



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., October 19, 2020

Commissioners present: Chairman Robert Woodard, Sr., 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 5:00 p.m. Chairman Woodard called to order the regularly scheduled meeting with prior appropriate public notice having been given. He shared a prayer provided by George Lurie, 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:

- Election Day is Tuesday, November 3 and beginning October 15, Dare County had three locations for early voting and registration: The Dare Administration Building, Kill Devil Hills Town Hall Commissioners Meeting Room and the Cape Hatteras Secondary School Auditorium. More details could be found at: darenc.com/voting.
- 2020 Census ended on October 15. The Chairman thanked all Dare citizens who took part in the census, as it was critical for funding for the County and State.
- The Roanoke Island Woman’s Club was in their thirtieth year of providing Thanksgiving baskets for Dare Citizens. Tax deductible contributions or donations could be made by contacting Chelsea Green at 703-398-7360 or Lee Brinkley at lee.brinkley@darenc.com.
- Announced there was an exciting meeting this week with the architect for the selection of exterior/interior cladding, colors and finishes for the new College of the Albemarle Project.
- Commissioners Ross, Couch and Bateman joined him at the ribbon cutting on October 14 for the new expanded state-of-the-art welding lab at the COA Dare campus.
- A reproduction of the Wright Brothers’ 1902 Glider is available for public flight over the dunes near the Wright Brothers National Memorial. The experience could be booked with Kitty Hawk Kites near Jockey’s Ridge.

ITEM 2 – PUBLIC COMMENTS

At 5:15 p.m. the County Manager outlined the procedure for making public comments. Following is a summary of all citizen remarks:

1. George Carver, Executive Director of Dare Minority Coalition, Inc., spoke in person to the Board regarding a proposal to assist Dare County in affordable housing endeavors with opportunity and site identification.
2. Morris Branch, of Kitty Hawk, provided via email to the Board a letter entitled, “The Right to Vote Under Local Law”, and requested the Board “amend/modify their local laws/policies/etc.” to allow non-resident property owners and business owners the right to vote in local elections. A copy of his letter is on file with the Clerk’s Office.

The County Manager closed Public Comments at 5:21 p.m.

ITEM 3 – PUBLIC HEARING–REVISED TRAVEL TRAILER PARK ORDINANCE (Att.#1)

At 5:21 p.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments via dcboc@darenc.com as was advertised in the Notice of Public Hearing. The following is a summary of citizen remarks on this issue.

1. Joe Thompson, of Koru Village Oceanfront Resort & Spa in Avon, provided the Board with a letter sent via email regarding his “insights” into accommodations and the food and beverage service in the community. It included Koru Village’s plan to develop an RV resort on the Avon Pier site and the development of a food truck court. A copy of the letter is available on file with the Clerk’s Office.
2. John Robbins, of Manteo, praised County staff for their work on the proposed, revised ordinance. He did, however, request the Board compromise on the 50% limitation of cabins and requested a 70% limitation. He proposed a new camping experience with resort-style accommodations designed to blend in with respect for the landscape. They would be clean, modern, organic designs and would adapt to the local topography without disruption.

The County Manager closed the Public Hearing at 5:28 p.m.

Donna Creef, Planning Director, confirmed Commissioner Ross’ definition of mobile living trailers (RV’s) versus those trailers which were stationary, elevated on foundations and located in mobile home parks. Ms. Creef also agreed travel trailer parks could have a 1,500 square foot site, while a mobile home park had to have a 15,000 square foot site.

Commissioner Tobin asked if there was a future opportunity to revisit the cabin structures on these parks and increase them to 100% coupled with other limitations. Ms. Creef affirmed it was possible and the Planning Board had initial drafts for future consideration. Commissioner Tobin also discussed his research on wetlands and how it currently inconsistently affected lot sizes in group housing versus trailer parks. Vice-Chairman Overman asked whether the lot sizes were the same for either a cabin or a travel trailer and how changes to the ordinance would impact Mr. Thompson’s project. Ms. Creef confirmed the sites were the same size and a space previously occupied by a travel trailer could later accommodate a cabin. Mr.

Thompson had an existing commercial site with the prospect of incorporating some travel trailer sites within the current location. Bobby cautioned a change in an ordinance should not be project specific. Irrespective on how it could impact current proposed projects, the updated ordinance would be available for use anywhere in the County which met the zoning criteria.

MOTION

Commissioner Tobin motioned to adopt the revised Travel Trailer Park and Campground Ordinance and the associated C-3 text amendment to be adopted as recommended by the Planning Board and further moved to adopt the finding of consistency statements included in the Board packet.

Commissioner House seconded the motion.

VOTE: AYES unanimous

The Board also asked the Planning Director to revisit the draft report and come back in December to discuss percentages.

