

## RESOLUTIONS – 2018

### *Following the List of 2018 Resolutions in Chronological Order, Each Resolution Can Be Viewed in its Entirety*

- 18-01-01 Support for HB551/SB595 Marsy's Law (Jan 22, 2018)
- 18-01-02 Opposing any change in the definition of Commercial Fishing (Jan 22, 2018)
- 18-02-03 Urging NC Legislature to limit the entities that can operate behavioral health and substance use service plans (LME/MCO's) (Feb 05, 2018)
- 18-02-04 Adopting 2017 S-10 Supplement to the Dare County Code of Ordinances. (Feb 05, 2018)
- 18-02-05 Continued opposition to offshore drilling and seismic testing. (Feb 05, 2018)
- 18-02-06 Requesting that an NCDOT Ferry be named the "Rodanthe" (Feb 20, 2018)
- 18-02-07 Requesting that the NCDOT passenger ferry be named the "Ocracoke Express" (Feb 20, 2018)
- 18-02-08 Opposing any adverse change in the definition of a Commercial Fishing Operation (Feb 20, 2018)
- 18-02-09 Urging Governor Cooper to examine the current membership of the NC Marine Fisheries Commission (Feb 20, 2018)
- 18-03-10 Revised Resolution indicating the date of the voter referendum in the Hatteras voting precinct (March 05, 2018)
- 18-03-11 Authorizing an installment financing contract with Capital One for equipment financing (Mar 19, 2018)
- 18-03-12 Authorizing Sole Source Purchase to replace voting machines (Mar 19, 2018)
- 18-04-13 Declaring the opioid crisis a public nuisance (Apr 03, 2018)
- 18-05-14 Asking the North Carolina General Assembly to fund the Coastal Storm Damage Mitigation Fund (May 07, 2018)
- 18-05-15 Supporting the State of North Carolina to Increase Dredging in Dare County and Adjacent Waterways (May 7, 2018)

- 18-05-16 Supporting a request for assistance for emergency dredging of the Manteo Channel (May 21, 2018)
- 18-06-17 Implementing results of the Hatteras Village voter referendum on expanding the uses of ad valorem revenue to including funding the construction and maintenance of multiuse pathways (Jun 04, 2018)
- 18-06-18 Approving amendment to the Installment Purchase Contract with the Public Facilities Corporation (Jun 04, 2018)
- 18-06-19 Approving Local Water Supply Plans (Jun 04, 2018)
- 18-06-20 Requesting to add Raleigh Wood Drive on Roanoke Island to NCDOT's Secondary Road System (Jun 04, 2018)
- 18-06-21 Opposing HB 1063 that would change the definition of Commercial Fishing (Jun 04, 2018)
- 18-06-22 Delegating duties to the Oregon Inlet Task Force concerning the private/public partnership related to dredging authorized in 2017 Session Senate Bill 99 (Jun 04, 2018)
- 18-06-23 Establishing a Water Capital Reserve Fund (Jun 18, 2018)
- 18-06-24 Authorizing electronic payments defined by NCGS 159-28 (June 18, 2018)
- 18-07-25 Supporting the Hatteras Village Multi-Modal BUILD grant request (July 16, 2018)
- 18-07-26 Reimbursement Resolution – FY2018-2019 Vehicle and Equipment Financing (July 16, 2018)
- 18-08-27 Authorizing Sheriff's Office participation in NC Governor's Highway Safety Grant program (Aug 06, 2018)
- 18-08-28 Advancing the County's revaluation of Real Property from January 1, 2021 To January 1, 2020 with subsequent revaluations on a five year cycle (Aug 06, 2018)
- 18-08-29 Approving Water Shortage Response Plan (Aug 06, 2018)
- 18-08-30 Requesting State financial assistance for obtaining authorizations for Oregon Inlet dredging (Aug 20, 2018)
- 18-08-31 Requesting State financial assistance for engineering and construction administration services for Hatteras Inlet (Aug 20, 2018)
- 18-09-32 Reimbursement Resolution FY2018-2019 Capital Improvements Plan Project Financing (Sep 04, 2018)

- 18-09-33 Authorizing Sole Source Purchase for Motorola Radios (Sep 04, 2018)
- 18-09-34 Authorizing CIP Installment Financing with The Bancorp Bank (Sep 17, 2018)
- 18-10-35 Authorizing the Dare County Transportation Department to apply for NCDOT 5310/5311 program funding (Oct 01, 2018)
- 18-11-36 Requesting to add France Court, Kay Court, Violet Court, Kellam Court to NCDOT Secondary Road System (Nov 05, 2018)
- 18-11-37 Requesting that NCDOT's Kinnakeet ferry be named the "Avon" and the "Chicamacomico" ferry be named the "Salvo" and that future NCDOT ferries be named Chicamacomico and Kinnakeet (Nov 05, 2018)
- 18-11-38 Designating Applicant's Agent for obtaining federal & state disaster relief (Nov 05, 2018)
- 18-12-39 Requesting the NC Legislature to address the problems associated with Increased use of e-cigarettes by young people (Dec 03, 2018)
- 18-12-40 Authorizing conveyance of Chevrolet Van to the College of the Albemarle (Dec 03, 2018)

### **FOLLOWING ARE THE 2018 RESOLUTIONS**

The **most recently adopted** item **appears first** in sequence

Scroll down to view all 2018 Resolutions

**RESOLUTION AUTHORIZING THE CONVEYANCE OF PROPERTY  
PURSUANT TO G.S. 160A-279**

**WHEREAS**, the County of Dare owns certain items of personal property that can be utilized by the College of the Albemarle for the purpose of training and education within the County;

**WHEREAS**, North Carolina General Statute 160A-279 authorizes a county to convey, with or without consideration, personal property by private sale to a nonprofit corporation, if the county is authorized by law to appropriate money to the corporation;

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

1. Dustin Peele, Dare County Purchasing Agent, is hereby authorized to convey, without consideration, to the College of the Albemarle, the following items of surplus personal property:

2013 Chevrolet G4500, VIN #1GB6G5CL31178710

2. Said person is further authorized and directed to execute any documents, transfer title, and perform all necessary functions associated with this conveyance.
3. Said person shall publish a notice summarizing the contents of this resolution, and the property may be conveyed at any time after 10 days after publication of the notice.


This the 3rd day of December, 2018.

COUNTY OF DARE, NORTH CAROLINA

  
Robert Woodard, Chairman

[SEAL]



  
Gary Gross, Clerk to the Board



# 18-12-39

**RESOLUTION REQUESTING NORTH CAROLINA LAWMAKERS TO PASS  
LEGISLATION TO ADDRESS THE PROBLEMS ASSOCIATED WITH INCREASED  
USE OF E CIGARETTES IN THE YOUTH POPULATION**

**DECEMBER 3, 2018**

**WHEREAS**, the Dare County Board of Health and Human Services is delegated the responsibility to protect and promote the health of the public; and

**WHEREAS**, the Dare County Board of Health and Human Services would like to engage the support of the Dare County Board of Commissioners' to assist in addressing the alarming increase in the use of e cigarettes by teenagers;

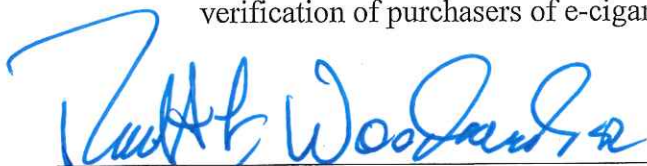
**WHEREAS**, nicotine is highly addictive and can harm brain development in children which continues into adulthood;

**WHEREAS**, preliminary data from the 2017-2018 National Youth Tobacco Survey indicates that use of e-cigarettes in high school age children rose by more than 75% and use by middle school age children by 50% thereby increasing the risk of these potential health problems; and

**WHEREAS**, the Dare County Board of Commissioners wishes to support the Dare County Board of Health and Human Services in its responsibility to protect and promote the health of the public in Dare County.

**NOW, THEREFORE, BE IT RESOLVED** that the Dare County Board of Commissioners respectfully requests that the North Carolina Legislature introduce legislation to:

- (a) Eliminate the marketing of flavored e-cigarette products to children.
- (b) Initiate the removal of all flavored products from the market (including on-line sales).
- (c) Promote and enforce retailer compliance with stronger identification and age verification of purchasers of e-cigarettes.



Bob Woodard, Chairman  
Dare County Board of Commissioners

Adopted by the Dare County Board of Commissioners  
Date: December 3, 2018



**RESOLUTION**  
**DESIGNATION OF APPLICANT'S AGENT** #18-11-38  
 North Carolina Division of Emergency Management

Organization Name (hereafter named Organization) County of Dare, NC Disaster Number: FEMA-4393-DR-NC

Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):  
 Nc Department of Crime Control & Public Safety

Applicant's Fiscal Year (FY) Start  
 Month: July Day: 1

Applicant's Federal Employer's Identification Number  
 56 - 6000293

Applicant's Federal Information Processing Standards (FIPS) Number  
 NC - 37 - 55

PRIMARY AGENT	SECONDARY AGENT
Agent's Name David Clawson	Agent's Name Sandy West
Organization Dare County, NC	Organization Dare County, NC
Official Position Deputy County Manager Finance	Official Position Risk Manager
Mailing Address P.O. Box 1000	Mailing Address P.O. Box 1000
City, State, Zip Manteo, NC 27954	City, State, Zip Manteo, NC 27954
Daytime Telephone (252) 475-5731	Daytime Telephone (252) 475-5784
Facsimile Number (252) 475-5818	Facsimile Number (252) 475-5819
Pager or Cellular Number (252) 305-5860	Pager or Cellular Number (252) 473-7535

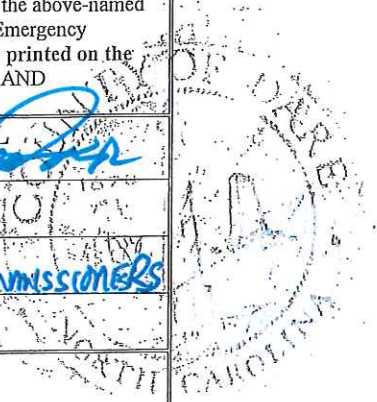
BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 5th day of November, 2018

GOVERNING BODY	CERTIFYING OFFICIAL
COUNTY OF DARE	<i>[Signature]</i>
Name and Title	Name Robert WOODARD
Name and Title	Official Position CHAIRMAN, BOARD OF COMMISSIONERS
Name and Title	Daytime Telephone 252-216-8240

**CERTIFICATION**

I, GARY Lee GROSS, (Name) duly appointed and CLERK TO THE BOARD (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of the COUNTY OF DARE (Organization) on the 5th day of November, 2018

Date: 11/5/18 Signature: *[Signature]*







# 18-11-37

**A RESOLUTION  
SUPPORTING THE NAMING OF NORTH CAROLINA FERRIES**

**WHEREAS**, the County of Dare is within the North Carolina Department of Transportation (NCDOT) Division 1; and

**WHEREAS**, the Dare County Board of Commissioners supports the tradition of naming NC Ferries after towns and regions of coastal North Carolina; and

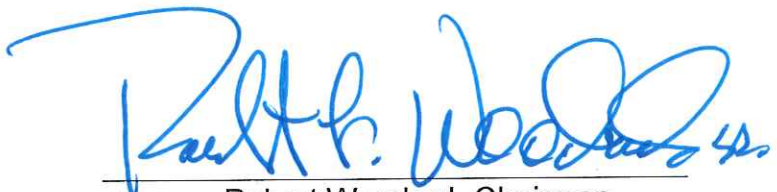
**WHEREAS**, Dare County, as the Birthplace of English-speaking America, also supports our rich Native American heritage and acknowledges the great service the Hatteras-class ferries Kinnakeet and Chicamacomico have provided the citizens and visitors of North Carolina, and

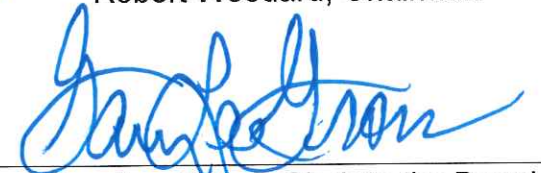
**WHEREAS**, the Dare County Board of Commissioners is proud to uphold this rich heritage and strongly urges the Albemarle RPO and the North Carolina Ferry Division to consider naming future replacement ferries the Kinnakeet and Chicamacomico and other Algonquian place names of our region in honoring this tradition.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners requests that the said ferry to replace the MV Kinnakeet be named the "Avon" and the ferry to replace the MV Chicamacomico be named the "Salvo" and that the names Kinnakeet and Chicamacomico be considered for future replacement ferries.

