



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**9:00 a.m., October 7th, 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](http://www.darenc.gov).**

At 9:00 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited George Lurie to share a prayer, and then he led the Pledge of Allegiance to the flag.

#### **ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE**

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

- Pointed at the Dare County Seal and expressed thankfulness for all the blessings of living in this community.
- Requested a moment of silence to honor the victims of the recent hurricane devastation in Western North Carolina and to remember the five lives lost in the plane crash in Kill Devil Hills.
- Encouraged everyone to keep Florida in their thoughts and prayers as they prepare for the upcoming hurricane.
- Recognized school Superintendent Steve Basnight, Board of Education Chair David Twiddy, and BOE members Ron Payne, Susan Bothwell, and Mary Ellon Ballance.
- Shared insights from the Dare Education Foundation's recently released 2024 Annual Report.
- Noted that through the "Food for Thought" program, 8,482 bags of weekend meals and snacks were provided to students throughout the school year.

- The Roanoke Island Woman's Club is seeking support for their 47th year of providing Thanksgiving baskets to families in Dare County. Contributions can be made through tax-deductible donations or by donating needed items.
- The Church of the OBX will host its third Night to Shine event on Friday, February 7, 2025. Sponsored by the Tim Tebow Foundation. He stated that this wonderful program needs donations, and there are various sponsorship levels available.
- Requested the County Manager to address the subpoenas received from the U.S. Attorney's Office: Outten then provided an update stating the subpoenas are for documents from the BOC and the Oregon Inlet Task Force. He clarified that no individuals are required to appear and that all of the requested documents are being gathered to meet the deadline. He stated that he was assured by federal officials that the county is not being investigated but is required to produce records. He added that it is his understanding that the investigation is related to federal funds and pointed out that the money allocated for county projects—both the Miss Katie dredge and affordable housing—included no federal funding, only state funding.
- Provided an update about the Buxton Formerly Used Defense Site (FUDS) following a meeting he and Vice-Chairman Overman had with the U.S. Army Corps of Engineers (USACE) on Wednesday, October 2, 2024. On Thursday, October 3, 2024, work at the Buxton FUDS began with the installation of a half mile of matting that allows the USACE's heavy equipment to access all areas of the site. It is estimated that 100 truckloads of contaminated soil will be removed and taken to a special site in Alabama. Approximately \$2.2 million had been allocated for this work, and the contract is for 60 days. Comprehensive testing is ongoing, with the USACE now looking at the entire site rather than a smaller area. A comprehensive study is being prepared for all areas of the site as well. The USACE is also in the process of forming a restoration advisory board, which will hold its first meeting in late October 2024.
- Presented Kaye White with a Certificate of Appreciation in recognition of her 16 years of dedicated service as Dare County's delegate to the North Carolina Senior Tar Heel Legislature, a nonpartisan organization that advises the North Carolina General Assembly on a variety of issues affecting the state's older adults.
- Asked the County Manager to address the Dredging Permits: Outten provided an update and explained that Dare County had been working closely with the USACE to identify the issues indicated by the data points from the dredge. In addition, he reported that the recent meetings and calls with the USACE have been productive and the county has requested changes to the type of data the county receives during dredging operations. In addition to third-party monitoring by the county's engineering firm, dredging quality management (DQM) data will now display the authorized dredge box that will enable a Dare County employee to be able to monitor the information to quickly address any future concerns. The USACE is working with the county to resolve issues, and both parties are focused on keeping the dredge operational to maintain safe and navigable channels and inlets for local watermen. Outten also indicated that the county expects to receive the dredging permits within the next few days so dredging operations can resume.

## **ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS**

- 1) Shelia Davies, received a 10-year pin.
- 2) Michelle Gray, received a 20-year pin.

### **ITEM 3 – EMPLOYEE OF THE MONTH – August, September, & October 2024**

Josh Coltrain received the August Employee of the Month award from Sheila Davies who described the many ways that he is an asset to the Environmental Health Department.

Molly Greenwood received the September Employee of the Month award from Jennie Collins who described the many ways that she is an asset to the Emergency Medical Services Department.

Matt Dobrosky received the October Employee of the Month award from Dustin Peele who described the many ways that he is an asset to the Finance Department.

### **ITEM 4 – PUBLIC COMMENTS**

At 9:57 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:

No one responded to the invitation to address the Board.

