



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

Wednesday, October 05, 2022

“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 Service Pins - October, 2022**
- ITEM 3 Employee of the Month**
- ITEM 4 Public Comments**
- ITEM 5 Little School of Fish Child Care Facility-Special Use Permit Application #5-2022**
- ITEM 6 Zoning Amendment to R-2B Zoning District to Allow for Pet Crematoriums as an Accessory Use to Pet Grooming and Kennel Facilities**
- ITEM 7 Proclamation - Fire Prevention Week - 100th Anniversary**
- ITEM 8 Certificate of Achievement for Excellence in Financial Reporting**
- ITEM 9 Reimbursement Resolutions for Series 2023A and B Limited Obligation Bonds**
- ITEM 10 Consent Agenda**
- 1. Approval of Minutes
 - 2. Memorandum of Understanding with the Town of Kill Devil Hills for Use of Fuel Pumps for EMS
 - 3. DHHS - Social Services SNAP ARPA Funding Budget Amendment
 - 4. VHF Paging System for the Dare County Emergency Communications for Fire and EMS Paging
- ITEM 11 Upcoming Board Appointments**
- ITEM 12 Commissioners' Business & Manager's/Attorney's Business**
- ITEM 13 Closed Session**

ADJOURN UNTIL 9:00 A.M. ON NOVEMBER 5, 2022



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.



Service Pins - October, 2022

Description

Service pins for the month of October will be presented

Board Action Requested

None

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.

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



Little School of Fish Child Care Facility-Special Use Permit Application #5-2022

Description

Elizabeth Shifflett has submitted a special use permit application for a proposed child care facility at the Manteo Faith Baptist Church located at 1037 Burnside Rd in Manteo. The property is zoned RS-8 and child care facilities as an accessory use of an existing church are permitted subject to special use permit review.

Board Action Requested

Motion to approve draft SUP "I move that SUP #5-2022 for the proposed child care facility at Manteo Faith Baptist Church be approved."

Item Presenter

Noah H Gillam, Planning Director



County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

September 20, 2022

MEMORANDUM

TO: DARE COUNTY PLANNING BOARD

FROM: Noah H Gillam, Planning Director *NHG*

RE: Proposed Child Care Facility at Manteo Faith Baptist Church

A Special Use Permit application has been submitted by Elizabeth Shifflett for a proposed child care facility at the Manteo Faith Baptist Church. The property is located at 1037 Burnside Rd and is identified on the Dare County Tax Records as parcel 024643001. The property is zoned RS-8 and child care facilities as an accessory use of an existing church, school, or other public building are permitted subject to special use permit review.

The applicant is proposing to operate four days a week, Monday-Thursday for no more than four hours a day. Operating on this schedule allows the applicant to provide child care services without licensing requirements from the State of North Carolina. When operating a licensed child care center the state requires a ratio of students to staff based on the children's age, and places a cap on the number of students allowed to be supervised. Although not licensed the applicant is basing their structure on these requirements, and is proposing to have two staff members and maximum of 25 students. Conditions have been added to the draft SUP to reflect these limits.

The applicant has met with the Dare County Fire Marshal and staff from the church to determine what areas of the church meet the code requirements for a child care facility and have determined that the fellowship hall meets all requirements of the fire code and NC Building Code. All child care activities shall be limited to the fellowship hall and the fenced outdoor area. The existing parking for the church shall serve as the parking area and pickup/drop off for the child care facility.

The proposal was reviewed by the Dare County Planning Board at their September 12, 2022 meeting. 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. A draft SUP is attached to this memo for the boards review.

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

Draft Motion: "I move that SUP #5-2022 for the proposed child care facility at Manteo Faith Baptist Church be approved."

***Manteo Faith Baptist Church
Post Office Box 5
1037 Burnside Road
Manteo, North Carolina 27954
(252) 473-6214
Heath Benfield, Pastor
manteofaith@gmail.com***

July 19, 2022

To Whom It May Concern,

This letter is to inform and confirm that Manteo Faith Baptist Church has voted on and agreed to let Elizabeth Shifflett use our facilities for a Pre-School starting in September 2022. Please feel free to contact Heath Benfield if you have any questions.

Thank You,

Heath Benfield



The following requirements apply to both centers and homes.

Transportation

Child care centers or family child care homes providing transportation for children must meet all motor vehicle laws, including inspection, insurance, license, and restraint requirements. Children may never be left alone in a vehicle and child-staff ratio must be maintained.

Records

Centers and homes must keep accurate records such as children's attendance, immunizations, and emergency phone numbers. A record of monthly fire drills practiced with safe evacuation of children must also be maintained.

Discipline

Corporal punishment (spanking, slapping, or other physical discipline) is prohibited in all family child care homes and centers. Each program must have a written policy on discipline, must discuss it with parents, and must give parents a copy when the child is enrolled. Changes in discipline policy must be shared with parents in writing before going into effect. Religious-sponsored programs which notify the Division of Child Development that corporal punishment is part of their religious training are exempt from that part of the law.

Parental Rights

- Parents have the right to enter a family child care home or center at any time while their child is present.
- Parents have the right to see the license displayed in a prominent place.
- Parents have the right to know how their child will be disciplined.

The law and rules are developed to establish minimum requirements. Most parents would like more than minimum care. Child care resource and referral agencies can provide help in choosing quality care. Check the telephone directory or talk with a child care provider to see if there is a child care resource and referral agency in your community. For more information about quality child care, parents can call 1-800-CHOOSE-1 or visit the Resources in Child Care website at: www.ncchildcare.net. For more information on the law and rules, contact the Division of Child Development at 919-662-4499 or 1-800-859-0829, or visit our homepage at: <http://www.ncchildcare.net>.

Reviewing Files

A public file is maintained in the Division's main office in Raleigh for every center or family child care home. These files can be

- viewed during work hours;
- requested via the Division's web site at www.ncchildcare.net; or,
- requested by contacting the Division at 1-800-859-0829.

How to Report a Problem

North Carolina law requires staff from the Division of Child Development to investigate a licensed family child care home or child care center when there has been a complaint. Child care providers who violate the law or rules may be fined up to \$1,000 and may have their licenses suspended or revoked. If you believe that a child care provider fails to meet the requirements described in this pamphlet, or if you have questions, please call the Division of Child Development at 919-662-4499 or 1-800-859-0829.

Child Abuse or Neglect

Abuse occurs when a parent or caregiver injures or allows another to injure a child physically or emotionally. Abuse may also occur when a parent or caregiver puts a child at risk of serious injury or allows another to put a child at risk of serious injury. Neglect occurs when a child does not receive proper care, supervision, or discipline, or when a child is abandoned. **North Carolina law requires any person who suspects child abuse or neglect to report the case to the county department of social services.** In addition, any person can call the Division of Child Development at 919-662-4499 or 1-800-859-0829 and make a report of suspected child abuse or neglect in a child care operation. Reports can be made anonymously. A person cannot be held liable for a report made in good faith.

Summary: North Carolina Child Care Law and Rules

Division of Child Development
North Carolina Department of
Health and Human Services
319 Chapanoke Road
Raleigh, NC 27603

April 2003



The North Carolina Department of Health and Human Services does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services.

10,000 copies of this brochure were printed at a cost of \$.042 per brochure

What Is Child Care?

The law defines child care as:

- three or more unrelated children under 13 years of age
- receiving care from a non-relative
- on a regular basis, of at least once a week
- for more than four hours per day but less than 24 hours.

It is only when all of these conditions exist that regulation is required. The North Carolina Department of Health and Human Services is responsible for regulating child care. This is done through the Division of Child Development. The purpose of regulation is to protect the well-being of children while they are away from their parents. The law defining child care is in the North Carolina General Statutes, Article 7, Chapter 110.

The North Carolina Child Care Commission is responsible for adopting rules to carry out the law. Some counties and cities in North Carolina also have local zoning requirements for child care programs.

Star Rated Licenses

Centers and homes that are meeting the minimum licensing requirements will receive a one star license. Programs that choose to voluntarily meet higher standards can apply for a two through five star license. The number of stars a program earns is based upon the education levels their staff meet, the history of their compliance with licensing requirements, and the program standards met by the program.

Family Child Care Homes

A family child care home is licensed to care for five or fewer preschool age children, and an additional three school age children. This includes preschoolers living in the home but the provider's own school-age children are not counted (Individuals caring for one or two children are exempt from being licensed.) Licenses are issued to family child care home providers who meet the following requirements:

- Home providers who received a license on or after January 1, 1998 must be 21 years old with at least a high school education or its equivalent, and mentally and emotionally capable of caring for children.

- He or she must undergo a criminal records background check.
- As of March 1998, all household members over age 15 who are present in **new** family child care homes when children are in care must also undergo a criminal records background check.
- All family child care home providers must have training in child development and CPR each year. They must also have first aid training every three years.

All family child care homes must meet basic health and safety standards. Providers must maintain verification of children's immunization and health status. They must provide age-appropriate toys and activities, as well as nutritious meals and snacks for the children in care.

Child Care Centers

Licensing as a center is required when six or more children are cared for in a residence or when three or more children are in care in a building other than a residence. Religious-sponsored programs are exempt from some of the regulations described below if they choose not to be licensed. Programs that operate for less than four consecutive months, such as summer camps, are exempt from licensing. Child care centers may voluntarily meet higher standards and receive a license with a higher rating. Centers will be visited at least annually to make sure they are following the law and to receive technical assistance from child care consultants.

Licensed centers must meet requirements in the following areas.

Staff

The administrator of a child care center must be at least 21, and have at least a North Carolina Early Childhood Administration Credential or its equivalent. Lead teachers in a child care center must be at least 18 and have at least a North Carolina Early Childhood Credential or its equivalent. If administrators and lead teachers do not meet this requirement, they must begin credential coursework within six months of being hired. Staff younger than 18 years of age must work under the direct supervision of staff 21 years of age or older. All staff must have training in child development each year and must undergo a criminal records background check.

