



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

Monday, October 04, 2021

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

AGENDA

- 9:00 AM CONVENE, PRAYER, PLEDGE OF ALLEGIANCE**
- ITEM 1** Opening Remarks - Chairman's Update
- ITEM 2** Presentation of County Service Pins - October 2021
- ITEM 3** Employee of the Month
- ITEM 4** Public Comments
- ITEM 5** Request to Amend the Travel Trailer Park Ordinance
- ITEM 6** Jeff Aiken Special Use Permit Application
- ITEM 7** Zoning Text Amendment Request -- Food Stands and Mobile Food Units
- ITEM 8** Presentation and Proclamation for Mental Illness Awareness Week
- ITEM 9** Establishment of Separate OPEB and LEOSA Irrevocable Trust Agreements
- ITEM 10** Resolution of the County of Dare, NC Declaring the Intent of the County of Dare, NC to Reimburse Itself for Capital Expenditures from the Proceeds of Certain Tax-Exempt Obligations
- ITEM 11** **Consent Agenda**
1. Approval of Minutes
 2. Correction to Capital Project Ordinance for S2021A Installment Financing for Manteo and Kill Devil Hills Properties
 3. Water Department Budget Amendment
 4. Schedule of Meeting Dates for 2022
 5. Health & Human Services - Public Health Div. Request a Full Time Administrative Specialist Position for Environmental Health & Eliminate Two Part-time Positions
 6. 5311 Designee Certification for FY2023 - FY2027
- ITEM 12** **Board Appointments**
1. Land Transfer Tax Appeals Board
 2. Roanoke Island Community Center
 3. Health and Human Services Board
 4. Library Board - Dare
 5. Fessenden Center Advisory Board
 6. Juvenile Crime Prevention Council
 7. Upcoming Board Appointments
- ITEM 13** Commissioners' Business & Manager's/Attorney's Business

ADJOURN UNTIL 5:00 P.M. ON OCTOBER 18, 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.



Presentation of County Service Pins - October 2021

Description

The following employees are scheduled to receive service pins this month:

- Stanley Farrow, Emergency Medical Tech - 15 years
- Neries Sullivan, Asst. Communications Director - 20 years
- Amy Hill, Detention Lieutenant - 25 years
- Stephen Fearing, Distribution Field Supervisor Water - 25 years

Board Action Requested

None - presentation

Item Presenter

Robert Outten, County Manager



Employee of the Month

Description

The Employee of the Month Certification will be presented.

Board Action Requested

None

Item Presenter

To Be Determined



Public Comments

Description

The Board of Commissioners encourages citizen participation and provides time on the agenda at every regularly scheduled meeting for Public Comments. This is an opportunity for anyone to speak directly to the entire Board of Commissioners for up to five minutes on any topic or item of concern. Masks and social distancing required.

Comments can be made at the Commissioners Meeting Room in Manteo (Administration Bldg., 954 Marshall Collins Drive, Manteo) or through an interactive video link at the Fessenden Center Annex (47013 Buxton Back Road, Buxton).

Board Action Requested

Hear Public Comments

Item Presenter

Robert Outten, County Manager



Request to Amend the Travel Trailer Park Ordinance

Description

Joe Thompson has submitted a request to amend the buffer standards of the Travel Trailer Park and Campground Ordinance. Dare County approved a site plan for the addition of twenty camping sites at the Avon Pier, which is owned by Mr. Thompson. The current TTPCO language requires a vegetative buffer and Mr. Thompson is requested the language be amended to allow fencing versus a vegetative buffer. A staff report and draft language is attached.

Board Action Requested

Motion to schedule a public hearing on October 18, 2021 at 5:00 p.m.

Item Presenter

Donna Creef, Planning Director

STAFF REPORT OCTOBER 4, 2021 BOARD OF COMMISSIONERS MEETING

FROM: DONNA CREEF, PLANNING DIRECTOR

RE: REQUEST TO AMEND SETION 58.5 FOOD STANDS AND
MOBILE FOOD UNITS

Joe Thompson has submitted a request to amend the Travel Trailer Park and Campground Ordinance buffer requirement. The County approved a special use permit for Mr. Thompson last year to add twenty camping spaces to the Avon pier site. The TTPCO applies the vegetative buffer requirements to the area where the camping sites will be located. The buffer is required around the perimeter of the camping sites. Mr. Thompson is concerned the proposed location of the vegetative buffer will impact the large wastewater system that serves the pier and restaurant located on the site. He is requesting the buffer language be amended to allow flexibility in the buffer standards with the option for fencing and/or no buffer depending on the location of the travel trailer sites relative to the other uses on the site.

The current buffer language in the TTPCO requires a vegetative buffer around the entire perimeter of a park and does not allow for any flexibility to use fencing or where a buffer is required. In reviewing the proposed letter submitted by Mr. Thompson and hearing him speak at their September meeting, the Planning Board agreed with Mr. Thompson's concerns. The Board voted to recommend approval of the following revisions to the TTPCO:

Amendment 1 – Section 160-37 Camping Spaces as Commercial Sites

(D) All camping spaces shall be grouped in one area of the site used exclusively for camping spaces. The camping spaces shall be not interspersed throughout the commercial site. ~~The perimeter of the camping shall be buffered according to Section 160.27 (N).~~ The location of buffers and the type of buffer (vegetative versus solid wood or composite fencing) shall be established during the special use permit review. If fencing is used, such fencing shall be a minimum of six feet in height. Buffers shall be maintained by the property owner.

Amendment Two – Section 160.27 General Standards for All Parks

(N) The Travel Trailer Park shall have a buffer strip adjacent to the park boundary extending along the entire perimeter of the park. This buffer shall consist of vegetation or solid fencing of wood or composite materials. If vegetation is used, the planting strip shall not be a portion of any lot, road, or private drive. The buffer strip shall consist of a planted strip of land at least five (5) feet in width composed of indigenous deciduous and/or evergreen trees, spaced not more than ten (10) feet apart, and not less than one

(1) row of indigenous dense shrubs, spaced not more than five (5) feet apart and five (5) feet or more in height after one growing season, which shall be planted and maintained in a healthy, growing condition by the property owner. If fencing is used, such fencing shall be a minimum of six feet in height. Buffers shall be maintained by the property owner. Buffers shall not be required along estuarine or ocean shorelines. The outside surface of any fence facing the street, water or adjacent property shall be the finished surface of fencing.

TRAVEL TRAILER PARK AND CAMPGROUND ORDINANCE AMENDMENTS

Section 160.37 (D) : The location of buffers and the type of buffer (vegetative versus solid wood or composite fencing) shall be established during the special use permit review. If fencing is used, such fencing shall be a minimum of six feet in height. Buffers shall be maintained by the property owner.

Section 160.27 (M) The Travel Trailer Park shall have a buffer strip adjacent to the park boundary extending along the ~~entire~~ perimeter of the park. This buffer shall consist of vegetation or solid fencing of wood or composite materials. If vegetation is used, the planting strip shall not be a portion of any lot, road, or private drive. The buffer strip shall consist of a planted strip of land at least five (5) feet in width composed of indigenous deciduous and/or evergreen trees, spaced not more than ten (10) feet apart, and not less than one (1) row of indigenous dense shrubs, spaced not more than five (5) feet apart and five (5) feet or more in height after one growing season, which shall be planted and maintained in a healthy, growing condition by the property owner. If fencing is used, such fencing shall be a minimum of six feet in height. Buffers shall be maintained by the property owner. Buffers shall not be required along estuarine or ocean shorelines. The outside surface of any fence facing the street, water or adjacent property shall be the finished surface of fencing.

To: Donna Creef
Dare County Planning Director

From: Joe Thompson
Founder, Koru Village

Re: Travel Trailer Park Buffer Requirement

Date: August 12, 2021

Thank you for the opportunity to address this issue with the Planning Board. I first want to go on record to say that I have no issue with creating a “buffer” around our RV Park “Avon By The Sea” which is under development. The issue comes down to execution of that requirement and the potential damage to our property.

Essentially there are two areas of our development that are problematic in terms of creating a vegetative buffer. The first area is the buffer that will be between the RV Park and the remaining oceanfront parking area of the Avon Pier. This area is gravel parking on both sides of the buffer and the buffer will be very close to the septic tanks (highway rated tanks) for the project. We propose to build a privacy fence as that is crucial to the peace and enjoyment of the RV Park guests. The second area is the buffer between the RV Park and our drain field that is shared with our pier, restaurant, and other uses. This is a very large drain field, and we will have to plant shrubs and trees through our active drain field. This is not an advisable practice as the plants will invade the drain field with roots and eventually cause significant damage or even failure.

I would like to propose the following solution:

- 1) Buffer between RV Park and Avon Pier parking lot- we propose to build a 6’ wooden privacy fence between the two uses.
- 2) Buffer between RV Park and drain field (septic)- to continue to manage that area as we have in the past (lawn). The next closest use is our restaurant, Pangea Tavern which is approximately 300’ away

Again, I want to stress that I by no means object to buffers or the reason they are part of the ordinance. I do believe due to extenuating circumstances on our property, the buffers become difficult if not impossible to plant and maintain and the area of our drain field (septic) would likely lead to serious issues down the road.

Thank you for your consideration,

Best Regards

Joe Thompson



Jeff Aiken - Special Use Permit Application

Description

Jeff Aiken has submitted a special use permit application to construct a fish house and associated docking facilities on Altona Lane in Hatteras village. A detailed staff report and site plan for the proposal use is attached with this cover sheet.

Board Action Requested

Motion to approve draft SUP and site plan – “I move that SUP 3-2021 and associated site plan for the proposed fish house and docking be approved.”

Item Presenter

Donna Creef, Planning Director

STAFF REPORT October 4, 2021 Board Of Commissioners

FROM: Donna Creef, Planning Director

ITEM: Special Use Permit – Jeff Aiken d/b/a Jeffrey's Seafood
Commercial Fish House and Docking

A request for a Special Use Permit (SUP) for a commercial fish house and docking facility has been submitted by Jeffery Aiken. The proposed facility is located in Hatteras Village, and is identified as parcel 015528000 with Dare County Tax Mapping. The parcel is zoned R-2AH and fish houses and dockage are permitted as a special use. Mr. Aiken currently leases the adjoining property on which he operates his existing fish house and fish packing facility. He is planning to expand his current business to meet the growing demand of North Carolina sustainably sourced seafood. A cover letter describing the business and growing demand has been provided by the applicant and is attached to this memo.

The parcel for the proposed fish house is currently vacant, but does have feature existing docks and bulkheads located on Back Creek. He is proposing to construct a 5,625 square foot building that will primarily be used for the processing, packaging, and distribution of seafood. The building will have 800 square feet dedicated to retail sales of seafood and related products. A site plan depicting the proposed improvements is included as part of the SUP package. Some of the proposed improvements will be constructed inside the Coastal Area Management Act jurisdiction and will have to adhere to their regulations as well as the Dare County Zoning Ordinance. Conditions have been added to the draft SUP addressing these regulations.

A draft SUP prepared by staff is attached. Mr. Aiken presented his proposal to the Planning Board at their September 13, 2021. The conditions in the draft SUP were identified by the Planning Board and recommended as reasonable and appropriate conditions to apply to the proposed use. The draft conditions include hours of operation for the retail market, lighting, fencing, and other requirements established in the Dare County Zoning Ordinance.

The notice procedures for quasi-judicial uses established in Section 22-72 of the Dare County Zoning Ordinance were implemented.



Special Use Permit No. #3-2021

Dare County Sections 22-22.4, 22-53, 22-65, & 22-70

Application of: Jeffery Aiken d/b/a Jeffrey's Seafood

On October 04, 2021 the Dare County Board of Commissioners considered the application of the Petitioner above named which application is on file with the Dare County Planning Department, and the Board finds as follows:

1. That the written application of Petitioner with attachments has been duly submitted to the Dare County Planning Department as required by Section 22-65 of the Dare County Code (hereinafter referred to as "Code");
2. That the application substantially complies with the requirements of the Code in that it requests uses permitted by special use permit under the Code subject to the quasi-judicial procedures set forth in Section 22-70, including; Fish Houses and Dockage
3. The subject property is zoned R2-AH. This property is identified on the Dare County tax records as PARCEL 015528000 and located in the Hatteras Tax District.
4. That the Dare County Board of Commissioners is empowered under sections of the Code set out above to approve special uses and apply reasonable and appropriate conditions;
5. That the notice procedures of Section 22-72 of the Code have been implemented in the review of this Special Use Permit;
6. That upon the evidence received, the testimony presented, and the submitted written record, there are sufficient facts to support the issuance of this Special Use Permit according to the following terms and conditions:

SPECIAL USE: A fish house and dockage facility. A site plan depicting the proposed improvements identified as Appendix B is included as part of this permit.

CONDITIONS:

1. One building, consisting of 5,625 square feet, shall be constructed and used for the sale, processing, packing and distribution of seafood. The docks and bulkheads onsite shall be used by the commercial fishing vessels servicing the business
2. A Division of Coastal Management CAMA Minor Permit must be obtained from the Dare County Local Permitting Officer before any development can occur on the site.
3. A Dare County building permit shall be obtained from the Dare County Planning and Building Department before any construction begins on the proposed structure. All building permits shall be obtained within 36 months from the date of approval of this permit
4. All gravel parking, driveways, and drive isles shall be placed on the parcel so that it meets NCDOT and emergency vehicle load requirements. All parking shall meet the requirements of Chapter 22-53 of the Dare County Zoning Ordinance.
5. All light fixtures shall be installed so that no light illuminates or reflects on any adjacent property or public right-of-way.
6. Solid fencing, six feet in height, shall be installed and maintained along property lines abutting the existing residential use located at
7. Hours of operation for the retail services shall be 7:00 A.M. to 10:00 P.M., seven days a week.
8. No parking or staging of trucks or equipment shall take place in the Altona Lane or along its right of way.
9. No changes or deviation from the terms and conditions of the special use approval shall be made until written approval of the proposed changes or deviations has been obtained from Dare County. The quasi-judicial procedures set forth in the Code shall be followed for the review and approval of major modifications. Minor modifications as established in Section 22-70 of the Code may be authorized administratively by the Planning Director.
10. A violation of this Permit shall be a violation of the Code and the special use may be revoked by the Board of Commissioners. Special use approval shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any development regulation or any State law delegated to Dare County for enforcement purposes; or for false statements or misrepresentations made in securing special use approval. The same process for approval of a special use permit, including notice and hearing, shall be followed in the revocation of a special use permit.

11. All other terms and provisions of the Dare County Zoning Ordinance shall remain in full force and effect except as herein specifically permitted otherwise;

This 4th day of October 2021

SEAL:

COUNTY OF DARE

By: _____
Robert L Woodard Sr.
Dare County Board of Commissioners

ATTEST:

By: _____
Cheryl Anby
Clerk to the Board

THIS PERMIT AND THE CONDITIONS HEREIN ARE ACCEPTED

By: _____
Jeffrey Aiken
Fisherman’s Heritage LLC

APPROVED AS TO LEGAL FORM

By: _____
Robert L. Outten
County Attorney

Jeffrey's Seafood

Janet W. Whitbeck Inc
PO Box 515
Hatteras, NC 27943
252-986-2800
contact@jeffreys-seafood.com

Re: Jeffrey's Seafood site plan approval

To Members of The Dare County Planning Board,

Jeffrey's Seafood is a family owned and operated wholesale seafood packing and processing company located in the heart of Hatteras Village. Since 1981, Jeffrey's has been supplying fresh, locally caught seafood to buyers from North Carolina, across the U.S. and into Canada, primarily unprocessed whole finfish on ice. As in all fisheries, our production varies depending on weather, season and regulatory allowances. On busy weeks, we may process and ship upwards of 60,000 pounds of whole fish, while on slow weeks we may only ship around 2,000 pounds. On a yearly basis we process and ship 1 to 1.2 million pounds of fish to our local and out- of-state buyers. Annually, this equates to approximately 2 million dollars in sales for our company.

In years past, most of our products have been shipped to out-of- state wholesalers, as these were the only available markets with value-added processing capabilities. In many cases, the processed seafood was sold back to restaurants and other seafood outlets on the Outer Banks by these out-of-state businesses, which inflates local catch prices for local businesses, leaving the bulk of the profits outside our local and state economy.

COVID-19 affected our business in many ways during 2020, in great part due to the increased and extended visitor stays in communities along the Outer Banks. We were able to partner with Ocracoke Seafood in Ocracoke Island, N.C., purchasing their fresh catch and thus increasing our volume of product by more than 30%. Throughout COVID lockdown, the demand for fresh, local seafood in restaurants and retail markets increased significantly on Hatteras Island, the result of a massive disruption in the supply chain of quality processed seafood in our area.

In order to meet the demand for North Carolina sustainably sourced seafood, we have identified three critical needs for: 1) space to expand our processing services, 2) up-to-date infrastructure and 3) top-of-the-line equipment that will allow us to process a greater volume of products to fulfill our local and regional customers' growing demands for fresh seafood and to reach new markets for processed seafood.

By processing the seafood we have available and providing direct distribution to local seafood markets and restaurants, the seafood economy will be strengthened and diversified by bringing new products to meet market demands. The addition of this

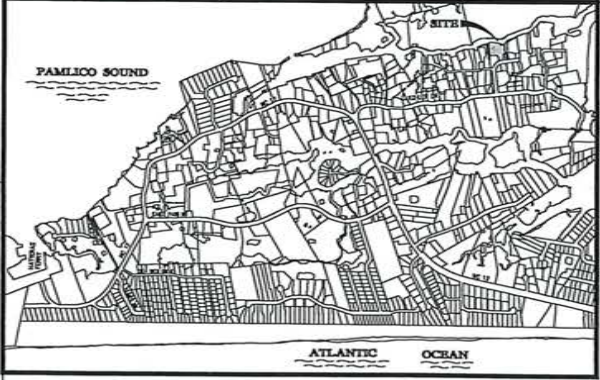
infrastructure to Jeffery's will allow restaurants and markets to sell higher quantities of high-quality seafood products and ensure return customers, in turn boosting both the local and state economy. Having this facility will allow local restaurants and seafood retailers to source products that are directly from our local fishermen and fish houses keeping revenue in North Carolina; in comparison, to sourcing imported or out-of-state processed seafood that generates substantial profits for other states providing the value-added production.

With the approval of the Planning Board, Jeffrey's Seafood hopes to build an efficient seafood processing facility increasing our fresh seafood processing capacity and enhancing the availability of local caught seafood products along the Outer Banks and Eastern North Carolina. Adding value through processing will strengthen the local North Carolina seafood economy, increasing employment opportunities, supporting commercial fishing families, and meeting the demands of Outer Banks restaurants and other food-based businesses throughout the region.

We would like to begin construction soon and hope the Planning Board can consider this request at its earliest possible date.

Thank you for your consideration of our request,

Jeff Aiken and Family



GENERAL NOTES:

- * SUBJECT PROPERTY: WATERGAS PARCEL, DADE COUNTY, NC
- * STREET ADDRESS: 57162 Altona Ln, Hatteras, NC 27943
- * PARCEL ID NUMBER: 05020000
- * PUC: 05000000001
- DADE COUNTY ZONING: R-2A8 (ALT MEDIUM DENSITY)
- DADE COUNTY PLAZED ZONE: AC (0)
- * RECEIVED REFERENCE: S.S. 1961, Pg. 0030
- * LOT AREA: 42,388 Sq. Ft.
- * PROPOSED DEVELOPMENT: Fish House and Package Retail 3,813 SF Fish House on Concrete Foundation (SEE RETAIL & DEVELOPMENT)
- PROPOSED BUILDING: 5,815 SF
 PROPOSED VEHICLE CIRCULATION AREA: 4,500 SF
 CONCRETE SURFACE AREA: 381 SF
 RAISED WOOD MECHANICAL STAIR: 480 SF
 TOTAL LOT COVERAGE: 13,480 SF. (31.81%)
- * PROPOSED AEC DEVELOPMENT: TOTAL AEC AREA: 20,219 SF
 GRAVEL: 3,263 SF
 BUILDING AND CONCRETE PAD: 3,242 SF
 TOTAL LOT COVERAGE: 3,544 SF. (8.36%)
- * PROPOSED PARKING: RETAIL = 800 SF. @ 1 PER 300 = 4 SPACES
 8 EMPLOYEES @ 2 PER 3 EMPLOYEES = 4 SPACES
 REQUIRED PARKING = 8 SPACES
 PROVIDED SPACES = 8 SPACES

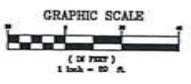
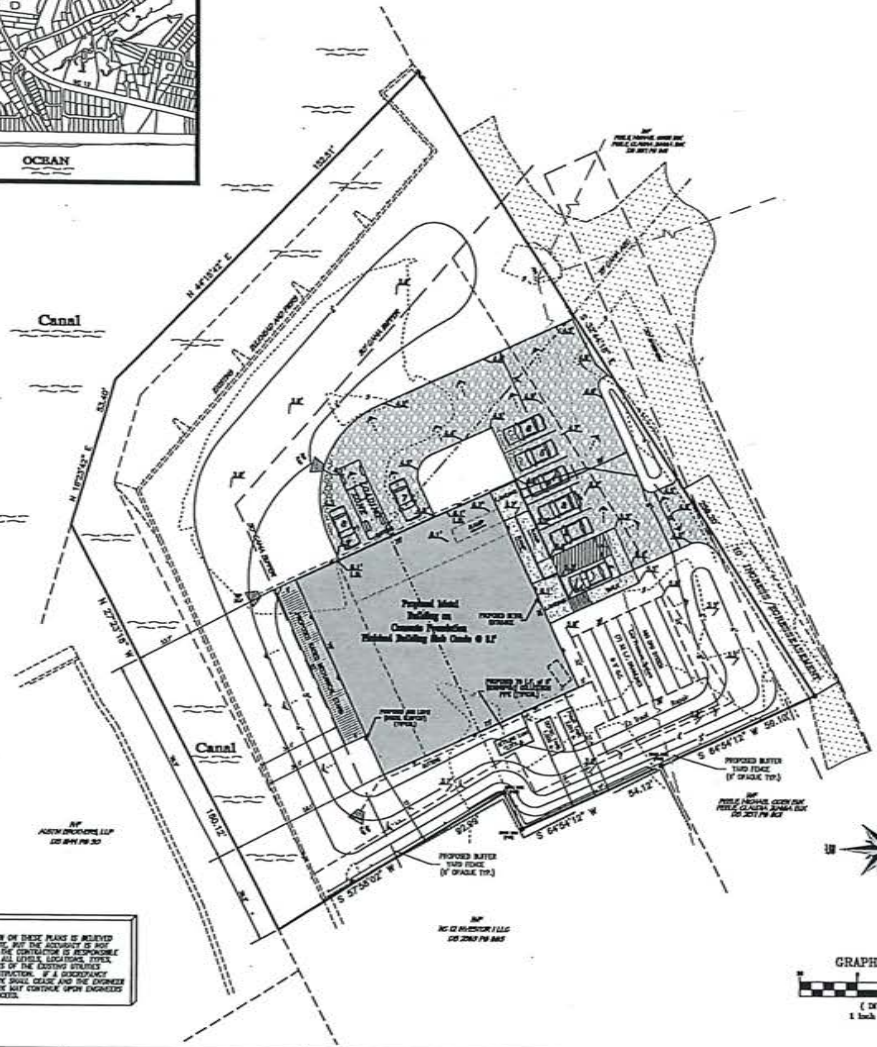
LEGEND:

- EXISTING GRAVEL
- PROPOSED METAL BUILDING
- VEHICLE CIRCULATION AREA
- PROPOSED CONCRETE
- 10' x 20' PARKING REQUIREMENTS
- PROPOSED FINISHED SPOT GRADE
- PROPOSED FINISHED GRADE CONTOUR
- PROPOSED STORMWATER DIRECTIONAL ARROW

BEFORE YOU DIG!



