



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., January 6, 2020

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

Commissioners absent: None

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

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

At 9:02 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Morris to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Following is a brief outline of the items mentioned by Chairman Woodard during his opening remarks, which can be viewed in their entirety in a video on the Dare County website:

- The Board attended the 116th Anniversary of Flight at Wright Brothers Memorial along with a luncheon to honor Col. Gail Halvorsen.
- On December 19th he met with Dr. Bagwell, new president of the College of the Albemarle, and reviewed Dare County’s commitments to COA with the new facility.
- Attended the Watermen United dinner held at Lone Cedar
- He gave an overview of Dr. Martin Luther King’s background with a reminder of the 29th Annual Dare County commemoration on January 18th at the Dare Center.
- The State of the County address would be given on January 15 at Captain George’s restaurant along with the kickoff of the 150th anniversary of Dare County.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Matthew Stowe, received a 10-year pin from Sheriff Doughtie.
- 2) Ashia Norman, received a 15-year pin from Tammy Reber
- 3) Selena Simpson, received a 20-year pin from Jennie Collins.

ITEM 3 – EMPLOYEE OF THE YEAR – 2019

Shawn Hughes, Fleet Management Supervisor, on behalf of the Employee of the Month Committee, recognized each of the 2019 recipients of the Employee of the Month and asked them to stand before announcing Jodi Wyant, the Dare County Public Health Nurse Supervisor, as 2019 Employee of the Year.

ITEM 4 – EMPLOYEE OF THE MONTH – January, 2020

Deputy Duwayne Gibbs received the Employee of the Month award from Sheriff Doug Doughtie. Deputy Gibbs was described as a deeply compassionate Manteo High School resource officer and an asset to the Sheriff's Department. As an advocate for students in and out of the building, Deputy Gibbs was said to deliver positive feedback along with constructive criticism to students.

ITEM 5 – PUBLIC COMMENTS

At 9:31 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which can be viewed in their entirety in a video on the County website:

The following comments were made in Manteo:

1. Rev. Spottswood Graves commented on Dr. Martin Luther King's philosophy of non-violent resistance. He reminded the Board and public there would be a 29th annual celebration of Dr. King on January 18 at the Dare Center at 11:00 a.m. with presentations, singing and a free lunch.
2. Jay Overton, resident of Kill Devil Hills, provided the community interest and involvement with the flood map updates. He noted three years ago a group of homebuilders, surveyors and engineers concerned with the elevation changes obtained copies of the maps. The group reviewed the statistical and historical data for approximately eight months and also joined several planning discussions. He thanked Donna Creef and her staff and offered continued assistance with the education of the community to provide safe guidelines for Dare County's homeowners.
3. George Carver, Executive Director of Dare Minority Coalition Inc., presented the Board with his Memorandum of Understanding drafted with two developers, East Point Homes, LLC and Halcon Development, LLC, whose goals were to identify suitable sites for an affordable rental community in Dare County. He presented materials for the Board's consideration and review of a potential 19-acre parcel for prospective essential housing.

There were no comments made in Buxton

The County Manager closed Public Comments at 9:46 a.m.

ITEM 6 – EMS DEMONSTRATION OF NEW EQUIPMENT

Jennie Collins, EMS Director, provided a presentation of newly purchased equipment funded with the 2020 CIP. Chief Collins indicated the County averaged seventy-six cardiac arrests per year and in 2019 there were sixty-one. The team simulated the time critical procedures taken during a cardiac arrest with a manikin while utilizing a LUCAS CPR device, which

provided consistent chest compressions for the patient. Twenty-five of these devices are now available throughout the County. New cardiac monitors were also purchased to aid in the interpretation of cardiac rhythms. Commissioner Ross commented he had observed the EMS team's incredible professionalism during an actual cardiac situation a little over a year ago and praised their professionalism and efficiency.

ITEM 7 - DARE COUNTY FARM LEASE (Att. # 1)

County Manager summarized the issuance of a Request for Proposal for lease of County-owned farm land which consisted of approximately 348.98 acres located at 1603 Cub Road, Manns Harbor. Matt Respass was the only bid received in the amount of \$115.00/acre (\$40,132.70 per year).

