



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., March 15, 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 5:03 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. The prayer offered by George Lurie was read 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:

- He met with Rep. Murphy this week who spoke with homebuilders. Later in the day Rep. Murphy met with Commissioner Tobin and he is very supportive of our inlet and dredging issues.
- Received his vaccine on Saturday without any side effects. He encouraged all fellow citizens to get their shots when made available to them.
- Rodanthe sound launch area construction would begin at the end of March and would take approximately ninety days. It would be a two-lane boat dock and be completed in two phases.
- Current TV had released a video in partnership with Manteo honoring Richard Etheridge and the history of the life-saving station. “Freedmen Surfmen Heroes” tells the unique story of the Pea Island Lifesaving Station, which was constructed in 1878.
- Gov. Cooper had opened up vaccines to those eligible in Group 4 as of March 14, 2021.
- Reported the Visitor’s Bureau had released occupancy results for the 2020 season. Although many sections of the economy in some areas suffered, overall others did extremely well with rentals showing an increase of 73% from December, 2019.

ITEM 2 – PUBLIC COMMENTS

At 5:19 p.m. the Manager outlined the procedure for making public comments via email to dcboc@darenc.com or preregistering at a link to provide comments via virtual connection, as previously noticed. Following is a summary of all citizen remarks:

1. Corey Bonner asked if anyone had considered contacting NIMS. He stated Dare County Emergency Response Plan was supposed to respond to overwash and there did not seem to be much collaboration from state organizations. He stated Avon was a village caught between a national park and a national seashore and did not agree with a tax paid by citizens to protect a beach and road they did not own.
2. Mary Ann Marsal indicated after the last meeting she had become convinced that beach nourishment was beneficial to the community and should be tried. She did not agree with the division of the area's two zones and stated there should be one district. Her taxes under the proposal would increase 45%.
3. Daniel Twining, a beachfront owner in Avon, strongly supported the Avon proposal and appreciated the work of the Board stating saving the beach was essential and they were willing to pay their fair share of the project costs.
4. Roberto Pierce, a navy veteran and new resident, noted he was researching some matters. Mr. Outten offered he could contact the County directly for any information he may be interested in receiving.
5. Via email: Charlie Myers, owner of Ride Hatteras Surf Shop, stated he supported the Avon project. He asked about long-term solutions to erosion issues, was opposed to perpetually nourishing the beach, concerned about losing the beach nourishment gain right after a storm and would like to see more county leadership to create a "more stable lifeline for Hatteras Island residents, businesses and visitors".

The County Manager closed Public Comments at 5:30 p.m.

ITEM 3 – BROADBAND

Prompted from discussions with Vice-Chairman Overman, Derek Kelly from Lumen Technologies, formerly known as CenturyLink, made a presentation with an overview of the current status of broadband in the area. He shared FCC's broadband maps which reflected areas where broadband speeds were less than 25x3 Mbs. COVID had brought many more students and parents relying upon working from home computers with reliable internet service. He explained, under current guidelines, if one home in a census block had service then the entire census block was considered served. The FCC had just received funding to have the maps redone to reflect location-based service. CenturyLink had won the auction to provide service to areas with a six-year build out program called RDOF (The Rural Digital Opportunity Fund) which could aid service to the East Lake area. Vice-Chairman Overman asked when the plans would begin. Mr. Kelly reported it was hopeful to have a timeline of plans by the end of the year.

He also gave an overview of the G.R.E.A.T. grant program and mentioned one challenge was the identification of underserved pockets. He said it would be helpful for Dare to partner with providers and help identify those pockets. Some counties were contributing up to 10% of

funding for the program. RDOF did not require any additional funding. Mr. Kelly explained if other service companies were present in a census area, such as Spectrum, then the area would not be eligible for G.R.E.A.T. grant programs. There were currently no Spectrum services in East Lake according to Mr. Kelly. Vice-Chairman Overman mentioned there had been preliminary conversations with the cable company to inquire as to any possible partnerships to reach underserved areas.