NOTE:
 THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, STOP WORK IMMEDIATELY AND THE ENGINEER NOTIFIED. WORK SHALL CONTINUE UPON ENGINEER'S NOTICE TO PROCEED.



Firm Certification # C-1555 EXPIRES 08/31/21 THIS DOCUMENT IS THE PROPERTY OF HOUSE ENGINEERING, P.C. AND MUST NOT BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT PERMISSION OF THE OWNER.		Site Plan Fisherman's Heritage, LLC Location: 57162 Altona Lane Hatteras, Dare County, North Carolina							
APPROVALS DATE Drawn: D. NEFF 08/29/21 Checked: R. HOUSE 08/29/21 Engineered: R. HOUSE 08/29/21		REVISIONS <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>D</td> <td></td> <td></td> </tr> </tbody> </table>		No.	Date	Description	D		
No.	Date	Description							
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CAD FILENAME: 190941		SCALE: 1"=20' SHEET NO. C1 OF 1							



GENERAL NOTES:

- * SUBJECT PROPERTY: WATERMAN PARCEL
DADE COUNTY, NC
- * STREET ADDRESS: 5716 Altona Ln
WILMINGTON, NC 27413
- * PARCEL ID NUMBER: 03303020
- * PIR: 9090302020
- DADE COUNTY ZONING: R-204 (ALT MEDIAN DENSITY)
- DADE COUNTY FLOOD ZONE: AE (3)
- * RECEIVED REFERENCE: D.R. 1994, Pg. 0330
- * LOT AREA: 42,389 Sq. Ft.
- * PROPOSED DEVELOPMENT: Fish House and Dockage
Total 5,825 SF of Fish House on Concrete Foundation
(600 RETAIL & EMPLOYEES)
- PROPOSED BUILDING: 5,825 SF
PROPOSED VEHICLE CIRCULATION AREA: 5,000 SF
CONCRETE SURFACE AREA: 800 SF
RAISED WOOD MEDIAN/ALAND: 480 SF
TOTAL LOT COVERAGE: 11,485 SF (27.13%)
- * PROPOSED AEC DEVELOPMENT: TOTAL AEC AREA: 20,249 SF
DRIVEWAY: 2,340 SF
BUILDING and CONCRETE PAD: 2,240 SF
TOTAL LOT COVERAGE: 5,640 SF (13.3%)
- * PROPOSED PARKING: RETAIL = 800 SF, @ 1 PER 200 = 4 SPACES
8 EMPLOYEES @ 2 PER 3 EMPLOYEES = 4 SPACES
REQUIRED PARKING = 8 SPACES
PROVIDES SPACES = 8 SPACES

LEGEND:

- EXISTING GRAVEL
- PROPOSED METAL BUILDING
- VEHICLE CIRCULATION AREA
- PROPOSED CONCRETE
- 10' x 20' PARKING REQUIREMENTS
- PROPOSED FINISHED SPOT GRADE
- PROPOSED FINISHED GRADE CONTOUR
- PROPOSED STORMWATER DIRECTIONAL ARROW

BEFORE YOU DIG!



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HOUSE ENGINEERING PC
Professional Engineer
1000 S. 10th St., Suite 100
Wilmington, NC 27403
Phone: 754-344-1111
Fax: 754-344-1112
www.houseeng.com

Site Plan
Fisherman's Heritage
Location:
57162 Altona Lane
Hatteras, Dare County, North Carolina

NO.	REVISIONS	DATE
1	ISSUE FOR PERMIT	02/21/2024
2	REVISED PER CITY COMMENTS	03/21/2024
3	REVISED PER CITY COMMENTS	03/22/2024
4	REVISED PER CITY COMMENTS	03/22/2024

DATE: 03/22/24
SCALE: AS SHOWN
DRAWN BY: J. WILSON
CHECKED BY: J. WILSON
PROJECT NUMBER: 216190
CADD FILE NAME: 190216190.dwg



Zoning Text Amendment Request -- Food Stands and Mobile Food Units

Description

Joe Thompson has submitted a zoning text amendment application to amend Section 22-58.5, Food Stands and Mobile Food Units. Currently this section allows only one mobile food unit (food truck) per business site. Mr. Thompson has requested this limitation be revised to allow five mobile food units per business site. A more detailed staff report and the proposed changes to Section 22-58.5 are attached.

Board Action Requested

Motion to schedule a public hearing on October 18, 2021 at 5:00 p.m.

Item Presenter

Donna Creef, Planning Director

STAFF REPORT OCTOBER 4, 2021 BOARD OF COMMISSIONERS MEETING
FROM: DONNA CREEF, PLANNING DIRECTOR
RE: REQUEST TO AMEND SETION 58.5 FOOD STANDS AND
 MOBILE FOOD UNITS

Joe Thompson has filed an application to amend Section 22-58.5 of the Zoning Ordinance to allow more than one mobile food unit (food truck) on a site. Currently 22-58.5 allows one mobile food unit per commercial site. He has provided a detailed cover letter with his application.

Dare County amended the Zoning Ordinance in 2018 to allow mobile food units. The regulations permit the location of one mobile food unit on a site with an existing commercial business in zoning districts that allow restaurants. Mr. Thompson envisions the operation of multiple food trucks that would function similar to food courts in shopping malls whereby a variety of food is offered in one central location. Mr. Thompson has requested to revise the regulations to allow up to five mobile food units on one business site.

The Planning Board reviewed this request at their September 13, 2021 meeting and were in support of the request. When the regulations were adopted in 2018, there was some concern about an excessive amount of mobile food units. Since 2018, we have approved eight mobile food units, two of which are no longer in business. This concern has not materialized. With the adjustment for more than one mobile food unit some of the other regulations also need adjusting.

The draft language as recommended by the Planning Board is attached. The revised language is underlined and the language proposed for deletion is in strikethrough text. In order to move forward, a public hearing on the proposal amendments must be held. The first available date for a hearing is October 18, 2021.

Draft Motion: "I move that a public hearing on the proposed amendments to Section 22-58.5 be held on October 18, 2021 at 5:00 p.m."

Section 22-58.5 Food Stands and Mobile Food Units (PB recommendation)

Intent and Effect: The section shall apply to the review, approval and operation of any food stand and/or mobile food unit as permitted in the individual zoning districts of unincorporated Dare County. ~~These regulations shall be effective March 19, 2018 and apply to any food stand authorized by Dare County after this adoption date.~~ These regulations shall be effective March 19, 2018 and apply to any food stand authorized by Dare County after March 19, 2018.

Mobile food units: Mobile food units as defined in Section 22-2 of the Dare County Zoning Ordinance may be authorized as a food stand subject to the conditions and procedures set forth in this section.

Approval procedures: A food stand listed as a “permitted” use in the applicable zoning district shall be subject to administrative approval by the Dare County Planning Department. A food stand listed as a “special” use in the applicable zoning district shall be subject to Planning Board review and Board of Commissioners approval according to the provisions of Section 22-68 of the Dare County Zoning Ordinance. ~~An up-to-date~~ A site plan depicting the location of the proposed food stand shall be provided to the Dare County Planning Department as part of the review process. Approval from the Dare County Health Department shall be obtained and proof of the Health Department approval submitted to the Planning Department.

Location of mobile food units: ~~A Mobile food units shall be located on a parcel of land in conjunction with an existing commercial structure or use. Only one mobile food unit shall be located on a parcel of land in conjunction with an existing commercial structure or use.~~ A maximum of five mobile food units may be located on a site in conjunction with an existing commercial use. Written approval from the owner of the commercial use shall be submitted as part of the site plan review process. Mobile food units shall be separated by a minimum of ten feet from other mobile food units and other structures.

Non-mobile food units: ~~A food stand proposed for use as a principal, stand alone use~~ A permanent structure may be used as a non-mobile food stand and may be permitted subject to the review procedures set forth in this section and the applicable zoning district.

Seating: Any food stand, both mobile and non-mobile structures shall be limited to the seating restrictions of this section. An unenclosed, outdoor seating area may be provided for customers of the food stand. The maximum number of seats shall not exceed eight seats per food stand, mobile and non-mobile. The location of the seating shall be identified on the site plan submitted for the food stand and seating shall not be located in any setback area, parking area, or stormwater management area. A food stand shall not feature indoor seating.

Public Restrooms: Any food stand, both permanent and mobile food units, that provides outdoor seating shall provide public restrooms on the same site for use by their customers and employees. Public restrooms of the affiliated business or restaurant may be used to meet this requirement if the restrooms meet the requirements of the North Carolina Plumbing Code. Portable toilets shall not be used to meet this public restroom requirement. The use of public restrooms may be shared by mobile food units if outdoor seating is provided at their location.

Setbacks: Any food stand, both mobile food units and non-mobile food units, shall meet the zoning setbacks for a principal use structure applicable to the site. ~~where such the food stand is to be located.~~

Parking: ~~Ten parking spaces, as required by Section 22-56 for food stands, shall be identified on the site plan for the property where the food stand will be located.~~

Parking for non-mobile food stands: ten parking spaces shall be provided for use by the patrons of the food stand.

Parking for mobile food units: Ten parking spaces shall be identified for use by a mobile food unit. Parking spaces for the existing business affiliated with the mobile food unit may be approved for use if the hours of operation for the mobile food unit and the existing business do not overlap or if the existing business has excess parking spaces that can be assigned to the mobile food unit. If the parking for the existing business cannot be used, ten parking spaces shall be provided on the site for use by a mobile food unit. For each additional mobile food unit located on the site, two parking spaces per mobile food unit shall be provided in addition to the initial ten parking spaces. The parking requirement for additional mobile food units may be waived by the Planning Director based upon a review of the parking needs of the existing business but in no instance shall less than ten parking spaces be identified for use by mobile food units.

Signage: A separate freestanding business sign for the food stand shall not be displayed. Temporary signage or sandwich board signs shall not be used. Advertising for the food stand may be incorporated into the freestanding sign for the existing business if such sign does not exceed the allowable square footage as established by the Dare County Sign Ordinance. Signage on the outside of the food stand attached to the unit may be authorized by the Planning Department during the approval process. One flag as defined in the Dare County Sign Ordinance may be displayed at the food stand location according to the provisions of the Dare County Sign Ordinance. Any flag displayed at the food stand shall not interfere with line of sight clearances in parking areas.

Solid Waste: Trash receptacles for customer and employee use shall be provided onsite by the food stand operator. Approval to use the solid waste containers of the affiliated business shall be submitted as part of the approval process. Solid waste containers provided at public beach accesses or other public sites shall not be used.

Hours of Operation: ~~Hours of operation for any food stand shall be established during the approval process and noted in the approval certificate issued by the Planning Department.~~ Hours of operation for any mobile or non-mobile food stand may occur between the hours of 6:00 a.m. and 11:00 p.m. daily, seven days a week.

Annual Review: ~~Annual review of any mobile food unit approved as a food stand is required and shall include the submission of documentation from the affiliated business and restaurant.~~

Other conditions:

Any mobile food unit authorized as a food stand shall be kept in a “ready to move” state and shall not have the wheels or tires removed from the unit. Pre-fabricated accessory structures intended for storage purposes and constructed off-site or factory-built shall not be used as food stands.

No drive-thru window service whereby patrons are served while seated in vehicle shall be permitted at a food stand.

Nothing in these regulations shall be interpreted to apply to catering services or special event food vendors as approved by the Dare County Health Department or to emergency response feeding services offered as part of emergency response operations.

To: Donna Creef
Dare County Planning Director

From: Joe Thompson
Founder, Koru Village

Re: Food Truck Ordinance

Date: August 12, 2021

Thank you for the opportunity to address the issue of Food Trucks in Dare County and look to the future possibilities of this growing Food and Beverage sector.

First, it is helpful to ask why the popularity of Food Trucks is growing so quickly across the nation. I do not think you can answer the question with just one reason why. There are many. It has to do with cultural changes in our population as millennials become a larger part of the economy. It has to do with greater cultural awareness in differing populations and how that is expressed in food. It has to do with the heavy burden of operating bricks and mortar and the food truck is simply a less “burdensome” business model. It has to do with the “scene” that Food Trucks create. And certainly, Covid has given food trucks and their natural outdoor space a big pat on the back.

I am thankful that Dare County took the step a couple of years ago to allow food trucks a place here on the beach. I know that initially the fear was that traditional bricks and mortar establishments would be opposed to Trucks due to the concept of competition. That does not seem to have happened. I am a restaurant owner with a large operation in Avon (Pangea Tavern) and I fully support food trucks. I do not see them as competition. I see food trucks as “complimentary”. Food Trucks and sit-down restaurants are completely different experiences. As a business owner, and some would say a community leader, on Hatteras Island for nearly 40 years, my concern is first and foremost for what is best for the community in the long run. With that said, it is time for Dare County to take the next step in the area of Food Trucks. Food Truck Courts.

Just like Food Courts at the mall or at the airport, there is a reason why they are together, not spread apart. I am fortunate in that I spend a fair amount of my winters in Hawaii with our daughter, and one of my favorite aspects is the amazing Food Truck Courts. They operate near traditional restaurants and not only do they not “take from each other” they make each other better. They both contribute to the over all experience.

I will be the first to admit that NOT all potential sites will work as courts. I fully understand the Planning Board and Department must have a focus on making sure that any changes to the ordinance does not set off an undesirable effect. I do think that with some thought on the ordinance changes, in addition to the Health Department requirements, changes to the ordinance can occur that allow for the creation of the experience so many guests and residents are looking for. To be perfectly honest, the surest regulator on this concept is the market itself. I can tell you that if the site is not “right” for a food truck, the customers will not come, and the food trucks will drive away.

In considering regulations for allowing Food Truck Courts, there are several items I would suggest:

- 1) Proper zoning
- 2) Parking requirements
- 3) Restroom requirements (either permanent structure or port-a-john)
- 4) Maximum 5 trucks per site
- 5) Health Department requirements
- 6) Other site requirements per board recommendations

Now is as good as time as any to take that step forward. Dare County (OBX) is growing in so many ways. A flock of new people wanting to buy, move and live here. More visitors all the time. With the growth that our area is experiencing we need to understand what people are looking for. With Food Trucks becoming such a large part of the national Food and Beverage scene, now is the time to grow the concept and allow for the creation of Courts. And while creating an interesting and vibrant Food Truck industry with some special Food Truck Court scenes is not the answer to all things, it can be a special part of the OBX experience.

I look forward to working with your Department and Board to create an ordinance that is both forward thinking as well as protective of the resources we share.

Thank you

Best Regards,

Joe Thompson



Presentation and Proclamation for Mental Illness Awareness Week

Description

Health and Human Services Director Sheila Davies and Public Health Educator Kelly Nettin will present information about the county’s Breaking Through Task Force, formed in 2016 to provide a community-involved approach to address mental health in our local community and improve the lives of individuals who are struggling with mental illness—as well as their family members and friends. A proclamation will be presented to proclaim the week of October 3 – 9, 2021 as Mental Illness Awareness Week in Dare County.

Board Action Requested

Adopt proclamation.

Item Presenter

Dr. Sheila Davies, Director of Health and Human Services and Kelly Nettin, Public Health Educator



A PROCLAMATION

PROCLAIMING OCTOBER 3, 2021, TO OCTOBER 9, 2021, AS MENTAL ILLNESS AWARENESS WEEK

WHEREAS, mental health is an essential aspect of an individual’s overall health because it can also have an effect on one’s physical, emotional and social wellbeing; and

WHEREAS, one in five adults in the United States—which is approximately 43.8 million people—experience a mental health problem in any given year, and nearly one in 20 American adults live with a serious mental illness; and

WHEREAS, challenges concerning mental health have become even more pronounced during the ongoing COVID-19 pandemic, which has had a negative impact on the mental health of millions of people around the world; and

WHEREAS, the stigma surrounding suffering from mental health challenges as well as seeking treatment for the struggles one faces regarding mental health have often created barriers to treatment; and

WHEREAS, approximately one-half of chronic mental illness begins by the age of 14 and three-quarters of chronic mental illness begins by age 24; and

WHEREAS, suicide is the 8th leading cause of death in Dare County and the 10th leading cause of death in the United States—and suicide is also the second leading cause of death among young adults in the United States; and

WHEREAS, 90 percent of people who die by suicide had shown symptoms of a mental health condition, according to interviews with family members, friends and medical professionals; and

WHEREAS, many individuals who develop substance use disorders are also diagnosed with mental disorders (and vice versa), and about half of those who experience a mental illness during their lives will also experience a substance use disorder (and vice versa).

WHEREAS, extensive delays—which sometimes last for years or even decades—often occur between the time that symptoms of mental illness first appear and the time when individuals seek help; and

WHEREAS, early identification and treatment can make a difference in the successful management of mental illness and lead to recovery; and

WHEREAS, it is important for individuals of all ages to maintain their mental health and to learn the symptoms of mental illness in order to get help when it is needed; and

WHEREAS, every citizen and community can make a difference in helping end the silence and stigma that for far too long have surrounded mental illness and also discouraged people from getting help; and

WHEREAS, public education and community activities can boost mental health and help improve the lives of individuals and families who are affected by mental illness; and

WHEREAS, the Breaking Through Task Force was formed in 2016 and is working to provide a community-involved approach to address mental health in our local community and improve the lives of individuals who are struggling with mental illness—as well as their family members and friends. This involves addressing the associated stigmas and breaking through the barriers that may block someone from seeking assistance and providing help through available resources.

NOW, THEREFORE, BE IT RESOLVED, we, as the Board of Commissioners of Dare County, North Carolina, do hereby proclaim the week of October 3, 2021, through October 9, 2021, as Mental Illness Awareness Week.

This the ____ day of _____, 2021.

SEAL

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



Establishment of Separate OPEB and LEOSSA Trust Agreements

Description

Please see the following Item Summary

Board Action Requested

Adopt the Restated LEOSSA Trust Agreement and adopt the Restated OPEB Trust Agreement.

Item Presenter

David Clawson, Finance Director

Item Summary: Establishment of Separate OPEB and LEOSSA Trust Agreements

In June 2020, the Board approved the establishment of a Master Trust Agreement to serve as the irrevocable trust agreement for both retire health (OPEB) and the Law Enforcement Officers' Special Separation Allowance (LEOSSA), allowing for separate accounts for each under the Master Trust Agreement. This was done at the recommendation of the IRS and the County's trust attorney with Parker Poe Adams and Bernstein.

In February of 2021, the Board funded the LEOSSA liability and staff started the process of establishing an additional account at the Department of State Treasurer's AGPIP Program (Ancillary Government Participant Investment Program), where the County's OPEB monies are invested.

In June, the Department of State Treasurer responded to our attorney that the Master Trust Agreement cannot be used with the AGPIP "because of administrative constraints imposed by the service provider".

Therefore, our attorney at Parker Poe has drafted separate trust agreements for OPEB and for LEOSSA to replace the Master Trust Agreement, both of which follow this summary.

Requested Board Action: Adopt the Restated LEOSSA Trust Agreement and adopt the Restated OPEB Trust Agreement.

**COUNTY OF DARE
RESTATED LEOSSA TRUST AGREEMENT**

This **Restated LEOSSA Trust Agreement** is entered into as of the 4th day of October, 2021 (the “**Effective Date**”), by and between The County of Dare, North Carolina (the “**Employer**”) and Robert L. Outten, John David Clawson, Jr. and Elizabeth K. Reilly (the “**Trustee**”);

RECITALS :

WHEREAS, the Employer maintains (a) certain post-employment benefits other than pensions (hereinafter, “**OPEB**”) for the benefit of its eligible retired employees, and (b) the Special Separation Allowance (hereinafter, “**LEOSSA**”) for eligible law enforcement officers, as set forth in Section 143-166.41 of the North Carolina General Statutes;

WHEREAS, the Employer previously established a master trust pursuant to Sections 159-30.1(b) and 159-30.2 of the North Carolina General Statutes, to be known as the “County of Dare OPEB and LEOSSA Master Trust Agreement” (hereinafter the “**Master Trust**”), for the purpose of consolidating in a single master trust the funding of its obligation to provide (a) post-employment benefits other than pension benefits, as required to be reported under GASB 45, and (b) the LEOSSA;

WHEREAS, the Master Trust was established by the Employer with the intention that the OPEB Trust qualify as an irrevocable tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Code and the regulations issued thereunder and as a tax-exempt trust under the provisions of the applicable laws of the State of North Carolina; and

WHEREAS, the Employer previously appointed its County Manager, Finance Director, and Human Resources Director as the Trustee of the Master Trust, and the Trustee previously accepted such appointment pursuant to the terms and conditions set forth in the Master Trust Agreement;

WHEREAS, pursuant to Section 7.2 of the Master Trust Agreement and subject to the limitations set forth therein, the Employer and the Trustee may amend the Master Trust Agreement at any time by a written instrument executed by the Employer and the Trustee;

WHEREAS, because of administrative constraints imposed by the service provider, the funding of the Employer’s obligation to provide (a) post-employment benefits other than pension benefits, as required to be reported under GASB 45, and (b) the LEOSSA cannot be consolidated in a single master trust, but must be provided in separate trusts;

WHEREAS, as a result of such administrative constraints, the Employer wishes to establish a separate trust pursuant to Section 159-30.2 of the North Carolina General Statutes, to be known as the “County of Dare Restated LEOSSA Trust” (hereinafter the “**Trust**”), for the purpose of replacing the Master Trust with respect to the funding of its obligation to provide the LEOSSA;

WHEREAS, the Trust is established by the Employer with the intention that the Trust qualify as an irrevocable tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Code and the regulations issued thereunder and as a tax-exempt trust under the provisions of the applicable laws of the State of North Carolina; and

WHEREAS, the Employer has appointed its County Manager, Finance Director, and Human Resources Director as the Trustee of the Trust, and the Trustee has accepted such appointment pursuant to the terms and conditions set forth in this Trust Agreement; and

NOW THEREFORE, for good and valuable consideration, the parties hereto agree as follows:

**ARTICLE I
DEFINITIONS**

- 1.1 “**Assets**” shall mean all contributions and transfers of assets received into the Trust on behalf of the Employer, together with the income and earnings from such contributions and transfers and any increments accruing to them, net of any investment losses, benefits, expenses or other costs.
- 1.2 “**Code**” shall mean the Internal Revenue Code of 1986, as amended from time to time.
- 1.3 “**Employer**” shall mean the County of Dare, North Carolina.
- 1.4 “**GASB**” shall mean the Governmental Accounting Standards Board.
- 1.5 “**GASB Pension Statements**” shall mean the statements issued by GASB, including without limitation Statement No. 73, that apply to the Employer’s reporting of its LEOSSA Obligation.
- 1.6 “**LEOSSA**” shall mean the separation allowance that the Employer is required to pay to its law enforcements officers pursuant to Section 143-166.42 of the North Carolina General Statutes.
- 1.7 “**LEOSSA Obligation**” shall mean an Employer’s obligation to provide LEOSSA to its law enforcement officers, as specified in Section 143-166.42 of the North Carolina General Statutes.
- 1.8 “**LEOSSA Plan**” shall mean the plan document adopted by the Employer for the purpose of documenting the Employer’s LEOSSA Obligations and governing the Employer’s satisfaction thereof, a copy of which is attached here as Exhibit A.
- 1.9 “**LEOSSA Qualified Investments**” shall mean all investments authorized under Section 147-69.2(b5) of the North Carolina General Statutes or, as permitted for the Trust, under Section 159-30(c) of the North Carolina General Statutes.

