

RESOLUTIONS – 2019

Following the List of 2019 Resolutions in Chronological Order, Each Resolution Can Be Viewed in its Entirety

- 19-02-01 Supporting Juvenile Crime Prevention Council (JCPC) Allocation Expansion by North Carolina Legislature (Feb 04, 2019)
- 19-02-02 Supporting the naming of the replacement of the Bonner Bridge (Feb 04, 2019)
- 19-02-03 Reimbursement Resolution for Capital Expenditures from the proceeds of certain tax-exempt obligation (Feb 04, 2019)
- 19-02-04 Designation of Applicant's Agent for filing applications for federal and state assistance related to Hurricane Michael (Feb 04, 2019)
- 19-02-05 Designation of Applicant's Agent for filing applications for federal and state assistance related to mitigation grants (Feb 04, 2019)
- 19-02-06 Amending the charter of the Albemarle Commission (Feb 19, 2019)
- 19-02-07 Opposing the proposed increase for homeowners insurance (Feb 19, 2019)
- 19-03-08 Delegating approval of pyrotechnics permits to the Town of Nags Head (Mar 18, 2019)
- 19-03-09 Authorizing installment financing in the amount of \$2,057,425 with Banc Corp of America Public Capital Corp (Mar 18, 2019)
- 19-03-10 Enacting and adopting a Supplement to the Dare County Code of Ordinances (Mar 18, 2019)
- 19-04-11 Reaffirming the Board's continued opposition to offshore drilling and seismic testing (Apr 01, 2019)
- 19-04-12 Supporting jetties to stabilize Oregon Inlet (Apr 01, 2019)
- 19-04-13 Opposing geographic discrimination by NOAA and NMFS regarding blue fin tuna (Apr 01, 2019)
- 19-04-14 Opposing House Bill 486 and any change in the definition of commercial fishing (Apr 15, 2019)
- 19-04-15 Supporting the More Powerful NC Campaign confronting the opioid epidemic (Apr 15, 2019)
- 19-04-16 Supporting Senate Bill 215 and House Bill 429 for the regulation of navigable waters within the corporate limits of the Town of Manteo (Apr 15, 2019)

- 19-05-17 Delegating approval of pyrotechnic permits to the Town of Manteo (May 07, 2019)
- 19-05-18 Opposing an oyster lease application that would infringe on a pre-existing public use on Hatteras Island (May 07, 2019)
- 19-05-19 Recommending Construction of Multi-Use paths on Roanoke Island (May 20, 2019)
- 19-05-20 Regarding Medicaid Transformation creating new managed care programs (May 20, 2019)
- 19-06-21 Reimbursement Resolution for Capital Expenditures (June 3, 2019)
- 19-06-22 Opposing Further Southern Flounder Restrictions (June 3, 2019)
- 19-06-23 Supporting BUILD Grant Request for Multi-Use Paths (June 17, 2019)
- 19-07-24 Reimbursement – Fiscal Year 2019-2020 Vehicle and Equipment Financing Project (July 15, 2019)
- 19-08-25 Opposing the Designation of Special Secondary Nursery Areas (Aug 5, 2019)
- 19-08-26 Accepting the Hatteras Island Pathway Planning Report for Buxton and Frisco (Aug 19, 2019)
- 19-08-27 Authorizing Conveyance of Dare County Water Department Equipment to the Town of Kill Devil Hills (Aug 19, 2019)
- 19-08-28 Reimbursement Resolution for Series 2020 Limited Obligation Bonds to Add EMS Equipment (Aug 19, 2019)
- 19-08-29 Carolina Court West Request for Addition to State Maintained Secondary Road System (Aug 19, 2019)
- 19-09-30 2020 Census Partnership Resolution (Sept 3, 2019)
- 19-09-31 Maid Marian Court, Request for Addition to State Maintained Secondary Road System (Sept. 3, 2019)
- 19-09-32 Old Dominion Power Pole Replacement (Sept. 16, 2019)
- 19-09-33 The Dogwoods West, Request for Addition to State Maintained Secondary Road System (Sept. 16, 2019)
- 19-09-34 Extension of 2019 Flounder Season for one week (Sept. 16, 2019)
- 19-09-35 Mackerel Cobia Advisory Panel – add two seats (Sept. 16, 2019)
- 19-10-36 FY2021 NCDOT Public Transportation Program Resolution (Oct. 7, 2019)
- 19-10-37 Preliminary Assessment Resolution Leslie Lane, Avon, NC (Oct. 7, 2019)

- 19-10-38 North Carolina's Governor's Highway Safety Program Local Government Resolution (Oct. 7, 2019)
- 19-10-39 North Carolina's Governor's Highway Safety Program Local Government Resolution (Oct 21, 2019) – Seat Belt Convincer
- 19-10-40 Caribbean Way Request for Addition to State Maintenance Secondary Road System (10/21/19)
- 19-11-41 Resolution Supporting Building Community Resilience in Dare County (11/18/19) (healthcare)
- 19-11-42 Resolution Opposing Blue Crab Fishery Management Plan, Amendment 3 (11/18/19)
- 19-11-43 Resolution Opposing Reclassification of Jurisdictional Waters (11/18/19)
- 19-12-44 Sherwood Drive Request for Addition to State Maintenance Secondary Road System (12/02/19)
- 19-12-45 Croaker Ct., Request for Addition to State Maintained Secondary Road System (12/02/19) readopted – originally adopted 09/21/15
- 19-12-46 North Carolina's Governor's Highway Safety Program Local Government Resolution (12/16/19) – (Combined 19-10-38 and 19-10-39)

FOLLOWING ARE THE 2019 RESOLUTIONS

The most recently adopted item appears first in sequence

Scroll down to view all 2019 Resolutions

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
(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
(Governing Body)

MEETING ASSEMBLED IN THE CITY OF Manteo, NORTH CAROLINA,

THIS 16th DAY OF December, 20 19, 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
(Name and Title of Representative)
Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal
funding in the amount of \$ 45,000.00 to be made to the Governing Body to assist in defraying
(Federal Dollar Request)
the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$ 0.00 as
(Local Cash Appropriation)
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 _____
(Chairperson/Mayor)

ATTESTED BY Cheryl C. Abby
(Clerk)

DATE 12/16/2019



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

North Carolina

County: Dare

Road Description: Croaker Court, Hatteras Colony Subdivision, Section 7, Avon, NC

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 2nd day of December, 2019. This resolution was originally adopted on September 21, 2015.

WITNESS my hand and official seal this the 2nd day of December, 2019.

Cheryl A. Subg
Clerk, Board of Commissioners
County: Dare



PLEASE NOTE:

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

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

North Carolina

County: Dare

Road Description: Sherwood Drive in the Nottingham II Subdivision, Manteo, NC
approx. 1.3 mile in length

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 2nd day of December, 2019.

WITNESS my hand and official seal this the 2nd day of December, 2019



Cheryl C. Inby, Clerk to the Board
Clerk, Board of Commissioners
County: Dare

PLEASE NOTE:

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



Resolution
Opposing Reclassification of Jurisdictional Waters

WHEREAS, in January of 2019, the NC Marine Fisheries Commission (MFC) and the NC Wildlife Resources Commission (WRC) formed a joint committee for the purpose of determining boundaries defining inland and coastal waters; and

WHEREAS, the joint committee had its last meeting in May of 2019, after having disagreements between the agencies on the "salinity value" to determine boundaries; and

WHEREAS, in August of 2019, the WRC business meeting was held with little direct notice to the MFC or to the NC Department of Environmental Quality (NCDEQ). At this meeting the WRC decided to move forward with the proposed boundaries based on the arbitrary "2.6 ppt salinity value"; and

WHEREAS, in 2017 the MFC conducted a review of rules pertaining to delineation (15A NCAC 03Q .0200 et seq) and determined there was no basis to adjust jurisdictional boundaries; and

WHEREAS, the proposed Reclassification of Jurisdictional Waters would be a loss of approximately 144,984 square acres or 226.5 sq. miles of coastal and commercial fishing waters. Thus, creating even more confusion and regulations to the already over regulated NC commercial fishing industry; and

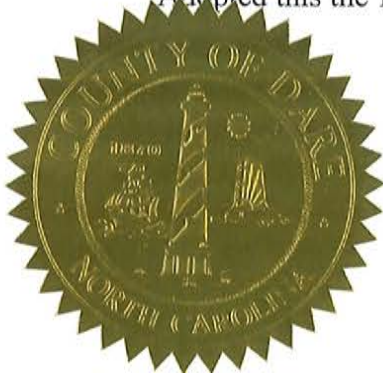
WHEREAS, the MFC would be required by law, to perform a comprehensive financial analysis to modify jurisdictional boundaries, which would include a review of all existing rules and a detailed mapping effort expected to take over a year to complete with added costs to the taxpayers of North Carolina; and

WHEREAS, the financial impact as proposed would exceed \$1,000,000.00 for sustainable economic impact as prescribed in the NC Administrative Procedure Act; and

WHEREAS, fisheries management plans of important commercial and recreational species under MFC authority follow a criterion initially to establish coastal and joint waters but not inland waters. Thus, a complete review of all MFC rules would have to be completed at NC taxpayer expense.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners strongly opposes the Reclassification of Jurisdictional Waters as prescribed by the NC Wildlife Resources Commission. Under such research we have not found where a Salinity Value is a determination of boundary lines between coastal and inland waterways.

Adopted this the 18th day of November, 2019.



Attest:

Robert Woodard, Sr., Chairman

Cheryl C. Anby, Clerk to the Board



Resolution
Opposing Blue Crab Fishery Management Plan, Amendment 3

WHEREAS, Blue Crab Fishery Management Plan Amendment 3 was entered into action by the NC Division of Marine Fisheries based on the stock assessment ending in 2017; and

WHEREAS, the NC Marine Fisheries Commission adopted measures in 2016 to manage the fisheries. These adopted measures were not in place by the time the stock assessment of 2017 was conducted; and

WHEREAS, fish houses and commercial crabbers across the coastal communities of North Carolina are seeing a record number of landings in 2019; and

WHEREAS, consistently changing a fishery plan every few years has proven to be ineffective without the proper and accurate assessment of how these changes impact the fisheries; and

WHEREAS, on January 15th 2017, crab pots were mandated to have 3 escape holes measuring 2 5/16th inches. Placing more escape holes or increasing the size without proper assessment of this measure would place an undo financial burden on our watermen to either purchase new gear or to modify existing gear; and

WHEREAS, the Shell Fish / Crustacean Advisory Committee advised the NC Marine Fisheries Commission and voted to table the measure to add the 2019 data on the stock assessment in order to determine the effects of the 2016 management measures.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners is opposed to adopting The Blue Crab Fishery Management Plan Amendment 3 in its current state. The Board recommends tabling the plan until the 2019 stock assessment data is completed, and with the consideration of habitat conditions as part of the management plan.

