



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., June 3, 2024

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

Commissioners absent: None

Others present: County Manager/Attorney, Robert Outten
Deputy County Manager/Finance Director, David Clawson
Master Public Information Officer, Dorothy Hester
Clerk, Skyler Foley

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.gov.

At 9:04 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. David Feyrer to share a prayer, and then he led the Pledge of Allegiance to the flag.

The Chairman recognized members from the Board of Education, Chairman David Twiddy, Susan Bothwell, Ron Payne, and Superintendent Basnight.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Following is a brief outline of the items mentioned by Chairman Woodard:

- Announced that the Dare County Board of Commissioners approved \$42 million-dollars to upgrade the EMS Facilities across the county and following the meeting there will be a ribbon cutting for the EMS Station 7 which is the home of the Dare MedFlight Helicopter.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Kimberly Waltson, received a 10-year pin.
- 2) Sectina Tran, received a 25-year pin.

Chairman Woodard announced that he had the privilege of attending the Paramedic Graduation ceremony, where seven out of the eleven graduates will be joining Dare County’s EMS Department. He also acknowledged that Cheryl Anby, who previously served as the Clerk to the Board, was in attendance.

ITEM 3 – EMPLOYEE OF THE MONTH – June 2024

Matt Hester received the Employee of the Month award from Bobby Outten who described the many ways that he is an asset to the Information Technology Department.

ITEM 4 – PUBLIC COMMENTS

At 9:20 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which may be viewed in their entirety in a video on the County website:

The following comments were made in Manteo –

1. Aida Havel explained that she is pleased with the consistent pressure on the Army Corps of Engineers regarding the Formerly Used Defense Site and gave history on Juneteenth and suggested for everyone to attend the Juneteenth Celebration on June 19th at the Pea Island Cookhouse in Manteo at 5:30 p.m.
2. Kathryn Fagan expressed her concerns over Roosevelt Street and acknowledged that no motion had been made about closing it at the previous meeting.
3. Adrienne Palma expressed concerns on the Early College and advised the Board to reevaluate it and then asked the Board to restore the Old Swimming Hold in Manteo.
4. Pam Anderson expressed her concerns over the SPCA and the euthanasia policies. She also discussed her concerns with current staff members.
5. Debbie Swick expressed gratefulness that the Balloon Ban Ordinance is on the Agenda for consideration and asked for further restrictions to be implemented.
6. Elizabeth Granireki expressed concerns about a sanitation truck destroying her property, the bike path in Manteo needing better maintenance, and the need for better road maintenance on Airport Road.
7. Brian Harris expressed gratitude for the meeting on May 14th with the Army Corps and stated the Buxton Civic Association joined the Chamber of Commerce and asked about a possibility for a Buxton Task Force.
8. Bill Coleman addressed the complaints and concerns that were stated by Pam Anderson and gave details on the SPCAs processes.

The following comments were made in Buxton – There were no comments made in Buxton

The County Manager closed Public Comments at 9:52 a.m.

The Board recessed at 9:53 a.m., they reconvened at 9:55 a.m.

ITEM 5 – PUBLIC HEARING – Manager’s Proposed Budget FY2025 (Att. #1)

At 9:56 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which may be viewed in their entirety in a video on the County website.

The following comments were made in Manteo –

1. Dennis Zaenger expressed concerns on the Early College and stated that the opinions and views of parents, students, and teachers have not been properly vetted by the

Board. There are many infrastructure projects that need to be completed before an Early College be built.

2. Aida Havel stated that many parents, teachers, and citizens are not in favor of the Early College and that other infrastructure issues need to be addressed first. Asked the Board to remember how this decision will affect the children.
3. Katie Morgan discussed the Early College project and expressed concern over the lack of community input and that individuals should be surveyed. She noted that other issues within the schools need to be a priority over the construction of the Early College.

The following comments were made in Buxton – There were no comments made in Buxton

Outten explained that the Manager's Proposed General Fund Budget does not include the Capital Improvement Plan, including the Early College program or any other school improvements. Those items will be discussed during Item 15, which is focused on the Capital Improvement Plan for the Schools, the Water Fund, and Dare County.

Commissioner Ross emphasized that the vote on the Proposed General Fund Budget is not related to the previous public comments. Outten confirmed this statement. Clawson explained that the budget includes separate lines for reserves for Capital Improvement Plans, which are dealt with separately. Outten clarified that Capital Improvements for the Water Fund are funded by water rates, while the County's Capital Improvement Plan is funded by the Land Transfer Tax and a contribution from the General Fund. Any general fund money used for school improvements is placed in the capital improvements fund, but the allocation of these funds will not be determined by this vote, it will be discussed during Item 15.