**ARTICLE II
THE TRUST**

2.1 Purpose

The purpose of the Trust is to hold assets from which to satisfy the Employer’s requirement to provide the separation allowance to law enforcements officers required by Section 143-166.42 of the North Carolina General Statutes and the LEOSSA Plan.

2.2 Trustee Accounting

The Trustee shall be responsible only for maintaining records and maintaining accounts for the Assets of the Trust. The Employer shall be responsible for Plan-level accounting for LEOSSA.

2.3 No Diversion of Assets

The Assets in the Trust shall be held in trust for the exclusive purpose of providing LEOSSA to eligible law enforcement officers of the Employer, and defraying the reasonable administrative and actuarial expenses of the Trust. The Assets in the Trust shall not be used for or diverted to any other purpose, except as expressly provided herein.

2.4 Type and Nature of Trust

Neither the full faith and credit nor the taxing power of the Employer is pledged to the distribution of benefits hereunder. Except for contributions and other amounts hereunder, no other amounts are pledged to the distribution of benefits hereunder. Distributions of benefits are neither general nor special obligations of the Employer, but are payable solely from the Assets of the Trust, as more fully described herein. No employee of the Employer may compel the exercise of the taxing power by the Employer.

Distributions of Assets under the Trust are not debts of the Employer within the meaning of any constitutional or statutory limitation or restriction. Such distributions are not legal or equitable pledges, charges, liens or encumbrances upon any of the Employer's property, or upon any of its income, receipts, or revenues, except amounts in the accounts which are, under the terms of the LEOSSA Plan and the Trust, set aside for distributions. Neither the members of the governing body of the Employer nor its officers, employees, agents or volunteers are liable hereunder.

**ARTICLE III
ADMINISTRATIVE MATTERS**

3.1 Certification to Trustee

The governing body of the Employer, or other duly authorized official, shall certify in writing to the Trustee the names and specimen signatures of the individuals authorized to act on behalf of the Employer, whose names and specimen signatures shall be kept accurate by the Employer acting through its governing body or a duly authorized official. The Trustee shall have no liability if it acts upon the direction of an individual who has been duly authorized hereunder, even if that individual is no longer authorized to act, unless the Employer has informed the Trustee of such change in writing.

3.2 Tenure and Removal of Trustee

Each individual Trustee shall serve during his tenure in the applicable office of the Employer and shall immediately cease to serve, without the necessity for formal resignation, upon termination from such office for any reason. The successor to such office, including any interim successor, shall become a successor Trustee immediately upon the assumption of such office without the need for formal appointment. A successor Trustee shall not have any liability for any action or omission by the Trustee prior to the date of his assumption of such office.

3.3 Trustee Procedures

All official meeting of the Trustee, whether held in person or by electronic means, shall be open to the public and conducted in accordance with Article 33C of Chapter 143 of the North Carolina General Statues and any applicable Employer policy. The Trustee shall keep a record of all official meetings, including those official meetings held in closed session under Section 143-318.11 of the North Carolina General Statues, and shall forward all necessary communications to the Employer. Such official meeting records shall be public records within the meaning of Chapter 132 of the North Carolina General Statues. The Trustee may adopt such by-laws and regulations as it deems desirable for the conduct of its affairs. All decisions by the Trustee shall be made by the vote of the majority of the Trustee members. The Trustee may authorize one or more of such members to act for the Trustee with respect to specified Trustee duties under this Trust Agreement. A dissenting Trustee member who, within a reasonable period of time after he has knowledge of any action or failure to act by the majority, delivers his written dissent to the other Trustee members and the Employer shall not be responsible for such action or failure to act.

3.4 Payments from the Trust

At the Employer’s direction, the Trustee from time to time shall make payments out of the Assets of the Trust to such persons, in such manner and in such amounts as the Employer directs. Such payments may include, but are not limited to, benefit payments, insurance or stop-loss premiums, and the expenses of administering the LEOSSA Plan and the Trust, as may be specified in the Employer’s direction.

**ARTICLE IV
THE TRUSTEE**

4.1 Powers and Duties of the Trustee

Except as otherwise provided in Article V, and subject to the provisions of Article VI, the Trustee shall have full power and authority with respect to property held in the Trust to perform all acts, take all proceedings, and exercise all rights and privileges, whether specifically referred to or not in this document, as could be done, taken or exercised by the absolute owner, including, without limitation, the following:

- (a) To invest and reinvest the Assets or any part thereof in LEOSSA Qualified Investments pursuant to this Trust and applicable state law.
- (b) To place uninvested cash and cash awaiting distribution in any type of interest-bearing account including, without limitation, time certificates of deposit or interest-bearing accounts issued by a commercial bank or savings and loan association organized under the laws of the State of North Carolina or having its principal office in North Carolina;
- (c) To borrow money for the purposes of the Trust from any source with or without giving security; to pay interest; to issue promissory notes and to secure the repayment thereof by pledging all or any part of the Assets;

(d) To take all of the following actions: to vote proxies of any stocks, bonds or other securities; to give general or special proxies or powers of attorney with or without power of substitution; to exercise any conversion privileges, subscription rights or other options, and to make any payments incidental thereto; to consent to or otherwise participate in corporate reorganizations or other changes affecting corporate securities and to delegate discretionary powers and to pay any assessments or charges in connection therewith; and generally to exercise any of the powers of an owner with respect to stocks, bonds, securities or other property held in the Trust;

(e) To make, execute, acknowledge and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(h) To exercise all the further rights, powers, options and privileges granted, provided for, or vested in trustees generally under applicable federal or state laws as amended from time to time, it being intended that, except as herein otherwise provided, the powers conferred upon the Trustee herein shall not be construed as being in limitation of any authority conferred by law, but shall be construed as consistent or in addition thereto.

4.2 Additional Trustee Powers

In addition to the other powers enumerated above, the Trustee in any and all events is authorized and empowered:

(a) To pay administrative fees as directed by the Employer;

(b) To invest funds pending required directions in a designated account as directed by the Employer or if there is no designated account, any type of interest-bearing account including without limitation, time certificates of deposit or interest-bearing accounts issued by a commercial bank or savings and loan association organized under the laws of the State of North Carolina or having its principal office in North Carolina Trustee or any affiliate thereof;

(c) To cause all or any part of the Trust to be held in the name of the Trustee (which in such instance need not disclose its fiduciary capacity) or, as permitted by law, in the name of any nominee, and to acquire for the Trust any investment in bearer form, but the books and records of the Trust shall at all times show that all such investments are a part of the Trust and the Trustee shall hold evidences of title to all such investments;

(d) To appoint a custodian with respect to the Trust Assets;

(e) To employ such agents and counsel as may be reasonably necessary in managing and protecting the Assets and to pay them reasonable compensation from the Trust; to employ any broker-dealer, including a broker-dealer affiliated with the Trustee, and pay to such broker-dealer at the expense of the Trust, its standard commissions; to settle, compromise or abandon all claims and demands in favor of or against the Trust; and to charge any premium on bonds purchased at par value to the principal of the Trust without amortization from the Trust, regardless of any law relating thereto;

- (f) To abandon, compromise, contest, arbitrate or settle claims or demands; to prosecute, compromise and defend lawsuits, but without obligation to do so, all at the risk and expense of the Trust;
- (g) To exercise and perform any and all of the other powers and duties specified in this Trust Agreement and the LEOSSA Plan;
- (h) To permit such inspections of documents at the principal office of the Trustee as are required by law, subpoena or demand by a United States agency;
- (i) To comply with all requirements imposed by applicable provisions of law;
- (j) To seek written instructions from the Employer on any matter and await its written instructions without incurring any liability; provided, that if at any time the Employer should fail to give directions to the Trustee, the Trustee may act in the manner that in its discretion seems advisable under the circumstances for carrying out the purposes of the Trust;
- (k) To compensate such executive, consultant, actuarial, accounting, investment, appraisal, administrative, clerical, secretarial, medical, custodial, depository and legal firms, personnel and other employees or assistants as are engaged by the Employer in connection with the administration of the LEOSSA Plan, and to pay from the Trust the necessary expenses of such firms, personnel and assistants, to the extent not paid by the Employer;
- (l) To act upon proper written directions of the Employer;
- (m) To pay from the Trust the expenses reasonably incurred in the administration thereof, as provided in the LEOSSA Plan;
- (n) To hold uninvested reasonable amounts of cash whenever it is deemed advisable to do so to facilitate disbursements or for other operational reasons;
- (o) To seek and obtain a judicial settlement of the Trustee's accounts and a judicial determination of any question in connection with the Trustee's duties and obligations under this Trust Agreement; and
- (p) To have and to exercise such other additional powers as may be advisable for the effective and economical administration of the Trust.

ARTICLE V INVESTMENTS

5.1 Trust Investments

The Employer shall have the responsibility to select LEOSSA Qualified Investments for the Trust Assets and may appoint a registered investment advisor, as defined by regulations issued by the Securities and Exchange Commission, by executing a written consulting or management agreement with said registered investment advisor.

5.2 Trustee Fees

As may be agreed upon, in writing, between the Employer and Trustee, the Trustee will be paid reasonable compensation for services rendered or reimbursed for expenses properly and actually incurred in the performance of duties with respect to the Trust. The Trustee shall be entitled to receive its fees and expenses when due directly from the Trust. Notwithstanding the foregoing, any Trustee who is an employee of the Employer shall receive no fee for service as a Trustee hereunder.

5.3 Contributions to the Trust

The Employer may from time to time remit cash contributions and other payments under the LEOSSA Plan (which may include contributions by employees), as determined by the Employer, to the Trustee. All contributions shall be paid to the Trustee for investment and reinvestment pursuant to the terms of this Trust Agreement. The Trustee shall not have any duty to determine or inquire whether any contributions to the Trust are in compliance with the Employer's policies, the LEOSSA Plan, applicable state law and/or any collective bargaining agreements, if any, nor shall the Trustee have any duty or authority to compute any amount to be paid to the Trustee by the Employer, nor shall the Trustee be responsible for the collection or adequacy of the contributions to meet the Employer's LEOSSA Obligation, as may be determined under the GASB Pension Statements. The contributions received by the Trustee from the Employer shall be held and administered pursuant to the terms hereof without distinction between income and principal.

5.4 Records

(a) The Trustee shall maintain accurate records and detailed accounts of all investments, receipts, disbursements and other transactions hereunder. Such records shall be available at all reasonable times for inspection by the Employer. The Trustee shall, at the direction of the Employer, submit such valuations, reports or other information as the Employer may reasonably require.

(b) The Assets of the Trust shall be valued at their fair market value on the date of valuation, as determined by the Trustee based upon such sources of information as it may deem reliable; provided, that the Employer shall instruct the Trustee as to valuation of assets for which the value is not readily determinable on an established market. The Trustee may rely conclusively on such valuations provided by the Employer and shall be indemnified and held harmless by the Employer with respect to such reliance. If the Employer fails to provide such value, the Trustee may take whatever action it deems reasonable, including employment of attorneys, appraisers or other professionals, the expense of which will be an expense of administration of the Trust. Transactions in the account involving such hard to value assets may be postponed until appropriate valuations have been received and Trustee shall have no liability therefore.

5.5 Statements

(a) Periodically as requested by the Employer and within sixty (60) days after each June 30, the Trustee shall render to the Employer a written account showing in reasonable summary the investments, receipts, disbursements and other transactions engaged in by the Trustee during the preceding fiscal year or period with respect to the

Trust. Such account shall set forth the assets and liabilities of the Trust valued as of the end of the accounting period.

(b) The Employer may approve such statements either by written notice or by failure to express objections to such statement by written notice delivered to the Trustee within ninety (90) days from the date the statement is delivered to the Employer. Upon approval, the Trustee shall be released and discharged as to all matters and items set forth in such statement as if such account had been settled and allowed by a decree from a court of competent jurisdiction.

5.6 Exclusive Benefit

The Assets of the Trust shall be held in trust for the exclusive purpose of providing LEOSSA to the eligible law enforcement officers of the Employer pursuant to Section 143-166.42 of the North Carolina General Statutes, and defraying the reasonable expenses associated with providing such benefits and shall not be used for or diverted to any other purpose.

ARTICLE VI FIDUCIARY RESPONSIBILITIES

6.1 More Than One Fiduciary Capacity

Any one or more of the fiduciaries with respect to the Trust Agreement or the Trust may, to the extent required thereby or as directed by the Employer pursuant to this Trust Agreement, serve in more than one fiduciary capacity with respect to the Trust Agreement and the Trust.

6.2 Fiduciary Discharge of Duties

Except as otherwise provided by applicable law, each fiduciary shall discharge such fiduciary's duties with respect to the Trust Agreement and the Trust:

(a) Solely in the interest of the LEOSSA-eligible law enforcement officers of the Employer, and for the exclusive purpose of providing LEOSSA to eligible law enforcement officers of the Employer, and defraying reasonable administrative and actuarial expenses associated with providing such benefits; and

(b) With the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.

6.3 Limitations on Fiduciary Responsibility

To the extent allowed by the law of the State of North Carolina:

(a) No fiduciary shall be liable with respect to a breach of fiduciary duty by any other fiduciary if such breach was committed before such party became a fiduciary or after such party ceased to be a fiduciary;

(b) No fiduciary shall be liable for a breach by another fiduciary except as provided by law; and

(c) No fiduciary shall be liable for carrying out a proper direction from another fiduciary, including refraining from taking an action in the absence of a proper direction from the other fiduciary possessing the authority and responsibility to make such a direction, which direction the fiduciary in good faith believes to be authorized and appropriate.

6.4 Indemnification

The Trustee shall not be liable for, and the Employer shall indemnify, defend and hold the Trustee harmless from and against, any claims, demands, loss, costs, expense or liability in connection with this Trust Agreement, including reasonable attorneys' fees and costs incurred by the Trustee, arising as a result of Employer's active or passive negligent act or omission or willful misconduct in the execution or performance of the Employer's duties under this Trust Agreement.

In addition, the Trustee shall not be liable for, and Employer shall indemnify and hold the Trustee harmless from and against, any claims, demands, loss, costs, expense or liability arising out of or in connection with this Trust Agreement, including reasonable attorneys' fees and costs incurred by the Trustee, in the event that the Trust loses or fails to qualify for tax exempt status under Section 115 of the Code and the regulations issued thereunder or as a tax-exempt trust under the provisions of North Carolina law, unless such results directly or indirectly from the active or passive negligent act or omission of the Trustee or an employee or agent thereof.

This section shall survive the termination of this Trust Agreement.

ARTICLE VII AMENDMENT, TERMINATION AND MERGER

7.1 No Obligation to Continue Trust

Continuance of the Trust and continuation of the Employer's LEOSSA Obligation are not assumed as a contractual obligation of the Employer.

7.2 Amendments

(a) The Employer and the Trustee reserve the right to amend this Trust Agreement at any time by a written instrument executed by the Employer and the Trustee. The Trust Agreement may be amended or terminated only as provided herein.

(b) No amendment shall:

(1) Cause the Assets of the Trust to be used for or diverted to purposes other than for the exclusive benefit of LEOSSA-eligible law enforcement officers of the Employer, or for the purpose of defraying the reasonable expenses of administering the Trust; or

(2) Have any retroactive effect so as to reduce the benefits of any LEOSSA-eligible law enforcement officers of the Employer as of the date the amendment is adopted, except that such changes may be made as may be required to permit this Trust Agreement to meet the requirements of applicable law.

7.3 Termination of LEOSSA Plan

A termination of the Employer's obligation to provide LEOSSA pursuant to the LEOSSA Plan shall not, in itself, effect a termination of the Trust. Upon any termination of the Employer's obligation to provide LEOSSA pursuant to the LEOSSA Plan, the Assets of the Trust that are allocated to such plan shall be distributed by the Trustee as directed by the Employer. From and after the date of such termination and until final distribution of the Assets, the Trustee shall continue to have all the powers provided herein as are necessary or expedient for the orderly liquidation and distribution of such assets, and the Trust shall continue until the Assets have been completely distributed in accordance with each such plan, applicable law and any Employer policies and/or applicable collective bargaining agreements, if any.

7.4 Right to Terminate

The Employer and the Trustee may terminate this Trust by a written instrument executed by the Employer and the Trustee. Neither a temporary cessation nor the suspension of contributions by the Employer shall be deemed to be a termination of the Trust. Upon termination of this Trust, the Trustee shall pay all obligations of the Trust and shall apply the remaining Assets to purchase or continue LEOSSA to eligible law enforcement officers of the Employer, to the extent possible. Notwithstanding the foregoing provisions, the Trustee may, upon termination of the Trust and with the Employer's consent, transfer any remaining Assets to the Employer or to any trust or trusts established for purposes substantially similar to those set forth herein. In no event will any remaining Assets be transferred to any entity that is not a state, political subdivision of a state, or entity the income of which is excluded from gross income under Section 115 of the Code.

7.5 Fund Recovery Based on Mistake of Fact

Except as hereinafter provided, the Assets of the Trust shall never inure to the benefit of the Employer. The Assets shall be held for the exclusive purposes of providing LEOSSA to eligible law enforcement officers of the Employer, and defraying reasonable expenses of administering the Trust. However, in the case of a contribution which is made by the Employer because of a mistake of fact, that portion of the contribution relating to the mistake of fact (exclusive of any earnings or losses attributable thereto) may be returned to the Employer, provided such return occurs within two (2) years after discovery by the Employer of the mistake. If any repayment is payable to the Employer, then, as a condition precedent to such repayment, the Employer shall execute, acknowledge and deliver to the Trustee its written undertaking, in a form satisfactory to the Trustee, to indemnify, defend and hold the Trustee harmless from all claims, actions, demands or liabilities arising in connection with such repayment.

**ARTICLE VIII
MISCELLANEOUS PROVISIONS**

8.1 Nonalienation

Employees do not have an interest in the Trust. Accordingly, the Trust shall not in any way be liable to attachment, garnishment, assignment or other process, or be seized, taken, appropriated or applied by any legal or equitable process, to pay any debt or liability of an employee or any other party. Trust Assets shall not be subject to the claims of the Employer or the claims of its creditors.

8.2 Saving Clause

In the event any provision of this Trust Agreement is held illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining parts of the Trust Agreement, and this instrument shall be construed and enforced as if said provision had never been included.

8.3 Applicable Law

This Trust Agreement shall be construed, administered and governed under the Code and the laws of the State of North Carolina. To the extent any of the provisions of this Trust Agreement are inconsistent with the Code or applicable state law, the provisions of the Code or state law shall control. In the event, however, that any provision is susceptible to more than one interpretation, such interpretation shall be given thereto as is consistent with the Trust being a tax-exempt trust within the meaning of the Code.

8.4 Employment of Counsel

The Trustee may consult with legal counsel (who may be counsel for the Trustee or the Employer) and charge the Trust. The Trustee shall be fully protected in relying on advice of such counsel.

8.5 Gender and Number

Words used in the masculine, feminine or neuter gender shall each be deemed to refer to the other whenever the context so requires; and words used in the singular or plural number shall each be deemed to refer to the other whenever the context so requires.

8.6 Headings

Headings used in this Trust Agreement are inserted for convenience of reference only and any conflict between such headings and the text shall be resolved in favor of the text.

8.7 Counterparts

This Trust Agreement may be executed in an original and any number of counterparts by the Employer and Trustee, each of which shall be deemed to be an original of the one and the same instrument.

8.8 Master Trust Amendment and Restatement

As of the Effective Date, the Master Trust, as entered into as of June 15, 2020, by and between the Employer and the Trustee, is hereby amended and restated in its entirety, and superseded by this Trust Agreement, with respect to the Employer’s LEOSSA Obligations.

AGREED TO AND ACCEPTED this 4th day of October, 2021 .

