



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**5:00 p.m., July 20, 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 available for viewing on the Dare County website [www.darenc.com](http://www.darenc.com).

At 5:01 p.m. Chairman Woodard called to order the regularly scheduled meeting with the appropriate prior public notice and revised notice having been given. He read the prayer, offered by Rev. Craig Peel, 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:

- He encouraged the residents and visitors to take the pandemic seriously and continue with social distancing, mask wearing and other recommendations.
- Chairman Woodard gave an overview of the career of Jerry Jennings, who recently retired from NC Department of Transportation, and presented him with a certificate of appreciation.

#### **ITEM 2 – RECOGNITION OF COUNTY SERVICE PIN RECIPIENTS**

The County Manager announced the following service pin recipients, whose employment anniversaries took place in July, 2020:

1. Marylynn Cahoon, Deputy Sheriff (15 yrs.)
2. David Mason, Deputy Sheriff Master Officer (15 yrs.)
3. Sally Carswell, Sr. Customer Service Representative/Water Distribution (20 yrs.)
4. Jason McPherson, Parks Maintenance Crew Leader/Turf Maintenance (25 yrs.)
5. Tola Edmond, In-Home Service Aid/DSS Personal Care Services (25 yrs.)
6. Mary Cutrell, Emergency Med. Tech/Paramedic/EMS (30 yrs.)

### **ITEM 3 – PUBLIC COMMENTS**

At 5:23 p.m. the Manager outlined the procedure for making public comments via email to the Board at [dcboc@darenc.com](mailto:dcboc@darenc.com). No one responded to the invitation to address the Board. The County Manager closed Public Comments at 5:26 p.m.

### **ITEM 4 – BEACHLAND FARMS CAMPGROUND – CUP AND SITE PLAN REVIEW,**

**(Att. #1)** A full account of the Board's discussion and action on this item is archived on a video available for viewing on the Dare County website.

County Outten explained the matter would be handled as a quasi-judicial proceeding with the applicants, Malcolm Fearing, Dylan Tillett, P.E, of Quible & Associates, Benjamin M. Gallop, Esq. and Donna Creef, Planning Director, all duly sworn by the Clerk before offering any testimony. The Boardroom held those signed up to speak on the item with each duly sworn by the Clerk. Other attendees were social distanced in Room 168 of the Administration Building and were able to listen to the procedure through livestream. Donna Creef provided an overview and introduction of the Conditional Use Permit with sixteen draft conditions. Ben Gallop, Esq., on behalf of the applicant, indicated Ms. Creef had accurately captured all of the details in her departmental memorandum. Mr. Tillett stated the site plans met all of the Dare County ordinance standards and the flood zone for Vista Lake was most likely the same as the subject parcel, which was AE4. Mr. Gallop requested all of the site plans become part of the record. The following speakers offered the following comments:

1. Lester Page noted the Vista Lake had recently experienced severe storm flooding. He surmised the parcel in question was in a similar flood zone and voiced concern over trailers, left year round, which would not be moved prior to a storm, leaving the area heavily polluted with damaged trailers.
2. Barb Kopec questioned whether property values would be affected by the location of the traveling trailer park location. She also voiced concerns regarding its proximity to the wetlands and the additional traffic in Manteo during storm evacuations.
3. Patricia Gayle questioned the environmental impact to the more than fifty species of wildlife in the area and the ecosystem impact with nearby septic systems. She was also concerned about bon fires. Ms. Gayle offered a feasibility and impact study should be done on the project.
4. Melissa Mann was concerned about her children who could be exposed to a transient population at the park and the possibility of child abduction. She said the cabin, which had been struck from the plan, would have offered good opportunities to kids with disabilities and was disappointed it had been removed from the site plan.
5. Jesse Davis, a Vista Lake homeowner for seventeen years, voiced concerns over the security and safety of his family and wanted reassurance the applicant would not profit from the perceived down shift in value of the area's properties. Flooding had been a problem in the area and he questioned whether the proposed septic plan would lend itself to further flooding issues for the Vista Lake parcels. Mr. Tillett responded the wastewater drainage ditch would properly handle flooding issues but Mr. Davis disagreed.

6. Nevin Wescott said the park would be terrible and no one would want to purchase a home with an RV park in the back yard. He anticipated noise; disconnect sewer mishaps, and the possibility of park grills, smokers and cookers setting the nearby marsh on fire. He stated Bowerstown Road could not handle additional traffic and another RV park was not necessary for the community.
7. Steve Howell wanted to emphasize he used the nearby boat ramp and had difficulty navigating his 18-foot boat down the road and felt trailers would have the same problems.