Outten announced to the Board that the FY25 Budget was up for discussion or potential adjustments. He highlighted some clerical updates since the presentation was made at the last Board meeting, including a shift in funding for a position in Public Works and that the Capital Improvement Investment Funds final numbers were now available. Additionally, there was a clarification regarding the inlet maintenance fund, where money was received and then budgeted back out accordingly and an amendment was made to the Insurance Fund to cover increased HSA costs. Lastly, he stated that the Budget Ordinance accurately reflected these changes and the fees for the Water Fund.

The County Manager closed the Public Hearing at 10:10 a.m.

MOTION

Commissioner Bateman motioned to approve the FY2025 Manager's Proposed Budget with the clerical changes that were outlined by the County Manager.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 6 -PUBLIC HEARING – ZONING TEXT AMENDMENT TO SECTION 22-17.2 MARTINS POINT COMMERCIAL (Att. #2)

Gillam provided information about the Zoning Text Amendment application that was submitted by attorney Casey Varnell on behalf of Patricia Pledger, the owner of Pledger

Palace Child Development Education Center in the Martins Point Commercial District. This was the second time this parcel had a submission, with the prior application seeking to add Shared Space-Occupancy Dwellings (SSO) to the list of Special Uses in Section 22-17.2 of the Dare County Zoning Ordinance. The Planning Board had previously reviewed the first proposed amendment on March 5, 2024, and unanimously recommended denying the application. Now, the new language proposed by the applicant includes the addition of Single Room Occupancy Dwellings (SRO) to the list of special uses in the MP-C. Gillam stated that the amendment includes a definition of Single Room Occupancy Dwelling and habitable space and also includes conditions on how the special use would be regulated.

Varnell explained that the proposed amendment aims to assist single individuals in the local workforce who struggle to afford housing. He focused on the impact on J1 students, as his client has received complaints from corporations about the lack of housing for these individuals. If approved, this amendment would allow his client to help address this housing shortage by introducing a Shared Room Occupancy Dwelling concept for single individuals in a shared room setting. He went on to discuss the specific conditions and requirements of the proposal, clarifying that approval in the Martins Point Commercial District does not mean automatic approval in other districts. The proposed amendment limits occupancy to 56 individuals in a Single Room Occupancy Dwelling. He also stated that single room occupancy units have been considered in other North Carolina areas such as Greensboro.

Pledger stated that she was approached by several businesses within a 5-mile radius of the facility to accommodate J-1 students illegally in her building in 2021. She declined those offers as she believes in doing things ethically. She then sought advice from Varnell about the situation and the topic of J-1 student housing was discussed. It is required that J1 students are housed within a 5-mile radius of their workplace. There are ten businesses within this radius that employ J-1 students but more importantly there is police station, food providers, medical facilities, and other necessary amenities all within the five-mile radius as well. She expressed that if housing is not provided, the students may not be able to continue their employment in this area. It is important to consider the broader implications and ensure a comprehensive solution is reached. She noted that the building could actually house 95 students but in regards to density they broke it down to the very minimal number.

At 10:28 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which may be viewed in their entirety in a video on the County website:

*No one responded to the invitation to address the Board of Commissioners on this issue.
The County Manager closed the Public Hearing at 10:28 a.m.*

Gillam stated that during the Planning Board discussion they reviewed the eleven conditions that the applicant provided. In his research on single room occupancy structures, he found that the United States Department of Housing and Urban Development defines single room occupancy (SRO) as a residential property with multiple single room units, each for occupancy by a single eligible individual, which may or may not include food preparation or sanitary facilities. He noted that the applicant's definition conflicts with the federal definition.

However, the applicant's definitions for habitual space matches the definition that is in the North Carolina Building Code. In response to the first denial, the applicant addressed concerns about the density and number of occupants by limiting that only one structure on the property could be used as an SRO dwelling, with seven rooms and eight people per room. Gillam emphasized that in Dare County, density and occupancy regulations are based on parcel size for various types of housing. For example, Martins Point Commercial permits eight dwelling units per acre, each with sleeping, cooking, and sanitation facilities. He also discussed the current multi-family standards in Dare County. Gillam explained that the proposed 50 ft. requirement does align with the NC Building Code for dormitories or other living facilities. Additionally, he stated that General Statute 153A-221 sets minimum standards for local detention centers, including a minimum floor space of 70 sq. feet per inmate. He explained that the standards for the bathing and shower facilities is consistent with the N.C. Building Code and the parking standards is one space for every three occupants. The need for on-site 24-hour management to ensure health and safety was previously discussed, but not included in the submission. He noted that the initial submission included washers and dryers, but they were removed in the second submission and closest Coin Laundry facility is over eight miles away. Although washers and dryers are not required per N.C. Building Code it could be a challenge for J-1 students without vehicles.