ADOPTED this 5<sup>th</sup> day of November, 2018.



  
Robert Woodard, Chairman

Attest:   
Gary Lee Gross, Clerk to the Board

North Carolina Department of Transportation  
Division of Highways  
Request for Addition to State Maintained Secondary Road System

# 18-11-36

North Carolina

County: DARE

Road Description: FRANCE COURT, KAY COURT, VIOLET COURT, KELLAM COURT

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of DARE requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of DARE that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

**CERTIFICATE**

The foregoing resolution was duly adopted by the Board of Commissioners of the County of DARE at a meeting on the 5<sup>th</sup> day of November, 2018.

WITNESS my hand and official seal this the 5<sup>th</sup> day of November, 2018.

Official Seal



Gary Lee Gross  
Clerk, Board of Commissioners GARY LEE GROSS  
County: DARE

**PLEASE NOTE:**

Forward direct with request to the Division Engineer, Division of Highways



# 18-10-35

PUBLIC TRANSPORTATION PROGRAM RESOLUTION

FY 2020 RESOLUTION

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

Applicant seeking permission to apply for Public Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (Board Member's Name) COMMISSIONER SHEA and seconded by (Board Member's Name or N/A, if not required) VICE CHAIRMAN OVERMAN for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for "purchase-of-service" projects under the Capital budget Section 5310 program.

WHEREAS, **Dare County** hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the <sup>CHAIRMAN</sup> (Authorized Official's Title)\* \_\_\_\_\_ of Dare County Board of Commissioners, is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

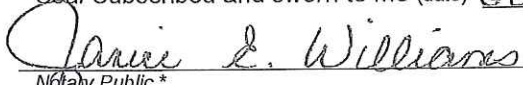
**\*\* The approved resolution allows the Authorized Representative to receive, sign, and return the contract(s) for the grant(s) applied for without the contract(s) resubmitted to the applicants Board for review.**

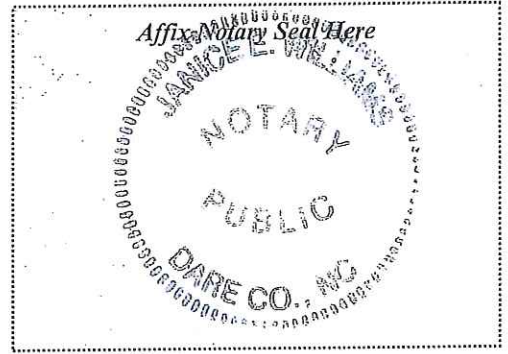
GARY LEE GROSS      CLERK TO THE BOARD  
I (Certifying Official's Name)\* \_\_\_\_\_ (Certifying Official's Title) \_\_\_\_\_ do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Dare County Board of Commissioners, duly held on the 1st day of October, 2018

  
Signature of Certifying Official GARY LEE GROSS, Clerk

  
CHAIRMAN ROBERT WOODARD

**\*Note that the authorized official, certifying official, and notary public should be three separate individuals.**

Seal Subscribed and sworn to me (date) Oct. 1, 2018  
  
Notary Public\*  
Janice E Williams  
Manteo NC 27954  
Printed Name and Address



My commission expires (date) 11/27/23



#18-09-34

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$1,266,611 WITH THE BANCORP BANK TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**

BE IT RESOLVED by the governing body for the County of Dare, North Carolina (the "County"):

Section 1. The governing body of the County does hereby find and determine:

(a) The County proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");

(b) After consideration, the governing body of the County has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;

(c) Pursuant to Section 160A-20, the County is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and

(d) The Bancorp Bank has proposed to enter into an Installment Financing Contract with the County to finance the Equipment pursuant to which The Bancorp Bank will lend the County the amount of \$1,266,611 (the "Contract").

Section 2. The governing body of the County hereby authorizes and directs the County Manager and Finance Director to execute, acknowledge and deliver the Contract on behalf of the County in such form and substance as the person executing and delivering such instruments on behalf of the County shall find acceptable. The Clerk is hereby authorized to affix the official seal of the County to the Contract and attest the same.

Section 3. The proper officers of the County are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract.

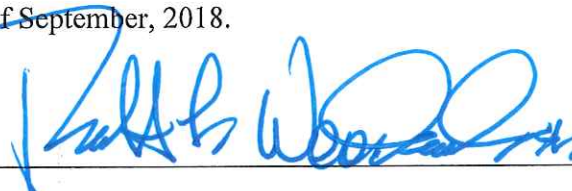
Section 4. Notwithstanding any provision of the Contract, no deficiency judgment may be rendered against the County in any action for breach of a contractual obligation under the Contract and the taxing power of the County is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for The Bancorp Bank in such instance.

Section 5. The County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the County's obligations under the Contract will not be included in the gross income of The Bancorp Bank.


Section 6. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 17th day of September, 2018.



  
\_\_\_\_\_  
Chairman, Board of County Commissioners

COUNTY OF DARE, NORTH CAROLINA

  
\_\_\_\_\_  
Clerk to the Board



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

**WHEREAS**, the County of Dare desires to purchase replacement radios for the Sheriff's Department, Emergency Management Department, and Emergency Medical Services (EMS) Department; and

**WHEREAS**, the purchase of replacement radios is critical for the daily operations of these departments; and

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

**WHEREAS**, the County of Dare Sheriff's Department, Emergency Management Department, and EMS Department have performed an evaluation and have determined that Motorola radios are the make required to provide the capability and compatibility that is critical for daily operations.

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

1. The County of Dare is authorized to enter into a contract in the amount of \$1,025,361 with Motorola for the sole source purchase of 207 replacement radios.
2. The County Manager is authorized to execute the agreement with Motorola and is directed to take all steps necessary to place the radios on order before October 1st.
3. This Resolution shall be effective upon its adoption.

This the 4th day of September, 2018.

COUNTY OF DARE, NORTH CAROLINA

  
Robert Woodard, Chairman

[SEAL]

  
  
Gary Gross, Clerk to the Board

Resolution No. 18-09-32

**REIMBURSEMENT RESOLUTION – FISCAL YEAR 2018-2019 CAPITAL IMPROVEMENTS PLAN PROJECT FINANCING**

*WHEREAS*, the County Manager and the Finance Officer have described to the Board of Commissioners the desirability of adopting a resolution, as provided under federal tax law, to facilitate the County's use of financing proceeds to restore County funds when the County makes capital expenditures prior to closing on a bond issue or other financing;

*NOW, THEREFORE, BE IT RESOLVED* by the Board of Commissioners of the County of Dare, North Carolina as follows:

Section 1. *Official Declaration of Intent.* The County presently intends, and reasonably expects, to reimburse itself for the original expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this resolution from a portion of the proceeds of the obligations. The County reasonably expects to execute and deliver the obligations to finance all or a portion of the costs of the project and the maximum principal amount of obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the project is \$1,266,611.

Section 2. *Compliance with Regulations.* The County adopts this resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County's intent to reimburse itself for the original expenditures from proceeds of the obligations.

Section 3. *Itemization of Capital Expenditures.* The Finance Director of the County is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the original expenditures incurred and paid by the County in connection with the project during the period commencing on the date occurring 60 days prior to the date of adoption of this resolution and ending on the date of execution and delivery of the obligations.

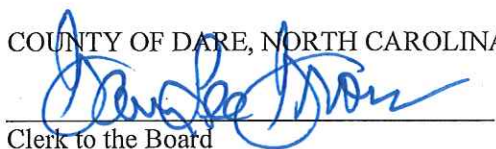
Section 4. *Effective Date.* This resolution shall become effective immediately upon the date of its adoption.

Adopted this 4th day of September, 2018.

  
Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA

  
Clerk to the Board





# 18-08-31

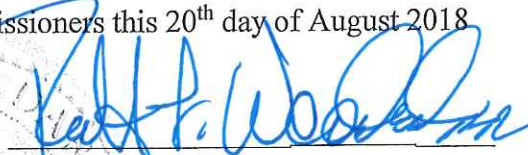
WHEREAS, the Dare County Board of Commissioners desires to sponsor the engineering consulting and construction administrative services associated with maintaining the Hatteras Inlet Navigation Channels, in support of conducting maintenance dredging operations of the "Connector Channel" (also referred to as the South Ferry Channel) in the vicinity of Hatteras Inlet.

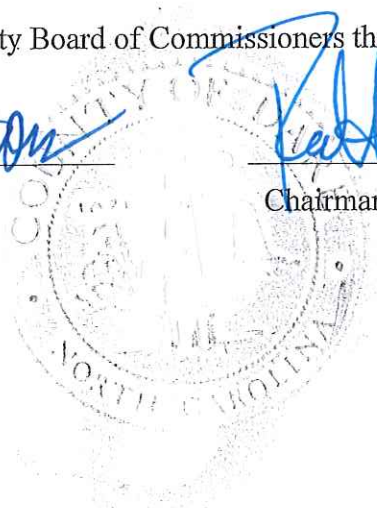
NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Dare County Board of Commissioners requests the State of North Carolina to provide financial assistance to the County of Dare for the engineering consulting and construction administrative services associated with maintaining the Hatteras Inlet Navigation Channels in the amount of \$20,295.00 or 75 percent of the Scope of Work submitted by APTIM totaling \$27,060.00;
- 2) The Board assumes full obligation for payment of the balance of project costs;
- 3) The Board will obtain all necessary State and Federal permits;
- 4) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.
- 5) The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Board will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Board will assure that the project is open for use by the public on an equal basis with no restrictions;
- 8) The Board will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) The Board accepts responsibility for the operation and maintenance of the completed project.