*The following comments were made in Manteo:*

1. Aida Havel expressed her gratitude to the Board for observing a moment of silence for Western North Carolina and the plane crash. She also acknowledged that it marks the one-year anniversary of a heartbreaking tragedy in the Middle East. She mentioned that on Thursday, she participated in a forum with other candidates for County Commissioner. The following day, the OBX Voice published an article regarding a subpoena issued to the Board and the Oregon Inlet Task Force. Havel pointed out that those subpoenas were delivered in person on Thursday morning, just before the candidate forum, and questioned why the current member of the BOC did not disclose this information publicly so they could have had an informed debate about it. She noted that the subpoenas arrived shortly after the USACE suspended Miss Katie's dredging permits. Havel emphasized the significance of this suspension and proceeded to ask several questions regarding its implications.
2. Mary Ellon Ballance expressed her gratitude to the Board for the update on the Buxton project and conveyed her enthusiasm for its progress. She then shifted the conversation to the topic of school lunches, noting that 29 states are currently developing a no-cost meal plan for students. In North Carolina, 106 out of 115 school districts are working towards this goal. She highlighted that schools are already investing in providing all students with computers, transportation, books, and necessary resources to promote greater academic success. Balance emphasized that ensuring children are well-fed contributes to their academic achievements and enhances their learning capacity, highlighting the significance of no-cost meal plans for students.
3. Charles Parker started by expressing that he sometimes finds it difficult to hear the County Manager during meetings. He then brought up the issue of subpoenas and inquired about the federal funds, suggesting that it seems misleading to say that Dare County is not involved in this process. He requested further clarification on this matter and also asked what types of documents are being requested.

4. Judy Carter emphasized the many achievements of the current Board, noting that the initiatives they have taken on are complex. She brought up concerns regarding the Schools Breakfast and Lunch Program, mentioning that there are numerous questions that remain unanswered, such as the funding, the total amount involved, and the sources of the funding. She advocated for exploring various solutions to these issues, urging that all potential options be considered before making any decisions. She emphasized that no one wants to see a child go hungry.

*The following comments were made in Buxton -*

1. Brian Harris mentioned that many PVC pipes at the Buxton FUDS location had been removed, and he is very optimistic about the progress being made. He believes that this issue will be resolved by 2025 and expressed gratitude for everyone's efforts. Additionally, he announced that he is running as a write-in candidate for Soil & Water on this year's ballot.

The County Manager closed Public Comments at 10:17 a.m.

Outten responded to some of the questions that were raised during the Public Comment segment. He started by discussing the dredge data and explained that there are two types of data involved that the Corps and he were talking about. He mentioned the County did not receive DQM data showing the Corps dredge box, that is uncontroverted. The contractor did get coordinates for where the dredge box would be, but it did not come through the DQM system. The County could not see the dredge box on the DQM system to monitor the box as much as we could monitor the dredge depths. He then explained that when the dredge permits were suspended, the vessel was in fact in the shipyard, and it was there for about two weeks. Explaining that during part of the suspension period, certain days would have been missed regardless of the situation. He mentioned that the permits are still pending but are expected to arrive in the next few days. Lastly, regarding federal funding, he indicated that the data requested from the county pertains to Coastal Affordable Housing and Miss Katie projects. However, both of these projects were funded entirely by state funds, not federal dollars. He believes the ongoing investigation is related to ARPA (American Rescue Plan Act) dollars, which are federal funds associated with COVID-19 recovery. He emphasized that none of the funds under the subpoena were connected to federal dollars; they were entirely comprised of state funds.

#### **ITEM 5 – TAX COLLECTOR 2023 SETTLEMENT REPORT (Att. #1)**

Becky Huff, the Tax Collector, presented a report to the Board regarding the settlement for the 2023 taxes. She stated that the total levy for the county in 2023 amounted to \$67,593,483, with a collection rate of 99.66%. Additionally, she provided an update on the processing of tax collections for the 2023 fiscal year and then sought the Board's approval to initiate tax collections for the 2024 levy.

