



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., February 16, 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 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 5:02 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He read the invocation offered by Dr. Wayne Barry of the North Dare Ministerial Association 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:

- Dare County Board of Education voted unanimously on February 9, 2021 to return students to classrooms beginning March 1, 2021. Pre-K through grade 5 would attend Monday through Thursday. There would be two groups of grades 6-12 attending Monday and Tuesday and the other attending Wednesday and Thursday.
- He announced Dare County had provided close to 10,000 COVID vaccines thus far. He commended Dr. Davies and her staff for all they had done.
- Colington road improvements would commence beginning August and September, 2021. The long awaited \$17 million project (\$10.8 million for the construction and the balance for easement acquisitions and utility relocations) was estimated to be completed in a year and would be a welcome upgrade for the Colington community.
- The virtual meeting on February 24, 2021 would begin at 6:00 p.m. to discuss the Avon beach nourishment project.
- He updated the condition of accident victim, Tatum Love, who had improved and would soon be moved to a premier trauma center for brain injuries.

ITEM 2 – PUBLIC COMMENTS

At 5:10 p.m. the Manager opened the floor for making public comments via email to dcboc@darenc.com. Following is a summary of all citizen remarks, which can be viewed in their entirety in a video on the County website:

No one responded to the invitation to address the Board.

The County Manager closed Public Comments at 5:11 p.m.

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

At 5:11 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 email to dcboc@darenc.com as advertised since date of publication. Following is a summary of all citizen remarks received via email prior to the meeting. No additional emails were received.

1. John Finelli provided email noting the proposed ordinance was “beneficial to a developer who wants to have a campground that is primarily cabins” and not “forced to include travel trailer sites that they may not want or that the land may not support due to the terrain”.

The County Manager closed the Public Hearing at 5:12 p.m.

MOTION

Vice-Chairman Overman motioned to adopt the proposed amendment to the Travel Trailer Park Campground Ordinance as recommended by the Planning Board.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 4 – MANTEO SHALLOWBAG BAY DREDGE PROJECT CHANGE ORDER

Change Order 1 for the Manteo Shallowbag Bay Dredge Project was presented in order to use excess funds to dredge additional areas more prone to shoaling. The project was funded through direct appropriation from the state without county matching. The modifications with the Change Order included widening the current 50’ wide design channel within the permitted channel footprint along portions of Ranges 1 through 4 and Range 5 based upon the after-dredge survey data. Completion of the work was estimated to be completed on or before March 7, 2021. The \$60,000+/- of excess funds could not be spent on any other project.

MOTION

Commissioner House motioned to approve Change Order 1 and authorize the County Manager to execute Change Order 1.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 5 – RESOLUTION TO SUPPORT THE HATTERAS CHANNEL REALIGNMENT
(Att. #2)**

The US Army Corps of Engineers had submitted a realignment of the Hatteras Channel to include Barney Slough, Sloop Channel and the South Ferry Channel in order to provide a direct route to the Hatteras Gorge. The Dare County Project Manager, Brent Johnson, had provided a resolution in support of the Corps' submission.

MOTION

Commissioner Tobin motioned to 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.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 6 – TRANSPORTATION OF NON-CUSTODIAL SUBSTANCE ABUSE PATIENTS TO TREATMENT FACILITIES

County Manager introduced this item and explained there was currently no provision for the transport of substance abuse patients to treatment facilities. The need is typically late at night, and the patient must find his/her own transportation in order to receive needed treatment. They often show up at the hospital. When this occurs, Social Services is often called, which really is not a safe option for staff. If there was an arrest involved, the Sheriff's office has handled the transport. Without transport for non-custodial patients, they are left trying to locate a family member to assist them. The patient's incentive for treatment is gone if a long delay occurs to get them to a facility. There were over one hundred patients who fit this profile this past year. The Substance Abuse Task Force had been involved with seeking a solution with multiple meetings. The Sheriff's office has agreed to be designated to handle these patients with the addition of another deputy. The approximate cost to outfit a deputy with uniforms, a gun, etc., is \$18,150. The beginning deputy salary with benefits would be \$66,305. Ultimately the deputy would also need a car.

The County Manager proposed the Board authorize the Sheriff to hire a deputy and begin doing the transports, as needed. The \$66,000 salary would be prorated for the remainder of the year along with the \$18,000 and come out of the Substance Abuse/Recovery Court Fund. Currently there was approximately \$30,000 which was not earmarked for anything. The Manager suggested that next year the deputy position be added to the Sheriff's budget and the Recovery Court Fund could be refunded. In the normal car rotation plan, a vehicle for this deputy could be worked into the system over time. Commissioner Tobin asked who would be responsible to transport the return of the patient to the area from a facility. Mr. Outten and Commissioner Bateman both explained once a treatment was completed, whether it was a 30-180 day program, it was not difficult for those in recovery to make their own arrangements. Commissioner House thanked Commissioner Bateman and Vice-Chairman Overman for seeing this through with a solution.

MOTION

Commissioner House motioned to authorize the hiring of an additional deputy sheriff and authorize the Manager to execute such budget amendments as are necessary to fund the position.

