



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., February 4, 2019

Commissioners present: Chairman Robert Woodard, Vice Chairman Wally Overman
Steve House, Jim Tobin, Danny Couch, Ervin Bateman

Commissioners absent: Rob Ross

Others present: County Manager/Attorney, Robert Outten
Deputy County Manager/Finance Director, David Clawson
Public Information Officer, Dorothy Hester
Clerk to the Board, Gary Lee Gross

A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website www.darenc.com.

At 9:03 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Cherri Wheeler, a retired Air Force Chaplain to share a prayer, and then he led the Pledge of Allegiance to the flag. The Chairman noted that Commissioner Ross was out of town with an excused absence.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Following is a brief outline of the items mentioned by Chairman Woodard during his opening remarks, which can be viewed in their entirety in a video on the Dare County website –

- Mentioned a meeting that he, Vice Chairman Overman, Commissioner Ross, and the County Manager had with Senator Steinburg and his Legislative Assistant on how the Senator’s office can help Dare County with issues of concern in Raleigh
- As a member of the College of the Albemarle Board of Trustees, he reported on scholarships that are available from the COA Foundation, many of which are eligible for Dare County students.
- Reported that the recent Hatteras Island Oyster Roast was outstanding and thanked Commissioner Couch for hosting the well-attended event.
- Invited everyone to the Community Day for the opening of the new bridge over Oregon Inlet. He gave details about a brief ceremony that will be held to opening the new bridge, with a formal dedication to be held later.

- Presented a certificate of appreciation to the Cape Hatteras Methodist Men for the inspiring way that they faithfully provided food, shelter, medical and spiritual care to those in need since 1978. A video was shown highlighting the group of dedicated volunteers.
- Announced that the Clerk to the Board, will be retiring in June. He spoke emotionally from the heart about how much he values the Clerk's commitment, service and friendship
- Reported that the Business North Carolina magazine has ranked North Carolina number one on the list of best states for business. He added that the Robert Wood Johnson Foundation has recognized Dare County for having the highest quality of life in the State.

ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Debra Perrot, Community Social Services Technician, received a 10-year pin.
- 2) Kenneth Brite, Emergency Medical Services Lieutenant, received a 15-year pin.
- 3) Eric Cleaver, Parks & Recreation Leisure Activity Specialist, received a 15-year pin.

ITEM 3 – EMPLOYEE OF THE MONTH – FEBRUARY 2019

Kristen Stilson received the Employee of the Month award from Matt Hester who described the many ways that Ms. Stilson is an asset to the Information Technology Department.

The County Manager commended Planning Director Donna Creef for her extraordinary effort in completing 25 mitigation grant applications to help Dare County families have their houses raised with state and federal grants. He explained that the County was notified last Thursday that the grant applications had to be submitted by Monday. On behalf of the citizens who may benefit from the grants, he thanked the Planning Director for doing this monumental task so quickly and for successfully meeting the deadline.

EMS Chief Jennie Collins joined the County Manager in recognizing the 2018 Employee of the Year, Dare MedFlight Pilot Mike Hill, who was unable to attend the January meeting when his award was announced.

ITEM 4 – PUBLIC COMMENTS

At 9:50 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which can be viewed in their entirety in a video on the County website –

The following comments were made in Manteo –

1. Mattie Lawson – asked the Board to consider making a pro-life statement and share it with other counties and the governor. She noted that Dare County is recognized as a leader and has influence throughout the State of North Carolina. She cited reasons why a pro-life statement is needed in the wake of other states that have adopted, or are considering, legislation to allow late-term and full-term abortions.

There were no comments made in Buxton –

The County Manager closed Public Comments at 9:54 a.m.

ITEM 5 – REPORT FROM THE NATIONAL PARK SERVICE

Superintendent David Hallac gave an update on Park Service operations in Dare County in the wake of the recent federal government shutdown. He thanked the Board and the people of Dare County for their patience and understanding during the shutdown. He commended the Dare County Social Services Division for the assistance they provided. He noted that during the shutdown, Chairman Woodard continually checked in with him with offers of help. Superintendent Hallac thanked the Board of Commissioners for creating what he called a “family culture” throughout the County where people help each other just like family.

ITEM 6 – RESOLUTION SUPPORTING JCPC ALLOCATION EXPANSION (Att. #1)

Bonnie Bennett, Treasurer of the Juvenile Crime Prevention Council (JCPC), joined by Ella Fields-Bunch, the JCPC Area Consultant appeared before the Board with a resolution request. They explained the need for a resolution calling for an increase in State funding to ensure the successful implementation of legislation that goes into effect later this year, which will expand the age of juvenile jurisdiction; increasing it to juveniles ages 16 and 17. The Board was told that additional State funds are needed for the JCPC to be prepared to handle referrals for juveniles in the expanded age group. Their resolution was read by the Manager.