#### **MOTION**

Commissioner House motioned to charge the Collector to begin tax collections on the 2024 levy.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

*The Board recessed at 10:27 a.m., they reconvened at 10:40 a.m.*

**ITEM 6 – PRESENTATION OF THE 2025 SCHEDULES, STANDARDS, AND RULES FOR REAL PROPERTY APPRAISAL (Att. #2)**

Hosea Wilson, Tax Assessor, presented the 2025 Schedules, Standards, and Rules for Real Property Appraisal to be used for the 2025 countywide property revaluation effective January 1, 2025.

**MOTION**

Vice-Chairman Overman motioned to set a public hearing for November 4<sup>th</sup>, 2024.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 7 – QUASI-JUDICIAL HEARING ON KINNAKEET VILLAS LLC CLUSTER HOME DEVELOPMENT – SUP #4-2024**

This agenda item was handled as a quasi-judicial proceeding. Prior to offering testimony, each speaker was duly sworn by the Clerk.

Noah Gillam, Planning Director, presented to the Board a proposal for an 18-unit Cluster Home Development by Ted Lloyd, located on parcels #031018917 and #031018918 along Big Kinnakeet Drive in Avon. Currently, these parcels are zoned as C-2 Commercial. Under the regulations of the C-2 District, residential developments must adhere to the standards of the R-3 district. The proposed site plan complies with all R-3 dimensional requirements, including lot coverage and setbacks. The R-3 zoning also establishes a density limit of ten dwelling units per acre. The applicant intends to recombine the two parcels into a single lot, resulting in a total area of 1.81 acres for the 18 dwelling units. Wastewater services will be provided by the nearby Kinnakeet Shores Central Wastewater Treatment Plant, which is adjacent to the site. Throughout the development process, the applicant must secure several state permits, including those for sewer and water extensions, a NC stormwater management permit, and permits for sedimentation and erosion control. The site plan has been reviewed and approved by the Dare County Fire Marshall. Additionally, Dare County Public Works has provided feedback regarding trash collection, leading to the inclusion of a designated dumpster pad on the site plan to accommodate their recommendations.

The County Manager asked the applicant if he agrees to the admission into evidence of the material submitted by the Planning Director, which is on file in the Planning Department, the facts presented by the Planner, and the terms and conditions outlined in the SUP. Lloyd indicated his agreement.

Chairman Woodard inquired if there had been any opposition from existing residents. Gillam replied that letters were sent out to adjoining property owners, signs were posted, and the packet was made available, yet no feedback had been received apart from the Post Office's owner having concerns regarding a current sewer line, which had since been addressed.

Chairman Woodard asked if there were any concerns regarding the Kinnakeet Shores Wastewater Treatment Plant, noting that there had been issues in the past, but he believed those problems had been resolved. Gillam responded by stating that earlier this year, the memorandum on that plant had been lifted, and the applicant received a willingness to serve letter from the sewer treatment plant.

Chairman Woodard acknowledged that the applicant is willing to do a buffer and asked Gillam to clarify what that buffer will entail. Gillam further explained that it is not a requirement of the cluster home ordinance but the applicant showed a buffer on the site plan. Conditions were added to the draft SUP to address the planting and the perpetual maintenance of that buffer against adjacent residential uses.

### **MOTION**

Vice-Chairman Overman motioned to approve Special Use Permit #4-2024 and associated site plan for the Kinnakeet Villas LLC., Cluster Home Group Development.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

### **ITEM 8 – DARE COUNTY SCHOOLS BREAKFAST PROGRAM**

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](http://www.darenc.com).

Dare County Schools Superintendent Steve Basnight, along with the Director of Child Nutrition Kelleeta Govan, Interim Finance Director Rashad Daniels, Assistant Superintendent Steve Blackstock, and Board of Education Chairman David Twiddy, presented to the Board about a universal meal program aimed at providing free breakfast and lunch to all students in Dare County. The Superintendent highlighted the meal debt from previous years and shared important statistics regarding the students who qualify for free and reduced meals. In the 2023 school year, out of a total of 5,027 students, 2,121 were eligible for these meal programs. He pointed out that the income threshold for reduced-price meals has increased to \$57,120 this year. Currently, there were about 111 families that applied for free and reduced meals who do not meet the requirements, primarily due to income levels, with many of these students being in the Pre-K Program. Before 2019, approximately 60% of students in North Carolina qualified for free or reduced meals. The criteria for qualification are solely based on two factors: the size of the household and family income. The Superintendent also discussed the impact of food insecurity on students' ability to learn. He noted that children who are hungry often have difficulty focusing and learning in school. He stressed that proper nutrition is essential for academic success, and providing meals to students should be viewed as an important instructional intervention, just like supplying digital devices or transportation.