Adopted this the 18th day of November, 2019.



Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



**Resolution
Supporting Building Community Resilience in Dare County**

WHEREAS, Adverse Childhood Experiences and Adverse Community Environments, also known as the Pair of ACEs, impact the overall quality of life and economic development of an entire community, affecting all races, genders, and education and income levels; and

WHEREAS, more than 67% of the US adult population report at least 1 ACE and nearly 25% experience 3 or more ACEs before age 18; and

WHEREAS, the more ACEs children experience the more likely they are to suffer learning and health problems resulting from toxic stress; and


WHEREAS, the ability to not only survive but to thrive in the face of adversity is built on Resilience, which is critical to health and well-being; and

WHEREAS, Building Community Resilience is about creating and strengthening a network of buffers and supports that help children, families and whole communities to “bounce forward” in the face of adversity; and

WHEREAS, systems, organizations and communities can prevent and counteract lasting harm by becoming trauma-informed, reducing families’ sources of stress, providing children and adults with positive, responsive relationships and strengthening the core life skills we all need to adapt and thrive;

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners recognizes November 18-November 24 as Resilience Week in Dare County and supports the ongoing collaborative efforts of Be Resilient OBX to raise awareness about, build capacity to intervene in, and support recovery from the impact of ACEs and toxic stress.

This the 18th day of November, 2019.



Robert Woodard, Chairman

Attest: 

Cheryl C. Anby, Clerk to the Board



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

North Carolina

County: Dare

Road Description: Caribbean Way, The Estates at Hatteras Island Resort, Manteo, NC
approximately 0.2 miles in length

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 21st day of October, 2019.

WITNESS my hand and official seal this the 21st day of October, 2019.

Cheryl C. Ambry
Clerk, Board of Commissioners
County: Dare



PLEASE NOTE:

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

19-10-39

Resolution

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

(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,

(Governing Body)

THIS 21st DAY OF October, 20 2019, 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 \$ 25,000.00 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
(Name and Title of Representative)
(Federal Dollar Request)
3. That the Governing Body has formally appropriated the cash contribution of \$ 0.00 as required by the project contract; and
(Local Cash Appropriation)
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 10/21/2019



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 (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 07th DAY OF October, 20 19, 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 \$ 20,000.00 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 \$ 0.00 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 10/7/2019





**PRELIMINARY ASSESSMENT RESOLUTION
(N.C.G.S. § 153A-190)
LESLIE LANE, AVON, NC**

WHEREAS, the County of Dare intends to undertake the construction of a water system to serve the residents of Leslie Lane in Avon, North Carolina; and

WHEREAS, as required by N.C.G.S. § 153A-185, the County of Dare Commissioners has approved the construction of this water system and the financing of said system through special assessments against benefited properties; and

WHEREAS, Article 9 of Chapter 153A of the North Carolina General Statutes provides that special assessments against benefited properties are authorized for all or part of the costs of this project; and

WHEREAS, N.C.G.S. § 153A-190 provides that a preliminary assessment resolution containing the information set out herein must be adopted prior to the adoption of any such special assessments authorized by Chapter 153A, Article 9.

NOW THEREFORE, upon motion made and adopted by the Dare County Board of Commissioners, this preliminary assessment resolution is approved and sets forth the required information as follows:

1. It is the intention of the Dare County Board of Commissioners to undertake the construction of a water supply and distribution system supplying water to certain properties on Leslie Lane located in Avon, North Carolina.
2. The general description of the nature and location of the project is as follows: Construction of a water supply system including distribution lines, mains, valves, and hydrant for the purpose of extending water supply service to properties located on Leslie Lane, Avon, North Carolina, said project to also include design, permitting, bidding services, and construction management services.
3. The proposed basis for making assessment is as follows: the benefited properties are to be assessed on a per lot basis at an equal rate of an estimated amount of \$5,136.36 per improved or buildable lot, the final costs of the project to be determined upon completion.
4. The percentage of the costs of the work that is to be specially assessed is one hundred percent (100%).
5. No assessments shall be held in abeyance or discounted.

6. The proposed terms of payment of the assessment is as follows: Payment shall be made in full within thirty (30) days after confirmation of the assessment roll, or shall be made in annual installments over a period of seven (7) years during which interest shall accrue at the rate of five percent (5%) per annum on any unpaid balance with the first annual installment becoming due within thirty (30) days after confirmation of the assessment roll, and subsequent payments being due the same date of each successive year until the assessment, together with all accrued interest, has been paid in full.

7. There shall be a public hearing on all matters covered by this preliminary assessment resolution which shall be held at 9:30 o'clock a.m. on Monday, November 4, 2019, at the Dare County Board of Commissioners Meeting Room in Manteo, North Carolina.

Adopted this the 7th day of October, 2019.




Robert Woodard, Chairman

Attest:


Cheryl C. Anby, Clerk to the Board

PUBLIC TRANSPORTATION PROGRAM RESOLUTION

FY 2021 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 Steve House and seconded by Commissioner Jim Tobin 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 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 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 Chairman of the Dare County Board of Commissioners 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 Cheryl Anby, 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 7th day of October, 2019.


Signature of Certifying Official

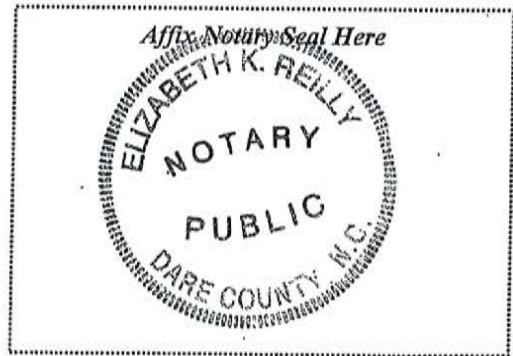
**Note that the authorized official, certifying official, and notary public should be three separate individuals.*

Subscribed and sworn to me (date) October 7, 2019

Elizabeth K. Reilly
Notary Public

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

My commission expires April 29, 2024





19-09-35

Resolution to Add Two North Carolina Commercial Fisherman Seats to the Mackerel Cobia Advisory Panel

WHEREAS, the commercial Spanish mackerel fishery in North Carolina was closed on August 24, 2019 prior to the traditional September peak of landings in the state, despite scientific data showing that the stock is not overfished and that overfishing is not occurring, and;

WHEREAS, an inequitable quota allocation system imposes a greater regulatory burden on North Carolina commercial fishermen than fishermen in other states, and;

WHEREAS, there is no evidence that North Carolina commercial fishermen will not bear that inequitable regulatory burden in future years, and;

WHEREAS, the South Atlantic Fishery Management Council has no North Carolina commercial fishermen on its Mackerel Cobia Advisory Panel, despite North Carolina ranking second in commercial Spanish mackerel fishery landings from the Atlantic ocean, and;


WHEREAS, an inequitable regulatory burden was not placed on North Carolina commercial Spanish mackerel fishermen until 2016 when the South Atlantic Fishery Management Council implemented a quota zone distribution system that disadvantaged North Carolina fishermen, and;

WHEREAS, the South Atlantic Fishery Management Council does not plan to update the Spanish mackerel stock assessment until 2022, postponing any regulatory relief for North Carolina commercial fishermen until 2024 or later, and;

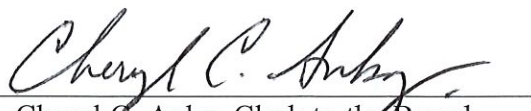
WHEREAS, the South Atlantic Fishery Management Council should allocate the commercial Spanish mackerel total allowable catch in a manner that is fair and equitable to participants in all states, including North Carolina, and;

THEREFORE, BE IT RESOLVED, the Dare County Board of Commissioners asks the South Atlantic Fishery Management Council to immediately add at least two seats for North Carolina commercial fishermen to the Council Mackerel Cobia Advisory Panel and to immediately schedule a 2020 update to the Spanish mackerel stock assessment.

This the 16th day of September, 2019.


Robert Woodard, Chairman

Attest:


Cheryl C. Anby, Clerk to the Board



19-09-34



**RESOLUTION REQUESTING THE NORTH CAROLINA DIVISION
OF MARINE FISHERIES ADD ONE ADDITIONAL WEEK TO THE
2019 NORTHERN FLOUNDER FISHING SEASON**

Whereas, commercial fishing is a vital part of Dare County's economy and fall flounder fishing is a significant part of many of Dare County's commercial fishermen's livelihood; and

Whereas, recent rules were adopted by the North Carolina Division of Marine Fisheries severely curtailing flounder fishing to the period between September 15th 2019 to October 13th 2019; and

Whereas, flounder fisherman must begin preparing their equipment and installing their net poles weeks before the beginning of flounder season; and

Whereas, Hurricane Dorian, and weather conditions just before and just after Hurricane Dorian, delayed the preparation of equipment and prevented flounder fishermen from safely being on the water installing net stakes; and

Whereas, Hurricane Dorian damaged or destroyed many of the net stakes that had previously been set; and

Whereas, storm-related delays in preparation, the damage and destruction of previously set net stakes and the time required to procure and set new stakes will prevent flounder fisherman from fishing for at least one week after the inception of flounder fishing season on September 15th, 2019; and


Whereas, because the flounder fishing season has already been significantly curtailed by rule, it is not economical for northern flounder fishermen to use as many nets as in previous years, cutting the number of sets to be used in the northern area by one half to one third of the permitted number; and

Whereas, because Hurricane Dorian related delays prevented or delayed flounder fishermen in the northern area from preparing their equipment, setting their net stakes and being ready to fish on September 15th as expected by the Division of Marine Fisheries when the recent rules were made, and because northern flounder fisherman for economic reasons will be setting one half to one third as many nets as contemplated by the Division of Marine Fisheries when the rules were made, the Division of Marine Fisheries could and should grant a one-week extension of the northern flounder season to October 20th 2019 with no resultant negative impacts to the Division of Marine Fisheries desired goals.


Now, therefore, the Dare County Board of Commissioners, on behalf of the commercial fisherman of Dare County, hereby request the North Carolina Division of Marine Fisheries extend the end of the northern flounder fishing season by one week to the 20th day of October 2019.

This the 16th day of September, 2019.




