



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., August 2, 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
Public Relations Coordinator, Stephanie Banfield
Clerk to the Board, Cheryl Anby

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

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

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

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

- Commented he had been watching the Olympics, which were exciting to watch as those who represent our country share the American spirit. It was uplifting to watch medal winners stand on the podium while the National Anthem was played.
- He noted the last year and a half had been difficult for everyone. Dare County reported 103 new COVID-19 cases in the past five days. There were 83 cases seven days earlier. He made a plea to the County to weigh the pros in getting vaccinated. He said those who were not vaccinated should wear a mask in groups and practice social distancing.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

Service pins were presented to the following Dare County employees:

George Fockler, Roy Ambrose, Orman Mann, Jr. and Brett Barnett received ten-year pins. Pamela Kaiser, Travis Rodeheaver and Dustin Respass received fifteen-year pins. Pam Midgett received a 25-year pin. Merry Balance, not present, was also noted to celebrate her 25th year with the county. Lisa Heath received her 35-year pin as the dance program supervisor with the County’s Parks and Recreation Department.

ITEM 3 – PUBLIC COMMENTS

At 9:28 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which can be viewed in their entirety in a video on the County website:

The following comments were made in Manteo:

1. Richard Allebach from Duck said he and his wife had been playing pickleball for years and found it difficult to secure court time in Dare. There were a limited number of indoor facilities and he would like to see a dedicated outdoor playing field for the sport. He asked for an evening meeting to discuss the matter further.
2. Scott Garber was thankful for the additional budget funds to Parks and Recreation. As a pickle ball enthusiast, he wanted to get a concept for a 1,000 square foot court. He commented the calendar for the courts at the Rec Center was always full.
3. Melissa Ashcraft and Ben Saltzman spoke together concerning the difficulties of staffing Kitty Hawk Kites. They anticipated a significant drop of staff when school reopened. They were offering free employee housing from 8/9 – 10/30. They were also working outside of the area to form new partnerships with businesses to secure staffing needs. Pay rates and housing opportunities just were not enough.
4. Joe Maione, a resident of Nags Head, spoke about the “unintended consequences” which he felt occurred when businesses and towns grew without housing considerations for employees and families coming to the area. He suggested new projects could include dormitory housing to help with the problem.
5. Scott Morton, a resident of Kill Devil Hills, told the Board there was a large focus on youth recreation but not much time spent on facilities for adults. The courts were not open when adults could get there, such as evenings and weekends, to play pickleball. He stated there needed to be a better balance to serve senior adults.

No comments from Buxton. The County Manager closed Public Comments at 9:48 a.m.

ITEM 4 – RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO (Att. #1)

Dave Clawson presented the resolution to the Board which would authorize negotiations with lending institutions for the purchase of Mako’s Beach Grille and the Manteo youth center. He provided a schedule of the process. The projects would be financed over a 10-year term and no property tax increase was needed. There were no audit findings and a public hearing would be held. He added there was a third item for the Board to approve which was the \$700 difference in the purchase price of the Manteo parcel. Chairman Woodard questioned why closing the Manteo property was listed as “to be determined”. Mr. Outten explained the contract was approved by the lodge’s local board and was pending receipt of the state lodge’s formal approval. The kitchen equipment would remain part of the purchase and the sellers would retain the shed. Commissioner Ross asked what rates were anticipated for financing and Mr. Clawson responded it was expected to be under 2 percent.

MOTION

Commissioner Bateman motioned to adopt the Initial Resolution and Capital Project Ordinance and to correct the price of \$700 for the Manteo property purchase.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 5 – PUBLIC HEARING ON MANTEO AND KILL DEVIL HILLS PROPERTY ACQUISITION AND INSTALLMENT FINANCING CONTRACT

At 9:54 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton.

No one responded to the invitation to address the Board of Commissioners on this issue and the County Manager closed the Public Hearing at 9:55 a.m.