He elaborated on the fact that out of the 115 school districts in North Carolina, 106 are providing some or all of their meal services. Among these, 80 districts are serving meals to schools that do not qualify for funding, but they provided it anyway so no students would be left out. He discussed the costs involved and gave an in-depth overview of two distinct programs. The first is the Community Eligibility Provision (CEP), a federally funded meal reimbursement initiative that allows districts to offer free breakfast and lunch to all students for four consecutive years. He estimated that the total cost for covering all eligible schools under the CEP would be around \$500,000. The second option, referred to as Universal Meals, is not an official program but still allows students to receive complete breakfasts and lunches at no cost. The district will receive reimbursement for students who qualify for free and reduced meals and actually consume the meals, stressing that it is essential for students to participate in order to maximize funding. The more qualified students who eat school meals, the greater the federal reimbursement the district will receive, the district would then be responsible for the costs of students who are not included in the reimbursement program.

Based on last year's data, the estimated cost for covering all non-CEP schools would exceed a little over \$400,000. He noted that increasing the number of students eligible for programs and actively participating in school meals would enhance federal funding, thereby reducing the need for local financial support. He also presented statistics on free, reduced, and paid meals, showcasing the average percentage of students who consumed breakfast and lunch in the past two years.

The Superintendent announced that the Board of Education had approved approximately \$46,000 for schools in Dare County to provide one month's worth of meals for students, effective September 17th. The number of breakfasts served across the district has risen by 34.8%, which equates to an additional 258 breakfasts served. For lunches, there has been a districtwide increase of 12%, amounting to an additional 233 meals per day. He explained that they are currently distributing letters regarding free and reduced meal eligibility to families and outlined that the application process is slightly different this year. He highlighted the additional benefits available to families who qualify for free or reduced meals, which include access to Amazon Prime, discounted internet service, AT&T Lifeline, reduced fees for AP Testing, waivers for college entrance exams, Sunbucks, Food for Thought resources, and increased funding for various school programs. Commissioner Basnight inquired whether parents are required to apply under the Universal Meal Plan. Superintendent Basnight clarified that there is indeed an application requirement for the free and reduced meal program, which is part of the larger initiative. He emphasized that the effort goes beyond simply providing reduced meals; it encompasses a wide range of benefits. There has historically been some reluctance among families to complete these forms, but they are working to help families understand that the implications are much broader than just ensuring their children receive meals.

Commissioner Basnight raised a question regarding the Universal Plan, stating she was under the impression that it would provide free meals to everyone. Assistant Superintendent Blackstock clarified that students would not incur costs, but there would be a reimbursement to the schools. Superintendent Basnight reiterated that no students would be required to pay for meals in either program. Commissioner Basnight also noted that the figures presented did not include data from Hatteras, to which the confirmation was given. She inquired if there's any data available on the number of meals served during the COVID-19 pandemic when meals were offered for free. Superintendent Basnight mentioned that he did not have that information readily available but could obtain it. Chairman Woodard asked about the CEP program, specifically whether it needed to be qualified for annually. Govan responded that it is a four-year program; once a school qualifies, the Identified Student Percentage (ISP) is valid for four years, after which a reassessment is required.

Chairman Woodard confirmed that as more individuals qualify for and utilize the benefits, the amount of funding that is required from the district decreases and questioned how they can guarantee that. The Superintendent mentioned that efforts are already underway to encourage people to complete the necessary application forms, which is the crucial first step. The Chairman raised the issue of how to combat the stigma associated with filling out these forms. Govan responded by explaining that applications can be submitted online and she ensured that there is no indication visible that a student is receiving free or reduced lunch. Commissioner House suggested integrating this form into the child enrollment process at

schools. Govan confirmed that the form is part of the enrollment process, but it cannot be mandatory due to it being a federal form. However, it is mandated by law that these forms have to be provided to every household in some format.

Commissioner Bateman reiterated that as more meals are purchased, the overall cost decreases. Superintendent Basnight supported this statement, noting that the more students who qualify for free and reduced meals participate, the greater the federal reimbursement the school can receive. Commissioner Ross detailed the time spent addressing this issue and stated that the requested funds represent less than 0.3% of the overall budget. He then raised the question, "How will these decisions affect our children and families?" and expressed that, so far, he has not identified any negative impacts.