Adopted by the Dare County Board of Commissioners this 20<sup>th</sup> day of August 2018

  
Clerk to the Board

  
Chairman, Board of Commissioners




#18-08-30


WHEREAS, the Dare County Board of Commissioners desires to sponsor the obtaining of state and federal authorizations to conduct maintenance dredging of Oregon Inlet, including services to be provided by APTIM to support procurement of state and federal permits to allow for the operation of a yet-to-be constructed special purpose dredge, specifically in the vicinity of Oregon Inlet.

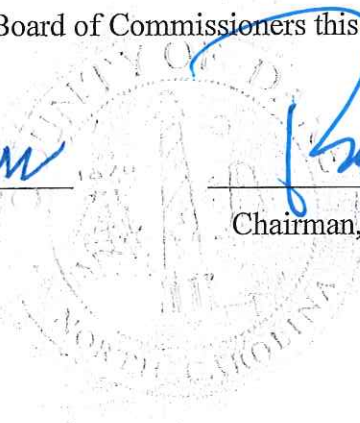
NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Dare County Board of Commissioners requests the State of North Carolina to provide financial assistance to the County of Dare for obtaining state and federal authorizations to conduct maintenance dredging of Oregon Inlet in the amount of \$63,076.95 or 66.66 percent of the Scope of Work submitted by APTIM totaling \$94,624.90;
- 2) The Board assumes full obligation for payment of the balance of project costs;
- 3) The Board will obtain all necessary State and Federal permits;
- 4) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.
- 5) The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Board will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Board will assure that the project is open for use by the public on an equal basis with no restrictions;
- 8) The Board will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) The Board accepts responsibility for the operation and maintenance of the completed project.

Adopted by the Dare County Board of Commissioners this 20<sup>th</sup> day of August 2018.

  
Clerk to the Board

  
Chairman, Board of Commissioners





RESOLUTION FOR APPROVING WATER SHORTAGE RESPONSE PLAN

#18-0829

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department for review and approval; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the Dare County Water Department, has been developed and submitted to the Dare County Board of Commissioners for approval; and

WHEREAS, the Dare County Board of Commissioners finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Dare County Water Department, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Dare County Board of Commissioners of the Dare County Water Department that the Water Shortage Response Plan entitled, Water Shortage Response Plan dated March 5, 2018, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the County of Dare Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 6<sup>th</sup> day of August, 2018.



Name: Robert Woodard  
Title: CHAIRMAN  
Signature: [Handwritten Signature]

ATTEST: [Handwritten Signature]  
GARY LOE GROSS  
Clerk to the Board

# 18-08-28

**RESOLUTION OF THE DARE COUNTY BOARD OF COMMISSIONERS  
TO ADVANCE DARE COUNTY'S PROPERTY REVALUATION  
FROM JANUARY 1, 2021 TO JANUARY 1, 2020**

WHEREAS, the Dare County Board of Commissioners advanced its scheduled octennial revaluation of all real property in Dare County to January 1, 2010, and implemented subsequent revaluations on a five year cycle by Resolution adopted October 16, 2006; and

WHEREAS, G.S. 105-286 (a) (2) provides that any county desiring to conduct a revaluation of real property earlier than required by this subsection (a) may do so upon adoption by the Board of County Commissioners of a resolution so providing; and

WHEREAS, Dare County postponed its scheduled revaluation of real property from January 1, 2010 to an effective date of January 1, 2011 by Resolution adopted September 21, 2009; and

WHEREAS, Dare County postponed its scheduled revaluation of real property from January 1, 2011 to an effective date of January 1, 2013 by Resolution adopted April 19, 2010; and

WHEREAS, Dare County postponed its scheduled revaluation of real property from January 1, 2018 to an effective date of January 1, 2021, by Resolution adopted June 6, 2016; and

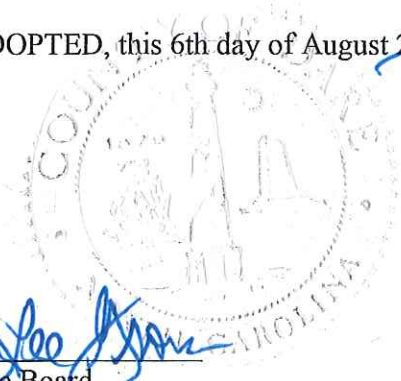
WHEREAS, Dare County desires to advance its scheduled revaluation of real property from January 1, 2021 to an effective date of January 1, 2020, and to continue on its five year cycle subsequent to 2020; and

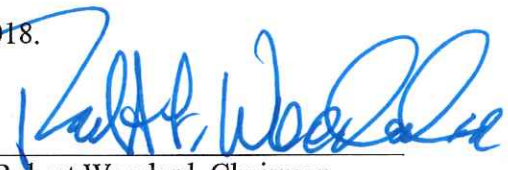
WHEREAS, the reappraisal work will be conducted by the staff of the Dare County Assessor's Office as part of its program of work each year;

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners does hereby advance its scheduled revaluation of all real property in Dare County from January 1, 2021 to January 1, 2020, and will continue subsequent revaluations on a five year cycle; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded promptly by the Clerk to the Board to the Department of Revenue as required by G.S. 105-286.

ADOPTED, this 6th day of August 2018.



  
Robert Woodard, Chairman  
Board of County Commissioners

ATTEST:  
  
Clerk to the Board



North Carolina Governor's Highway Safety Program  
**LOCAL GOVERNMENTAL RESOLUTION**

WHEREAS, the Dare County Sheriff's Office (herein called the "Agency")

(The Applicant Agency)

has completed an application contract for traffic safety funding; and that Dare County Board of Commissioners

(The Governing Body of the Agency)

Commissioners (herein called the "Governing Body") has thoroughly considered the problem

identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Dare County Board of Commissioners IN OPEN

(Governing Body)

MEETING ASSEMBLED IN THE CITY OF Manteo, NORTH CAROLINA,

THIS 06 DAY OF August, 20 18, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Edward Jack Scarborough is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$ 20,000.00 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and  
(Name and Title of Representative)  
(Federal Dollar Request)
3. That the Governing Body has formally appropriated the cash contribution of \$ 0.00 as required by the project contract; and  
(Local Cash Appropriation)
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by Robert Woodard, Chairman

(Chairperson/Mayor)

ATTESTED BY

[Signature]  
(Clerk)

DATE

8/6/18



Resolution No. 18-07-26

**REIMBURSEMENT RESOLUTION – FISCAL YEAR 2018-2019 VEHICLE AND EQUIPMENT FINANCING PROJECT**

*WHEREAS*, the County Manager and the Finance Officer have described to the Board of Commissioners the desirability of adopting a resolution, as provided under federal tax law, to facilitate the County's use of financing proceeds to restore County funds when the County makes capital expenditures prior to closing on a bond issue or other financing;

*NOW, THEREFORE, BE IT RESOLVED* by the Board of Commissioners of the County of Dare, North Carolina as follows:

Section 1. *Official Declaration of Intent.* The County presently intends, and reasonably expects, to reimburse itself for the original expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this resolution from a portion of the proceeds of the obligations. The County reasonably expects to execute and deliver the obligations to finance all or a portion of the costs of the project and the maximum principal amount of obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the project is \$2,057,425.

Section 2. *Compliance with Regulations.* The County adopts this resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County's intent to reimburse itself for the original expenditures from proceeds of the obligations.

Section 3. *Itemization of Capital Expenditures.* The Finance Director of the County is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the original expenditures incurred and paid by the County in connection with the project during the period commencing on the date occurring 60 days prior to the date of adoption of this resolution and ending on the date of execution and delivery of the obligations.

Section 4. *Effective Date.* This resolution shall become effective immediately upon the date of its adoption.

Adopted this 16th day of July, 2018.

  
Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA

  
Clerk to the Board



#18-07-25

**RESOLUTION SUPPORTING THE HATTERAS VILLAGE MULTI-MODAL  
BUILD GRANT REQUEST**

**WHEREAS**, the NC Department of Transportation is implementing a passenger ferry system originating in Hatteras village traveling to Ocracoke village thereby enhancing the ferry experience for the thousands of people that visit the Outer Banks annually by providing an alternative to the vehicle ferries that also travel this route, and

**WHEREAS**, infrastructure improvements in Hatteras village to supplement the passenger ferry service are needed so visitors and residents can connect to the Hatteras ferry terminal using multi-modal pathways throughout Hatteras village not roadways; and

**WHEREAS**, the availability or reliable and convenient modes of transportation such as trams and bicycles for passenger ferry riders once they reach their destination of Hatteras village will ensure the success of the Hatteras-Ocracoke passenger ferry, and

**WHEREAS**, the use of multi-use pathways and the trams in Hatteras village will provide a safe system of multi-modal transportation in Hatteras village for those persons utilizing the passenger ferries while vacationing on the Outer Banks, and

**WHEREAS**, federal funding in the BUILD grant program is available for the construction of transportation infrastructure improvements especially in rural areas such as Hatteras Island, and

**WHEREAS**, the passenger ferry system linking Hatteras village to Ocracoke village, the use of multi-use pathways for pedestrian and bicycle riders, and the use of passenger TRAM for internal travel in Hatteras village represents a unique multi-modal transportation project, which is the objective of the BUILD program:

**NOW THEREFORE BE IT RESOVLED**, the Dare County Board of Commissioners respectfully submits a BUILD grant application for the construction of multi-use pathways in Hatteras village and the development of a tram program in Hatteras village in support of the Hatteras-Ocracoke passenger ferry.

BY: *Robert L. Woodard* DATE: 7/16/18

Robert L. Woodard, Chairman  
Dare County Board of Commissioners

ATTEST: *Gary Gross*  
Gary Gross  
Clerk to the Board





#18-06-24

**Resolution**  
**Authorizing the County of Dare to Engage in Electronic Payments as Defined by NCGS 159-28**

**WHEREAS**, it is the desire of Dare County Board of Commissioners that Dare County be authorized to engage in electronic payments as defined by NCGS 159-28(d2); and

**WHEREAS**, it is the responsibility of the Finance Officer to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409; and

**WHEREAS**, it is the responsibility of the Finance Officer to adopt a written policy outlining procedures for disbursing public funds by electronic transactions as required by NC Administrative Code 20 NCAC 03 .0410; and

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

Dare County is authorized to engage in electronic payments as defined by NCGS 159-28;


The Dare County Finance Officer is directed and authorized to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409;

The Dare County Finance Officer is directed and authorized to adopt a written policy outlining procedures for disbursing public funds by electronic transactions as required by NC Administrative Code 20 NCAC 03 .0410; and

This Resolution shall become effective upon its adoption.

This the 18<sup>th</sup> day of JUNE, 2018.



  
Robert Woodard, Chairman

Attest:   
Gary Lee Gross, Clerk to the Board





#18-06-23

## Resolution to Establish Water Capital Reserve Fund

**WHEREAS**, the County needs to provide funds for future capital projects for its water system and to make debt service payments on existing debt issued for past capital projects; and

**WHEREAS**, the County has complied with the requirements of NCGS 162A Article 8 and has established system development fees effective July 1, 2018; and

**WHEREAS**, NCGS 159-18 authorizes the creation of a Capital Reserve Fund and NCGS 162A Article 8 requires system development fees to be accounted for in a Capital Reserve Fund;

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

**Section 1.** A Water Capital Reserve Fund is hereby created for the purpose of water system capital projects as specifically identified each fiscal year in the County's adopted rolling seven year Water Capital Improvements Plan (CIP) and for the purpose of any debt service payments on existing debt as identified in the Water CIP.