Mr. Gallop summed up he wanted to make sure the record reflected his objections. Some of the testimony presented by speakers was irrelevant, as it was not presented by experts and he objected to that for the record. The plans presented were substantial evidence and he asked the Board to approve the conditional use permit as presented.

Commissioner Ross questioned whether Bowsertown Road, as it existed, was inadequate for certain size RV units. Mr. Gallop added it was most likely a DOT road and the current width would be self-limiting. Discussions at the Planning Board meetings had indicated the road had serviced large trucks to include trash and water trucks. Commissioner Tobin added school buses and County trash trucks were known to navigate the road. Commissioner Couch stated his residence was bound by camper parks on several sides and it had not affected the enjoyment of his home.

Chairman Woodard asked what sort of issues could be presented for RV hookups, as was the concern presented by Mr. Wescott. Mr. Tillett was not aware of any potential issues and the wastewater system would be reviewed for approval by the appropriate agencies issuing permits. The Planning Director advised the ordinance did not give authority to request a feasibility study. Mr. Fearing explained how the proposed cabin would have been utilized, although it had been removed from the plan. He hoped it would be an option later. He offered that he shared the concerns of some speakers but it was important to him to maintain safety and control at the site. Creef confirmed the property's current I1 zoning allowed a campground and the current hearing was solely for the consideration of any required conditions.

Commissioner Couch noted the cabin held humanitarian benefits and perhaps a text amendment could accommodate a cabin in the future. Commissioner House responded to an earlier comment regarding child safety and noted there would be a six foot fence around the property along with the vegetative buffer. Mr. Howell asked if the Commissioners would consider reviewing the site first hand and the Board acknowledged they had already done so.

Upon conclusion of the Board's discussion, the County Manager read each of the sixteen Conditional Use Permit's conditions. Mr. Fearing noted he was in full agreement with them. Donna Creef recapped a site plan and conditional use permit application had been submitted by Mr. Fearing for 3.77 acres of the 53-acre parcel for construction of a travel trailer park on Roanoke Island. The campground would feature fifty camp sites. The Planning Board had reviewed the proposed conditional use permit and recommended approval. Public comments received during the Planning Board meeting expressed concerns about traffic, noise, open fires, trespassing, flooding and destruction of wetlands.

**MOTION**

Vice-Chairman Overman motioned to approve the proposed Beachland Farms Campground site plan and draft conditional use permit be approved as recommended by the Planning Board. Sufficient information documenting compliance with the Dare County Zoning Ordinance requirements had been submitted by the applicant and reasonable and appropriate conditions had been identified and applied to the proposed project.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**The meeting recessed** at 7:13 p.m. and reconvened at 7:19 p.m.

**ITEM 5 – COLLEGE OF THE ALBEMARLE FOUNDATION REPORT ON DARE GUARANTEE SCHOLARSHIP PROGRAM**

Amy L. Alcocer, Executive Director of the COA Foundation and Development, provided the Board with an update on the Dare County Guarantee Scholarship Program. She also shared three videos which highlighted the program’s advertisement success. She advised Covid-19 had caused many to delay their decisions for higher education. A Dare liaison had been hired who had stayed in contact with Dare students and the school counselors to help keep them engaged, interested and motivated with the program. Some other marketing techniques such as radio commercials, u tube ads, direct emails to each high school campus, social media platforms, and Dare Guarantee t-shirts to those accepted into the program were being used to build up interest in the program’s offerings. Ms. Alcocer suggested it may be helpful to extend the current admission criteria past sixteen months for new adult admissions. She would be reporting on a full fiscal year the next time an update is provided. Ms. Alcocer reported there were a few instances where students enrolled into a particular program, dropped the class, enrolled into another program and again dropped the class. When this occurred, the tuition money had already been allocated from the Guarantee Fund. She offered perhaps there could be limits placed on the number of times a student was permitted to change programs. The Board discussed these scenarios and agreed they would entertain making changes to the current MOU at a later time if necessary. Of the current 64 applicants, Ms. Alcocer said many were waiting for FAFSA approval; return of acceptance letters from potential students; and completed FAFSA applications from others. The liaison was in contact with applicants to move them forward with the process. Zoom meetings were also being held to answer questions of parents and students.