Outten inquired about the budget requirement from the Board, to which the response was \$415,000. He proposed setting a maximum limit of \$415,000. Commissioner Couch questioned whether implementing this plan would necessitate hiring additional staff. The reply indicated that, based on current understanding, it would not. Vice-Chairman Overman asked for clarification regarding the \$415,000, specifically whether this figure might change as they progress and when it would be determined that the amount is no longer accurate. Govan explained that it would need to be reassessed on an annual basis to account for changes in student percentages. Outten added that each year, the previous expenditures of the school are reviewed, and in collaboration with Clawson, his team, and the school's staff, as data evolves and suggests necessary adjustments, changes will be made as needed; if the data supports the current budget, no changes will be implemented. In conclusion, several Board members voiced their strong support for providing meals to students within the school system.

**MOTION**

Commissioner Bateman motioned to approve Dare County Schools' request for funding not to exceed \$415,000 to implement a universal meals program.

Vice-Chairman Overman & Commissioner Basnight seconded the motion.

Commissioner House highlighted that every Board member is committed to ensuring that no child goes hungry. However, he expressed concern regarding the message sent to parents indicating that a negative balance would prevent their child from receiving a meal. He found this communication unacceptable and urged the school administration to review messages before they are distributed.

VOTE: AYES unanimous

Clawson and Outten stated that another motion is required that authorizes the County Manager to execute a Budget Amendment to move a not to exceed amount of \$415,000 out of the fund balance to be used for this purpose.

**MOTION**

Vice-Chairman Overman motioned to approve the County Manager to execute a Budget Amendment to move a not to exceed amount of \$415,000 out of the fund balance to be used for this purpose.

Commissioner Basnight seconded the motion.

*Clawson exited the meeting at 11:40 a.m., he returned at 11:43 a.m.*



**ITEM 9 – A RESOLUTION BY THE COUNTY OF DARE IN SUPPORT OF REINSTITUTING AN AEC DESIGNATION FOR JOCKEY’S RIDGE STATE PARK (Att. #3)**

At an August 6, 2024 Special Meeting, the North Carolina Coastal Resources Commission (CRC) voted unanimously to begin the process of reinstating Area of Environmental Concern (AEC) protections for Jockey’s Ridge State Park to include a prohibition on removing sand from the Park and restrictions on development immediately adjacent to the Park.

**MOTION**

Commissioner Couch motioned to adopt the Resolution in Support of Reinstating an AEC Designation for Jockey’s Ridge State Park.

Commissioner House seconded the motion.

VOTE: AYES unanimous

*Commissioner Bateman exited the meeting at 11:44 a.m., he returned at 11:50 a.m.*

**ITEM 10 – RESOLUTION IN SUPPORT OF HONORING DARE COUNTY’S VETERANS BY PARTICIPATING IN OPERATION GREEN LIGHT FROM NOVEMBER 4, 2024 THROUGH NOVEMBER 11, 2024 (Att. #4)**

This resolution was in support of honoring Dare County’s veterans by participating in Operation Green Light, a National Association of Counties initiative that encourages residents and businesses to show their support to local veterans by shining green lights throughout their communities to let local veterans know they are seen, appreciated and supported.

**MOTION**

Chairman Woodard motioned to adopt the Resolution in Support of Honoring Dare County’s Veterans by Participating in Operation Green Light from November 4, 2024 through November 11, 2024.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

*Commissioner Ross exited the meeting at 11:48 a.m., he returned at 11:51 a.m.*

**ITEM 11 – DARE COUNTY SOIL & WATER CONSERVATION DISTRICT ANNUAL REPORT**

Charlie Sanders, Dare County Community Conservationist, gave a presentation reviewing the Soil & Water Conservation District and its purpose. He provided information on the Community Conservation Assistance Program (CCAP) and reviewed their best management practices, wetlands, living shorelines, funds, and current projects in Dare County. He addressed the Agriculture Cost Share Program, Agricultural Water Resources Program, and the Streamflow Rehabilitation Assistance Program. He also announced that Erin Fleckenstein was the 2024 recipient of the Salt Marsh Award.