Gillam stated that there was no consistency found within the proposal with the Dare County Land Use Plan. He explained that there are two policies in the LUP under Land Use Compatibility Section (Policy 6 & 7) and they both talk about the need for housing amendments but when exploring such they need to be at a scale that is consistent with the surrounding districts and uses and what is proposed has no scalability to what is currently allowed in the Martins Point Commercial District or any other District which was the reasoning for denial by the Planning Board.

Varnell responded that the name Shared Room Occupancy Dwelling was more in line with other local government ordinances, specifically referencing Greensboro. Varnell also clarified that the HUD Definition is for Shared Room Occupancy, not Shared Room Occupancy Dwelling, highlighting a distinction between the two terms. The issue of scalability was discussed and how shared room occupancy differs from multi-family dwellings and its intended purpose. Varnell explained that the decision to remove the laundry facility was based on the belief that it was unnecessary, as stated during the Planning Board Meeting. He further noted that this condition could easily be added to the SUP if needed.

Pledger stated that the laundry facilities were only removed due to comments made by the Planning Board. She mentioned that she has gone above and beyond to meet expectations by consulting with nearby establishments, exploring various real estate listings to reference larger homes, and by instituting a limit of eight people per room. Pledger reassured that safety measures have been implemented and that all necessary amenities have been provided.

Commissioner Ross inquired about the size of each of the seven rooms. Varnell explained that, based on the proposal for eight people, each room would need to be a minimum of 400 sq. feet. He also mentioned that there are regulations for the common areas. Commissioner Basnight asked if the building is currently being used for the child development education center. Pledger replied that it was only being opened for summer camps, but she did not

open it last year or this year in order to focus on getting approval for the project. Commissioner Basnight then asked how long the J-1 Students would be housed in the facility. Pledger stated that their ultimate goal is to use it for workforce housing, but for now the primary occupants are the J-1 Students.

Commissioner House inquired about the size regulations on college dorm rooms in North Carolina. Varnell replied that, to his knowledge, there is a 50-foot requirement for college dorm rooms in the state.

Commissioner Bateman shared his concerns, indicating that while the intent behind the development is commendable, he believes it constitutes overdevelopment and he does not support it. Commissioner Couch acknowledged the noble intentions behind the project but remained unconvinced that Martins Point is the right location. Commissioner Ross reiterated the concerns of Commissioner Bateman and Commissioner Couch and voiced unease with the proposed development.

MOTION

Commissioner House motioned to deny the draft amendments to Section 22-17.2 MP-C District and Section 22-2 Definitions as recommended by the Planning Board. Commissioner Basnight and Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

The Board recessed at 10:50a.m., they reconvened at 11:05 a.m.

ITEM 7 – PUBIC HEARING – ZONING TEXT AMENDMENT TO SECTION 22-32.2 MH-A ZONING DISTRICT (Att. #3)

Gillam stated that Kenneth and Angela Daniels have proposed an amendment to the MH-A Zoning Ordinance. They are requesting changes to allow for multiple principal use buildings on a parcel, as well as the inclusion of Appliance and Furniture Warehouses as an allowable use the Commercial and Light Industry. The applicants own property at 6300 Hwy 64/264 in Manns Harbor, where a 30,000 sq. foot metal warehouse was destroyed in a fire in February 2024. Due to current zoning regulations, they are unable to rebuild the warehouse to its previous size, as the maximum allowable size for new buildings is 10,000 sq. feet. The proposed text amendment would permit the applicants to rebuild with multiple smaller structures, allowing them to resume their business operations. The Fire Marshall supports this approach for emergency management purposes. Manns Harbor currently has two zoning districts, MH-A and MH-B. The applicants are seeking to apply the same language regarding group developments from the MH-B district to the MH-A district, but only affording group developments to those under Commercial and Light Industry. The proposed amendment is also in line with applicable policies from the Dare County Land Use Plan.

At 11:08 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which may be viewed in their entirety in a video on the County website:

No one responded to the invitation to address the Board of Commissioners on this issue. The County Manager closed the Public Hearing at 11:09 a.m.

MOTION

Vice-Chairman Overmen motioned to approve the draft amendments to Section 22-23.2 MH-A Zoning District be adopted as recommended by the Planning Board.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – QUASI-JUDICIAL HEARING ON AMENDMENT TO SUP 2-2020

This agenda item was handled as a quasi-judicial proceeding. Planning Director Noah Gillam, and the applicants, Shelly and William Daugherty, were duly sworn by the Clerk before offering any testimony.