**ITEM 6 – UNC CHAPEL HILL SOG – ESSENTIAL HOUSING NEEDS PRE-DEVELOPMENT & OPPORTUNITY SITE IDENTIFICATION: PROJECT UPDATE**

Sarah O’Doio, Senior Project Manager, and Marcia Perritt, Associate Director, DFI, presented a PowerPoint and update of the Essential Housing Project via a virtual connection to the meeting. She explained the Development Finance Initiative (DFI) was a program of UNC Chapel Hill’s School of Government which advised communities in North Carolina and to aid in the attraction of private investments for real estate development. She provided a 31-slide presentation with a press release update. She commented although they had begun their research in February; there had been a pause in March due to Covid. Much of the marketing research had been completed, which indicated the challenges came down to construction cost and existing infrastructure. There were many opportunities with good leadership of the public sector along with business advocates for the interests of seasonal employees and

students. She explained the term “affordability” referred to a residence which did not absorb more than 30% of income. With recognition from the State and Federal government of the high costs for construction, our area qualifies as “DDA-Difficult Development Area” and therefore can qualify for additional tax credit programs. Next steps would be to identify a short list of properties for both LIHTR (low-income housing tax credit program) and non LI (low income). The LIHTR was awarded to private or non-profit partners, not to government entities. Commissioner Couch asked if DFI had looked at the parcels held by the Board of Education in Manteo for appropriate use. Commissioner Ross asked if any Currituck parcels had been considered. Vice-Chairman Overman requested the group to look at Eastlake as a private development option. DFI will continue their “stakeholder” engagement and indicated the next update would be in fall.

**ITEM 7 – 2020-2021 HATTERAS INLET MAINTENANCE**

Brent Johnson, Waterways Administrator and Project Manager, explained the constant shoaling and sediment transport of Hatteras Inlet results in the need for continued dredging maintenance. The County has requested funding assistance through DEQ Shallow Draft Grant Fund for \$19,950.

**MOTION**

Vice-Chairman Overman motioned to approve grant submission to DEQ and approve County Manager to execute contract with CPE and grant when approved by DEQ.

**AMENDED MOTION**

Commissioner House amended the motion to approve the resolution for grant submission. Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**ITEM 8 – 2020-2021 OREGON INLET PERMIT MODIFICATIONS**

Brent Johnson explained approving modifications to the contract with Coastal Protection Engineering were needed to allow the ability to sidecast and over dredge the Oregon Inlet. A grant submitted to DEQ could provide \$7,434.37 of the total contract cost of \$11,151.00. Dare County would pay the balance of the project cost.

**MOTION**

Commissioner House motioned to approve grant submission to DEQ, resolution and approve County Manager’s execution of the contract with CPE and grant when approved by DEQ. Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – REQUEST TO MODIFY HATTERAS/ROLLINSON CHANNEL FEDERAL AUTHORIZATION**

Mr. Johnson presented this item on behalf of the Dare County Waterways Commission to request the addition of Barney Slough, Sloop Channel and South Ferry Channel in the federal authorized channel.

**MOTION**

Commissioner Couch motioned to approve staff to submit a request under Section 7001 of the 2014 WRRDA to change the wording to follows best water to include the three connector channels, Barney Slough, Sloop Channel and South Ferry Channel. Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 10 – RECOMMENDED COUNTY COVID-19 GRANT PLAN VERSION 2 AND AMENDMENT TO GRANT PROJECT ORDINANCE, (Att. #2)**

Dave Clawson, Finance Director, introduced this item and explained to the Board a second allocation of State awarded Covid-19 relief funds had been received by the County in the amount of \$718,269.00, which brought the total State funds to \$1,570,418. He further explained 25% of funds (\$392,604.00) were required to be distributed to the towns. There are two health department and election relief funds also coming.

**MOTION**

Commissioner Couch motioned to approve recommended Plan (Version 2) and adopt the amendment to the Grant Project Ordinance.

Vice-Chairman Overman and Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 11 - DESIGNATION OF VOTING DELEGATE TO NCACC ANNUAL CONFERENCE**

Mr. Outten presented the form to permit the designation of the attendant of the 113<sup>th</sup> Annual Conference of the North Carolina Association of County Commissioners to vote as a delegate on behalf of Dare County. This year's conference would be held virtually.

**MOTION**

Vice-Chairman Overman motioned to designate Robert L. Woodard as voting delegate to NCACC annual conference

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**MOTION**

Chairman Woodard motioned to recommend Wally Overman as alternate delegate.