Robert Woodard, Chairman

Attest:


Cheryl C. Anby, Clerk to the Board

19-09-33

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

North Carolina

County: Dare

Road Description: The Dogwoods, in the Wildwoods subdivision, Manteo, NC and The Dogwoods West, Nottingham, Phase II, Manteo, NC

both less than .1 miles in length

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

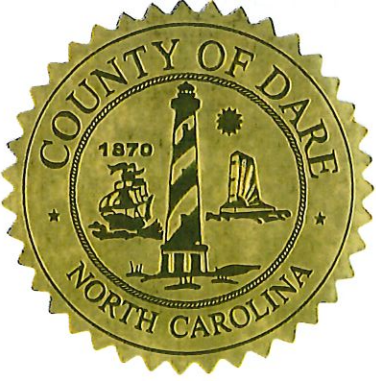
WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

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 16th day of September, 2019.

WITNESS my hand and official seal this the 16th day of September, 2019.



Cheryl C. Anby, Clerk
Clerk, Board of Commissioners
County: Dare

PLEASE NOTE:

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



RESOLUTION REQUESTING NORTH CAROLINA DOMINION POWER REPLACE WOODEN UTILITY POLES WITH UNDERGROUND, STEEL OR CONCRETE POWER POLES ALONG THE MANTEO – NAGS HEAD CAUSEWAY

WHEREAS, Dare County is the statutorily designated entity to provide county wide emergency planning prior to disasters and is also the designated entity to coordinate disaster recovery after emergency events such as hurricanes; and

WHEREAS, the wooden utility poles along the Manteo-Nags Head Causeway are a major component of power delivery to Mainland Dare County and Roanoke Island and have repeatedly been damaged or broken during storms, including Hurricane Michael in 2018, Hurricane Matthew in 2016, Hurricane Irene in 2011; and most recently, Hurricane Dorian; and

WHEREAS, damaged and broken wooden utility poles pose a risk to public safety by causing road closures, hindering or preventing emergency response, impeding or preventing traffic flow and creating power outages to a significant portion of the county; and

WHEREAS, power outages resulting from these broken poles pose a safety risk to those with power-dependent medical devices, cost residents and businesses lost wages and revenue, cause refrigerated and frozen food loss, disrupt communications systems, disrupt traffic signals and postpone and delay response and recovery; and

WHEREAS, despite the best of efforts of Dominion Power crews, the repair of these broken power poles often takes multiple days, significantly limiting response and recovery, to the detriment of Dare County citizens ; and

WHEREAS, because of Dare County's load capacity on current wooden utility poles along the Manteo-Nags Head Causeway, the ongoing use of wooden poles will present the community with continued threat of interrupted electrical services during heavy winds and storms, with problems associated with such interrupted power services; and

WHEREAS, North Carolina Dominion Power has repeatedly performed significant replacement and repair multiple broken poles along the Manteo-Nags Head Causeway in order to restore power to the County's citizens; and

WHEREAS, replacement of the wooden utility poles with steel or concrete power poles or the use of underground utility lines would provide Dare County's citizens with a lower risk of interrupted electrical service in the event of heavy winds and storms, have significant positive impacts on response and recovery and reduce the manpower and repeated extensive infrastructure repair for North Carolina Dominion Power.

NOW, THEREFORE BE IT RESOLVED THAT the Dare County Board of Commissioners request North Carolina Dominion Power make a commitment to customers to install a safer, more reliable and more resilient electric system along the Manteo-Nags Head Causeway by placing the

power lines along the Manteo-Nags Head Causeway underground or replacing the wooden poles with concrete or steel poles.

Adopted this the 16th day of September, 2019.



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

Robert Woodard, Chairman

Attest:

A handwritten signature in blue ink, which appears to read "Cheryl C. Anby", is written over a horizontal line.

Cheryl C. Anby, Clerk to the Board

19-09-31

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

North Carolina

County: Dare

Road Description: Maid Marian Court, in the Nottingham II Subdivision, Manteo, NC

0.3 miles in length

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 3rd day of September, 2019.

WITNESS my hand and official seal this the 3rd day of September, 2019.



Cheryll C. Anby
Clerk, Board of Commissioners
County: Dare

PLEASE NOTE:

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



2020 Census Partnership Resolution

WHEREAS the U.S. Census Bureau is required by the U.S. Constitution to conduct a complete count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

WHEREAS Dare County is committed to ensuring every resident is counted;

WHEREAS federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing;

WHEREAS census data help determine how many seats each state will have in the U.S. House of Representatives and are necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts;

WHEREAS information from the 2020 Census and American Community Survey is vital for economic development and increased employment;

WHEREAS the information collected by the census is confidential and protected by law;

WHEREAS a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our residents;

WHEREAS the Census count requires extensive work, and the Census Bureau requires partners at the state and local level to insure a complete and accurate count;

WHEREAS Dare County and its appointed Complete Count Committee will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community;

NOW THEREFORE, BE IT RESOLVED that Dare County is committed to partnering with the U.S. Census Bureau and the State of North Carolina and will:

1. Support the goals for the 2020 Census and will disseminate 2020 Census information;
2. Encourage all County residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation;
3. Provide CCC members and Census advocates to speak to County and Community Organizations;
4. Support census takers as they help our County complete an accurate count; and,
5. Strive to achieve a complete and accurate count of all persons within our borders.

Adopted this the 3rd day of September, 2019.

Robert Woodard, Chairman

ATTEST:
Cheryl C. Anby, Clerk to the Board



19-08-29

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

North Carolina

County: Dare

Road Description: Carolina Court West; aka West Carolina Court; aka Carolina West Court
0.3 miles in length; 5.5 miles E of Hwy 64-264 and SR 1123

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 19th day of August, 2019.

WITNESS my hand and official seal this the 19th day of August, 2019.

Cheryl C. Aubrey, Clerk to the Board

Clerk, Board of Commissioners

County: Dare



PLEASE NOTE:

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

19-08-28

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on August 19, 2019 at 5:00 p.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Robert Woodard, Vice Chairman Wally Overman, Commissioners Jim Tobin, Rob Ross, Steve House, Ervin Bateman, and Danny Couch.

There were no members absent.

* * * * *

Commissioner Steve House moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted and Commissioner Ervin Bateman seconded the motion:

**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 proceed with the acquisition and installment of new equipment and upgrading equipment for the County's Emergency Medical Services, including mobile data computers, automatic vehicle locator, LifePak 15 cardiac monitors/defibrillators, AED devices and LUCAS cardiac compression devices (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 \$1,500,000.

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.

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*, as follows:

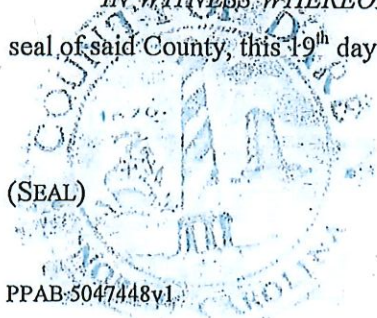
1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on August 19, 2019, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 19th day of August, 2019.

(SEAL)



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

19-08-27



**RESOLUTION AUTHORIZING CONVEYANCE OF DARE COUNTY WATER DEPARTMENT
EQUIPMENT TO THE TOWN OF KILL DEVIL HILLS**

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, 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 Purchase Agent, is hereby authorized to convey, without consideration, to the Town of Kill Devil Hills the following items of surplus personal property;

Four (4) Chlorine gas chlorinators

Two (2) Seimens gas chlorinators

Two (2) US Filter gas chlorinators

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

This the 19th day of August, 2019.



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

Robert Woodard, Chairman

Attest:

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

Cheryl C. Anby, Clerk to the Board

#19-08-26

RESOLUTION ACCEPTING THE HATTERAS ISLAND PATHWAY
PLANNING REPORT FOR BUXTON AND FRISCO

WHEREAS, multi-use paths for bicycle and pedestrian use are important infrastructure components in communities and serve as alternative transportation routes, offer recreational opportunities for residents and visitors, and add to the overall health, wellness and quality of life of neighborhoods, and

WHEREAS, the Outer Banks National Scenic Byway Committee in conjunction with Dare County have been working over the past decade to make pathways along the entire length of NC 12 on Hatteras Island a reality; and

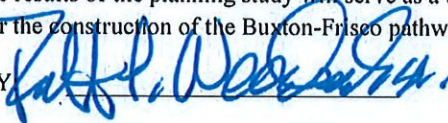
WHEREAS, there are portions of the pathway that remain unconstructed in Buxton village and Frisco village and a planning grant from NC Department of Transportation was secured by Dare County with matching funds from Buxton and Frisco communities. The purpose study was to identify alignment alternatives and other impacts associated with the construction of these portions of the Hatteras Island pathway; and

WHEREAS, work on the planning study began in 2018 and has been completed with the results of the study presented in a final report prepared by the NCDOT consultant hired to work with Dare County; and

WHEREAS, the final report identifies alignment alternatives that will serve as the basis for a more detailed engineering plan which is the next step in the process of constructing the Buxton-Frisco sections of the Hatteras Island pathway:

NOW THEREFORE BE IT RESOLVED the Dare County Board of Commissioners accepts the results of the final report for the 7.6 miles of the Hatteras Island pathway located in Buxton and Frisco villages and acknowledges the results of the planning study will serve as a basis from which more detailed engineering reports can be prepared for the construction of the Buxton-Frisco pathway.

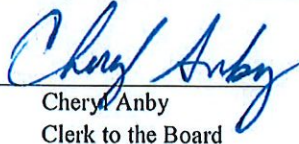
BY



DATE: 8/19/19

Robert L. Woodard, Chairman
Dare County Board of Commissioners

ATTEST:


Cheryl Anby
Clerk to the Board





#19-08-25

**RESOLUTION
OPPOSING THE DESIGNATION OF SPECIAL SECONDARY NURSERY AREAS**

WHEREAS, a petition for rulemaking to designate Special Secondary Nursery Areas and Reduce Bycatch Mortality has been submitted to the NC Marine Fisheries Commission by the NC Wildlife Federation; and

WHEREAS, the petition seeks to designate all inshore and ocean waters out to three miles as Special Secondary Nursery Areas and define the type of gear and how and when gear may be used during shrimp season; and

WHEREAS, if adopted, the petition would severely limit shrimp trawling, which would have a devastating impact on commercial fishing families by arbitrarily impairing their livelihood and depriving American tables of fresh, healthy catches of North Carolina harvested shrimp; and

WHEREAS, shrimp trawling has been a vibrant and successful part of North Carolina's heritage and culture for all of its history and represents a means by which generations of commercial watermen create jobs, provide for their families, and contribute to the economic wellbeing of North Carolina's coastal communities; and

WHEREAS, existing state and federal regulations provide ample provisions for monitoring and regulation of commercial shrimping with serious penalties and sanctions for rule violations, which have proven to be effective in preventing overfishing and waste.