Gillam explained that William and Shelly Daugherty have requested an amendment to SUP 2-2020 for Shelly OBX Mini Storage. Originally, the SUP was granted for a mini-storage facility on their property in Manns Harbor. However, they have since acquired an additional parcel, resulting in two side-by-side parcels. One parcel now contains four mini storage buildings, while the other has two. In early 2024, the Board approved a text amendment allowing mini storage facilities to offer portable storage container services in various zoning districts. The current application seeks to update their site plan and the conditions of their SUP to reflect this change. The Dare County Fire Marshall has inspected the revised site plan, collaborating with the Fire Chief of Manns Harbor to establish a plan that provides a drafting source for the fire department on the property. Additionally, the site plan designates a specific area for storing portable storage containers in compliance with the Dare County Flood Development Ordinance and Building Code for Wind Ratings. Applicant Shelly Daugherty expressed that they are excited to provide a service for the nearby communities.

The County Manager asked the applicant if she agrees to the admission into evidence of the material submitted by the Planning Director, which is on file in the Planning Department, and the terms and conditions outlined in the SUP. Shelly Daugherty indicated her agreement.

MOTION

Commissioner Couch motioned to approve the amendments to SUP 2-2020 and associated site plan for the Shelly OBX Storage Group Development.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – PROPOSED AMENDMENT TO CHAPTER 96 LITTERING TO INCLUDE THE RELEASING OF BALLOONS

Outten stated that the Balloon Ban Ordinance from the Town of Duck, Southern Shores, and possibly Nags Head have been taken and incorporated into Dare County's ordinances.

MOTION

Vice-Chairman Overmen motioned to schedule a Public Hearing for July 15th, 2024.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 10 – GRANT PASS THROUGH FOR WANCHESE SEAFOOD PARK

Outten explained that the Wanchese Seafood Park is facing an erosion problem and is seeking to create a living shoreline around the park. They have the opportunity to receive grant money from the Coastal Federation to complete this project, but they need a pass-through entity to receive the funds. Dare County has been approached to act as the Local Government Pass Through Entity for this grant. Outten explained that in the past, the group

requesting the grant would handle all the necessary work and submit the applications, with the county ultimately receiving the grant funds and distributing them back to them. The group would then be responsible for all project management going forward, including meeting audit requirements. It was noted that Dustin Peele would ensure that all bid requirements are met to comply with county rules as the pass-through entity.

Bob Peele, Brian Henry from Sea and Shoreline, and Brian Rabino from Quible & Associates addressed the Board. Peele mentioned that certain areas in the park are experiencing a loss of shoreline at a rate of two feet per year. This issue was not previously a major concern since it was unused shoreline, but now it is threatening infrastructure and requires a proactive approach. Peele also highlighted the involvement of the Coastal Federation in addressing this matter. Henry, the representative from Sea and Shoreline, informed the Board that the company is headquartered in Florida with offices in North Carolina. He explained that they utilize an internal proprietary scoring model for projects and after assessing all projects in the southeast region, they determined that Wanchese had a high score. As a result, they have chosen to proceed with a design-build project and have applied for funding through three different mechanisms: The Brick Grant, a Direct State Appropriation, and a Community Project Funding Request. Discussions on the design and functionality of the project were held. Chairman Woodard asked whether a letter from the Board of Commissioners to the state and federal agencies would be helpful, and the answer was yes.

MOTION

Vice-Chairman Overman motioned to approve the grant pass through.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 11 – DARE COUNTY N.C. COOPERATIVE EXTENSION REPORT TO THE PEOPLE

Tanya Lamo and other staff members shared the 2023 Cooperative Extension Report with the Board. The report centered around the theme of "Explore" and highlighted key areas such as the Nags Head Woods Preserve, 4-H Programs, Horticulture, Family Food and Consumer Science Program, Master Gardeners Volunteers, Therapeutic Horticulture, Volunteers, and Partnerships.

ITEM 12 – 2024 MEN'S HEALTH MONTH PROCLAMATION

Washington D.C.'s Men's Health Network requested the adoption of a Proclamation to declare June as Men's Health Month which is a time to recognize the mental and physical health needs of men and boys while encouraging fathers to be role models through preventive health screenings, healthy living, and seeking needed help.

MOTION

Commissioner Couch motioned to adopt the Proclamation declaring June as Men's Health Month in Dare County.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 13 – FERRY SERVICE FOR RURAL COMMUNITIES PROGRAM – NCDOT FERRY DIVISION LETTER OF SUPPORT

Outten stated that Dare County has been asked to send a letter in support of the NC DOT Ferry Division Rural Ferry Program to replace the motor vessel Silver Lake vehicle and passenger vessel.

MOTION

Commissioner House motioned to approve the letter of support for the DOT Ferry Division Rural Ferry Program.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 14 – BUDGET AMENDMENTS TO MOVE UNRESTRICTED AMOUNTS TO THE GENERAL FUND FROM THE HOME HEALTH & HOSPICE FUND AND THE CORONAVIRUS RELIEF FUND AND TO CLOSE THE CORONAVIRUS RELIEF FUND.

