



County of Dare

P.O. Box 1000 | Manteo, NC 27954

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., June 1, 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 (remotely)
Clerk to the Board, Cheryl C. 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 9:01 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He read the invocation provided by Chaplain Cherri Wheeler, 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 may be viewed in their entirety on the Dare County website:

- He noted the 82nd season of The Lost Colony was cancelled this year due to Covid-19. It had been planned to dedicate this year's season to help recognize the 150th anniversary of Dare County.
- Most of the area's churches participate with a week or two of hospitality and sustenance to our area's homeless; and they all do a phenomenal job. Rev. Dr. Jody Moore, President of the North Dare Ministerial Association, had advised the Board that Kitty Hawk United Methodist Church had hosted five consecutive weeks with meals and accommodations for those in need during the 2019-2020 season of "Room In the Inn" ministry. He thanked all of the churches for their assistance to the area's homeless.
- As many businesses continue to struggle this season without J1 Visa students, he had sent a letter on behalf of the Board to Congressman Murphy and Senator Tillis to urge the continuance of the program.

- He recognized Donna Creef, our Planning Director, who had been recently featured in *Making Waves*, an East Carolina University magazine. In the article she mentioned “water is part of everyday life here at the Outer Banks”. He praised her work for the County, especially in light of recent flood map changes, which had resulted in the adoption of new regulatory efforts to continue the protection of residences. He noted close to 100 homes had been elevated through FEMA mitigation grants.
- Chairman updated that the Governor had signed Executive Order 142, which announced the extension of the moratorium on utility shutoffs. The order went into effect May 30, 2020 and would last three weeks. It would prevent landlords from summary ejections or other eviction procedures against a tenant for nonpayment or late payment of rent. Additionally, it prevented landlords from assessing or accumulating late fees and gave tenants a minimum of six months to pay outstanding balances.
- He announced Governor Cooper had asked all North Carolinians to observe a day of mourning today for the 100,000 people in America, including almost 1,000 in North Carolina, who had lost their lives to Covid-19. A moment of silence at noon would be shared today along with the half-staff lowering of all state flags.

ITEM 2 – PUBLIC COMMENTS

At 9:15 a.m. the Manager outlined the procedure for making public comments via emails to the Board at dcboc@darenc.com. No one responded to the invitation to address the Board.

The County Manager closed Public Comments at 9:16 a.m.

ITEM 3 – RECOGNITION OF COUNTY SERVICE PIN RECIPIENTS

Due to the Covid-19 outbreak, the Board had not been able to recognize Dare County employees with service pins for several meetings. The County Manager named the following recipients, whose employment anniversaries took place in April, May and June, 2020.

- 1) April recipients were:
Nancy Nedley, Public Health Nurse II - 10 years; Laurie Kellogg, Admin. Specialist with Water Department – 10 years and Nettie Midgett, Sr. Sales Analyst/ Revaluation with 25 years.
- 2) May recipients were:
Kelly McPherson, Admin. Specialist, 15 years; Wendy Parks, Admin. Specialist/ Sheriff’s Office, 15 years; Joann Selby, Admin. Specialist/Social Services – 15 years; Sandra Shull, Warehouse Technician/Fleet Maintenance, 20 years and and Jacqueline Tillet, Sr. Elections Specialist with 35 years.
- 3) June recipients were:
Leigh George, Detention Shift Leader/Jail, 15 years; Aubrey Remige, Fitness Coordinator with Older Adult Services, 15 years; and Jerry Lofland - WTP Superintendent at the Skyco Water with 20 years.

ITEM 4 – PUBLIC HEARING – MANAGER’S PROPOSED BUDGET FY2021 (Att. # 1)

At 9: 26 a.m. the Board held a Public Hearing to receive input concerning this agenda item. The Manager outlined the procedure for making public comments via email at: dcboc@darenc.com and in person under special guidelines, as noticed.