Commissioner House 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 (06.15.20) & Special Meeting Minutes (07/06/20) **(Att. #3 & #4)**
- 2) DHHS Social Services Division – Adoption Promotion Fund
- 3) Reimbursement Resolution – Fiscal Year 2020-2021 Vehicle & Equipment Financing
- 4) North Carolina Governor's Highway Safety Program (GHSP) Local Government Resolution
- 5) Tax Collector's Report
- 6) 2020 Update of the CRS Program for Public Information
- 7) Dare County Code – Chapter 92 Emergency Management (Att. # 5)**
- 8) Emergency Operations Plan Update
- 9) Health & Human Services, Public Health – WIC Special Funding
- 10) Revised MOU Between Dare County and National Park Service

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

### **ITEM 13 – BOARD APPOINTMENTS**

- 1) East Lake Community Center Board  
Commissioner Bateman motioned to reappoint Ted Hemilright.  
Vice-Chairman Overman seconded the motion.  
VOTE: AYES unanimous
- 2) A.B.C. Board  
Commissioner House motioned to reappoint Fields Scarborough, Sr.  
Vice-Chairman Overman seconded the motion.  
VOTE: AYES unanimous
- 3) Wanchese Community Board  
Vice-Chairman Overman motioned to reappoint Joyce T. Meekins and Robert L. Walton.  
Commissioner Bateman seconded the motion.  
VOTE: AYES unanimous
- 4) Older Adult Services Advisory Board  
Vice-Chairman Overman motioned to reappoint Barbara Franchi.  
Commissioner Bateman seconded the motion.  
VOTE: AYES unanimous
- 5) Upcoming Board Appointments  
The upcoming Board appointments for August, September and October, 2020 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. A brief summary of the items mentioned by Commissioners during this segment follows:

#### Commissioner Ross

- He announced Michael Ervin, with noted vast experience in local government, had been hired as the new Executive Director of the Albemarle Commission.

#### Commissioner House

- He shared a moment to remember in history with the quote from Neil Armstrong who said, “That’s one small step for man, one giant leap for mankind,” when the historic landing on the moon was televised on July 20, 1969.
- He shared the video of the Pet of the Week featuring “Maui” for adoption

#### Vice Chairman Overman

- He cautioned we should all remain vigilant with recommendations to wash, wait and wear a mask to prevent the spread of Covid-19.
- Congratulated the service pin recipients and noted they totaled 130 years of service to Dare County, which was pretty impressive.

Commissioner Bateman had nothing further to report.

Commissioner Couch

- Commented it was regretful so many fishing tournaments were being cancelled due to concerns of Covid.
- Ferry Division was able to get the vessel *Croatan* into Rodanthe even with the challenges.
- He acknowledged they continue to receive options to deal with shoreline erosion control.

Commissioner Tobin

- He attended the meeting of Oregon Task Force and Coast Guard advised they were putting channel markers between the Walter Slough and the Fishing Center.
- Reported the finalized review of the dredge construction contract between EJE and Conrad Shipyard. Completion of the vessel should be realized in approximately eighteen months from the date of execution of the contract.

**MANAGER'S/ATTORNEY'S BUSINESS**

County Manager Outten reported he recently met with Dominion Energy representatives who had presented they were considering an additional transmission line down the Bypass and evaluating at alternatives for underground service. He explained Dominion would speak with the Dare and Nags Head Boards once they completed their background investigation.

He presented the Board with summarized details of the terms of the standard five-year term lease agreement with WUNC Public Radio to put a broadcast tower on top of Buxton tower and requested Board approval.

**MOTION**

Commissioner House motioned to approve the WUNC Public Radio lease and authorize the County Manager to sign final lease.

Commissioner Couch seconded the motion.

VOTE: AYES unanimous

Ms. Hester and Mr. Clawson each indicated they had nothing further to report to the Board.

**MOTION**

Chairman Woodard motioned to go into Closed Session pursuant to the provisions of the NC General Statutes pursuant to NCGS 143-318.11(a)(6) to review the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; and to approve the minutes of the last Closed Session.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

At 9:20 p.m., the Commissioners exited to meet in Closed Session. They reconvened at 10:04 p.m. and Mr. Outten reported during the Closed Session the Board approved previous Closed Session Minutes and took no other action.



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

**MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Ross seconded the motion.

VOTE: AYES unanimous

At 10:05 p.m., the Board of Commissioners adjourned until 9:00 a.m., August 3, 2020.



Respectfully submitted,

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

APPROVED:

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.