MOTION

Vice Chairman Overman motioned to approve the resolution of support as presented.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 7 – N.C. COOPERATIVE EXTENSION REPORT TO THE PEOPLE

Shannon Brooks, County Extension Director and Horticulture Agent, outlined the organization’s 2018 accomplishments. She provided information about Cooperative Extension’s volunteerism, educational opportunities, and community partnerships. A video was presented showcasing many of the group’s activity highlights including youth in the 4-H program and Master Gardener volunteers. Chairman Woodard thanked Ms. Brooks and the Cooperative Extension staff.

ITEM 8 – CONDITIONAL USE PERMIT – CLUSTER HOME DEVELOPMENT

This agenda item was handled as a quasi-judicial proceeding. Planning Director Donna Creef and Project Engineer Brian Rubino were both duly sworn by the Clerk to the Board before offering any testimony.

Planning Director Donna Creef presented a Conditional Use Permit (CUP) submitted by O.T. Enterprises for construction of a cluster home development in Avon, NC. She noted that this request is the first item that has been submitted following the Board’s previous action to address the County’s housing shortage. Ms. Creef outlined the CUP and said the Planning Board voted unanimously to recommend approval. Mr. Outten advised that staff is working with the State to determine if a sprinkler system is needed. He explained that if the Board approves the CUP, the condition requiring a sprinkler system might need to be removed once a determination is made.

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

MOTION

Commissioner Couch motioned to approve the proposed cluster home development and site plan as recommended by the Planning Board with authorization being given to staff to remove the condition pertaining to sprinkler systems, if it is determined not to be required in the building code.

Commissioner Bateman and Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 9 – AVON ZONING MAP AMENDMENT: KENRICK ALBAUGH

The Planning Director outlined a zoning map amendment submitted by Kenrick Albaugh to rezone a parcel located at 4001 Brinkley Lane in Avon that is currently zoned R2-A to a C-2 commercial designation. It was noted that the structures on the property were constructed in 1985 and are used as storage warehouses. The Board was advised that when the Avon zoning map was developed in 1992, the commercial use of the property was not identified and as a result the classification of R-2A was applied to the site. And, it has been the County's practice to apply a zoning classification consistent with the use of the property at the time of map development. In order to make the property entirely conforming with a correct zoning classification a text amendment is recommended by the Planning Board, which would require a Public Hearing by the Dare County Board of Commissioners.

MOTION

Commissioner House motioned to schedule a Public Hearing for 5:30 pm, Tue., February 19. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

RECESS: 10:29 a.m. – 10:43 a.m.

ITEM 10 – UPDATE ON THE BONNER BRIDGE REPLACEMENT (Att. #2)

The County Manager summarized the steps taken by the County to gather community input on the naming of the replacement for the Bonner Bridge. He summarized the responses that were submitted on the Dare County website, which was the official portal for people to suggest names for the Board of Commissioners to consider. Mr. Outten noted that if the Board chooses to move forward on a name for submission to the North Carolina Department of Transportation, it will need to authorize an appropriate resolution for the application package and commit to NCDOT's required administrative fees that go with it. Chairman Woodard asked each Commissioner to weigh-in with their thoughts, which led to lengthy discussion of the issue that can be viewed in a video on the Dare County website. Following is a brief summary of each Commissioner's recommendation on the naming of the bridge - - -

Commissioner Tobin

He advised the Board that he is involved in a business negotiation involving a descendant of Herbert C. Bonner, for whom the existing bridge is named, and asked to be recused from discussion and voting on this item.

MOTION

Commissioner Bateman motioned to recuse Commissioner Tobin.

Commissioner House seconded the motion.

VOTE: AYES unanimous

- After voting on the recusal motion, Commissioner Tobin exited the room at 10:48 a.m. and did not reenter until 11:09 a.m. after discussion and voting on the agenda item was completed.

Commissioner Bateman

Cited the reasons why he supports naming it in honor of Marc Basnight. He noted that his enthusiasm for this does not demean the worth of any other nominee. He suggested calling it the "Marc Basnight Oregon Inlet Bridge" with a separate tribute to Herbert C. Bonner for the portion of the current structure that will remain when the new bridge is in service.

Commissioner Couch

Voiced the sentiment of his constituents who he said want the Herbert C. Bonner name to carry over to the new bridge. He said although he has personal affection for Marc Basnight and his family, he explained that this is a matter of representing the wishes of the people in District 4. For this reason he said he was in favor of the Herbert C. Bonner name.