TRUSTEE

EMPLOYER

COUNTY OF DARE, NORTH CAROLINA

County Manager

By: _____
Chairman, Board of Commissioners

Finance Director

Human Resources Director

**COUNTY OF DARE
RESTATED OPEB TRUST AGREEMENT**

This **Restated OPEB Trust Agreement** is entered into as of the 4th day of October, 2021 (the “**Effective Date**”), by and between The County of Dare, North Carolina (the “**Employer**”) and Robert L. Outten, John David Clawson, Jr. and Elizabeth K. Reilly (the “**Trustee**”);

RECITALS :

WHEREAS, the Employer maintains (a) certain post-employment benefits other than pensions (hereinafter, “**OPEB**”) for the benefit of its eligible retired employees, and (b) the Special Separation Allowance (hereinafter, “**LEOSSA**”) for eligible law enforcement officers, as set forth in Section 143-166.41 of the North Carolina General Statutes;

WHEREAS, the Employer previously established a master trust pursuant to Sections 159-30.1(b) and 159-30.2 of the North Carolina General Statutes, to be known as the “County of Dare OPEB and LEOSSA Master Trust Agreement” (hereinafter the “**Master Trust**”), for the purpose of consolidating in a single master trust the funding of its obligation to provide (a) post-employment benefits other than pension benefits, as required to be reported under GASB 45, and (b) the LEOSSA;

WHEREAS, the Master Trust was established by the Employer with the intention that the OPEB Trust qualify as an irrevocable tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Code and the regulations issued thereunder and as a tax-exempt trust under the provisions of the applicable laws of the State of North Carolina; and

WHEREAS, the Employer previously appointed its County Manager, Finance Director, and Human Resources Director as the Trustee of the Master Trust, and the Trustee previously accepted such appointment pursuant to the terms and conditions set forth in the Master Trust Agreement;

WHEREAS, pursuant to Section 7.2 of the Master Trust Agreement and subject to the limitations set forth therein, the Employer and the Trustee may amend the Master Trust Agreement at any time by a written instrument executed by the Employer and the Trustee;

WHEREAS, because of administrative constraints imposed by the service provider, the funding of the Employer’s obligation to provide (a) post-employment benefits other than pension benefits, as required to be reported under GASB 45, and (b) the LEOSSA cannot be consolidated in a single master trust, but must be provided in separate trusts;

WHEREAS, as a result of such administrative constraints, the Employer wishes to establish a separate trust pursuant to Section 159-30.1(b) of the North Carolina General Statutes, to be known as the “County of Dare Restated OPEB Trust” (hereinafter the “**Trust**”), for the purpose of replacing the Master Trust with respect to the funding of its obligation to provide post-employment benefits other than pension benefits, as required to be reported under GASB 45;

WHEREAS, the Trust is established by the Employer with the intention that the Trust qualify as an irrevocable tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Code and the regulations issued thereunder and as a tax-exempt trust under the provisions of the applicable laws of the State of North Carolina; and

WHEREAS, the Employer has appointed its County Manager, Finance Director, and Human Resources Director as the Trustee of the Trust, and the Trustee has accepted such appointment pursuant to

the terms and conditions set forth in this Trust Agreement; and

NOW THEREFORE, for good and valuable consideration, the parties hereto agree as follows:

ARTICLE I DEFINITIONS

- 1.1** “**Assets**” shall mean all contributions and transfers of assets received into the Trust on behalf of the Employer, together with the income and earnings from such contributions and transfers and any increments accruing to them, net of any investment losses, benefits, expenses or other costs.
- 1.2** “**Code**” shall mean the Internal Revenue Code of 1986, as amended from time to time.
- 1.3** “**Employer**” shall mean the County of Dare, North Carolina.
- 1.4** “**GASB**” shall mean the Governmental Accounting Standards Board.
- 1.5** “**GASB 45**” shall mean Statement Number 45 issued by GASB requiring public agencies to report OPEB Obligations on their balance sheets effective after December 31, 2006.
- 1.6** “**GASB 45 Investment Policy**” shall mean the written investment policy for the Trust which shall be adopted by the Employer and delivered to the Trustee.
- 1.7** “**OPEB**” shall mean “other post-employment benefits,” such as medical, dental, vision, life insurance, long-term care and other similar benefits, provided to OPEB-Eligible Employees, other than pension benefits.
- 1.8** “**OPEB-Eligible Employees**” shall mean collectively retired employees of the Employer (and their dependents and beneficiaries) eligible to receive certain benefits that are offered by the Employer and constitute OPEB.
- 1.9** “**OPEB Obligation**” shall mean the Employer’s obligation to provide post-employment health care and welfare benefits to OPEB-Eligible Employees as specified in the OPEB Plan.
- 1.10** “**OPEB Plan**” shall mean the plan adopted by the Employer for the purpose of documenting the Employer’s OPEB Obligations and governing the Employer’s satisfaction thereof, a copy of which is attached here as Exhibit A.
- 1.11** “**OPEB Qualified Investments**” shall mean all investments authorized under Section 159-30.1(b) of the North Carolina General Statutes.

ARTICLE II THE TRUST

2.1 Purpose

The purpose of the Trust is to hold assets from which to satisfy the Employer’s commitment to provide OPEB, as offered by the Employer to its OPEB-Eligible Employees in accordance with the OPEB Plan.

2.2 Trustee Accounting

The Trustee shall be responsible only for maintaining records and maintaining accounts for the Assets of the Trust. The Employer shall be responsible for Plan-level accounting for OPEB.

2.3 No Diversion of Assets

The Assets in the Trust shall be held in trust for the exclusive purpose of providing OPEB to eligible employees of the Employer, and defraying the reasonable administrative and actuarial expenses of the Trust. The Assets in the Trust shall not be used for or diverted to any other purpose, except as expressly provided herein.

2.4 Type and Nature of Trust

Neither the full faith and credit nor the taxing power of the Employer is pledged to the distribution of benefits hereunder. Except for contributions and other amounts hereunder, no other amounts are pledged to the distribution of benefits hereunder. Distributions of benefits are neither general nor special obligations of the Employer, but are payable solely from the Assets of the Trust, as more fully described herein. No employee of the Employer may compel the exercise of the taxing power by the Employer.

Distributions of Assets under the Trust are not debts of the Employer within the meaning of any constitutional or statutory limitation or restriction. Such distributions are not legal or equitable pledges, charges, liens or encumbrances upon any of the Employer’s property, or upon any of its income, receipts, or revenues, except amounts in the accounts which are, under the terms of the OPEB Plan and the Trust, set aside for distributions. Neither the members of the governing body of the Employer nor its officers, employees, agents or volunteers are liable hereunder.

**ARTICLE III
ADMINISTRATIVE MATTERS**

3.1 Certification to Trustee

The governing body of the Employer, or other duly authorized official, shall certify in writing to the Trustee the names and specimen signatures of the individuals authorized to act on behalf of the Employer, whose names and specimen signatures shall be kept accurate by the Employer acting through its governing body or a duly authorized official. The Trustee shall have no liability if it acts upon the direction of an individual who has been duly authorized hereunder, even if that individual is no longer authorized to act, unless the Employer has informed the Trustee of such change in writing.

3.2 Tenure and Removal of Trustee

Each individual Trustee shall serve during his tenure in the applicable office of the Employer and shall immediately cease to serve, without the necessity for formal resignation, upon termination from such office for any reason. The successor to such office, including any interim successor, shall become a successor Trustee immediately upon the assumption of such office without the need for formal appointment. A

successor Trustee shall not have any liability for any action or omission by the Trustee prior to the date of his assumption of such office.

3.3 Trustee Procedures

All official meeting of the Trustee, whether held in person or by electronic means, shall be open to the public and conducted in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes and any applicable Employer policy. The Trustee shall keep a record of all official meetings, including those official meetings held in closed session under Section 143-318.11 of the North Carolina General Statutes, and shall forward all necessary communications to the Employer. Such official meeting records shall be public records within the meaning of Chapter 132 of the North Carolina General Statutes. The Trustee may adopt such by-laws and regulations as it deems desirable for the conduct of its affairs. All decisions by the Trustee shall be made by the vote of the majority of the Trustee members. The Trustee may authorize one or more of such members to act for the Trustee with respect to specified Trustee duties under this Trust Agreement. A dissenting Trustee member who, within a reasonable period of time after he has knowledge of any action or failure to act by the majority, delivers his written dissent to the other Trustee members and the Employer shall not be responsible for such action or failure to act.

3.4 Payments from the Trust

At the Employer's direction, the Trustee from time to time shall make payments out of the Assets of the Trust to such persons, in such manner and in such amounts as the Employer directs. Such payments may include, but are not limited to, benefit payments, insurance or stop-loss premiums, and the expenses of administering the OPEB Plan and the Trust, as may be specified in the Employer's direction.

ARTICLE IV THE TRUSTEE

4.1 Powers and Duties of the Trustee

Except as otherwise provided in Article V, and subject to the provisions of Article VI, the Trustee shall have full power and authority with respect to property held in the Trust to perform all acts, take all proceedings, and exercise all rights and privileges, whether specifically referred to or not in this document, as could be done, taken or exercised by the absolute owner, including, without limitation, the following:

- (a) To invest and reinvest the Assets or any part thereof in OPEB Qualified Investments pursuant to this Trust and applicable state law.
- (b) To place uninvested cash and cash awaiting distribution in any type of interest-bearing account including, without limitation, time certificates of deposit or interest-bearing accounts issued by a commercial bank or savings and loan association organized under the laws of the State of North Carolina or having its principal office in North Carolina;

(c) To borrow money for the purposes of the Trust from any source with or without giving security; to pay interest; to issue promissory notes and to secure the repayment thereof by pledging all or any part of the Assets;

(d) To take all of the following actions: to vote proxies of any stocks, bonds or other securities; to give general or special proxies or powers of attorney with or without power of substitution; to exercise any conversion privileges, subscription rights or other options, and to make any payments incidental thereto; to consent to or otherwise participate in corporate reorganizations or other changes affecting corporate securities and to delegate discretionary powers and to pay any assessments or charges in connection therewith; and generally to exercise any of the powers of an owner with respect to stocks, bonds, securities or other property held in the Trust;

(e) To make, execute, acknowledge and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(h) To exercise all the further rights, powers, options and privileges granted, provided for, or vested in trustees generally under applicable federal or state laws as amended from time to time, it being intended that, except as herein otherwise provided, the powers conferred upon the Trustee herein shall not be construed as being in limitation of any authority conferred by law, but shall be construed as consistent or in addition thereto.

4.2 Additional Trustee Powers

In addition to the other powers enumerated above, the Trustee in any and all events is authorized and empowered:

(a) To pay administrative fees as directed by the Employer;

(b) To invest funds pending required directions in a designated account as directed by the Employer or if there is no designated account, any type of interest-bearing account including without limitation, time certificates of deposit or interest-bearing accounts issued by a commercial bank or savings and loan association organized under the laws of the State of North Carolina or having its principal office in North Carolina Trustee or any affiliate thereof;

(c) To cause all or any part of the Trust to be held in the name of the Trustee (which in such instance need not disclose its fiduciary capacity) or, as permitted by law, in the name of any nominee, and to acquire for the Trust any investment in bearer form, but the books and records of the Trust shall at all times show that all such investments are a part of the Trust and the Trustee shall hold evidences of title to all such investments;

(d) To appoint a custodian with respect to the Trust Assets;

(e) To employ such agents and counsel as may be reasonably necessary in managing and protecting the Assets and to pay them reasonable compensation from the Trust; to employ any broker-dealer, including a broker-dealer affiliated with the Trustee, and pay to such broker-dealer at the expense of the Trust, its standard commissions; to settle, compromise or abandon all claims and demands in favor of or against the Trust; and to

charge any premium on bonds purchased at par value to the principal of the Trust without amortization from the Trust, regardless of any law relating thereto;

(f) To abandon, compromise, contest, arbitrate or settle claims or demands; to prosecute, compromise and defend lawsuits, but without obligation to do so, all at the risk and expense of the Trust;

(g) To exercise and perform any and all of the other powers and duties specified in this Trust Agreement and the OPEB Plan;

(h) To permit such inspections of documents at the principal office of the Trustee as are required by law, subpoena or demand by a United States agency;

(i) To comply with all requirements imposed by applicable provisions of law;

(j) To seek written instructions from the Employer on any matter and await its written instructions without incurring any liability; provided, that if at any time the Employer should fail to give directions to the Trustee, the Trustee may act in the manner that in its discretion seems advisable under the circumstances for carrying out the purposes of the Trust;

(k) To compensate such executive, consultant, actuarial, accounting, investment, appraisal, administrative, clerical, secretarial, medical, custodial, depository and legal firms, personnel and other employees or assistants as are engaged by the Employer in connection with the administration of the OPEB Plan, and to pay from the Trust the necessary expenses of such firms, personnel and assistants, to the extent not paid by the Employer;

(l) To act upon proper written directions of the Employer;

(m) To pay from the Trust the expenses reasonably incurred in the administration thereof, as provided in the OPEB Plan;

(n) To hold uninvested reasonable amounts of cash whenever it is deemed advisable to do so to facilitate disbursements or for other operational reasons;

(o) To seek and obtain a judicial settlement of the Trustee's accounts and a judicial determination of any question in connection with the Trustee's duties and obligations under this Trust Agreement; and

(p) To have and to exercise such other additional powers as may be advisable for the effective and economical administration of the Trust.

ARTICLE V INVESTMENTS

5.1 Trust Investments

The Employer shall have the responsibility to select OPEB Qualified Investments for the Trust Assets and may appoint a registered investment advisor, as defined by regulations issued by the Securities and Exchange Commission, by executing a written consulting or

management agreement with said registered investment advisor.

5.2 Trustee Fees

As may be agreed upon, in writing, between the Employer and Trustee, the Trustee will be paid reasonable compensation for services rendered or reimbursed for expenses properly and actually incurred in the performance of duties with respect to the Trust. The Trustee shall be entitled to receive its fees and expenses when due directly from the Trust. Notwithstanding the foregoing, any Trustee who is an employee of the Employer shall receive no fee for service as a Trustee hereunder.

5.3 Contributions to the Trust

The Employer may from time to time remit cash contributions and other payments under the OPEB Plan (which may include contributions by employees), as determined by the Employer, to the Trustee. All contributions shall be paid to the Trustee for investment and reinvestment pursuant to the terms of this Trust Agreement. The Trustee shall not have any duty to determine or inquire whether any contributions to the Trust are in compliance with the Employer's policies or the OPEB Plan, applicable state law and/or any collective bargaining agreements, if any, nor shall the Trustee have any duty or authority to compute any amount to be paid to the Trustee by the Employer, nor shall the Trustee be responsible for the collection or adequacy of the contributions to meet the Employer's OPEB Obligation, as may be determined under GASB 45. The contributions received by the Trustee from the Employer shall be held and administered pursuant to the terms hereof without distinction between income and principal.

5.4 Records

(a) The Trustee shall maintain accurate records and detailed accounts of all investments, receipts, disbursements and other transactions hereunder. Such records shall be available at all reasonable times for inspection by the Employer. The Trustee shall, at the direction of the Employer, submit such valuations, reports or other information as the Employer may reasonably require.

(b) The Assets of the Trust shall be valued at their fair market value on the date of valuation, as determined by the Trustee based upon such sources of information as it may deem reliable; provided, that the Employer shall instruct the Trustee as to valuation of assets for which the value is not readily determinable on an established market. The Trustee may rely conclusively on such valuations provided by the Employer and shall be indemnified and held harmless by the Employer with respect to such reliance. If the Employer fails to provide such value, the Trustee may take whatever action it deems reasonable, including employment of attorneys, appraisers or other professionals, the expense of which will be an expense of administration of the Trust. Transactions in the account involving such hard to value assets may be postponed until appropriate valuations have been received and Trustee shall have no liability therefore.

5.5 Statements

(a) Periodically as requested by the Employer and within sixty (60) days after each June 30, the Trustee shall render to the Employer a written account showing in reasonable summary the investments, receipts, disbursements and other transactions

engaged in by the Trustee during the preceding fiscal year or period with respect to the Trust. Such account shall set forth the assets and liabilities of the Trust valued as of the end of the accounting period.

(b) The Employer may approve such statements either by written notice or by failure to express objections to such statement by written notice delivered to the Trustee within ninety (90) days from the date the statement is delivered to the Employer. Upon approval, the Trustee shall be released and discharged as to all matters and items set forth in such statement as if such account had been settled and allowed by a decree from a court of competent jurisdiction.

5.6 Exclusive Benefit

The Assets of the Trust shall be held in trust for the exclusive purpose of providing OPEB to the OPEB-Eligible Employees pursuant to the OPEB Plan, and defraying the reasonable expenses associated with providing such benefits and shall not be used for or diverted to any other purpose.

ARTICLE VI FIDUCIARY RESPONSIBILITIES

6.1 More Than One Fiduciary Capacity

Any one or more of the fiduciaries with respect to the Trust Agreement or the Trust may, to the extent required thereby or as directed by the Employer pursuant to this Trust Agreement, serve in more than one fiduciary capacity with respect to the Trust Agreement and the Trust.

6.2 Fiduciary Discharge of Duties

Except as otherwise provided by applicable law, each fiduciary shall discharge such fiduciary's duties with respect to the Trust Agreement and the Trust:

(a) Solely in the interest of the OPEB-Eligible Employees, and for the exclusive purpose of providing OPEB to OPEB-Eligible Employees and defraying reasonable administrative and actuarial expenses associated with providing such benefits; and

(b) With the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.

6.3 Limitations on Fiduciary Responsibility

To the extent allowed by the law of the State of North Carolina:

(a) No fiduciary shall be liable with respect to a breach of fiduciary duty by any other fiduciary if such breach was committed before such party became a fiduciary or after such party ceased to be a fiduciary;

(b) No fiduciary shall be liable for a breach by another fiduciary except as provided by law; and

(c) No fiduciary shall be liable for carrying out a proper direction from another fiduciary, including refraining from taking an action in the absence of a proper direction from the other fiduciary possessing the authority and responsibility to make such a direction, which direction the fiduciary in good faith believes to be authorized and appropriate.

6.4 Indemnification

The Trustee shall not be liable for, and the Employer shall indemnify, defend and hold the Trustee harmless from and against, any claims, demands, loss, costs, expense or liability in connection with this Trust Agreement, including reasonable attorneys' fees and costs incurred by the Trustee, arising as a result of Employer's active or passive negligent act or omission or willful misconduct in the execution or performance of the Employer's duties under this Trust Agreement.

In addition, the Trustee shall not be liable for, and Employer shall indemnify and hold the Trustee harmless from and against, any claims, demands, loss, costs, expense or liability arising out of or in connection with this Trust Agreement, including reasonable attorneys' fees and costs incurred by the Trustee, in the event that the Trust loses or fails to qualify for tax exempt status under Section 115 of the Code and the regulations issued thereunder or as a tax-exempt trust under the provisions of North Carolina law, unless such results directly or indirectly from the active or passive negligent act or omission of the Trustee or an employee or agent thereof.

This section shall survive the termination of this Trust Agreement.

ARTICLE VII AMENDMENT, TERMINATION AND MERGER

7.1 No Obligation to Continue Trust

Continuance of the Trust and continuation of the Employer's OPEB Obligation are not assumed as a contractual obligation of the Employer.

7.2 Amendments

(a) The Employer and the Trustee reserve the right to amend this Trust Agreement at any time by a written instrument executed by the Employer and the Trustee. The Trust Agreement may be amended or terminated only as provided herein.

(b) No amendment shall:

(1) Cause the Assets of the Trust to be used for or diverted to purposes other than for the exclusive benefit of OPEB-Eligible Employees or for the purpose of defraying the reasonable expenses of administering the Trust; or

(2) Have any retroactive effect so as to reduce the benefits of any OPEB-Eligible Employees as of the date the amendment is adopted, except that such changes may be made as may be required to permit this Trust Agreement to meet the requirements of applicable law.

7.3 Termination of OPEB Plan

A termination of the Employer’s obligation to provide OPEB pursuant to the OPEB Plan shall not, in itself, effect a termination of the Trust. Upon any termination of the Employer’s obligation to provide OPEB pursuant to the OPEB Plan, the Assets of the Trust that are allocated to such plan shall be distributed by the Trustee as directed by the Employer. From and after the date of such termination and until final distribution of the Assets, the Trustee shall continue to have all the powers provided herein as are necessary or expedient for the orderly liquidation and distribution of such assets, and the Trust shall continue until the Assets have been completely distributed in accordance with each such plan, applicable law and any Employer policies and/or applicable collective bargaining agreements, if any.

7.4 Right to Terminate

The Employer and the Trustee may terminate this Trust by a written instrument executed by the Employer and the Trustee. Neither a temporary cessation nor the suspension of contributions by the Employer shall be deemed to be a termination of the Trust. Upon termination of this Trust, the Trustee shall pay all obligations of the Trust and shall apply the remaining Assets to purchase or continue OPEB for OPEB-Eligible Employees, to the extent possible. Notwithstanding the foregoing provisions, the Trustee may, upon termination of the Trust and with the Employer’s consent, transfer any remaining Assets to the Employer or to any trust or trusts established for purposes substantially similar to those set forth herein. In no event will any remaining Assets be transferred to any entity that is not a state, political subdivision of a state, or entity the income of which is excluded from gross income under Section 115 of the Code.

7.5 Fund Recovery Based on Mistake of Fact

Except as hereinafter provided, the Assets of the Trust shall never inure to the benefit of the Employer. The Assets shall be held for the exclusive purposes of providing OPEB to OPEB-Eligible Employees, and defraying reasonable expenses of administering the Trust. However, in the case of a contribution which is made by the Employer because of a mistake of fact, that portion of the contribution relating to the mistake of fact (exclusive of any earnings or losses attributable thereto) may be returned to the Employer, provided such return occurs within two (2) years after discovery by the Employer of the mistake. If any repayment is payable to the Employer, then, as a condition precedent to such repayment, the Employer shall execute, acknowledge and deliver to the Trustee its written undertaking, in a form satisfactory to the Trustee, to indemnify, defend and hold the Trustee harmless from all claims, actions, demands or liabilities arising in connection with such repayment.

**ARTICLE VIII
MISCELLANEOUS PROVISIONS**

8.1 Nonalienation

Employees do not have an interest in the Trust. Accordingly, the Trust shall not in any way be liable to attachment, garnishment, assignment or other process, or be seized, taken, appropriated or applied by any legal or equitable process, to pay any debt or

liability of an employee or any other party. Trust Assets shall not be subject to the claims of the Employer or the claims of its creditors.

8.2 Saving Clause

In the event any provision of this Trust Agreement is held illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining parts of the Trust Agreement, and this instrument shall be construed and enforced as if said provision had never been included.

8.3 Applicable Law

This Trust Agreement shall be construed, administered and governed under the Code and the laws of the State of North Carolina. To the extent any of the provisions of this Trust Agreement are inconsistent with the Code or applicable state law, the provisions of the Code or state law shall control. In the event, however, that any provision is susceptible to more than one interpretation, such interpretation shall be given thereto as is consistent with the Trust being a tax-exempt trust within the meaning of the Code.

8.4 Employment of Counsel

The Trustee may consult with legal counsel (who may be counsel for the Trustee or the Employer) and charge the Trust. The Trustee shall be fully protected in relying on advice of such counsel.

8.5 Gender and Number

Words used in the masculine, feminine or neuter gender shall each be deemed to refer to the other whenever the context so requires; and words used in the singular or plural number shall each be deemed to refer to the other whenever the context so requires.

8.6 Headings

Headings used in this Trust Agreement are inserted for convenience of reference only and any conflict between such headings and the text shall be resolved in favor of the text.

8.7 Counterparts

This Trust Agreement may be executed in an original and any number of counterparts by the Employer and Trustee, each of which shall be deemed to be an original of the one and the same instrument.

8.8 Master Trust Amendment and Restatement

As of the Effective Date, the Master Trust, as entered into as of June 15, 2020, by and between the Employer and the Trustee, is hereby amended and restated in its entirety, and superseded by this Trust Agreement, with respect to the Employer's OPEB Obligations.