Clawson provided an explanation regarding the budget amendments necessary for housekeeping purposes. The first amendment pertains to the Home Health & Hospice Fund, a sub-fund of the General Fund, as mandated by the Certificate of Need sale contract. As of June 30, 2023, \$290,000 of the sale proceeds were restricted by the contract. This amount decreases to \$145,000 at June 30, 2024, and must remain within the fund. The remaining unrestricted balance of \$2,614,389 will be transferred to the General Fund. It is important to note that these funds are not considered new unrestricted funds, as they have already been accounted for in all consolidated General Fund calculations and audit reports.

The second amendment relates to the Coronavirus Relief Fund, which was established to manage funds from the State Coronavirus Relief Act and reimbursements from FEMA & NCEM. The County has been proactive in pursuing FEMA/NCEM reimbursements, with the projects officially concluded on May 29. The County has received \$532,798 in reimbursements for costs incurred in the General Fund, including \$13,419 in administrative costs reimbursed this year. This budget amendment allocates these funds to the General Fund and allows for the closure of the Coronavirus Relief Fund.

MOTION

Vice-Chairman Overman motioned to adopt the two budget amendments.

Commissioner House & Commissioner Basnight seconded the motion.

VOTE: AYES unanimous

ITEM 15 - RECOMMENDED CAPITAL IMPROVEMENTS PLANS FOR THE COUNTY, DARE COUNTY SCHOOLS, AND THE WATER FUND

A full and complete account of the Board's discussion on this agenda item is archived on a video that is available for viewing on the Dare County website www.darenc.com.

Outten explained that there are three Capital Improvement Plans - one for the county, one for the water, and one for the schools, noting that the CIPC recommended approval of all three. The CIPs will be carried out over a 5-year plan, with the understanding that they will be revised annually to address any new priorities that may arise. Funding is available for majority of the proposed projects. Outten also discussed coverage ratios, noting that the current model does not present significant risks. He went over the necessary changes and removals needed within the Public Works and EMS Department. The discussion also included the Water CIP, highlighting that the rate model encompasses all costs and CIP requests. Moving on to the schools CIP, Outten discussed the coverage ratios and explained that it is cost-effective.

Commissioner Ross inquired about the plans for FY 25 regarding the EMS Nags Head Station and the Public Works facility. He expressed that he thought the Public Works would

not be included in the upcoming year. Outten explained that Public Works is in the third phase of the current construction projects and financing them will begin and the bidding processes will follow, aiming for completion within 18 months. Commissioner Ross clarified that the county will not be spending \$42 million within the next twelve months. Clawson confirmed this and mentioned that the county may need to issue debt approximately twelve months out. Outten emphasized the importance of establishing a budget in order to spend the money. Regarding the Nags Head EMS, Outten noted that the county does not currently have a plan in place with the Town of Nags Head.

Outten then discussed the school CIP and reviewed all of their requests through the year of 2029.

Clawson presented the Recommended Capital Improvement Plan for FY25 – FY29. The presentation included an overview of the recommended CIPs, and the Limited Obligation Bond Issues in CY25. Specific projects were outlined including the replacement of Sheriff, Emergency Management, and EMS Portable radios and EMS Cardiac Monitors in FY26, construction of C&D Cell #6 in FY27, replacement of EMS Helicopter Engines and Collins Walkway in FY2028, and HVAC replacements at DHHS & COA Professional Arts Building in FY29. Additionally, RECC/EOC Audio-visual and original controllers' replacement and an IT Core Network refresh are scheduled for FY29.

Clawson outlined that the Buxton Scales, Facilities Maintenance bucket truck, and EMS Blood analysis units and ultrasound units were not recommended. He also mentioned that the model assumptions were approved at the Boards Budget Workshop, which were a 2% annual growth rate for land transfer tax, 3.75% interest rate for future LOBs, and General Fund transfer for capital and debt service at \$9,825,000. He then went on to discuss the coverage ratios, noting that the first five years looked promising.

Clawson explained that the water rate model is simple and provides up to \$3.5 million per year for Paygo Projects. All requests fall within this amount, with no recommended debt in the CIP. The schools' CIP model relies on a restricted sales tax generating \$6.7 million annually, while lottery funds total less than \$400,000 per year. Previously, the county established a separate fund for school CIP projects starting with this year's budget on July 1st to separate it from the General Fund, as they anticipated a change in revenue flow by FY26. He then went on to discuss the school CIP in detail, covering priorities, required county CIP support, timing, LOBs debt issues, rescheduling projects from 2027 to 2028, additional debt capacity, and the need to make a lottery draw. Outten then reiterated all three CIPs and discussed the resources of the funding and the Capital Outlay funds.

