



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., March 21, 2022

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

Commissioners absent: None

Others present: County Manager/Attorney, Robert Outten
Deputy County Manager/Finance Director, David Clawson
Master Public Information Officer, Dorothy Hester
Clerk to the Board, Cheryl C. Anby

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

At 5:06 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited George Lurie to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

A brief outline of the items mentioned by Chairman Woodard during his opening remarks:

- Reminded everyone of the ribbon cutting for Dare COA in Manteo on April 8 at 2:00 p.m.
- The formal dedication for the Virginia S. Tillett Community Center would be on May 12, 2022 at 4:00 p.m.
- The Department of Health & Human Services renovated building would have a ribbon cutting ceremony on May 24, 2022 at 4:00 p.m.
- He asked everyone to continue to keep their thoughts and prayers for Ukraine.

ITEM 2 – BROADBAND – CENTURYLINK – DARE COUNTY FIBER PROJECT

Ten Hankins, Director, Gov. Affairs, with CenturyLink, spoke via virtual connection regarding an MOU. He discussed the GREAT Grant 2021, which would provide eligible premises with better internet speeds. Grant applications would be due April 4, 2022. North Carolina would be the corporate headquarters for BrightSpeed, the entity with an agreement to acquire Lumen’s assets in NC and 19 other states. The maximum funding from the state per application would be \$4 million. Bright Speed would contribute \$1.20 million to the project and requested \$100k from Dare. Mr. Hankins presented a map for application coverage. Commissioner Tobin asked why the map did not reflect eligible areas on the Dare mainland, Stumpy Point or into the East Lake area. Mr. Hankins responded that areas served through the Rural Digital Opportunity Fund did not qualify. The MOU presented would be recalculated

if the locations were challenged. The Board questioned and discussed the eligibility requirements for the project and underserved areas. They arrived at a consensus to take no action on the MOU presented.

ITEM 3 – PUBLIC COMMENTS

At 5:37 p.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks:

1. Bill Coleman, the new Executive Director of the Outer Banks SPCA, told the Board it was a fantastic facility. He was focused on staff training to promote “best practices”. Commissioner Ross asked about improvements to facility grounds to provide animal shade. Mr. Coleman stated that would be addressed by the end of May. He also discussed the spay/neuter program and desired to bring back the voucher system.
2. Sam Barker, owner of Seaside Builders with forty years of experience, stated he wanted to start a conversation of public awareness of the unlicensed contractor and builder. He offered to volunteer his time to educate homeowners with a check list to know what they should ask of contractors during home improvements.
3. Kathryn Fagan of Manteo readdressed the Board with her concerns over Old North End, LLC and stated the neighborhood had not received proper notice of the new subdivision. The project would have one ingress and egress and make traffic difficult. She had learned the Planning Board did not have to bring the matter to the Board. She stated lives were being gravely impacted, as well as the environment.
4. Tansy OBryant of Manteo asked the Board to review the Old North End, LLC development. She stated the charm of Cary, North Carolina had been preserved through careful restrictions to prevent overdevelopment. She offered the fifty-six home development would diminish some of Dare County’s charm. The site had no greenspace planned and the maritime natural forest nearby was rare and valuable.

With no comments presented in Buxton, Mr. Outten closed public comments at 5:58 p.m.

ITEM 4 – HATTERAS ISLAND ECONOMIC IMPACT ASSESSMENT

Brent Lane presented the Board with a report which he stated provided value for future policy and funding decisions. The study, which included Hatteras Inlet this year, was completed in February, 2022. It illustrated impacts from tourism (88.5%), recreational fishing (9.8%) and commercial fishing (1.7%). Head boat, tournament and charter fishing were important, as they relied on local people and local assets. Fishing remained an important source of income and employment with tourism as the dominant activity. Mr. Lane stated commercial fishing had a much smaller impact with economic output of \$6.3 million, 83 jobs and a \$4.8 million income. Commissioner House questioned the reported 83 jobs that pertain to commercial fishing. Mr. Lane stated the source for the information came from the “landings” on Hatteras from Marine Fisheries. It was agreed there were more than 83 commercial licenses issued. Mr. Lane agreed to amend the report with a caveat denoting the number excluded non-Hatteras landings and processing. A complete account of the Board’s discussion on this agenda item is archived on a video available on the Dare County website www.darenc.com. (Copy of amended report and presentation is in Clerk’s office for reference)

ITEM 5 – GRANT APPLICATION – ISLAND H MODIFICATIONS (Att. #1)

Barton Grover, Grants and Waterways Administrator, reviewed that \$6.4 million had been allocated to the Corps to dredge between Wanchese and Oregon Inlet. Dare County must provide disposal sites. Island H currently had only one half of the capacity needed to dredge the channel leading into Wanchese Harbor. It was proposed to elevate the berm by approximately two feet at a cost of \$748,000. The grant, if awarded, would provide \$498,691. Mr. Grover asked for the allocation of \$250,000 from the General Fund to get a match from the state. Commissioner Tobin said it would be the final use of this disposal area and a new disposal site for future dredging would be needed.