No one responded to the invitation to address the Board of Commissioners on this issue, either in person or via email. The County Manager closed the Public Hearing at 9:31 a.m.

MOTION

Vice Chairman Overman motioned to approve the Manager’s Proposed Fiscal Year 2021 Budget

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 5 – GRANT PROJECT ORDINANCE FOR CORONAVIRUS RELIEF FUND, (Att. #2)

David Clawson presented a Grant Project Ordinance to establish the initial budget for the Coronavirus Relief Fund to budget and account for funds from the NC Coronavirus Relief Fund. FEMA and State emergency funds were anticipated and would need to be submitted to the State by June 1, 2020 and later amended as necessary. He explained the separate fund had been established to distinguish the monies from those used for Disaster Recovery. Expenditures which were eligible for reimbursement would continue through December 30, 2020. Mr. Clawson added answers to eligibility questions had been somewhat difficult to obtain. The County had received \$852,149 and Mr. Clawson clarified the local schools and hospitals were eligible to receive separate Covid relief funds. The County’s department heads would be meeting with Dr. Sheila Davies today to receive updates on Covid eligible expenses and discuss how, as they reopen more fully to the public, they may need additional PPE or other adjustments for their operations. As additional information and clarification became available, Mr. Clawson indicated they would be returning to the Board with updates in allocation and spending with budget amendments for the relief fund. County Manager Outten added the CARES Act money was a finite fund, while those funds offered by FEMA were not capped.

MOTION

Commissioner House motioned to adopt the Grant Project Ordinance for the Coronavirus Relief Fund.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

Note: By consensus, the Board agreed to handle Items 7 and 8 ahead of Item 6.

ITEM 6 – BUXTON ZONING MAP AMENDMENT, REQUEST FOR PUBLIC HEARING

A zoning map amendment application filed by John Canning for his property located at 49251 NC 12 Hwy. in Buxton, requested rezoning of his property to C-3 commercial. The Planning Board recommends approval of the map amendment and requested a Public Hearing be set for June 15, 2020 at 5:00 p.m.

MOTION

Commissioner Tobin motioned to set a Public Hearing on June 15, 2020 at 5:00 p.m. for this item.

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 7 – GUARANTEED MAXIMUM PRICE & CAPITAL BUDGET FOR DHHS PROJECT

The heating and air-conditioning proposal for the DHHS project had been rebid and afterward Dave Clawson reported the project's guaranteed maximum price had been provided by AR Chesson Construction. The GMP was below original estimates and now allowed for inclusion of all bid alternates, which would include countertop, flooring and data cabling replacements along with a conservative estimate for removal of unsuitable soil between the existing buildings. All existing door locks could now be replaced. The County Manager added that in the previous budget the cost of the architect's contract and the construction soil testing had been included. The total cost of the project, less those two items, would now be added to the budget.

MOTION

Commissioner Ross motioned to authorize the County Manager to execute Change Order #1 with AR Chesson Construction for the guaranteed maximum price and adopt the amendment to the Capital Project Ordinance.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – DISASTER DEBRIS MONITORING

Requests for proposals for disaster debris monitoring were advertised on April 12, 2020. The four companies that responded were SEPI, Inc., DebrisTech, LLC, Tetra Tech, Inc. and Thompson Consulting Services. Mr. Clawson explained that after evaluation, it was recommended to the Board to move forward with contract negotiations with the Florida-based, low-bid company, Thompson Consulting. The County Manager added the company had overseen the debris collection for the last six years and had always done an efficient and reliable job.

MOTION

Commissioner Couch motioned to approve the proposal submitted by Thompson Consulting for disaster debris monitoring and authorize the County Manager to move forward with negotiation and signing of a final contract.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 9 – 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 (05.18.2020) **(Att. # 3)**

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

ITEM 10 – BOARD APPOINTMENTS

- 1) College of the Albemarle Board of Trustees

Commissioners Couch and Bateman motioned to reappoint Chairman Robert Woodard, Sr. to the COA Board of Trustees

Vice Chairman Overman seconded the motion.