MOTION

Vice Chairman Overman motioned to approve the lease agreement terms with the proposed tenant, Matt Respass.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

MOTION

Commissioner House motioned to adopt the resolution to enter into the lease and authorize the County Manager to execute the lease.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – MONARCH BEACH CLUB OF DARE LEASE (Att. # 2)

County Manager reviewed the Monarch Beach Club of Dare had been leasing a space at the old COA building, slated for demolition. The County has offered, and Monarch has agreed to relocate and lease a space at the refurbished old Kellogg building, located at 715 N. Hwy. 64/264, Manteo, NC.

MOTION

Commissioner House motioned to approve the three-year lease agreement terms with Monarch Beach Club of Dare, adopt the resolution and authorize the County Manager to execute the lease.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 9 – DARE COUNTY TOURISM BOARD REQUEST CONSENT EXPENDITURE FROM LONG TERM UNAPPROPRIATED LINE ITEM 4585

Lee Nettles, from the Tourism Board, explained \$70,000.00 was requested to be awarded to Chicamacomico Historical Assoc. to assist in the purchase of property immediately adjacent to the Life Saving Museum, known as Parcel No. 012530000 in Rodanthe. The Tourism Board had voted unanimously to purchase the adjacent property to maintain the ecstastic of the attraction and to prevent negative impact from possible development of the vacant area.

MOTION

Commissioners Bateman and House motioned to approve the Expenditure from Long Term Unappropriated Line Item 4585 for award of \$70,000.00 to Chicamacomico Historical Association.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 10 – REVIEW OF 2020-21 GRANT APPLICATION FROM THE ECONOMIC IMPROVEMENT COUNCIL

The Economic Improvement Council (EIC) provided their 2020-21 Community Services Block Grant Program (CSBG) application for funding to the Board of Commissioners for review. This federal grant is designed to help support a wide range of community-based activities to reduce poverty. These include activities to help low-income individuals and families secure and retain meaningful employment, adequate education, obtain adequate housing and other community services.

The Board reviewed the grant application and offered the following comments:

Commissioner Couch asked what kind of insight did the community have in establishing this grant and the County Manager offered the large grant (over \$10 million) would serve Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrell and Washington Counties and use the funds for the various programs of the EIC. Commissioner Ross inquired if Dare's proposed portion of the grant was \$285,027 and the County Manager confirmed that as accurate. There was no further discussion.

ITEM 11 – UPDATE ON DARE COUNTY FLOOD MAPS

Donna Creef, Planning Director, reminded the Board the flood maps were released to Dare County on June 30, 2016 and become effective June 19, 2020. She noted her comments were reflective on how unincorporated Dare County would enforce regulations in the future; however, she anticipated the surrounding towns would undertake similar procedures as related to their areas. Dare County would commence procedures in the following months which affect the flood map adoption, to include public hearings, revision of the Dare County Flood Development Prevention Ordinance (which require Planning Board review), and amendments to a few zoning districts. Ms. Creef reviewed the 2006 flood map reflected 12,875 properties as AE zone and the 2020 map would identify only 8,493 AE zone properties in Dare. Overall changes in the maps would result in a 41% decrease in the number of properties considered to lie in a flood zone. A large number of properties are being reclassified to a lower risk class zone and many of those properties remaining in flood zones have reduced base flood elevations. The revised maps would be used for insurance rating purposes and hold a potential for decreased flood insurance rates. Shaded X and X zone properties do not require flood insurance coverage. Ms. Creef emphasized the importance of misleading phraseology when connecting AE zones with 100-year probability and the X zone with 500-year flood probability. To illustrate, she outlined the six flood events Dare County has had in less than ten years: Irene 2011, Arthur 2014, Hermine and Matthew 2016, Michael 2018 and Dorian in 2019. The flood maps are developed by FEMA and the State of North Carolina and are based upon eight-year old coastal flood models for the entire state without inclusion of weather events which occurred within the past ten years. During Board discussion and in light of the new maps, which would afford insurance saving options to many residents, Vice Chairman Overman voiced Dare County could continue to use the area's weather event data, coupled with common sense, in the development of future ordinances and building regulations. Ms. Creef added there was a concern, especially for new property owners to the area, who follow lender or insurance carrier advice and not secure flood insurance without fully understanding the possible flood risks. She noted 25% of the flood claims filed occur in X zone properties. When flood maps updated again in the next ten years, and reflected the weather events omitted in the 2020 maps, properties could be re-classified once more, and result in non-conforming structures coupled with increased flood insurance