AGREED TO AND ACCEPTED this 4th day of October, 2021 .

TRUSTEE

EMPLOYER

COUNTY OF DARE, NORTH CAROLINA

County Manager

By: _____
Chairman, Board of Commissioners

Finance Director

Human Resources Director



RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS

Description

This item is a reimbursement resolution for possible use with future debt issues to finance the Buxton/Avon beach nourishment project. The 2022 CIP included a \$285,000 paygo project for the Fessenden Center. This Resolution will allow that project to be reimbursed from debt proceeds if the facility is needed for collateral for the beach nourishment debt.

At present, the financing team believes additional bonds will be issued under the 2021B LOB indenture and the Justice Center will provide all of the collateral for the debt. This action preserves an additional option if needed.

Board Action Requested

Adopt the Reimbursement Resolution.

Item Presenter

David Clawson, Finance Director

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on October 4, 2021 at 9:00 a.m. in the County Board of Commissioners’ Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present:

The following members were absent:

* * * * *

Commissioner _____ moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**RESOLUTION OF THE COUNTY OF DARE, NORTH CAROLINA
DECLARING THE INTENT OF THE COUNTY OF DARE, NORTH
CAROLINA TO REIMBURSE ITSELF FOR CAPITAL
EXPENDITURES FROM THE PROCEEDS OF CERTAIN TAX-
EXEMPT OBLIGATIONS**

WHEREAS, the Board of Commissioners of the County of Dare, North Carolina (“County”) has determined that it is in the best interests of County to proceed with the following projects: 1) at the Fessenden Center, replacement of all decking, handicap ramps, stairs, handrails, and pickets, upgrading to composite materials, for both ADA and storm mitigation improvements; 2) a beach nourishment maintenance project in the village of Buxton, to maintain the project originally constructed in 2017; and 3) a new beach nourishment project in the village of Avon (collectively, the “Projects”);

WHEREAS, the County presently intends, at one time or from time to time, to finance all or a portion of the costs of the Projects with proceeds of tax-exempt obligations and reasonably expects to cause to be executed and delivered tax-exempt obligations (the “Obligations”) to finance, or to reimburse itself for, all or a portion of the costs of the Projects; and

WHEREAS, the County desires to proceed with some or all of the Projects and will incur and pay certain expenditures in connection with the Projects prior to the date of execution and delivery of the Obligations (the “Original Expenditures”), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the County intends, and reasonably expects, to be reimbursed for such Original Expenditures from a portion of the proceeds of the Obligations to be executed and delivered at a date occurring after the dates of such Original Expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Dare, North Carolina as follows:

Section 1. ***Official Declaration of Intent.*** The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to execute and deliver the Obligations to finance all or a portion of the costs of the Projects and the maximum principal amount of Obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the Projects is approximately \$32,000,000, a current estimate of which is further broken out for the Projects on Exhibit A to this Resolution.

Section 2. ***Compliance with Regulations.*** The County adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County's intent to reimburse itself for the Original Expenditures from proceeds of the Obligations.

Section 3. ***Itemization of Capital Expenditures.*** The Finance Director of the County, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the Original Expenditures incurred and paid by the County in connection with the Projects during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Obligations.

Section 4. ***Effective Date.*** This Resolution shall become effective immediately upon the date of its adoption.

EXHIBIT A

PRELIMINARY PROJECT AMOUNTS

Fessenden Center		\$285,000
Buxton Beach Nourishment Maintenance		
Grant	\$1,557,607	
FEMA/State (short term debt)	\$8,835,528	
County (five-year debt)	<u>\$10,053,164</u>	
Total		\$20,446,299
Avon Beach Nourishment Initial Construction		
County (five-year debt)		<u>\$12,684,358</u>
Total projects		<u>\$33,415,657</u>
Total short-term debt	\$8,835,528	
Total five-year debt	<u>\$23,022,522</u>	
Total debt	<u>\$31,858,050</u>	

STATE OF NORTH CAROLINA)
)
COUNTY OF DARE) SS:

I, Cheryl C. Anby, Clerk to the Board of Commissioners of the County of Dare, North Carolina, *DO HEREBY CERTIFY*, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on October 4, 2021, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 4th day of October, 2021.

(SEAL)

CHERYL C. ANBY
Clerk to the Board of Commissioners
County of Dare, North Carolina



Consent Agenda

Description

1. Approval of Minutes - September 20, 2021
2. Correction to Capital Project Ordinance for S2021A Installment Financing for Manteo & Kill Devil Hills Properties
3. Water Department Budget Amendment
4. Schedule of Meeting Dates for 2022
5. Health & Human Services-Public Health Div. Request a Full-Time Admin. Specialist Position for Environmental Health & Eliminate Two Part-time Positions
6. 5311 Designee Certification for FY2023-FY2027

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

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., September 20, 2021

Commissioners present: Chairman Robert Woodard, Sr., Vice Chairman Wally Overman
Rob Ross, Steve House, Danny Couch, Ervin Bateman

Commissioners absent: Jim Tobin

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 5:04 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. Rev. Wayne Berry shared a prayer and then Chairman Woodard 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:

- The 32nd Annual Artrageous Kids Art Festival was held on September 18 in Dowdy Park. He said it was quite impressive to see the talent of local children.
- Reported on the 2021 historically high tourism figures. The July occupancy and meal revenue figures represented historic heights at \$160 million dollars. Overall the 2021 revenues were up 54% from 2020.
- The Cape Hatteras National Seashore would be preserving and repairing the Cape Hatteras Lighthouse and surrounding landscaping. As part of their assessment, they will receive public comments beginning September 17 through October 17.
- Provided a county COVID-19 update. DHHS had reported a woman over 65 had died of COVID-19 complications on September 15. Cases are coming down with only fourteen residents currently hospitalized.
- He remembered the life and career of Lynda Fayssoux Midgett, who had passed away on September 18. She had served on many area committees and received the Key to the Town of Manteo in 2001. She had been both the Deputy Tax Collector and Director of Elections for thirty years before retiring in 2000.

ITEM 2 – PUBLIC COMMENTS

At 5:20 p.m. the Manager outlined the procedure for making public comments. No one responded to the invitation. Mr. Outten closed Public Comments at 5:21 p.m.

ITEM 3– PUBLIC HEARING: C-3 TEXT AMENDMENT TO ADD PACKAGE DISTRIBUTION AND DELIVERY SERVICES

At 5:22 p.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments. No one responded to the invitation to address the Board of Commissioners on this issue. The County Manager closed the Public Hearing at 5:22 p.m.

MOTION

Commissioner Ross motioned to amend the C-3 zoning district to add “package distribution and delivery services” as a permitted use. The statement of consistency and reasonableness as prepared by staff is adopted as part of this motion.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 4 – PUBLIC HEARING – FY2023 NCDOT 5310, 5311 AND COMBINED CAPITAL PROGRAM GRANT APPLICATIONS

Radcliff Hester, Transportation Program Supervisor, advised the Board the item was the annual grant funding for the 5310 (operational), 5311 (administrative) and combined capital program.

At 5:27 p.m. the Board held a Public Hearing to receive input concerning this item. The Manager outlined the procedure for making public comments. With no one responding to the invitation to address the Board, the Public Hearing was closed at 5:28 p.m.

MOTION

Vice-Chairman Overman and Commissioner House motioned to adopt the FY 2023 Program Resolution.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 5 – PROCLAMATION – ALZHEIMER’S AWARENESS

Gail Sonnesso presented a presentation for the Board to preface the introduction of the proclamation. She encouraged all Dare County residents to continue supporting those living with dementia and explained the local senior services were stretched to their limits. She provided statistics for the area’s aging which indicated those living with dementia would rise from 652 to 1,074 by 2036. Homecare agencies have long waiting lists for those unable to be cared for in their homes. The average in-home care cost approximately \$45,756 a year. She suggested a task force be formed to identify partners to offer support and deal with transportation issues and long-term sustainability of local senior programs.

MOTION

Commissioner House motioned to issue the Proclamation which declared September 2021 as “World Alzheimer’s Disease Awareness Month”.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – 2022 TOWN’S BEACH NOURISHMENT PROJECT – LETTER OF INTENT, CAPITAL PROJECT ORDINANCE AND RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DARE, NC, APPROVING AN INSTALLMENT FINANCING CONTRACT AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN RELATED MATTERS (Att. #1)

Dave Clawson recapped for the Board the items which needed approval and action by them. The Letter of Intent was subject to receipt of all necessary permits and Local Government Commission approval. Towns’ beach nourishment bids were opened on September 2 and they were 25.12% under Coastal Protection and Engineering estimates. The project budget was at \$32,000,246. Mr. Clawson broke down the sources of the funds as state grants (\$5,716,336), FEMA/State (\$6,063,680), the County contribution (\$8,713,925) and the towns (\$11,904,305). Kitty Hawk would be increasing their cubic yard volumes due to the lower than expected bids. It was unclear if Duck would be doing the same. This would not increase the County’s share of expense but would require reallocation of mobilization costs. LGC approvals were always at “not to exceed” amounts; therefore Mr. Clawson presented the revised project cost as \$34,588,568. Mr. Clawson explained the Corps permits could not be obtained until all of CAMA permits were issued. A full account of the discussion of this item is available on a video available for viewing on the Dare County website.

MOTION

Vice-Chairman Overman motioned to authorize the Chairman to execute the Letter of Intent, adopt the capital projects ordinance, approve the Interlocal Agreement and give the County Manager authority to make changes to the agreement consistent with the project, and to adopt the Approving Resolution for the 2022B LOBs.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 7 – CONSENT AGENDA

The Manager announced the items as they were visually displayed.

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (09.07.21.20) **(Att. #2)**
- 2) NC Governor’s Highway Safety Program Local Governmental Resolution **(Att.#3)**
- 3) Final Budget Amendment for Home Health and Hospice Certificate of Need Sale
- 4) Authorization to Present Service Weapon to Retiring Deputy Sheriff
- 5) Tax Collector’s Report
- 6) Three (3) year renewal of Rave Mobile Safety Agreement

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 8 – BOARD APPOINTMENTS

1. Jury Commission Board

Vice-Chairman Overman motioned to appoint Elizabeth Ann Creef Meekins to serve the remaining term of Lou Ellen Quinn.

Commissioners Bateman and House seconded the motion.

VOTE: AYES unanimous

2. Health and Human Services Board

Vice-Chairman Overman motioned to appoint Dr. Ashley Clower to fill the expiring term of Dr. Christian Lige, Doug Tillett to fill the expiring term of David Ryan and Allan Moran to fill the expiring term of Kaye White and the reappointment of Commissioner Ervin Bateman. Commissioner Ross seconded the motion.

VOTE: AYES unanimous

3. Juvenile Crime Prevention Council

Commissioner House motioned to reappoint Shannon T. Glaser and Jamie Koch. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

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 Ross

- Commented on several college and professional football games with full fan attendance in large stadiums. He contrasted that with the mask mandates in other communities.

Commissioner House

- Asked prayers for Representative Keith Kidwell and his wife, Viki, who was hospitalized.
- Announced this weekend the OBX Jeep Invasion would be at the Soundside Event site. It was successful last year and had provided 600 children with a full Christmas along with over 250 bicycles given to children. The event proceeds go to the Toy Run.
- Day in History: In 1952 scientists confirmed DNA holds hereditary data; in 1971 Hurricane Irene crossed from the Atlantic to the Pacific and was renamed Hurricane Olivia.
- He presented the Pet of the Week which showcased a two-year old dog named Kol.

Commissioner Overman had nothing further to add.

Commissioner Bateman

- Reported the Tourism Bureau had informed that the August revenues on property management were underreported by \$12 million dollars and would be reflected in September figures. It was unclear as to why the underreporting took place.

Commissioner Couch

- Remembered Lynda Midgett, who had run the tax department well during her tenure; but she also would just call you to ask how you were doing.
- Congratulated Capt. Jack Scarborough, who was the new 911 Communications Director.

MANAGER’S/ATTORNEY’S BUSINESS

The County Manager also remembered Lynda Midgett fondly, as he shared a few memories. He congratulated Jack Scarborough and said he would be a great asset to the county.

Mr. Outten advised employment issues continued with the public works department. There was only one person in recycling and the department maintained their focus on trash pickup. He would be meeting with Shanna Fullmer and Mr. Clawson this week to look into various options to resolve the hiring and retention issues.

He and Chairman Woodard had met with the YMCA last week to discuss essential workforce housing issues. The YMCA had brought an opportunity for the county to participate on some of their existing sites. Discussions would continue and an update would follow. The Board members joined in a dialogue regarding J1 student housing. Chairman Woodard suggested a special board meeting may be needed to take a look at the community's transportation and housing issues for seasonal J1 students together with essential housing. Mr. Outten had conferenced with a group in New York to begin looking at some housing options. He advised an update would be received from UNC in October with a plan to action to be received on or before the end of the year.

Dorothy Hester advised the county had released a video and prepared webpages for essential housing issues and updates. Her department was also working with the towns on the More Beach to Love campaign.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

At 6:40 p.m., the Board of Commissioners adjourned until 9:00 a.m., October 4, 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.



Correction to Capital Project Ordinance for S2021A Installment Financing for Manteo and Kill Devil Hills Properties

Description

The project ordinance adopted on 7/19/21 understated debt costs of issuance by \$600 and overstated Manteo building renovations by \$600. This amendment corrects that error.

Board Action Requested

Adopt amendment to capital project ordinance.

Item Presenter

David Clawson, Finance Director

**County of Dare, North Carolina
Capital Project Ordinance**

**for
Financing and Purchase of Property in Kill Devil Hills and Purchase and Renovations to
Property in Manteo**

BE IT ORDAINED by the Board of Commissioners of the County of Dare, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance, originally adopted on 7/19/2021, and amended on 8/2/2021, is hereby amended:

Section 1 The projects are the purchase of property in Kill Devil Hills for the site to replace the KDH EMS Station (parcel 002741002), approved by the Board on 3/1/2021, and the purchase and renovation of property in Manteo for use as youth center (parcel 023298000), approved by the Board on 7/19/2021. This amendment correct an error on the 7/19/2021 ordinance.

Section 2 The following budget shall be conducted within the Capital Projects Funds (#61).

Section 3 The following appropriations for the projects are changed as indicated:

Purchase/renovation of Manteo property	615640-737101-60352	\$600	decrease
Costs of issuance	615640-737101-60352	\$600	decrease

Section 4 The following revenue is anticipated to be available to complete the project:

No change

Section 5 The Finance Officer is directed to report, on a monthly basis, as a part of the normal monthly financial reporting process currently in place, the financial status of the project.

Section 6 Copies of this capital project ordinance shall be furnished to the Budget Officer, the Finance Officer, and the Clerk to the Board of Commissioners.

Adopted this 4th day of October, 2021

Chairman, Board of Commissioners

[SEAL]

Clerk to the Board of Commissioners



Water Department Budget Amendment

Description

Frisco Distribution Building Project Increase

Board Action Requested

Approval of budget amendment

Item Presenter

Pat Irwin

DARE COUNTY

BUDGET AMENDMENT

F/Y 2021-2022

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department:</u>					
<u>Revenues:</u>					
Frisco Distribution Building Proj.	385811	737350	38054	48,726	
Reverse Osmosis Equipment	385813	737201	38052		28,726
Capital Outlay-IS	364815	537400	36006		20,000

Expenditures:

Explanation:

Electrical, plumbing, structural & drainfield additions to the original project

Approved by:

Board of Commissioners: _____

Date: _____

County Manager: _____

Date: _____

(sign in red)

Finance only:

Date entered: _____ Entered by: _____ Reference number: _____



Schedule of Meeting Dates for 2022

Description

The Board of Commissioners will consider the attached schedule of 2022 meeting dates

Board Action Requested

Approval

Item Presenter

Robert Outten, County Manager

Dare County Board of Commissioners
2022 – Meeting Schedule

January	03	9:00 a.m.
	18 (Tuesday)	5:00 p.m.
February	07	9:00 a.m.
	22 (Tuesday)	5:00 p.m.
March	07	9:00 a.m.
	21	5:00 p.m.
April	04	9:00 a.m.
	20 (Wednesday)	5:00 p.m.
May	02	9:00 a.m.
	16	5:00 p.m.
June	06	9:00 a.m.
	20	5:00 p.m.
July	18	5:00 p.m.
August	01	9:00 a.m.
	15	5:00 p.m.
September	06 (Tuesday)	9:00 a.m.
	19	5:00 p.m.
October	03	9:00 a.m.
	17	5:00 p.m.
November	07	9:00 a.m.
	21	5:00 p.m.
December	05	9:00 a.m.



***Health & Human Services-Public Health Division
Request a Full Time Admin Specialist Position for Environmental Health &
Eliminate 2 Part-Time Positions***

Description

The Public Health Division, Environmental Health unit is requesting an additional full time Administrative Specialist position to keep up with workload demands. Since FY 2019 the applications received have increased by 58%, the septic permits have increase for new permits by 36%, rewrite permits by 63%, repair permits by 51% and add'l permits by 38%. The Environmental Health Specialists while trying to keep up with the increased inspections are also having to assist at the front office answering phone calls and daily requests from contractors and real estate agents, filling in at lunch time and when the Administrative Specialist is on leave. Before the recession Environmental Health employed 10 Environmental Health Specialists and 2 Administrative Specialists, currently staff consist of 8 Environmental Health Specialist and 1 Admin. Specialist. The budget for the additional Admin. Spec position will be covered with the elimination of 2 current part-time positions.

Board Action Requested

Approve Request and Budget Ammendment

Item Presenter

N/A

SD

DARE COUNTY

BUDGET AMENDMENT

F/Y 2021-2022

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		

Department:
Health & Human Services-Public Health

Revenues:

Expenses:

Salary	104600	500200	47510	\$7,191	
FICA	104600	500300	47510	\$551	
Retirement	104600	500400	47510	\$3,688	
Health Ins	104600	500500	47510	\$14,236	
Salary	104600	500200	45120		\$23,842
FICA	104600	500300	45120		\$1,824

Explanation:

Request an Administrative Specialist position for Environmental Health and eliminate 2 PT positions 200827(EHS) & 200810(PRN Pool). \$32,462 of the \$58,128 needed is currently in the EH budget already, the remainder of \$25,666 is from position 200810.

Approved by:

Board of Commissioners: _____

Date: _____

County Manager: _____

Date: _____

(sign in red)

Finance only:

Date entered: _____ Entered by: _____ Reference number: _____



5311 Designee Certification for FY 2023 - FY 2027

Description

This certification designates an entity the authorization to apply for the 5311 grants for a period of 5 years.

Board Action Requested

Take appropriate action

Item Presenter

Radcliff Hester, Supervisor - Dare County Transportation

5311 DESIGNEE CERTIFICATION FORM

Resolution No. _____

Resolution authorizing the filing of applications with the North Carolina Department of Transportation-Integrated Mobility Division for grant years FY2023-FY2027, for federal transportation assistance authorized by 49 U.S.C. 5311, United States Code, other federal statutes administered by the Federal Transit Administration or state statutes administered by the State of North Carolina.

WHEREAS, the North Carolina Department of Transportation has been delegated authority to award federal financial assistance for transit projects as allocated throughout North Carolina by County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dare County

1. That Transportation Division Supervisor is authorized to execute and file an application for federal assistance on behalf of the County of Dare Transportation Division with the State of North Carolina for federal assistance authorized by 49 U.S.C. Chapter 5311 United States Code, other federal statutes or state statutes authorizing a project administered by the Federal Transit Administration.
2. That Transportation Division Supervisor is authorized to execute and file with its applications the annual certifications and assurances and other documents the State of North Carolina requires before awarding a federal assistance grant or cooperative agreement.
3. That Transportation Division Supervisor is authorized to execute grant and cooperative agreements with the State of North Carolina on behalf of the County of Dare.

The undersigned duly qualified, Robert Woodard, Sr., Chairman of the Board of Commissioners, acting on behalf of the County Commission of Dare County, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the County Commission of Dare County held on October 4, 2021

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

Cheryl C. Anby, Clerk to the Board Dare County
October 4, 2021



Board Appointments

Description

The following Boards have appointments this month:

- 1) Land Transfer Tax Appeals Board
- 2) Roanoke Island Community Board
- 3) Health and Human Services Board
- 4) Library Board - Dare
- 5) Fessenden Center Advisory Board
- 6) Juvenile Crime Prevention Council

Upcoming Board Appointments for November, December 2021 and January, 2022 are also listed

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager



Land Transfer Tax Appeals Board

Description

See Attached Summary

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager

LAND TRANSFER TAX APPEALS BOARD

(Four Year Term)

This Board meets when someone disputes the amount of land transfer tax.

June Neri, who represented the Town of Manteo, has moved out of the area.

The Town of Manteo recommends appointing James Ayers.

Other Members: See attached list

LAND TRANSFER TAX APPEALS BOARD
(Four Year Term)

This Board meets when a person disputes the amount of land transfer tax due as stated by the Tax Collector.

<u>MEMBER</u>	<u>AREA REPRESENTING</u>	<u>TERM EXPIRATION</u>
Jacqueline Ricks-Sample P.O. Box 1367 Kill Devil Hills, NC 27948 441-4367 (Town of KDH appointee)	KDH	Expires 6/2025 Reaptd. 6/13,17,21
Michael Stone P.O. Box 150 Kitty Hawk, NC 27949 255-0275 (Town of SS appointee)	SS	Expires 6/2023 Apptd. 11/15 Reaptd. 6/19
Michael Siers 4638 S Blue Marlin Way Nags Head, NC 27959 252-489-3861 Mike.siers@nagsheadnc.gov (Town of Nags Head appointee)	NH	Expires 6/2023 Apptd. 6/19
Jack Overman 110 Puddle Lane Manteo, NC 27954 473-2126	Comm. Apptd.	Expires 6/2023 Reaptd. 6/11, 11/15, 6/19
Rob Rollason 706 7 th Avenue Kill Devil Hills, NC 27948 robrollason@gmail.com 252-475-0002	Comm Apptd.	Expires 6/2025 Apptd., 6/21
Vacant (Town of Manteo appointee)		
Lynne McClean 610 W. Kitty Hawk Road Kitty Hawk, NC 27948 202-9672 Lynne.mcclean@kittyhawktown.net (Town of Kitty Hawk appointee)	KH	Expires 6/2025 Apptd. 6/17 Reaptd. 6/21

MEETING DATE: The board only meets when there is an appeal.