ITEM 6 – AMENDMENT TO SPECIAL USE PERMIT 2-2020 FOR WILLIAM AND SHELLY DAUGHERTY GROUP DEVELOPMENT

After all parties were sworn in, Noah H. Gillam, Assistant Planning Director, explained an amendment to Special Use Permit 2-2020 had been submitted by William and Shelly Daugherty. The original SUP had been issued in June 2020 for a group development consisting of three mini-storage units on parcel 023856000 in Manns Harbor. The amendment would add a fourth mini-storage facility, which would be 3,300 square feet with the unit measuring 20 x 165 foot. A site plan was provided. The Fire Marshal reviewed the application and his only concern was to insure the pond on the property would be kept clear of vegetation to allow for drafting operations in case of a fire emergency. The Planning Board reviewed the amended application on July 12 and deemed the conditions and the site plan appropriate. Adjoining property owners had been notified as required by ordinance. Mr. Gillam read the new amendments. The County Manager asked the applicant if he agreed to the findings of fact listed in the Amendment to SUP, the supporting documents on file, and the facts presented by Noah Gillam. Mr. Daugherty indicated his agreement. Commissioner Tobin stated an adjacent owner was his father-in-law, who was in favor of the amendment.

MOTION

Commissioner Bateman motioned to approve the draft amendments and site plan for SUP 2-2020 for a mini storage group development.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 7 – DARE COUNTY TOURISM BOARD – SOUNDSIDE EVENT CENTER AND SITE UPDATE

Lee Nettles, on behalf of the Tourism Board, provided a PowerPoint presentation to update the Board with a vision for the site and how it would relate to the community. A full account of the Board's discussion on this item is archived on a video available for viewing on the Dare County website www.darenc.com. Following is a brief synopsis: Mr. Nettles identified the event center as an enormous project and suggested it be thought of as a boulder, which "gets moved forward if all of us ...are all moving in the same direction". The Advisory Committee, which started in 2019, was present along with some Tourism Board members. The committee had offered different use types such as sports, banquets, trade shows and the associated

space requirements for each of those uses. Facilities in other markets were researched and input was considered from local event developers. Thought was also given to local town ordinances and text amendments or variances which might be needed. The committee voted to present the concept for consideration to the Tourism Board. The Tourism Board reviewed the recommendation and voted unanimously in support of the concept. It is now their hope and goal to gain support for the vision. Mr. Nettles said he would return at a later date to discuss a possible building design and a funding plan. Today he wanted the focus to be on the concept of the event center and provided a sketch of a 48,275 sq. ft. area with an event hall, meeting room, test kitchen with lobby and restrooms. The kitchen could partner with COA and the Outer Banks Restaurant Association to train high school and college students or new career starts. Johnson Consulting had projected the center would generate \$25 million in new spending in the area, 191 jobs and an approximate \$1.2 million in tax revenue by the fifth year of operation. They also projected an annual operating deficit of around \$310,000 by the fifth year. Mr. Nettles relayed the Tourism Board felt it was worth it for the return the facility will have for the community. He discussed with the Board the merits of a hotel being included but it was not being considered at this time. Johnson Consulting had advised a hotel would be strategic as the center grew; however there were septic requirements for a hotel. Commissioner Ross had sat on the advisory board over the past months and commented the presentation was done well. He asked Nettles about the hurdles such as the building size and height with regard to current Nags Head ordinances. Mr. Nettles said the current ordinance did not have consideration for a facility of this type and various ordinance amendments would be needed. Parking was also an issue with a requirement of 600 spaces. Currently the plan reflected 312 paved and 266 in the grass, which did not include the South Beach Grille parking area. The building height was 42 feet by current ordinance and the proposed building was at 45 feet. The cost of the project was estimated at \$17.6 million and they were getting another price comparison. Mr. Nettles agreed with Commissioner Ross when asked whether the yearly operating deficit would increase if project construction costs rose. At the conclusion of the presentation, Chairman Woodard received a consensus from the Board of project support. Commissioner Couch asked Mr. Nettles if a board resolution would hold any value for the project's progression.

MOTION

Commissioner Couch motioned to prepare and adopt a resolution in support of the project as presented.

Vice-Chairman Overman and Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

RECESS at 10:50 a.m. and the Board Reconvened at 11:04 am

ITEM 8 – ANNUAL SETTLEMENT – 2020 TAXES

Becky Huff, Tax Collector, presented the Annual Settlement of yearly tax collection. The collection rate through June was 99.57%. She stated Dare was rated top five in the state with their accomplished rate. Electronic payment options had relieved staff to allow more work on collection efforts. There were many people on payment plans allowing a larger amount of prior year taxes to be collected. Motor vehicle taxes were done by the state. Tax bills would go out next week. At the next board meeting Mrs. Huff would request the Board to charge her with the collection of the 2021 taxes. She reported on the Roanoke Island water assessments, which did not have interest or penalties added to unpaid accounts. Recently

396 people had been contacted and 96 had paid their water assessments in full, while others continued with payment plans. She introduced her staff: Jennifer Davenport, Corinne Etheridge, Paula Bingham, Ricki Burrus and Mesia Godfrey. She applauded their efforts during COVID. Commissioner Couch asked if much was being lost with AirBNB or BRBO properties and the remittance of occupancy taxes. Mrs. Huff explained there were a small percentage of parcels uncollected but efforts and research was ongoing to narrow the gap.