Ratios

Ratios are the number of staff required to supervise a certain number of children. Group size is the maximum number of children in one group. Ratios and group sizes for licensure are shown below.

Age	Teacher : Child Ratio	Maximum Group Size
0-12 months	1:5	10
12-24 months	1:6	12
2 years old	1:10	20
3 years old	1:15	25
4 years old	1:20	25
School age	1:25	25

Small centers in a residence that are licensed for six to twelve children may keep up to three additional school-age children, depending on the ages of the other children in care. When the group has children of different ages, staff-child ratios and group size must be met for the youngest child in the group.

Space and Equipment


To meet licensing requirements, there must be at least 25 square feet per child indoors and 75 square feet per child outdoors. Outdoor play space must be fenced. Indoor equipment must be clean, safe, well-maintained, and age-appropriate. Outdoor equipment and furnishings must be child size, sturdy, and free of hazards that could injure children.

Curriculum

The Division of Child Development does not promote or require any specific curriculum over another. Child care programs choose the type of curriculum appropriate for the ages of the children enrolled. Activity plans must be available to parents and must show a balance of active and quiet activities. Rooms must be arranged to encourage children to explore and use materials on their own.

Health and Safety

Children must be immunized on schedule. Each licensed center must ensure the health and safety of children by sanitizing areas and equipment used by children. Meals and snacks must be nutritious, and children must have portions large enough to satisfy their hunger. Food must be offered at least once every four hours. Local health, building, and fire inspectors visit licensed programs to make sure standards are met. All children must be allowed to play outdoors each day (weather permitting) and must have space and time provided for rest.

From: Elizabeth Shifflett mbcgrad2006@icloud.com 
Subject: Re: Preschool Programs
Date: July 19, 2022 at 11:40 AM
To: Bonnie Brumbeloe bbrumbeloe@darekids.org



Thank you so much!

On Jul 19, 2022, at 11:37 AM, Bonnie Brumbeloe <bbrumbeloe@darekids.org> wrote:

Hi Elizabeth,

I am writing to confirm that preschool programs operating no more than 4 hours a day are not required to be licensed in the state of NC. Please see the information below from the NC Division of Child Development and Early Education the regulatory agency for child care in NC. This information is from their website, <https://ncchildcare.ncdohhs.gov/Home/DCDEE-Sections/Regulatory-Services>.

[Home](#) [DCDEE Sections](#) [Regulatory Services](#)
[COVID-19 in North Carolina for Child Care](#)

Regulated Child Care in NC

Who is regulated by the Division of Child Development and Early Education?

If you are caring for more than two children who aren't related to you for more than four hours a day, you might need to be licensed. If you do not meet any of the exemption scenarios provided below, then you need to apply for a license. The exemptions are:

- Recreational programs operated for less than four consecutive months in a year
- Specialized activities or instruction such as athletics, dance, art, music lessons, horseback riding, gymnastics, or organized clubs for children, such as Boy Scouts, Girl Scouts, 4-H groups, or boys and girls clubs
- Drop-in or short-term care provided while parents participate in activities that are not employment related and where the parents are on the premises or otherwise easily accessible, such as drop-in or short-term care provided in health spas, bowling alleys, shopping malls, resort hotels, or churches

- Public Schools
- Nonpublic schools that are accredited by the Southern Association of Colleges and Schools and that operate a child care facility for less than six and one-half hours per day
- Vacation Bible Schools
- Centers and Homes located on federal property over which the federal government has control (military bases and the Cherokee Indian reservation)
- Cooperative arrangements among parents to provide care for their own children as a convenience rather than for employment
- Any child care program or arrangement consisting of two or more separate components, each of which operates for four hours or less per day with different children attending each component

Although we always encourage licensure, there are currently many unlicensed/unregulated preschool programs in Dare County that operate less than 4 hours a day, mostly in churches. Please feel free to reach out to me if you have any questions or need additional information.

Good luck,

Bonnie

Bonnie Brumbeloe

Early Care & Education Manager

Children & Youth Partnership for Dare County

534 Ananias Dare Street, Manteo, NC 27954

Call or Fax: (252) 441-0614, Line 7

www.darekids.org

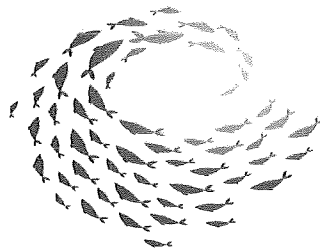
Lead Teacher Introduction

Elizabeth Shifflett: Holds a bachelor's degree in History having spent multiple years in education as well as being a Department of Labor recognized Safety Officer for the last twelve years. She is a mother of three; one college student, one first grader at Manteo Elementary and one up and coming preschooler. In her free time, Elizabeth loves going to the beach and playing or watching sports with her family.

Elizabeth feels called to bring a quality, holistic preschool program to Dare County, an area that is experiencing a critical childcare shortage. She is driven by the fact that existing programs all have long waitlists and babies currently aging into preschool are a special under-socialized population having been born during Covid. She believes positive social connections, play based learning, the arts and natural environments all cultivate a well-rounded citizen and a passion for learning that lasts a lifetime. Elizabeth is passionate about investing in Dare County by providing high quality preschool education to our community members. With a holistic view of health and education, she firmly believes that positive early childhood experiences and positive early associations with education sets children up for a lifelong love of learning and improves health outcomes throughout the lifespan, and an overall healthier community.

Assistant Teacher

Olivia Everette is a Manteo High School graduate who is studying Early Childhood at the College of Albemarle, Manteo. She is a former student athlete, and her energy and enthusiasm will be contagious in the classroom.



THE LITTLE SCHOOL
OF FISH

Mission:

We believe children thrive in a happy, loving, physically, and emotionally safe environment. We will provide a space to allow natural curiosity to motivate learning, natural conflicts to be turned into opportunities for growth becoming lessons in resilience. Our goal is to teach the social and motor skills necessary for successful entrance into kindergarten while developing good citizens and stewards of our natural environment.

Environment:

Keep well organized, easy for kids to know where to put toys away
Beautiful vibrant colors and natural materials
Visually appealing, not overly cluttered, well lit, and natural light
Display ABC's, number line, calendar, daily weather, seasonal art projects, etc.
Area rug for main Circle area
reading nook/area
dress up corner, play kitchen
art area and organized area to display art
music area/bin
puzzles/ wood blocks/ magnet blocks/ puzzles
sensory tables
shape blocks
class stuffed animal / bean bag chair

Outdoor:

Fenced and gated
Safe play structures
outdoor mud kitchen
shaded/covered area
balance bikes
micro scooters
balls
chalk
sandbox- trucks
ideally – small garden

Teach basic health & nutrition-through healthy snacks and movement

Weekly Themes:

Letter of the week
Color of the week
Emotion of the week
Weekly religious instruction- provided by church

Sample Daily Schedule

8:15-8:45:

Teachers arrive and prepare for the day.

8:45am:

Greet parents & students while they hang coats and backpacks.

9:00am:

Close door and begin Welcome Circle (i.e., the welcome/name song, calendar time, checking the snack and helper charts, and introduce the daily center options).

9:15-10am:

Students choose the play centers that they would like to start in and rotate through at their own pace while one teacher floats and the other teacher leads small group Art/manipulatives as one of the centers.*10am: Begin calling the students individually to go to the bathroom & wash their hands.

10-10:30am:

When each child finishes hand washing, they join the others on the carpet for Circle music & movement. There will be a thematic mini lesson of the day with stories while the other teacher prepares snack.

10:30am:

Students eat a healthy snack and then participate in clean up.

11:00am:

We turn off the lights and sing the clean-up song. Students return the toys and books to the shelves. When the room is tidied, they put on their shoes & coats.

11:15am:

Free play outdoors, daily. It is critical to our program and overall health and wellbeing of all. We don't believe in "bad weather," so please dress appropriately for the weather.

11:45am:

Farewell Circle time we practice a literacy or math skill (a letter, or a shape, quick rhyming activity, numbers) and then read a story.

12pm:

Help Students put on their coats & pack backpacks for dismissal.

12-1230pm: Teachers clean up, sanitize, and organize for next day.

*Serving children 2.5 years (AND potty trained) up to kindergarten ready 5year olds.

Policy handbook:

Payment amount and frequency

Expectations for payment, fee for late payment

Fee for picking up child more than 15 minutes late

Need for extra clothing

Fieldtrips

What to do when children are sick

Following Dare County School Calendar/Make up days

Emergency Planning

Understanding of discipline policy:

- Discipline policy - guided by the principle that the core of discipline is to instruct or redirect, not shout, or physically punish
- Believe conflicts between children can be opportunities for growth and best left to solve themselves when possible
- build resiliency and encourage children to continue through a challenge

Application to include:

List of fees and associated cost breakdown, discounts

List of medical conditions, allergies, etc.

Consent for medication administration - Tylenol, Benadryl, sunscreen

Consent for emergency medical treatment, insurance info

emergency contacts

Custody details, who can pick child up, etc.

Waivers

Community Partnership

Bonnie Brumbeloe of Children Youth Partnership (CYP) is mentoring and helping with the appropriate steps necessary to open the preschool.

* Licensing requires 10:1 ration adult to student.

* Unlicensed can be mixed ages of kids
Capped at 25 student per 2 adults.