ITEM 4 – UNC CHAPEL HILL SCHOOL OF GOVERNMENT - ESSENTIAL HOUSING NEEDS PRE-DEVELOPMENT & OPPORTUNITY SITE IDENTIFICATION: PROJECT UPDATE

Marcia Perritt, Associate Director of Development Finance Initiative (DFI) presented the Board with an update on the Essential Housing Needs Project. Market analysis findings highlighted area rents were not increasing; however, the supply of units was also dwindling. An estimated 1,200 units were needed to meet current demand for low-income residents. The estimate did not include non-resident employee demand. The Employee housing survey had been completed with approximately five hundred businesses responding. An analysis of the survey revealed an estimated 5,400 employees struggle to find housing in Dare County and many live outside of the county with long commutes. Year-round employees made up 77% of those most often in need of housing. Employers' responses revealed approximately 2,800 potential employees declined positions due to lack of housing.

She reviewed the Low-Income Housing Tax Credit Program (LIHTC) as a source to fund the affordable housing needs of Dare. The NC Housing Finance Agency had established requirements for this model and required developers to partner on a joint venture to get experience. The last LIHTC project in Dare was done in 2005. Locating sites that met the requirements would be challenging and competitive. Projects built under the 9% LIHTC typically resulted in 70% tax credit equity and the 4% LIHTC projects had more gap financing.

During Phase I of DFI's participation, high-level financial analysis is completed. During Phase II, conceptual plans and environmental assessments are completed once sites are selected. The anticipated maximum rents are \$680 for one bedroom and \$810 for two-bedrooms.

DFI's recommendation for Project #1 was Bowsertown Road in Manteo with anticipated maximum density of sixty-four units (850 sq. ft. for one bedroom and 1,000 sq. ft. for two bedroom units). The site had challenges to support a potential 4% LIHTC project, as there was a state-owned and managed boat ramp. Commissioner Tobin proposed the boat ramp could be moved to the other side of the canal on a County-owned parcel. Chairman Woodard asked if 850 sq. ft. homes were the average, as he expressed a smaller unit would allow for more than the proposed sixty-four units on the project. Ms. Perritt advised in order to qualify for 4% tax credit the units had to meet square footage requirements as well. Vice-Chairman

Overman suggested the Wildlife Resources Commission could be approached for the relocation of the boat ramp, if it proved a substantial number of additional units could be built as a result. The Bowerstown property would not qualify for the 9% funding due to its' proximity to the treatment plant, and therefore it would compete under the 4% LIHTC requirements. It would also require rezoning with the Town of Manteo.

DFI's recommendation for Project #2 would be a privately-owned site to qualify for the 9% LIHTC with a minimum density of sixty units, outside the 100-year flood zone with potential for municipal water/sewer connection. She shared other suitability requirements which included the site must be owned by the County. East Lake had been suggested as a possible area for sites; however, it did not meet the criteria to be considered. The prospective sites identified by DFI, currently all privately owned, would be discussed further with staff in order to seek Board prioritization.

Ms. Perritt closed with requesting for direction from the Board for "next steps" which would include engaging an architect to develop conceptual plans and explore site control of potential 9% tax credit sites. She indicated Phase II findings could be presented as early as January, 2021; and when ready, DFI could assist in soliciting a private development partner. The County could initiate the RFQ process to find an architect. Ms. Perritt offered they had draft RFQ's that had been used in other communities. She also indicated she would research what statutory authority had been used elsewhere to engage an architect on other projects. Mr. Outten requested the Board authorize the RFQ process for architect selection and to move forward with the Bowerstown location.

MOTION

Commissioner House motioned to authorize the County to proceed with an RFQ process to select an architect, to move forward with the Bowerstown location for LIHTC program and explore site control for an additional site.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

County Manager advised staff would investigate whether moving the boat ramp at Bowerstown was viable. Commissioner Ross asked Ms. Perritt if there was a reasonable possibility of securing a 9% LIHTC. It would be difficult; but DFI was optimistic and would only present sites to the County that held good scores and met the criteria for consideration.

ITEM 5 – COA PROJECT CHANGE ORDER AND PROJECT BUDGET UPDATE

Dave Clawson provided an update on demolition at the COA project site. Two additional abatement and remediation areas had been discovered which would require a cost increase and change order with Barnhill Contracting. The removal of mercury flooring in the old gym and 588 linear feet of pipe insulation removal would add \$140,311 to the project's cost along with \$9,946 added for demolition and abatement monitoring. With the updated project budget estimate figures, the project was currently \$107,466.00 below the previous Board approved not-to-exceed estimate.