VOTE: AYES unanimous

- 2) Manns Harbor Marina Commission
Vice Chairman Overman motioned to reappoint Paul Mann, V, Jeff James and Jessie "Troy" Outland, Sr.
Commissioner House seconded the motion.
VOTE: AYES unanimous
- 3) Manns Harbor Community Center
Commissioner House motioned to reappoint Clyde Gard and Bonny Sawyer.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous
- 4) Juvenile Crime Prevention Council
Commissioner House motioned to reappoint Melinda Mogowski, Stephen Wescott, Jennifer Alexander, Michael Lewis, Tim White and Marsha Ribner-Cady
Commissioner Tobin seconded the motion.
VOTE: AYES unanimous
- 5) Veterans Advisory Council
Vice-Chairman Overman motioned to reappoint Richard Probst and Marsha Brown
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous
- 6) Fessenden Center Advisory Board
Vice-Chairman Overman motioned to reappoint Kenneth Brite, Keith Durham, Hali Easley and John Griffin.
Commissioner House seconded the motion.
VOTE: YES unanimous
- 7) Hatteras Community Center
Commissioner Tobin motioned to reappoint Laura C. Young and Rom Whitaker.
Vice-Chairman Overman seconded the motion.
VOTE: AYES unanimous
- 8) Dare County Waterways Commission
Vice-Chairman Overman motioned to reappoint Danny Couch, Ernie Foster, Natalie Perry Kavanagh and Steve Coulter.
Commissioner House seconded the motion
VOTE: AYES unanimous
- 9) Dare County Transportation Advisory Board
Commissioner Couch motioned to reappoint Ginny Zdanski.
Commissioner Bateman seconded the motion.
VOTE: AYES unanimous
- 10) East Lake Community Center Board
Vice-Chairman Overman motioned to appoint Erin Dennison.
Commissioner House seconded the motion.
VOTE: AYES unanimous

ITEM 11 – 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 Bateman

- He noted businesses were back. Even though seating was down at fifty percent restrictions, the revenues were up approximately ten percent.
- He had gone to Ocracoke, Hyde County and Buxton and noted they were all also doing well with visitor traffic and business.
- The absence of the arrival of summer J1 visa students was adding to business difficulties, and it was difficult to employ enough servers and professional cooks. His business, currently down twelve employees, had found it necessary to cross-train staff and the possible need to change business hours. He added it was possible J1 students from the Turkish population may arrive at the end of June.
- He commented on the new flood insurance premiums and offered his own personal example of how repairing his flooded Ocracoke home and raising it ten feet above the flood plain had dramatically reduced the yearly flood premium.

Vice-Chairman Overman

- The Vice-Chairman commented it was his fervent hope that the anarchy we are seeing on a daily basis would be dealt with by the proper authorities in the cities and states where it was occurring. He added the death of Mr. George Floyd had been a travesty; and while we mourn his loss, justice would be served. Peaceful protests on his behalf were entirely understandable and justified; however, riots, looting, arson, destruction of property and violence was not. He remarked the governor of North Carolina should act quickly to prevent any further devastation of lives and property in our state.

Commissioner House

- He thanked the service pin recipients and all staff for their dedicated years of service and congratulated Joann Selby on her retirement.
- He offered condolences to the family of Jonathan Robinson, a Carteret County Commissioner and a strong advocate for commercial fisherman.
- In 2019, the commercial fishing industry was rated as the 9th highest regulated industry; and in 2020 it is noted as being the 7th highest regulated. The North Carolina Coastal Fisheries Reform Group has filed a lawsuit against NC regulators and against six trawling companies to prevent trawling for shrimp in Dare County’s sound. He emphasized the North Carolina trawling industry was leading the nation in by-catch reduction and typically 90% of what they catch were sellable fish.
- For a day in history to commemorate, he noted it had been a year since the tragic shootings at the Virginia Beach municipal offices.
- He echoed the comments of Vice-Chairman Overman as he expressed disgust over the recent violence, looting and anarchy after George Floyd’s death. Reprehensive police actions should not be tolerated and the County law enforcement was noted for going “the extra mile every day”.