Special Use Permit No. #5-2022

Dare County Sections 22-19, 22-65, & 22-70

Application of: Elizabeth Shifflett D/B/A The Little School of Fish Child Care

On October 05, 2022 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; Child care facilities, which are an accessory use of an existing or proposed church, school, or other public building
3. The subject property is zoned RS-8. This property is identified on the Dare County tax records as PARCEL 024643001 and located in the Manteo Out 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 child care facility as an accessory use at the Manteo Faith Baptist Church located at 1037 Burnside Rd, in Manteo, NC.

CONDITIONS:

1. All Child care activities shall only occur in the church fellowship hall and in the fenced in area adjacent to the church. If the applicant or the church intends for the child care service to use other areas of the church an inspection by the Dare County Fire Marshal and Dare County Building Inspector shall be conducted and approval issued to ensure the area meets the requirements of all applicable North Carolina Codes and Regulations.
2. Child Care services maybe provided Monday-Friday, and for no more than four hours per day.
3. There shall be a staff to student ratio of 1:10 at all times and a maximum of 25 students supervised at a time.
4. All outdoor activities shall occur in the fenced in area adjacent to the church and under supervision of staff.
5. Dare County Planning Department and Dare County Fire Marshal officials shall be allowed to inspect the child care facility periodically to ensure compliance with North Carolina Codes and Regulations and the conditions of this Special Use Permit.
6. 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.
7. 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.
8. 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 05th day of October 2022

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: _____
Elizabeth Shifflett
The Little School of Fish

APPROVED AS TO LEGAL FORM

By: _____
Robert L Outten
County Attorney



Zoning Amendment to R-2B to allow for pet crematoriums as an accessory use to pet grooming and kennel facilities

Description

Pam Anderson has submitted a zoning text amendment request to add pet crematoriums to the list of permitted uses in the R-2B zoning district. A detailed staff report, draft amendment, and associated documents are attached with this cover sheet.

Board Action Requested

Review draft amendment and schedule public hearing on November 7, 2022 at 9:00 A.M.

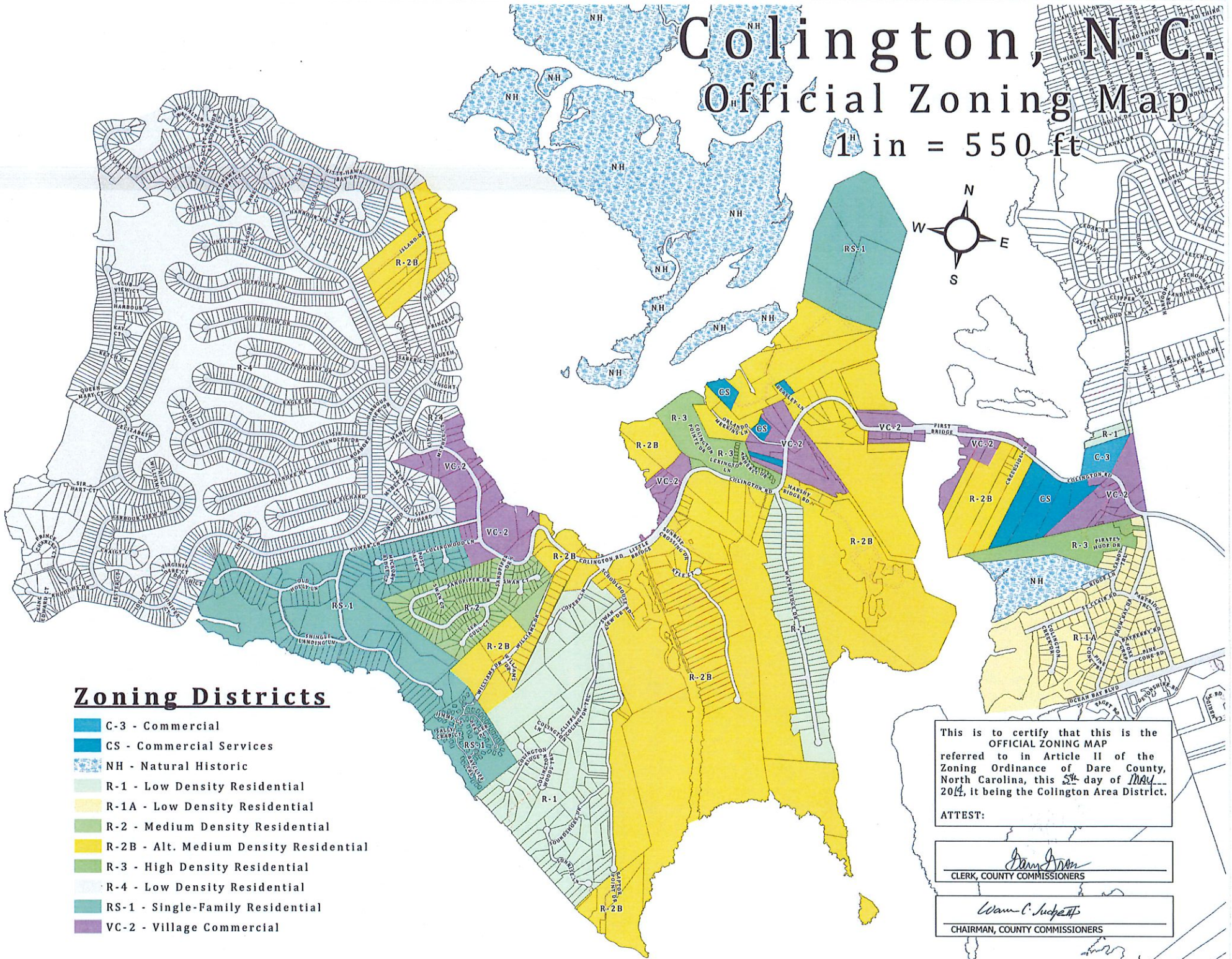
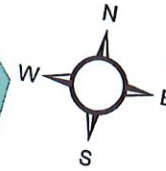
Item Presenter

Noah H Gillam, Planning Director

Colington, N.C.

Official Zoning Map

1 in = 550 ft



Zoning Districts

- C-3 - Commercial
- CS - Commercial Services
- NH - Natural Historic
- R-1 - Low Density Residential
- R-1A - Low Density Residential
- R-2 - Medium Density Residential
- R-2B - Alt. Medium Density Residential
- R-3 - High Density Residential
- R-4 - Low Density Residential
- RS-1 - Single-Family Residential
- VC-2 - Village Commercial

This is to certify that this is the
OFFICIAL ZONING MAP
 referred to in Article II of the
 Zoning Ordinance of Dare County,
 North Carolina, this 5th day of May,
 2014, it being the Colington Area District.

ATTEST:

Darryl Dyer
 CLERK, COUNTY COMMISSIONERS

Wann C. Suckett
 CHAIRMAN, COUNTY COMMISSIONERS

SECTION 22-22.2 - R-2B ALTERNATIVE MEDIUM DENSITY RESIDENTIAL DISTRICT

The following regulations shall apply to the R-2B alternative medium density residential district:

(a) Intent. The R-2B district is intended to encourage the development of moderate density residential neighborhoods, to serve as a transition zone between low-density areas and more intensely developed areas, and provide a setting for a limited number of business uses associated with a coastal village location.

(b) **Permitted uses.** The following uses, and no other uses, shall be permitted by right:

(1) Detached single-family dwellings.

(2) Duplexes.

(3) Customary accessory uses.

(4) Mobile homes; provided that:

(a) They are placed on foundations and anchored according to the North Carolina State Building Code for mobile homes in a hurricane State.

(b) The requirements of the building inspector regarding skirting material and skirting area are complied with.

(5) Minor mobile home parks, according to the standards of the Dare County Mobile Home Park Ordinance.

(6) Crab shedding operations.

(7) County owned or leased facilities.

(8) Wind turbines for use in conjunction with a residential dwelling to be located on the same site subject to the following conditions:

(a) The minimum lot size - 10 acres.

(b) The maximum height of the wind turbine including the blades shall not exceed 50 feet.

(c) The wind turbine shall be located a minimum of 50 feet from all property lines.

(d) The wind turbine shall be used to provide electrical power for one residential dwelling and its associated accessory structures on the site. (Adopted 10-19-15)

(9) Accessory dwelling unit according to the provisions of Section 22-58.6 of this code. (Adopted 10-15-2018)

(c) **Special uses.** The following uses are permitted subject to the requirements of this district and additional regulations and requirements imposed by the Board of Commissioners as provided in Article IX of this chapter:

(1) Churches and cemeteries.

(2) Fire stations, schools and other public buildings.

(3) Home occupations.

(4) Private clubs, including boat launching areas, golf courses, tennis courts, community centers, libraries, picnic areas, beach clubs and concessions integral thereto; provided that no open commercial activity and that no sign other than a directional sign is allowed.

- (5)** Public and private utility facilities.
- (6)** Public and private parks and playgrounds.
- (7)** Bed and breakfast homes provided that:
 - a.** There are no more than 3 units in a home.
 - b.** It is owner occupied.
- (8)** Campgrounds.
- (9)** Fish houses and dockage.
- (10)** Real Estate Offices.
- (11)** Resident business provided that:
 - a.** Family member(s) resides on premises plus one other non-resident employee.
 - b.** Merchandise produced on or off the premises may be sold at the business.
 - c.** The total square footage designated as the resident business may not exceed 40% of the total floor area of the home. The business area may be located within the confines of the home or in an accessory building located on the same property provided the 40% maximum area is not exceeded.
 - d.** One indirectly lighted sign; each side not to exceed four square feet may be installed.
 - e.** Parking requirements Section 22-56 for the proposed use shall be applied.
- (12)** Family child care homes as defined in Section 22-2 and subject to the provisions of Section 22-29.1. (Amended 5-16-11)
- (13)** Child care facilities which are an accessory use of an existing or proposed church, public school, or other public building.
- (14)** Major mobile home parks, according to the standards of the Dare County Mobile Home Park Ordinance.
- (15)** Pet grooming and kennel facilities.
- (16)** Residential child care centers subject to authorization as Permit for Special Exception according to Section 22-29.1. (Amended on 4-7-08)
- (17)** Educational housing projects subject to the provisions of Section 22-58.8.
- (18)** Special use subdivisions subject to the provisions of Section 22-58.9.
- (d)** Dimensional requirements:
 - (1)** Minimum lot size:
 - a.** Single-family lots served by a private well and an on-site septic tank/drain field system: 20,000 contiguous square feet of soil not classified as a coastal wetland.
 - Single-family lots served by a central water supply and an on-site septic tank\drain field system: 15,000 contiguous square feet of soil not classified as a coastal wetland.
 - Single-family lots served by a central water supply and a central wastewater disposal system: 15,000 contiguous square feet of soil not classified as a coastal wetland.

b. Duplex lots if served by a private well regardless of wastewater disposal method: 20,000 square feet.