ITEM 4 – DISCUSSION OF A TAX SERVICE DISTRICT FOR UNINCORPORATED DARE COUNTY - AVON BEACH NOURISHMENT PROJECT (Att. # 1)

County Manager Outten reviewed the County had presented the Avon plan in February and now it needed to be decided whether to begin the involved statutory process of establishing the tax service district, which would include mailings and a public hearing, etc. He requested approval to start the process and explained afterward, at a future meeting, a vote could decide to put the district in place. During the budget process, the actual tax amount would be voted upon. Generally, it would take approximately sixty days to complete the process.

MOTION

Commissioner Ross motioned to authorize the County Manager to begin the process to establish an Avon Service District.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 5 – PROCLAMATION ESTABLISHING APRIL 2021 AS “NORTH CAROLINA 811 SAFE DIGGING MONTH”

Chairman Woodard introduced this proclamation which celebrated the 43rd year of service of NC One Call System, also known as NC811. The notification center provided location of utilities on both residential and commercial projects to prevent environmental impact, damages to utility lines and potential injuries to workers and the general public during excavation projects.

MOTION

Commissioner House motioned to approve the proclamation.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – HEALTH & HUMAN SERVICES – PUBLIC HEALTH PROCLAMATION “TAKE DOWN TOBACCO DAY 2021”

A pre-recorded presentation provided information on the dangers of e-cigarettes and other electronic products and how to increase awareness of the problems regarding tobacco use among the youth of Dare County. Commissioner House stated the heading on the Board’s agendas read, “How will these decisions impact our children and families.” He supported the proclamation. Commissioner Ross was impressed by the students and their message and expressed the need for an equally demonstrative campaign against the use of other intoxicants, such as marijuana.

MOTION

Commissioner House motioned to approve the proclamation.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 7 – PROPOSED DARE COUNTY SOCIAL MEDIA USE GUIDELINES & POLICY
(Att. #2)**

Dorothy Hester and Katelin Kight illustrated the new social media use guidelines. The policy had been updated once since its adoption in 2012. The update would establish two general social media accounts, Facebook and Instagram. The presentation reported estimations of 72% of adults used at least one social media platform. The County had a limited presence on Facebook with several individual departments. The current website was a primary communication tool and social media accounts could become a secondary tool. Katelin shared the number of followers to the Dare County Dept. of Health and Human Services Facebook page, which had grown from 1,318 on March 1, 2020 to 11,998 a year later. A Facebook account would serve as a tool for distribution of information such as County project updates, hurricane notifications and program information for other departments. There would be posting guidelines and filters assigned on the site. Mr. Outten remarked the county was coming into social media late in comparison with other areas over concerns regarding monitoring and proper archiving. The accounts would be a platform for questions and answers and not a political forum. He stated there would be Facebook comments that we would not like and we would have to accept. The concerns would be worth the benefits to getting out information. Commissioner Bateman said moving forward with these accounts would require careful monitoring. Ms. Hester asked that the policy be approved with a few minor revisions and to include a Flickr account.

MOTION

Commissioner House motioned to approve the Dare County Social Media Use Guidelines & Policy as presented with a few minor revisions.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous

ITEM 8 – DARE COUNTY DREDGE MATERIAL PERMIT PROJECT

Ken Willson, Sr., the Project/Program Manager at Coastal Protection Engineering, provided information regarding the short and long term needs for county dredge material placement. One goal was to provide additional capacity for maintenance of federal and nonfederal navigation channels. He stressed the need for alternatives of disposal to enhance coastal resilience. There were twenty-two different concept alternatives in the report, to include bird islands, new confined disposal facilities and thin layer placement options. There were eight recommendations developed to provide long-term and short-term strategies which utilized a screening matrix, as well as feedback from stakeholders. Recommendation #1 was the pursuit of permitting for both the Central and Southern Dare County Project Areas. Vice-Chairman Overman asked about the limiting factors of utilizing "Island H". Mr. Willson explained the area had an inside bowl which was formed by the construction of dykes. Wildlife Resource Commission and engineering factors had limits on the height of dykes for stability concerns. Green Island was a low elevation bird island which could have its elevation built up over time if permitted. Chairman Woodard asked if the County could do something similar to Portsmouth's Craney Island, which was a dredged material management area. Mr. Willson responded the big challenge was the economics and whether material was proper for placement. New bird islands would require their purpose and need in a project clearly established for dredge disposal to avoid disrupted use after development. Mr. Willson summarized the scope of work included in the existing contract provided for 14-18 months to obtain permits and various environmental documents to be completed to include additional