**Section 2.** The Water Capital Reserve Fund shall remain effective and in place for each fiscal year in which system development fees are collected and used per the adopted Water CIP.

**Section 3.** The amounts to be accumulated in the Water Capital Reserve Fund and used for each project or purpose shall be specifically identified each fiscal year in the County's adopted Water CIP and the Water Capital Reserve Fund budget shall be amended to reflect such upon adoption of the Water CIP.

**Section 5.** This Resolution shall become effective July 1, 2018.

This the 18<sup>th</sup> day of June, 2018.



Robert Woodard, Chairman

Attest:

Gary Lee Gross, Clerk to the Board



# 18-06-22

## RESOLUTION

### DELEGATING DUTIES TO THE OREGON INLET TASK FORCE THAT ARE DESCRIBED IN 2017 SESSION SENATE BILL 99 SECTION 13.7.(a-h)

**WHEREAS;** 2017 SESSION SENATE BILL 99 SECTION 13.7.(a) states that The General Assembly finds that the maintenance of the State's shallow draft navigation channels in a manner that keeps those channels navigable and safe and minimizes their closure or degradation is a vital public purpose and a proper governmental function and that declines in federal funding and dredging activity have significantly and adversely impacted the ability of the federal government to maintain these channels in a timely manner. The resulting deterioration in these channels damages the significant portion of the economy of the State's coastal regions that is dependent on the use of the navigation channels by watercraft. Therefore, it is the policy of the State to support and, when necessary to meet the public purposes set forth in this subsection, to supplement federal maintenance of these navigation channels. For purposes of this section, "shallow draft navigation channel" shall have the definition set forth in G.S. 143-215.73F(e); and

**WHEREAS;** SECTION 13.7.(b) Notwithstanding subsection (b) of G.S. 143-215.73F, fifteen million dollars (\$15,000,000) from the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund shall be allocated to Dare County (Local Partner) to provide a forgivable loan to a private partner for the purchase of a shallow draft hopper dredge to be used under the direction of the Oregon Inlet Task Force in accordance with the work plan negotiated under subdivision (2) of subsection (e) of this section for maintenance of shallow draft navigation channels located throughout the State. For purposes of this section, Oregon Inlet Task Force refers to the advisory body initially appointed by the Dare County Commission at its January 22, 2013, meeting, as subsequently revised by the Commission. The Local Partner shall delegate by resolution any of its delegable duties under this section to the Task Force. The Task Force shall coordinate the use of the dredge funded by this section to ensure that dredging projects for all shallow draft navigation channels located in waters of the State are completed in an expeditious and timely manner.

**THEREFORE BE IT RESOLVED;** The Dare County Board of Commissioners delegates any and all delegable duties to the Oregon Inlet Task Force that are described in **2017 SESSION SENATE BILL 99 SECTION 13.7.(a-h)** to include: 1) Preparing a Request for Proposal (RFP) for private entities by August 1, 2018. 2) Selecting a private partner no later than 60 days after the deadline for RFP responses. 3) Negotiating a forgivable loan agreement with the private entity. 4) Developing a work plan that maximizes the use of general permits or through amendments to existing permits in order to minimize expense and delay. 5) Negotiating a Memorandum of Agreement (MOA) with the private partner implementing the work plan and providing for construction, operation, and maintenance of the dredge. 6) Negotiating an MOA or amending existing MOA's with the Army Corps of Engineers as necessary. 7) Providing an annual report no later than October 1 on dredging activities during the prior fiscal year. The County Manager/Attorney is authorized and shall work with the Oregon Inlet Task Force on behalf of the local partner in the execution of these duties and the Oregon Inlet Task Force shall give monthly reports to the Dare County Board of Commissioners during their second meeting of every month.



Adopted this the 4<sup>th</sup> day of June, 2018.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board



## RESOLUTION

# 18-06-21

### OPPOSING NORTH CAROLINA HOUSE BILL 1063 THAT WOULD CHANGE THE DEFINITION OF COMMERCIAL FISHING

**WHEREAS**, the Dare County Board of Commissioners has steadfastly supported North Carolina's Commercial Fishermen who are a vital part of our State's history, heritage, and culture and represent a crucial component of the economy for Dare County and other coastal communities. According to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

**WHEREAS**, House Bill 1063 proposes to drastically raise the annual Commercial Fishing license fee and impose a burdensome requirement that commercial license holders demonstrate a minimum level of participation by documenting at least 1,000 pounds of seafood during any two out of five continuous years; and

**WHEREAS**, the introduction of House Bill 1063 is yet another attempt to redefine commercial fishing, which would be detrimental to North Carolina's Commercial Fishing Industry. In fact, earlier this year the North Carolina Marine Fisheries Commission embarked on an effort to change the criteria of what constitutes a commercial fishing operation by imposing, among other things, that license holders document annual seafood landings of at least 1,000 pounds; and

**WHEREAS**, the Dare County Board of Commissioners on January 22, 2018 and again on February 20, 2018 adopted unanimous resolutions opposing any change in the definition of commercial fishing based on the following - - -

- No other professional license issued by the State dictates a level of participation in order for its holders to qualify. Furthermore the definition of what constitutes commercial fishing in North Carolina has already been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes.
- Imposing an arbitrary level of participation based on landings would unfairly have a harsh and punitive effect on coastal communities hit by hurricanes and other natural disasters where many commercial license holders, whose income generating season may have been entirely wiped out by a storm, are forced to temporarily divert their time and talents to other business enterprises.
- Those who engage in commercial fishing already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to support their families.
- In October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman. In its Final Report the Taskforce clearly stated its recommendation that "no changes are needed to the existing definition;"

**WHEREAS**, House Bill 1063 is an attempt to fix something that is not broken and would jeopardize coastal communities whose economy and wellbeing are dependent upon both full-time and part-time commercial fishermen who are small, independent businesses that work hard under adverse conditions to put fresh, healthy North Carolina seafood on American tables.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners reaffirms its unwavering commitment to North Carolina's commercial fishing industry by strongly opposing House Bill 1063, or any other action, that would change the definition of Commercial Fishing or cause harm to North Carolina's Working Watermen.

Adopted this the 4<sup>th</sup> day of June, 2018.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board



North Carolina Department of Transportation  
Division of Highways  
Request for Addition to State Maintained Secondary Road System

# 18-06-20

North Carolina

County: Dare

Road Description: Raleigh Wood Drive

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

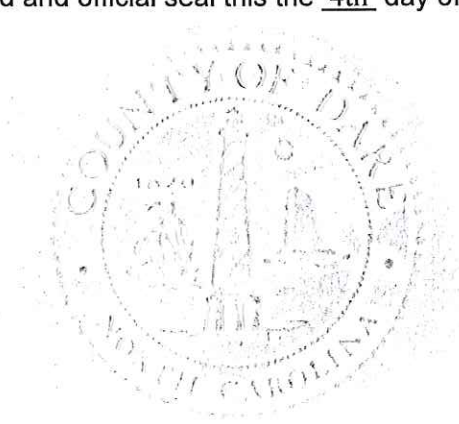
NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

**CERTIFICATE**

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 4<sup>th</sup> day of June, 2018.

WITNESS my hand and official seal this the 4<sup>th</sup> day of June, 2018.

**Official Seal**



*Gary Lee Grass*  
Clerk, Board of Commissioners  
County: DARE

**PLEASE NOTE:**

**Forward direct with request to the Division Engineer, Division of Highways**



# 18-06-19

# Resolution Approving Local Water Supply Plans for the Dare County Water Systems

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, Local Water Supply Plans for Dare County Regional Water System, Dare County Rodanthe, Waves, Salvo Water System, Dare County Cape Hatteras Water System, and Dare County Stumpy Point Water System (the Dare County Water Systems), have been developed and submitted to the Dare County Board of Commissioners for approval; and

WHEREAS, the Dare County Board of Commissioners finds that the Local Water Supply Plans are in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for the Dare County Water Systems, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Dare County Board of Commissioners of the Dare County Water Systems that the Local Water Supply Plan entitled, the Dare County Water Systems Local Water Supply Plans dated 2017, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Dare County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 4<sup>th</sup> day of June, 2018



Name: Robert Woodward

Title: CHAIRMAN

Signature: [Handwritten Signature]

ATTEST:

GARY LEE GROSS  
Clerk to the Board

[Handwritten Signature]

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

#18-06-18

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on June 4, 2018 at 9:00 a.m. at the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice Chairman Overman,

Commissioners: Shea, House, Ross, Tobin

The following members were absent: Commissioner Couch

\* \* \* \* \*

Vice Chairman Overman moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, APPROVING AN AMENDMENT TO THE INSTALLMENT PURCHASE CONTRACT WITH THE DARE COUNTY PUBLIC FACILITIES CORPORATION AND RELATED MATTERS**

*WHEREAS*, the County of Dare, North Carolina (the "County") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

*WHEREAS*, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

*WHEREAS*, the County has previously executed and delivered an Installment Purchase Contract dated as of December 1, 2005 (the "2005 Contract"), between the Dare County Public Facilities Corporation (the "Corporation") and the County, the proceeds of which were used to finance the construction, renovation, improvement, equipping and furnishing of various school facilities in the County (the "2005 Projects"); has previously entered into Amendment Number One to the Installment Purchase Contract dated as of February 1, 2013 (the "First Contract Amendment") with the Corporation to refinance the 2005 Projects; and Amendment Number Two to the Installment Purchase Contract dated as of June 1, 2016 (the "Second Contract Amendment") to finance additional projects;

*WHEREAS*, the Board of Commissioners of the County of Dare, North Carolina (the "Board of Commissioners"), has determined that it is in the best interest of the County to enter into another amendment to the 2005 Contract (the "Third Contract Amendment" and together with the 2005 Contract, the First Contract Amendment and the Second Contract Amendment, the "Contract") with the Corporation in order to finance the costs of beach nourishment for the purpose of beach erosion control

and flood and hurricane protection works in Nags Head and renovations and improvements to Manteo High School (collectively, the "2018 Projects");

*WHEREAS*, in order to secure its obligations under the Contract, the County has granted a Deed of Trust and Security Agreement dated as of December 1, 2005 (the "Deed of Trust") on the real property on which certain of the 2005 Projects are located (the "Mortgaged Property");

*WHEREAS*, the County hereby determines that the 2018 Projects are essential to the County's proper, efficient and economic operation and to the general health and welfare of its citizens; that the financing of the 2018 Projects will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Third Contract Amendment is necessary and expedient for the County by virtue of the findings presented herein;

*WHEREAS*, the County hereby determines that the Third Contract Amendment allows the County to construct or cause to be constructed the 2018 Projects and take title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

*WHEREAS*, the County hereby determines that the estimated cost of financing the 2018 Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

*WHEREAS*, although the cost of financing the 2018 Projects pursuant to the Third Contract Amendment is expected to exceed the cost of financing the 2018 Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of financing the 2018 Projects pursuant to the Third Contract Amendment and the Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of the Projects; and (3) revenues produced by the 2018 Projects are insufficient to permit a revenue bond financing;