Commissioner House

Advocated protecting our rich history while at the same time honoring the present by calling it the "Bonner Basnight Bridge". He said there also needs to be an appropriate marker honoring the Bonner family as well as an historical marker commemorating Toby Tillett who, before there was a bridge, provided an invaluable ferry service at Oregon Inlet.

Vice Chairman Overman

Reminded that the Board asked people to submit names through the Dare County website and based on their input the greatest number of responses were for Marc Basnight. He said whether we may personally agree or not with the people's selection, it is incumbent on us as Commissioners to listen to the voice of the people and not ignore the results we have received.

Chairman Woodard

Explained that the Board unanimously agreed to put this issue on the County website as a way for the public to officially suggest names. He tallied the results of what people submitted to the County and said it indicates that the public supports naming it for Marc Basnight. Based on this, he said he could agree to calling it the "Marc Basnight Oregon Inlet Bridge."

After each Commissioner had an opportunity to speak, the Chairman asked for a motion.

MOTION

Commissioner Bateman motioned to name it the “Marc Basnight Oregon Inlet Bridge” and that NCDOT retain the Herbert C. Bonner name with an appropriate placard dedicating the portion of the current structure that will remain when the new bridge is placed in service.

Vice Chairman Overman seconded the motion.

VOTE: AYES: 3 (Commissioners: Woodard, Overman and Bateman)

NOES: 2 (Commissioners: House, Couch)

Motion carried in a 3 to 2 vote (Note: Commissioner Ross was not present due to an excused absence
Commissioner Tobin was recused from voting on this item)

**ITEM 11 – SERIES 2019 LIMITED OBLIGATION BONDS REIMBURSEMENT
RESOLUTION AND CAPITAL PROJECT ORDINANCE (Att. #3)**

Finance Director David Clawson briefed the Board on the Series 2019 Limited Obligation Bonds (LOBs) pertaining to the 2019 Capital Improvements Plan (CIP) adopted by the Board. It was noted that the LOBs will finance COA new construction and renovations, Animal Shelter new construction, and Health & Human Services construction/renovation. He added that it will also include the purchase of and renovations to 711/715 Highway 64/264 in Manteo. Mr. Clawson explained that a Reimbursement Resolution is needed, due to an IRS requirement, and it will declare the County’s intent to reimburse itself from debt proceeds upon the debt closing later this year. The reimbursement allows the County to proceed with design, engineering, and other costs and to use the future debt proceeds as the revenue for the project budget. He asked the Board to adopt the Reimbursement Resolution and a related Capital Project Ordinance.

MOTION

Vice Chairman Overman motioned to adopt the Reimbursement Resolution and Capital Project Ordinance.

Commissioner House and Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 12 – CONSENT AGENDA

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

MOTION

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (01.22.19) **(Att. #4)**
- 2) Public Health Division – Purchase the Shingles Vaccine (Shingrix)
- 3) Sanitation – Budget Amendment to increase Container Purchases Line Item
- 4) Water Dept – NCDOT Right of Way Encroachment Agreement, 1182 Duck Road
- 5) Water Dept – NCDOT Right of Way Encroachment Agreement, Barley Lane, Frisco
- 6) Water Department Budget Amendment
- 7) Advertise 2018 Tax Year Liens

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 13 – BOARD APPOINTMENTS

- 1) Aging Advisory Council
Commissioner Couch motioned to reappoint Brandi Rheubottom and Kaye White.
Commissioner House seconded the motion.
VOTE: AYES unanimous
- 2) Older Adult Services Advisory Council
Commissioner House motioned to appoint Craig Albert.
Commissioner Tobin seconded the motion.
VOTE: AYES unanimous
- 3) Planning Board
Vice Chairman Overman motioned to - - -
 - o Reappoint Terry Gore to his At-Large seat.
 - o Appoint James R. “Buddy” Shelton to the vacant District 1 seat.Commissioner Tobin and Commissioner Couch seconded the motion.
VOTE: AYES unanimous
- 4) Senior Tar Heel Legislature Delegates
Commissioner House motioned to reappoint - - -
 - o Kay White as Delegate
 - o Mary Ellen Hawthorne as AlternateCommissioner Tobin seconded the motion.
VOTE: AYES unanimous
- 5) Upcoming Board Appointments
The upcoming Board appointments for March, April and May were announced.