Commissioner Bateman inquired about the Nags Head Shoreline project. In response, Sanders indicated that it is currently the highest-scoring project in the coastal region explaining that the project won't be officially confirmed until November, but the chances of it receiving funding are promising. Following this, Commissioner Bateman asked whether the StRAP program is accessible to municipalities. Sanders confirmed that the program is indeed available for counties and municipalities, and municipalities could apply individually if desired. However, they have been attempting to streamline the process by coordinating applications

through the county. He stated that it is important to note that there is a limit on funding per organization; but based on his discussions with state officials, no organization has come close to reaching that limit. Commissioner Bateman then posed a question regarding the cleanup efforts, asking whether the debris is removed or simply tied back. Sanders explained that this varies by project, but generally, debris is removed and disposed of properly. However, in many counties, the costs associated with cleanup can be prohibitive, leading to the practice of tying debris back instead. There are specific procedures that must be adhered to in these situations.

Chairman Woodard took a moment to recognize a member of the counties lobbying team, Johnny Tillett and thanked him for attending the meeting.

#### **ITEM 12 – FEMA GRANT APPLICATION - RODANTHE**

Barton Grover explained that North Carolina Emergency Management received a federal grant to fund a Regional Project Development Specialist with the Albemarle Commission. This position will interface with communities and repetitive loss homeowners to assist in developing two Flood Mitigation Assistance Applications during FY25 and FY26. The North Carolina Office of Recovery and Resiliency and National Park Service will assist in application development.

#### **MOTION**

Commissioner House motioned to authorize the submittal of the FEMA Grant Application-Rodanthe

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

#### **ITEM 13 – BROADBAND – STOP-GAP SOLUTIONS PROGRAM**

Barton Grover informed the Board that the North Carolina Department of Information Technology is responsible for expanding access to broadband infrastructure, supporting affordability, advancing digital literacy, and building digital equity in North Carolina. The goals of the division with its more than \$1 billion in American Rescue Plan Act funds are to ensure by 2025 that 98% of N.C. households have high-speed internet access, 80% of households subscribe to high-speed internet, and 100% of households with children subscribe to high-speed internet.

#### **MOTION**

Commissioner House motioned to authorize the application for the Broadband – Stop-Gap Solutions Program.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

#### **ITEM 14 – DARE COUNTY STORM WATER ENGINEERING SERVICES**

Dustin Peele announced that Dare County has received several state grants for a variety of projects located on Hatteras Island related to storm water management. An RFQ was issued for the required engineering services for the Hatteras Island projects as well as future state grant funded projects, and four responses were received. Staff evaluated each response and recommended WithersRavenel as the firm of choice.

#### **MOTION**

Commissioner Couch motioned to approve WithersRavenel and authorize the County Manager to negotiate and sign contract.

Commissioner Basnight seconded the motion.

VOTE: AYES unanimous

**ITEM 15 – CLOSE OUT OF 2022 TOWNS BEACH NOURISHMNET CAPITAL PROJECT AND THE SERIES 2021b LOBs**

Clawson informed the Board that the County has received the June 30, 2024 arbitrage calculation report for the Series 2021B limited obligation bonds and the county is ready to close the construction project budget. The project is \$1,064,510 under budget and that amount will be transferred from the Capital Projects Fund to the Beach Nourishment Fund.

**MOTION**

Vice-Chairman Overman motioned to adopt the budget amendment for the Beach Nourishment Fund and adopt the amendment to the capital project ordinance.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 16 – CLOSE OUT OF 2022 BUXTON AND AVON BEACH NOURISHMNET CAPITAL PROJECT AND THE SERIES 2022A LOBs**

Clawson informed the Board that the County has received the June 30, 2024 arbitrage calculation report for the Series 2022A limited obligation bonds and the county is ready to close the construction project budget. The project is \$1,392,678 under budget and that amount will be transferred from the Capital Projects Fund to the Beach Nourishment Fund.

