



# 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

**9:00 a.m., October 5, 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 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](http://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 Rev. Tom Wilson 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:

- On September 28, 2020 the demolition began at the old middle school in Manteo. The contractor had saved some of the bricks for those who want one. The Board is excited to see the demolition begin and the construction of a new COA campus.
- October 4-10 would be recognized as Fire Prevention Week.
- The 5 on 5 Committee would meet on Tuesday, October 6, 2020, to be brought up-to-date on the preparations for schools to open under new Covid-19 guidelines.
- Extension of the State of Emergency had been issued into Phase 3 through October 23, as read by the County Manager. Commissioner Ross highlighted some changes would allow outdoor facilities with more than 10,000 seats to open at 7% capacity. Gaming establishments and hotel/motel conference sites could now open at a reduced capacity.
- The College of the Albemarle celebrated sixty years in Dare County and was recognized as the oldest community college in the state of North Carolina.
- The 2020 Census deadline had been extended until the end of October and he urged all citizens to take time to participate.

- He had received a letter of appreciation from Michael Regan, Secretary of the NCDEQ, for the Board's continued strong partnership with the organization in protection of the safety and health of all North Carolinians.
- Recently went to Hatteras to see the progress of Hwy. 12, which had been shut down for days following storm and flood damage. He thanked NCDOT for their tireless efforts in getting the road open and hoped to meet with them and Superintendent David Hallac to discuss some long-term resolutions.
- The College of the Albemarle would have a ribbon cutting on October 14, 2020 for the newly expanded welding space at the Dare campus.

He shared a video produced by the Emergency Manager and team to educate the public on response guidelines under the NC General Statute 166A, the Emergency Management Act.

#### **ITEM 2 – PUBLIC COMMENTS**

At 9:27 a.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 9:28 a.m.

#### **ITEM 3 – PRESENTATION OF COUNTY SERVICE PINS**

County Manager Outten provided background achievements for the following October service pin recipients while their photographs were displayed:

Charles Budd and Michael Ferguson - 10 years, Angie Hooper - 15 years, Karen Patton - 20 years, Eric Pfeifer and Elisa "Sissy" Campbell – 25 years.

Drew Pearson, Director of EOC, provided the background of James Wooten, who had completed the process that led to his recognition as a Certified Emergency Manager (CEM) by the International Association of Emergency Managers. Chairman Woodard presented him with the plaque and congratulated him on his achievement.

#### **ITEM 4 – DARE COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES, PROCLAMATION – NATIONAL BREAST CANCER AWARENESS MONTH (Att. # 1)**

In order to promote awareness to breast cancer, the Dare County Department of Health and Human Services presented a proclamation declaring the month of October as National Breast Cancer Awareness Month.

#### **MOTION**

Commissioner House motioned to adopt the Breast Cancer Awareness Month Proclamation  
Commissioner Ross seconded the motion.

VOTE: AYES unanimous

#### **ITEM 5 – REVISED TRAVEL TRAILER PARK ORDINANCE – REQUEST FOR A PUBLIC HEARING**

Donna Creef, Planning Director, presented the Board with revisions to the Travel Trailer Park Ordinance. The Planning Board recommended the ordinance be retitled as the Travel Trailer Park and Campground Ordinance. The staff report outlined several new definitions and recommended the same site plan review procedures used for subdivisions be followed for



trailer parks and campgrounds. Standards for camping cabins and alternative camping units were also defined along with the recommendation to have the mix of travel trailer spaces and other camping units to follow a 50% mixture. Staff had initiated an amendment process since they had received various requests for the parks to have “eco tents”, which were alternative camping units. The ordinance as now written did not allow them. It was proposed there be a fifty percent limit on the number of camper cabins allowed with each unit limited to 600 square feet. The permanent units would not be offered for year-round occupancy. A public hearing would need to be scheduled to receive comment and adopt an amended ordinance. Vice-Chairman Overman asked about the units and Ms. Creef provided they would be stick built in accordance with North Carolina’s building code without separate septic requirements. They would be clustered within a campground and it was uncertain how they may evolve long term.

During the Board’s discussion, Mr. Outten proposed without a 50% limit on travel cabins, there would be an increasingly limited number of spaces for RVs to visit the area. Commissioner Ross clarified that a site with small homes across an entire park would have to meet the group housing development standards and not the guidelines of a travel park ordinance. Commissioner Tobin added he could see both sides of the discussion and offered he did not know why the County would have to ensure room for RVs. He also offered vacationing in these new permanent units was popular and better known as “glamping”.

**MOTION**

Commissioner Tobin motioned that the draft travel trailer park and campground ordinance and C-3 text amendment as recommended by the Planning Board be scheduled for public hearing on October 19, 2020. He further motioned that the option to delete the 50% cap on camping cabins be advertised.

Commissioner House seconded the motion.

VOTE: AYES unanimous

**ITEM 6 – CONSENT AGENDA**

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

**MOTION**

Commissioner Tobin motioned to approve the Consent Agenda:

- 1) Approval of Minutes (09.21.20) **(Att. # 2)**
- 2) Dare County Wilkenson Building Lease
- 3) DHHS Social Services Division: COVID APS/CPS Essential Worker Funding Amendment

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

**At 10:22 a.m., Vice-Chairman Overman left the Boardroom and was not present for the Consent Agenda vote.**

**ITEM 7– UPCOMING BOARD APPOINTMENTS**

- 1) Upcoming Board Appointments

The upcoming Board appointments for November and December 2020 along with January, 2021 announced.