ITEM 14 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS

Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety in a video on the Dare County website. Following is a brief summary outline of the items mentioned by Commissioners during this segment –

1. The County Manager briefed the Board on a need for a resolution designating David Clawson and Sandy West as Applicant’s Agent, which will enable staff to file applications for federal and state assistance related to Hurricane Michael.
MOTION (Att. #5)
Commissioner Couch motioned to approve the resolution designating Applicant’s Agent.
Commissioner House seconded the motion.
VOTE: AYES unanimous
2. Mr. Outten also presented a resolution designating the County Manager and Donna Creef as Applicant’s Agent, which will enable staff to file applications for federal and state assistance related to mitigation grants.
MOTION (Att. #5)
Commissioner Couch motioned to approve the resolution designating Applicant’s Agent.
Commissioner House seconded the motion.
VOTE: AYES unanimous

Public Information Officer Dorothy Hester reminded that large item pickup is underway and the County Manager reminded people to check the website to see what items are eligible for large item pickup. Ms. Hester provided details about the Community Day that is planned for the opening of the new bridge over Oregon Inlet. Finance Director David Clawson said the Buxton beach nourishment engineers will soon be presenting an update report to the Board and outline what is needed for project completion.

Vice Chairman Overman

- Congratulated the service pin recipients and the Employee of the Month.
- Commented on the recent Hatteras Island Oyster Roast, which was well attended.
- Thanked Mattie Lawson for her courageous public comment about late term abortion, which he said is infanticide and should not be allowed anywhere.

Commissioner Bateman

- Mentioned the upcoming Community Day to open the new bridge over Oregon Inlet.
- Said the recent Hatteras Island Oyster Roast was a great event.
- Praised the Cape Hatteras Methodist Men and described the remarkable way they helped someone that he knew.
- Thanked the Clerk to the Board and recalled how he had helped him during his transition onto the Board of Commissioners.

Commissioner Couch

- Commended the County's Social Services Division for the way they work closely with the Cape Hatteras Methodist Men by referring people to the group for help and assistance.
- Thanked Commissioners and everyone who came to the Hatteras Island Oyster Roast.
- Said he is elated with the relationships the County is establishing with our Raleigh delegation.
- Applauded the Buxton Volunteer Fire Department for their tremendous service and spoke about their recent groundbreaking ceremony. He added that Volunteer Fire Departments do so much for people throughout Dare County.

Commissioner Tobin

- Reported that the Oregon Inlet Task Force has approved architects and project managers for the dredge vessel.
- Gave a report on the Community Advisory Council and noted that both long term care facilities in Dare County are doing a lot to improve, especially Spring Arbor.
- Thanked the Bridge Moms for their tireless work regarding the Bonner Bridge replacement.
- Noted that the School of Government training he recently attended was a comprehensive course and a good opportunity to network with other commissioners and managers. He advised the Hyde County Manager expressed appreciation for all that Dare County does to help them.

Commissioner House

- Thanked Dare County's long term employees for their service.
- Said County staff should take pride in their part of Dare County being ranked number one.
- Reported that watermen should receive checks soon from the \$11 million in disaster relief.

- Advised that he will be watching out for what happens at the upcoming meeting of the Southern Flounder Advisory Committee when they consider two items on their agenda and as Marine Fisheries looks at shellfish leases.
- Commented that February is Black History Month, Heart Health Month, and Hot Tea Month.
- Thanked the Clerk to the Board for his dedication and wished him well in his retirement.

Chairman Woodard

- Shared a letter from Lynda Hester, Chairperson of the Dare County Center Advisory Board. The letter expressed gratitude for the way Commissioner Ross, who serves on their Board, generously shares his time and talents with the Dare County Center.

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

MOTION

Commissioner Bateman motioned to adjourn the meeting.

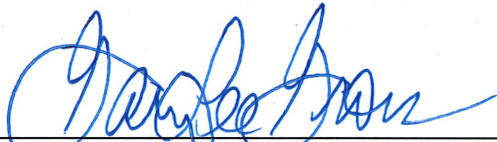
Commissioner House seconded the motion.

VOTE: AYES unanimous

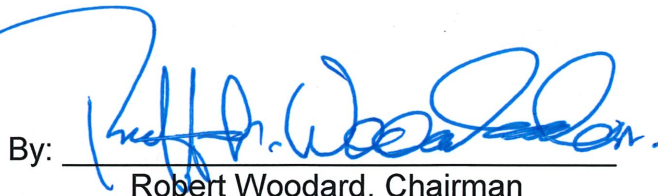
At 11:38 a.m., the Board adjourned until 5:00 p.m., Tuesday, February 19, 2019.



Respectfully submitted,

By: 
Gary Lee Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners

Note: copies of all attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board of Commissioners at this meeting are on file in the office of the Clerk to Board.