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners hereby opposes the petition for rulemaking to Designate Special Secondary Nursery Areas and Reduce Bycatch Mortality In North Carolina Coastal Fishing Waters as set forth by the NC Wildlife Federation and strongly urges the North Carolina Marine Fisheries Commission to reject it.

BE IT FURTHER RESOLVED that the Dare County Board of Commissioners asks all coastal communities to support North Carolina's working watermen by adopting similar resolutions in opposition of this petition for rulemaking that would put North Carolina shrimping in jeopardy.

Adopted this the 5th day of August, 2019.

Dare County Board of Commissioners

Robert Woodard, Chairman



ATTEST:

Cheryl C. Anby, Clerk to the Board

Resolution No. 19-07-24

REIMBURSEMENT RESOLUTION – FISCAL YEAR 2019-2020 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 \$2,025,943.

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.

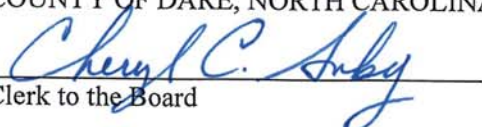
Section 4. *Effective Date.* This resolution shall become effective immediately upon the date of its adoption.

Adopted this 15th day of July, 2019.


Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA


Clerk to the Board



#19-06-23

**RESOLUTION SUPPORTING THE HATTERAS VILLAGE MULTI-MODAL
BUILD GRANT REQUEST**

WHEREAS, the NC Department of Transportation has implemented a passenger ferry system originating in Hatteras village traveling to Ocracoke village thereby enhancing the ferry experience for the thousands of people that visit the Outer Banks annually by providing an alternative to the vehicle ferries that also travel this route, and

WHEREAS, infrastructure improvements in Hatteras village to supplement the passenger ferry service are needed so visitors and residents can connect to the Hatteras ferry terminal using multi-modal pathways throughout Hatteras village not roadways; and

WHEREAS, the availability of reliable and convenient modes of transportation such as bicycles for passenger ferry riders once they reach their destination of Hatteras village will ensure the success of the Hatteras-Ocracoke passenger ferry, and

WHEREAS, the use of multi-use pathways in Hatteras village will provide a safe system of multi-modal transportation in Hatteras village for those persons utilizing the passenger ferries while vacationing on the Outer Banks, and

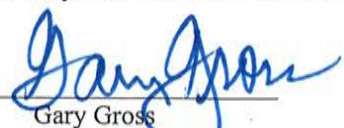
WHEREAS, federal funding in the BUILD grant program is available for the construction of transportation infrastructure improvements especially in rural areas such as Hatteras Island, and

WHEREAS, the passenger ferry system linking Hatteras village to Ocracoke village and the use of multi-use pathways for pedestrian and bicycle riders represents an unique multi-modal transportation project, which is the objective of the BUILD program:

NOW THEREFORE BE IT RESOVLED, the Dare County Board of Commissioners respectfully submits a BUILD grant application for the construction of multi-use pathways in Hatteras village in support of the Hatteras-Ocracoke passenger ferry.

BY:  DATE: 6/12/19

Robert L. Woodard, Chairman
Dare County Board of Commissioners

ATTEST: 
Gary Gross
Clerk to the Board





#19-06-22

RESOLUTION

OPPOSING FURTHER RESTRICTIONS TO THE SOUTHERN FLOUNDER FISHERY

WHEREAS The North Carolina Marine Fisheries Commission is seeking to further restrict Southern Flounder Fisheries under the proposed Fishery Management Plan Amendment 2; and

WHEREAS the goal of this management plan is to have the southern flounder fishery achieve self-sustainable harvest using science-based decision making processes, however, as stated in the amendment the science data was custom tailored to fit the plan; and

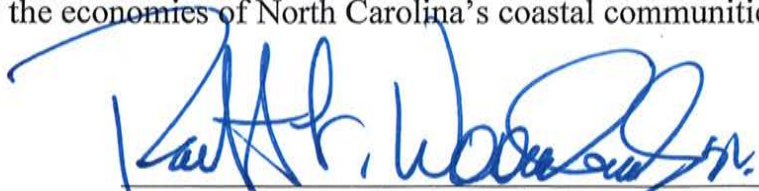
WHEREAS although a goal of this management plan is to restore, enhance and protect habitat and environmental quality necessary to maintain or increase growth, survival, and reproduction of the southern flounder population, there isn't any reference to water quality or environmental testing during the plan; and

WHEREAS the implementation of shorter southern flounder fishery seasons by regions adversely and unfairly affects the Northern region by implementing shorter seasons than the Central and Southern Fisheries; and

WHEREAS The North Carolina Marine Fisheries Commission at its November 2015 meeting adopted Supplement A to Amendment 1 placing restrictions on the southern flounder fisheries, which were challenged in court, and the judge placed a temporary injunction against certain management changes that were adopted. However, the proposed Amendment 2 is even more restrictive than Supplement A in that it would impose a severe 62% reduction of southern flounder removals the first year, followed by a 72% reduction the following year.

THEREFORE be it resolved that the Dare County Board of Commissioners opposes the North Carolina Southern Flounder Fishery Management Plan, Amendment 2 because of the adverse impact that this stringent proposal would have on those who depend on the southern flounder fishery, and the havoc it would cause to the economies of North Carolina's coastal communities.

This the 3rd day of June, 2019


Robert Woodard, Chairman

Attest:


Cheryl C. Anby, Clerk to the Board



19-06-21

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on June 3, 2019 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman
Commissioners House, Ross, Tobin, Couch, Bateman

The following members were absent: None

* * * * *

Commissioner House moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**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 proceed with the following projects: (1) construction of a new building for the College of the Albemarle, (2) renovation of existing facilities on the College of the Albemarle Russell Twiford campus, (3) construction and renovation of facilities for the Department of Health and Human Services, (4) construction of an animal shelter, (5) purchase of land and buildings contiguous to Manteo Elementary School and renovation of those facilities and (6) purchase of land and building at 47013 Buxton Back Road, Buxton NC (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 \$16,550,000, a current estimate of which is further broken out for the Projects on Exhibit A to this Resolution.

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.

EXHIBIT A

PRELIMINARY PROJECT AMOUNTS

<u>College of the Albemarle</u>		
New construction	\$7,500,000	
Renovations at Russell Twiford campus	<u>\$1,000,000</u>	
Total		\$8,500,000
Less bonds funds from State of NC		<u>(\$1,500,000)</u>
Net amount for debt		\$7,000,000
<u>Dare County Department of Health & Human Services</u>		
New construction – consolidation of buildings		\$4,850,000
<u>Dare County Animal Shelter</u>		
New construction		\$3,000,000
<u>Property and Buildings at 711 and 715 N. Highway 64/264, Manteo</u>		
Purchase and land and buildings	\$712,500	
Renovation costs	<u>\$287,500</u>	
Total amount for debt		\$1,000,000
<u>Property at 7013 Buxton Back Road, Buxton NC</u>		
Purchase of land and building		<u>\$325,000</u>
Preliminary grand total for debt		\$16,547,025

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on June 3, 2019, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.


2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 3rd day of June, 2019.

(SEAL)




GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



#19-05-20

RESOLUTION REGARDING MEDICAID TRANSFORMATION

WHEREAS, at the direction of the North Carolina General Assembly, the NC Department of Health and Human Services (DHHS) is implementing Medicaid Transformation which is creating new managed care programs for most Medicaid recipients in our State; and

WHEREAS, those offerings will include Standard Plans for most Medicaid recipients and Tailored Plans for Medicaid recipients with serious behavioral health needs and with intellectual and other developmental disabilities (I/DD); and

WHEREAS, those changes will have a significant impact on the Medicaid-eligible citizens of Dare County; and

WHEREAS, Dare County has invested significant resources to ensure adequate access for Dare County citizens to mental health and addiction services, including dedicated funding for special school-based mental health treatment services; and

WHEREAS, Dare County has an interest in maintaining the access to mental health and addiction services that it has created and in seeing its Medicaid-eligible citizens enroll in the plan that best meets their needs; and

WHEREAS, in the current design, school-based mental health providers are not considered “essential providers” with whom Standard Plans must contract; and

WHEREAS, if Standard Plans do not contract with school-based mental health providers those services may not continue to be financially viable; and

WHEREAS, DHHS indicates they plan to send Standard Plan implementation letters to most Medicaid recipients inviting them to choose a Standard Plan, including those who have been previously identified as being appropriate for Tailored Plans; and

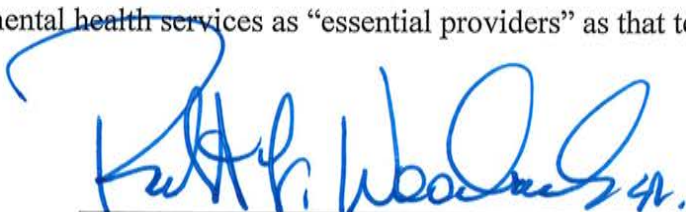
WHEREAS, this has the potential to confuse those Medicaid recipients with serious behavioral health needs and I/DD, may result in them enrolling in a plan that does not meet their needs, and may cause them to lose access to critical services and benefits.

NOW, THEREFORE BE IT RESOLVED that we, the Dare County Board of Commissioners do hereby request that the North Carolina Department of Health and Human Services:

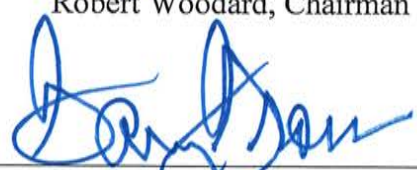
- Refrain from sending any communication regarding enrollment in Standard Plans to individuals who have been identified as Tailored Plan eligible; and
- Designate providers of school-based mental health services as “essential providers” as that term is used in S.L. 2015-245.