Commissioner Basnight mentioned the possibility of a sports complex for the Parks and Recreation department. Outten clarified that this proposed sports complex is not currently part of the plan. The idea has not been fully vetted to assign numbers to it, as it is still just a concept. He then elaborated on the recommended additional language for the county CIP approval, explaining that it allows the county to allocate any excess funds from borrowed money on Parks and Recreation projects to any priority. Basnight also inquired about the schools CIP and requested that the Manteo Field House project be included in the handout. Outten assured her that he would make sure to add it.

Chairman Woodard reported that feedback from the Public indicated a lack of desire for an early college program. Commissioner Ross expressed concerns over the statements that he had heard about the potential risk to students' health and safety due to the CIP.

Superintendent Basnight responded by confirming that the CIP would not compromise the well-being of children. The issue of drainage at CHSS was also addressed, with assurances that the maintenance department has been and will continue to address the problem. Superintendent Basnight emphasized that regardless of the amount of funding allocated to schools, they will always have ongoing maintenance needs that may never be fully completed.

Chairman Woodard requested further clarification regarding FFHS being at 113% capacity. The Superintendent explained that while FFHS is indeed at 113% capacity, it does not necessarily mean it is busting at the seams. He elaborated on this and mentioned that the school has been more crowded in the past and also discussed the projections for the population to decrease.

Chairman Woodard stressed that the items have been prioritized by the maintenance departments and school staff. Superintendent Basnight confirmed that everything on the list had been reviewed with himself and the maintenance director to determine priority and urgency in addressing them.

Outten stated that within the School CIP, there are a total of eleven projects concerning air and HVAC, along with six projects focused on roofing and siding. He explained that none of the projects have taken into consideration the funds in their Capital Outlay Fund, which currently stands at approximately \$2 million.

The cafeteria at CHSS was once again a topic of discussion, with potential solutions being proposed. It was noted that the cafeteria has not needed to be closed since the start of 2024. Chairman Woodard asked if they would have to reapply to the state for the Early College if it was pushed back, the Superintendent responded that he does not know the answer to that. The Superintendent also indicated that the Early College proposal has received approval from the NCDPI, the State Board of Education, the UNC System, and the Community College System. It is currently being forwarded to the legislature for potential funding considerations.

Commissioner Ross inquired about whether students would need to participate in the Early College program, to which the Superintendent clarified that there is an application process in place and students are not mandated to apply. Additionally, Commissioner Ross asked if the NCDPI oversees the approvals and authorizations for Early College, to which the Superintendent confirmed that they do. Commissioner Ross presented the Mission Statement for Early College, which states: "To equip students for a prosperous experience at a 4-year institution or to progress and excel in a skilled trade."

Commissioner Ross asked if any of the Early College details had been discussed with the principals of the schools. The Superintendent proceeded to outline a chronological series of events starting from 2015. He also mentioned that he has six years of experience working in an Early College, has been involved with Early College initiatives, and has witnessed the positive impacts it has on students.

The Chair of the Board of Education, David Twiddy, requested the Board of Commissioners to temporarily halt the allocation of \$25 million for the Early College program. He plans to schedule a special meeting with the Board of Education to thoroughly discuss the timeline that was presented by Superintendent Basnight prior to moving forward. Chairman Woodard also inquired about the deadline for putting out a bid for the Early College program in order for it to open in 2025. The County Manager mentioned that when Oakley Collier was hired, it was determined to be the latest possible time to meet the 2025 deadline. He stated that he believes that the plans will be finalized by August/September, which would allow the Early College to open on the COA campus in 2025 with a limited number of students.

Chairman Woodard announced that following the Special Meeting of the Board of Education, the Board of Commissioners will meet with the Board of Education to gather public input on the Early College program.

MOTION

Commissioner Basnight motioned to recess at 1:43 p.m. for the Board to attend the EMS Hanger Ribbon Cutting.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous.

The Board reconvened at 3:16 p.m.

Clawson clarified that the CIP ordinances and BA cover all projects except those funded by limited obligation bonds. Projects such as the Public Works Facility, Buxton Public Works, Nags Head EMS, Sheriffs CID Building, and Early College are not included in the initial actions as they are considered major projects. These projects will be presented to the Board once an RFQ has been completed, an architect has been selected, and a budget has been established. The next phase involves determining the construction management risk or taking construction bids. The Board will then be informed of the final estimated amount before deciding whether to proceed with the project. The CIP numbers serve as placeholders to ensure funds are not allocated elsewhere until a final decision is made, typically at the bid and contract signing stage. It is within the Board's discretion to halt the project if they opt not to move forward.

