



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., February 18, 2020

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

Commissioners absent: None

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

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 5:02 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Jody Moore, of Outer Banks Presbyterian, to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

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

- Thanked Commissioner Couch for setting up the meeting regarding the Graveyard of the Atlantic Museum where they discussed some potential expansion for exhibits.
- He attended the State of the Region report presented by both Senator Steinburg and Representative Hanig on February 6.
- Arts Council had a retreat to discuss the goals and objectives of the Council and in March there would be a groundbreaking for the courtyard project.
- Met with Malcolm Fearing and Bill Massey recently to discuss COA, what the Board had approved to date and also shared some future goals and objectives.
- He participated with Commissioner Ross in an event at the Baum Center where the COA Foundation presented nine students with the Susan K. Preston Scholarship for 2019.
- He would be attending the NACo conference in D.C. at the end of the month with Vice-Chairman Overman.
- Attended the Mayor luncheon where they discussed budget items and revaluation.
- Announced the April 20, 2020 Board meeting would be held on Hatteras Island.

ITEM 2 – PUBLIC COMMENTS

At 5:12 p.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. Katherine Fagan referenced the “sanctuary resolution that was passed” at the February 4, 2020 meeting. She read a proposed resolution and requested the Board to consider same. She added she felt all the amendments were important and noted she offered her comments “with civility and respect” She disagreed with the previous resolution.
2. Michael Tillett, founding partner and promoter of Garage Band Charities, spoke about the 2020 OBX Rod and Custom Festival, which would take place May 1-2, 2020 on the Outer Banks. He announced there were currently 364 cars registered for the event and would present an additional update at the next meeting.

There were no comments made in Buxton

The County Manager closed Public Comments at 5:20 p.m.

ITEM 3 – SOUTHERN SHORES LIBRARY COMMITTEE

Lilias Morrison, resident of Southern Shores, came as a representative of the Southern Shores Library Committee. She provided a presentation regarding their interest in a Northern Branch library. Their committee, with members from Southern Shores, Duck and Kitty Hawk, had examined the feasibility of a library that would serve those areas, as the year-round population had grown. In December, 2019, they provided their findings to the Town Council of Southern Shores. The public survey indicated support of a branch located in Northern Dare and reflected 75% of the residents would use the library if there was one closer to them. The most desired services were the ability to not only check out books but to enjoy the convenience of the adult and children’s programs offered at the other branches along with computer accessibility. The committee had located a potential site at 6 Juniper Lane in Southern Shores. The building, which adjoined the main TowneBank and had approximately 2,570 sq. ft., was felt to be a suitable location; and would be offered for Dare County to lease for \$1 a year. An engineer had inspected the area and arrived with a preliminary plan on how to adapt the space for use as a library. The estimated cost would be \$150-175,000 to modify the area with an operating budget of \$150,000 per year. The committee asked the Dare County Board to establish a Dare County library branch in Southern Shores with implementation in the 2020/21 Dare County budget.

Chairman Woodard thanked the committee for their information and noted the Board would place the item on the agenda for further discussion during budget review in the coming sixty days. Commissioner Ross invited Jonathan Wark, East Albemarle Regional Library Director, to speak to the current library statistics. Thirty percent of library users were in Duck, Kitty Hawk and Southern Shores. Mr. Wark offered there were 1,800+ active users from those

localities and he explained “active users” were residents who had used their cards in the last two years. Commissioner Tobin inquired the cost for an initial library inventory. Mr. Wark explained there would be an “opening day collection”, which could cost tens of thousands for the initial one-time stocking of a new library. This estimate was based on the proposed size of the location together with shelving costs. Every year there would be additional operational stocking expenses. Chairman Woodard suggested additional questions be provided to Mr. Wark in order to provide for further discussion during budget retreat considerations. Ms. Morrison offered there were other sources for funding with regard to initial inventory costs.

ITEM 4 – RESULTS OF THE 2020 COUNTYWIDE REVALUATION

Greta Skeen and Hosea Wilson presented the results of the countywide property revaluation, effective January 1, 2020. The department had worked on the project for two years. Ms. Skeen thanked the Board for the analysis software and the 3D imagery, which had helped in the review of the 41,343 Dare County parcels. The values are considered preliminary until all of the appeals processes are completed. Mr. Wilson explained the property owners of Dare County were diverse with 45% residents, 26% Virginia residents, 9% from other NC counties and the remaining 20% from numerous foreign countries and all fifty states. The tax base was made up of residential, condominiums, timeshares, commercial properties and boat slips. The overall value of the county’s property tax base increased 26 percent. The last revaluation was done in 2013. The revaluation notices should be mailed February 25, 2020 and would include information regarding the appeal process. The Assessor’s office is anticipating ten percent of property owners will submit appeal requests which may be done through mail, online or by visiting the office in person by scheduled appointment. The deadline for filing appeals would be March 17 (21 days from the date of the notice). The department indicated they would respond to each appeal; however, a review all appeals would be accomplished before responding in order to compile information for consideration. The Board of Equalization and Review would convene the first Monday in April and first Monday in May. It is not necessary to file an informal appeal with the Assessor’s office in order to appeal with the Board of Equalization and Review. Once that Board recessed in 2020, those values would be set. If property characteristics were found to be incorrect, they could be corrected.