Duplex lots if served by central water regardless of wastewater disposal method: 15,000 square feet. (Amended 10-15-2018)

c. Resident business: 30,000 contiguous square feet of soil not classified as a coastal wetland.

(2) Minimum lot width: 75 feet measured at the building setback line.

(3) Minimum front yard: 25 feet.

(4) Minimum side yard: 10 feet. An additional 10-foot side yard setback adjacent to the street is required for a corner lot.

(5) Minimum rear yard: 20 feet.

(6) Maximum allowable lot coverage by principal use and all accessory structures and uses:

a. For all residential uses including home occupations, bed and breakfast homes, and resident businesses: 30%.

b. For all other uses: 50%.

(7) Height limitation: 35 feet.

(Adopted by the Dare County Board of Commissioners on June 16, 1997)

(Am. Ord. passed 9-16-2019; Am. Ord. passed 6-21-2021)

Commercial Development

As noted in the previous section, residential development is the preferred pattern of development for unincorporated Dare County. However, some commercial development is necessary to provide goods and services to the local residents and our seasonal visitors. One objective established for commercial development is that such development should reflect the Outer Banks coastal heritage. In the Planning Board discussions of this issue, various alternatives were addressed and it was noted that this objective will be difficult to implement. Most often building design standards are used to establish architectural features, façade, and paint schemes. Reaching a consensus of appropriate building design standards is difficult and often faced with opposition from the business community. The importance of aesthetics as a quality of life issue and our continued appeal to seasonal visitors was stressed by the Planning Board in writing the policies for this topic.

One objective identified for this management topic was to keep commercial development on a neighborhood scale and of a scope that is not designed to attract regional markets. In 2003, the Dare County Board of Commissioners adopted gross floor limitations for the commercial zoning districts in unincorporated areas of the County. The zoning maps for Mann Harbor and Wanchese also included gross floor area limitations. In 2007, a gross floor area limitation was also adopted by the Board of Commissioners for the unzoned areas of Dare County. These gross floor area limitations should assist with the objective of neighborhood commercial development, not commercial development for regional markets.

The Planning Board also noted that the 2003 policy encouraging the continued existence of locally owned businesses should be included in the 2009 update. Many of the locally owned businesses have been in operation for many years, and in some instances, before zoning regulations were adopted by Dare County. Some of the businesses may have been rendered non-conforming with the overlay of zoning regulations. Amendments to the Zoning Ordinance to address the non-conforming status of older, existing businesses should be considered to ensure the replacement or repair of non-conforming commercial structures in support of the policy for locally-owned businesses. The eclectic nature of the businesses in unincorporated Dare County, especially along the Highway 12 corridor on Hatteras Island, is part of the appeal of the Outer Banks. Creating a favorable environment for the business community will assist with the continued success of the small neighborhood shops and stores in existence today.

Another potential tool identified during the LUP update process to implement the County's objectives is amendment of the Zoning Ordinance to limit drive-thru window service at restaurants and food service businesses. Most franchise food service businesses, especially the fast-food industry, rely on drive-thru window service. An amendment to eliminate this option for food service establishments

would provide an additional layer of protection for the unincorporated areas from franchise businesses that often employ unoriginal, generic, or replicated corporate building designs that are inconsistent with the traditional architecture of the Outer Banks. In addition to the incompatibility of these franchise restaurants with existing coastal village atmosphere, there are secondary impacts such as trash, lines of waiting vehicles, and a decrease in the appeal of the neighborhood that accompany these commercial developments.

The first section of the LUP noted that the needs of the permanent population and the seasonal population vary in terms of what commercial services and goods are desired. Many of the commercial businesses in Dare County are solely focused on the provision of souvenirs and tourist-related goods to the visiting population. The proliferation of these tourist-oriented businesses was identified by a vast majority of the respondents to the Citizen Involvement Poll as an important issue of concern. This concern was also voiced at all of the public input workshops held at the beginning of the update process in 2007. Other jurisdictions have adopted building design standards to address concerns about the aesthetics of these tourist-oriented retail operations. Building design standards do not address the profusion of such retail establishments. The legality of targeting one segment of the retail market and how to do so was identified as an implementation strategy by the Planning Board. Although it may prove extremely difficult to craft an ordinance aimed at tourist-related businesses, there was a strong consensus among the Planning Board that such efforts were worthy of study and research.

Policy LUC #5

Dare County encourages the continued existence and development of locally-owned businesses in unincorporated Dare County.

Implementation Strategy:

1. Inventory of older existing commercial businesses and consideration of zoning amendments to ensure their replacement or repair in the event of damage from a natural disaster. (2011)

Policy LUC #6

Commercial development should be designed to meet the needs of Dare County's unincorporated villages and not to serve as regional commercial centers. The gross floor area limitations of the Dare County Zoning Ordinance and other applicable land use codes shall be used as a tool to manage the footprint of commercial structures. The goal is to manage the size of the commercial structures, which serves as a disincentive for regional commercial centers for location in villages.

DRAFT

Draft Language for Proposed Text Amendment to the R-2B Zoning District

(c) Special Uses

(15) Pet grooming and kennel facilities, a pet crematory may be offered as associated use provided that:

- a. the crematory is 200 ft. from a residential dwelling
- b. the incinerator shall be contained inside a building
- c. a licensed/certified crematory operator shall be on staff
- d. cremation services shall be limited to domesticated animals, livestock shall not be permitted
- e. all applicable Local, State and Federal laws and rules are in compliance and that all applicable licenses and permits are obtained and a copy is provided to the Planning Department.

DRAFT

DRAFT



[\(/\) FIND A MEMBER IN YOUR AREA \(/SEARCH/CUSTOM.ASP?ID=5419\)](#)

[\(/\)](#)

[MENU](#)

Online Certified Pet Crematory Operator

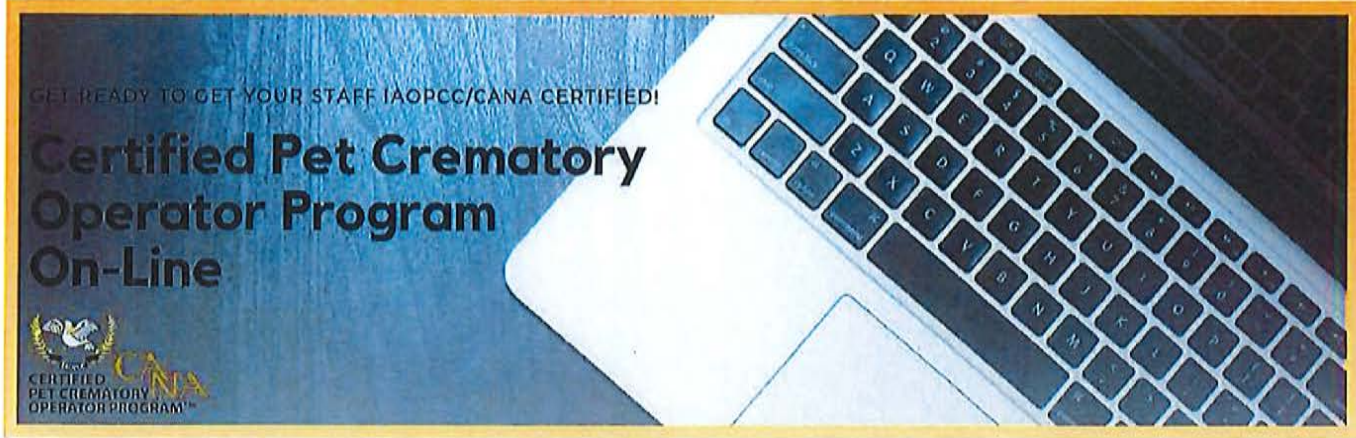
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GET YOUR STAFF IAOPCC/CANA CERTIFIED TODAY!

We are excited to announce our ONLINE Certified Pet Crematory Operator Program (CPCO)! This prestigious and much sought after certification is now easily available to you and your employees. Key features of our online program include:

- ***IAOPCC Membership Discount (see member discount code below)***
- ***Quick and easy registration – your staff can start their education immediately!***
- ***A self-paced exam with 90-days of access to allow ample time for your staff to complete their certification!***
- ***Video modules of classroom discussions and active participation!***
- ***A Certificate mailed upon successful completion for prominent display at your facility!***



The Certified Pet Crematory Operator Program (CPCO), a collaboration between the International Association of Pet Cemeteries and Crematories and the Cremation Association of North America, is designed to ensure that you and your employees have the most current crematory operations training available in the market today. Participation in the CANA/IAOPCC CPCO Program assures the public that you are committed to safe pet cremation practices and that the utmost respect and care is a priority. Our online class offers extensive knowledge—technical, scientific, and legal—all of which is proactive prevention for future business problems for you.