rates. Additionally, residences with 2020 new lower base flood elevations may consider converting the ground-floor enclosures (currently limited by law to parking access and storage) and become subject to future flood damage. At the request of Commissioner Ross, the definition of the zones, as they related to new construction were reviewed along with the possibility of construction of “slab on grade” based upon the updated elevations. Commissioner Bateman asked about insurance company reactions to the changes. Recent meetings indicate the mortgage lenders and insurance professionals, aware of the empirical knowledge, shared the Planning Department’s concerns. Ms. Creef shared that Currituck counties maps have been adopted and the mortgage companies are sending letters to cancel flood insurance policies. Based upon input from the surveying community and local flood events, a recommended response to elevation would be an LES (Local Elevation Standard) of eight feet, which is shown as the predominate AE8 zones on 2006 flood maps. Ms. Creef cautioned construction must also address the factors of wind. The next steps would be for the Board to instruct Planning Director to commence with ordinance amendment procedures for consideration of Local Elevation Standard regulations and implementation of outreach activities for the revised flood maps. An additional report would be provided to the Board in April, 2020, with a formal recommendation regarding the details of amendments.

At 10:38 a.m. Commissioner Tobin left the meeting due to another commitment.

MOTION

Vice Chairman Overman and Commissioner Bateman motioned to proceed with map adoption and updates to the Flood Ordinance to include consideration of local elevation standards.

Commissioner House seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

ITEM 12 – FEMA GRANTS UPDATE

Brent Johnson, Project Manager, provided the distinctions between different FEMA grant programs: HMGP-Hazard Mitigation Grant Program, which is tied to particular storm (i.e. Dorian) and FMA Flood Mitigation Assistance and PDM Pre-Disaster Mitigation programs which were annually budgeted through Congress. HMGP was restricted by the funds received by the state based upon the individual assistance and public assistance given to the state by FEMA (i.e. \$47 million claimed in Dorian, therefore NC would receive 20%, approximately \$9.7 million). With HMGP programs, FEMA picks up 75% of the cost and 25% is born by the state. Depending upon the project, the County or homeowner bears 25% of the cost in FMA and PDM grants. Currently 16 homes had been submitted for elevation approval through HMGP Michael and 24 homes under HMGP Florence. Fifteen homes await approval through the FMA 2019 programs. Commissioner Bateman asked if any FEMA grants were available for commercial properties and Mr. Johnson advised there were; however, the County’s current policy did not allow utilization of grant dollars for commercial properties.

MOTION

Commissioner Couch motioned to approve Brent Johnson as primary designated applicant agent for FMA, PDM and HMGP FEMA grant programs.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

AMENDED MOTION

Commissioner Couch amended his motion to include approval of the County Manager as secondary agent for FMA, PDM and HMGP grant programs.

Commissioner Ross seconded the amended motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

ITEM 13 – CONSENT AGENDA

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

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of (12/16/19) **(Att. # 3)**
- 2) NCDOT Utility Relocation Agreement
- 3) Budget Amendment Approval for Community of Juvenile Services

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

ITEM 14 – BOARD APPOINTMENTS

1) Commission for Working Watermen

Commissioner House motioned to reappoint Dewey Hemilright and Joe Wilson for a three year term.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

Commissioner House advised the Commission for Working Watermen was working on filling the science advisor vacancy.

