



**COUNTY OF DARE**  
PO Box 1000, MANTEO, NC 27954

**DARE COUNTY BOARD OF COMMISSIONERS**

Dare County Administration Building  
954 Marshall C. Collins Dr., Manteo, NC

**Tuesday, February 16, 2021**

**“HOW WILL THESE DECISIONS IMPACT OUR CHILDREN AND FAMILIES?”**

**AGENDA**

- 5:00 PM      CONVENE, PRAYER, PLEDGE OF ALLEGIANCE**
- ITEM 1      Opening Remarks - Chairman's Update**
- ITEM 2      Public Comments**
- ITEM 3      Public Hearing -- Travel Trailer Park- Campground Ordinance**
- ITEM 4      Manteo Shallowbag Bay Dredge Project Change Order**
- ITEM 5      Resolution to Support The Hatteras Channel Realignment**
- ITEM 6      Transportation of Non-Custodial Substance Abuse Patients to Treatment Facilities.**
- ITEM 7      Consent Agenda**
- 1. Approval of Minutes
  - 2. Tax Collector's Report
  - 3. Advertise 2020 Tax Year Liens
  - 4. Three-Year Contract for Google Workspace Enterprise Standard
  - 5. Appointment to the 'Local Firefighters' Relief Fund Board' for Chicamacomico Banks Volunteer Fire Department
- ITEM 8      Commissioners' Business & Manager's/Attorney's Business**
- ITEM 9      Closed Session**

**ADJOURN UNTIL 9:00 A.M. ON MARCH 1, 2021**



*Opening Remarks - Chairman's Update*

**Description**

Dare County Chairman Robert Woodard will make opening remarks.

**Board Action Requested**

Informational Presentation

**Item Presenter**

Chairman Robert Woodard, Sr.



*Public Comments*

**Description**

The Board of Commissioners encourages citizen participation and provides time on the agenda at every regularly scheduled meeting for Public Comments.

Covid-19 changes:

Public comment may be presented to the Board by sending an email during the meeting to [dbcoc@darenc.com](mailto:dbcoc@darenc.com)

**Board Action Requested**

Receive Public Comments

**Item Presenter**

Robert Outten, County Manager



*Public Hearing-- Amendment to Travel Trailer Park-Campground Ordinance*

**Description**

A hearing on an amendment to the Travel Trailer Park-Campground Ordinance is scheduled. After the hearing, the Board may choose to adopt the amendment as recommended by the Planning Board, revise the proposed language based on hearing input or choose to take no action at all. If no action is taken, any proposed campground that features camping cabins or alternative camping units must do so at a 50-50 ratio of RVs to camping cabins/alternative camping units. A draft set of motions and the proposed language is attached to this staff report.

**Board Action Requested**

Conduct hearing and act to adopt proposed amendments.

**Item Presenter**

Donna Creef, Planning Director

## PROPOSED REVISION TO TTPCO AS RECOMMENDED BY PLANNING BOARD

### Draft Language (new language is underlined)

Section 160. 22 (C) PARKS may be comprised of travel trailers sites, camping cabins, alternative camping units, and camping tent sites. The preliminary and the final site plan shall identify the proposed use of each space or camping area. If a PARK is proposed to feature other camping units than travel trailers, a minimum of 50% of all camping spaces shall be designated and used as travel trailer spaces or; the total number of camping cabins and alternative camping units shall be limited to a density of 14 units per acre with the remaining sites, if utilized, devoted to travel trailer camping sites.

### SUGGESTED MOTIONS

To adopt as recommended by Planning Board: “I move that the proposed amendment to the Travel Trailer Park Campground Ordinance be adopted as recommended by the Planning Board”.

To Revise Draft Language: “I move the draft language be revised to (explain revision) and be adopted as revised.”

Should it be the consensus of the Board to make no revisions to the TTPCO at this time, no motion is needed.



*Manteo Shallowbag Bay Dredge Project Change Order*

**Description**

Request to approve Change Order 1 for the Manteo Shallowbag Bay Dredge Project to utilize the Contingency funds to dredge additional cubic yards in areas that are more prone to shoaling. The change order will utilize the remaining State funds to dredge areas within ranges 1 through 4 and remaining funds from the State Shallow Draft Navigation Grant fund and the Town of Manteo dredge within range 5.

**Board Action Requested**

Request to approve Change Order 1 and allow the County Manager to execute the Change Order.

**Item Presenter**

Brent Johnson, Project Manager

<b>Change Order</b>		<b>Change Order Number:</b> 001
Contractor: Salmons Dredging, Inc		<b>Date:</b> February 4, 2021
<b>Manteo (Shallowbag) Bay Maintenance Dredging Project</b>		
<p><b>Description:</b> On February 4, 2021, Salmons Dredging, Inc. was notified that the County has available funds to dredge additional material from Ranges 1 through 4 and Range 5 associated with the permitted channel template to a depth of -9.0 ft. relative to Mean Lower Low Water (MLLW). CPE will provide the locations where the additional dredging will be conducted to maximize the amount of volume dredged from the navigation channel and makes the following recommendation:</p> <p>Owner and Contractor agree to modify the dimensions of the area to be dredged within the permitted footprint of the channel along Ranges 1 through 4 and Range 5. The modification includes widening the current 50' wide design channel within the permitted channel footprint along portions of Ranges 1 through 4 and Range 5 based on the Contractor's After-Dredge (AD) survey data as directed by the Engineer. Contractor will be responsible for removing material from the areas within the 100' wide permitted channel as directed by the Engineer to a depth of -9.0 ft. MLLW with 3H:1V side slopes from the existing grade down to the bottom of the channel. Contractor is eligible for payment of additional volume dredged but not to exceed 1,624 cubic yards of material within Ranges 1 through 4 and 339 cubic yards of material within Range 5.</p> <p><b>Purpose:</b> Maximize the quantity of material dredged from the navigation channel in Ranges 1-4 and Range 5 to a depth of -9.0 ft. MLLW in areas as directed by the Engineer.</p> <p><b>Contract Quantity:</b> The quantities of Item #3 - Channel Maintenance Dredging - Ranges 1-4 and Item #4 - Channel Maintenance Dredging - Range 5 will be changed by the issuance of this change order. Based on modifications described above, the original (max) contract quantity has increased from 30,639 cubic yards to 32,602 cubic yards. The revised schedule of quantities and prices are provided in the table below.</p> <p><b>Contract Time:</b></p> <p>The Date of Substantial Completion will be changed by the issuance of this Change Order. The work will be substantially completed on or before March 7, 2021 and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before March 31, 2021.</p> <p><b>Contract Cost:</b></p> <p>The original contract cost was \$1,623,843.55. The changes to the quantities of Item #3 - Channel Maintenance Dredging - Ranges 1-4 and Item #4 - Channel Maintenance Dredging - Range 5 will result in a net increase in the contract amount of \$67,213.12 (\$55,605.76 for Ranges 1-4 and \$11,607.36 for Range 5) from \$1,623,843.55 to \$1,691,056.67. The bid and change order costs are provided in the table below.</p>		
<b>CPE Agreement:</b>	<b>Prime CONTRACTOR Agreement:</b>	<b>Dare County Agreement:</b>
Agreed (Y/N):	Agreed (Y/N):	Approved (Y/N):
Signature/Title/Date:	Signature/Title/Date:	Signature/Title/Date:
Project Engineer, 2/4/21		

Item	Unit	Initial Quantity *	CO#1 Quantity	Unit Price	Initial Price *	CO#1 Price
1. Mobilization / Demobilization	L.S.	1	1	\$476,516.37	\$476,516.37	\$476,516.37
2. Performance and Payment Bond	L.S.	1	1	\$98,247.82	\$98,247.82	\$98,247.82
3. Channel Maintenance Dredging - Ranges 1-4 (50' channel width)	C.Y.	25,746	27,370	\$34.24	\$881,543.04	\$937,148.80
4. Channel Maintenance Dredging - Range 5 (50' channel width)	C.Y.	3,393	3,732	\$34.24	\$116,176.32	\$127,783.68
5. Channel Maintenance Dredging – Elizabeth II Connector Channel	C.Y.	1,500	1,500	\$34.24	\$51,360.00	\$51,360.00
<b>TOTAL:</b>					<b>\$1,623,843.55</b>	<b>\$1,691,056.67</b>

\* Initial Quantity and Price refers to the quantities and prices included in the Base Bid listed in the *Agreement between Owner and Contractor for Construction Contract* executed December 3, 2020.