The classroom component will address major topic areas such as an overview of the pet cremation process, equipment and operations, the cremation process in detail, and standards and ethics. The final exam will also be administered online. The course is taught using video with small group activities, case studies, videos, whole class discussions and lecture.

Taught by industry experts, this program provides pet loss and cremation professionals of all backgrounds and levels of experience a thorough knowledge of the practices and procedures that will help reduce the risk of litigation for you! SIGN YOUR STAFF UP TODAY!

CPCO Online Class Registration Fees:

\$495.00* for IAOPCC Members

\$595.00 for Non-Members

Non-Member Registration

CLICK HERE TO REGISTER

(<https://www.cremationassociation.org/page/PetCremation>)

Member Registration

CLICK HERE TO REGISTER

(<https://iaopc.site-ym.com/page/MemberCPCO>)

PET OWNERS PLEASE NOTE: Former members are not entitled to use the IAOPCC membership logo. Please be sure to check our Membership Directory and verify that the Cemetery/Crematory is in fact a current member in good standing and not just borrowing the logo, or you may contact the Home Office directly at 1-800-952-5541 or info@iaopc.com (<mailto:info@iaopc.com>).

750 US Highway 202, Suite 200, Bridgewater, NJ 08807 | Toll Free: 1-800-952-5541 • Fax 908-450-1398 •
info@iaopc.com (mailto:info@iaopc.com)

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*Proclamation - Fire Prevention Week
100th Anniversary*

Description

The theme for the October 9-15, 2022 Fire Prevention Week is "Fire Won't Wait. Plan Your Escape". This year's campaign celebrates a milestone anniversary - one hundred years of the National Fire Prevention Association's efforts and the nation's longest-running public health observance on record.

Board Action Requested

Issue proclamation

Item Presenter

Steve R. Kovacs, Fire Marshal



A PROCLAMATION
Fire Prevention Week - October 9-15, 2022

WHEREAS, Dare County, North Carolina is committed to ensuring the safety and security of all living in and visiting Dare County; and

WHEREAS, fire is a serious public safety concern, both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,580 people in the United States in 2020, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 356,500 home fires; and

WHEREAS, smoke alarms sense smoke well before we can, alerting us to danger in the event of fire in which we may have as little as two minutes to escape safely; and

WHEREAS, Dare County residents who have planned and practiced a home fire escape plan at least twice a year during the day and night are more prepared and are therefore more likely to survive a fire; and

WHEREAS, Dare County residents should make sure their smoke and carbon monoxide alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half and should be installed in every sleeping room, outside each separate sleeping area, and on every level of the home; when the smoke alarm sounds, every occupant of the home should respond by going outside immediately to the designated meeting place; and

WHEREAS, Dare County's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2022 Fire Prevention Week 100th Anniversary theme, "**Fire Won't Wait. Plan Your Escape.**" works to educate everyone about simple important actions they can take, including preparing a home fire escape plan, to keep themselves and those around them safe from home fires.

NOW, THEREFORE, the Dare County Board of Commissioners does hereby proclaim October 9-15, 2022, as "**Fire Prevention Week**" in Dare County and urges all citizens to plan and practice a home fire escape and to support the many public safety activities and efforts of Dare County and surrounding area fire and emergency services.

This the 5th day of October, 2022.

SEAL

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board



Certificate of Achievement for Excellence in Financial Reporting

Description

Dare County has received the Certificate of Excellence in Financial Reporting for its annual comprehensive financial report (ACFR) for the fiscal year ending June 30, 2021 by the Government Finance Officers Association of the United States and Canada. The report has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the report.

Board Action Requested

None - presentation

Item Presenter

Chairman Robert Woodard, Sr.



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**County of Dare
North Carolina**

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

June 30, 2021

Christopher P. Morill

Executive Director/CEO



The Government Finance Officers Association of
the United States and Canada

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Sally Defosse

Assistant Finance Director
County of Dare, North Carolina



The Award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the department or individual designated as instrumental in the government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.

Executive Director

Christopher P. Morrill

Date: 8/24/2022



Reimbursement Resolutions for Series 2023A and B Limited Obligation Bonds

Description

Bond Counsel has supplied the included Reimbursement Resolutions required for the Series 2023A LOBs and 2023B LOBs. Series 2023A includes the joint EMS/Fire Kill Devil Hills station, the Southern Shores station, and the Dare Medflight hangar/station. Series 2023B includes the Manteo, Frisco, and Manns Harbor EMS stations and the Manteo Youth Center.

Board Action Requested

Adopt the two Resolutions.

Item Presenter

David Clawson, Finance 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**

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 finance (1) the construction of a replacement County EMS station and a fire station on behalf of the Town of Kill Devil Hills to be located in Kill Devil Hills, (2) the construction, renovation, and improvements to a County EMS station located in the Town of Southern Shores, and (3) the construction of a new airport hangar for Dare MedFlight, including crew quarters (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 \$37,122,000.

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.

Adopted this the 5th day of October, 2022.

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board

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*** that the foregoing is a true and exact copy of a resolution entitled **“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”** duly adopted by the Board of Commissioners of the County of Dare, North Carolina at a meeting held on the ____ day of _____, 20__.

WITNESS my hand and the corporate seal of the County of Dare, North Carolina, this the ____ day of _____, 20__.

(SEAL)

Cheryl C. Anby
Clerk to the Board of Commissioners
County of Dare, North Carolina

**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 finance (1) the construction of a new youth center in the Town of Manteo, and (2) the construction, renovation, and improvements to County EMS stations located in Manteo, Frisco, and Manns Harbor (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 \$9,227,000.

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.

Adopted this the 5th day of October, 2022.

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board

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*** that the foregoing is a true and exact copy of a resolution entitled **“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”** duly adopted by the Board of Commissioners of the County of Dare, North Carolina at a meeting held on the ____ day of _____, 20__.

WITNESS my hand and the corporate seal of the County of Dare, North Carolina, this the ____ day of _____, 20__.

(SEAL)

Cheryl C. Anby
Clerk to the Board of Commissioners
County of Dare, North Carolina



Consent Agenda

Description

1. Approval of Minutes (09/06/22)
2. MOA with the Town of Kill Devil Hills for Use of Fuel Pumps for EMS
3. DHHS - Social Services SNAP ARPA Funding Budget Amendment
4. VHF Paging System for the Dare County Emergency Communications for Fire and EMS Paging

Board Action Requested

Take Appropriate Action

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

9:00 a.m., September 6, 2022

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

Commissioners absent: Steve House

Others present: County Manager/Attorney, Robert Outten,
Assistant Finance Director, Sally DeFosse
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 9:03 a.m. Chairman Woodard called to order the regularly scheduled meeting. He thanked Senator Bob Hanig for his attendance. Chairman Woodard invited Rev. Nathan Finnin 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:

- Stated it had been the summer of beach nourishment. Buxton and Avon were completed on 8/16 and Nags Head on 8/27. As to the northern beaches, Kill Devil Hills was completed and Kitty Hawk had been started. The projects were to continue at Southern Shores and in Duck. Great Lakes and Weeks Marine had done an incredible job.
- *Miss Katie*, Dare County’s new dredge, had arrived on August 19th. A video was shown to showcase the one-of-a-kind dredge, as it made its arrival into Wanchese.
- Dare COA had opened their doors on August 15th to the new \$18.5 million learning facility.
- Congressman Murphy presented a press conference on August 19th to propose new legislature for a jetty feasibility study for Oregon Inlet.
- National Aviation Day was held in Manteo, at Dare Regional Airport, on August 19th to celebrate the anniversary of Orville Wright’s birthday. He gave a short history.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Catisha Bryant received a 15-year pin.
- 2) Angela Long received a 25-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH – September, 2022

EMS Department Advanced EMT, Matt Cartwright, received the Employee of the Month award from Jennie Collins. He was described as having a positive attitude and was always helpful.

Drew Pearson, Emergency Management Director, announced that James Wooten, Emergency Management Planner, had graduated from FEMA's National Emergency Management Advanced Academy in Maryland. This incredible achievement took a full year of study. Mr. Wooten graduated with honors and was one of 25 selected from 400 applicants.

ITEM 4 – PUBLIC COMMENTS

At 9: 32 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary:

1. Al Pirrone stated pickleball was a great social networking opportunity and outlined the times currently available and the cost charged at the local YMCA. Visitors were forced to seek venues elsewhere, as local courts were full.
2. George Barr, Manager of the OBX pickleball club, thanked the Board for making Walker Park available with four new courts, as well as the CIP funds set aside for future pickleball expansion. He estimated eight courts could be created with the funds.
3. Sandra Briggman voiced her concern that the budget did not include improvement to adult recreation this fiscal year. She stated adult programs were pushed aside and wanted volunteers to open county facilities pickleball courts on nights and weekends.
4. Dave Briggman had operated a motel for fifteen years and stated more year-round attractions were needed for the off season. Pickleball was the fastest growing sport in the country. He said smaller cities had more courts than Dare and had done well.
5. Scot Morton said adult recreation in Dare was at a minimum and offered it would not cost much to improve the situation. He wanted the youth center open on the weekends and stated it would cost less than \$15,000 a year. He wanted more courts.
6. Scott Garber disagreed with the elimination of a new gym from the CIPC. He added the Board was not addressing the most important need of the county. He presented a petition with 208 signatures from the adult community for a new gym.
7. Geoff Fountain had discovered the sport of pickleball after retirement and now played two-three times a week. He proposed a volunteer staffing program for more playing opportunities and offered to set up sessions to explore the possibility.
8. Everett Fifield, III, spoke about the addition of Concord Court to the NCDOT secondary road maintenance system. The owners had not been aware it was considered a private road. It was an item on the agenda for Board approval.

9. Alana Harrison stated the blue catfish was an invasive species and was eating crabs and fish. They had been found in the Albemarle Sound, and she warned something needed to be done to reduce their population.