ITEM 5 – DARE SOIL & WATER CONSERVATION DISTRICT REPORT

Ann Daisey presented the District Report for Dare Soil & Water Conservation. She reviewed the Cost Share Programs which helped with water quality, soil erosions and soil health. Two of the programs dealt with agriculture and water quality practices. In East Lake, a farmer was provided \$30,000 to aid in land leveling and “cover crops” to prevent erosion and runoff issues. In other areas, rain gardens were installed to help with stormwater runoff and well pump and micro-irrigation systems were installed in others. Additional enhancement grants were obtained to aid Manteo with permeable payment for Town Commons and the Town of Nags Head with grassed swales along Soundside Road. The district also worked on stream debris removal and disaster recovery as it related to impediment of the flow of water in area canals and ditches. Alligator weed and other aquatic invasive control spraying were in their third year in East Lake with hopes to broaden treatment throughout other areas of Dare. Community outreach highlights included Secotan Market, Earth Fair, a 5th grade bookmark contest and after-school programs at 4H. The District and Board had adopted a new mission statement in October, 2019, with a 5-year plan of goals and objectives, which included

collaboration with county, local, state and federal agencies regarding conservation issues. The District Board was comprised of three elected members: Ricki Shepherd, Matt Paulson and Paul Wright along with two appointed members, Lora Eddy and Erin Fleckenstein. Ricki Shepherd, Board Chair, advised Ms. Daisey had brought the Soil and Water District to a new level of involvement and cooperation with state community programs, which had brought hundreds of thousands of dollars to Dare County and neighboring areas. Ms. Shepherd asked for expansion of the staff in order to maintain the 5-year plan goals. She thanked Ann Daisey for her dedication and offered best wishes as she leaves her position to pursue other opportunities to educate the community.

ITEM 6 – E911 CENTURYLINK CONTRACT – AMENDMENT TO THE CAPITAL PROJECT ORDINANCE AND BUDGET AMENDMENT FO THE E911 FUND (Att. #1)

Robert Outten reviewed a summary of the CenturyLink Contract. The contract, dated November 7, 2016, was for both the Regional Emergency Communications Center (RECC) and the E911 operating costs after project completion. The County had not received invoices for the final project portion after repeated inquiries and had received written confirmation there were no outstanding amounts due CenturyLink. The County had recently received an invoice totaling \$431,546, which stated the error was due to their reporting. Mr. Clawson's summary explained \$151,266 would be paid from the Capital Project Budget and the remaining balance, \$280,280, would be paid from the E911 Fund Operating Budget. The payment would not create an E911 funding issue, as projected ending fund balances were approximately \$531,648 for FY2020 and \$459,415 for FY 2021.

MOTION

Commissioner House motioned to adopt amendment to the Capital Project Ordinance and approve the budget amendment.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 7 – AVON VILLAGE BEACH NOURISHMENT PROJECT CONSULTING ENGINEER CONTRACT

County Manager presented the Coast Science Engineering (CSE) consulting engineer Phase 1 Feasibility Study proposal for the Avon Village Beach Nourishment Project. The Phase 1 schedule would provide the necessary field data collection, analytical and modeling work with a report expected in approximately six months. An itemized budget for the project was divided and outlined with task descriptions which subtotaled \$151,960 with an allowance for subcontractor coring (if needed) for an additional \$15,000 and would be billed over the duration of the project with monthly invoices. The proposed area to be surveyed was four miles of beach centered at Avon and adjacent beach areas, which included up to 2,500 linear feet of National Park Service shoreline outside of Avon Village limits.

MOTION

Commissioner House motioned to approve the CSE Consulting Engineer Proposal and authorize the County Manager to execute a final agreement.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – CONSENT AGENDA

The Manager announced the items as they were visually displayed in the meeting room. Chairman Woodard inquired as to the large number of “over-payments” in the Tax Collector’s Report. County Manager did not have specific answers; however, he offered some of the refunds were due to tax appeals, clerical errors, property owner escrow issues and overpayment.

MOTION

Commissioner House motioned to approve the Consent Agenda with the changes noted below on Item 8(1):

1. Approval of Minutes (02.04.20) with one amendment on page 8, the word “merchant” corrected to “emergency” **(Att. # 2)**
2. Statewide Mutual Aid Agreement
3. Water Department Budget Amendment
4. RECC/EOC Audio/Visual System Service Agreement with CENERO
5. Audit Contract for FY 2020 **(Att. #3)**
6. 4-Year Computer Lease for Dare County Sheriff’s Office
7. McGuire Woods Consulting – Lobby Agreement
8. Tax Collector’s Report

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

ITEM 9 – 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:

Commissioner House:

- He would be attending the NC Marine Fisheries Commission meeting in Beaufort involving many voting items to include the final adoption of the Blue Crab Amendment 3 and discussion on adoption of goals and objectives of the Southern Flounder Fishery Management Plan Amendment 3. DC Working Watermen would meet later in the month to follow up on conclusions from the meeting in Beaufort.
- Reported Ryan Newman, who had suffered extensive injuries during the Daytona 500, had survived his accident.
- He introduced the video for Pet of the Week, which highlighted Gracie, a 6-year old, three-legged dog ready for adoption.
- He announced Elizabethan Gardens would be hosting “Woofstock” on April 18, 2020.