*Resolution to Support Hatteras Channel Realignment*

**Description**

The US Army Corps of Engineers has requested a letter of support from Dare County to support the Hatteras Channel realignment to include Barney Slough, Sloop Channel and South Ferry Channel as the direct route to the Hatteras Gorge.

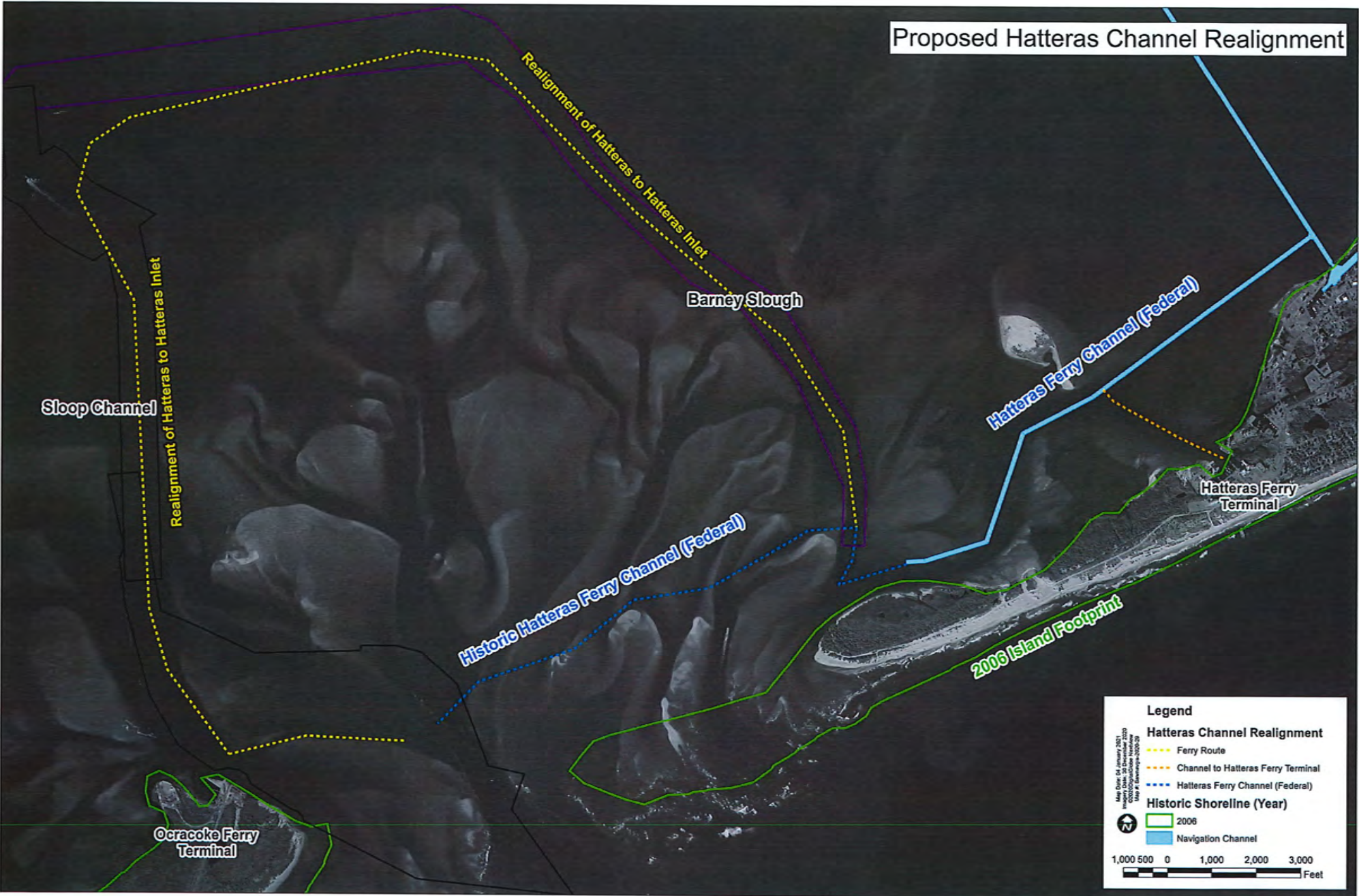
**Board Action Requested**

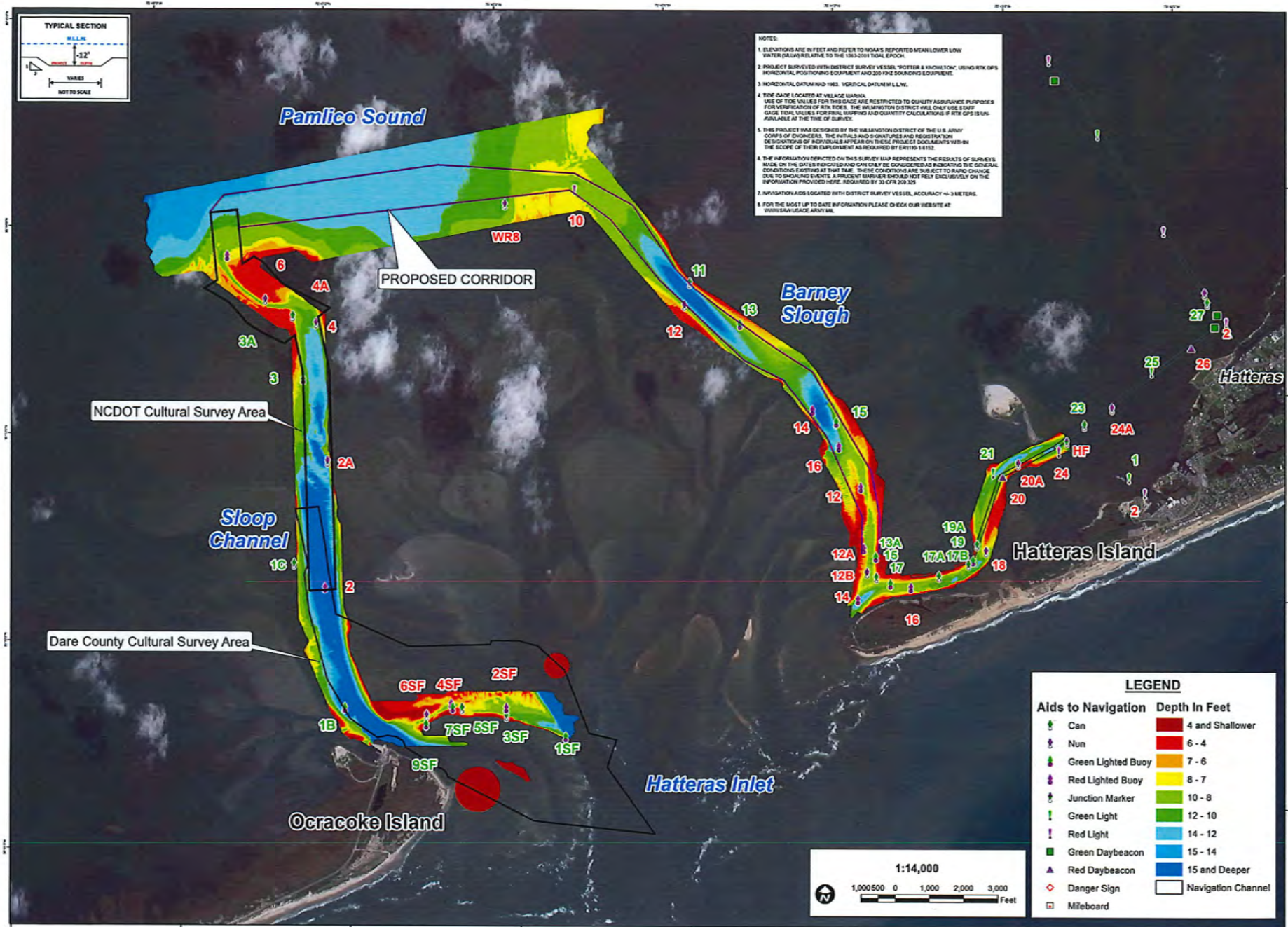
Approve the resolution supporting the realignment of Hatteras Inlet to include Barney Slough, Sloop Channel and South Ferry Channel as the Direct Route to the Hatteras Gorge