*WHEREAS*, the County hereby determines that the estimated cost of financing the 2018 Projects pursuant to the Third Contract Amendment reasonably compares with an estimate of similar costs under a general obligation bond financing for the same undertaking as a result of the findings delineated in the above preambles;

*WHEREAS*, the County does not anticipate a property tax increase to pay installment payments falling due under the Third Contract Amendment;

*WHEREAS*, Parker Poe Adams & Bernstein LLP, as bond counsel, will render an opinion to the effect that entering into the Third Contract Amendment and the transactions contemplated thereby are authorized by law;

*WHEREAS*, no deficiency judgment may be rendered against the County in any action for its breach of the Third Contract Amendment, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Third Contract Amendment;

*WHEREAS*, the County is not in default under any of its debt service obligations;



*WHEREAS*, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act;

*WHEREAS*, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

*WHEREAS*, in order to assist the County with undertaking the plan of finance described above related to the Third Contract Amendment, the Corporation will execute and deliver not to exceed \$10,580,000 aggregate principal amount of a Limited Obligation Bond Evidencing Proportionate Undivided Interests in Rights to Receive Certain Revenues Pursuant to the Contract (the "Bond") that will be purchased by Regions Capital Advantage, Inc. under the terms of an Indenture of Trust dated as of December 1, 2005 between the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"), as supplemented and amended by Supplemental Indenture, Number 1 dated as of February 1, 2013, Supplemental Indenture, Number 2 dated as of June 1, 2016, and Supplemental Indenture, Number 3 dated as of July 1, 2018, each between the Corporation and the Trustee;

*WHEREAS*, the Board conducted a public hearing on June 4, 2018 to receive public comment on the proposed Third Contract Amendment and the financing of the 2018 Projects;

*WHEREAS*, the County has filed an application to the LGC for approval of the Third Contract Amendment;

*WHEREAS*, there has been described to the Board the Third Contract Amendment, copies of which have been made available to the Board, which the County proposes to approve, enter into and deliver to effectuate the proposed installment purchase financing;

*NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA*, as follows:

*Section 1. Ratification of Action.* That all actions of the County Manager, the Finance Director, the Clerk to the Board and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Third Contract Amendment.

*Section 2. Authorization to Execute the Third Contract Amendment.* That the County approves the financing of the 2018 Projects in accordance with the terms of the Third Contract Amendment, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Third Contract Amendment shall be and the same hereby are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director and the Clerk to the Board and their respective designees, individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the Third Contract Amendment, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form and content of the Third Contract Amendment presented to the Board, and that from and after the execution and delivery of the Third Amendment, the County Manager, the Finance Director and the Clerk to the Board, individually or collectively, are hereby

authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Third Contract Amendment as executed.

*Section 3. County Representatives.* That the County Manager and Finance Director of the County are hereby designated as the County's Representatives to act on behalf of the County in connection with the transaction contemplated by the Third Contract Amendment, and the County's Representatives are authorized to proceed with the 2018 Projects and to seek opinions of law from such attorneys for all documents contemplated hereby as required by law. The County's Representatives and/or designee or designees are in all respects authorized on behalf of the County to supply all information pertaining to the County as purchaser under the Contract and the transaction contemplated by the Third Contract Amendment. The County Manager, the Clerk to the Board and the Finance Director of the County or their respective designees are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Resolution.

*Section 4. Sale of the Bond.* That the sale of the Bond to Regions Capital Advantage, Inc. is hereby approved and authorized.

*Section 5. Severability.* That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

*Section 6. Repealer.* That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

*Section 7. Effective Date.* That this Resolution shall become effective on the date of its adoption.

STATE OF NORTH CAROLINA        )  
  )  
COUNTY OF DARE                    )        SS:

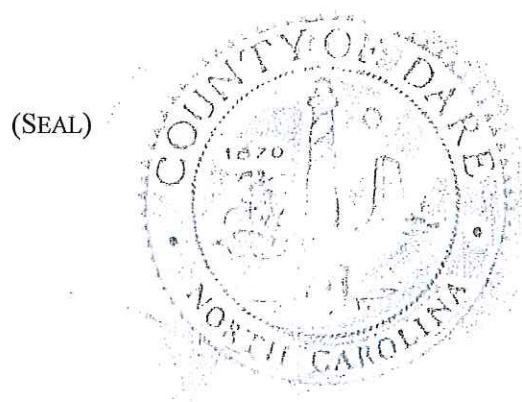
I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina, *DO HEREBY CERTIFY*, as follows:

1.        A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on June 4, 2018, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2.        I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3.        Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

*IN WITNESS WHEREOF*, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 4<sup>th</sup> day of June, 2018.



\_\_\_\_\_  
GARY L. GROSS  
Clerk to the Board of Commissioners  
County of Dare, North Carolina



# 18-06-17

**RESOLUTION**

**AUTHORIZING THE HATTERAS VILLAGE COMMUNITY CENTER DISTRICT TO EXPAND THE USES OF THE AD VALOREM TAX TO INCLUDE FUNDING THE CONSTRUCTION AND MAINTENANCE OF MULTIUSE PATHWAYS**

**WHEREAS**, North Carolina House Bill 415 (Session Law 2017-50) was enacted by the General Assembly to provide for an election in the Village of Hatteras on the question of allowing the Hatteras Village Community Center District to expand the uses of ad valorem tax funds collected by the county on behalf of the district for the construction and maintenance of multiuse pathways around the village; and

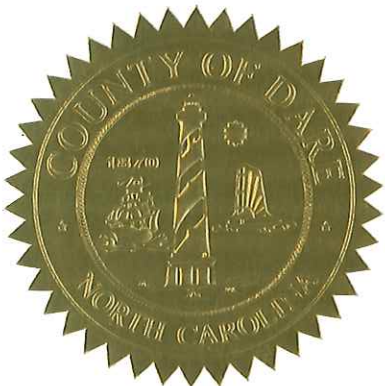
**WHEREAS**, the provisions outlined in Section 1.(d) of the aforesaid Session Law provide that if a majority of the qualified voters voting at the election shall vote in favor of allowing the Hatteras Village Community Center District to expand the uses of the ad valorem tax to include funding the construction and maintenance of multiuse pathways around the village of Hatteras, the Board of County Commissioners of Dare County shall, upon receipt of the certified copy of the results of the election from the Board of Elections, adopt a resolution to that effect and shall file a copy of the resolution with the Clerk of the Superior Court of Dare County; and

**WHEREAS**, in an election held on May 8, 2018 a majority of the qualified voters voted to expand the uses of the ad valorem tax authorized in Chapter 212 of the Session Laws of 1981 to include funding the construction and maintenance of multiuse pathways around the village of Hatteras.

**NOW THEREFORE BE IT RESOLVED** that having received a certified copy of the results of the election from the Board of Elections, the Dare County Board of Commissioners hereby adopts this resolution authorizing the Hatteras Village Community Center District to expand the uses of the ad valorem tax effective June 4, 2018 to include funding the construction and maintenance of multiuse pathways around the village of Hatteras pursuant to Session Law 2017-50 House Bill 415.

**BE IT FURTHER RESOLVED** that the Dare County Board of Commissioners directs that a copy of this resolution shall be filed with the Clerk of the Superior Court of Dare County.

Adopted this the 4<sup>th</sup> day of June, 2018.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board





# 18-05-16

**RESOLUTION  
SUPPORTING A REQUEST FOR ASSISTANCE FOR EMERGENCY DREDGING  
OF THE MANTEO CHANNEL**

**WHEREAS**, the Manteo Channel in Roanoke Sound leading to Shallowbag Bay was authorized by an Act of the United States Congress as part of the River and Harbor Bill on June 25, 1910, and has remained a federally authorized channel for more than 100 years; and

**WHEREAS**, in 1976, in support of the development of a Seafood Industrial Park in Wanchese Harbor, the State of North Carolina agreed to accept fiscal responsibility for maintenance dredging of the northern portion of the Manteo Channel from the US Army Corps of Engineers; and

**WHEREAS**, the State of North Carolina dredged a portion of that channel in 1983 in furtherance of America's 400<sup>th</sup> Anniversary Celebration of the Roanoke Voyages, 1584-1587, to include: the launching of the *Elizabeth II*, a representative 16<sup>th</sup> century vessel; a royal visit from HRH the Princess Anne; the inauguration of Operation Raleigh under the auspices of HRH Prince Charles; a flotilla of boats under the honorary command of veteran newsman Walter Cronkite; the opening of Roanoke Island Festival Park, a state historic site administered by the North Carolina Department of Natural and Cultural Resources; construction of a bridge, municipal marina and public boardwalks connecting Festival Park with the town; the opening of the George Washington Creef Boathouse, now the Roanoke Island Maritime Museum; and some \$20 million invested in public/private partnerships as part of the revitalization of the Town of Manteo in preparation for the celebration; and

**WHEREAS**, public facilities such as Roanoke Island Festival Park have provided an economic stimulus to the Town of Manteo, as well as bringing history, education, and the arts to hundreds of thousands of visitors to Manteo; and

**WHEREAS**, since her maiden voyage from Manteo to Beaufort and Newbern in 1985, the *Elizabeth II*, as North Carolina's floating ambassador, has sailed to Hatteras, Elizabeth City, Winton, Edenton, Wilmington, Southport, Morehead City, Little Washington, Engelhard, Ocracoke, Columbia, and Bath, North Carolina, and to Norfolk and Jamestown, Virginia, where tens of thousands of school children have gone aboard the vessel to learn about the history of the Roanoke Voyages, 1584-1587, and the establishment of the first English colony in America; and

**WHEREAS**, significant public and private investments in Manteo have been a draw to transient boaters travelling the Intracoastal Waterway, thereby contributing more than a half million dollars annually in municipal docking fees, as well as revenues for shops, restaurants, galleries, private marinas, ships' stores, and boat repair facilities, along with admission fees to educational and cultural sites on Roanoke Island such as the North Carolina Aquarium, the Elizabethan Gardens, Fort Raleigh National Historic Site, Pea Island Life-Saving Museum, Island Farm, Roanoke Island Maritime Museum, Roanoke Island Festival Park, Alligator River National Wildlife Visitor Center, and *The Lost Colony* Outdoor Drama; and



**WHEREAS**, this boat traffic integral to the economic viability of Roanoke Island, as well as the *Elizabeth II*'s ability to visit coastal towns and to travel the short distance for her annual haul-out for maintenance at the state's ferry repair facility, have been negatively impacted by shoaling in the Manteo Channel; and

**WHEREAS**, since it was last dredged in 2005, a portion of the 12-foot-deep channel in Range 3 and 4 has shoaled to a depth of only 4 feet, creating a navigational hazard not only for the *Elizabeth II*, which draws 8 feet, but also to the boating public at large; and

**WHEREAS**, on November 19<sup>th</sup>, 2016, when the ship was returning to Manteo, she ran aground with the volunteer crew stranded overnight, and this dangerous situation is negatively impacting not only annual haul-out for routine maintenance, but also major repairs scheduled over a three-year period, leading her original builders contracted for the repairs to warn that even more expense could be incurred if the ship cannot move; and

**WHEREAS**, captains of large private yachts are being advised to avoid this section of the Intracoastal Waterway altogether and once word spreads, it is difficult to entice transient boat traffic back to the area; and

**WHEREAS**, recognizing this dire situation after hearing pleas from representatives from the Town of Manteo, Roanoke Island Festival Park, and Friends of *Elizabeth II*, the Dare County Waterways Commission at its May 14, 2018, meeting, unanimously passed a resolution of support for emergency dredging of this portion of the Manteo Channel, stating that this historic channel should remain viable, that a wooden vessel such as the *Elizabeth II* cannot sit at dock without incurring significant damage, and that negative feedback from boaters could impact the region for years to come; and

**WHEREAS**, identifying a suitable site for disposal of dredge material and acquiring a plethora of state and local permits could take years, to devastating effect.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners supports the request from the Town of Manteo, Roanoke Island Festival Park, and Friends of *Elizabeth II* for urgent assistance for emergency approval to dredge the Manteo Channel to its authorized depth of 12 feet in the US Army Corps of Engineers' Range 3 and 4, from North Carolina delegation in the United States House of Representatives and the United States Senate; and assistance in permitting and in funding from Governor Roy Cooper and the North Carolina General Assembly.