This the 20th day of May, 2019





 Robert Woodard, Chairman

Attest: 

 Gary Gross, Clerk to the Board



#19-05-19

**RECOMMENDING CONSTRUCTION OF MULTI-USE PATHS
ADJACENT TO NC 345 FROM NC 64 TO THE VILLAGE OF WANCHESE, AND
ADJACENT TO AIRPORT RD FROM NC 64 TO THE NC AQUARIUM ON ROANOKE ISLAND**

WHEREAS, Roanoke Island is an historic and culturally significant island located in Dare County and includes the Town of Manteo as well as several other unique villages and neighborhoods including Skyco and Wanchese; and

WHEREAS, the Dare County Board of Commissioners has received a request from the Roanoke Island Trails Program Steering Committee for additional safe modes of alternative transportation for the residents and visitors of Roanoke Island; and

WHEREAS, the Roanoke Island Trails Program was initiated as a community outreach service of East Carolina University and the Coastal Studies Institute in partnership with the Conservation Trust for North Carolina, and AmeriCorps; and

WHEREAS, the Roanoke Island Trails Program is a volunteer initiative created to provide opportunities for healthier living and environmental education to all residents and visitors of Dare County through the discovery, development and mapping of trails on Roanoke Island; and

WHEREAS, The Roanoke Island Trails Program is an inclusive and diverse community volunteer program open to all Dare County citizens and includes the participation of community volunteers and leaders from Dare County Planning, Dare County Parks and Recreation, the Manteo Town Manager and Planner; and

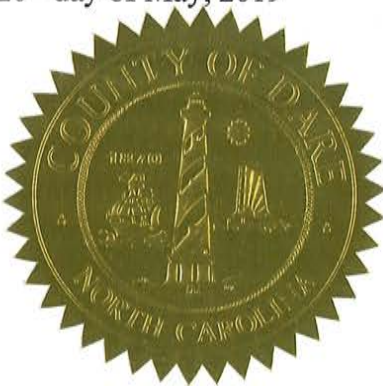
WHEREAS, The Roanoke Island Trails Program Steering Committee has studied the opportunities and challenges for trails on Roanoke Island and recommends the inclusion of safe multi-use paths for the citizens and visitors of Skyco and Wanchese and for the north end of Roanoke Island; and

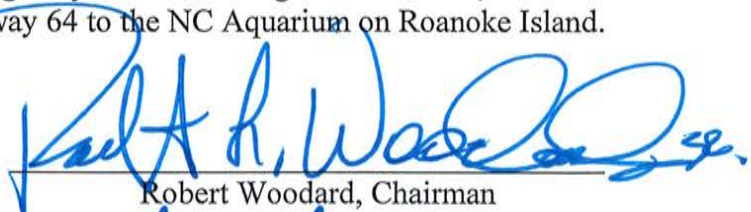
WHEREAS, The Dare County Comprehensive Transportation Plan dated July 2015 includes recommendations for sidewalks and multi-use paths for Airport Road and NC 345.

NOW THEREFORE BE IT RESOLVED, that the Dare County Board of Commissioners enthusiastically supports multi-use pathways as a way of enhancing public safety and providing much needed infrastructure for tourism activities, which furthers economic development opportunities for the region. And, the Dare County Board of Commissioners respectfully requests that the Albemarle Regional Planning Organization include in future planning documents the construction of two (2) multi-use paths on Roanoke Island:

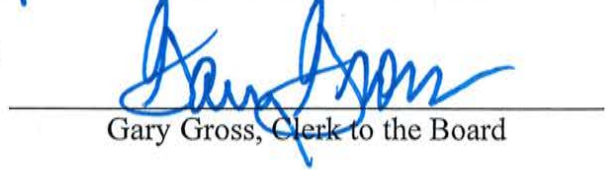
1. Adjacent to NC highway 345 from NC highway 64 to the village of Wanchese, and
2. Adjacent to Airport Road from NC highway 64 to the NC Aquarium on Roanoke Island.

This the 20th day of May, 2019




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board



#19-05-18

**OPPOSING AN OYSTER LEASE APPLICATION
THAT WOULD INFRINGE ON A PRE-EXISTING PUBLIC USE ON HATTERAS ISLAND**

WHEREAS, The North Carolina Division of Marine Fisheries (NCDMF) administers the Shellfish Lease and Franchise Program for the purposes of shellfish cultivation, aquaculture and mariculture within the State of North Carolina; and

WHEREAS, the NCDMF application process provides that proposals submitted under the Shellfish Lease and Franchise Program must be compatible with other uses and not infringe upon owners' rights and cautions applicants that applications can be prolonged when an existing public use is identified; and

WHEREAS, an application has been filed by Ryan Gentry (Lease Number 1954874; 1954882) for an oyster operation on the north end of Hatteras Island North Carolina seeks an oyster lease within 80 feet of a shoreline in an area that has had a pre-existing use for many years by businesses catering to the needs of people from around the world who travel to Hatteras Island for kiteboarding and other recreational opportunities, and

WHEREAS, the proposed oyster operation would infringe on waters that are actively used on an ongoing year round basis by the kiteboarding industry which has created numerous job opportunities and contributed significantly to Dare County's tourism industry; and

WHEREAS, allowing a new oyster operation in the area where kiteboarding activity has long been established would be incompatible with an pre-existing identified public use and present a threat to public safety for those engaging in kiteboarding and other recreational activities; and

WHEREAS, the Dare County Board of Commissioners has a longstanding track record of supporting Commercial Fishing operations and fully supports aquaculture wherever and whenever it does not impinge on property owners rights or disrupt other pre-existing public uses such as the kiteboarding industry that has flourished for many years along the Hatteras Island shoreline.

NOW, THEREFORE BE IT RESOLVED THAT the Dare County Board of Commissioners asks the North Carolina Division of Marine Fisheries to deny the oyster application filed by Ryan Gentry because of its close proximity to a shoreline that is incompatible with a pre-existing identified public use, which would threaten public safety and have an adverse impact on Dare County's economy.

BE IT FURTHER RESOLVED that the Dare County Board of Commissioners urges the North Carolina Legislature and the Division of Marine Fisheries to reexamine the Shellfish Lease and Franchise Program to assure that it fairly and equitably meets the needs of all resource users and restricts lease activity in areas with pre-existing identified public uses.

This the 7th day of May, 2019



Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board



19-05-17

**A RESOLUTION OF APPROVAL BY THE DARE COUNTY BOARD OF COMMISSIONERS
TO DELEGATE THE APPROVAL OF PYROTECHNICS PERMITS
TO THE TOWN OF MANTEO**

WHEREAS, North Carolina General Statutes 14-410 and 14-413 seek to improve pyrotechnic safety in North Carolina; and

WHEREAS, General Statute 14-413(a1) provides that a board of county commissioners may authorize the governing body of any city in the county to issue permits pursuant to the provisions of this article for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions; and,

WHEREAS, the resolution granting the authority to the city shall remain in effect until withdrawn by the board of county commissioners by adopting a subsequent resolution withdrawing the authority.

WHEREAS, this ratification shall be effective on the date of adoption of this resolution.

NOW, THEREFORE BE IT RESOLVED THAT the Dare County Board of Commissioners authorizes the governing body of the Town of Manteo to issue permits pursuant to the provisions of General Statute 14-413 for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions.

This the 7th day of May, 2019



Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board



#19-04-16

RESOLUTION
SUPPORTING SENATE BILL 215 AND HOUSE BILL 429
FOR THE REGULATION OF NAVIGABLE WATERS
WITHIN THE CORPORATE LIMITS OF THE TOWN OF MANTEO

WHEREAS, the Town of Manteo is a vital part of Dare County and has within its corporate limits waterways that are essential for boaters, fishermen, and those engaging in swimming and other recreational activities; and

WHEREAS, Senate Bill 215 and House Bill 429 have been filed in the North Carolina General Assembly and call for the regulation of navigable waters within the Town's corporate limits; and

WHEREAS, the Town of Manteo desires to add certain navigable waters to the Town's corporate limits as described in Senate Bill 215 and House Bill 429; and

WHEREAS, the provisions of Senate Bill 215 and House Bill 429 will promote the health, safety and welfare of the citizens of Manteo by providing the Town the ability to regulate waterways within its corporate limits, which will subsequently benefit the Town of Manteo and all of Dare County.

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners hereby demonstrates its complete support of Senate Bill 215 and House Bill 429 as filed with the North Carolina General Assembly in Session 2019.

Adopted this the 15th day of April, 2019.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board



#19-04-15

**RESOLUTION SUPPORTING
THE MORE POWERFUL NC CAMPAIGN**

WHEREAS the opioid epidemic, overdose deaths, and substance misuse pose a threat to the life, health, and well-being of North Carolina residents; and

WHEREAS life expectancy in the United States has declined for three years in a row for the first time since World War I, fueled in large part by a record number of drug overdose deaths; and

WHEREAS more people die from drug overdoses than car crashes evidenced by the fact that more than 13,000 North Carolina residents lost their lives to unintentional opioid overdoses between 1999 and 2017; and

WHEREAS the number of unintentional opioid overdose deaths in our state was nearly 17 times higher in 2017 than it was in 1999 and during 2017 more than 2,000 North Carolinians lost their lives to opioid overdoses, which represents an average of more than five people a day; and

WHEREAS for every opioid overdose death, there are nearly two hospitalizations and nearly four emergency department visits in North Carolina (based on 2017 data); and

WHEREAS the opioid epidemic has contributed to a rise in Hepatitis C and heart valve infections (endocarditis), among other serious and costly health consequences; and

WHEREAS the opioid epidemic has contributed to a significant rise in the number and rate of hospitalizations associated with drug withdrawal in newborns and a rise in the number of children in foster care; and

WHEREAS the economic cost of the opioid crisis exceeded \$500 billion in 2015 – equal to 2.8 percent of the U.S. Gross Domestic Product (GDP) that year – according to the White House Council of Economic Advisers; and

WHEREAS the opioid epidemic has imposed significant and continuing costs on our healthcare, criminal justice, and social service systems; and

WHEREAS the opioid epidemic has imposed major costs on private employers and the overall economy due to excess sick days, disability claims, diminished productivity, and lost productivity due to incarceration and premature death; and

WHEREAS the opioid epidemic, overdose deaths, and substance misuse causes pain, suffering, and loss to individuals, families, and communities that can never be measured; and

WHEREAS an effective response to the opioid epidemic combines prevention, intervention, treatment, recovery, harm reduction, and law enforcement strategies – including those outlined in North Carolina’s Opioid Action Plan and described on www.MorePowerfulNC.org; and

WHEREAS an effective response to the opioid epidemic requires commitment and collaboration among federal, state, and local governments as well as healthcare providers, businesses, foundations, non-profits, universities, colleges, schools, community coalitions, faith communities, and other community partners.

NOW THEREFORE LET IT BE RESOLVED that the Dare County Board of Commissioners will continue to actively join forces with others in addressing the opioid epidemic by encouraging community members with substance use disorders to connect with treatment and recovery resources; offering support and assistance to their families and loved ones and supporting community members in treatment and recovery by getting the facts about addiction, treatment and recovery, helping to dispel myths and misconceptions, and reducing stigma.

