

## **Dare Community Housing Task Force**

*Dare County Administration Building, Manteo, NC*

*April 30, 2024, 9:00 a.m.*

### **Approved 5.14.24**

**Present:** *Chair Donna Creef, Vice-Chair Malcolm Fearing, Craig Garriss, Carole Warnecki, Briggs McEwan, Caroline Basnight, Mitchell Bateman, Ron Payne, Ronnie Sloan, Tess Judge, Robert Outten, Robert Woodard, Dillon Heikens, Ryan Lang, Jeff Schwartzberg, Melody Clopton, Monica Thibodeau, Drew Havens, Tod Clissold, Melissa Dickerson, Andy Garman, Mike Siers, Melissa Dickerson, Duke Geraghty, Matt Neal, Betty Selby, Representative Kidwell (Virtual), Senator Sanderson (Virtual), Edward Stiles (Virtual)*

**Absent:** *Sherry Wickstrom, John Windley, Elizabeth Morey, Bob Peele*

**Also Attending:** *Skylar Foley-Clerk, Wally Overman, Breynn Bailey, Katie Morgan, Susan Bothwell, Mary Helen Goodloe-Murphy, Bob Edwards, Steve Basnight*

Bob Woodard called the meeting to order at 9:02 a.m. and led the Pledge of Allegiance to the flag. Mitchell Bateman led the meeting in a prayer.

### **ITEM 1 APPROVAL OF MINUTES**

#### **MOTION**

Drew Havens made a motion to approve the 04.16.24 & 4.22.24 Minutes with an amendment to the 04.22.24 minutes to reflect that Tess Judge was absent.

Malcolm Fearing seconded the motion.

**VOTE:** AYES unanimous

### **ITEM 2 ELECTION OF CHAIR**

Prior to the Chair Election, Outten stated that this meeting would mark the shift from a county-appointed Board to a Community Board.

#### **NOMINATION**

Mitchell Bateman nominated Donna Creef as Chair of the Housing Task Force. There were no other nominations.

**VOTE:** AYES unanimous

Donna Creef was elected as Chair by unanimous vote.

Newly elected Chair Creef conducted an election for a Vice-Chair.

#### **NOMINATION**

Duke Geraghty made a nomination to elect Malcolm Fearing as a Vice-Chair.

Carol Warnecki seconded the nomination.

**VOTE:** AYES unanimous

Malcolm Fearing was nominated as Vice-Chair by unanimous vote.

*Edward Stiles joined on behalf of Senator Hanig at 9:05 a.m.*

### **ITEM 3 DISCUSSION ON OSBM FUNDS FOR AFFORDABLE HOUSING IN DARE COUNTY**

Mr. Outten referenced the letter that was sent to delegation after the last Housing Task Force meeting. He expressed uncertainty about their current stance and suggested Representative Kidwell may have more information to share with the Task Force. Representative Kidwell clarified that according to the General Assembly Leadership, returned funds would be added to the general budget and not assigned to any specific task, event, or project. Chair Creef inquired about the housing discussions that would take place during the May 7th Board of Commissioners meeting. Outten explained that the BOC had previously voted to return the funds to the state, but would discuss the Housing Task Force's request to potentially retain the funds for repurposing with legislative approval. Rep. Kidwell stated that if the BOC had previously voted to send the money back, that aspect would have to be dealt with first, and noted that he does not know the legalities of that. Outten inquired if the BOC reconsiders their decision and wanted the General Assembly to repurpose the money, is it possible to get it repurposed? Rep. Kidwell explained that repurposing the funds would require a budget request and approval through legislation to amend the current guidelines on how the money can be spent. However, Rep. Kidwell expressed uncertainty about the outcome, as there has already been a vote to return the money.

*Senator Sanderson joined the meeting at 9:15a.m.*

Duke Geraghty inquired about whether the money is still in the possession of the county, to which Outten confirmed. Geraghty then suggested that if the Board takes action at the meeting on May 7th, it would simply be a technical correction, which would be easier than sending a check and hoping it is returned. Outten explained that the BOC's action at the May 7th meeting will be to hold onto the money until they receive direction from the General Assembly regarding the Housing Task Force request to possibly repurpose the funds, and to wait for further guidance on how to proceed. Rep. Kidwell emphasized that time is limited and noted that the General Assembly Leadership is aiming to adjourn quickly this year. Therefore, there is not a lengthy timeline to delay the process of getting legislation through, and in fact most technical corrections had to of already been submitted. He explained that he would submit an appeal and is sure Senator Sanderson and Senator Hanig would assist, but it is something that has to be done quickly, noting that most funds have to be used within a certain timeframe.