**Item Presenter**

Brent Johnson, Project Manager

# Proposed Hatteras Channel Realignment





**US Army Corps of Engineers**  
Wilmington District

**NORTH CAROLINA**

**SURVEY DATE:** 25 & 27 AUG & 01-05 SEP & 15 OCT. 2020  
**MAP DATE:** 23 OCTOBER 2020  
**MAP SCALE:** 1:14,000  
**IMAGERY DATE:** 15 SEPTEMBER 2020  
**© 2020 DIGITALGLOBE NEXTVIEW LICENSE**

**SURVEYED BY:** SSS, VJC  
**MAPPED BY:** KTOPNAGF  
**PROCESSED BY:** KTOPNAGF  
**MAP FILE NAME:** M. BARNETT\_SLOUGH\_CORRIDOR\_D02V01W



**A RESOLUTION  
REQUESTING THAT THE U.S. ARMY CORPS OF ENGINEERS AMEND THE  
EXISTING FEDERAL AUTHORIZATION TO MEET THE ORIGINAL INTENT OF  
THE AUTHORIZATION OF SAFE NAVIGATION FROM HATTERAS TO THE  
HATTERAS INLET**

**WHEREAS**, the waterway between Hatteras Island and Ocracoke Island, known as Hatteras Inlet and also known as Rollinson Channel, is a unique area in that it provides the only way for local watermen to get direct access to the Atlantic Ocean and for NCDOT to transport millions of people each year between Hatteras and Ocracoke Islands who, because there is no bridge, must travel between the two islands on ferry vessels; and

**WHEREAS**, the Hatteras Inlet waterway not only provides a direct channel to the Atlantic Ocean for commercial and recreational fishing vessels, it is the means of access for the United States Coast Guard to use when responding to potentially lifesaving ocean rescue missions; and

**WHEREAS**, Hatteras Inlet is subject to constantly shifting shoals and sandbars posing a clear and present danger for safe navigation between Hatteras and Ocracoke Islands and through the channel to the Atlantic Ocean that is known as the Hatteras Inlet Gorge; and

**WHEREAS**, the dangerous shoaling at Hatteras Inlet not only threatens the lives and property of commercial and recreational vessels it also jeopardizes the economy of the region by causing irreparable harm to charter boat operators, commercial fishing operations, seafood processing houses, marine repair facilities, and other local businesses on both Hatteras and Ocracoke Islands that depend on the Hatteras Inlet waterway; and

**WHEREAS**, because the most direct navigational route between Hatteras and Ocracoke Islands, known as the Connecting Route and also known as the Old Ferry Route, cannot be used due to shoaling, local vessels and NCDOT ferries are forced to take the only alternative route from Hatteras to the Hatteras Inlet Gorge; and

**WHEREAS**, the original intent of the 1940's federal authorization was to provide a route from Hatteras to the Hatteras Inlet Gorge to provide access to the Atlantic for all mariners with the understanding that that the route was sustainable because it was protected by Hatteras and Ocracoke Island; and

**WHEREAS**, an increase in the number of storms has changed the dynamic inlet by exposing the what used to be the direct route due to the erosion of Hatteras Island and Ocracoke Island going from a .25-mile-wide inlet in 1993 to a 2.3-mile-wide inlet in 2020; and

**NOW, THEREFORE, BE IT RESOLVED** that the Dare County Board of Commissioners supports the US Army Corps of Engineers submission to realign the Hatteras Channel to include Barney Slough, Sloop Channel and South Ferry Channel to provide a direct route to the Hatteras Gorge.

This the \_\_\_\_ day of February, 2021

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Robert Woodard, Sr., Chairman

Attest:

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Cheryl C. Anby, Clerk to the Board



*Transportation of Non-Custodial Substance Abuse Patients to Treatment Facilities*

**Description**

Currently the Sheriff's Dept. transports substance abuse patients who are in custody to appropriate treatment facilities. There are more than one hundred substance abuse patients annually who are not in custody and need transportation to treatment facilities. (See attached summary)

**Board Action Requested**

Authorize hiring an additional Deputy Sheriff and authorize the Manager to execute such budget amendments as are necessary to fund the position.

**Item Presenter**

Bobby Outten, County Manager, Commissioner Ervin Bateman, Commissioner Wally Overman

### **Transportation of Non-Custodial Substance Abuse Patients to Treatment Facilities**

There is no system in place to provide transportation of non-custodial substance abuse patients to treatment facilities. The need is often late at night and the patient is left on his/her own to find transportation. This results in many in need of immediate treatment not getting that treatment, therefore perpetuating the substance abuse problem. The Substance Abuse Task Force has asked if Dare County could add a Deputy to the Sheriff's Department to provide this much needed transportation. The initial cost to up fit a deputy is \$18,150. The annual salary with benefits of a new deputy is \$66,305. In the future an additional vehicle will be required. The initial cost and the prorated salary will be paid for this year out of some combination of the Drug Court Diversion Program fund, contingency and/or the Sheriff's budget. Next year and the years that follow, the cost will be included in the Sheriff's budget. The Sheriff has approved this request.



*Consent Agenda*

**Description**

1. Approval of Minutes - February 1, 2021
2. Tax Collector's Report
3. Advertise 2020 Tax Year Liens
4. Three Year Contract for Google Workspace Enterprise Standard
5. Appointment to the 'Local Firefighters' Relief Fund Board' for Chicamacomico Banks Volunteer Fire Department

**Board Action Requested**

Approval

**Item Presenter**

Robert Outten, County Manager





*Approval of Minutes*

**Description**

The Board of Commissioners will review and approve their previous Minutes, which follow this page.

**Board Action Requested**

Approve Previous Minutes

**Item Presenter**

Robert Outten, County Manager



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**9:00 a.m., February 1, 2021**

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 Anby

A full and complete account of the entire Board of Commissioners meeting is archived on a video available for viewing on the Dare County website [www.darenc.com](http://www.darenc.com).