Robert Outten, County Attorney
P.O. Box 1000
Manteo, NC 27954 Phone: 475-5811

Hosea E. Wilson, III, AAS, County Assessor
P.O. Box 1000
Manteo, NC 27954 Phone: 475-5940

Barbara Connery replaced Manson Meekins who resigned 6/99.
Russell Langley replaced Smokey Broughton 8/99.
Robert Muller replaced Ronald Scott 8/99.
Robert Ralason reappointed for four year term 3/02.
Barbara Connery reappointed for four year term 4/02.
June Neri replaced Jule Burrus 4/02.
Bill Fruit replaced Leo Antonucci 4/02.
Doug Seay replaced Bill Fruit 9/05.
Emilie Klutz replaced Doug Seay 1/06.
Doug Remaley replaced Bob Muller 9/07.
Jack Overman apptd. to fill seat left vacant by Russell Langley 1/08.
Jacqueline Ricks-Sample appointed to fill unexpired term of Robert Rollason 5/2010.
Michael Stone replaced James Perry, Town of Southern Shores 11/15.
John Ratzenberger replaced the late Doug Remaley, Town of Nags Head, 11/15.
Lynne McClean replaced Emilie Klutz
Michael Siers replaced John Ratzenberger – Town of Nags Head 06/19
Rob Rollason appointed as Board of Commissioners' appointment, 06/21

REVISED 6/21



Roanoke Island Community Center

Description

See Attached Summary

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager

October, 2021

ROANOKE ISLAND COMMUNITY CENTER BOARD

(Two Year Term)

The following have terms that expire this month:

Jonique Lee, Betty Selby and Clarence Lewis

All would like to be reappointed

There is one vacancy at this time.

An application has been received from:

Kevin P. Wallace

Other Members:
See attached list

ROANOKE ISLAND COMMUNITY CENTER

(Two Year Term)

This Board operates and maintains the community center facility and amenities for the use and benefit of all members of the community.

<u>MEMBER</u>	<u>TERM EXPIRATION</u>	<u>ACTION</u>
Jonique Lee 1014 Burnside Rd. Manteo, NC 27954 216-6464 (C)	6-21	Apptd. 6/15 Reapptd. 17,19
Betty Selby P.O. Box 1485 Manteo, NC 27954 473-3570(H) 473-1151(W)	6-21	Apptd. 1/06 Reapptd. 6/07,09,11,13 15,17,19
Kelli Harmon 723 Pirates Way Manteo, NC 27954 910-286-1660 (H)	6-22	Apptd. 7/15 Reapptd. 6/16,18, 20
Lynette Ford 104 Elsie Daniels Lane Manteo, NC 27954 305-5748 (H) 449-7000 ext. 2466 (W) fordly@daretolearn.org lynetteford5748@gmail.com	6-22	Apptd. 6/18 Reapptd. 6/20
Vacant		
Daniel Selby, Ch. P.O. Box 1544 Manteo, NC 27954 216-8226	6-22	Apptd. 9/06 Reapptd.6/08,10,12 14,16,18,20
Clarence Lewis 514 Sir Walter Raleigh Street Manteo, NC 27954 473-3151	6-21	Apptd. 6/18 Reapptd. 6/19

NOTES:

Meeting Date: 1st Weds. of each month, 6:00 pm at the RI Comm. Ctr.
Betty Govan replaced Lemuel Anderson 8/91; Beulah Charity replaced Jerome Selby 6-93.
Wilford Wescott replaced Snooks Tillett 6/97; Arvilla Bowser replaced Wilford Wescott 6/99.
Earl W. Bryant replaced Betty Selby 9/01; Roland Bowser filled term of Earline Simmons 1/06.
Betty Selby filled unexpired term of Dell Collins 1/06.
Willie Brickhouse filled unexpired term of Arvilla Bowser 4/06.
Daniel Selby filled unexpired term of Earl Bryant 9/06.

Jonique Lee, Allen Moran & David Twiddy replaced Roland Bowser, Dorothy Tillett & Willie Brickhouse 6/15
Kelli Harmon filled unexpired term of John Daniels 7/15.
Willer Spencer replaced David Twiddy 6/17; Lynette Ford replaced Doris Creecy 6/18
Clarence Lewis filled unexpired term of Willer Spencer 6/18, reappointed 6/19

REVISED 9/21

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to cheryl.anby@darenc.com

Advisory Board or Committee interested in:

1st choice Veterans Advisory Council

2nd choice Tourism Board

3rd choice Roanoke Island Community Center Board

Name Dr. Kevin P. Wallace

Address 25 Croatan Ct.

City/State/Zip Manteo, NC 27954

Email Address okinawawallace@gmail.com

Telephone Home: (208) 590-5766

Business: _____

Resident of Dare County: yes no

Occupation: Government Relations and Cause Marketing Advisor (Wash. D.C.)

Business Address: _____

Educational background:

(1) Ph.D. Media and Communications (2) D.B.A. Doctorate of Business Administration

(3) M.F.A. Master of Fine Arts, Visual Info (4) B.A. Bachelor of Arts, Communications

Business and civic experience and skills:

21 years of Military Active Duty; 16 years of Strategic Communications / Public Relations

3 years U.S./U.K. Civil Relations; 2 years NATO Civil Affairs; 2 years Consulting

Other Boards/Committees/Commissions on which you presently serve:

Blue Skies for Good Guys and Gals Warrior Foundation Advisory Board and Ambassador;

Air Force Wounded Warrior Ambassador and Spokesperson

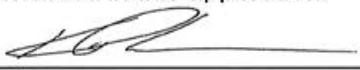
REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
<u>Brian Callahan</u>	<u>Segue Technologies CEO</u>	<u>Arlington, VA</u>	<u>(703) 549-8033</u>
<u>Ron Novak</u>	<u>Tetra Tech Executive VP</u>	<u>Pasadena, CA</u>	<u>(703) 244-0102</u>
<u>David Hart</u>	<u>BSG3 CEO, Segue VP of BD</u>	<u>Dayton, OH</u>	<u>(513) 907-6805</u>

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: Sept. 3, 2020

Signature of applicant: 

FOR OFFICE USE ONLY:

Date received: 9/3/2020

9/3/2020

CAA

DR. KEVIN P. WALLACE, Ph.D.

Manteo, NC 27954

208.590.5766

okinawawallace@gmail.com

PROFESSIONAL SUMMARY

Military Veteran with over 20 years as a proven leader and manager able to multi-task missions, projects, and programs placing the right personnel and resources as needed to meet internal and external goals in the area of Team Management, Program Management, Corporate Human Resources, Recruiting, Public Relations, Strategic Communications, Training, Payroll and Budgets, and Business Development. Also, possess a comprehensive background in Media Relations, Communication Development and Execution, Information Campaigns, and Brand Awareness. Demonstrated history of accurate and timely leadership and company growth, and possesses an innate talent for quickly mastering technology and new concepts. Career supported by global experience in high-touch, high-visibility roles with the Department of Defense and NATO. Always promoted ahead of peers and assigned key leadership positions.

Leadership	Personnel Management	Social Media	Info Campaigns
Strategic Communications	Public/Media Relations	Organizational Skills	Recruiting
Human Resources	Program Management	Budget/Payroll	Branding

EDUCATION

Doctorate of Media Communications, Ph.D. | University of Leicester, U.K.
Doctorate of Business Administration, D.B.A. | AITU, Sarasota, FL
Master of Visual Arts, M.F.A. | George Mason University, Fairfax, VA
Bachelor of Communications, B.A. | Thomas Edison State University, Trenton, NJ
Associates in Public Affairs, A.A. | Community College of the Air Force, AL

PROFESSIONAL EXPERIENCE

Consultant, Marketing for Military Outreach and Business Development

SEGUE TECHNOLOGIES, INC. | Arlington, VA | (2019)

Consulting Manager! Managed philanthropic programs and projects aligned with DoD growth strategy. Worked with military related nonprofit partners on opportunities to maximize benefits. Oversaw the company's military cause marketing initiatives to engage DoD customers in company causes and brand enhancement. Worked closely with the corporate communications team to develop and implement coordinated messages to drive military outreach project awareness and engagement with corporate initiatives. Integrated with HR and Recruitment, collaborated at job fairs, and hosted platform marketing/keynote speaking engagements on bases. Enhanced BD by combining superior product knowledge with a high level of integrity to develop mutually beneficial solutions and relationships for DoD customers.

Director of Public Relations and Senior Advisor to CEO

UNITED STATES AIR FORCE | Joint Base Andrews, MD | (2014-2018)

Executive Manager! Directed the 89th Airlift Wing Public Affairs office. Senior advisor and spokesman for White House and senior government travel aboard Air Force One and the 89th AW's Executive "Blue and White" fleet. Developed and executed strategies intended to create and uphold a positive public image for executive airlift. Formed relationships with various members of the media, government, and public, and generated new business opportunities. Managed 89th AW strategic communication goals and strategies. Ensured communication strategy was consistent and reflected the organization's strategic vision. Implemented social media strategies, growing online supporter base and traffic, while performing social media community management duties. Built and sustained online communities. Refined core communications to ensure organizational consistency including development, organizing and education, while ensuring consistent message framing. Reported directly to the Commander and White House.

- Coordinated Air Force One communications for the U.S. President and Vice President, Secretary of State, the Secretary of Defense, and other senior military and elected leaders
- Supported 114 missions, flew 688 hours to 39 countries, disseminated 416 media posts that reached 1.6M people globally
- Oversaw public notice of \$4.5 billion AF-1 recap program; liaised on environment concerns with 9 agencies in 3 states
- Led Air Force messaging for first ever U.S. Presidential visit to Cuba which cultivated relations with Heads of State

Public Relations Manager and Advisor to CEO

UNITED STATES AIR FORCE | Mountain Home, ID | (2012-2014)

Senior Manager! Managed 16-person Public Affairs Office. Created and maintained a favorable public image for 11,150 military members, civilians and families at a multinational military base. Served as senior base spokesman, while fielding media questions and pitching stories to the media, preparing media kits and organizing press conferences. Wrote speeches for organizational leaders, developed advertising and marketing communications material and prepared articles for corporate newsletters. Released timely and accurate information to counter negative publicity and handle crisis and emergency communications. Oversaw 16 full-time employees, hired and managed freelance journalist, photographers, graphic designers and others. Managed unit's budget, training, deployment, and peace- and war-time readiness requirements. Reported directly to the Chief of Staff.

- Directed broadcast team, published 34 command videos which trended via social media to over 45 million followers
- Guided 42 media programs and served as the guest speaker at 4 such programs
- Managed an international media event, spotlighting the U.S. First Lady's attendance at the U.K. Olympics
- Led a 9-manned team in combat to capture pictures, showcased in FOX News' "25 Best Military Photos"
- After being wounded by RPG, willingly ran into direct enemy machine gun fire 3 times to clear route for platoon's link up with quick-reaction force and casualty evacuation point – earned Purple Heart and Bronze Star Medal with Valor Device!

Media Relations and Community Relations Manager

UNITED STATES AIR FORCE & SPECIAL OPERATIONS | RAF Mildenhall, U.K. | (2008-2012)

Manager! Directed media and community relations operations, while managing multinational staff of 15. Advised U.S. Forces Commanders on media and community issues for sensitive overseas posting of about 4,500 U.S. military and DoD civilians, while providing a 24-hour emergency response. Wrote and disseminated content about the organization and its activities. Responded to media inquiries and developed relationships with media outlets. Managed social media and event planning, including special projects. Brainstormed, planned, organized, and managed activities that helped U.S. Forces achieve PR goals. Raised community awareness of available products and services.

- Coordinated 37 tours hosting 1,200 citizens on base; earned U.S. Ambassador to U.K.'s "Exceptional ComRel Award"
- Revamped Honorary Commanders program; welcomed 10 new civic leaders and paired them with key base leaders
- Created base/community Sept. 11 tribute; led 5-member focus team to host base event for Wing and over 120 visitors
- Led U.S./U.K. military mock World Cup; garnered international coverage; earned "Most Innovative Program Award"
- Managed Britain's largest pool of community leaders, politicians and >150 U.K and international media agencies

News Director and Website Manager

UNITED STATES AIR FORCE | Dover, DE | (2007-2008)

Manager! Directed activities of the news staff to develop story ideas, track issues and events, select reporters for coverage, schedule stories for publication, and schedule time for interviewing, writing and editing. Served as the primary editor to insure news reports were produced in an effective, timely and responsible manner. Acted as a proactive liaison to various internal and external customers, ensuring timely and accurate flow of information to key audiences. Contributed content on a regular basis. Set goals and monitored performance of news personnel. Helped manage the news department budget, including annual planning, monthly monitoring and routine handling. Helped maintain equipment and information systems vital to news planning, newsgathering, news production and news presentation.

- Trusted implicitly! Assumed News Director duties within 4 months of arriving; boundless drive sets him apart
- Tirelessly managed Dover's Internal Info. section--earned AMC-level "Outstanding New Print Journalist Award"
- Staff writer and newsroom manager for a 24 page weekly newspaper, The Airlifter, worth \$275,000 in annual ads & audience of more than 16,000 servicemembers, civilians and family members.
- Recognized by SecDef and Air Force's top Chief for zealous spirit; USAF's top news/commentary writer for 2008

Staff Writer and Photographer

UNITED STATES AIR FORCE | Dover, DE | (2006-2007)

Lead writer for news, features and sports coverage. Assisted editor with photographic assignments and helped with overall future planning for newspaper design and content. Curated content, scheduled updates, monitored social media platforms, responded to mentions and comments, edited and uploaded blog posts, managed email campaigns, reported, analyzed, developed strategies, researched, identified, interacted, managed twitter, updated and pitched.



Health and Human Services Board

Description

See Attached Summary

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager

October 2021

HEALTH AND HUMAN SERVICES BOARD

(Staggered/Four Year Term)

Serves as the policy-making, rule-making and administrative board of the consolidated human services agency. NCGS 153A-77 requires that "After the subsequent establishment of the Human Services Board, it's Board shall be appointed by the Board of County Commissioners from nominees presented by the Human Services Board."

The term for L'Tanya Murray has expired.
She is eligible for reappointment and has agreed to serve another term.

The Health and Human Services Board recommends her reappointment.

Other Members: See attached list

Applications have been received from:
Isaac Simonsen, George Carver, Jr., J. Staton Martin and Chris Vlahos

HEALTH AND HUMAN SERVICES BOARD

(Staggered/Four Year Term)

The Health and Human Services Board serves as the policy-making, rule-making,
and administrative board of the consolidated human services agency.

<u>MEMBER</u>	<u>TERM EXPIRATION</u>	<u>ACTION</u>
Kevin Phillips 186 Scuppernong Road Manteo, NC 27954 216-5751 (H) 473-5801 (W) (Pharmacist Position)	9/22	Apptd. 9/14 Reapptd. 9/18
L'Tanya Murray 118 Raleigh Wood Dr. Manteo, NC 27954 423-1104 (H) 489-3629 (W) (At Large)	9/21	Apptd. 6/15 Reapptd. 9/17
Nicholas Kiouis P.O. Box 35 Point Harbor, NC 27964 441-7064(W) 202-1354(H) (At Large)	9/22	Apptd. 9/13 Reapptd.9/14, 18
Dr. Mark Grossman 512 Pirates Way Manteo, NC 27954 423-0975 (Veterinarian Position)	9/24	Apptd. 3/16 Reapptd. 9/16, 8/20
Doug Tillett 105 Middle Street Manteo, NC 27954 dougcsseptic@aol.com 252-473-23379 (Engineer Position)	9/25	Apptd. 9/21
Dr. Daniel L. Jones 810 Back Bay Road Manteo, NC 27954 252-441-2000 (Optometrist Position)	11/23	Apptd. 11/19
Wally Overman 549 Skyco Road Manteo, NC 27954 473-3433 (H) 216-6042 (W) (At Large)	9/24	Apptd. 3/17 Reapptd. 8/20

Dr. James Woodson 104 Alder Branch Road Manteo, NC 27954 305-4450 (H) 441-1319 (W) (Dentist Position)	9-23	Apptd. 11/15, 11/19
Alexis Hodges P.O. Box 29 Hatteras, NC 27943 986-2230 (H) 995-3900 (W) (Nurse Position)	9/24	Apptd. 9/13 Reapptd. 9/16, 8/20
Christopher Roberts PO Box 161 Manteo, NC 27954 coastalcounseling@yahoo.com 473-7077 (H) 473-4727 (W) (Social Worker Position)	9/22	Apptd. 10/18
Ashley Clower' 162 S. Dogwood Trail Kitty Hawk, NC 27949 732-691-0927 (H) (Physician Position)	9/25	Apptd. 9/21
Ashley Jackson PO Box 446 Hatteras, NC 27943 703-489-1898 (H) 252-489-6644 (W) jacksonas@daretolearn.org (At Large)	9/22	Apptd. 4/19
Tim Shearin 136 Cannon Trail Manteo, NC 27954 473-1730 (H) 475-9251 (W) (At Large)	9/23	Apptd. 11/13 Reapptd. 9/15, 11/19
Janine M. Sewell 42190 Askins Creek Dr., Avon, NC 24915 540-376-2358 (C) (At Large)	9/24	Apptd. 9/20
Allan Moran 381 Mother Vineyard Rd Manteo, NC 27954 252-423-1309 (H) (At Large)	9/25	Apptd. 9/21

Ervin Bateman
4148 Poor Ridge Road
PO Box 1127
Kitty Hawk, NC 27949
Ervin.bateman@darenc.com
216.1526 (C)
(Commissioner Rep.)

9/25

Apptd. 1/19
Reapptd. 9/21

NOTES: Formed September 2013

MEETING INFO: 4th Tuesday of February and August and on the 3rd Tuesday in May and November unless otherwise noted, 6:30 p.m. DSS Bldg.

CONTACT INFO: Tim Shearin, Chair

MEMBERS COMPENSATED: \$100 per meeting

09/14 - Kevin Phillips replaced Steve Evans
01/15 - Beverly Boswell appointed to fill unexpired term of Allen Burrus
06/15 - L'Tanya Murray filled unexpired term of Brant Murray
11/15 - Dr. James Woodson replaced Dr. J. Trahey Maner
03/16 - Dr. Mark Grossman filled unexpired term of Dr. Steven Samson
03/17 - Wally Overman appointed to fill unexpired term of Beverly Boswell
09/18 - Kevin Phillips and Nicholas Kiouisis reappointed.
10/18 - Christopher Roberts appointed to replace Tanya Barkley Graham (Social Worker Seat)
01/19 - Ervin Bateman replaced Bob Woodard
04/19 - Ashley Jackson appointed to fill vacant At Large Seat.
06/19 - Dr. Janet Riddick passed away
11/19 - Daniel Jones apptd. as optometrist, Tim Shearin and James Woodson reappointed
08/20 – Dr. Grossman, Wally Overman and Alexis Hodges reapptd.
09/20 – Janine Sewell appointed to fill Frank Hester vacancy
09/21 – Dr. Ashley Clower apptd. to replace Dr. Christian Lige, Doug Tillett to replace David Ryan and Allan Moran to replace Kaye White

REVISED 09/21

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to cheryl.anby@darenc.com

Advisory Board or Committee interested in:

1st choice Health & Human Services Board

2nd choice Parks & Recreation Advisory Council

3rd choice ~~Equalization & Review Board~~ Older Adult Services Advisory Council

Name Isaac Simonsen

Address 1036 George Daniels Rd.

City/State/Zip Manteo, NC 27954

Email Address mr.isaacsimonsen@gmail.com

Telephone Home: 252-333-6986

Business: _____

Resident of Dare County: yes no

Occupation: Personal Property Appraiser

Business Address: 962 Marshall Collins Dr., Manteo NC 27954

Educational background:

Bachelors - Psychology

East Carolina University

Business and civic experience and skills:

Health & Mental Health Manager for Early Head Start

Manager @ a Community Action Agency

Worked for the Autism Society of NC

Other Boards/Committees/Commissions on which you presently serve:

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying:

Name	Business/Occupation	Address	Telephone
Brad Williams	Pastor, Bethany Methodist	137 Old Wharf Rd, Warehese	252-675-88
Darin Wilder	EHS Director	712 Virginia Rd, Edenton	804 852 7197
Edgar Barnes	District Court Judge	962 Marshall Collins Dr	252 305 9397

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: August 14th, 2020 Signature of applicant: [Signature]

FOR OFFICE USE ONLY:

Date received: 8/14/2020

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Janice Williams, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to janicew@darenc.com

Advisory Board or Committee interested in:

1st choice Health and Human Services Board

2nd choice Youth Council

3rd choice Transportation Advisory Board

Name George Carter Jr

Address 110 Scarborough St

City/State/Zip Manteo NC 27954

Email Address DareminorityCoalition@gmail.com

Telephone Home: 305-8671
Business: 564-5140

Resident of Dare County: yes no

Occupation: Business owner / Cook / Construction

Business Address: Manteo, NC 27954 ; Nags Head
5000 S. Croatan Hwy

Educational background:
3yrs North Carolina Central Un. 1yr Piedmont Co. College
1yr COA Manteo Grad. 98

Business and civic experience and skills:
Owner of George's Dome Home Inc. ; Hosted
Meet the Candidates w/ Dare Minority Coalition Inc
Oct. 18 2018

Other Boards/Committees/Commissions on which you presently serve:

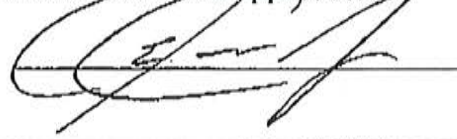
Executive Director of Dare Minority Coalition Inc
Founder & Owner of George's Dome Homes Inc

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Beth Selby	Bus.'s operation manager	Agona St.	480-8888 ext. 1916
Lendell Ferguson	Ret. Marine Vet.	Sir Walter Raleigh St.	619-674
L'Tanya Murray	Principle	Raleigh Wood Dr	423-1104

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 1/24/19 Signature of applicant: 

FOR OFFICE USE ONLY:

Date received: 1-24-19

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Janice Williams, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to janicew@darenc.com

Advisory Board or Committee interested in:

1st choice Health and Human Services Bd mbr.

2nd choice _____

3rd choice _____

Name J. Staton Martin

Address 115 Elizabeth Dr.