Commissioner Bateman 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 (subject to note on Item 4):

- 1) Approval of Minutes (02.01.21) **(Att. #3)**
- 2) Tax Collector's Report
- 3) Advertise 2020 Tax Year Liens
- 4) 3-Year Contract for Google Workspace Enterprise Standard (subject to the authorized changes by County Attorney)
- 5) Appointment to the 'Local Firefighters' Relief Fund Board' for Chicamacomico Banks Volunteer Fire Department

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 8 – 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 House

- Provided notable events in history: Howard Carter opened up the tomb of King Tut in 1923. In 1959, Fidel Castro was sworn in as prime minister of Cuba. The first 911 call was made in 1968 by Senator Rankin Fite in Haleyville, Alabama.
- He introduced the video for the Pet of the Week showcasing a hound dog named Killian.
- He noted the SPCA had a new logo with great colors.

Commissioner Ross

- Gave details for the Outer Banks SPCA Donation Drive, which was sponsored by the Chamber of Commerce. Collected items for the new shelter could be dropped off through March 31, 2021. The Chamber would also make arrangements to pick up donations.
- March 19, 2021 would be the ribbon cutting for the new shelter
- He would be participating in the Special Olympics North Carolina Plunge in Place on February 23, 2021, at 3:00 p.m.
- There were two bills introduced into the North Carolina Senate which he felt were commonsense approaches to insure law enforcement was not separated out for reduction of resources and/or funding. One bill dealt with cooperation with other law enforcement agencies to keep citizens safe.

Commissioner Tobin

- He updated the Board on the progress of the construction of the dredge. According to contract, the vessel would be completed in 404 days. They had pushed up the date for commencing cutting steel at the Conrad Shipyard. Myer Marine had reached out with the possibility of getting four drag heads and spare parts, which meet our requirements, from a new dredge which sank during Hurricane Katrina.
- The COA long-term strategic plan was recently reviewed with fifteen participants. There was a lot of good input from the recent conference call.

Commissioner Couch

- He shared memories of Kathleen Gantt, who he stated was quite a character. She had worked for years at the Cavalier By the Sea. Her father was Jep Harris.
- He referenced the loss of Kaye Whitfield, a native of Kitty Hawk. She had taught English at Cape Hatteras High School for thirty years and had been his teacher. He shared several remembrances.

Commissioner Bateman

- Thanked Dave Clawson for bringing the Martha's Vineyard video to his attention at onislandmv.org. The video documents how Martha's Vineyard is dealing with the opioid crisis. The area is similar to the Outer Banks as the economics of the island is driven by tourism. It touched him how they were dealing with this worldwide problem. He added assigning a new deputy to help transport patients to opioid facilities was one piece of the puzzle to make it easier for someone to get help.

Commissioner Overman advised he no updates.

MANAGER'S/ATTORNEY'S BUSINESS

Dorothy Hester mentioned the emergency notification system was transitioning to a new platform. If subscribers were registered with RAVE, they would need to subscribe to the new system known as OBX Alerts. The old system will not be used after February 28, 2021.

In accordance with the budget ordinance, the County Manager advised the Board that \$51,050 from contingency was moved to Facilities Maintenance to cover the cost of problems at the fuel depot and to repair the parking lot.

Mr. Outten reviewed with the Board the different manner in which other counties were handling public comment with applications such as Zoom, email, or spreading out in extra rooms with one at a time attendance. He had spoken with Matthew Hester, Director of Information Technology, to look into whether Zoom would work for future Board meetings. It would give an opportunity for the public to give video comment. He advised there were plans to utilize the Zoom at the February 24, 2021 public hearing about Avon beach nourishment. The upcoming meeting would be a good test to discern whether the format works well for upcoming Board meetings. As the Board did not voice an opposition to utilizing Zoom, he would keep the Board posted on whether the application would work for future meetings.

County Manager explained there were some excess funds from the disbursement of the recent COVID bonus and merit pay. He requested permission to move them to contingency.

MOTION:

Commissioner Bateman and Vice-Chairman Overman motioned to move the excess funds into contingency fund.

Commissioner House seconded the motion.

VOTE: AYES unanimous

Stan White owns twelve lots along the Airport Road. Across two of the lots, there was a 20' drainage easement given to the Count a number of years ago. This easement also crossed Malcolm Fearing's property. The easement was preventing Mr. White from doing anything with the two parcels. Mr. Outten did not recommend removing the easement; however, he suggested the easement could be relocated such that it straddled the lot lines. Further investigation would be done to insure there was no underground drainage pipe.

MOTION:

Commissioner House motioned to move the drainage easement to straddle between Lots 1 and 2, as recommended by the County Manager.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

Mr. Outten two years ago the Board allocated \$3,000 to Monday Night Alive. Last year there was not a request and the funds were not put in the budget. They provide various services to underprivileged students and children to include tutoring. They have asked for funds now and he advised the Board he intends to take it from the contingency and if they made appropriate application, it would be included in the next budget.

Commissioner Ross added recognition for Lorelei Costa. She had been the Dare County Outer Banks Community Foundation Executive Director since 2013. He thanked her for the many contributions made to Dare County and offered best wishes for the future.

ITEM 9 – CLOSED SESSION

The County Manager requested a 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.

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 6:00 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 6:39 p.m. Mr. Outten reported that during the Closed Session the Board consulted with the County Attorney in order to preserve the attorney-client privilege, and gave instructions to the attorney concerning the position to be taken by or on behalf of the County concerning the price or other material terms of a real estate matter and approved previous Closed Session Minutes.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

At 6:39 p.m., the Board of Commissioners adjourned until 9:00 a.m., March 1, 2021.

Respectfully submitted,



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

APPROVED:

By: *Robert H. 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.