At 9:01 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. (Due to audio technical difficulties the meeting was recessed). Meeting resumed at 9:11 a.m. Chairman Woodard read the invocation provided by Rev. Keith Dey and then 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 the Chairman during his opening remarks, which can be viewed in their entirety in a video on the Dare County website.

- Last week the County Manager, Vice-Chairman Overman and he met virtually with Representative Hanig, Senator Steinburg, DOT representatives and representatives of Burris and Tillis offices to discuss the critical replacement of the Alligator River Bridge.
- Thanked those who listened to the State of the County address last week which informed of Dare County’s progress and successes in 2020.
- Asked everyone to continue participation in practicing the 3 W’s. Currently there had been over 2,500 COVID cases in Dare County. To date in excess of 6,000 vaccinations had been administered. He thanked Dr. Davies and her staff for all of the hard work they have done since March.

#### **ITEM 2 – PUBLIC COMMENTS**

At 9:19 a.m. the County Manager opened the meeting for public comments via email to the Board at [DCBOC@darenc.com](mailto:DCBOC@darenc.com). No one responded to the invitation to address the Board. The County Manager closed Public Comments at 9:20 a.m.

**ITEM 3 – PRESENTATION OF COUNTY SERVICE PIN – February 2021**

Shanna Fullmer, Director of Public Works, was recognized for her twenty-five years of service to Dare County. The County Manager presented the pre-recorded segment while a photograph of Ms. Fullmer was displayed.

**ITEM 4 – CLARK CLUSTER HOME GROUP DEVELOPMENT (MARITIME RIDGE)**

This agenda item was handled as a quasi-judicial proceeding. Before offering any testimony, the Assistant Planning Director, Noah H. Gillam, and all parties to this proceeding were duly sworn by the Clerk to the Board. Mr. Gillam outlined the Conditional Use Permit (CUP) application from Christopher and Kathryn Clark and noted their property in Frisco at 50636 NC 12 Highway was presently zoned S-1 and cluster homes were permitted. Mr. and Mrs. Clark proposed to construct four 900 sq. feet homes, each with two gravel parking spaces. Appearing on behalf of the applicant: Engineer Michael Strader indicated they were making use of the existing infrastructure and the application was a good proposed use and in complete compliance with the ordinance.

The County Manager asked Mr. Strader if he was authorized to speak for the applicants, which he affirmed. Mr. Outten then asked if they agreed to the admission into evidence of the material submitted by the Assistant Planning Director, which was on file in the Planning Department, the facts presented by the Planner, and the terms and conditions outlined in the CUP. He had seen the CUP and agreed on behalf of the applicants, Mr. and Mrs. Christopher Clark.

**MOTION**

Commissioner House motioned to approve the proposed cluster home development and site plan submitted by Christopher and Kathryn Clark, as recommended by the Planning Board. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 5 – ADDITIONAL REVISIONS TO TRAVEL TRAILER PARK AND CAMPGROUND ORDINANCE (Att. #1)**

Donna Creef reviewed the substantial revisions adopted in October, 2020 to the Travel Trailer Park and Campground Ordinance. These included a provision for camper cabins and alternative camper units to be included at a campground at a 50/50 ratio. At the request of the Board in October, the Planning Board and staff had additional discussions regarding those ratios. The Planning Board had several months of discussions and now recommends amending the ordinance to allow 100% camper cabins or a higher ratio of camper cabins and alternative camping units at a decreased density. At 50/50 percent, there was a density of twenty-eight units per acre. The Planning Board proposed it may be appropriate to have the free-market forces decide what the appropriate ratio would be; however, if the ratio went up then the density would decline. There was also a Board request to make sure the lot coverage language was correct. Currently the ordinance excluded the wetlands areas but allowed pervious roads for balance. There was, therefore, no recommended change for the lot coverage language. There was a recommendation to change the language as to the ratios for camper cabins and alternative camper units. Before additional modifications could be made to the Travel Trailer Park and Campground Ordinance, a Public Hearing would be held and was suggested for February 16, 2021.

The Board began discussion and received clarifications from both Ms. Creef and Mr. Outten. Ms. Creef explained that per the example provided there was a 1,500 square foot requirement for campground sites. In a fixed layout of 1,500 square feet, an acre would accommodate twenty-eight sites. Commissioner Ross noted that as the travel trailer sites decrease, the cabins increase and the density decreases. With the Planning Board example, at the fifty percent level, there would be 140 trailers and 140 cabins. At the one hundred percent level, the trailers would be gone and the cabins remain at 140. Ms. Creef explained that was the tradeoff. If developers decided to have all cabins they would be held to the fourteen units per acre requirement. There would be fourteen camper/cabins per acre regardless of the total size of the tract. With a 100 percent of camper/cabins, there would be a proposed increase in developer overhead and maintenance expenses. The vacant property of the travel trailer site would have no anticipated upkeep costs. The Planning Board's goal was to address both the concerns of the Board and the public comments recently received. At 100 percent camper cabins, there would be a decrease in density so there would not be an inconsistency with the group-housing standards. In the October meeting, the discussion involved the definition distinction that a campground needed to have both cabins and travel trailer sites. The benefit of the 50/50 ratio for the developer would be increased density overall.

Commissioner Bateman commended the Planning Board for their due diligence. He offered an example where he had recently visited a campsite with 480 sites. At the time only four of the ninety-six small houses were occupied and all of the trailers were rented. He felt the ordinance allowed a developer the flexibility of having travel trailers and later, if the market shifted to the popularity of cabins, the ability of building cabins on previous trailer sites. Chairman Woodard agreed and noted travel trailers were currently very popular and preferred to cabin rentals.

**MOTION**

Commissioner Couch motioned to schedule a Public Hearing for February 16, 2021 at 5:00 p.m. on the proposed revisions to the Travel Trailer Park and Campground Ordinance as recommended by the Planning Board.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 6 – DARE COUNTY HOME HEALTH HOSPICE, (Att. #2)**

Mr. Outten explained in an effort to find ways to solve some of the problems with the Dare Home Health and Hospice the Board had previously authorized retaining counsel to investigate whether it would make sense to sell the agency. In order to solicit information and potential proposals, the statute required publication of a notice and a resolution of intent. Mr. Outten reiterated no decisions had been made and this step would allow the County to solicit proposals for consideration. He read the resolution into the record, a copy of which would be on file with the Clerk to the Board. Commissioner House restated no decision had yet been made. The resolution would allow the county to look at all available options.

**MOTION**

Commissioner House motioned to adopt the Resolution Supporting Home Health and Hospice Request for Proposal.

Commissioner Tobin 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 (01.19.21) **(Att. #3)**
- 2) Reimbursement Resolution – Fiscal Year 20/21 Vehicle & Equipment Financing #2 **(Att. #4)**
- 3) Dominion Easement for College of The Albemarle Project
- 4) Department of Health and Human Services – Public Health –COVID-19 Funding

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

## ITEM 8 – BOARD APPOINTMENTS

### 1) Dare County Transportation Advisory Board

Commissioner Couch motioned to appoint Amanda Hooper and Lorenzo Foster to the Dare County Transportation Advisory Board.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

### 2) Upcoming Board Appointments

The upcoming Board appointments for March, April and May, 2021 were announced.

## ITEM 9 – 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

- Congratulated Shanna Fullmer for her hard work and service.

### Commissioner Couch

- He thanked Shanna for her dedication and noted the position was a “lightning rod” for public comment and response.
- Noted the Rodanthe Bridge was close to being completed by the end of the year. The project had employed many local residents and may be done by the fall.