Chair Creef asked if it would help the BOC to have something from the Task Force in regards to having the money repurposed. Outten stated that at the last Task Force meeting, Senator Sanderson and Senator Hanig stated that if the money needed to be repurposed than it has to be done quickly and there has to be a plan, which is consistent to what has been heard during this meeting. He further explained that the key is not going to be what the BOC does as much as what the Housing Task Force does to come up with a plan that makes sense in a short time frame. If it does not get done by the time the General Assembly convenes or the deadline for technical corrections, there would be no choice at that point but to return the money.

Vice-Chair Fearing inquired whether the Housing Task Force is requesting to repurpose the funds or if they are seeking a temporary pause to develop a recommendation for the funds. He mentioned that based on the previous meeting, there is no deadline for the use of the funds. He referred to the legislation document that initiated the \$35 million fund, highlighting the specific requirements for how the money should be allocated. He voiced support for holding off on returning the money and allowing the Task Force to propose a plan. He also mentioned that apart from appealing House Bill 259, no additional requests have been made to the General Assembly. Chair Creef further explained the Vice-Chairs comments about the letter sent to the Senators and Representatives, and then stated that, according to her understanding, the Task Force must vote to request the Board of Commissioners not to return the funds and instead focus on creating a plan.

Rep. Kidwell announced that he was talking with the Leadership during this meeting and he was informed that the budget process and technical correction period had already closed. He also informed the Task Force that the lawyer from the House of Representatives mentioned that it may be too late to reverse the vote during the next Commissioners meeting. He added that the bill had initially come from the Senate and any technical corrections would need to be made there.

Geraghty reported that at the last Task Force meeting Senator Hanig had mentioned his plan to introduce a technical correction to remove HB 259. Outten pointed out that the problem with the funds is that they are designated for a specific purpose that the community does not agree on, so the Task Force is looking to repurpose them. Vice-Chair Fearing emphasized the need for a pause while a new idea is developed, stressing that the Task Force had only requested the repeal of HB 259 from the General Assembly. He encouraged staying on track and taking time to devise a plan, noting that the change in developers is the only factor altering any deadlines. Additionally, he stated that he had originally expressed concern about the forgivable loan, but learned from the CDC that it is a common practice and is not unusual.

Mitchell Bateman asked why there is an issue if the General Assembly has not requested the return of the money and there is no deadline for spending it. The Board of Commissioners can reverse their decision, and since there is no expiration date, the Task Force can have time to develop a workable plan. Woodard noted that the County Manager had contacted the OSBM and was told that the county is not obligated to return the funds or adhere to a specific timeframe. Chair Creef cautioned against rushing to develop a plan.

Senator Sanderson inquired about the actions taken by the Board of Commissioners in collaboration with the General Assembly. In response, Outten explained that the county had not officially informed the General Assembly about their plans. He had personally contacted the OSBM over the phone to inquire about the process for returning the funds and the timeline for doing so. The OSBM indicated that it was at the discretion of the BOC to decide when to return the funds. Senator Sanderson raised two concerns: firstly, the General Assembly is aware of the uncertainty surrounding the funds and may not have a high level of patience, and secondly, deviating too far from the original intent of the funds may make it challenging to gain approval from the General Assembly. Chair Creef emphasized the importance of staying true to the initial plan, suggesting that the BOC should temporarily halt the funds and allow the Task Force to develop a concrete plan.

### **MOTION**

Mitchell Bateman made a motion to ask the Board of Commissioners to put on hold any actions to return the \$35 million allocated to Dare County while the Task Force works to develop a plan that is acceptable to Dare County and its six municipalities, as well as the state legislature and the Housing Task Force.

Tess Judge seconded the motion.

VOTE: AYES unanimous

*Senators and Representatives left the meeting at 9:37 a.m.*

### **ITEM 4 FUTURE MEETING DATE SCHEDULE**

Chair Creef inquired if the Task Force members were okay to meet every two weeks and all of the members indicated their agreement. She noted that the next meeting would be May 14<sup>th</sup>, 2024 and then on May 28<sup>th</sup>, both at 9:00 a.m.