This the 21<sup>st</sup> day of May, 2018.



COUNTY OF DARE, NORTH CAROLINA

Robert Woodard, Chairman

ATTEST

Gary Gross, Clerk to the Board



#18-05-15

**RESOLUTION SUPPORTING THE STATE OF NORTH CAROLINA  
TO INCREASE DREDGING IN DARE COUNTY AND ADJACENT WATERWAYS**

**WHEREAS**, formed by a hurricane in 1846, Oregon Inlet paved the way for the commercial and recreational fishing industries in the region, beginning more than a century of economic development and investment in the area; and

**WHEREAS**, the economic impact of Oregon Inlet to Dare County is very significant and far outweighs the costs necessary to keep the inlet passable. In fact, the annual economic impact to the Federal Government alone greatly exceeds the recent and historical annual expenditures for dredging; and

**WHEREAS**, Oregon Inlet has migrated southward and its present location is now more than two miles from its original location. Being aware of the dangerous conditions for navigation through the inlet, Congress in 1950 authorized the U.S. Army Corps of Engineers (USACE) to maintain a 14-foot deep by 400-foot wide channel through the ocean bar (PL 81-516); and

**WHEREAS**, the lack of certainty by the USACE to keep Oregon Inlet a navigable waterway as well as markings (buoys) of the passable areas of the inlet by the USCG has contributed to 25 deaths and the loss of 22 vessels over the 40-year period from 1961 to 2001 according to the records maintained by the USCG; and

**WHEREAS**, as a result of high uncertainty, both the commercial and recreational uses of the inlet have been greatly diminished and a significant portion of the region's commercial fleet has relocated to the Tidewater region in Virginia; and

**WHEREAS**, the waterways of Hatteras Island are also vital natural, environmental, recreational and commercial resources for the citizens and visitors of Dare County. Hatteras Island dredging projects include, but not limited to: Sloops Channel, Big Foot Slough, Rollinson Channel, and Hatteras Terminal; and

**WHEREAS**, due to the lack of shallow draft hopper dredges in the country, the USACE has been severely hampered to carry on a robust and consistent dredging program pursuant to federal authorization; and

**WHEREAS**, the State of North Carolina has established the Shallow Draft Navigation Channel Dredging and Lake Maintenance Fund to provide 67% or 75% - depending on the project, of the cost of future dredging in NC waterways, including Oregon and Hatteras inlets, and is committed to assisting local government partners in future dredging efforts, and



**WHEREAS**, given the strain on the local economy due to a lack of dependable passage through Oregon Inlet, the bleak forecast for Federal funding to maintain the channel through dredging, and recent growing sentiments that it is up to the locals to find a solution,

**NOW, THEREFORE, BE IT RESOLVED**, that the Dare County Board of Commissioners authorizes the County Manager/Attorney to coordinate with the Oregon Inlet Task Force to submit a five-year (multi-year) dredge plan proposal to the State of North Carolina and to provide a maintenance dredging fund for Oregon Inlet and Hatteras Inlet.

**BE IT FURTHER RESOLVED**, that the County Manager/Attorney is authorized to submit a five year (multi- year) funding proposal for up to \$3,250,000, to reimburse for dredge work performed annually, for a shallow draft hopper dredge to be assigned /designated to Dare County and adjacent waters to reach and maintain federal authorized depths.

**BE IT FURTHER RESOLVED**, that the Dare County Board of Commissioners authorizes the expenditure of County funds for this work in accordance with the cost-sharing proposal outlined below:

Dare County (Oregon Inlet)	\$3,000,000
State of North Carolina (match)	\$6,000,000
Dare County (Hatteras Inlet)	\$250,000
State of North Carolina (match)	\$750,000
TOTAL:	\$10,000,000

Adopted this the 7<sup>th</sup> day of May, 2018.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board



#18-05-14

## RESOLUTION

### ASKING THE NORTH CAROLINA GENERAL ASSEMBLY TO FUND THE COASTAL STORM DAMAGE MITIGATION FUND

**WHEREAS**, North Carolina tourism represents an economic engine that is vital to North Carolina's future economic prosperity and generates State tax revenue that benefits all North Carolinians; and

**WHEREAS**, one of the cornerstones of North Carolina's tourism economy are its pristine beaches that attract visitors from around the world; and

**WHEREAS**, in order to sustain North Carolina's tourism economy and safeguard the tax revenue that it generates, it is imperative that the State's shorelines remain healthy, vibrant, and sustainable; and

**WHEREAS**, the shorelines of North Carolina are under constant threat of natural hazards and erosion, which has an adverse impact on wildlife, public infrastructure, and private property; and

**WHEREAS**, in recent years, federal funds for beach nourishment projects have decreased significantly forcing coastal communities, such as Dare County, to use local dollars to fund beach nourishment projects; and

**WHEREAS**, as more of the State's shoreline becomes vulnerable and in need of nourishment or re-nourishment, local dollars alone are unable to fund the amount that is needed to sustain and preserve North Carolina's beaches and safeguard the benefit that coastal tourism contributes to the State's economy; and

**WHEREAS**, multiple areas in our coastal communities have undergone significant beach erosion in recent years that cannot be sufficiently addressed with local resources alone; and

**WHEREAS**, the North Carolina Legislature in 2017 had the foresight to include in HB56 a provision to create a Coastal Storm Damage Mitigation Fund that would be used for costs associated with beach nourishment, artificial dunes, and other projects to mitigate or remediate coastal storm damage; and

**WHEREAS**, the Coastal Storm Damage Mitigation Fund would match local dollars on a cost-shared basis thus allowing local beach nourishment funds to be effectively leveraged for maximum benefit; and

**WHEREAS**, although the Coastal Storm Damage Mitigation Fund has been created, a funding source has not yet been allocated by the State to provide the infrastructure benefit that the General Assembly intended in establishing the special revenue fund.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners respectfully requests that the North Carolina General Assembly vote in the upcoming short session to fund the Coastal Storm Damage Mitigation Fund as an urgent matter of public importance to safeguard and protect the shoreline infrastructure that fuels the engine of North Carolina's tourism economy and that no current local revenue streams be used for the purpose of funding the Coastal Storm Damage Mitigation Fund.

Adopted this the 7<sup>th</sup> day of May, 2018.

Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board





RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
DARE COUNTY, NORTH CAROLINA

# 18-04-13

**RESOLUTION DECLARING THE OPIOID CRISIS A PUBLIC NUISANCE**

**WHEREAS**, Dare County Board of Commissioners has the authority to adopt resolutions with respect to county affairs of Dare County, North Carolina, pursuant to N.C. Gen. Stat. Ann. § 153A-121; and

**WHEREAS**, the Dare County Board of Commissioners has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Dare County; and

**WHEREAS**, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Dare County; and

**WHEREAS**, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Dare County; and

**WHEREAS**, the opioid crisis unreasonably interferes with rights common to the general public of Dare County; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Dare County; includes the delivery of controlled substances in violation of State and Federal law and regulations; and therefore constitutes a public nuisance; and

**WHEREAS**, the opioid crisis is having an extended and far reaching impact of the general public, health, and safety, of residents and citizens of Dare County and must be abated; and

**WHEREAS**, the violation of any laws of the State of North Carolina, or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the residents and citizens of Dare County constitutes a public nuisance; and

**WHEREAS**, the Dare County Board of Commissioners has the authority to abate, or cause to be abated, any public nuisance including those acts that unreasonably interfere with rights common to the general public of Dare County and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Dare County; and

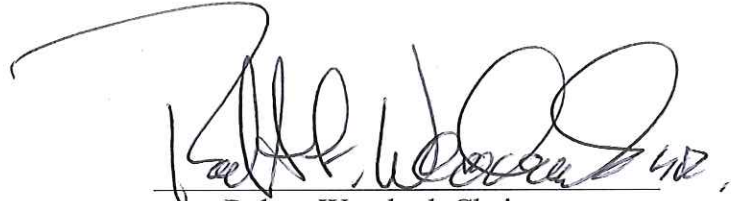
**WHEREAS**, Dare County has expended, is expending, and will continue to expend in the future County funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality within Dare County; and

**WHEREAS**, the Dare County Board of Commissioners have received information that indicates that the manufacturers and wholesale distributors of controlled substances have distributed in Dare County, North Carolina, and surrounding areas, and may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market.

**NOW, THEREFORE, BE IT RESOLVED** by the Dare County Board of Commissioners, assembled on this day at which a quorum is present, that based upon the above the Dare County Board of Commissioners are declaring the opioid crisis a public nuisance which must be abated for the benefit of Dare County and its residents and citizens.

This the 3<sup>rd</sup> day of April, 2018



  
Robert Woodard, Chairman

ATTEST:   
Gary Lee Gross, Clerk to the Board

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

**WHEREAS**, the County of Dare desires to purchase replacement voting machines for the Dare County Board of Elections; and

**WHEREAS**, the purchase of 22 replacement machines is critical for the operation of the Dare County Board of Elections; and

**WHEREAS**, North Carolina General Statute 143-129(e)(6) authorizes a unit of local government to purchase from a sole source when performance or price competition for a product is not available, a needed product is available from only one source of supply, or standardization or compatibility is the overriding consideration; and

**WHEREAS**, The Dare County Board of Elections currently is in possession of 22 Model 100 Scanners and Ballot Boxes that are out dated and no longer certified by the North Carolina State Board of Elections and Ethics Enforcement; and

**WHEREAS**, the Dare County Board of Elections must purchase the replacement machines from Election Systems and Software, LLC ("ES&S") because they are the only vendor that offers North Carolina State Board of Elections and Ethics Enforcement certified machines for use in the State of North Carolina.