Vice-Chairman Overman

- On February 4-6, the “Escape the Vape” program was presented to Hatteras Secondary, First Flight and Manteo Middle schools. Luka Kinard was able to engage well with the audience and many good questions were asked at these well-attended programs.
- On February 11 he attended with the Saving Lives Task Force in a faith-based meeting in Kitty Hawk with the Holy Redeemer Catholic Church community as part of the faith-based outreach for them to become active in the work being done by the Task Force.
- He enjoyed the Manns Harbor Fire Department awards dinner he attended with Commissioner Ross. The tour of the fire department facility provided an interesting

transition of younger men in the department who were definitely dedicated and engaged in providing good firefighting and emergency services.

- He also attended the open house at the Kill Devil Hills Library to celebrate the library's thirty years of service to the community.
- In order to clarify a statement made during public comment, Commissioner Overman explained it was erroneous to state the resolution adopted by the Board at its last meeting was a "sanctuary county resolution". The resolution was in support of the entire U.S. Constitution and it did not contain the word "sanctuary".

Commissioner Bateman

- Offered no new business.

Commissioner Couch

- Thanked the Board for coming to Hatteras Island recently to present the State of the County address. He had heard a lot of good things for the proactive reach out and it did not go unnoticed by the community.

Commissioner Tobin

- Although he had been at a trade show the previous meeting, he expressed his total support of the resolution passed at the last meeting concerning the U.S. Constitution.
- He attended the DC Adult Services Board meeting and met with Amy Acola, who had a lot of great ideas for the Center.
- He encouraged the Baum Center to coordinate a bit more with Spring Arbor to engage their residents with Baum Center activities.
- Shannon Brooks had tendered her resignation as director at the DC Center of the NC Cooperative Extension office and has been hired by NC State.
- Oregon Inlet Task Force met in February and RFP's were issued to fourteen shipyards with a week to reply. Five shipyards denied the process and nine were working on proposals, with several having asked for two-week extensions to respond.
- Encouraged everyone to vote.
- He reported the Merritt had returned to Oregon Inlet and would return to Hatteras as soon as possible.

Commissioner Ross

- Thanked Vice-Chairman Overman for his statements of clarification regarding the resolution adopted in support of the U.S. Constitution.
- The Manns Harbor Appreciation dinner was an amazing event and highlighted area appreciation of their firefighters.
- He would be attending the Outer Banks Community Foundation awards luncheon.
- On March 2 there would be a meeting with UNC School of Government regarding the essential housing issues in the area with a site visit.
- He would be participating with the Tourism Board Event Site Task Force on February 25 to discuss the strategies for the Soundside event site and other additional benefits to maximize the potential benefits of its use and attraction for future events.
- He noted the Albemarle Commission continued their search for a new executive director. Bob Murphy was currently acting as temporary executive director.

MANAGER’S/ATTORNEY’S BUSINESS

County Manager Outten advised he had received a request from the engineers working on the Village of Hatteras bikeway/sidewalk project to locate an approximate 15’ wide portion of the path in front of the Hatteras Medical Center. He requested authorization from the Board to send the approval letter for the location to allow completion of the project’s permitting phase. An easement would be requested at a later date.

MOTION

Commissioner Bateman motioned to allow the Village of Hatters to place a portion of their bikeway/sidewalk project along the requested frontage of the Hatteras Village Medical Center and for the County Manager to provide the approval letter.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

Dorothy Hester commented the Escape the Vape program would be available on Current. The Complete Count Committee would be providing the Board with an update at the next meeting. She added there were many part-time census jobs available to facilitate the delivery of notices door-to-door. Her department is working on the float for the Board to present and attend the St. Patrick’s Day parade in March.

Dave Clawson offered no new business, but in response to Chairman Woodard’s concerns regarding the tax refunds (Item 8 under the Consent Agenda), he noted one of the properties was a twenty-four bedroom, ocean front home in Kill Devil Hills.

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

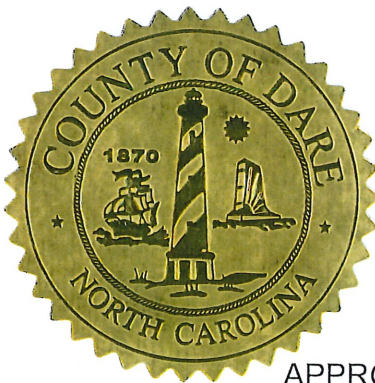
MOTION

Commissioner Tobin motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 7:18 p.m., the Board of Commissioners adjourned until 9:00 a.m., March 2, 2020.



APPROVED:

Respectfully submitted,

By: *Cheryl C. Anby*
Cheryl C. Anby, Clerk to the Board

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

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