### Commissioner Tobin

- Thanked Dr. Davies and her staff for operating an amazing program of vaccine rollout.

### Commissioner Ross

- Asked everyone to keep Tatum Love, a junior from First Flight High School, who was recently injured in an automobile accident in their thoughts and prayers.
- He reported the new officers of the Albemarle Commission were as follows: Lloyd Griffin is the Chairman, Jordan Davis is Vice-Chair and Fondella Leigh is Secretary.
- He and his wife received their COVID vaccines last week and he thanked Dr. Davies and all those involved with the professional and smoothly run operation.

### Commissioner House

- Congratulated Dr. Davies for going above and beyond during the pandemic and applauded how smoothly the vaccine operation was being run.
- Mentioned there was a funding page for Tatum Love and urged contribution.
- NC House of Representative Tim Moore had recently announced the 2021/22 committee and chairman assignments. He added the Marine Resources and Aqua Culture Committee and had appointed Representative Hanig as chairman. Rep. Hanig had a good knowledge of both commercial and leisure fishing issues.
- The CCA (Coastal Conservation Association-North Carolina) had filed a lawsuit against the State and a few fishing trawlers about the use of shrimp trawling and gill nets. The NC Fisheries Association had joined with the state to file a motion in court to dismiss the action and to lay hands with the state to combat the facts of the lawsuit.
- He noted yesterday was the 100<sup>th</sup> anniversary of the shipwreck known as the *Carroll A. Deering*, which went aground in Cape Hatteras. The vessel had been found with no crew, life jackets or life rafts and became known as the *Ghost Ship*.

### Vice-Chairman Overman

- Extended his thanks to Shanna Fullmer for her 25 years of services.
- Expressed best wishes and prayer for Tatum Love during recovery.
- Inquired whether the Board or County might prepare an amicus curiae brief to join the state in the CCA lawsuit. County Attorney Outten advised such a brief could be filed; however, it would be necessary to join as a defendant or third-party defendant dependent on whether the current parties felt it would benefit the action. He advised an amicus brief could not be filed at the trial level.

### **MANAGER'S/ATTORNEY'S BUSINESS**

County Manager Outten mentioned the administering of the COVID vaccine was going smoothly; however, there continued to be an issue with the number of doses released to the County. He assured Dr. Davies and her staff were doing everything possible to secure additional doses.

Mr. Outten asked for a Closed Session pursuant to NCGS 143-318.11(a)(5) to instruct the County staff, or negotiating agents, concerning the position to be taken by or on behalf of the County in negotiating the price and other material terms of a contract, or proposed contract, for the acquisition of real property by purchase, option, exchange, or lease in the matter of Conch Street Endeavors and to maintain attorney/client privilege.

### **MOTION**

Commissioner House motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 10:28 a.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 11:47 a.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes, had discussion with the County Attorney, and took no action.

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

**MOTION**

Commissioner Couch motioned to adjourn the meeting.

Commissioners Bateman and Ross seconded the motion.

VOTE: AYES unanimous

At 11:48 a.m., the Board of Commissioners adjourned until 5:00 p.m., February 16, 2021.

Respectfully submitted,

[SEAL]

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

APPROVED: By: \_\_\_\_\_  
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.



*Tax Collector's Report*

**Description**

January 2021 Releases over \$100  
January 2021 Refunds over \$100  
January 2021 NCVTS Refunds over \$100

**Board Action Requested**

Approved

**Item Presenter**

Becky Huff, Tax Collector



# Release Report for REAL ESTATE and PERSONAL PROPERTY

(Releases over (\$100.00) )

MONTH: January

DATE RANGE: 1/1/2021 - 1/31/2021

SUBMITTED BY: Becky Huff

<u>Taxpayer Name</u>	<u>Parcel#</u>	<u>Bill Year</u>	<u>Reason</u>	<u>Value Released</u>	<u>Tax Released</u>
TEAZ'EM SPORTFISHING LLC	977769000	2020	LATE LIST RELEASE	0.00	-542.71
ASHE, RICHARD SCOTT	962969000	2020	PERSONAL PROP REMOVABLE	-22,324.00	-176.93
ROSE, KATHLEEN	934445000	2020	PERSONAL PROP REMOVABLE	-26,825.00	-158.64
<b>Total Tax Released:</b>					<b>-878.28</b>

# Refund Report for REAL ESTATE and PERSONAL PROPERTY

(Refunds over \$100.00 )

**MONTH:**      **January**                      **DATE RANGE:**      **1/1/2021 - 1/31/2021**                      **SUBMITTED BY:**      **Becky Huff**

<u>Taxpayer Name</u>	<u>Parcel</u>	<u>Bill Yr</u>	<u>Reason</u>	<u>Refund Amount</u>
MAHALIK, GAYLE A	024410006	2019	Overpayment	\$ (976.74)
NEWSOME, JEAN G	000373000	2020	Overpayment	\$ (1,285.00)
TROWER, GILBERT C	000507103	2020	Overpayment	\$ (495.81)
FINCH, OLIN E	000571000	2020	Overpayment	\$ (478.40)
BOSWELL, ARLENA	000630000	2020	Overpayment	\$ (134.55)
EAST, ERNEST M TRUSTEE	000687000	2020	Overpayment	\$ (581.80)
TOSE, MAURICE B	000719000	2020	Overpayment	\$ (2,986.47)
OLD, DALE N	001170000	2020	Overpayment	\$ (416.27)
BARKER, DONALD B	001343000	2020	Overpayment	\$ (1,992.90)
FRIED, HARRY C	001389000	2020	Overpayment	\$ (525.97)
STULL, PHILLIP J	001709000	2020	Overpayment	\$ (525.07)
DUDLEY, MARK R	001999000	2020	Overpayment	\$ (2,378.37)
MOORE, RONALD S	002089000	2020	Overpayment	\$ (393.76)
DEPOW, ROBERT E	002139000	2020	Overpayment	\$ (2,234.09)
BRACY, DONALD G	002237000	2020	Overpayment	\$ (1,554.84)
DEWEESE, BOBBY W	002316002	2020	Overpayment	\$ (133.66)
NICHOLDS, ERIC W	002548024	2020	Overpayment	\$ (1,046.18)
LANE, ELAINE C	002765032	2020	Refund due to BOER Appeal	\$ (672.35)
LEITCH-SIMPSON, MARY K	002973000	2020	Overpayment	\$ (4,725.76)
EK REAL ESTATE FUND I LLC	003266000	2020	Overpayment	\$ (2,299.84)
UNDERHILL, THOMAS B	004080000	2020	Overpayment	\$ (966.91)
LRC KILL DEVIL INVESTORS, LLC	004330000	2020	Refund due to BOER Appeal	\$ (9,473.85)
ROSE, JAMES M JR	004503000	2020	Overpayment	\$ (162.51)
CHINCHILLA, TITO	004564000	2020	Overpayment	\$ (1,758.02)
MOREL, KEVIN D	004736002	2020	Overpayment	\$ (839.15)
COOK OUT-KILL DEVIL HILLS INC	004963000	2020	Overpayment	\$ (140.60)
GRAHAM, NICHOLAS P	005494000	2020	Overpayment	\$ (1,718.59)
HARPER, THOMAS R	006066000	2020	Overpayment	\$ (1,754.69)
LUTZ, SHIRLEY S	006171000	2020	Overpayment	\$ (143.18)
SMITH, DEBORAH W TTEE	006982000	2020	Overpayment	\$ (1,226.77)
WARLICK, LEROY	007515006	2020	Overpayment	\$ (124.50)
TUMOLO, RONNIE V	007970074	2020	Overpayment	\$ (1,766.77)
BIELMAN, STEPHEN R	008075022	2020	Overpayment	\$ (250.00)
OBX HOGS, LLC	008695000	2020	Overpayment	\$ (4,159.19)
KERTESZ, JULIUS F	009032000	2020	Overpayment	\$ (1,857.52)
GERSHMAN, MITCHELL N	009383000	2020	Overpayment	\$ (1,000.00)
THOMAS, VANESSA J	009537000	2020	Overpayment	\$ (3,167.17)
BERRY, JERRY D	009821030	2020	Overpayment	\$ (7,098.83)