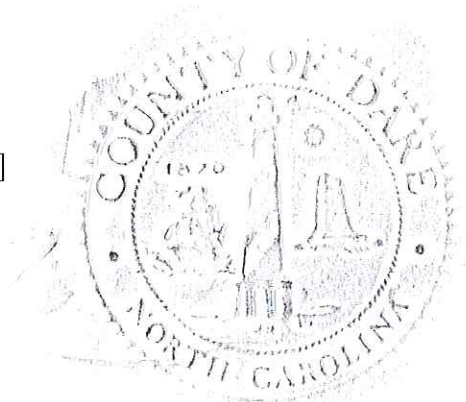
**NOW, THEREFORE BE IT RESOLVED**, by the Dare County Board of Commissioners that:

1. The County of Dare is authorized to enter into a contract in the amount of \$125,081.90 with ES&S for the sole source purchase, installation and replacement of the existing Model 100 Scanners and Ballot Boxes.
2. The County Manager is authorized to execute the agreement with ES&S and is directed to take all steps necessary to place the 22 replacement machines on order before April 19, 2018.
3. This Resolution shall be effective upon its adoption.

This the 19th day of March, 2018.

COUNTY OF DARE, NORTH CAROLINA

[SEAL]



Robert Woodard, Chairman

Gary Gross, Clerk to the Board



# 18-03-11

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$1,977,531 WITH CAPITAL ONE PUBLIC FUNDING, LLC TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**

BE IT RESOLVED by the governing body for the County of Dare, North Carolina (the "County"):

Section 1. The governing body of the County does hereby find and determine:

(a) The County proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");

(b) After consideration, the governing body of the County has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;

(c) Pursuant to Section 160A-20, the County is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and

(d) Capital One Public Funding, LLC ("COPF") has proposed to enter into an Installment Financing Contract with the County to finance the Equipment pursuant to which COPF will lend the County the amount of \$1,977,531 (the "Contract").

Section 2. The governing body of the County hereby authorizes and directs the County Manager and Finance Director to execute, acknowledge and deliver the Contract on behalf of the County in such form and substance as the person executing and delivering such instruments on behalf of the County shall find acceptable. The Clerk is hereby authorized to affix the official seal of the County to the Contract and attest the same.

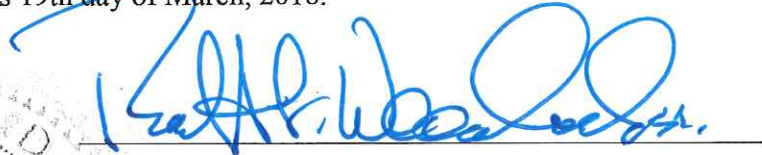
Section 3. The proper officers of the County are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract.

Section 4. Notwithstanding any provision of the Contract, no deficiency judgment may be rendered against the County in any action for breach of a contractual obligation under the Contract and the taxing power of the County is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for COPF in such instance.

Section 5. The County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the County's obligations under the Contract will not be included in the gross income of COPF.

Section 6. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 19th day of March, 2018.



Chairman, Board of County Commissioners

[SEAL]



COUNTY OF DARE, NORTH CAROLINA



Clerk to the Board





# 18-03-10

## Resolution

### Calling for a Voter Referendum in Hatteras Village to Allow the Use of Tax Funds for the Construction and Maintenance of Multi-use Pathways in the Hatteras Village Community Center District

**WHEREAS**, in 2017, the Hatteras Village Community Center District (HVCCD) requested authority from the North Carolina Legislature to expand the uses of the ad valorem tax authorized in Chapter 212 of the Session Laws of 1981 to include funding the construction and maintenance of multiuse pathways around the Village of Hatteras; and

**WHEREAS**, the Dare County Board of Commissioners supported the HVCCD legislative request with resolutions adopted on March 6, 2017 and again on April 3, 2017; and

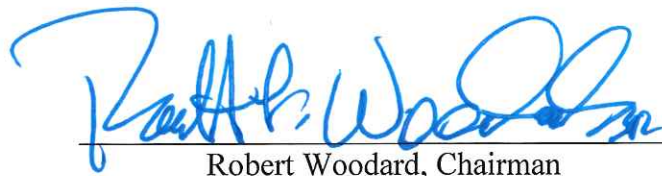
**WHEREAS**, in response to the HVCCD request supported by the Dare County Board of Commissioners, the North Carolina General Assembly ratified House Bill 415 (Session Law 2017-50) which authorizes the Dare County Board of Commissioners to call an election to be conducted by the Board of Elections in the Hatteras voting precinct for the purpose of submitting to the voters therein the single issue of authorizing the HVCCD to expand the uses of the ad valorem tax authorized in Chapter 212 of the Session Laws of 1981 to including funding the construction and maintenance of multiuse pathways around the Village of Hatteras; and


**WHEREAS**, the Dare County Board of Commissioners appreciates the action of the North Carolina General Assembly to allow a voter referendum on this issue and commends its sponsors for putting forth responsible legislation in response to a local request on a matter of public importance.

**THEREFORE, BE IT RESOLVED**, that the Dare County Board of Commissioners pursuant to authority granted in Session Law 2017-50 hereby calls for an election to be conducted by the Board of Elections of Dare County in the Hatteras voting precinct on May 8, 2018 for the purpose of submitting to voters therein the single issue of authorizing the HVCCD to expand the uses of the ad valorem tax authorized in Chapter 212 of the Session Laws of 1981 to include funding the construction and maintenance of multiuse pathways around the Village of Hatteras.

This the 5<sup>th</sup> day of March, 2018.



  
Robert Woodard, Chairman

Attest:   
Gary Gross, Clerk to the Board





# 18-02-09

## RESOLUTION

### ASKING NORTH CAROLINA GOVERNOR ROY COOPER TO EXAMINE THE CURRENT MEMBERSHIP OF THE NC MARINE FISHERIES COMMISSION

**WHEREAS**, the State's Marine Resources are a public trust, the owners of which are the 10.2 million residents of the state living from Murphy to Manteo; and

**WHEREAS**, the North Carolina Fisheries Reform Act of 1997 established the legal framework for the management of fisheries for the benefit of all citizens; and

**WHEREAS**, the North Carolina Marine Fisheries Commission is comprised of designated seats designed to balance user group interests among recreational, commercial, science, and at-large fisheries stakeholders; and

**WHEREAS**, the North Carolina Marine Fisheries Commission, whose members are appointed by the Governor, are responsible for adhering to the Fisheries Reform Act in following due process, incorporating stakeholder input, and making science-based decisions; and

**WHEREAS**, the Commission has exhibited a pattern of willfully disregarding stakeholder input, scientific expertise, and proper legal process and procedures in favor of interest group agendas; and

**WHEREAS**, improperly-made decisions by the Commission threaten food security for the state and country, and jeopardize the economic vitality of coastal communities and the occupational viability of commercial fishing families and associated businesses; and

**WHEREAS**, the Dare County Board of Commissioners has long advocated that the North Carolina Marine Fisheries Commission serve the public interest by managing the State's fisheries resources for the benefit of all citizens in a way that provides fair and equitable treatment of both commercial and recreational fishing interests in an open and transparent way.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners strongly urges North Carolina Governor Roy Cooper to examine the current membership of the North Carolina Marine Fisheries Commission and if need be to make changes to ensure that this Commission equitably balances commercial and recreational fishing interests in a way that does not benefit private interests or bring harm to others.

Adopted this the 20<sup>th</sup> day of February, 2018.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board



# 18-02-08

**RESOLUTION**  
**OPPOSING ANY ADVERSE CHANGE**  
**IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION**

**WHEREAS**, the Dare County Board of Commissioners unanimously adopted a resolution on January 22, 2018 opposing any change in the definition of a commercial fishing operation and presented that resolution during public comments at the North Carolina Marine Fisheries Commission meeting held on February 14, 2018 in Wrightsville Beach, North Carolina; and

**WHEREAS**, the Marine Fisheries Commission at their Wrightsville Beach meeting voted 5 to 4 to change the criteria that was previously under consideration and approve a redefinition of commercial fishing; and

**WHEREAS**, the Commission's new criteria identified seven qualification components including a requirement that commercial license holders demonstrate a minimum level of participation by documenting 1000 pounds of landings through the trip ticket program during any of the two out of five continuous calendar years; and

**WHEREAS**, the new criteria advanced by the Marine Fisheries Commission would have an adverse impact on those who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to support their families; and

**WHEREAS**, imposing an arbitrary level of participation would unfairly have a harsh and punitive effect on coastal communities hit by hurricanes and other natural disasters where many commercial license holders, whose income generating season may have been entirely wiped out by a storm, are forced to temporarily divert their time and talents to other business enterprises; and

**WHEREAS**, no other professional license issued by the State dictates a level of participation in order for its holders to qualify; and

**WHEREAS**, additionally the new criteria would create a requirement that all individuals wanting to engage in commercial fishing must first complete a 3 year apprenticeship or graduate from a community college commercial fishing program before being eligible to purchase a standard commercial fishing license; and

**WHEREAS**, the imposition of an apprenticeship requirement would unfairly penalize those with an entrepreneurial spirit willing to invest their skills and resources in the commercial fishing industry. This requirement is counterproductive to economic development principles and would only serve to thwart individuals wanting to pursue their dream of creating a small business in our coastal communities; and



**WHEREAS**, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

**WHEREAS**, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

**WHEREAS**, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition;" and

**WHEREAS**, the effort that is underway by the Marine Fisheries Commission to redefine Commercial Fishing is a misguided attempt to fix something that is not broken and would jeopardize coastal communities whose economy and wellbeing are dependent upon both full-time and part-time commercial fishermen and would have an adverse impact on young entrepreneurs wishing to enter the commercial fishing industry.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

**AND BE IT FURTHER RESOLVED** that the Dare County Board of Commissioners strongly opposes any adverse change in the definition of commercial fishing and urges the North Carolina General Assembly to take no action that would harm the hard working North Carolinians who put fresh seafood on American tables.

Adopted this the 20<sup>th</sup> day of February, 2018.



Robert Woodard, Chairman

ATTEST:

Gary Lee Gross, Clerk to the Board





# 18-02-07

**A RESOLUTION  
REQUESTING THAT A NORTH CAROLINA FERRY  
BE NAMED THE "OCRACOCKE EXPRESS"**

**WHEREAS**, the County of Dare is within the North Carolina Department of Transportation (NCDOT) Division 1; and

**WHEREAS**, the County of Dare supports the NCDOT effort to provide passenger ferry service between Hatteras and Ocracoke; and

**WHEREAS**, the Dare County Board of Commissioners supports the tradition of naming NC Ferries after towns and regions of coastal North Carolina.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners requests that the said passenger ferry be named the "Ocracoke Express".

ADOPTED this 20<sup>th</sup> day of February, 2018.



Robert Woodard, Chairman

Attest:

Gary Lee Gross, Clerk to the Board



#18-02-06

**A RESOLUTION  
REQUESTING THAT A NORTH CAROLINA FERRY  
BE NAMED THE "RODANTHE"**

**WHEREAS**, the County of Dare is within the North Carolina Department of Transportation (NCDOT) Division 1; and

**WHEREAS**, the County of Dare supports the NC Ferry "Baum" replacement through STI; and

**WHEREAS**, the Dare County Board of Commissioners supports the tradition of naming NC Ferries after towns and regions of coastal North Carolina.

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners requests that the said ferry to replace the MV Baum be named the "Rodanthe".