ITEM 9 – RFQ FOR PROFESSIONAL ENGINEERING SERVICES

County Manager advised an RFQ had been advertised on June 1, 2021 and the County had received responses from Albemarle and Associates from Kill Devil Hills, Timmons Group out of Elizabeth City and Progressive Design Collaborative from Raleigh. The engineering firm selected would locate property corners, aid with evaluating stormwater issues and other engineering issues for projects valued at \$50,000 or less. The County Manager explained why two of the firms may not be workable due to their distance to the County. He recommended Albemarle and Associates and indicated John Delucia, company representative, was present if the Board had questions.

MOTION

Commissioner Bateman motioned to exempt the county from the Mini-Brooks Act, approve Albemarle and Associates as engineers for projects valued at \$50,000 or less and authorize the County Manager to negotiate a final contract.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 10 – CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

Chairman Woodard gave an overview of the annual achievement for financing report, which had been established in 1945. He noted Dare County's Finance Department had received this award for thirty consecutive years. He recognized with the Board the amazing accomplishment which highlighted the dedication David Clawson, Sally DeFosse and the whole of his staff provided to the county. The awards were both presented to Mr. Clawson. He encouraged Dare County residents to visit the website to view the report, which illustrated the amazing financial health of our community.

ITEM 11 – PROCLAMATION – CHILD SUPPORT AWARENESS MONTH

The Dare County Health & Human Services provided the Board with a Proclamation to recognize August, 2021 as "Child Support Awareness Month". The proclamation outlined that more than \$2.6 million had been collected from parents of Dare County's children in the North Carolina Fiscal year 2020-21.

MOTION

Vice-Chairman Overman motioned to adopt the proclamation recognizing August, 2021 as "Child Support Awareness Month".

Commissioners House and Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 12– 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 (07.19.21) **(Att. #2)**
- 2) NC DPI Facility Needs Survey

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 13 – BOARD APPOINTMENTS

1) Parks and Recreation Advisory Council

Vice-Chairman Overman motioned to reappoint Anita Bills, Willer Spencer, Amanda Hooper Walters, George Barr, Robert Parrish, Eddie Twyne, Stephanie J. Harkness-Moxley and Kelli Harmon and appoint Helen Furr to fill Kathy Carden's vacancy.

Commissioner House seconded the motion.

VOTE: AYES unanimous

2) Upcoming Board Appointments

The upcoming Board appointments for September, October and November, 2021 were announced.

ITEM 14 – 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. A brief outline of the items mentioned by Commissioners and the County Manager during this segment follows:

Prior to this item Chairman Woodard invited Duke Gary with the Home Builders Association to provide an update regarding home building costs. Mr. Gary stated framing lumber was down 60% from its high. OSB, which was once \$9 a board, was now \$50 each. He stated electrical wire had more than tripled since last year. These increases made estimating jobs more difficult. Appliances needed for renovations or new construction were taking approximately three months to arrive. He stated the market in our area was about 70% investment homes. He also commented on the shortage of laborers in the business. There was pressure for new energy standards coming out with more electric products and less gas.

Commissioner Tobin

- Reported on his recent trip to the shipyard where *Miss Katie* was being constructed. The steel price secured for the project was at 35 cents per pound and now the price of steel was around 95 cents a pound. The trip was good and he would share pictures later. The bow sections were almost completed and would be moved out to the yard and attached to the mid-body section. The stern sections were also almost completed. There were still some issues with the draghead plans but they were working through them with help from both Congressman Murphy and Senator Burr's offices to put pressure on the Corps of Engineers to turn over either a draghead for the development of a mold or an actual mold or the plans.

Commissioner Ross

- Advised he and the County Manager would be attending a broadband grant proposal zoom meeting tomorrow by the Economic Development Authority. He stated the EDA had made available one billion dollars for the Atlanta Region. A large extent of rural eastern United States would be covered and they hope to investigate whether or not there would be an opportunity to do more for our region.