Commissioner Ross (amended underlined)

- The Albemarle Commission, currently operating with an acting executive director, was in the final stages of negotiation with a senior, well-experienced candidate; and he would provide an update later. The Commission continued to operate under continuing pressure, especially in the area of Agency on Aging, with additional requirements, home visits and wellness checks. Volunteers were no longer willing to volunteer for fear of exposure to Covid-19. He would continue to offer all of the support from the Board in the way of funding, additional staffing or whatever that particular group may need at this time.
- He noted the Covid-19 statistics of the state. Currently there were reported 886 total deaths in the last ninety days. The makeup of these fatalities continues to be 84% in the age group over 65 and about 63% in nursing homes and congregate living situations. The state has not been able to curtail and eliminate the enormous risk to the vulnerable population in congregate living facilities.

Commissioner Tobin

- He agreed with the nursing home concerns of Commissioner Ross and added he had recently contacted State Ombudsman. As a member of the Nursing Home Community Advisory Council, responsible for patients' rights, they had been restricted from going into the nursing homes. The facility staff had been allowed entry, but no oversight agency had been able to gain entry. His conversations with the Ombudsman had not produced remedy at this time. He commented the County had been blessed at its' facilities during the pandemic with few staff cases and no patient transmission.
- He reported the dredge project was still at the attorney's office. He hoped later this week the contract would be released for review, signature and project kick off.

Commissioner Couch

- He followed up with his concern over the J1 Visa student situation and their impact on the area's tourist industry. He noted it was critical to have them as the area opens. Currently restaurateurs, retail and hospitality businesses were understaffed but they were taking charge and getting it done. He said Hatteras had been at rental capacity for a few weeks with managers and staff going the extra mile with late operating hours. Forbes recently listed the Outer Banks as the safest place to go during Covid-19 and although the beginning of the 2020 season was different, the season was now here and he thanked all of the hospitality business and the County employees that added to its success.
- Nancy Griffin, of the Children Youth Partnership Board, was recovering and Sara Sampson would be filling in during her continued rehabilitation. He enjoyed being a part of their board, as they did so much for area youth.

MANAGER'S/ATTORNEY'S BUSINESS

County Manager Outten:

Mr. Outten reported a change in the tax office, which previously had four personal property tax employees, who reported to an appraiser. The office manager was now the personal property supervisor and the four personnel report to that supervisor. The required change in grade for the personal property supervisor was a budget neutral move with the new hires coming in at lower salaries. The Board had previously authorized the County Manager to make departmental changes as long as they were budget neutral.

County Manager Outten provided an update on the Manteo Commons property. He indicated the town was busy and merchants had complained parking was a problem. The Town requested utilizing the Manteo Commons area for temporary parking. In Dare County's lease with Manteo, the terms require a parking lot be included. They had requested the use of the property as a temporary 35-37 car parking lot area, with the likelihood some of work could remain for the permanent parking. The town had applied for grants and the county had recently provided a letter of support, a requirement of one of the grants. It was hoped the project would begin soon.

MOTION

Vice-Chairman Overman motioned to allow the Town of Manteo to utilize the Manteo Commons area as temporary parking.

Commissioners Tobin and House seconded the motion.

VOTE: AYES unanimous

Finance Director had nothing further to report.

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

MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Tobin and Ross seconded the motion.

VOTE: AYES unanimous

At 10:27 a.m., the Board of Commissioners adjourned until 5:00 p.m., June 15, 2020.



APPROVED:

Respectfully submitted,

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

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

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