ADOPTED this 20<sup>th</sup> day of February, 2018.



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Robert Woodard, Chairman

Attest:

\_\_\_\_\_

Gary Lee Gross, Clerk to the Board





# 18-02-05

**A RESOLUTION  
EXPRESSING THE DARE COUNTY BOARD OF COMMISSIONERS'  
CONTINUED OPPOSITION TO OFFSHORE DRILLING AND SEISMIC TESTING**

**WHEREAS**, the Dare County Board of Commissioners has had a long standing objection to offshore drilling for gas or oil, including exploratory drilling and seismic testing; and

**WHEREAS**, in resolutions dated April 6, 2015, December 5, 2005, May 19, 2003, and February 2, 1998; the Dare County Board of Commissioners has consistently expressed its steadfast and unwavering opposition to any offshore drilling or testing; and

**WHEREAS**, since then no evidence has been uncovered to demonstrate any benefits to Dare County or to the surrounding region, and it has not been proven that offshore drilling and testing can safely be done without risking harm to the environment, the North Carolina coastline, our property, our businesses, our livelihood, or our quality of life; and

**WHEREAS**, the potential damage to North Carolina's beaches and coastline should a spill occur would be devastating to our natural resources and irrevocably harm Dare County's tourism based economy; and

**WHEREAS**, it is vital that local and state officials throughout North Carolina and its neighboring states take a unified stand in opposition to offshore drilling because a mishap in one jurisdiction could negatively impact the coastal environment and economy of adjacent areas; and

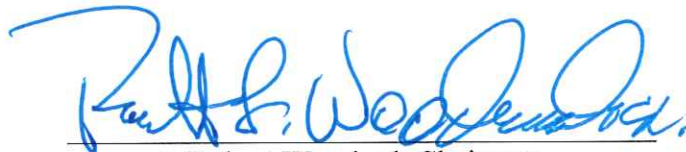
**WHEREAS**, other coastal communities and their neighbors have suffered dreadful consequences as the result of offshore energy exploration including the Prince William Sound, victimized by the Exxon Valdez, and countless Gulf Coast communities harmed by the Deepwater Horizon Oil Spill; and

**WHEREAS**, the documented dangers that are associated with offshore drilling and testing would needlessly put our environment, coastline, beaches, fishing, and tourism industry at risk and threaten our way of life in Dare County, North Carolina; and

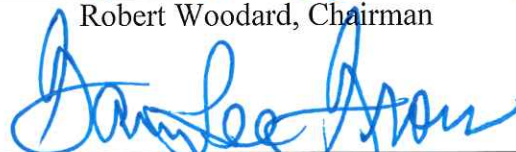
**WHEREAS**, the risks associated with offshore drilling and testing were fervently conveyed by Dare County Chairman Robert Woodard and other elected officials and stakeholders during a February 3, 2018 meeting with North Carolina Governor Roy Cooper and U.S. Department of Interior Secretary Ryan Zinke.

**NOW, THEREFORE, BE IT RESOLVED**, that the Dare County Board of Commissioners renews its staunch opposition to offshore drilling, including exploratory drilling and seismic testing, and urges North Carolina, our neighboring states, and all federal agencies to take no action that would put our coastline at risk. This the 5<sup>th</sup> day of February, 2018.



  
Robert Woodard, Chairman

Attest:

  
Gary Lee Gross, Clerk to the Board



RESOLUTION ENACTING AND ADOPTING A SUPPLEMENT  
TO THE DARE COUNTY CODE OF ORDINANCES

# 18-02-04

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2017 S-10 supplement to the County of Dare Code of Ordinances, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the County of Dare Code of Ordinances; and

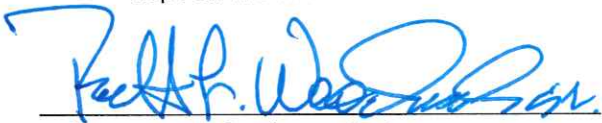
WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to the North Carolina General Statutes; and

WHEREAS, it is the intent of the Dare County Board of Commissioners to accept these updated sections in accordance with the changes in the law of the State of North Carolina; and

WHEREAS, it is necessary to provide for the usual daily operation of Dare County and for the immediate preservation of the public peace, health, safety, and general welfare of the Dare County that this ordinance take effect at an early date;

NOW THEREFORE BE IT ORDAINED BY THE DARE COUNTY BOARD OF COMMISSIONERS

1. That the 2017 S-10 supplement to the County of Dare Code of Ordinances as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and attached hereto is hereby adopted by reference as if set out in its entirety,
2. Such supplement shall be deemed published as of the day of its adoption and approval by the Dare County Board of Commissioners and such supplement shall be inserted into the Code of Ordinances kept on file in the Office of the Clerk.

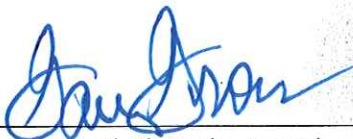


Robert L. Woodard, Sr. Chairman

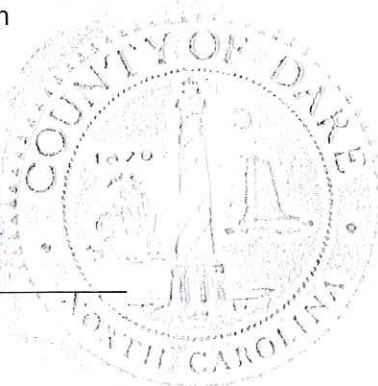


Date:

SEAL:



Gary Gross, Clerk to the Board





# 18-02-03

## RESOLUTION

### URGING THE NORTH CAROLINA LEGISLATURE TO LIMIT THE ENTITIES THAT CAN OPERATE BEHAVIORAL HEALTH AND SUBSTANCE USE SERVICE PLANS

**WHEREAS**, the people of North Carolina benefit from the cohesive system of care that has been put in place to provide services to those with mental health problems, developmental disabilities, and substance use disorders (known as the MH, I/DD, and SU communities); and

**WHEREAS**, the system that currently is in place consists of Local Management Entities that serve as Managed Care Organizations (LME/MCO's); and

**WHEREAS**, the LME/MCO system has proven effective in providing quality care to those with mental health problems, developmental disabilities, and substance use disorders throughout all regions of North Carolina including rural areas which would otherwise be severely underserved; and

**WHEREAS**, in each community they serve, LME/MCO's are responsive to local input from county stakeholders including elected officials, law enforcement, schools, social services, and public health departments and since the LME/MCO staff live in the communities they serve they have a vested interest in making sure that quality care is delivered to their neighbors; and

**WHEREAS**, LME/MCO's already have established relationships that are required to collaborate with other local agencies that support the same individuals in the MH, I/DD, and SU communities; and

**WHEREAS**, LME/MCO's are uniquely qualified to provide a continuum of care by coordinating services and utilizing all Federal/State/County funding streams and as local governmental entities they serve the public trust by operating in an open and transparent way; and

**WHEREAS**, people benefit from the reinvestment that LME/MCO's make in their communities such as the funding of Oxford Houses that assist those in recovery, school programs such as Rachel's Challenge that safeguard against bullying and suicide, and support for wellness programs that help children and adults with intellectual and developmental disabilities; and

**WHEREAS**, the LME/MCO system has worked well for the people of North Carolina and should be continued by the Legislature rather than allowing private insurance companies or other private, non-local entities to manage these sensitive responsibilities on a for-profit basis that could be contrary to the public's best interest; and

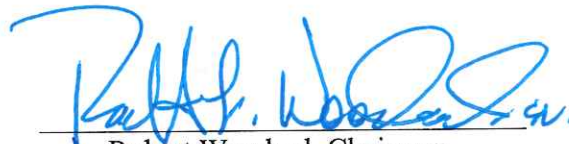
**WHEREAS**, in privatized operations where money is diverted towards profits, children and adults are deprived of services that those funds could have provided under the LME/MCO model; and

**WHEREAS**, private insurance companies will only manage Federal Medicaid funding, and NOT manage State and block grant funding thereby forfeiting the ability to leverage the coordination of ALL funding streams to provide a full continuum of care for the whole person in the most efficient and economic manner while assuring openness and transparency.


**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners respectfully requests that the North Carolina General Assembly allow the LME/MCO model for managing MH, I/DD, and SU services to continue rather than considering privatized, for-profit enterprises which could prove to be detrimental to this vulnerable population.

Adopted this the 5<sup>th</sup> day of February, 2018.



  
Robert Woodard, Chairman

ATTEST:

  
Gary Lee Gross, Clerk to the Board





# 18-01-02

**RESOLUTION**  
**OPPOSING ANY CHANGE**  
**IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION**

**WHEREAS**, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the economy for Dare County and other coastal communities; and

**WHEREAS**, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

**WHEREAS**, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

**WHEREAS**, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

**WHEREAS**, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

**WHEREAS**, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

**WHEREAS**, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

**WHEREAS**, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

**WHEREAS**, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

**WHEREAS**, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

**NOW THEREFORE BE IT RESOLVED** that the Dare County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

**AND BE IT FURTHER RESOLVED** that the Dare County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 22<sup>nd</sup> day of January, 2018.



A handwritten signature in blue ink, appearing to read "Robert Woodard", is written over a horizontal line.

Robert Woodard, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read "Gary Lee Gross", is written over a horizontal line.

Gary Lee Gross, Clerk to the Board





# 18-01-01

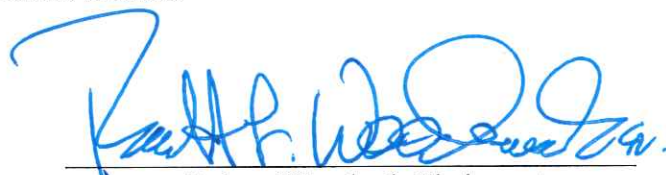
**Resolution  
Supporting HB 551/SB 595 (MARSY'S LAW)**

- WHEREAS,** Marsy's Law For North Carolina and advocacy organizations statewide are dedicated to guaranteeing victims' rights and providing a voice; and
- WHEREAS,** Marsy's Law For North Carolina supporters agree victims should always be treated with fairness and respect throughout the criminal justice process, protected from the defendant, reasonably heard at public proceedings regarding their case, and given a voice through the process of the case; and
- WHEREAS,** per the Federal Bureau of Investigation's (FBI) most recent "Crime in the United States" report, in 2013 a total of 33,700 North Carolinians were the victims of Violent "Index Crimes" including: murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft and arson; and
- WHEREAS,** Marsy's Law For North Carolina will ensure that victims receive the same rights that are afforded to criminals and have rights to notification of release, hearings, appropriate restitution, and the right to speak at criminal proceedings; and
- WHEREAS,** Victims' Rights is a non-partisan, non-political issue, and Marsy's Law is a common sense approach to ensuring Victims' Rights.


**THEREFORE, BE IT RESOLVED,** that the Dare County Board of Commissioners hereby proclaims its support for HB 551/SB 595 (Marsy's Law) and encourages all of our citizens to join in the commitment to protect the rights of North Carolina crime victims.

This the 22<sup>nd</sup> day of January, 2018.



  
Robert Woodard, Chairman

Attest:

  
Gary Lee Gross, Clerk to the Board