and passed a contract for a private partner, a naval architect.
- Attended the recent meeting for the Monitor National Marine Sanctuary Advisory Council and gave an update on the Diamond Shoals buoy.

Commissioner Ross

- He will be meeting with the Rotary Club and updating them on Board business.
- Will be attending the upcoming Veterans Advisory Council
- Remind everyone about early voting on June 19 for runoff primary election
- Gave an update on plans for the new animal shelter

Commissioner House

- Discussed HB483- which would significantly reduce the harvest of local seafood. The Bill is being presented to the House Rules Committee and he will be attending the meeting. Discussion and questions ensued with support among the Board recommending Commissioner House should attend the meeting to express the consensus of the Board's opposition.
- Reported the loss of a dear friend, Tom Aberly, an inspiration to the field of aviation.

Commissioner Overman

- Dr. Riddick who passed will be missed. She served with him on the DHHS board.
- Extended his congratulations to all of our 2019 high school graduates

Commissioner Bateman

- He reported he had some customers who rode the new ferry and they expressed their great satisfaction with the service.
- Attended the Manteo High School graduation, which was a wonderful event

MANAGER'S/ATTORNEY'S BUSINESS

Mr. Outten provided a dredge project update noting the negotiations are complete and the private partner has signed the agreement. The first installment of the funds had been received in our account to be placed in a separate account so the money may be properly budgeted.

MOTION

Commissioner Tobin motioned to place the dredge project funds in a separate account according to the project's guidelines.

Commissioner House seconded the motion.

VOTE: AYES unanimous

Mr. Outten noted there were legislative actions in Raleigh being taken to regulate harbors and Hyde County had asked to be included in that legislation. Dare County could be added in the Bill, but in order to avoid jeopardizing or causing a delay, we would wait for inclusion with the action Representative Hanig was preparing for the Coast of Carolina.

Mr. Outten commented that each year emergency preparations were made, including the operational status of the emergency ferry. The harbor needs some work and should be maintained through Federal funds. The Corps does not have any money for maintenance; they do not have a dredge and nothing in the budget forthcoming. We would need to spend our own funds to get a topography estimate for the dredge which is needed.

The Manager provided an update on the demolition of the old Administration Building site stating by the end of the month all the tenants would be moved off the site and it would be empty. Demolition work with East Coast Demo could begin once we are on their schedule. A CIPC meeting needs to be scheduled.

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

MOTION

Commissioner House motioned to adjourn the meeting.


Commissioner Couch seconded the motion.

VOTE: AYES unanimous

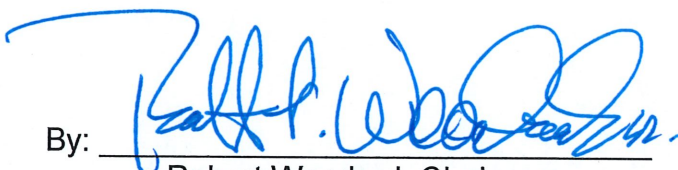
At 7:40 p.m., the Board of Commissioners adjourned until 5:00, July 15, 2019.

Respectfully submitted,

[SEAL]

By: 
Cheryl C. Anby, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners

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