With no comments from Buxton, the County Manager closed Public Comments at 10:10 a.m.

ITEM 5 – PUBLIC HEARING – REQUEST TO CLOSE THE PAVED PORTION OF SEAGULL STREET IN RODANTHE (Att. #1)

At 10:11 a.m. the Board held a Public Hearing. No one responded to the invitation to address the Board and the County Manager closed the hearing at 10:11 a.m. Mr. Outten explained the item was to allow the homeowners on that stretch of property near Mirlo Beach to move their homes closer to Highway 12 to protect them from the ocean and erosion.

MOTION

Commissioner Bateman motioned to close the paved portion of Seagull Street in Rodanthe. Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 6 – APPOINTMENT OF DEPUTY TAX COLLECTOR (Att. #2)

County Manager Outten presented Mesia Wescott Godfrey as the Deputy Tax Collector.

MOTION

Vice-Chairman Overman motioned to appoint Ms. Godfrey as Deputy Tax Collector.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

The Clerk administered the oath to Ms. Godfrey with her parents, Lynanne Wescott and Nevin Wescott, holding the Bible.

MEETING RECESSED at 10:16 a.m. and RECONVENED at 10:28 a.m.

ITEM 7 – ANNUAL SETTLEMENT

Beck Huff, Tax Collector, presented the 2021 taxes, both paid and unpaid. The total county real estate and personal property levy for 2021 was \$65,967,292.57 with a collection rate of 99.63% totaling \$65,722,073.01 as of June 30, 2022. The budgeted valuation for 2022 would be \$16,312,781,089 with municipal levies totaling \$100,683,146.10.

MOTION

Commissioner Couch motioned to charge the Tax Collector to collect the 2022 taxes.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – ROGALLO MUSEUM PRESENTATION (Att. #3)

Billy Vaughn and John Harris provided a presentation to illustrate the proposed project. (See archived video) The proposed museum would tell the story of Rogallo's invention of the Rogallo wing and the sports using it. It was estimated at \$7 million to build on a site at Jockey's Ridge. The group would meet with state parks next week to work out a lease.

MOTION

Commissioners Tobin and Bateman motioned to approve the resolution for support of the proposed museum.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – DARE SOIL & WATER CONSERVATION DISTRICT: 2022 UPDATE

Adam Simon, Community Conservationist for Dare, provided an update on the County's projects for fiscal year 2022. Vice-Chairman Overman asked whether there was another, more effective means of removing alligator weed. Mr. Simon said it could be mechanically removed, as it had been done in the 1950's, with a somewhat better outcome. Mr. Simon would continue to apply for future grants and would follow up with the Board on progress.

ITEM 10 – PROCLAMATION – WORLD ALZHEIMER'S MONTH

GEM Day Services, presented a proclamation to raise awareness in the county about Alzheimer's Disease and the continuing need for research, education and caregiver services.

MOTION

Vice-Chairman Overman motioned to approve the World Alzheimer's Month Proclamation. Commissioner Ross seconded the motion.,

VOTE: AYES unanimous

ITEM 11 – UPDATE ON CAREGIVER'S DAY OUT PROGRAM.

Sheila Davies and Dianne Denny provided an update on the program. They outlined the many activities including decorating hats for Easter and painting Mother Day cards, which were donated to Peake Resources. The program was free and offered one day a week from 9:30 a.m. – 1:00 p.m.

ITEM 12 – PROCLAMATION – CONSTITUTION WEEK

The Daughters of the American Revolution for Dare County provided a proclamation commemorating the 235th anniversary of the signing of the United States Constitution. Regent Coleen Fagersten mentioned there would be a bell ringing at the Manteo Veterans Memorial at 4:00 p.m., on September 17, to commemorate the event. Commissioner Ross requested a correction be made to paragraph four denoting the 235th anniversary.

MOTION

Commissioner Couch motioned to adopt the Proclamation for Constitution Week. Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 13 – PROCLAMATION – DIAPER NEED AWARENESS WEEK

Carla Heppert, Education & Program Evaluation Manager for Children & Youth Partnership, presented a proclamation recognizing "Diaper Need Awareness Week" from Sept. 24-Oct. 2, 2022. One in three families reported having financial difficulties with diaper needs for their children, which could cost \$70-80 per month. The program began in May 2020 and hosted monthly events and diaper drives. 5,000 packs of diapers had been distributed to date.

MOTION

Commissioner Tobin motioned to adopt the proclamation. Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 14 – PROCLAMATION – SUICIDE PREVENTION MONTH

Sheila Davies, Director of the DHHS, presented a proclamation to recognize Suicide Prevention Awareness Month. There would be an event on September 27, 2022 at First Flight High School

MOTION

Vice-Chairman Overman motioned to adopt the proclamation.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 15 – CAPITAL IMPROVEMENTS PLANNING COMMITTEE RECOMMENDATION – EMS STATIONS, PUBLIC WORKS, PARKS AND RECREATION AND YOUTH CENTER

Mr. Outten provided the Board with a map and renderings of the EMS stations, Public Works, Buxton Transfer Station, Parks and Rec. facilities, Youth Center, as well as Dare Med Flight hangar, which were being considered for repair, renovation and/or construction. Preliminary renderings were also provided. It was estimated it would cost \$59 million for projects to be completed in three phases by the end of 2024. There would be a zoning change in Manteo for the new youth center. Details of the scheduled phases were provided to the Board. Mr. Outten reviewed the recreation improvements. The CIPC had chosen to reduce \$6.6 million from Lions Club improvements. Approximately \$453,600 was set aside for pickleball courts and Mr. Outten explained it included bathroom facilities and amenities, which would be determined by the sites chosen. The grand total of the costs originally presented was \$36,054,963 and the CIPC had reduced it to \$23,870,313 in recreation facility improvements. The CIP plan works with the funding available, including inflation escalation factoring and would keep coverage ratios in good standing. The CIPC recommended moving forward with all the projects in a phased manner. Mr. Outten also provided an update of the following projects: Animal Shelter, COA, Manteo Youth Center, Beach Nourishment, Parks and Rec. “Master Plan”, Affordable Housing, Rodanthe Harbor bulkhead replacement, Roanoke Island drainage ditch, Island H modifications, Buxton Transfer Station and Avon/Buxton waterline replacement.

MOTION

Commissioner Tobin motioned to accept the CIPC’s recommendation and to move forward with the phased projects on various county facilities as presented.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 16 – AFFORDABLE HOUSING – See archived video for full discussion

Mr. Outten outlined the contracts for Coastal Affordable Housing, LLC and Woda Cooper Companies, Inc. that had been finalized and were ready for signature. They were complicated contracts and much had changed since the initial presentation. He reviewed the Woda Cooper projects would be in two locations, Manteo and Nags Head. The LIHTC built projects would include approximately twenty-four one-bedroom units with a final unit mix to be approved by the Board. There would be a ground lease and the units would remain affordable. They could start within the next 12 months. At the termination of the ground lease, the premises would be delivered to the county. Mr. Outten stated prices had increased since the original pro forma, but Woda was committed to 100 completed units. Dare had committed \$9 million to the project. Woda Cooper would shoulder the risk of cost increases.

MOTION

Vice-Chairman Overman motioned to approve the contract and ground lease with Woda Cooper Companies.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

Mr. Outten explained the Coastal Affordable Housing predevelopment contract had gone through at least twenty-four iterations. The predevelopment contract was ready and the county could now move forward with work on the development agreement phase. The goal was to provide affordable housing between market rate and a reduced rate. \$35 million to be lent to Coastal and we calculate annually the difference between the market rate and a reduced rental rate. Once the savings accumulated reached \$35 million, the County would be in a position to forgive the loan to Coastal. The County would not be liable to Coastal for anything above the \$35 million received from the state. Coastal had looked at sites and were identifying the best sites. Depending on the sites chosen, the Board may have further actions required. There was a management plan attached with a schedule of the predevelopment costs with the county obligated for up to \$5 million. The project called for 300-400 multi-family units. Ownership details had not yet been finalized. A ground lease would be possible with restrictions later during development. The statute provided that Coastal would determine the rate because they were at risk for \$35 million. Mr. Outten reviewed the new legislature, which he explained was the third iteration. Indemnities were discussed and Mr. Outten stated the county would renegotiate indemnities prior to the development agreement being finalized. Marion Warren, of Coastal, addressed the Board regarding consultant, engineer and architectural costs. Mr. Warren stated the project's housing goal would be for providing the maximum number of units for the "working middle class".

MOTION

Commissioner Tobin motioned to approve the contract with Coastal Affordable Housing, LLC and authorize the County Manager to sign the final predevelopment contract.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

Mr. Outten asked to clarify the Board's previous motion regarding Woda Cooper Companies.

MOTION

Vice-Chairman Overman motioned to approve the contract for Woda Cooper Companies and authorize the County Manager to sign the final contract.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

ITEM 17 – ROAD REQUEST–CONCORD CT - ARBOR WAY (PHASE 1) MANTEO (Att. #4)

The Board was presented with a petition, site plan of Arbor Way and photographs for the formal request with a resolution by the Board for Concord Court to be considered for addition to the NC Department of Transportation's Secondary Road System for maintenance.

MOTION

Commissioner Couch motioned to adopt the resolution for the Clerk's signature.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 18 – OUTER BANKS NATIONAL SCENIC BYWAY – FRISCO-BUXTON PATHWAY COMMITTEE – BOARD OF COMMISSIONERS' REQUEST FOR MATCHING FUNDS

The Outer Banks National Scenic Byway Frisco-Buxton Pathway Committee presented a request to the Board to send a Tourism Impact Grant application to the Dare County Tourism Board for \$200,000 in matching funds for the first phase of the project. Laura Arnold stated it would build out 4.41 miles of pathway in Frisco and Buxton ending at Piney Ridge Road.