BE IT FURTHER RESOLVED that the Dare County Board of Commissioners encourages community members to dispose of leftover medications and to secure needed medications that remain in the home; and encourages community members to talk to their children, families, and loved ones about risks related to drug misuse and methods for coping with social pressure, stress and other challenges. Furthermore, the Dare County Board of Commissioners will continue its effort to involve law enforcement, district attorneys, judges, and court personnel, to connect individuals with substance use disorders to drug treatment and other services such as recovery courts.

Adopted this the 15th day of April, 2019.



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

Robert Woodard, Chairman

ATTEST:

A handwritten signature in blue ink, reading "Gary Lee Gross", written over a horizontal line.

Gary Lee Gross, Clerk to the Board



#19-04-14

RESOLUTION

OPPOSING NORTH CAROLINA HOUSE BILL 486 THAT WOULD CHANGE THE DEFINITION OF COMMERCIAL FISHING

WHEREAS, the Dare County Board of Commissioners has steadfastly supported North Carolina's Commercial Fishermen who are a vital part of our State's history, heritage, and culture and represent a crucial component of the economy for Dare County and other coastal communities. According to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, House Bill 486 proposes to drastically raise the annual Commercial Fishing license fee and impose burdensome requirements on commercial license holders, who are still recovering from the devastation caused by Hurricane Florence; and

WHEREAS, the introduction of House Bill 486 is yet another attempt to redefine commercial fishing, which would be detrimental to North Carolina's Commercial Fishing Industry. In fact, last year the North Carolina Marine Fisheries Commission embarked on an effort to change the criteria of what constitutes a commercial fishing operation by imposing, among other things, that license holders document annual seafood landings of at least 1,000 pounds; and

WHEREAS, the Dare County Board of Commissioners on January 22, 2018, again on February 20, 2018, and yet again on June 4, 2018 adopted unanimous resolutions opposing any change in the definition of commercial fishing based on the following - - -

- No other professional license issued by the State dictates a level of participation in order for its holders to qualify. Furthermore the definition of what constitutes commercial fishing in North Carolina has already been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes.
- Imposing an arbitrary level of participation based on landings would unfairly have a harsh and punitive effect on coastal communities hit by hurricanes and other natural disasters where many commercial license holders, whose income generating season may have been entirely wiped out by a storm, are forced to temporarily divert their time and talents to other business enterprises.
- Those who engage in commercial fishing already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to support their families.
- In October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman. In its Final Report the Taskforce clearly stated its recommendation that "no changes are needed to the existing definition;"

WHEREAS, House Bill 486 is an attempt to fix something that is not broken and would jeopardize coastal communities whose economy and wellbeing are dependent upon both full-time and part-time commercial fishermen who are small, independent businesses that work hard under adverse conditions to put fresh, healthy North Carolina seafood on American tables.

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners reaffirms its unwavering commitment to North Carolina's commercial fishing industry by strongly opposing House Bill 486, or any other action, that would change the definition of Commercial Fishing or cause harm to North Carolina's Working Watermen.

Adopted this the 15th day of April, 2019.



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

Robert Woodard, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read "Gary Lee Gross", is written over a horizontal line.

Gary Lee Gross, Clerk to the Board



19-04-13

**RESOLUTION OPPOSING GEOGRAPHIC DISCRIMINATION BY NOAA,
HIGHLY MIGRATORY SPECIES DIVISION OF THE NMFS IN THE
JANUARY TO MARCH BLUE FIN TUNA FISHERY SUB-QUOTA**

WHEREAS, the International Convention for the Conservation of Atlantic Tunas (ICCAT), allocates Blue fin tuna (BFT) tonnage for harvest per year to the United States; and

WHEREAS, the U.S. has left 225 metric tons of ICCAT allocated Blue fin tuna unharvested, per year on average; and

WHEREAS, the Blue fin tuna fishery in the U.S. is 10 months a year being Closed April and May; and

WHEREAS, the January to March sub quota is 3 months, 33% of the total General category allocated by the Highly Migratory Species Division (HMS) of NMFS should be dedicated to the January to March sub quota per year

WHEREAS, The HMS is in violation of the Magnuson Stevens Act (MSA) Title III, Section 301, Standard 98-623(4), "Conservation and Management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign privileges among various U.S. fishermen, such allocation shall be (A) fair and equitable to all such fishermen, (B) carried out in such a manor that no particular individual, corporation or other entity acquires an excessive share of such privileges"; and

WHEREAS, the HMS division of NMFS closed the 2018 January BFT sub quota with 30 fishing days still available; and

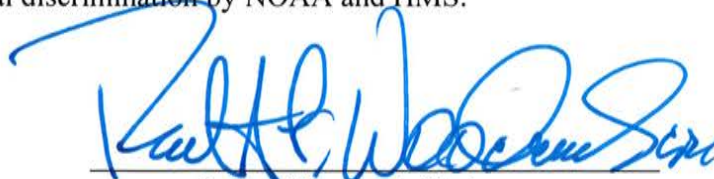
WHEREAS, the General category harvested 785 mt in 2018, with the Jan.-March sub quota accounting for 55 mt., 180 mt less than 33%. While the U.S. left 250 mt unharvested for the year; and

WHEREAS, the under harvest of one country may be given to another country by ICCAT, it is in the best interest of the U.S. to catch its ICCAT allocation.

NOW, THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners endorses a thirty three percent allocation of the General category BFT fishery to the January to March sub quota, so as to ensure no under harvest, and to end geographical discrimination by NOAA and HMS.

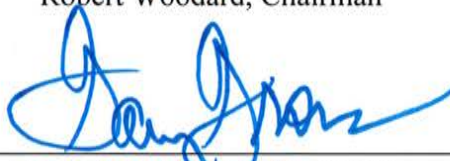
This the 1st day of April, 2019





Robert Woodard, Chairman

Attest:



Gary Gross, Clerk to the Board



19-04-12

**RESOLUTION
SUPPORTING JETTIES**

WHEREAS, the State of North Carolina has 320 miles of coastline and 19 inlets that are both a public trust and a significant economic resource; and

WHEREAS, Oregon Inlet in Dare County on the Outer Banks of North Carolina serves as a vital outlet to the Atlantic Ocean and functions as a channel for the drainage of storm waters from the vast Albemarle-Pamlico estuarine system, thereby facilitating the maintenance of water quality throughout that system and reducing the impact of soundside flooding on people, property, and infrastructure; and

WHEREAS, it is uncontroverted that Oregon Inlet, at the end of a barrier island, is rapidly narrowing from the north; and

WHEREAS, any condition which impedes the outward flow of water jeopardizes lives and threatens property and public infrastructure, particularly during severe storms, by causing flood level waters on soundside properties, which increases the potential of opening one or more new and unwanted channels; and

WHEREAS, the rapidly narrowing and unstable conditions at Oregon Inlet represents a major risk to public safety by creating navigational hazards that jeopardize lives and livelihoods for North Carolina's commercial fishermen, charter boat captains, recreational anglers, and all others who use the inlet; and

WHEREAS, the problem of erosion at the end of barrier islands is unique to those areas and continues to pose a genuine threat to public beach access, public and private property, businesses and infrastructure, creating the risk of significant reconstruction costs and lost tax revenue; and

WHEREAS, millions of dollars are spent each year on dredge operations to keep Oregon Inlet navigable which could be significantly reduced with a jettied and stabilized inlet; and

WHEREAS, previously the United States Congress expressed the intent of that body through a specific legislative authorization that Oregon Inlet be stabilized with a dual jetty system.

WHEREAS, the Dare County Board of Commissioners has long advocated for inlet stabilization through jetties having adopted multiple resolutions over the span of decades urging state and federal officials to allow these structures as a way of safeguarding public safety and protecting North Carolina's vital coastal infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners continues to support protecting and stabilizing Oregon Inlet with a jetty project by variance or by rulemaking and asks our state and federal representatives to support the construction of jetties at Oregon Inlet.

BE IT FURTHER RESOLVED that the Dare County Board of Commissioners calls on our legislative delegation in Raleigh and Washington, D.C. as a matter of public safety and economic necessity to work collaboratively to introduce legislation that will provide for the long-term stabilization that is so desperately needed at Oregon Inlet.

This the 1st day of April, 2019



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

Robert Woodard, Chairman

Attest:

A handwritten signature in blue ink, appearing to read "Gary Gross", is written over a horizontal line.

Gary Gross, Clerk to the Board



19-04-11

**A RESOLUTION
REAFFIRMING THE DARE COUNTY BOARD OF COMMISSIONERS'
CONTINUED OPPOSITION TO OFFSHORE DRILLING AND SEISMIC TESTING**

WHEREAS, Dare County on the Outer Banks of North Carolina is a coastal community whose economic engine is driven by the millions of people who visit each year to enjoy the pristine waters of the Atlantic Ocean off the North Carolina coastline; and

WHEREAS, because it is economically imperative that our coastal waters must be safeguarded for future generations, the Dare County Board of Commissioners has repeatedly declared its steadfast objection to offshore drilling for gas or oil, including exploratory drilling and seismic testing, as expressed in resolutions dated February 5, 2018, April 6, 2015, December 5, 2005, May 19, 2003, and February 2, 1998; and

WHEREAS, the Dare County Board of Commissioners continues to oppose offshore drilling and testing because it has not been proven that either can safely be done without risking catastrophic and irrevocable harm to our coastline, our natural resources, our properties, our businesses, and our quality of life; and

WHEREAS, the potential damage to North Carolina's beaches and coastline from offshore drilling and testing would needlessly put our tourism based economy at risk and threaten the livelihood of our commercial fisherman; and

WHEREAS, the risks associated with offshore drilling and testing have been fervently and passionately conveyed by Dare County Chairman Robert Woodard and other locally elected leaders during meetings with state and federal officials and community stakeholders; and

WHEREAS, it is vital that local and state officials throughout North Carolina and its neighboring states join the Dare County Board of Commissioners in taking a unified stand in opposition to offshore drilling and seismic testing, which jeopardizes the coastal environment and economies of all adjacent areas.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners hereby reaffirms its staunch ongoing opposition to offshore drilling, including exploratory drilling and seismic testing, and urges North Carolina, our neighboring states, and all federal agencies to take no action that would put our coastline at risk.

This the 1st day of April, 2019.