City/State/Zip Manteo, NC

Email Address Staton@jstaton.com.net

Telephone Home: 252-473-5290

Business: 252-423-0501

Resident of Dare County: yes no

Occupation: Real Estate - Property Management and Sales

Business Address: 115 Elizabeth Dr. Manteo, NC

Educational background:

1965 Graduate of Rose High - Greenville NC

1971 Graduate of Barton College - AB Social Studies

Business and civic experience and skills:

member Manteo Rotary 20 yrs held all officer posts

member Rocky Mt optimists

Member Nashville NC. Lions Club
Pres - American Institute of Boxing - Rocky Mt NC
Boy Scout Troop 165 Manteo, Committee Chair
Mount Olive United Methodist Church - various committees

Other Boards/Committees/Commissions on which you presently serve:

Service in various capacities
at Mount Olivet United Methodist Church

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Malcolm Fearing	Self	Airport Rd Manteo, NC	305-8596
Jim Sloan	Retired	Cannon Gate Manteo, NC	216-0260
Bobby Harrell	Real Estate	1183 Burnside Manteo, NC	441-7887

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 6-20-2018 Signature of applicant: [Signature]

FOR OFFICE USE ONLY:

Date received: 6-20-18

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to cheryl.anby@darenc.com

Advisory Board or Committee interested in:

1st choice Department of Health & Human Services

2nd choice _____

3rd choice _____

Name Chris Vlahos

Address PO BOX 1427

City/State/Zip ki Hy Hawk, NC 27949

Email Address chris@barefootbernie's.com

Telephone Home: 561-313-6314

Business: 252-261-1008

Resident of Dare County: yes no

Occupation: owner (restaurant)

Business Address: 3730 N. Croatan Hwy

Educational background:

graduate Manteo High School

3 year college East Carolina University

Business and civic experience and skills:

owner Barefoot Bernie's 15 years

Other Boards/Committees/Commissions on which you presently serve:

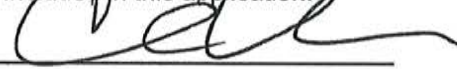
N/A

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
DAVID HINES	contractor		(252) 573-9547
DAVID JOYNER	Mortgage lender		(252) 599-1714
NICK KIOUSIS	restaurant owner		(252) 202-1354

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 6/23/20 Signature of applicant: 

FOR OFFICE USE ONLY:

Date received: 6/23/20



Library Board - Dare

Description

See Attached Summary

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager

BOARD APPOINTMENT

Library Board - Dare
(Three Year Term)

The terms of Janice Willis and Mike Hogan have expired.
Willard Haithcock, III of Manteo has resigned.

Applications have been received from:
Karen Blose, Kathryn Fagan,
Michelle Estelle Lewis, MaryLou Hoffert,
Maggie May, Ruth Perkins, Erin Walton and
Jo Ann Wilson-Harfst

**The Library Board recommends the reappointment of Janice Willis
and Mike Hogan to another term.**

**They recommend Mary Lou Hoffert of Southern Shores,
Ruth Perkins of Kitty Hawk
and Jo An Wilson Harfst of Kill Devil Hills be appointed.**

Other Members:
See attached

LIBRARY BOARD – DARE
(Three Year Term)

This Board establishes local policies within those set by the Regional Library Board and oversees the Library Trust Fund Budget; and also serves on the Board of the Dare County Library Foundation, a 503-C3 tax-exempt organization.

<u>MEMBER</u>	<u>TERM EXPIRATION</u>	<u>ACTION</u>
Lisa Phillips P.O. Box 141 Rodanthe, NC 27968 987-2810 (H), 475-5077 (O)	6/22	Apptd. 8/11 Reapptd. 6/13,16,19
Vacant		
Vacant		
Vacant		
Mike Hogan, CH P.O. Box 1898 Kill Devil Hills, NC 27948 441-6493 (H), 256-0036 (O)	6/20	Apptd. 6/14, 17
Vacant		
Ervin Bateman (Comm. Apptee) 4148 Poor Ridge Road P.O. Box 1127 Kitty Hawk, NC 27949 Ervin.bateman@darenc.com 216-1526 (C)	Commissioner term/4 years	Apptd. 1/19
Janice Willis P.O. Box 413 Hatteras, NC 27943 986-2109 (H), 986-2365 (O)	6/20	Apptd. 6/14, 17

NOTES:

MEETING INFO: 2nd Thursday, 10:00 a.m. in Jan, April, July & Oct. in any library

CONTACT INFO: Mike Hogan, Chairperson; Jonathan Wark, Librarian

MEMBERS COMPENSATED: No

At the June 6, 2016 meeting, the DCBOC voted to delete the rule that limited people to serving only two consecutive, two year terms.

Jack Hohmann was first appointed to the Board April 1977.
Robert Morrill replaced Harrison Baggerly & Stella Green replaced Margot Tillett 6/90.
Helen Kleyla replaced Bea Mulford 6/92; Nora Fucci replaced Cashar Evans 6/93.
Wayne Gray appointed to fill term of Jack Hohmann 11/93.
Martha Hohmann replaced Hilda Bayliss 6/94; Pat Eure replaced Helen Kleyla 7/95.
Jan DeBlieu replaced Nora Fucci & Elizabeth Newman replaced Robert Morrill 6/96.
James Melvin replaced Stella Green 6/96.
Beth Storie replaced Martha Hohmann, Cheryl Byrd replaced Polly Bernd and
Jan Willis replaced Ray Gray 6/97.
Cheryl Byrd replaced Wayne Gray who resigned 8/98.
John "Possum" Silver appointed to fill position vacated by Cheryl Byrd 8/98.
Roger Allen replaced James Melvin 6/99; Debbie Sauls replaced John Silver 6/00.
John Robert Hooper replaced Cheryl Byrd 3/01.
Dorothy Fink replaced Pat Eure and Paul Charron filled term of Beth Storie 8/01.
Laura Perkins replaced Jan DeBlieu and Mel Covey replaced Elizabeth Newman 8/02.
Lynne Hutchins replaced Roger Allen 11/02; Betty Swanson replaced Jan Willis 6/03.
Amy Huggins filled unexpired term of Paul Charron 10/04.
Janis Cochrane apptd. to fill term of Mel
Janis Cochrane apptd. to fill term of Mel Covey & Mike Johnson apptd. to fill term of
John Robert Hooper 1/05.
Lynne Foster filled term of Dorothy Fink and Michael Hogan filled term of Debbie Sauls 10/05.
Commissioner Virginia Tillett replaced Commissioner Mike Johnson 2/08.
Fletcher Willey replaced Laura Catoe & Karen Bachman replaced Janis Cochrane and
Joyce Bornfriend replaced Lynne Hutchins 7/08.
Donna Trivette replaced Betty Swanson, William Pfeifer replaced Amy Huggins and
Elizabeth Gaimel replaced Michael Hogan 12/09; Jerry Hart replaced Lynne Foster 6/10.
Ellen Bryson filled term of Fletcher Willey & Lisa Phillips filled term of Jerry Hart 8/11.
Margaret Umphlett replaced Virginia Tillett 12/14.
Sandra Carter replaced Donna Trivette & Willard Haithcock replaced Elizabeth Gaimel 6/15.
Beverly Boswell filled unexpired term of William Pfeifer 6/16.
Beverly Boswell resigned 4/17; Rob Ross replaced Margaret Umphlett 6/17
Sandra Carter has moved out of Dare County 6/18; Ervin Bateman replaced Rob Ross 1/19

REVISED 9/21

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

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Advisory Board or Committee interested in:

1st choice Library Board- Dare County

2nd choice

3rd choice

Name Karen K. Blöse

Address 105 Waxwing Court

City/State/Zip Duck, NC 27949

Email Address kkblose@charter.net

Telephone Home: (252) 261-8881

Business: cell: (609) 439-9643

Resident of Dare County: yes no

Occupation: construction lawyer/architectural practice management consultant

Business Address: 105 Waxwing Court, Duck, NC 27949

Educational background: Juris Doctor-Duke University School of Law-1982

Bachelor of Arts-Mount Holyoke College-1979 Phi Beta Kappa, Magna Cum Laude,
majors: English & Political Science

Business and civic experience and skills: Please see attached CV.

I am a lawyer licensed in Maryland and Pennsylvania with 30 years of experience, most
as an in-house attorney for international architecture, engineering and construction firms.

Other Boards/Committees/Commissions on which you presently serve:

I moved to Duck as a full-time resident in May 2018. While living in NJ I served as a literacy tutor and for 3 years a member of the Board of Directors for the Literacy Volunteers of Burlington County, NJ.

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
<u>George Lurie retired engineer, lay leader of JCOBX</u>		<u>404 Creek Road Kitty Hawk NC 27949</u>	<u>(252) 255-1866</u>
<u>Gwen Taylor retired attorney & clinical social worker, wedding officiant</u>		<u>109 Sandpiper Cove Duck NC 27949</u>	<u>(252) 715-0559</u>
<u>John Park retired air Force officer & civil servant & Lynda Park, retired classroom assistant</u>		<u>109 Waxwing Lane, Duck NC 27949</u>	<u>(703) 508-6826 or (703) 901-5921</u>

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: March 12, 2019 Signature of applicant: Keen K. Blase

FOR OFFICE USE ONLY:

Date received: 3-12-19

Karen K. Blose CV 2019

Karen is a dynamic construction lawyer and former firm leader with extensive in-house practice expertise advising executives and project managers at design firms and construction businesses about the business and management issues they face in their practices every day. Skilled at tailoring legal issues to achieve business goals, she is a pragmatic legal analyst, effective team player, and creative problem solver, with unique abilities for timely, cost effective and strategic dispute resolution. She now uses her experience as an in-house legal counsel and commercial director at large firms as the **Principal AEdvisor at AEdvise LLC**, providing consulting services to all size practices when answers are needed from a person who understands running a design or construction business in the regulated environment of the Mid-Atlantic area and around the globe.

Karen was the **Commercial Director, General Counsel, Principal of RMJM NORTH AMERICA**, Princeton, NJ (formerly known as HillierARCHITECTURE), the North American unit of multi-national architecture and engineering firm (\$120 million annual revenue). Before that she served as **Group General Counsel-Power for WASHINGTON GROUP INTERNATIONAL, INC.**, Princeton, NJ (formerly known as **Raytheon Engineers & Constructors, Inc.**), a multinational engineering, procurement and construction company (\$2.7 billion annual revenue).

Karen's first position in-house was as the first in-house counsel for **RTKL ASSOCIATES INC.**, Baltimore, MD, when she served as **General Counsel, Secretary, Principal** for 10 years, helping the firm to expand both throughout the United States and around the globe. When she left RTKL, the multinational architecture and engineering firm had 9 domestic offices, and 4 international offices (then \$105 million annual revenue).

Before joining RTKL, Karen had been a **Partner** in the **Real Estate Transactions Group** at **SAUL EWING LLP** in Baltimore, MD (formerly known as WEINBERG & GREEN).

Karen earned her **Juris Doctor Degree** from **Duke University School of Law**, Durham, NC and her **Bachelor of Arts Degree** Magna Cum Laude, Phi Beta Kappa from **Mount Holyoke College**, South Hadley, MA.

She has been a panelist in several programs of the American Bar Association Forum on the Construction Industry, for 3 years at Design on the Delaware, the annual convention of the Philadelphia AIA and 2 years at the Philadelphia AIA Procrastinators ProCon (2014 & 2015) and more recently in 2018 at the AIA New York Center for Architecture. She has also been a guest lecturer 9 times for the Professional Practice course in The Graduate Program in Architecture at Princeton University.

Karen is licensed to practice law in the states of Maryland and Pennsylvania. She is a member of the American Bar Association – Forum on the Construction Industry, the Maryland and Pennsylvania State Bar Associations.

Before moving to North Carolina in 2018, Karen had been a volunteer for the Food Bank of South Jersey, as a teaching assistant in a program on healthy food preparation for middle school students. She also was a literacy tutor and served for 3 years on the Board of the Literacy Volunteers of Burlington County.

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Advisory Board or Committee interested in:

1st choice Library Board

2nd choice Transportation

3rd choice _____

Name Kathryn Fagan

Address 115 Airport Rd. PO Box 44 (mailing)

City/State/Zip Manteo, NC 27954

Email Address kpfagan45@gmail.com

Telephone Home: 2529470211

Business: _____

Resident of Dare County: yes no

Occupation: Attorney

Business Address: _____

Educational background:

Bachelor of Arts

Juris Doctorate

Business and civic experience and skills:

Various Bar activities, League of Women voters, on the Board of Governors for the Elizabethan Gardens, Representing business clients such as hotels.

Other Boards/Committees/Commissions on which you presently serve:

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
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I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: _____ Signature of applicant: _____

FOR OFFICE USE ONLY:

Date received: 4-8-19

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

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Advisory Board or Committee interested in:

1st choice Zoning Board of Adjustment

2nd choice Land Transfer Tax Appeals Board

3rd choice Library Board (East Albemarle Region)

Name Michelle Estelle Lewis

Address 514 Sir Walter Raleigh Street

City/State/Zip Manteo, N.C. 27954

Email Address MichelleELewis@gmail.com

Telephone Home: (252)473-3151

Business: (203)823-7478

Resident of Dare County: yes no

Occupation: Clergy- Youth Director Mount Olivet UMC

Business Address: 300 Ananias Dare Street Manteo, N.C.

Educational background:

B.A.-ECSU, M.A. Regent Univ., M.E.S.c.- Yale Univ.,

M.Div. Yale Univ., Doctorate- Emory Univ.

Business and civic experience and skills:

I have worked both nationally and internationally, and
served as an advisor at the U.N. for a period of time.

Other Boards/Committees/Commissions on which you presently serve:

I do not currently serve on other boards, and am willing
to serve where my skills can be best used.

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Susan Lee	Dare Co. Teacher Ret.	N.C.	(252) 441-1450
Craig Fitzsimmons	Clergy-Ret.	N.Y.	(573) 356-9516
Marsha Lee	NPS-Ret.	N.C.	(510)750-8879

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 3/6/2019 Signature of applicant: _____

FOR OFFICE USE ONLY:

Date received: 3-6-19

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

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Advisory Board or Committee interested in:

1st choice LIBRARY BOARD

2nd choice _____

3rd choice _____

Name MARY LOU HOFFERT

Address 179 CLAM SHELL TRAIL

City/State/Zip SOUTHERN SHORES, NC 27949

Email Address mih6126@gmail.com

Telephone MOBILE 757-214-5689
Home: _____

Business: n/a

Resident of Dare County: yes no

Occupation: RETIRED

Business Address: n/a

Educational background:

BACHELORS IN BUSINESS (MANAGEMENT INFORMATION SYSTEMS)

Business and civic experience and skills:

SEE ATTACHED RESUME

Other Boards/Committees/Commissions on which you presently serve:

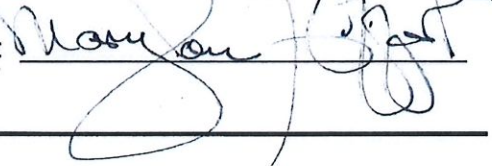
- EXECUTIVE BOARD OF WOMEN'S ASSOCIATION OF
DUCK WOODS COUNTRY CLUB
- SOUTHERN SHORES LIBRARY COMMITTEE

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
MARY ANN JONES	RETIRED	104 SWANVIEW DR., COLINGTON	757-344-0648
TERESA HARTLEBEN	PERSONAL BANKING REP.	4100 POOR RIDGE RD., KH	252-202-5947
LYNN BLACKBURN	RETIRED	34 GINGITE, 55, NC	252-305-5375

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 15 JUNE 2021 Signature of applicant: 

FOR OFFICE USE ONLY:

Date received: 6/15/21

Mary Lou Hoffert
757-214-5689(c) mlh6126@gmail.com
179 Clam Shell Trail Southern Shores NC 27949

OBJECTIVE

To obtain a position on the Dare County Library Board.

PROFESSIONAL BACKGROUND

FEDERAL CIVIL SERVICE

SUPERVISORY INFORMATION TECHNOLOGY SPECIALIST

1991-2012

- ◆ SUPERVISION (GS-13 to GS-14 equivalent):
 - ◆ As first level supervisor (Branch Head), trained, administered, managed and evaluated performance for 15 to 100+ Engineering and Information Technology professionals in any given year
 - ◆ Developed performance plans for all employees
 - ◆ Responsible for employee adherence to regulations and policies and for execution of disciplinary actions
 - ◆ Acted as second level supervisor (Division Head) in 2011 and 2012
- ◆ PROJECT MANAGEMENT (GS-13 to GS-14 equivalent):
 - ◆ Managed teams of computer specialists/scientists/engineers in maintenance, development, and Internet conversion of many Information Technology projects ranging from small, \$20-30K, to large multi-million dollar systems
 - ◆ Led two year concentrated effort to prepare Navy Secret networks for operation on Navy Marine Corps Intranet
 - ◆ As Site Integration Lead on Navy Marine Corps Intranet transition, facilitated and problem solved to expedite transition of 2000+ users over two year period
 - ◆ Supported positions of Information Systems Security Manager and Network Security Officer
 - ◆ Participated on command's Year 2000 preparation
 - ◆ As Configuration Manager on development of replacement software for US Navy unclassified messaging system:
 - ◆ Prepared Statements of Work and oversaw all vendor resources
 - ◆ Purchased and inventory controlled \$2M of developmental and operational software, hardware, and networks
 - ◆ Oversaw operational site planning and software certification and accreditation
 - ◆ Planned and managed a million dollar per year budget for five years

FEDERAL CIVIL SERVICE

COMPUTER SPECIALIST

1982-1990

- ◆ Advanced through Career Ladder GS-5, 7, 9, 11-Computer Specialist in four years
- ◆ Performed as technical writer and business application software designer and programmer
- ◆ Promoted to GS-12 Project Lead in 1988
- ◆ Managed development of \$3M dollar Executive Information System
- ◆ Co-managed development and implementation of first Hazardous Material Information System to provide DoD database of Material Safety Data Sheets on CD-ROM media to all Naval forces

LIBERTY HOUSE HAWAII

1974-1980

- ◆ Advanced from salesperson to selling department manager to marking supervisor
- ◆ Supervised 100 employees in sales, inspection, marking, and distribution of retail merchandise
- ◆ Accepted into Management Trainee Program
- ◆ Left to resume schooling

EDUCATION

Bachelor of Business Administration	University of Hawaii	1982
Liberal Arts Studies (1 year)	Lock Haven State College	1966/67

SPECIAL SKILLS

- ◆ 2006 SPAWAR Certified Six Sigma Green Belt
- ◆ 2002 International Society of Configuration Management:
Certified International Configuration Manager and International Software Configuration Manager
- ◆ Skilled in Microsoft Office Products
- ◆ Skilled in oral and written communication and presentation
- ◆ Excellent customer service skills

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Advisory Board or Committee interested in:

1st choice Albemarle Region Resource & Development

2nd choice Library

3rd choice Transportation

Name Maggie May

Address 109 E Sir Walter Raleigh Dr, KDH

City/State/Zip _____

Email Address cmmay2@ncsu.edu

Telephone Home: ~~(919)~~ 773-6704 (252) 489-9945

Business: _____

Resident of Dare County: yes no

Occupation: Professor

Business Address: _____

Educational background:
NC state university, EdD
Appstate, Masters

Business and civic experience and skills:
Attached

Other Boards/Committees/Commissions on which you presently serve:

Attached

REFERENCES

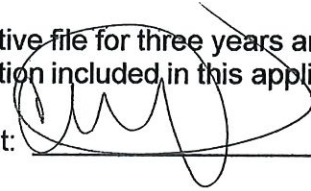
List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
<u>Attached</u>			

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 8/11/2020

Signature of applicant:



FOR OFFICE USE ONLY:

Date received: _____

APPLICATION FOR APPOINTMENT TO
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Advisory Board or Committee interested in:

1st choice Library Board - Dare

2nd choice _____

3rd choice _____

Name Ruth Perkins

Address 4807 Palmer Dr.

City/State/Zip Kitty Hawk, NC 27949

Email Address ruthabigailperkins@gmail.com

Telephone Home: (980) 241-4628

Business: (252) 473-4290

Resident of Dare County: yes no

Occupation: Dare County 4-H Agent

Business Address: 517 Budleigun St, Manteo, NC 27954

Educational background:

Associate of Arts from Gaston College

Bachelor of Arts in History, and Minor in Archaeology from
The University of North Carolina at Chapel Hill

Business and civic experience and skills:

Assistant Librarian at the Lincoln County Public Library

4-H Agent for Dare County - Provides programs for youth

Other Boards/Committees/Commissions on which you presently serve:

4-H Honor Club Board member

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Tanya Lamo	County Extension Director	120 Motter Vineyard Rd, Manteo, NC 27954	(717) 965 9649
Victoria Roby	Outer Banks Kettle Corn	4811 Covered Bridge Rd, Kitty Hawk, NC 27949	(252) 489 9635
Kimberly Armstrong	County Administrative Assistant for Extension	111 Holly Ridge Rd. Manteo, NC, 27954	(757) 802 1856

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 8/12/21 Signature of applicant: Ruth Perkins

FOR OFFICE USE ONLY:

Date received: 8/12/2021

APPLICATION FOR APPOINTMENT TO
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Advisory Board or Committee interested in:

1st choice Library Advisory Board

2nd choice _____

3rd choice _____

Name Erin Walton

Address 52632 Piney Ridge Road

City/State/Zip Frisco, NC 27936

Email Address erin.p.walton@gmail.com

Telephone Home: 252-230-1780

Business: N/A

Resident of Dare County: yes no Permanent Resident of Hatteras Island
DL reflects previous Garner, NC address

Occupation: Former Director of Library Services for the Kenly Public Library (The Town of Kenly)

Business Address: N/A

Educational background:

MS in Management, Wake Forest University School of Business

BA in English Literature & Anthropology, Wake Forest University

Business and civic experience and skills:

MS in Management ; Five years professional experience:

Aon Hewitt, Verizon Enterprise Solutions, Town of Kenly

↓
Business Delivery Specialist

↓
Project Manager

↓
Library Director

Other Boards/Committees/Commissions on which you presently serve:

N/A

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
<u>Peggy Jo Batten</u>	<u>Chairman, Kentry Library Board Professor of Mathematics</u>	<u>Kentry, NC</u>	<u>919-965-1172</u>
<u>Libby Moringo</u>	<u>Library Assistant, Kentry Library</u>	<u>Kentry, NC</u>	<u>919-868-4351</u>
<u>Ronita Barksdale</u>	<u>Director, Laurens County Public Library System</u>	<u>Laurens, SC</u>	<u>864-681-7323</u>

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 4/30/2021 Signature of applicant: Erin Pope Watter

FOR OFFICE USE ONLY:

Date received: 4/30/21

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Advisory Board or Committee interested in:

1st choice Library Board

2nd choice Transportation Advisory Board

3rd choice Zoning Board of Adjustment

Name Jo A. Wilson-Harfst

Address 1723 Virginia Ave.

City/State/Zip Kill Devil Hills, NC 27948

Email Address joannharfst@gmail.com

Telephone Home: 804-384-1584

Business: NA

Resident of Dare County: yes no

Occupation: retired

Business Address: _____

Educational background:

MPA - Pub. Admin. , BA - Sociology

SPHR - Human Res. certification

Business and civic experience and skills:

Served as local director of Social Services in

Mathews Co. VA 17 years. Was Eastern Reg. Dir. of

Social Services in VA 4 years. Was program Dir. for

VA chapter March of Dimes 4 years. Have served on

numerous family services boards over the years and

on board of a local charitable foundation for 6-8 yrs.