sediment sampling. Recommendation #2 provided for sediment sampling of channels to add to the existing Corps data to justify new project permits. Commissioner Tobin asked the approximate cost of the Vibracore data to establish the mineralogy of the material. The estimate was \$130,000. Vice-Chairman Overman asked about placing material at Fort Raleigh given the present escarpment. Mr. Willson explained some concerns regarding material placement below the water line and offered the Park Service was proposing to retain it as a natural shoreline environment. Recommendation #3 included the development of numerical models for alternatives in the Northern Roanoke Sound. Integration of Corps data into a GIS system was a long-term Recommendation #4 and would aid in evaluating trends. The assessment of confined disposal facility alternatives in three locations was identified as long-term Recommendation #5. Recommendations #6 and #7 suggested funding for projects which align with some goals of Corps projects. If CPE's recommendation #1 was approved Mr. Willson suggested moving forward with number two as quickly as possible because of the lag time required for securing the funding with matching from the state. Mr. Outten asked if grant funding for the thin layer placement was available and Mr. Willson felt further discussions needed to be accomplished with the Corps to screen the beneficial use projects.

MOTION

Commissioner Tobin motioned to approve CPE's Recommendation No. 1.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

It was the consensus of the Board to discuss the other recommendations at their upcoming retreat.

ITEM 9 – ALLIS HOLDINGS, LLC DECLARATION OF CONSERVATION EASEMENT

On December 21, 2020 the Board approved the request for a conservation easement by Allis Holdings, LLC to be located near a Dare County water tower on Duck Road. The County Manager advised the language needed to be changed to allow for an easement for the staging of future County repairs and maintenance to the water tower.

MOTION

Commissioner House motioned to reapprove the declaration of a conservation easement with the inclusion of an easement for County future maintenance and repairs.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 10 – AWARD OF FY2020-2021 EQUIPMENT FINANCING

Dave Clawson, Finance Director, explained their department had received proposals from seven financial institutions for the financing of County vehicles and equipment, such as garbage trucks, ambulances and sheriff vehicles. These purchases were approved in the 2020-2021 operating budget. Banc of America Public Capital Corp (BAPCC) was the lowest cost proposal at 0.6734% for a three year term over thirty-six months.

MOTION

Commissioner House motioned to adopt the resolution to award the financing to BAPCC and authorize the County Manager and staff to execute all the necessary financing documents.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 11 – 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 (03.01.21) **(Att. # 3)**
- 2) Budget Amendment for Increased Emergency Management Performance Grant Revenue
- 3) Health & Human Services–Public Health Div.- Additional COVID-19 Vaccine Funding
- 4) Tax Collector’s Report
- 5) Public Works Budget Amendment

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 12 – BOARD APPOINTMENTS

1) Rodanthe-Waves-Salvo Community Center

Commissioner Couch motioned to appoint Cheryl Blankenship.

Commissioner House seconded the motion.

VOTE: AYES unanimous

2) Manns Harbor Marina Commission

Commissioner House motioned to reappoint Cyndy Holda, Ladd Bayliss, Jonathan Oglesby and Jessie “Troy” Outland, Jr. for another term.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 13 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

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

Commissioner Tobin

- Congressman Murphy had met with him at the NC Industrial Park Authority and they discussed the County’s dredging needs and the importance of our waterways while they toured various boating facilities.
- He introduced a video regarding the County’s new dredge, to be named *Miss Katie*. It was scheduled for delivery in April, 2022 and would help maintain inlets especially after a storm. The Oregon Inlet Task Force would schedule when and where the dredge went after completion. He announced the steel had begun to be cut for the new vessel.

Commissioner Ross

- The subgroup meetings to discuss the Outer Banks event site in Nags Head continued and were chaired by Lee Nettles. There were still unsettled matters regarding a proposed hotel along with parking issues. He would provide updates.