Robert Woodard, Chairman

Attest:

Gary Lee Gross, Clerk to the Board

RESOLUTION ENACTING AND ADOPTING A SUPPLEMENT
TO THE DARE COUNTY CODE OF ORDINANCES

19-03-10

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2018 S-11 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

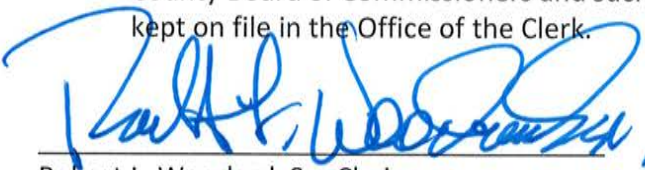
WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to the North Carolina General Statutes; and

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 the Dare County that this ordinance take effect at an early date;

NOW THEREFORE BE IT ORDAINED BY THE DARE COUNTY BOARD OF COMMISSIONERS

1. That the 2018 S-11 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 supplement shall be deemed published as of the day of its adoption and approval by the Dare County Board of Commissioners and such supplement shall be inserted into the Code of Ordinances kept on file in the Office of the Clerk.



Robert L. Woodard, Sr. Chairman

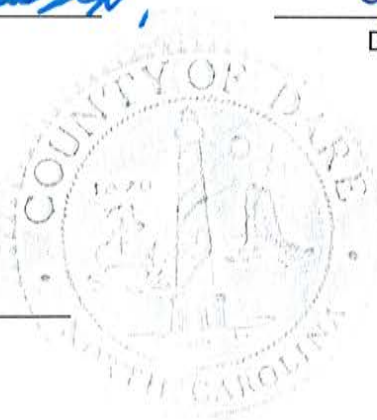
3/18/19

Date:

SEAL:



Gary Gross, Clerk to the Board



19-03-09

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$2,057,425 WITH BANC OF AMERICA PUBLIC CAPITAL CORP TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the governing body for the County of Dare, North Carolina (the "County"):

Section 1. The governing body of the County does hereby find and determine:

(a) The County proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");

(b) After consideration, the governing body of the County has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;

(c) Pursuant to Section 160A-20, the County is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and

(d) Banc of America Public Capital Corp ("BAPCC") has proposed to enter into an Installment Financing Contract with the County to finance the Equipment pursuant to which BAPCC will lend the County the amount of \$2,057,425 (the "Contract").

Section 2. The governing body of the County hereby authorizes and directs the County Manager and Finance Director to execute, acknowledge and deliver the Contract on behalf of the County in such form and substance as the person executing and delivering such instruments on behalf of the County shall find acceptable. The Clerk is hereby authorized to affix the official seal of the County to the Contract and attest the same.

Section 3. The proper officers of the County are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract.

Section 4. Notwithstanding any provision of the Contract, no deficiency judgment may be rendered against the County in any action for breach of a contractual obligation under the Contract and the taxing power of the County is not and may not be pledged directly or indirectly

to secure any moneys due under the Contract, the security provided under the Contract being the sole security for BAPCC in such instance.

Section 5. The County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the County's obligations under the Contract will not be included in the gross income of BAPCC.

Section 6. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 18th day of March, 2019.



[SEAL]

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

Chairman, Board of County Commissioners

COUNTY OF DARE, NORTH CAROLINA

A handwritten signature in blue ink, appearing to read "Dorothy Ann", is written over a horizontal line.

Clerk to the Board



19-03-08

**A RESOLUTION OF APPROVAL BY THE DARE COUNTY BOARD OF COMMISSIONERS
TO DELEGATE THE APPROVAL OF PYROTECHNICS PERMITS
TO THE TOWN OF NAGS HEAD**

WHEREAS, North Carolina General Statutes 14-410 and 14-413 seek to improve pyrotechnic safety in North Carolina; and

WHEREAS, General Statute 14-413(a1) provides that a board of county commissioners may authorize the governing body of any city in the county to issue permits pursuant to the provisions of this article for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions; and,

WHEREAS, the resolution granting the authority to the city shall remain in effect until withdrawn by the board of county commissioners by adopting a subsequent resolution withdrawing the authority.

NOW, THEREFORE BE IT RESOLVED THAT the Dare County Board of Commissioners authorizes the governing body of the Town of Nags Head to issue permits pursuant to the provisions of General Statute 14-413 for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions.

This the 18th day of March, 2019



Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board



19-02-07

**RESOLUTION
OPPOSING THE PROPOSED INCREASE
FOR HOMEOWNERS INSURANCE**

WHEREAS, the North Carolina Rate Bureau is recommending to the North Carolina Department of Insurance a drastic homeowners insurance rate increase, which would severely hurt the people of Dare County and other coastal communities; and

WHEREAS, the proposed increase unfairly targets coastal communities and would cause them to endure rates that are excessive, unwarranted, and unjustified; and

WHEREAS, the proposed increase will cause property owners in the barrier island portions of Dare, Currituck, and Hyde counties to suffer a 30% increase and impose a 25% increase for homeowners in the inland portions of these counties; and

WHEREAS, since a portion of the homeowner rate is for wind, the filing would have an adverse impact on Wind Only policies including policies in what is commonly referred to as the "Beach Plan" which would result in an increase of over \$700 for \$200,000 of coverage for Outer Banks wind only policyholders; and

WHEREAS, the excessive increase sought by the North Carolina Rate Bureau will cause harm to Dare County homeowners, especially those struggling to make their mortgage payments, and have an adverse impact on the affordability of housing in our community.

NOW, THEREFORE, BE IT RESOLVED that the Dare County Board of Commissioners strongly opposes the rate increase requested by the insurance industry as unjustified, unfair, and unnecessary and calls upon the North Carolina Department of Insurance to deny the filing.

Adopted this the 19th day of February, 2019.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board

FIRST AMENDMENT TO 1997
RESOLUTION MODIFYING AND
AMENDING RESOLUTIONS CREATING
THE REGIONAL PLANNING COMMISSION
KNOWN AS THE ALBEMARLE COMMISSION

19-02-06

WHEREAS, in 1970 the Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans and Tyrrell, (the "Initial Counties"), began a regional cooperative effort by creating a regional planning and economic development commission known as the Albemarle Commission; and

WHEREAS, the County of Washington was granted membership in 1971 with unanimous consent of the Initial Counties (the Initial Counties and the County of Washington may be referred to individually as a "County" and collectively as the "Counties"); and

WHEREAS, N.C. Gen. Stat. ' 153A-391 provides that the Counties may, by unanimous action, modify and amend the resolution creating the Albemarle Commission; and

WHEREAS, in 1997, the Counties unanimously modified and amended the resolution creating the Albemarle Commission by adopting that certain document entitled "Resolution Modifying and Amending Resolutions Creating the Regional Planning Commission known as the Albemarle Commission" (the "1997 Resolution"); and

WHEREAS, Article II of the 1997 Resolution provides the method for the appointment of delegates by the member Counties, including terms for such appointments, that the governing board of the Albemarle Commission has requested be changed as set forth below; and

WHEREAS, the Counties, after due and diligent consideration, desire to modify and amend the 1997 Resolution through this First Amendment to the 1997 Resolution to change the method for appointment of delegates and the terms for delegates.

NOW, THEREFORE, BE IT RESOLVED by each of the Boards of Commissioners

for the Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell and Washington, in separate sessions duly convened, by the adoption and enactment of this First Amendment to the 1997 Resolution by each of the Boards, do hereby modify and amend the 1997 Resolution as follows:

Section 1. By replacing Articles I through VIII thereof with the following:

ARTICLE I

NAME

The name of the regional planning commission shall be the ALBEMARLE COMMISSION.

ARTICLE II

ALBEMARLE COMMISSION MEMBERSHIP AND GOVERNING BOARD

A. Albemarle Commission Membership – The Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell and Washington shall be member governments of the Albemarle Commission. The Albemarle Commission shall be governed by a board of 15 members appointed as follows:

- 1) The governing board of each member government shall appoint one “Commissioner” delegate who must be a member of the member government’s governing board. Commissioner delegates who no longer hold office as an elected member of their member government’s governing board are unable to continue as a delegate unless they can be and are approved as an at large delegate.
- 2) Four additional “At Large” delegates who do not hold an elective office shall be initially appointed as follows:
 - (a) One delegate appointed by Camden County’s governing board;

- (b) One delegate appointed by Chowan County's governing board;
- (c) One delegate appointed by Currituck County's governing board;
- (d) One delegate appointed by Dare County's governing board.

The At Large delegates appointed as of the adoption of this Resolution may continue to serve the remainder of their terms as set forth below.

Successors shall thereafter be appointed by the governing board's member governments in a rotating manner which order shall be determined alphabetically until the end of the alphabet is reached and then starting over (e.g., two years after the year in which this Resolution is adopted one delegate would be appointed by each of the following counties: Gates, Hyde, Pasquotank, and Perquimans; two years thereafter, one delegate would be appointed by each of the following counties: Tyrrell, Washington, Camden, and Chowan; and the appointments would continue rotating every two years in this alphabetical manner).

- 3) The immediate past chair shall serve for one year as an ex-officio, non-voting member unless they can be and are appointed as a Commissioner Delegate or an At Large Delegate.

The member governments are encouraged to consider making appointments that will result in at least four delegates being racial minorities.

B. Terms; Removal; Vacancies – Delegates of the Albemarle Commission shall serve two-year terms. Terms shall be measured by calendar years but shall end on December 31, regardless of the date of appointment by the appointing authority. A delegate may be removed with or without cause by the appointing member government's governing board. Appointment to fill vacancies shall be made for the remainder of the

unexpired term by the respective appointing member government's governing board.

C. Officers; Compensation – Those officers currently serving as of the date of adoption of this resolution, shall continue serving until the next organizational meeting of the Albemarle Commission governing board.

Thereafter, the Albemarle Commission governing board shall hold an organizational meeting annually in January to elect a chair, vice-chair and secretary by simple majority vote of those delegates present and voting at a properly constituted meeting. Only Commissioner delegates, i.e., those delegates who are members of a member government's governing board, shall be eligible to hold an office, other than the non-voting office of immediate past chair.

Delegates may be compensated and reimbursed for their expenses at an appropriate mileage rate by the Albemarle Commission for attendance at meetings of the Albemarle Commission governing board.

ARTICLE III

POWERS AND DUTIES

The Albemarle Commission shall possess the following powers:

- (1) Apply for, accept, receive, and disburse funds, grants, and services made available to it by the State of North Carolina or any agency thereof, the federal government or any agency thereof, any unit of local government or any agency thereof, or any private or civic agency;
- (2) Employ personnel;
- (3) Contract with consultants;
- (4) Contract for services with the State of North Carolina, any other state, the United States, or any agency of those governments;
- (5) Study and inventory regional goals, resources, and problems;

- (6) Prepare and amend regional development plans, which may include recommendations for land use within the region, recommendations concerning the need for and general location of public works of regional concern, recommendations for economic development of the region, and any other relevant matters;
- (7) Cooperate with and provide assistance to federal, state, other regional, and local planning activities within the region;
- (8) Encourage local efforts toward economic development;
- (9) Make recommendations for review and action to its member governments and other public agencies that perform functions within the region;
- (10) Exercise any other power necessary to the discharge of its duties.