# Refund Report for REAL ESTATE and PERSONAL PROPERTY

(Refunds over \$100.00 )

**MONTH:**      **January**                      **DATE RANGE:**      **1/1/2021 - 1/31/2021**                      **SUBMITTED BY:**      **Becky Huff**

<u>Taxpayer Name</u>	<u>Parcel</u>	<u>Bill Yr</u>	<u>Reason</u>	<u>Refund Amount</u>
HOVEY, ROBERT E	009825000	2020	Overpayment	\$ (206.13)
PARASURAMAN, SHREEKANT V	010067057	2020	Overpayment	\$ (6,986.22)
RIGGINS, DELIA C	010067122	2020	Overpayment	\$ (154.94)
MEADS, BLAIR A	010808000	2020	Overpayment	\$ (6,410.63)
MORRIS, JOSEPHINA R	011093000	2020	Overpayment	\$ (3,180.34)
WOODWORTH, KERI	011123043	2020	Overpayment	\$ (3,804.85)
TORMEY, EDITH M.	012042000	2020	Overpayment	\$ (540.68)
RUTER, SAMUEL N	012060000	2020	Overpayment	\$ (624.71)
SANDLIN, GLENN D	012118000	2020	Overpayment	\$ (437.58)
PENINSULA LAND MANAGEMENT LL	012188007	2020	Overpayment	\$ (2,550.70)
DENARIHILL, LLC	012817001	2020	Overpayment	\$ (4,793.27)
BELTRAMI, MARCO A	012848000	2020	Overpayment	\$ (4,868.42)
CORDELL, ANTHONY E	014069000	2020	Overpayment	\$ (1,296.35)
MACDONALD, NORA W HEIRS OF	014245000	2020	Overpayment	\$ (141.78)
MEDVENE, MARK I	014277005	2020	Overpayment	\$ (3,229.00)
YOUNG, RICHARD B	014357006	2020	Overpayment	\$ (841.85)
INTILE, NANDI	014577000	2020	Overpayment	\$ (355.15)
OT ENTERPRISES, LLC	014822002	2020	Overpayment	\$ (62,580.62)
ANDERSON, CARL L TTEE	014822228	2020	Overpayment	\$ (251.53)
CEPROPERTIES LLC	014866000	2020	Overpayment	\$ (506.39)
RIEDER, EDMUND G X TRUSTEE OF	015182000	2020	Overpayment	\$ (2,799.88)
HOLZSAGER, DAVID J TTEE	015230000	2020	Overpayment	\$ (316.16)
CONNER, AUDREY B	015268021	2020	Overpayment	\$ (1,000.00)
HOLDEN, ALEXANDER S II	015584001	2020	Overpayment	\$ (2,165.53)
BOEHMER, WILLIAM D	015843000	2020	Overpayment	\$ (2,578.09)
SHISLER, JOSEPH K JR	015918000	2020	Overpayment	\$ (1,031.66)
SULLIVAN, KEVIN L	016655004	2020	Overpayment	\$ (1,245.37)
HONEYCUTT, RUFUS D JR	016904000	2020	Overpayment	\$ (311.07)
SHIFLETTE, DANNY LEE JR TTEE	017321000	2020	Overpayment	\$ (1,190.06)
BAKER, LINDA ANN	017336000	2020	Overpayment	\$ (2,855.45)
LEWIS, WILLIAM R	017775165	2020	Overpayment	\$ (312.60)
STANLEY, JOSEPH S JR TTEE	018004022	2020	Overpayment	\$ (671.42)
MOYE, JULIE K	018093000	2020	Overpayment	\$ (814.68)
SMALL, MARGARET DI	018226011	2020	Overpayment	\$ (2,288.54)
PIKE, THOMAS N	018536000	2020	Overpayment	\$ (100.00)
THE DONALD DEAN KLEPPE REVOC	018762022	2020	Overpayment	\$ (212.12)
COLINGWOOD INVESTMENTS LLC	018767064	2020	Overpayment	\$ (277.66)
CHAMBERS, CARLTON	019150000	2020	Overpayment	\$ (1,321.89)

# Refund Report for REAL ESTATE and PERSONAL PROPERTY

(Refunds over \$100.00 )

**MONTH:** January      **DATE RANGE:** 1/1/2021 - 1/31/2021      **SUBMITTED BY:** Becky Huff

<u>Taxpayer Name</u>	<u>Parcel</u>	<u>Bill Yr</u>	<u>Reason</u>	<u>Refund Amount</u>
WEILAND, EDWARD	019625000	2020	Overpayment	\$ (931.65)
O'NEAL, SEAN PATRICK	019736000	2020	Overpayment	\$ (3,214.77)
WILLIAMS, RYAN TYLER	019969000	2020	Overpayment	\$ (1,148.65)
ENGLERT, WANDA SMITH	020428000	2020	Overpayment	\$ (414.69)
MCCURDY, AARON LEWIS	020726000	2020	Overpayment	\$ (168.54)
EDDOWES, BONNIE TTEE OF THE	021328000	2020	Overpayment	\$ (2,676.79)
WHITCRAFT, DOUGLAS	021698000	2020	Overpayment	\$ (2,157.41)
REID, MELISSA B	022158000	2020	Overpayment	\$ (1,742.98)
LONG, CASEY E	022383036	2020	Overpayment	\$ (2,785.92)
ELMES, ANNE L TRUSTEE	022454000	2020	Overpayment	\$ (550.02)
LOVE, STEVEN D	022626000	2020	Overpayment	\$ (9,475.95)
GRAY, JAMES E	024116000	2020	Overpayment	\$ (252.24)
AUSTIN, FAYE D	024332000	2020	Overpayment	\$ (1,917.22)
PRICE, WAYNE LYN SR	024410061	2020	Overpayment	\$ (2,505.85)
HARVEY, NANCY SHORE	024452000	2020	Overpayment	\$ (2,951.93)
RICOTTA, GILBERT A	024693001	2020	Overpayment	\$ (230.00)
THOMPSON, KEITH COLLIN	024893000	2020	Overpayment	\$ (868.13)
MCCORKLE, ANN GATES TTEE	024961331	2020	Overpayment	\$ (1,272.00)
FRATTONE, LYNDA	024961357	2020	Overpayment	\$ (1,504.94)
TATE, MARK D	025057310	2020	Overpayment	\$ (341.18)
SPENCE, HANNAH COX	025389000	2020	Overpayment	\$ (133.01)
WYNN, HERBERT W	025480000	2020	Overpayment	\$ (1,068.23)
JME PROPERTIES, LLC	025694133	2020	Refund due to BOER Appeal	\$ (149.20)
BAKER, DALE J	025694152	2020	Refund due to BOER Appeal	\$ (335.69)
WILSON, JOSEPH A TTEE	025694211	2020	Overpayment	\$ (4,737.11)
MILNER, JOHN D JR	025694362	2020	Overpayment	\$ (2,288.69)
CONNOR, THOMAS E	025694405	2020	Overpayment	\$ (1,408.83)
REILLY, JANICE D	025694482	2020	Refund due to BOER Appeal	\$ (335.70)
MACKEY, DORIS L TTEE	025831000	2020	Overpayment	\$ (761.71)
RUTER, SAMUEL N	026455000	2020	Overpayment	\$ (320.26)
MCCONAGHY, KAREN A	026563018	2020	Overpayment	\$ (1,135.34)
BOWEN, J MELVIN	027021000	2020	Refund due to BOER Appeal	\$ (154.18)
KIMPEL, GORDON M	027044016	2020	Overpayment	\$ (1,057.97)
BOYD, RICHARD E	027134000	2020	Overpayment	\$ (366.15)
WHITE-PRITCHARD PARTNERSHIP	027249005	2020	Overpayment	\$ (334.49)
THOMAS, ISAIAH Z	027267000	2020	Overpayment	\$ (1,578.15)
DAVIS, STEVEN TODD	027517000	2020	Overpayment	\$ (958.71)
JENCEN, DAVID A	027606000	2020	Overpayment	\$ (862.65)