Commissioner House

- He encouraged all local watermen to take the survey on the NC Division of Marine Fisheries website to help determine the effects of water quality in our fisheries.
- Reminded everyone of the new SPCA ribbon cutting on March 19 at 11:00 a.m.
- He highlighted several events for “today in history”: The assassination of Julius Caesar in 44 BC, the birthdays of President Andrew Jackson (1767) and Ruth Bader Ginsburg (1933) along with the anniversary of when Maine became the twenty-third state (1820).

Vice-Chairman Overman

- He had participated in the March for Meals program and delivered meals to several seniors. It was a great program and truly benefited those it served.
- He thanked Derek Kelly for his broadband discussion. Vice-Chairman mentioned he had spoken with the government relations director at Charter/Spectrum and requested an estimate on the cost to add coverage into the mainland areas where it did not currently exist. He hoped to provide an update during the retreat.

Commissioner Bateman

- Noted he had nothing additional to share.

Commissioner Couch

- Was pleased to announce work had begun on the Hatteras Village multi-use pathway. The pandemic had been hard on the restaurants and shops and it was hopeful the pathway would be completed by August, 2021.
- Noted tourism and visitor traffic had been closed for approximately six weeks in 2020 and predicted 2021 would be a “bang up year” with the Outer Banks as the “destination”.

MANAGER’S/ATTORNEY’S BUSINESS

County Manager Outten explained dredging the Hatteras South Ferry Channel had been met with various difficulties which had cost both additional time and funds. There were ten more days of dredging needed, which would exceed the dredging budget by approximately \$58,000. He asked for authority to sign the appropriate budget amendment to move \$60,000 from contingency to the Hatteras dredging fund. The transfer would allow for the completion of the project.

MOTION

Commissioners Tobin, House, Couch, Ross and Vice-Chairman Overman motioned to allow for the transfer of \$60,000 from the contingency fund to the Hatteras dredging fund and authorize the County Manager to sign the necessary budget amendments.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

Several meetings ago the Board had discussed realigning an easement between property lines along Airport Road. County water crews had confirmed the existence of a culvert in the area with ground penetrating radar. Before moving the easement, the owner of the lots would have to have the culvert moved. Discussions regarding stormwater issues in the area would continue at the upcoming Board retreat.

Mr. Outten stated the Board had agreed to purchase the Mako Mike’s property at the last meeting with a noted purchase price to construct a new EMS station with Kill Devil Hills. The

seller had advised he may avail himself to receive tax deductions by providing the County with a donation. The contract would still reflect the County's agreed upon purchase price.

He gave an update on the Rodanthe boat dock project. Businesses and those who relied upon the dock had voiced concerns over the negative impacts of any long closure. Brent Johnson was working to resolve some of those issues. Inquiry had been made to the Wildlife Resources Commission to delay the project until the "off season"; however, stalling the work for three to four years with the uncertainty of funding was not an option. Alternative solutions were being investigated, such as limited use while under the construction.

Vice-Chairman Overman mentioned Wildlife Resources currently had a project underway at Pirate's Cove Bridge with completion in May. Commissioner Tobin added it would increase parking with added trailer parking. Mr. Outten advised the Rodanthe project was trying to accommodate a multitude of uses to include use by commercial fisherman, a helipad, recycling and the need to stage construction materials.

Dorothy Hester gave reminder of the opening of the new SPCA this week with a ribbon cutting. The event would be available online with limited access of the new facility afterward.

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

MOTION

Commissioner Ross motioned to adjourn the meeting.
Commissioners Tobin and House seconded the motion.

VOTE: AYES unanimous

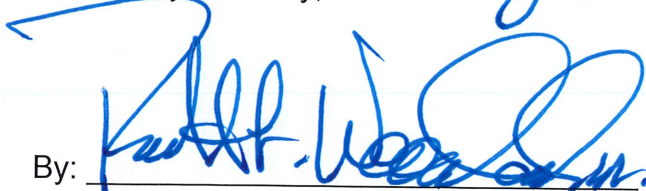
At 8:17 p.m., the Board of Commissioners adjourned until 9:00 a.m., April 7, 2021.



APPROVED:

Respectfully submitted,

By: 
Cheryl C. Anby, Clerk to the Board

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.