MOTION

Vice-Chairman Overman motioned to approve the recommended plans and adopt the Capital Project Ordinances and Budget Amendments for fiscal year 2025.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 16 – CONSENT AGENDA

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

MOTION

Commissioner Couch motioned to approve the Consent Agenda:

- 1) Approval of Minutes (05.07.24) (04.17.24) (Att. #4)
- 2) Renewal of Agreement with the Outer Banks SPCA
- 3) Resilient Coastal Communities Program Applications
- 4) Delegation of Authority Form – Dare County Transportation FY26
- 5) 2024 Avon Property Owners Association Fireworks Display
- 6) NC Emergency Management Disaster Relief and Mitigation Fund

- 7) Interlocal Agreements with Municipalities within Dare County Pertaining to the Motorola FLEX Public Safety Software System
- 8) Budget Amendment – SHIP Grant – Baum Center
- 9) Health 2025 Opioid Settlement Funds Resolution & Budget Amendment for FY25 (**Att. #5**)
- 10) DHHS- Social Services Division – Memorandum of Understanding between NCDHHS & Dare County

Commissioner House seconded the motion with an amendment to the 05.07.24 Minutes.
Commissioner Couch amended his motion to reflect the amendment to the 05.07.24 Minutes.
VOTE: AYES unanimous

ITEM 17 – BOARD APPOINTMENTS

- 1) College of the Albemarle Board of Trustees
Vice-Chairman Overman motioned to reappoint Robert L. “Bob” Woodard Sr.
Commissioner Ross seconded the motion.
VOTE: AYES unanimous
- 2) Dare County Waterways Commission
Vice-Chairman Overman motioned to reappoint Steve Coutler, Danny Couch, Ernie Foster, Natalie Kavanagh.
Commissioner Bateman and House seconded the motion.
VOTE: AYES unanimous
- 3) Extra Territorial Jurisdiction District – Town of Southern Shores
Commissioner House motioned to reappoint John Finelli.
Commissioner Basnight seconded the motion.
VOTE: AYES unanimous
- 4) Fessenden Center Advisory Board
Vice-Chairman Overman motioned to reappoint Kenneth Brite, John Griffin, and Brian Jones.
Commissioner House seconded the motion.
VOTE: AYES unanimous
- 5) Hatteras Community Center
Commissioner Couch motioned to reappoint Rom Whitaker and Laura Young.
Vice-Chairman Overman seconded the motion.
VOTE: AYES unanimous
- 6) Juvenile Crime Prevention Council
Commissioner House motioned to reappoint Jennifer Alexander, Spencer Gregory, Marsha Riibner-Cady, and Stephen Wescott; appoint Anthony Corbin to the police seat; move Jennifer Smith to the “Therapist” seat; to move Marsha Riibner-Cady to the “Member of Business Community” seat; and to appoint Steve Vanover to the “At-Large” seat.
Vice-Chairman Overman seconded the motion.
VOTE: AYES unanimous

7) Manns Harbor Community Center

Vice-Chairman Overman motioned to reappoint Clyde Gard and Bonny Sawyer.
Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

8) Roanoke Island Community Center

Vice-Chairman Overman motioned to reappoint Lynette Ford & Daniel Selby.
Commissioner House seconded the motion.

VOTE: AYES unanimous

9) Rodanthe, Waves, Salvo Community Center

Commissioner Couch motioned to reappoint Susan Gray and J.W. Kierzkowski.
Commissioner Basnight seconded the motion.

VOTE: AYES unanimous

10) Upcoming Board Appointments

The upcoming Board appointments for July, August and September 2024 were announced.

ITEM 18– COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Following is a brief summary outline of the items mentioned by Commissioners and the County Manager during this segment:

Chairman Woodard addressed the Public Comments concerning the Buxton Formerly Used Defense Site, the Juneteenth Celebration, the Early College, the Balloon Ban Ordinance, concerns about the SPCA, the closure of Roosevelt Road, and issues with Airport Road. The County Manager also spoke about the concerns regarding Airport Road and Roosevelt Street.

MANAGER’S/ATTORNEY’S BUSINESS

The County Manager stated that the county received a pass-through grant for the amount of \$425,000 for the Frisco Fire Department pertaining to the professional services from a North Carolina licensed architect to evaluate and determine how to best provide code compliant and resilient fire station that is able to meet all needs of the community.

MOTION

Commissioner Couch motioned to approved the pass-through grant for the Frisco Fire Department.

Seconded by Commissioner House.

VOTE: AYES Unanimous

The County Manager discussed the current situation in the Health and Human Services Department, noting that there are two open positions for Advanced Practice Practitioners. One offer was extended in August of 2023, but was declined due to difficulties in finding housing. The other position remains unfilled with no applications received. In comparison to the private sector, where higher salaries are common, it was proposed that the county raise the pay for these positions from \$90,000 to \$110,000. Additionally, adjustments will need to be made to the salaries of the other Advanced Practice Practitioners. To help finance these changes, it is suggested that two vacant in-home aide positions be eliminated.