# Refund Report for REAL ESTATE and PERSONAL PROPERTY

(Refunds over \$100.00 )

**MONTH:**      January                      **DATE RANGE:**      1/1/2021 - 1/31/2021                      **SUBMITTED BY:**      Becky Huff

<u>Taxpayer Name</u>	<u>Parcel</u>	<u>Bill Yr</u>	<u>Reason</u>	<u>Refund Amount</u>
WHITE, LINDSEY L	027839098	2020	Overpayment	\$ (222.67)
ROSENSTEIN, FRANKLIN A	027863114	2020	Refund due to BOER Appeal	\$ (182.29)
RIEMANN, JOHN W	027865001	2020	Refund due to BOER Appeal	\$ (136.86)
WILSON, CHARLES	027865005	2020	Refund due to BOER Appeal	\$ (537.43)
CHVERCHKO, CHRIS SA BETH	028119000	2020	Overpayment	\$ (2,815.26)
LEBLANC, BRIAN H TTEE	028619000	2020	Overpayment	\$ (1,973.41)
PICCIANO, ROBERT	028673000	2020	Overpayment	\$ (272.45)
PINTO, PETER J	028800002	2020	Overpayment	\$ (409.78)
PINTO, PETER JOHN	028800003	2020	Overpayment	\$ (409.77)
PARISI, ANTHONY M	028813296	2020	Overpayment	\$ (5,383.44)
DELOACH, DAVID W	029265071	2020	Overpayment	\$ (3,123.87)
HALLORAN, MARK	029307033	2020	Refund due to BOER Appeal	\$ (241.60)
OBX BOWLING	976713000	2020	Overpayment	\$ (100.69)
LANGNER, BARBARA E	030546000	2020	Overpayment	\$ (1,357.56)
				<b>-260,963.41</b>



# North Carolina Vehicle Tax System

## NCVTS Pending Refund report

JANUARY 2021

Payee Name	Address 1	Address 3	Levy Type	Change	Interest Change	Total Change
BOONE, ALISON LAURA	287 N DOGWOOD TRL	SOUTHERN SHORES, NC 27949	Tax	(\$138.85)	\$0.00	(\$138.85)
			Tax	(\$67.88)	\$0.00	(\$67.88)
						Refund
BOOTH, EARL HARDIN JR	4232 POOR RIDGE RD	KITTY HAWK, NC 27949	Tax	(\$111.07)	\$0.00	(\$111.07)
			Tax	(\$70.89)	\$0.00	(\$70.89)
			Tax	(\$9.45)	\$0.00	(\$9.45)
			Refund	<b>\$191.41</b>		
CRUM, WILLIAM EDWARD	134 THE OAKS	MANTEO, NC 27954	Tax	(\$84.44)	\$0.00	(\$84.44)
			Tax	(\$7.72)	\$0.00	(\$7.72)
			Tax	(\$18.68)	\$0.00	(\$18.68)
			Refund	<b>\$110.84</b>		
DIGGS, WILLIAM SCHNEPFE III	3954 MIDGETT RD	KITTY HAWK, NC 27949	Tax	(\$88.06)	\$0.00	(\$88.06)
			Tax	(\$58.27)	\$0.00	(\$58.27)
			Tax	(\$7.70)	\$0.00	(\$7.70)
			Refund	<b>\$154.03</b>		
UYAROGLU, ENGIN	PO BOX 35204	NORTH CHESTERFIELD, VA 23235	Tax	(\$89.45)	\$0.00	(\$89.45)
			Tax	(\$10.81)	\$0.00	(\$10.81)
			Tax	(\$19.79)	\$0.00	(\$19.79)
			Refund	<b>\$120.05</b>		
					Refund Total	<b>\$783.06</b>

Tax Jurisdiction	District Type	Net Change
C99	COUNTY	(\$511.87)
T08	CITY	(\$129.16)
T08BN	CITY	(\$17.15)
T20	CITY	(\$67.88)
F22	FIRE	(\$10.81)
F51	FIRE	(\$7.72)
S99	SPECIAL	(\$38.47)
Total		<b>(\$783.06)</b>



*Advertise 2020 Tax Year Liens*

**Description**

The total unpaid taxes as of February 5, 2021 on Real Estate are \$1,936,300.23. The Tax Collector will advertise unpaid taxes on Real Estate in the March 28, 2021 edition of the Coastland Times.

**Board Action Requested**

Order the Tax Collector to advertise the 2020 Real Estate tax liens.

**Item Presenter**

Becky Huff, Tax Collector



*3 Year Contract for Google Workspace Enterprise Standard*

**Description**

3 Year Contract Extension for Google Workspace Enterprise Standard

**Board Action Requested**

Approval of the Contract

**Item Presenter**

Matthew Hester - Information Technology Director





## SALES ORDER

Document Date: 01/22/2021

### Customer Information

Customer Name: Dare County  
Account Number: 4143355  
Business Address: 954 Marshall C Collins Drive  
City: Manteo  
State: NC  
Zip Code: 27954  
Domain Name: darenc.com  
Affiliate: 2896282  
  
Term: 36 Months  
Billing Frequency: Annual  
Renewal:

## Primary Technical Contact

First Name: Matthew  
Last Name: Hester  
Phone: (410) 428-2264  
Email: matthew.hester@darenc.com

## Primary Billing Contact

First Name: Matthew  
Last Name: Hester  
Phone: (410) 428-2264  
Email: matthew.hester@darenc.com

## Recurring Services

Name	Annual Price	Quantity	Annual Subtotal
<p><b>Google Workspace Enterprise Standard</b></p> <ul style="list-style-type: none"> <li>Standard Rate is \$20/user/month</li> <li>Comes with additional Meet Features: Meet Recordings, in-domain live streaming, and Meeting Rooms</li> <li>Security: Vault, Advanced Data Loss Prevention, Cloud Identity Premium (CIP)</li> <li>Shared Drives</li> </ul> <p><b>*Google Workspace Upgrade</b> <b>Discount: \$12.40/user/month for 36 months</b></p>	\$148.80	950	\$141,360.00

Subtotal      **\$141,360.00**

**Annual Total      \$141,360.00**

## One-Time Services

Name	Price	Quantity	Subtotal
AppSmart Cloud Services Consulting - One Time Edition Google Workspace Enterprise Upgrade	\$0.00	1	\$0.00

Subtotal **\$0.00**

**Total \$0.00**

## Terms & Conditions

This Sales Order is subject to the Master Services Agreement, located at <http://appsmart.com/msa> ("MSA"), which is incorporated herein by reference. Together, this Sales Order and the MSA constitute a binding agreement ("Agreement") between Customer and Cloud Service Partners, Inc. ("CSP") dba AppSmart ("AppSmart"). Unless otherwise stated herein, all capitalized terms not defined in this Sales Order are defined in the MSA. By signing below, Customer accepts the terms of this Sales Order, the MSA and any attachments. In the event Customer has previously executed a Sales Order, the MSA incorporated herein may be different from the terms of previous Agreements. In the event the parties executed previous Sales Orders, Customer hereby represents that it is in compliance with all of the terms of those Sales Orders. Notwithstanding anything to the contrary in any previous agreement between Customer and AppSmart the current MSA shall supersede the terms of any previous Agreement, addendum or amendment.