MOTION

Commissioner Couch motioned to send a request for matching funds to the Dare County Tourism Board if they are awarded the national grant and authorize the county manager to sign the grant application and the letter.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 19 – OCTOBER, 2022 BOARD MEETING

There was a need to change the October 3, 2022, 9:00 a.m., meeting to October 4 or 5, 2022 at 5:00 p.m. It was the consensus of the Board to move the meeting but to start at 9:00 a.m.

MOTION

Chairman Woodard motioned to change the October 3, 2022 Board meeting to October 5, 2022, at 9:00 a.m.

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 20 – CONSENT AGENDA

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

MOTION

Vice-Chairman Overman motioned to approve the Consent Agenda:

- 1) Approval of Minutes (08.01.22) **(Att. #5 & 5a)**
- 2) Southern Albemarle Association, Annual Meeting Invitation List
- 3) Update to County Financial Policies
- 4) NC Governor's Highway Safety Program Local Governmental Resolution – Law Enforcement Liaison **(Att.#6)**
- 5) NC Governor's Highway Safety Program Local Governmental Resolution – Equipment **(Att. #7)**
- 6) Community Development Housing Fund Budget Amendment
- 7) Housing Fund Budget Amendment for State Appropriation
- 8) Sheriff's Dept. Budget Amendment
- 9) Occupancy Tax Resolution **(Att.#8)**
- 10) Government Education Access Channels Attendance Policy
- 11) Tax Collector's Report
- 12) Dare County Tourism Board MOU and Easement with Dare County for the Soundside Boardwalk Improvements Project
- 13) Island H. Modification Project
- 14) Health & Human Services, Public Health Division – Breaking Through Task Force- Public Awareness Campaign to Address Community Mental Health Grant
- 15) DHHS Public Health Division – School Health Team Workforce Funding
- 16) DHHS Public Health Division – NENCPH Public Health Workforce Grant
- 17) DHHS Public Health Division – Communicable Disease Pandemic Recovery Funding
- 18) Hatteras Island Watermain Replacement Change Order #1

Commissioners Tobin and Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 21 - BOARD APPOINTMENTS

- 1) Children & Youth Partnership for Dare County
Commissioner Danny Couch had served two terms. In accordance with the CYP bylaws, another commissioner should be appointed by the Chairman. After a short discussion, Commissioner Tobin agreed to fill the position and Chairman Woodard motioned to appoint Commissioner Jim Tobin to the Children & Youth Partnership board.
This is a Chairman appointment with no second required.
VOTE: AYES unanimous
- 2) East Lake Community Center Board
Vice-Chairman Overman motioned to reappoint Crystal Basnigt for another term.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous
- 3) Transportation Advisory Board (Item was presented during County Manager remarks.)
Vice-Chairman Overman motioned to appoint John B. Rafferty to fill the Government Sector vacancy.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous
- 4) Health and Human Services Board
Vice-Chairman Overman motioned to reappoint Chris Roberts & Ashley Jackson, appoint Brent Richardson replacing Kevin Phillips and Jamie Daniels replacing Nick Kiousis.
Commissioner Couch seconded the motion.
VOTE: AYES unanimous
- 5) Upcoming Board Appointments
The upcoming Board appointments for October, November and December, 2022 were announced.

ITEM 22 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Following is a brief outline of the items mentioned by Commissioners and County Manager.

Chairman Woodard thanked those who presented public comment. He noted it was critical to update the EMS stations, as voted upon in today’s meeting, along with the plan to move forward with renovations and improvements to the aged parks and recreation facilities. When the county approached the planning stage of pickleball courts, he offered it would be beneficial to gather information and consult sport players for their input.

Vice-Chairman Overman

- He congratulated the service pin recipients, Angela Long and Catisha Bryant, and the EOM recipient, Matthew Cartwright. He also recognized Jim Wooten on his achievement.
- The 13th annual Walk Against Addiction was September 24 at First Flight High School.

Commissioner Bateman

- Recognized the loss of two “community givers” last week: Mark Johnston and Matt Tappero.
- He spoke about the upcoming Walk for Addiction event which would help highlight the fact that addiction, alcoholism and mental illness were problems to address in the county.
- Announced there would be a suicide prevention event on September 27 at First Flight.

Commissioner Couch

- Thanked the Chairman for his earlier remarks concerning Aviation Day. He noted Orville and Wilber’s sister, Katharine Wright, had been instrumental in their accomplishments. August 19th was also her birthday. She had been instrumental in her brothers’ successes and he hoped there might be a proclamation in the future to add her to the celebration.
- He stated he was glad Dare County now had *Miss Katie* to help with dredging efforts.

Commissioner Tobin

- The hydraulics that served the drag arms on *Miss Katie* had overheated. They were under warranty and expected to be replaced by the end of the week. So far, *Miss Katie* had dredged 8,500 cubic yards in surrounding waters.
- He had been contacted by a landowner about unlawful hunting on his land. Dare County relied on the NC Landowner Protection Act; however, marshland was difficult to mark with signs or purple paint. Commissioner Tobin proposed the Board adopt additional language to be added to our ordinance as follows:

It is unlawful to hunt or fish on the land of another without having written permission on one’s person, signed and dated for the current hunting or fishing season, of the landowner or lessee, or the landowner’s or lessee’s designee. The written permission shall not be valid for more than one year and may be valid for a shorter period stated in the permission. The written permission shall be displayed upon request of any law enforcement officer of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other law enforcement officers with general subject matter jurisdiction.

MOTION

Commissioner Tobin motioned to add the language (in italics above) to Dare County’s current ordinance regarding hunting and fishing.

Vice-Chairman Overman seconded the motion.

VOTE: Ayes - unanimous

Mr. Outten said the state statute had already addressed this issue.

Commissioner Ross

- There would be a suicide awareness town hall event at First Flight High School on September 27, 2022 at 5:30 p.m.
- Nationally fourth and eighth graders were recently tested and revealed the most dramatic one-year test score decline in the last forty years in reading and math. He had written a letter to the Superintendent of Public Instruction, Catherine Truitt, requesting the return of the publication entitled “Roadmap of Need” and had not yet received a response.

MANAGER’S/ATTORNEY’S BUSINESS

Item 21 (3) was presented and voted upon. Mr. Outten had nothing further to present.

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

MOTION

Commissioner Tobin motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 1:39 p.m., the Board of Commissioners adjourned until 9: 00 a.m., October 5, 2022.

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 materials considered by the Board at this meeting are on file in the office of the Clerk.



MOA with the Town of Kill Devil Hills for Use of Fuel Pumps for EMS

Description

The attached MOA will allow Dare EMS to use the Town of Kill Devil Hills fuel pumps, resulting in a cost savings to the County over travel to the County fuel pumps and over retail purchases.

Board Action Requested

Approve MOA.

Item Presenter

David Clawson, Finance Director

COUNTY OF DARE

THIS MEMORANDUM OF UNDERSTANDING (“Agreement”) is made and entered into this the _____ day of _____, 20____ (“Effective Date”) by and between the COUNTY OF DARE, a North Carolina Body Politic (“County”), and the TOWN OF KILL DEVIL HILLS, a North Carolina Municipal Corporation (“Town”); collectively, the County and the Town are collectively referred to herein as the “Parties”.

WITNESSETH:

WHEREAS, the Town owns and maintains certain fueling stations (hereinafter “Fueling Stations”) located on Town-owned property (also referred to as 701 Bermuda Bay Boulevard, Kill Devil Hills, North Carolina) which are utilized to provide fuel to governmental service vehicles; and

WHEREAS, the County provides for emergency medical services to citizens of the Town, and other areas of the County adjacent to the Town, through the Dare County Emergency Medical Services agency; and

WHEREAS, the County desires to utilize the Fueling Stations for the purpose of providing fuel to its emergency medical vehicles as used by the Dare County Emergency Medical Services agency; and

WHEREAS, the Town, to benefit its citizens and other citizens of Dare County, approves of and authorizes the County’s use of the Fueling Stations for the aforesaid purpose, subject to the terms of this Memorandum; and

WHEREAS, the purpose of this Agreement is to authorize the County’s use of the Fueling Stations for the purpose(s) stated herein and reduce to writing the understanding of the parties as to the terms of said use.

NOW, THEREFORE, in consideration of the various mutual covenants, promises and undertakings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and the County do hereby agree as follows:

1. The County shall be allowed to utilize the Town-owned Fueling Stations for the purpose of providing fuel to the emergency service vehicles which are used by the Dare County Emergency Medical Services agency in daily operations.
2. The County’s use of the pumps for the above-stated purpose includes unlimited access to any Town-owned property on which such Fueling Stations may exist, and namely being 701 Bermuda Bay Boulevard, Kill Devil Hills, North Carolina, for the purpose of fueling emergency service vehicles.

3. The County agrees to compensate the Town for said fuel usage in the following manner:
 - a. The County agrees to pay the Town the amounts accounting for the County's actual monthly usage of the fuel at the town's wholesale price, net of refundable taxes, if any, which amounts will be presented to the County by the Town via monthly invoices. The County agrees to pay said invoices upon receipt.
 - b. The County further agrees to pay any amounts determined to account for the actual maintenance and administrative costs associated with the County's usage of the Fueling Stations, which amounts will be determined through a year-end cost settlement based on the actual usage of fuel by the County.
4. The Town will continue to maintain and operate the Fueling Stations throughout the course of this Agreement, unless otherwise stated in writing.
5. The Parties agree to indemnify and hold the other harmless for any negligent acts or omissions committed by one party in relation to this Agreement which result in a claim, loss, or damage to the other party.
6. This Agreement shall remain in full force and effect, until such time as the Parties expressly agree in otherwise, which agreement shall be in writing.
7. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.
8. This Agreement contains the entire understanding between the parties and may not be altered, modified, terminated, or discharged except in writing.
9. Each person who signs this Agreement on behalf of the Parties named above is authorized to do so.