Other Boards/Committees/Commissions on which you presently serve:

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Kimberly Irvine	Administrator	906 Marlbank Dr. Yorktown VA	757-272-6028
Janine Sewell	retired Admin.	P.O. Box 41 Avon, NC 27915	540-376-2358
Gail Davidson	Child Protective Ser. Consultant	417 Fishermans Rd. Norfolk, VA	757-288-8384

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 10/10/2020 Signature of applicant: *Janine Hopt*

FOR OFFICE USE ONLY:

Date received: 10/13/2020

APPLICATION FOR APPOINTMENT TO
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Advisory Board or Committee interested in:

1st choice: Library Board -- Dare

2nd choice: N/A

3rd choice: N/A

Name: Kevin V. Wright

Address: 112 Quail Way

City/State/Zip: Duck, NC 27949-4604

Email Address: kvwkmw@gmail.com

Telephone: Home: (252) 715-4286 Mobile: (301) 980-5629

Business: N/A

Resident of Dare County: Yes

Occupation: Retired

Business Address: N/A

Educational background:

BA (Modern Languages), Virginia Military Institute, Lexington VA, 1975

Fulbright-Hays Fellowship, Ludwig-Maximilians-Universität München (Munich, Germany) 1975-6

MA (German), Vanderbilt University, Nashville TN, 1979

Graduate Exchange Fellowship, Freie-Universität Berlin (Berlin, Germany), 1979-1980

United States Army Senior Service College Fellowship, 1999-2000

Business and civic experience and skills:

25 years (1980-2005) of increasingly complex leadership and management experience in command and staff positions as a commissioned military intelligence officer in the United States Army. Retired in the grade of Colonel (O-6).

3 years (2005-2008) as defense contractor with CACI, Inc. and Lockheed-Martin, providing intelligence planning, systems architecture, and strategy support to Department of Defense geographic combatant commands located in Germany. Served on multiple military-related boards.

8 years (2009-2017) as Department of Defense civil servant (in the grade of GG-14) with the Defense Intelligence Agency, conducting operational and strategic intelligence planning and strategy formulation. Served on multiple defense intelligence-related boards and committees. Retired in 2017.

2 years' experience (2020-2021) as voting member of Southern Shores Library Committee. Appointed by Town of Duck as one of two representatives to the committee, which was established by the Town of Southern Shores.

1 year experience (2021) as voting director and elected treasurer of the Duck Community and Business Alliance, a civic organization.

Other Boards/Committees/Commissions on which you presently serve:

Southern Shores Library Committee (Town of Duck Representative)

Duck Community and Business Alliance (Treasurer)

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Lilias Morrison	NC Licensed Builder/Broker	43 Fairway Drive Southern Shores NC 27949	(252) 202-7743
Avery Harrison	Bookseller (Downtown Books)	128 Sea Hawk Drive W Duck NC 27949	(252) 202-1778
Terri Cullen	Docent, Whalehead Club	122 Martin Lane Duck NC 27949	(252) 261-8759

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 16 June 2021 Signature of applicant:



FOR OFFICE USE ONLY:

Date received:

6/16/21



Fessenden Center Advisory Board

Description

See Attached Summary

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager

October, 2021

FESSENDEN CENTER ADVISORY BOARD

The Fessenden Center Advisory Board currently has two vacancies and have received two applications..

The Board recommends Edward J. O'Brien, Jr. fill the Avon vacancy.

The Board recommends Megan Vayette fill the At-Large vacancy.

Their applications are attached.

Other Members:
See attached list

FESSENDEN CENTER ADVISORY BOARD

(Four Year Term)

This Advisory Board establishes goals and policies to enhance the Fessenden Center operation and community outreach consistent with the goals, objectives, and policies of Dare County. The overall objective is to develop procedures and operations that improve the quality of life through interaction of all age groups on Hatteras Island.

<u>MEMBER</u>	<u>TERM EXPIRATION</u>	<u>ACTION</u>
Kenneth Brite P.O. Box 95 Avon, NC 27915 252-996-0432 kbrite@darenc.com (Rodanthe area)	6-24	Apptd. 2/17; Reapptd. 6/20
Steven Jennette P.O. Box 96 Buxton, NC 27920 252-995-5001 (Buxton area)	6-22	Apptd. 11/08 Reapptd. 6/10,14,18
Keith Durham P.O. Box 713 Buxton, NC 27920 910-514-4538 durhamke@daretolearn.org (Salvo area)	6-24	Apptd. 2/17; Reapptd. 6/20
Marcie Shoemaker P.O. Box 161 Buxton, NC 27920 995-5799 (H), 996-0581 (O) budnmar@earthlink.net (Buxton area)	6-22	Apptd. 2/16 Reapptd. 6/18
Robyn (Hali) Easley P.O. Box 613 Hatteras, NC 27943 Cell 996-0043 Business 986-2154 Rustygirl2007@aol.com (Hatteras area)	6-24	Apptd. 6/18 Reapptd. 6/16; 6/20
Forrest Paddock (Interim Chair) P.O. Box 534 Buxton, NC 27920 305-1459 fgpaddock@outlook.com (Frisco area)	6-22	Apptd. 2/17 Reapptd. 6/18
Vacant (Avon area)		

William A. Lengyel
P.O. Box 211
Hatteras, NC 27943
937-623-4412
Williamlengyel41@gmail.com
(At Large)

6-22

Apptd. 12/12
Reapptd. 7/14, 6/18

Vacant
(At Large)

James Richard Kenner
P.O. Box 1044
47106 Middle Ridge Trail
Buxton, NC 27920
252-216-5427
richkenner@hotmail.com
(At Large)

6-22

Apptd. 6/19

John Griffin
P.O. Box 382
Rodanthe, NC 27968
987-2332
griffijt@embarqmail.com
(At Large)

6-24

Apptd. 7/10
Reapptd. 7/12, 16
6/20

Danny Couch
47297 Dippin Vat Road
P.O. Box 1001
Buxton, NC 27920
dannyc@darenc.com
216-7383
(Commissioner Appointee)

6-22

Apptd. 6/17
Reapptd. 6/18

MEETING DATE: Quarterly, Fessenden Center

NOTE: Chairman Bobby Owens appointed to serve at the pleasure of the Board as long as he is serving as a county commissioner.

- 3/97 Apptd. USCG Representative to seat on the Board. Though apptd. in 3/97, term will expire 6/98 to keep consistent with other appointments
- 10/97 - Commissioner Mac Midgett replaced Bobby Owens.
- 3/99 - George Volsky apptd. to fill unexpired term of Bill Barley.
- 3/99 - Kathy Kiddy apptd. to fill unexpired term of Tom Barclay.
- 5/99 - Jinny McBride apptd. to fill unexpired term of Jackie Leeling.
- 9/00 - Rev. Holt Clarke fill unexpired term of Rev. Jim Huskins and Commissioner John Robert Hooper appointed to replace Mac Midgett.
- 5/02 - Michelle Edwards appointed to fill unexpired term of Jenny Hooper.
- 6/04 - Heidi Blackwood apptd. to fill expired term of George Volsky.
- 6/04 - Charles Moseley apptd. to fill expired term of Holt Clarke.
- 6/04 - Matt Caviness apptd. to fill expired term of Dave Umberger.
- 6/04 - Susan Gray apptd. to fill expired term of Michelle Edwards.
- 6/04 - Jennifer Kingery apptd. to fill expired term of Jane Oden.
- 1/05 - Commissioner Mac Midgett replaced John Robert Hooper.
- 3/06 - Allen Burrus replaced the late Mac Midgett.
- 6/06 - Jack Painter replaced John Leatherwood.
- 11/08 - Steve Jennette filled unexpired term of Ken Wenberg.
- 2/09 - Rev. Cory B. Oliver filled unexpired term of Rev. Charles Moseley.

6/09 - Cheryl Austin filled unexpired term of Kathy Kiddy.
6/09 - Danny Couch filled unexpired term of Jennifer Kingery.
7/10 - John Griffin filled unexpired term of Ormond Fuller.
7/12 - Mary Ellen D. Balance replaced Danny Couch.
3/14 - Laura Fiscus filled unexpired term of Cheryl Austin.
3/14 - Sonny Quidley filled unexpired term of Susan Gray.
2/16 - Marcie Shoemaker filled unexpired term of Heidi Blackwood.
2/17 - Kenneth Brite filled unexpired term of Laura Fiscus.
2/17 - Keith Durham filled unexpired term of Sonny Quidley.
2/17 - Forrest Paddock filled unexpired term of Jack Painter.
6/17 - Danny Couch appointed to replace Allen Burrus
2/18 - Louise Rossiter passed away
6/18 - Robyn (Hali) Easley filled unexpired term of Mary Ellen Balance
6/19 - James Kenner filled At-Large vacancy caused by death of Louise Rossiter
6/20 - Robyn (Hali) Easley reappointed

REV. 6/20

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to cheryl.anby@darenc.com

Advisory Board or Committee interested in:

1st choice Fessenden Center Advisory Board

2nd choice Zoning Board of Adjustment

3rd choice PLANNING BOARD

Name Edward J. O'Brien Jr.

Address 41193 CARONADE CT., P.O. Box 805

City/State/Zip AVON, NC 27915

Email Address EDOBRIEN41193@GMAIL.COM

Telephone ^{cell} Home: (610) 842-9045

Business: _____

Resident of Dare County: yes no

Occupation: RETIRED

Business Address: _____

Educational background:
SOME COLLEGE

Business and civic experience and skills:
FORMER PUBLIC WORKS DIRECTOR
FORMER WASTEWATER TREATMENT PLANT SUPERINTENDENT

Other Boards/Committees/Commissions on which you presently serve:

REFERENCES


List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name Business/Occupation Address Telephone

ROMAN PRONCZAK, Whitpain Twp. Mgr., Whitpain, PA.

others upon request

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 5/18/21 Signature of applicant: 

FOR OFFICE USE ONLY:

Date received: 5/18/21

APPLICATION FOR APPOINTMENT TO
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Advisory Board or Committee interested in:

1st choice Fessenden Center

2nd choice Parks & Recreation Advisory Council

3rd choice _____

Name Megan Vayette

Address 415th Lost Tree Tr. Box 1257

City/State/Zip Buxton, NC 27920

Email Address mvayette@gmail.com

Telephone Home: 252-216-7176

FOR OFFICE Business: _____

Resident of Dare County: yes no

Occupation: Sales manager

Business Address: US Foods, Raleigh NC

Educational background:

AS restaurant management

Certified chef

Business and civic experience and skills:

Angel Tree coordinator 2008-2010

H.I. Business Association - founding member

Other Boards/Committees/Commissions on which you presently serve:

CHES PTO - president

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
<u>Kristin Day</u>		<u>Frisco, NC</u>	<u>252-475-0048</u>
<u>Danny Couch</u>		<u>Buxton, NC</u>	<u>252-475-4477</u>
<u>Rachel Benton</u>		<u>Buxton, NC</u>	<u>252-202-0425</u>

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 9/7/21 Signature of applicant: Megan R. Vayette

FOR OFFICE USE ONLY:

Date received: _____



Juvenile Crime Prevention Council

Description

See Attached Summary

Board Action Requested

Take Appropriate Action

Item Presenter

Robert Outten, County Manager

JUVENILE CRIME PREVENTION COUNCIL

(Two Year Term)

**As outlined and funded by the Juvenile Justice Reform Act of 1998,
the Juvenile Crime Prevention Council assumes responsibility for assessing
needs, funding community-based alternatives for troubled youth who enter
the courts, and supporting prevention programs.**

<u>MEMBER</u>	<u>TERM EXPIRATION</u>	<u>ACTION</u>
Robert Trivette P.O. Box 888 Kitty Hawk, NC 27949 261-9727 (H), 305-3739 (W) (District Court Judge/Co. Comm. Appt.)	6/23	Apptd. 1/12 Reapptd. 6/13,15,17,19, 21
Molly McGinnis 121 Fort Hugar Way Manteo, NC 27954 489-9405 Cell 489-7050 Work Cell mcginnismo@daretolearn.org (School Supt. or designee)	6/23 - resigned	Apptd. 3/18, 6/19 6/21
Vance Haskett P.O. Box 246 Manteo, NC 27954 252-473-2069 (Police Chief)	6/23	Apptd. 1/08 Reapptd. 7/09,11,13,15, 17, 19, 21
Gail Hutchison 6115 Hwy 64 Manns Harbor, NC 27953 252-216-8337 (Local Sheriff or designee)	6/23	Apptd. 6/13 Reapptd. 6/15,17,19,21
Jennifer Karpowicz P.O. Box 1276 Manteo, NC 27954 919-357-5700 (Asst. Dist. Atty. or designee)	6/23	Apptd. 7/09 Reapptd. 6/11,13,15,17, 6/19, 21
Edward Hall, Jr. Chief Court Counselor, District 1 1305 McPherson Street Elizabeth City, NC 27909 252-331-4759 (O) Edward.hall@ncdps.gov (Chief Court Counselor or designee)	6/23	Apptd. 6/18, 19, 21
Keith Letchworth 1708 E. Arlington Blvd. Greenville, NC 27834 252-347-6365 (Director AMH/DD/SA or designee)	6/23	Apptd. 1/16 Reapptd. 6/17,19, 21

Shannon T. Glaser, Treas. 706 Canal Drive Kill Devil Hills, NC 27948 252-475-5753 (W) (County Manager or designee)	10/23	Apptd. 10/19 Reapptd. 9/21
Melinda Mogowski P.O. Box 3707 Kill Devil Hills, NC 27948 252-441-3536 (Substance Abuse Professional)	6/22	Apptd. 1/99 Reapptd. 1/01,03, 10/04,06,08, 6/10 12, 14, 16, 18, 20
Stephen Wescott P.O. Box 2148 Manteo, NC 27954 252-216-6358 (Member of Faith Community)	6/22	Apptd. 11/11 Reapptd. 6/12,14,16 6/18, 20
Steve House 288 N. Dogwood Trail PO Box 1093 Southern Shores, NC 27949 216-8985 (C); 305-9258 (H) Steve.house@darenc.com (County Commissioner)	6/23	Apptd. 6/17 Reapptd. 6/19, 21
Vacant (Juvenile Defense Attorney)		
Jamie Koch 1712 Virginia Ave Kill Devil Hills, NC 27948 252-339-3516 (At Large)	10/23	Apptd. 04/21 Reapptd. 9/21
Jennifer Alexander 116 Tall Pines Court Kill Devil Hills, NC 27948 252-202-2777 jnicolealexander@yahoo.com (Member of Business Community)	6/22	Apptd. 1/19 Reapptd. 6/20
Vacant (Student Representative)		
Michael Lewis P.O. Box 1490 Manteo, NC 27954 252-216-5257 (H) 252-473-5121 (Rep. United Way/other Non-profit)	6/22	Apptd. 2/16 Reapptd. 6/16,18,20
Laura Twichell P.O. Box 2311 Manteo, NC 27954 315-345-6464 (At Large)	6/23	Apptd. 6/15 Reapptd 6/17,19, 21

Shelia Davies 6/23 Apptd. 1/03
P.O. Box 669 Reapptd. 10/04,05,07
Manteo, NC 27954 09,11,13,15, 17,19, 21
252-475-5500 (W)
(Director-Health & Human Services)

Katherine Irby 6/23 Apptd. 1/03
P.O. Box 1000 Reapptd. 10/04,05,07
Manteo, NC 27954 09,11,13,15, 17,19, 21
473-4290
(4-H/SOS-At Large)

Marcus Hester-Smith 6/23 Apptd. 6/19
935 Hwy 64/264 Reapptd. 6/21
Manteo, NC 27954
252-489-0838(H)
252-473-4800(B)
Hestersmithobx@gmailcom
(At Large)

Tim White 6/22 Apptd. 6/08
P.O. Box 1000 Reapptd.6/10,12,14,16
Manteo, NC 27954 6/18, 20
252-475-5916
(Director, Parks & Rec.)

Vacant
(At Large)

Vacant
(At Large)

Marsha Ribner-Cady 6/22 Apptd. 6/10
103 Weir Point Drive Reapptd. 6/12,14,16
Manteo, NC 27954 6/18, 20
252-473-3094
(At Large)

Vacant
(Youth Rep. under age 18)

NOTES:

MEETING INFO. - 2nd Tues. each month at 12:30 p.m., Rm. 238, Admin. Bldg.

CONTACT INFO: Shannon Glaser, Friends of Youth

MEMBERS COMPENSATED: No

Doug Oberbeck replaced Dave Cheesman 7/07.
Tom Waite replaced Tim Hill, Jane Midgett replaced Betty Selby 7/07.
Renee Welch replaced Amy Wells and Richard Martin replaced DuWayne Gibbs 7/07.
Katie Lee and Kasey Rollinson filled vacant youth rep. positions 11/07.
Vance Haskett appointed to fill unexpired term of Francis D'Ambra 1/08.
Winfield Bevins replaced Jim Southern and Tim White replaced Cliff Ogburn 6/08.
Sarah Massey filled unexpired term of Tom Waite 10/08.
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Sheila Davies filled term of Tony Gray and Stephen Wescott filled term of Kevin Brunk 11/11.
Kara Rap filled unexpired term of Elise Quidley & Wes Rawles filled term of David Spruill 11/11.
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Natalie Evans filled term of Matthew Schofield & Malinda Lathan filled term of Shelia Davies 2/13.
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REVISED 9/21

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REVISED 9/21

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Advisory Board or Committee interested in:

1st choice JCPC

2nd choice _____

3rd choice _____

Name Paul William Pollock

Address 129 Swan View Drive

City/State/Zip Kill Devil Hills, NC 27954

Email Address paul.pollock@ncdps.gov

Telephone Home: (252) 475-4772 (cell)

Business: (252) 475-9165

Resident of Dare County: yes no

Occupation: Juvenile Court Counselor

Business Address: 962 Marshall C. Collins Drive, Manteo, NC 27984

Juvenile Justice, PO Box 1000, Manteo, NC 27954

Educational background: B.S. Criminal Justice, Radford University

Business and civic experience and skills:

26 years in criminal justice. 1.5 years as correctional officer, 5 years as adult probation officer, and 19 years as a juvenile court counselor.

Other Boards/Committees/Commissions on which you presently serve:

1. Currituck County JCPC member
2. Camden County JCPC member

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
<u>Edgar L. Barnes, Judge</u>			<u>(252) 331-4500</u>
<u>Robert Trivette, Judge</u>			<u>(252) 331-4500</u>
<u>Edward Hall, Chief Court Counselor</u>			<u>(252) 331-4759</u>

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 9-20-21 Signature of applicant: Paul W. Br. Wood

FOR OFFICE USE ONLY:

Date received: 9-20-21

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to cheryl.anby@darenc.com

Advisory Board or Committee interested in:

1st choice JCPC

2nd choice _____

3rd choice _____

Name Lexa M. Gilreath

Address 102 Twin Hill Dr., P.O. B. 1005

City/State/Zip Kill Devil Hills, NC 27948

Email Address lgilreath@kdnc.com

Telephone Home: _____

Business: 252-446-5330

Resident of Dare County: yes no

Occupation: Law Enforcement

Business Address: same as above

Educational background:

 B.A in Political Science from UNC-CH

 MPA - UNCP

Business and civic experience and skills:

 Girl Scout volunteer - current

 Youth coach

Other Boards/Committees/Commissions on which you presently serve:

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Shannon Glaser			252-475-5753
Paul Pollack			252-475-9166
John Towler			252-444-5337

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 9/15/2021 Signature of applicant: [Signature]

FOR OFFICE USE ONLY:

Date received: 9/15/21

APPLICATION FOR APPOINTMENT TO
DARE COUNTY ADVISORY BOARDS AND COMMITTEES

The Dare County Board of Commissioners believes all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member on one of the county's advisory boards or committees. If you would like to be considered for appointment to an advisory board or committee, please complete the form below and mail to Cheryl Anby, P.O. Box 1000, Manteo, N.C. 27954 or fax it to her at 473-1817, or send it by email to cheryl.anby@darenc.com

Advisory Board or Committee interested in:

1st choice Juvenile Crime Prevention Council

2nd choice _____

3rd choice _____

Name Matthew McEough

Address 109 Veterans Drive

City/State/Zip Kill Devil Hills, NC 27948

Email Address mcgoughma@daretolearn.org

Telephone Home: n/a

Business: 252-489-5874

Resident of Dare County: yes no

Occupation: School Social Worker, Dare County Schools

Business Address: 109 Veterans Drive, KDH

Educational background:

1) BSW from ECU

Business and civic experience and skills:

1) CPS investigator 3) school social worker

2) foster care SW 4) prior LE

Other Boards/Committees/Commissions on which you presently serve:

- Dare County Collaborative

REFERENCES

List three persons who are not related to you and who have definite knowledge of your qualifications for the position for which you are applying.

Name	Business/Occupation	Address	Telephone
Ashley Jackson	Dare County Schools		252-489-6644
Reida Roberts	" "	" "	" " 489-8006
Dione Ch. Idress	" "	" "	" " 441-8888

I understand this application will be kept on the active file for three years and I hereby authorize Dare County to verify all information included in this application.

Date: 8-17-21 Signature of applicant: [Signature]

FOR OFFICE USE ONLY:

Date received: 8/18/21



Upcoming Board Appointments

Description

The Dare County Board of Commissioners welcomes citizen participation on its many Boards and Committees.

Following is a list of the Boards and Committees that have terms expiring during the next 3 months. The list indicates when the item will be presented to the County Commissioners and any requirements that may pertain to the appointment.

Instructions on how to obtain and submit an application are attached along with additional information about each of the Boards and Committees with upcoming term appointments.

Board Action Requested

None

Item Presenter

Robert Outten, County Manager

Upcoming Board & Committee Appointments

The Dare County Board of Commissioners welcomes citizen participation on Advisory Boards and Committees. This type of grassroots public involvement is the foundation of democracy and a vital part of maintaining Dare County as a quality place to live.

Following is a list of Boards and Committees that have terms expiring during the next three months.

Information on how to obtain and submit applications follows the list.

November, 2021

Older Adult Services Advisory Council --3 terms expiring

Rodanthe, Waves, Salvo Community Center Board --2 terms expiring

Stumpy Point Community Center Board --1 term expiring

December, 2021

Equalization and Review Board --5 terms expiring

Special Motor Vehicle Valuation Review Committee --3 terms expiring

January, 2022

Nursing Home Community Advisory Council/DC Joint Comm. Advisory Committee
1 term expiring

Tourism Board --7 terms expiring

~~~~~Instructions for Obtaining and Submitting Applications~~~~~

An application must be submitted in order for your name to be considered for a Board or Committee appointment. The form is available on the Dare County website, or by calling:

Cheryl C. Anby, Clerk to the Board at 475-5800



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