### **ITEM 5 DISCUSSION ON MOVING THE MEETING TIME TO 6:00 P.M.**

There were discussions on the possibility of the meetings being moved to 6:00 p.m. to help

accommodate schedules. It was decided that evenings do not work for majority of the members, but once a more set schedule is created there may be some more room for accommodating this time.

## **ITEM 6 DISCUSSION ON POSSIBLE IDEAS AND EXAMPLES**

Chair Creef shared her vision of forming committees to assist in creating a plan and inquired about Bowsertown to Outten. Outten confirmed that a wetland determination has been completed and a survey has been requested for Bowsertown to determine next steps. Chair Creef mentioned the need for multiple committees as the Task Force progresses, including one focused on planning and new construction projects, and another to explore non-profits and a land trust.

Ronnie Sloan inquired what all are we looking at in terms of spending the \$35 million? Chair Creef replied that this falls under a separate committee and she further explained that she would like to meet with each town individually to gather information to bring back to the Task Force. Tess Judge questioned about the Task Force including other community members. Chair Creef explained that she would like to involve key individuals from other communities. Outten mentioned that he had discussion with Tyler Mulligan from the UNC School of Government who has written about this topic in multiple blogs. Mulligan is willing to help the Task Force develop a plan and provide guidance on what local governments can and cannot do.

The Vice-Chair mentioned the non-profit CDC and expressed uncertainty about whether it should be considered in future housing planning, but since Geraghty is knowledgeable about the CDC, it would be valuable to discuss it to gain insight into past practices. He also expressed that he wants to determine who this Task Force is trying to serve and referenced the different types of workforce within the community. He then elaborated on how private developers have built homes to meet the needs of the community, and emphasized the importance of addressing both short-term and long-term needs. Chair Creef suggested that the committees collaborate to begin coming up with solutions. Outten mentioned Vice-Chair Fearing's statement about the CDC and stated that he believes the CDC resolved with a large debt burden. Melissa Dickerson proposed starting fresh to improve grant applications and Jeff Schwarzenberg emphasized the importance of exploring alternatives beyond construction.

During the discussion, Vice-Chair Fearing mentioned that there are different approaches to housing development, both from the government and private entities. He specifically mentioned Woda Cooper and their community-based small developments as an example of private sector proposals. Outten pointed out that if housing is targeted towards income groups above 80% of the Area Median Income (AMI), private developer involvement is necessary as the government can not do it. Geraghty emphasized the need to decide quickly, suggesting that even a simple project at Bowsertown should be considered for various reasons. He mentioned that once the General Assembly session ends, the opportunities may diminish. Outten clarified that Bowsertown's development is not dependent on legislative funds, but rather on approval from the Town of Manteo. Chair Creef asked if the \$12 million set aside by the county is still available, Outten confirmed that it is.

The Planning Committee members assigned by Chair Creef were: Matt Neal, Carole Warneki, Mike Siers, Ron Payne, Betty Selby, Ryan Lang, and Tess Judge. The Non-Profit Committee members assigned by Chair Creef were: Mitchell Bateman, Duke Geraghty, Melissa Dickerson, Ronnie Sloan, Jeff Schwarzenberg. Chair Creef mentioned that she believes a community outreach committee will be needed in the future.

Vice-Chair Fearing expressed his gratitude to the DCBOC for establishing the Housing Task Force and everyone's willingness to serve. Woodard acknowledged the achievements of other Task Forces and is hopeful that the Housing Task Force will also yield positive results. Outten pointed out that the

Housing Task Force now operates independently and its members are not appointed by the BOC, emphasizing that it is no longer a County Board.

The following members of the public shared their thoughts during the HTF meeting: Aida Havel suggested including another individual from Hatteras and involving Dare County in the discussions. Katie Morgan raised concerns about proceeding with the funding despite HB 259 and questioned why it was so simple to have HB 259 removed now. John Robbins brought up Woda Cooper and Harmony Housing. Dave Carrol emphasized the importance of unity among all participants similar to fire departments and police officers. Marcella Schelker requested a copy of the letter sent to the representatives. Bob Edwards acknowledged the difficulty of the task and emphasized the need to broaden perspectives. Breyann Bailey expressed optimism about the meeting.

**MOTION:**

Duke Geraghty made a motion to adjourn the meeting.

Matt Neal seconded the motion.

VOTE: AYES unanimous

*There being no further business, the meeting ended at 10:19 a.m.*