MOTION

Commissioner Couch motioned to approve the elimination of the two vacant in-home aide position to help fund the salary increase for the vacant Advanced Practice Practitioners. Commissioner Bateman seconded the motion.

VOTE: AYES Unanimous

Commissioner Basnight

- Announced that the high school seniors would be having their graduations May 7th and 8th and that thirteen students will walk with an Associate Degree.

Commissioner Ross

- Announced that he will be speaking with the North Beaches Rotary Club during their Breakfast at Duck Woods. They have requested him to provide an update on county business and activities.
- On April 27th, the Nags Head Golf Links and Links Ladies Social Group held their yearly fundraiser for the Cure Breast Cancer Fund and Awareness Campaign. He mentioned that he participated in the event as a volunteer, alongside 40-50 others. This tournament was exclusively for women and was highly successful. The funds raised were all contributed to support women in Dare County who are receiving cancer services.
- Attended the Lost Colony as a guest of the Roanoke Island Historical Association and described the production as high-quality, resulting in a pleasant evening.

Commissioner House

- Stated that the Recreational Flounder Season is officially closed for this year, leading to significant uproar among fishermen. It is anticipated that the NC Division of Marine Fisheries will receive complaints regarding this decision.
- Our Day in History: In 1959, the first graduation ceremony of the United States Air Force Academy took place in Colorado Springs.

Vice-Chairman Overman

- Congratulated the Service Pin recipients and Employee of the Month, Matt Hester.
- Attended the Graveyard of the Atlantic Museum Ribbon Cutting and emphasized that it was worth the trip.

Commissioner Bateman

- Inquired if there had been any update on the federal bike path money or if anything was being done to the north end bike path, Outten responded he had not heard anything yet on either topic.
- In regards to Dare Challenge, there is currently one building being constructed and there are plans to start the next building within the next few weeks. It was also mentioned that a property has been acquired in Wanchese for a Women's Center that will accommodate six women.

Commissioner Couch

- Stated that the Graveyard of the Atlantic Museum is the top maritime heritage facility in North Carolina and also shared that they are planning to construct an impressive flagship exhibit in Beaufort.

- Stated he was intrigued by the Secotan Alliance and elaborated on the significance of the Spirit of Wingina, who was decapitated by Ralph Lane. This event negatively impacted the relationship between the English and the Indians.
- Congratulated Matt Hester on receiving the Employee of the Month award.

Chairman Woodard mentioned that Michael Burrus brought up concerns about the boat ramp in Wanchese, where people are unable to park their vehicle and trailer after launching their boat. Outten addressed the issue by explaining that the county has a license agreement for a property across the street from the boat ramp. He contacted Cook Seafood in Portsmouth, who clarified that they were not trying to prevent parking, but had to remove old oil tanks on the property as per state regulations. This process left the soil soft, so parking is currently prohibited until it hardens. Once approved by the state to be used again, the county will then provide signage for parking. Chairman Woodard requested the County Manager to explore the possibility of acquiring or leasing Kenny Daniels' property for parking.

Dorothy Hester – None

David Clawson

- Discussed the county's sale of bonds which required \$27.9 million. Due to high demand with orders totaling \$79.7 million, we were able to decrease the interest rate twice, ultimately settling on a final rate of 3.58%. We received orders from six bond funds, two brokers, Bank Trust Insurance Company, and five Separately Managed Accounts.

ITEM 19 – CLOSED SESSION

The County Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(5) to instruct the County staff, or negotiating agents, concerning the position to be taken by or on behalf of the County in negotiating the price and other material terms of a contract, or proposed contract, for the acquisition of real property by purchase, option, exchange, or lease in the matter of parcel #023299000

MOTION

Commissioner House motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner Basnight seconded the motion.

VOTE: AYES unanimous

At 3:58 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 4:09 p.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes and gave the County Attorney guidance with regard to a real estate matter and took no other action.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

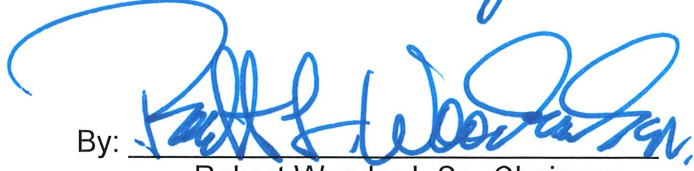
At 4:10p.m., the Board of Commissioners adjourned until 9:00 a.m., July 15th, 2024.



Respectfully submitted,

By: 
Skyler Foley, Clerk to the Board

APPROVED:

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

Note: Copies of attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board of Commissioners at this meeting are on file in the office of the Clerk. Attempts have been made to accurately spell each podium speaker.