ARTICLE IV

FINANCES

Funding for the Albemarle Commission's administrative and general operational requirements shall, in addition to other funds which might become available, be provided by member governments. Each member government's proportionate share shall be determined by a per capita assessment based on the most recent United States Census. Thereafter, the Albemarle Commission governing board shall develop and adopt, by simple majority vote, an annual budget for each up-coming fiscal year showing the anticipated contribution of each county which budget shall be submitted to the member governments for review and comment not later than May 1.

ARTICLE V

BUDGETARY AND FISCAL CONTROL

The Albemarle Commission budget and fiscal affairs shall comply with the procedures set forth in the Local Government Budget and Fiscal Control Act, Chapter 159,

Subchapter III of the North Carolina General Statutes.

The Albemarle Commission shall cause to be made an annual audit of its books and records by an independent certified public accountant at the end of the each fiscal year and a certified copy of the audit shall be filed promptly with each member government.

ARTICLE VI

WITHDRAWAL

A member government may withdraw from the Albemarle Commission by giving at least two years' written notice to the other member governments.

ARTICLE VII

AMENDMENTS

This resolution may be amended, modified or repealed by the unanimous action of the member governments.

ARTICLE VIII

DISSOLUTION

If the Albemarle Commission is dissolved by the unanimous action of the member governments then the proceeds that may be derived from the sale of the Albemarle Commission's assets, less payment of debts and liabilities, shall be distributed among the member governments pursuant to the following formula:

$$\frac{\text{Member Government Population}}{\text{Total population of Member governments}} \times \text{Total Dollar Value of Albemarle Commission assets} = \text{Member government's Share}$$

Section 2. All provisions of resolutions creating, amending or modifying the 1997 Resolution which are not re-enacted by this resolution, are hereby repealed.

Section 3. This resolution shall take effect immediately upon its unanimous adoption by the Counties.

ADOPTED the 19th day of February, 2019.



[Handwritten signature]

Chairman, DARE County
Board of Commissioners

ATTEST:

[Handwritten signature]

Clerk to the Board
(SEAL)

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
 North Carolina Division of Emergency Management

19-02-05

Organization Name (hereafter named Organization) County of Dare NC Disaster Number:

Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):
NC Department of Public Safety

Applicant's Fiscal Year (FY) Start Month: Day:

Applicant's Federal Employer's Identification Number
56-6000293

Applicant's Federal Information Processing Standards (FIPS) Number
NC 37-55

PRIMARY AGENT	SECONDARY AGENT
Agent's Name <u>Robert L. Outten</u>	Agent's Name <u>Donna V. Creef</u>
Organization <u>County of Dare</u>	Organization <u>County of Dare</u>
Official Position <u>County Manager</u>	Official Position <u>Planning Director</u>
Mailing Address <u>PO Box 1000</u>	Mailing Address <u>PO Box 1000</u>
City, State, Zip <u>Manteo NC 27954</u>	City, State, Zip <u>Manteo NC 27954</u>
Daytime Telephone <u>252-475-5811</u>	Daytime Telephone <u>252-475-5873</u>
Facsimile Number <u>252-473-1817</u>	Facsimile Number <u>252-473-6653</u>
Pager or Cellular Number <u>252-202-9540</u>	Pager or Cellular Number <u>252-473-0118</u>

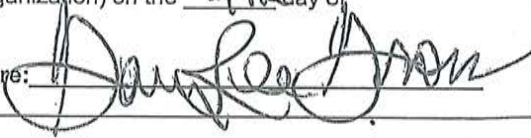
BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 4 day of February, 2019

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title <u>County of Dare</u>	Name <u>GARY Lee GROSS</u>
Name and Title	Official Position <u>CLERK TO THE BOARD</u>
Name and Title	Daytime Telephone <u>252-475-5700</u>

CERTIFICATION

I, GARY Lee GROSS, (Name) duly appointed and CLERK TO THE BOARD (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of the County of DARE (Organization) on the 4th day of February, 2019.

Date: 2/4/19

Signature: 

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
 North Carolina Division of Emergency Management

19-02-04

Organization Name (hereafter named Organization) County of Dare, NC	Disaster Number: FEMA-4412-DR-NC
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): Nc Department of Crime Control & Public Safety	
Applicant's Fiscal Year (FY) Start Month: July Day: 1	
Applicant's Federal Employer's Identification Number 56 - 6000293	
Applicant's Federal Information Processing Standards (FIPS) Number NC - 37 - 55	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name David Clawson	Agent's Name Sandy West
Organization Dare County, NC	Organization Dare County, NC
Official Position Deputy County Manager Finance	Official Position Risk Manager
Mailing Address P.O. Box 1000	Mailing Address P.O. Box 1000
City, State, Zip Manteo, NC 27954	City, State, Zip Manteo, NC 27954
Daytime Telephone (252) 475-5731	Daytime Telephone (252) 475-5784
Facsimile Number (252) 475-5818	Facsimile Number (252) 475-5819
Pager or Cellular Number (252) 305-5860	Pager or Cellular Number (252) 473-7535

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 4th day of February, 2019

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title <u>DARE COUNTY, NC</u>	Name <u>GARY Lee GROSS</u>
Name and Title	Official Position <u>Clerk to the Board</u>
Name and Title	Daytime Telephone <u>252-475-5700</u>

CERTIFICATION

I, GARY Lee GROSS, (Name) duly appointed and clerk to the Board (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of DARE COUNTY, NC (Organization) on the 4th day of February, 2019

Date: 2/4/19 Signature: [Signature]

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

19-02-03

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on February 4, 2019 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice Chairman Overman,
Commissioners House, Tobin, Couch, and Bateman.

The following members were absent: Commissioner Ross

* * * * *

Vice Chairman Overman moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**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 proceed with the following projects: (1) construction of a new building for the College of the Albemarle, (2) renovation of existing facilities on the College of the Albemarle Russell Twiford campus, (3) construction and renovation of facilities for the Department of Health and Human Services, (4) construction of an animal shelter and (5) purchase of land and buildings contiguous to Manteo Elementary School and renovation of those facilities (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 \$12,000,000, a current estimate of which is further broken out for the Projects on Exhibit A to this Resolution.

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.

EXHIBIT A

PRELIMINARY PROJECT AMOUNTS

<u>College of the Albemarle</u>		
New construction	\$7,500,000	
Renovations at Russell Twiford campus	<u>\$1,000,000</u>	
Total		\$8,500,000
Less bonds funds from State of NC		<u>(\$1,500,000)</u>
Net amount for debt		\$7,000,000
<u>Dare County Department of Health & Human Services</u>		
New construction – consolidation of buildings		\$2,009,200
<u>Dare County Animal Shelter</u>		
New construction		\$2,000,000
<u>Property and Buildings at 711 and 715 N. Highway 64/264, Manteo</u>		
Purchase and land and buildings	\$712,500	
Renovation costs	<u>\$287,500</u>	
Total amount for debt		<u>\$1,000,000</u>
Preliminary grand total for debt		\$12,009,200

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina, *DO HEREBY CERTIFY*, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on February 4, 2019, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 4th day of February, 2019.

(SEAL)



A handwritten signature in blue ink, which appears to read "Gary L. Gross", is written over a horizontal line.

GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



#19-02-02

**RESOLUTION
SUPPORTING THE NAMING OF THE REPLACEMENT OF THE BONNER BRIDGE**

WHEREAS, the Dare County Board of Commissioners desires to have the North Carolina Department of Transportation name the replacement of the Bonner Bridge in honor of Marc Basnight and include the name of the waterway over which the bridge spans while honoring the legacy of Herbert C. Bonner for which the existing bridge is named; and

WHEREAS, Marc Basnight grew up on the Outer Banks, graduated from Manteo High School, and achieved success as a business owner who provided local job opportunities before embarking on a distinguished career of public service as an elected official; and

WHEREAS, in 1984 Marc Basnight was elected to serve in the North Carolina Senate, a position of public trust that he held until his resignation in 2011 due to health issues; and

WHEREAS, during his legislative tenure, Marc Basnight provided leadership and direction as the President Pro Tempore of the North Carolina Senate, where he became the longest-serving Senate President in State history; and

WHEREAS, throughout his illustrious public service career, Marc Basnight was a passionate and effective advocate for advancing education, providing transportation infrastructure, safeguarding the environment and other issues of public concern; and

WHEREAS, the Dare County Board of Commissioners believes that naming the replacement of the Bonner Bridge in honor of former Senator Marc Basnight is a fitting tribute to a remarkable man who served the people of the Outer Banks and all North Carolinians in a way that will long be remembered.

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners hereby formally requests that the North Carolina Department of Transportation name the replacement of the Bonner Bridge in honor of Marc Basnight as a lasting tribute to his dedicated public service. We recommend that the structure be named the "Marc Basnight Oregon Inlet Bridge."

BE IT FURTHER RESOLVED that the Dare County Board of Commissioners requests that the North Carolina Department of Transportation retain the Herbert C. Bonner name with an appropriate placard dedicating the portion of the current structure that will remain when the new bridge is placed in service. And that NCDOT take whatever appropriate administrative measures may be needed regarding any previous resolutions honoring the nominee chosen today by the Dare County Board of Commissioners.

Adopted this the 4th day of February, 2019.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board

**DARE COUNTY
BOARD OF COMMISSIONERS**

**Board of Commissioners Resolution
Supporting
Juvenile Crime Prevention Council Allocation Expansion**

#19-02-01

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and,
WHEREAS, Dare County JCPC funded programs, more specifically, completed services to 99 children last fiscal year at an average cost of \$2,100 per child with over 2150 hours of service provided, and having served over 600 children in just the past seven years while funding levels have continued to remain flat; and,
WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851, and within the scope of its powers and duties, "Each County Council shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs;" and,
WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019; and,
WHEREAS, Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency; and,
WHEREAS, JCPC funding has seen no increase in more than nine years; and,
WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future; and,
WHEREAS, effective intervention and programming reduces detention and youth development commitments as a cost savings to the state and county;

NOW, THEREFORE BE IT RESOLVED, that Dare County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

Adopted this 4th day of February 2019

Kathleen Wood
Chairman

Janice Ann
Clerk to the Board