[Signature Pages to Follow]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date set forth above.

COUNTY OF DARE

By: _____

Position/Title: _____

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF DARE

I, _____, a Notary Public of the County and State aforesaid, certify that _____, of whose identity I have personal knowledge, personally appeared before me and acknowledged that the signature on the record presented is his/her signature and that s/he voluntarily executed the foregoing instrument for the purpose stated therein and in the capacity indicated.

Witness my hand and official stamp or seal, this ____ day of _____, 2022.

Notary Public

Printed Name

My commission expires:

This instrument has been preaudited in the manner required by the NC Local Government Budget and Fiscal Control Act

Date: _____

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date set forth above.

TOWN OF KILL DEVIL HILLS

By: _____

Position/Title: _____

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF DARE

I, _____, a Notary Public of the County and State aforesaid, certify that _____, of whose identity I have personal knowledge, personally appeared before me and acknowledged that the signature on the record presented is his/her signature and that s/he voluntarily executed the foregoing instrument for the purpose stated therein and in the capacity indicated.

Witness my hand and official stamp or seal, this ____ day of _____, 2022.

Notary Public

Printed Name

My commission expires:



DHHS - Social Services SNAP ARPA Funding Budget Amendment

Description

This is to budget the additional SNAP ARPA funds given to counties to support efforts of administering the Food and Nutrition Service (FNS) program due to workload increases that counties experienced as a result of increased food insecurity due to the pandemic. These funds were allocated based on FNS caseloads. These funds can be utilized to invest in technology, expand call center capacity and reduce wait times, make investments in employees and infrastructure, or explore opportunities to improve service delivery and access to vulnerable populations that may be disproportionately impacted by remote operations, language barriers, fear of government services and a lack of access to technology. These are 100% federal funds.

Board Action Requested

Approve Budget Amendment

Item Presenter

n/a

DARE COUNTY

BUDGET AMENDMENT

F/Y 2022-2023

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department: DHHS - Social Services</u>					
<u>Revenues:</u>					
St & Fed Aid - Admin	103026	423001		19,202	
<u>Expenditures:</u>					
Supplies - ADP	104610	513300	10006	19,202	

Explanation:

This is to budget the additional SNAP ARPA funds given to counties to support efforts of administering the Food and Nutrition Service (FNS) program due to workload increases that counties experienced as a result of increased food insecurity due to the pandemic. These funds were allocated based on FNS caseloads. These funds can be utilized to invest in technology, expand call center capacity and reduce wait times, make investments in employees and infrastructure, or explore opportunities to improve service delivery and access to vulnerable populations that may be disproportionately impacted by remote operations, language barriers, fear of government services and a lack of access to technology. These are 100% federal funds.

Approved by:

Board of Commissioners: _____

Date: _____

County Manager: _____

Date: _____

Finance only:

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

County Allocations for SNAP ARPA Funds (SNAP Administrative Expenditures) for Federal Fiscal Year 2022

County	Cases	Participants	Case %	Allocation
Alamance	13,876	27,786	1.69%	\$ 168,848.46
Alexander	2,368	4,952	0.29%	\$ 28,814.73
Alleghany	834	1,711	0.10%	\$ 10,148.43
Anson	3,711	6,860	0.45%	\$ 45,156.86
Ashe	2,198	4,333	0.27%	\$ 26,746.10
Avery	1,060	2,057	0.13%	\$ 12,898.48
Beaufort	5,226	9,828	0.64%	\$ 63,591.96
Bertie	2,824	4,789	0.34%	\$ 34,363.51
Bladen	4,448	8,024	0.54%	\$ 54,124.96
Brunswick	8,411	16,669	1.02%	\$ 102,348.25
Buncombe	19,016	33,349	2.31%	\$ 231,393.94
Burke	6,890	13,209	0.84%	\$ 83,840.15
Cabarrus	12,282	26,416	1.49%	\$ 149,452.06
Caldwell	7,544	14,320	0.92%	\$ 91,798.27
Camden	486	953	0.06%	\$ 5,913.83
Carteret	4,165	7,303	0.51%	\$ 50,681.31
Caswell	2,400	4,576	0.29%	\$ 29,204.11
Catawba	12,209	23,904	1.49%	\$ 148,563.77
Chatham	2,806	5,480	0.34%	\$ 34,144.48
Cherokee	2,561	4,981	0.31%	\$ 31,163.22
Chowan	1,563	2,796	0.19%	\$ 19,019.18
Clay	868	1,764	0.11%	\$ 10,562.15
Cleveland	12,284	24,339	1.49%	\$ 149,476.39
Columbus	6,679	13,002	0.81%	\$ 81,272.62
Craven	7,563	14,848	0.92%	\$ 92,029.47
Cumberland	40,574	81,296	4.94%	\$ 493,719.90
Currituck	1,044	2,240	0.13%	\$ 12,703.79
Dare	1,578	2,993	0.19%	\$ 19,201.71
Davidson	13,936	28,125	1.70%	\$ 169,578.56
Davie	2,481	5,313	0.30%	\$ 30,189.75
Duplin	4,622	9,680	0.56%	\$ 56,242.26
Durham	23,028	42,873	2.80%	\$ 280,213.48
Edgecombe	8,377	16,276	1.02%	\$ 101,934.53
Forsyth	32,646	65,636	3.97%	\$ 397,248.97
Franklin	5,036	10,349	0.61%	\$ 61,279.97
Gaston	20,595	40,962	2.51%	\$ 250,607.81
Gates	914	1,718	0.11%	\$ 11,121.90
Graham	823	1,615	0.10%	\$ 10,014.58
Granville	4,231	8,192	0.51%	\$ 51,484.42



VHF Paging System for the Dare County Emergency Communications for Fire and EMS Paging

Description

See Staff Report.

Board Action Requested

Approve budget amendment and resolution

Item Presenter

Capt. Jack Scarborough, Sheriff's Office

STAFF REPORT: Dare County 911 VHF Fire/Rescue/EMS Paging system

Dare County VHF Fire/Rescue/EMS paging equipment replacement due to the current system being end of life in 2011.

The current Dare County VHF Fire/Rescue/EMS paging system pre dates the 2011 800 mhz Radio System. The last order date for new equipment for the paging system was 09/30/2011. Service and support of this equipment was originally ended 12/31/2018 but was extended to 12/31/2020. The first proposal to replace the system was 08/01/2018. There was a significant amount of spare parts for the equipment that was left over from the decommissioning of the pre-2011 vhf Fire and EMS radio systems. Usage of this system has increased greatly since the end of life specifically in the last two years. Due to the increased usage and aging equipment all spare parts and equipment has been used to fix the aging system and as of September 14, 2022 the last remaining spare parts were used. In the event of a failure after this date replacement would be unavailable and the Fire/Rescue and EMS VHF paging coverage would be significantly impacted.

Research was conducted and engineers with Motorola were consulted and due to the change in technology replacing one site at a time with the new product was not possible to keep the integrity and clarity of the paging system.



RESOLUTION AUTHORIZING THE USE OF A SOLE SOURCE PURCHASE PURSUANT TO G.S. 143-129(e)(6)

WHEREAS, the County of Dare desires to purchase a replacement VHF Paging System for the Dare County Emergency Operations Center; and

WHEREAS, the purchase of a replacement VHF Paging System is critical for the daily operation of the Dare County Emergency Operations Center; and

WHEREAS, North Carolina General Statute 143-129(e)(6) authorizes a unit of local government to purchase from a sole source when a product is needed and standardization or compatibility is the overriding consideration; and

WHEREAS, the Dare County Communication Department has performed an evaluation and determined that a VHF Paging System, which will be built to specification, is needed.

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

1. The County of Dare is authorized to enter into a contract in the amount of \$418,044.00 with Motorola for the sole source purchase of a VHF Paging System for the Dare County Emergency Operations Center.
2. The County Manager is authorized to execute the agreement with Motorola and is directed to take all steps necessary to replace the existing paging system.
3. This Resolution shall be effective upon its adoption.

This the 5th day of October, 2022.

Robert Woodard, Sr., Chairman

Attest:

Cheryl C. Anby, Clerk to the Board

DARE COUNTY

BUDGET AMENDMENT

F/Y 2022-2023

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
Department: Communications - Capital Investment Fund					
<u>Revenues:</u>					
Appropriated fund balance	103090	499900		\$418,044	
<u>Expenditures:</u>					
Communications - capital outlay - paygo	114526	537450		\$418,044	

Explanation:

Motorola VHF paging system replacement

The Capital Investment Fund has land transfer tax revenue of \$489,000 over budget/projection through August.

Approved by:

Board of Commissioners: _____

Date: _____

County Manager: _____

Date: _____

Finance only:

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



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 with terms expiring during the next three months.

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

Please note there are several boards with vacancies – please check the website.

November, 2022

Older Adult Services Advisory Council – two terms expiring

December, 2022

Equalization and Review Board – five terms expiring

Special Motor Valuation Review Committee – three terms expiring

Tourism Board – six terms expiring

January, 2023

Working Watermen Commission - - four 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 (Please see Board of Commissioners under Advisory Boards and Committees for link)

Cheryl C. Anby, Clerk to the Board at 475-5700



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



Closed Session

Description

Closed Session pursuant to:
NCGS 143-318.11(a)(3) to consult with the attorney in order to preserve the attorney-client privilege
In Re: Dare v. McKinsey (opioid suit) and to approve the minutes of the last Closed Session.

Board Action Requested

Approve Closed Session

Item Presenter

Robert Outten, County Manager