Commissioner House

- He commented on his trip to Conrad Shipyard and said it was good to see the dredge taking shape. The welders were working through temperature indexes of 110 degrees that day.
- He thanked Dave Clawson, Sally DeFosse and the finance department staff for their remarkable 30 year record of excellence.
- For a day in history he referenced when John F. Kennedy leaped into the ocean after a Japanese nighttime attack of his PT-109. He swam through the burning wreckage of his boat to save other crewmembers.

Vice-Chairman Overman

- Congratulated and thanked the ten service pin recipients with a total of 170 years of service to the County.
- He acknowledged the continued top priority to Dare County's financial health that Dave Clawson, Sally DeFosse and the finance department staff gave to the community and congratulated them on receiving the Certificate of Achievement for Excellence.

Commissioner Bateman

- Commented on the continued difficulties encountered by employers to staff their businesses. Housing played a part, he said, but "people don't want to work" and he received little to no response from the employment commission as a staffing resource.
- He added it would be required for employers to supply housing for each J-1 student with an approved housing criteria.

Commissioner Couch

- Remembered the unfortunate loss of a young man to an accident in Frisco last week, Leroy "Trey" Tracey Farrow, III.

MANAGER'S/ATTORNEY'S BUSINESS

1. County Manager Outten advised the KnowBe4 training services contract presented and approved at the July 19, 2021 Board meeting needed to be modified. IT Director had asked for a quote for 700 employees and later realized only a portion of what was needed had been quoted. Matt Hester had negotiated a good price for the multi-year contract. County Manager asked for approved of an amended contract to add the employees for approximately \$1,000.

MOTION

Commissioner House motion to amend the KnowBe4 contract to add the employees needed and increase the cost by approximately \$1,000.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten advised in order to move potential essential housing projects along; DFI had indicated the need for an architect to evaluate renovations at Elizabethan Inn and to look at the Bowsertown project. Proposals were sent by DFI and three qualification packages were received. Dunn & Dalton from Kingston, had renovation experience, but it was difficult to discern how much market-rate apartments versus LIHTC work they had done. Their estimate was \$28,000. Ross/Deckard based in Charlotte had one hundred or more project examples with LIHTC; however, they were expensive with a \$44,500 quote. Tise Kiester, architects from Chapel Hill, provided a \$9,000 estimate. They had completed a number of LIHTC projects which were 30-60 units. Based on the price and their experience, he recommended Tise-Kiester Architects.

MOTION

Commissioner House motioned for exemption from the Mini-Brooks Act, approval of a contract with Tise-Kiester Architects PA and authorized the necessary budget amendments.

Commissioners Tobin and Couch seconded the motion

VOTE: Ayes unanimous

The County Manager also mentioned the need for the Board to establish what resources would be committed to affordable/essential housing issues. He suggested a dollar amount could be agreed upon for one project at a time or a fund created for affordable housing going forward.

3. Stormwater issues on the North End had resurfaced when an owner moved a drainage pipe. It was discovered to be connected to a clogged pipe which was not in the appropriate easement. The pipe drained into an open ditch and then through six houses and hit another pipe and spread out into open ditches. An engineer had reviewed the issue twice and recommended a culverted pipe through the open ditches to improve water flow into the sound. Mr. Outten recommended the new county engineer look at the issue and provide an estimate for Board for approval. The Board discussed and agreed the County Manager would move forward with acquiring the estimate of corrective work for their approval at a later date.
4. There were three to four houses privately owned near Wescott Park. The owner had requested a fence between his properties and Dare's to prevent continued encroachment onto his rentals by bike and motor bike traffic. A further review of the area noted there was a light stanchion for the baseball park area on the owner's property. Rather than move the light, the Manager advised he was working out a resolution where the owner could contribute a portion of the \$7,256.00 estimated cost to place a fence in the area. The Board discussed with a consensus for the County Manager to move forward.

The County Manager concluded the meeting had highlighted the finance and tax departments' excellence and dedication. He commended each of the County's departments stating they were making similar contributions. Commissioner Couch added the trash collectors, who were currently short staffed, were doing a wonderful job.

Dave Clawson thanked the Board for the presentation of the certificates recognizing his department and would pass on the Board's added compliments to his staff.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 12:37 p.m., the Board of Commissioners adjourned until 5:00 p.m., August 16, 2021.

Respectfully submitted,



APPROVED:

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

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

Note: Copies of attachments and supporting material considered by the Board of Commissioners at this meeting are on file in the office of the Clerk to the Board. Attempts have been made to accurately reflect the spelling of each name as spoken at the podium or based on the legibility of the sign-in sheet.