MOTION

Commissioner Ross motioned to authorize the County Manager to execute the Barnhill Contracting Change Order #01 and to adopt the Amendment to the Capital Project Ordinance. Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – NC OFFICE OF RECOVERY & RESILIENCY GRANT AWARD

Mr. Clawson explained the County had applied for a grant from the NC Office of Recovery and Resiliency in September, 2020 for cost items eligible per NCORR rules. Dare County had been awarded a \$1,000,000 grant to be used for an Emergency Management vehicle, debris costs from Hurricane Dorian, which had been ineligible under FEMA, along with \$778,544 for economic relief to the County's General Fund, to be used for general payroll obligations.

MOTION

Commissioner Couch motioned to authorize the County Manager to execute the Memorandum of Agreement with NC Office of Recovery & Resiliency and to adopt the budget amendment.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 7 – CONSENT AGENDA

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

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (10.05.20) **(Att. #2)**
- 2) Schedule of Meeting Dates for 2021 **(Att. #3)**
- 3) Tax Collector's Report
- 4) Budget Amendment – Elections Dept. CARES Grant Funds
- 5) Dare County Health & Human Services, Public Health-COVID-19 Infection Prevention Funding
- 6) Dare County Health & Human Services, Public Health-Budget Increase for Additional Vaccines
- 7) Water Department Budget Transfer

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 8 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Commissioners' and the County Manager's remarks can be viewed in their entirety in a video on the Dare County website. The following is a brief summary of the items mentioned by Commissioners and County Manager during this segment:

Commissioner Bateman reported no new business.

Vice-Chairman Overman also had no new business to report.

Commissioner House

- Gave a report regarding a meeting with Chief Deputy Commissioner for the NC Department of Insurance, Dr. Michelle Osborne, the General Assembly Liaison, Bob May, and area fire chiefs. One item discussed was direction to change the current policy where first responders infected with Covid-19 were currently ineligible for Workers Compensation coverage.
- He showcased the SPCA Pet of the Week, a four-month kitten named Batman. The SPCA was having a fundraising program with the sale of bricks for the new project to afford some "creature comforts" in the new building. The bricks would be used in the project's walkway.

Commissioner Ross

- Reported a significant story had been published in the *New York Post* with direct impact on the current presidential campaign. He had written a letter with questions to the press concerning the lack of response from both major networks and social media concerning the *New York Post's* article. He expressed hope that journalists would seek and expose the truth. He quoted former Justice Louis Brandeis, who once declared, "Sunlight is said to be the best of disinfectants".

Commissioner Tobin

- Reported on the recent meeting of the Oregon Inlet Task Force. With the inlet's current poor shape, he gave the expected schedule of dredges to improve passage of the inlet.
- Roger Bullock, Deputy Chief of Operations for US Army Corps of Engineers, had announced his retirement.
- There would be a mid-November pre-construction meeting for the new dredge in Louisiana.
- Congressman Murphy would be visiting this week to informally meet with Chairman Woodard, Commissioner House, Russ King and himself to receive a boat tour of the inlet and help educate the Congressman on the County's waterway and inlet needs.

Commissioner Couch

- Briefed the Board on his latest pre-dawn visit to the Rodanthe Bridge deck pour. He noted they were on target for completion and it would be a beautiful structure with commanding views. The North end progress had been slow due to sediment thickness. The impressive project should be completed by fall of 2021.

MANAGER'S/ATTORNEY'S BUSINESS

County Manager Outten presented that since the last update to the CARES Act plan, new guidelines would allow some funds to be used for daycare businesses in the community. Meetings had been held with The Children Youth Partnership and local daycare facilities. Afterward the CYP had reached out to the daycare centers to gather information on their Covid-related expenses to date and those expected next month. The Finance Department would be auditing and reviewing the documentation. The expenses for PPE, equipment and services which clearly met the guidelines could total approximately \$70,000. He asked the Board to permit the expenditure of not to exceed \$70,000 to cover some of those Covid-related expenses for the daycare facilities.

MOTION

Vice-Chairman Overman motioned to authorize payment of an amount not to exceed \$70,000 to aid in the coverage of area daycare Covid-19 related expenses.

Commissioner House seconded the motion.

VOTE: AYES unanimous

County Manager Outten advised he had asked Dorothy Hester to check into the County publicizing the SPCA brick fundraising program on its website. Commissioner Ross commented other animal shelter projects had also raised funds through naming rights of their animal kennels.

Neither Dave Clawson nor Dorothy Hester had additional items to present to the Board.

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

MOTION

Commissioner Tobin motioned to adjourn the meeting.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 7:13 p.m., the Board of Commissioners adjourned until 9:00 a.m., November 2, 2020.

Respectfully submitted,



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

APPROVED:

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

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