2) Dare County Tourism Board

Commissioner Representative:

Commissioner Couch motioned to appoint Commissioner Bateman

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

At-Large Representative:

Vice Chairman Overman motioned to appoint Tim Cafferty

Commissioner House seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

Dare County Restaurant Association:

Vice Chairman Overman motioned to appoint Karen Loopman-Davis

Commissioners House and Couch seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

Town of Nags Head Representative:

Commissioner Bateman motioned to appoint Commissioner Webb Fuller

Commissioner House seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

Town of Kill Devil Hills Representative:

Mike Hogan was ineligible for reappointment. The Town of Kill Devil Hills provided the following names for consideration: Commissioners Ivy Ingram, John Windley and Bernard "B.J." McAvoy. As no Commissioner had had an opportunity to confer with the candidates, Commissioner Bateman motioned to table the appointment until January 21, 2020. Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

Outer Banks Association of Realtors Representative:

Commissioner Couch motioned to appoint Doug Brindley
Commissioner House seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

Town of Kitty Hawk Representative:

Vice Chairman Overman motioned to appoint Jeff Pruitt
Commissioner Bateman seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

Town of Southern Shores Representative:

Vice Chairman Overman motioned to appoint Councilman Leo Holland to complete the term of Christopher Nason

Commissioner House seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

3) Upcoming Board Appointments

The upcoming Board appointments for February, March and April, 2020 were announced.

ITEM 15 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

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

Commissioner Bateman offered no new business but Happy New Year wishes for all.

Commissioner Couch

- Thanked NCDOT for the mile and half repair to the south approach to Bonner Bridge along with the safety shoulder for hikers and biking traffic.
- Thanked Gerard from Flatiron Construction for a recent tour of the Rodanthe Bridge.

Commissioner Ross

- Albemarle Commission would be holding its annual election of officers during their next meeting and reviewing their recent audit.
- The Tourism Task Force would continue to review options and a strategic plan and opportunities for the event site later this month.
- A Dementia Awareness Task Force would be meeting at the Kitty Hawk United Methodist Church.

- He mentioned an update from Senator Tillis' office, which included an Alzheimer's Awareness/Remedial Activity Initiative sponsored for \$20 million a year in North Carolina for the next five years. Commissioner Ross hopes to bring more information to bring some of those funds to Dare County.
- He attended the Dare County Center Toy Drive and thanked Sandy Pace and the Center for their continued work for the community.

Commissioner House

- He attended the December 17 Flounder Scoping meeting with over fifty in attendance. There were heavy discussions concerning stock assessments.
- He warned care should be taken this year to properly date legal documents using "2020" rather than just "20" to avoid confusion or possible fraud.

Vice Chairman Overman

- Congratulated the service pin recipients, the Employee of the Year and the 2020 Employee of the month for January, 2020 and wished everyone a Happy New Year.
- He noted some important items to address this year would be the need to replace the bridge over the Alligator River along with jetties to help stabilize the shoaling on the west side of the Oregon Inlet.
- He attended the flounder scoping meeting and noted that while the State's test nets caught nothing, our local fisherman, who knew where to fish, had a good year with their pound nets.

Chairman Woodard added he recently met with Senator Richard Burr and shared with him some of the same concerns.

MANAGER'S/ATTORNEY'S BUSINESS

Robert Outten introduced a benefit consulting agreement from Cleartrack HR which would allow Dare County to organize their employees' benefits enrollment in one system. This service, provided through the benefit consultant, Mark III, would be provided at no additional cost to the County.

MOTION

Commissioner House motioned to approve the agreement with Cleartrack HR.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous (Note Commissioner Tobin was not present for voting on this item)

County Manager mentioned professional customer service was always a County concern and he read a letter received from a citizen who had lost their glasses and wallet when they were accidentally thrown in the trash. The County's sanitation department personnel dumped an entire truck, sorted through the trash and found the items. The citizen offered praise and gratitude for the exceptional customer service.

County Manager and Board thanked Matt Hester and the IT Department for the installation of new monitors for the Board members.

Public Information Officer and Finance Director had no new business to add.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 11:21 a.m., the Board of Commissioners adjourned until 5:00 p.m., January 21, 2020.



APPROVED:

Respectfully submitted,

By: _____

Cheryl C. Anby
Cheryl C. Anby, Clerk to the Board

By: _____

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

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