MOTION

Commissioner Tobin motioned to authorize submission of a NC DEQ Shallow Draft Navigation Fund grant application, authorize the County Manager to sign a budget amendment to appropriate General Fund balance and to execute a Capital Project ordinance. Commissioner House seconded the motion.

VOTE: AYES unanimous

MOTION

Commissioner House motioned to adopt the Resolution to sponsor the modification project. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous.

ITEM 6–CIPC REPORT: RENOVATION OF MASONIC LODGE FOR YOUTH CENTER

Mr. Outten advised the CIP Committee had met that afternoon with the architects from Oakley Collier regarding their assessment of the recently purchased Masonic Lodge in Manteo to be used for an expanded county youth center. Oakley had met with staff to come up with programming needs. The existing building had sufficient square feet but the structural integrity of the building came short. The renovation estimate was \$2,097,750. A new building cost came in at \$1,698,310. There were substantial savings to build new and it was the recommendation from CIPC to build a new facility. Although the County was nearing capacity in the CIP with multiple projects, this new facility cost fit. Commissioner Couch commented it would be an appropriate use of taxpayer dollars. Commissioner Bateman stated attachment to the building and Chairman Woodard offered they could certainly respect the contributions of the former occupants of the building with a dedication block from the old structure.

MOTION

Vice-Chairman Overman motioned to build a new facility as recommended.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 7 – CONSENT AGENDA

The Manager announced the items as they were visually displayed in the meeting room.

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (03.07.22) **(Att. #2)**
- 2) Tax Collector's Report
- 3) Amendment to Water Capital Project Ordinance to Correct Budget Amounts Between Design and Construction, **(Att. #3)**

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 8 – BOARD APPOINTMENTS

1) Juvenile Crime Prevention Council

Vice-Chairman Overman motioned to appoint Amber Younce, Stephanie Webb and Heather Chavez as requested by the council.

Commissioner House seconded the motion.

VOTE: AYES unanimous

2) Airport Authority

Commissioner House motioned to reappoint Vice-Chairman Overman for another term.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Following is a brief summary outline of the items mentioned by Commissioners:

Commissioner Couch

- The St. Patrick's Day parade was great and he appreciated the fraternity and sorority of county participants. The Humane Society participation was a big hit.
- Commented Mr. Lane's Hatteras study would be a valuable document. He thanked Commissioner House for pointing out commercial fishing license number was not representative of the activity in landings and the seafood markets.

Commissioner Bateman

- He had participated in the March Meals delivery to area residents. It was a rewarding experience and he had met some interesting people. He applauded the outstanding program which was very much appreciated by recipients.
- The St. Patrick's Day parade was great fun with approximately 12,000 participants and the event had also brought great revenue to the area.
- Voiced his concern again regarding the areas that needed better broadband service.

Vice-Chairman Overman

- Restated his concerns over the war in Ukraine. The United States needed to give the country everything they needed and the U.S. response should happen fast.

Commissioner House

- Enjoyed his participation in the St. Patrick's Day parade and thanked Mike Kelly for continuing the tradition with the largest St. Patrick's Day parade in North Carolina.
- There had been no committee action taken on the striped bass issues last week and it would be sent to the Division of Marine Fisheries.
- Remembered today in 1980 the US had led a protest against the Soviet invasion of Afghanistan by boycotting the Summer Olympic Games in Moscow. On March 21, 1984, a Soviet submarine collided with the USS *Kitty Hawk* in the Sea of Japan.
- Presented "Franklin", a Lionhead rabbit as the SPCA's pet of the week. The Bark in the Park event would be hosted on April 24, 2022 in Dowdy Park from 1-5:00 pm.

Commissioner Ross

- Had a great time in the review stand during the St. Patrick's Day parade with his dog and especially enjoyed the bands and the Special Olympics unit.