**MOTION**

Commissioner Couch motioned to adopt the budget amendment for the Beach Nourishment Fund and adopt the amendment to the capital project ordinance.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 17 - CONSENT AGENDA**

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

**MOTION**

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (09.3.24) **(Att. #5)**
- 2) Tax Collector Report
- 3) Retirement of Deputy Sheriff K-9 Echo
- 4) Authorization to Present Service Weapon to Retiring Sheriff
- 5) Authorization to Present Service Weapon to Retiring Deputy Sheriff
- 6) Kitty Hawk EMS Station #9 Easement Agreement
- 7) Brink's CompuSafe Service Agreement
- 8) Rave Mobile Safety Contract for Mass Notification Software as a Service
- 9) Increase StRAP Funding from NCDA&CS Division of Soil & Water Conservation
- 10) Budget Amendment – Public Works Rubble Transfer Fees
- 11) DHHS – Public Health – Resolution to Direct Expenditure of Opioid Settlement Funds **(Att. #6)**
- 12) DHHS – Public Health – COVID-19 Vaccination Program Funding

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

## ITEM 18 – BOARD APPOINTMENTS

1) Land Transfer Tax Appeals Board

Commissioner Couch motioned to appoint Eddie Twyne.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

2) Library Board - Dare

Vice-Chair Overman reappoint Mary Lou Hoffert, Ruth Perkins, & Adrienne Palma.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

3) Thomas A. Baum Advisory Board

Vice-Chairman Overman motioned to appoint Lisa Minerich, Angelo Sonnesso, Antha Bishop, Jennifer Tolbert, Laura Fitzpatrick, Karen Moeller.

Commissioner Basnight seconded the motion.

VOTE: AYES unanimous

Commissioner Ross motioned to appoint Commissioner Bateman.

Commissioner House seconded the motion.

VOTE: AYES unanimous

4) Upcoming Board Appointments

The upcoming Board appointments for November and December 2024, and January 2025 were announced.

## ITEM 19 – 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:

Bobby:

- Announced that Clawson is retiring in June, 2025 and the goal is to hire somebody prior to June to get them accolated.
- Reported that field improvements at the Nags Head Soccer Complex, including one additional youth-size soccer field, are coming along nicely. Sod is expected to be installed later this month, and the field is expected to be ready for play in the spring of 2025.
- Stated that an upcoming scoreboard replacement project involves replacing all eight scoreboards at the various Dare County Parks and Recreation sports fields throughout the county. The new scoreboards have arrived and installation will begin soon.
- Mentioned that site plans are under review for the ten new competition-sized outdoor pickleball courts in Nags Head for which the county has allocated funding. These courts are proposed to be constructed at the site of the former Pamlico Jack’s Restaurant, located at 6708 S. Croatan Highway in Nags Head.
- Announced that the Dare County Parks & Recreation Needs Assessment is currently underway and that McGill & Associates are finalizing dates and surveys.

- Stated that all fall activities have high participation rates and if the good weather continues then it will be a good season.
- Acknowledged the Human Resources Department, announcing that Kristy Wright and Chris Ward worked with the county's liability carrier and the county received a score of 100% on our liability which resulted in a 3% discount on the cost of the county's liability coverage.
- Asked the Board to consider not renewing the contract with Port Health, allowing Sheila Davies to reallocate the nearly \$400,000 budgeted for mental health counseling services. This funding was originally designated for individuals in Dare County who had insurance covering only one therapy session per month even though they may have needed two or more sessions. However, the number of patients needing this service has decreased due to various factors, such as environmental changes and staffing issues. Consequently, the existing funds are not being fully utilized. It has been suggested that these resources could be redirected toward more pressing mental health needs. Additionally, both Easter Seals and Trillium have expressed their agreement that there are more effective ways to allocate these funds.
- **MOTION**  
Vice-Chairman Overman motioned to approve to not renew the Port Health Contract and to allow Sheila Davies to provide recommendations on how to reallocate the funds.  
Commissioner Bateman seconded the motion.  
VOTE: Ayes unanimous
- Stated that there was a remaining balance of \$300,252 from several completed construction projects. He requested the Board's approval to transfer these surplus funds into the contingency fund.  
**MOTION**  
Commissioner Couch motioned to authorize moving the \$300,252 into the contingency fund.  
Commissioner Basnight & House seconded the motion.  
VOTE: Ayes unanimous
- It was clarified that Gillam has been addressing ongoing nuisance issues related to properties, but there has been no progress. He requested approval to move forward with legal action. (Hyde, Ransom, Bowser, and Gamiel)  
**MOTION**  
Commissioner Couch motioned to approve the County Manager to proceed with filing suit the multiple nuisance issues.  
Commissioner Bateman seconded the motion.  
VOTE: Ayes unanimous

Dorothy Hester:

- Shared a video regarding the history and community of Manns Harbor.