By entering into this Sales Order, Customer agrees that it is not relying on any representations, or promises, whether written or oral, other than as contained in this Agreement. An authorized officer or manager of Customer must execute this Sales Order. This Sales Order is not valid until counter-signed by AppSmart. Any and all pricing terms set forth in this Sales Order expire 60 days after Document Date.

1. The first sentence in Section 7.1 is hereby deleted in its entirety and replaced with the following:  
"AppSmart may request to use the name and logos of Customer on AppSmart websites and other marketing documents, for the purpose of identifying Customer as a customer, provided that the form of use of any Customer logo is approved in advance in writing by Customer, such approval not to be unreasonably withheld or delayed."

2. The first sentence in Section 3.2 is hereby deleted in its entirety and replaced with the following:  
"Customer shall pay all invoices within thirty(30) days after date of invoice."

3. The fourth sentence in Section 9 is hereby amended to state the following:  
"Any and all disputes shall have exclusive venue in the federal and state courts in Dare County, North Carolina, and both parties consent to the jurisdiction of these courts."

Except as expressly modified by this Addendum, the terms and conditions of the Agreement shall remain in full force and effect. In the event of any conflict between the terms of this Addendum and the terms of the Agreement, the terms of this Addendum shall control. This Addendum may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

An authorized officer or manager of Customer must execute this Addendum. This Addendum is not valid until counter-signed by an authorized officer of AppSmart at AppSmarts' main office. Any and all terms set forth in this Addendum expire 60 Days after submission to Customer.

AppSmart understand that under the NC Public Records laws the contract and its terms are public records.

**CSP dba AppSmart:**

**Customer:**

By:

By:

Name: Van Murray

Name:

Title: Vice President

Title:

Date:

Date:

*M.K.*

*A.C.*



*Appointment to the 'Local Firefighters' Relief Fund Board' for  
Chicamacomico Banks Volunteer Fire Department*

**Description**

§ 58-84-30. Trustees appointed; organization. For each county, town or city complying with and deriving benefits from the provisions of this Article, there shall be appointed a local board of trustees, known as the trustees of the local Firefighters' Relief Fund, to be composed of five members, two of whom shall be elected by the members of the local fire department who are qualified as beneficiaries of such fund, two of whom shall be elected by the mayor and board of aldermen or other local governing body, and one of whom shall be named by the Commissioner of Insurance.

**Board Action Requested**

Appoint Mr. L. Ervin Gaskins of 27245 NC 12 Highway, Salvo, to the Chicamacomico Banks Volunteer Fire Department 'Firefighters' Relief Fund Board'.

**Item Presenter**

Steven R. Kovacs, Fire Marshal



# COUNTY OF DARE

Office of the Fire Marshal  
P.O. Box 1000, Manteo, North Carolina, 27954

Steven R. Kovacs  
Fire Marshal

(252) 475-5750  
Fax: (252) 473-3168

**To:** Chairman Robert Woodard, Dare County Board of Commissioners  
**From:** Steven R. Kovacs, Fire Marshal  
**Date:** February 5, 2021  
**Re:** Appointment to 'Firefighters' Relief Fund Board'

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The Firefighters' Relief Fund (FRF) was established in 1907 to financially assist firefighters that are injured while performing their duties, and to insure that no firefighter would become financially destitute through no fault of their own. The FRF is funded by a portion of the Gross Premium Tax (GPT) (G.S. 105-228.5(d)(3)) on insurance policies containing fire and lighting protection, as well as certain automotive policies. These funds are collected and distributed by the Commissioner of Insurance to the Fire Department. The Fire Department must appoint a Local Relief Fund Board as required by NC General Statute 58-84 to oversee and administer the Fund as prescribed in GS 58-84.

*Article 84. Local Firefighters' Relief Funds.*

*§ 58-84-30. Trustees appointed; organization.*

*For each county, town or city complying with and deriving benefits from the provisions of this Article, there shall be appointed a local board of trustees, known as the trustees of the local Firefighters' Relief Fund, to be composed of five members, two of whom shall be elected by the members of the local fire department who are qualified as beneficiaries of such fund, two of whom shall be elected by the mayor and board of aldermen or other local governing body, and one of whom shall be named by the Commissioner of Insurance. Their selection and term of office shall be as follows:*

*(1) The members of the fire department shall hold an election to elect two representatives to the board to serve at the pleasure of the members of the department. The elected representatives may serve until their resignation or until the department holds an election to replace them. Board members elected pursuant to this subdivision shall be either (i) residents of the fire district or (ii) active or retired members of the fire department.*

*2) The mayor and board of aldermen or other local governing body shall appoint two representatives to the board to serve at the pleasure of the governing body. Board members appointed pursuant to this subdivision shall be residents of the fire district.*



*(3) The Commissioner of Insurance shall appoint one representative to serve as trustee who shall serve at the pleasure of the Commissioner. The member appointed pursuant to this subdivision shall be either (i) a resident of the fire district or (ii) an active or retired member of the fire department.*

Chicamacomico Banks Volunteer Fire Departments is requesting the Board of Commissioner to appoint Mr. L. Ervin Gaskins of 27245 NC 12 Highway, Salvo, to the Chicamacomico Banks Volunteer Fire Department 'Firefighter's Relief Fund Board'. Mr. Gaskins will be filling the position formerly held by John McIntosh who has moved from the area.

**CHICAMACOMICO BANKS FIRE DEPARTMENT  
24297 HIGHWAY 12  
P. O. BOX 125  
RODANTHE, N.C., 27968**

Dear Commissioners,

I would like to nominate L. Ervin Gaskins for the Relief Fund Board for the Chicamacomico Banks Fire Department.

Ervin has retired from active duty having served the department for many years, retiring as Deputy Chief. He has agreed, if appointed, to serve the department and his community as a member of the relief fund board.

Ervin is long time resident of Salvo. He is an avid fisherman, a member of the Cape Hatteras Anglers Club, and member of the NC Beach Buggy Association.

Thank you for your time and consideration.

Sincerely,

Mike Daugherty, Chief  
(252)987-3049



*Commissioners' Business & Manager's/Attorney's Business*

**Description**

Remarks and items to be presented by Commissioners and the County Manager.

**Board Action Requested**

Consider items presented

**Item Presenter**

Robert Outten, County Manager



*Closed Session*

**Description**

Closed Session pursuant to:  
NCGS 143-318.11(a)(3) to consult with the attorney in order to preserve the attorney-client privilege; and  
pursuant to NCGS 143-318.11(a)(5) to instruct the County staff concerning the position to be taken by or on  
behalf of the County in negotiating the price and other material terms of a real estate matter and to approve the  
minutes of the last Closed Session.

**Board Action Requested**

None

**Item Presenter**

Robert Outten, County Manager