- He had participated with the March for Meals program and stated the recipients not only appreciated the meals but the company of a visit.
- Sandy Kinzel, Associate Superintendent of Human Resources in Dare County schools, had announced her retirement. He offered best wishes and thanked her for terrific contributions to the county's school system.

Commissioner Tobin

- He had received many comments regarding the condition of the diminished road lines throughout Manns Harbor and Roanoke Island. He offered the Board should ask NCDOT to take action to replenish the lines throughout the county.
- Displayed a new photo of *Miss Katie* with final paint job. There may be a three-four week delay with final electrical work to be completed. The vessel was slated to be received on June 10. The damage stability report came back positive and the vessel should soon receive ABS (American Bureau of Shipping) approval.

Chairman Woodard stated he would have a letter sent to Allen Moran with a copy to NCDOT engineer, Sterling Baker, asking for county road lines to be remarked.

MANAGER'S/ATTORNEY'S BUSINESS (Att.#4)

County Manager Outten presented the disaster debris removal renewal contracts from the primary contract with Southern Disaster Recovery with no increase and the backup contract with Crowder Gulf renewal with a 7.9% increase.

MOTION

Commissioner Couch motioned to authorize the County Manager to sign renewal contracts. Commissioner Bateman seconded the motion

VOTE: AYES unanimous

He had received an offer to purchase a parcel of county owned land in Rodanthe on Ocean Drive near the water park. The offer for the site was the current tax value of \$180,000. The 2020 appraisal value had been reviewed by Hosea Wilson who determined, based on the recent tracking of area closings, the price may be about 10-20% under market. Mr. Outten asked the Board if they would approve pushing forward with the offer. The upset bid process would be advertised. Commissioner Couch asked if there could be a stipulation in the upset bid to only accept bids from owners in peril in the Ocean Drive area. The County Manager advised the statute indicated anyone could post a five percent upset bid.

MOTION

Commissioner Couch motioned to authorize the County Manager to give public notice of the offer on the Rodanthe parcel sale to include the upset bid process, as required.

Commissioner Bateman seconded the motion

VOTE: AYES unanimous

Mr. Outten had met with the Chairman, Vice-Chairman, Commissioner Ross, Dave Clawson and Dustin Peele in a meeting with Woda Cooper Companies today to discuss an offer to construct 100 units with a Dare commitment of \$9 million dollars. All the units would be LIHTC with approximately 40-60 to be placed in Bowsertown with the remaining built on Woda Cooper's site currently under contract in Nags Head. He asked the Board if they were willing to support the initial proposal. Mr. Outten said there were some variables that could change. If the changes were favorable, the county would contribute less, but the contribution

would be capped at \$9 million. Woda Cooper would guarantee 100 units on the two sites. The permit application for LIHTC funding had to be filed by April 1. The company had conceded to enter into a ground lease on both sites, which would provide Dare with control to maintain the ability to offer the units as affordable housing at the end of forty years.

MOTION

Commissioner Tobin motioned to approve the capped commitment of \$9 million for construction of 100 units with Woda Cooper Companies on the combined parcels of Bowsertown and their site currently under contract in Nags Head.

Commissioner Ross seconded the motion

VOTE: Ayes unanimous

Dorothy Hester offered the following updates:

- The Buxton & Avon Beach Nourishment public meeting at the Fessenden Center in Buxton would be held March 24, 2022 at 5:00 p.m. The in-person meeting would have a Q & A opportunity, be live streamed and also recorded.
- Large item pick up in unincorporated Dare would be April 4 with one pass and no particular schedule. Mr. Outten stressed items should be available the evening of April 3 to insure pick up on April 4. The county website provided a list of accepted materials.

Vice-Chairman Overman provided some additional comments:

- The Trillium mobile integrated care unit would be open Tuesday, March 29 at the Rodanthe Waves-Salvo Community Center at 2:30 p.m. Register on the Trillium website.
- Coastal Studies was hosting a "Waves to Water" competition on March 30 from 1-3 p.m.
- On March 31 there would be a Substance Use Summit at St. Andrews by the Sea from 10:00–1:30 p.m. Registration was through Dare County Saving Lives Task Force.

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

MOTION

Commissioner Ross motioned to adjourn the meeting.

Commissioner House seconded the motion.

VOTE: AYES unanimous

At 7:16 p.m., the Board of Commissioners adjourned until 9:00 a.m., April 4, 2022.

Respectfully submitted,



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

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

Note: Copies of attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board of Commissioners at this meeting are on file in the office of the Clerk.