Dave:

- Dispersed the Audit Questionnaires and informed the Board they need to be completed and returned.

#### Commissioner Couch

- Requested the Board to approve a Proclamation honoring Donna Parker, who is retiring as the Postmaster of Buxton. Chairman Woodard consented to move forward with the issuance of this Proclamation.

#### Commissioner Bateman

- Asked about the replacement of the Bridge at Slash Creek and the stabilization of either side with DOT, Outten responded that he does not believe it is going to happen.
- Asked about the Eastern Side of the Medical Center, and Outten mentioned that they have taken some of the county's land for their project. Once they complete their work, the amount of riprap they install to support the buttress will provide the county with a foundational starting point for any future developments. However, we will have to wait until their project is finished before we can begin our own work there to avoid disrupting what they are doing.

#### Vice-Chairman

- Thanked the Service Pin recipients and the three Employee of the Month recipients. Inquired with Peele about an estimated completion date for the youth center, Peele indicated it would be around early to mid-January.

#### Commissioner House

- Stated that surveys and necessary information had been submitted to the USACE to get Miss Katie back up and running. They are currently awaiting a response. The waterways are navigable, although there are a few troubled areas. During the meeting in Wilmington, the USACE discussed the distinctions where Miss Katie was dredging and the designated dredge box. He explained that the dredge box in their conception was a 100-foot-wide vertical section. However, engineering drawings show it as 100 feet wide with shoulder walls to prevent collapse, which is what Miss Katie was doing. He stated that a third-party monitoring system is now in place. Outten further explained that moving forward, multiple surveys will be conducted, including a pre-dredging survey. This will assess the depth of the area and ensure there is adequate sand on the bar that necessitates dredging.
- Provided an update from Marine Fisheries regarding the commercial fishing rules for Striped Mullet, effective from October 1 to December 31.
- Announced that local watermen, as well as others along the coast, have made significant contributions to the efforts in Western North Carolina.
- Our Day in History: One-year anniversary of the Hamas attack. Also, triggered by 9/11, the Afghan War began.
- The OBX Empty the Shelter program is scheduled from October 1 to 15.
- Pet of the Week: Connie, a two-year old tabby, is available for adoption at the OBX SPCA.

#### Commissioner Ross

- Referenced the Hamas attack and stated that the outcome for the 1,000 killed was a tragedy, and for those that perpetrated it, it was a planful intentional designed attack of terrorism that the whole world should be revolted and repulsed by.

- Expressed gratitude to Brian Harris for his encouraging remarks and stated that he hoped that the Board's advocacy had helped and positively influenced the FUDS cleanup process.
- Thanked Superintendent Basnight and others for their work on the school lunch program.
- Highlighted the success of the "Stand Up for Strays" charity banquet held on September 4th at Pirates Cove Marina, where 180 attendees raised significant funds for local shelters.
- Announced that the Cancer Shucks dinner is scheduled for October 25th at Pirates Cove.
- Stated that on October 26th, there will be a multi-day charity tennis tournament benefiting the Dementia Friendly Task Force.

#### Commissioner Basnight

- Shared an update from the Healthcare Task Force, highlighting their current emphasis on mental health services. Additionally, they are prioritizing Dental Health and have requested the Board of Commissioners to draft a resolution supporting dental care for children in schools.
- Expressed that it is encouraging to see the establishment of the Thomas A. Baum Council, as these centers are consistently active.
- Congratulated Sandy Pace on her retirement; expressed that she will be greatly missed by all.
- Announced that the ABC Store in Buxton is scheduled to open in early February.

#### **ITEM 20 – CLOSED SESSION**

The Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the County in order to preserve the attorney-client privilege in the matters of the Opioid Litigation and the Lutz suit; 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 owned by M&R Properties located next to the Youth Center, and the property owned by Quinton Bell located across the street from Manteo Middle School; and to approve the minutes of the last Closed Session.

#### **MOTION**

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

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

At 1:17 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 1:36 p.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes, consulted with the County Attorney, and instructed the County Attorney on the acquisition of the two real properties that were previously stated.

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 1:37 p.m., the Board of Commissioners adjourned until 9:00 a.m., November 4th, 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.