## **ITEM 8 – 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 Tobin

- He was recently interviewed by James Elson Myers, Jr., who needed to know the duties of a commissioner and information on the waterways of North Carolina, as part of his work towards an Eagle Scout badge.
- After much time being spent reviewing the contract between EJE Dredging Services and Crowley Marine Services, a final construction supervision agreement should be executed today.
- The County sent the reports to the state to account for expenditures on the new dredge.
- He sent prayers and condolences to the family of Nate Cartright, who died October 1 and had worked as Superintendent of Water for the Kill Devil Hills North Reverse Osmosis Plant.

### Commissioner Ross

- Expressed the importance of the vote by the Board of Education to reopen our Dare County schools towards the end of the month and noted it was the right decision.
- The Audit Committee would be meeting later today and he would provide an update.
- He offered best wishes and recovery to Cathy Davison, a former Albemarle Commission Board Executive Director.
- He wished happy anniversary to his wife, Charlotte.

**Vice-Chairman Overman returned to the boardroom at 10:28 a.m.**

### Commissioner House

- He announced the NC Marine Fisheries would have a public comment web conference on October 21 and 26 at 6:00 p.m. for proposed rule amendments. Some concerns to be addressed would be shellfish leases, shellfish growing waters rule, and oyster sanctuary rule.
- The FDA has proposed a rule for traceability to include seafood with the exception of scallops. He urged everyone to participate in for public comment through January 21, 2021.
- The National Fire Prevention Week’s theme this year was for kitchen fires. He noted the first national fire day was recognized by President Woodrow Wilson in 1920 followed by President Calvin Coolidge who recognized it with a week in October, 1925. Fire Prevention Week is noted in October in recognition of the Great Chicago Fire of 1871 which took place in October and killed 300 people and left 100,000 residents homeless.

### Vice-Chairman Overman

- He thanked the service pin recipients for their cumulative service of 105 years to the County. He also congratulated James Wooten on his CEM certification.



### Commissioner Bateman

- He brought attention to the large area shown in the Emergency Management video viewed earlier in the meeting which included a view of the land towards the left of the Basnight Bridge with telephone poles and vegetation that reach over to the Sound side. Although studies and environmentalist oppose it, he recommended a land bridge in the area would make more sense than continually repairing the current road placement from storm damage.
- He thanked all firemen and volunteers for their service and noted eighty-two fireman had lost their lives in North Carolina last year.
- He remembered Ricky Scarborough, Sr., who had died recently. His boat company had been operational for over forty years and he had been a boat craftsman like no other. His sons would now carry on with the business.

### Commissioner Couch

- He noted Hatteras Island was doing well economically with kite boarders down in force and the fish were abundant. A strong shoulder season was expected.
- He volunteered with the Cape Hatteras Methodist Men's group with their trailer raising project. Four trailers had been raised with expectation of six more raised with funds from a grant from the Outer Banks Community Foundation.
- He reported the childcare issues on Hatteras were improving. He reminded everyone the children had missed almost a full year of critical learning during Covid. A long-standing business had opened and would hopefully relieve some of the pressure and stress to residents with childcare needs.
- He also offered his sympathies for the loss of Capt. Scarborough. His family had come from a long line of boat builders with history back to the arrival on the Mayflower, which they had also built and owned.
- A review of the September collection report from the Register of Deeds had shown Dare was over 60% from this month last year and an overall 20% over year-to-date. He commented it had been quite a year in sales and vacation rentals.

Chairman Woodard asked him the estimated cost of raising each trailer. Commissioner Couch advised the average cost was \$20,000.00 for each unit since the work was being done at cost. Commissioner Couch thanked and acknowledged the Outer Banks Community Foundation for their generosity.

### **MANAGER'S/ATTORNEY'S BUSINESS, (Att. #4)**

Mr. Outten advised Dominion Power had requested the County convey an easement for the benefit of the Animal Shelter Project. The easement would run from Airport Road along the boundary between the animal shelter and the EOC and would be approximately five hundred feet in length.

### **MOTION**

Vice-Chairman Overman motioned to approve an easement to Dominion Power for the benefit of the new Animal Shelter Project and authorize the County Manager to sign the final easement agreement.

Commissioners Bateman and House seconded the motion.

VOTE: AYES unanimous

The Board had approved the sale of the triangular parcel near the new COA campus site. With all statutory advertising complete and no upset bids received, it was appropriate for the Board to approve the acceptance of the \$15,000 bid from Brix, LLC and authorize the County Attorney to finalize the sale and sign the deed to convey the property.

**MOTION**

Commissioner Couch motioned to approve the \$15,000 sales price of the parcel and to authorize the County Attorney to sign the deed to convey.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous.

The Board had approved the sale of the portion of the parcel of land located at the point at Buxton Harbor to C. Daniel Burrus (Portion of Parcel #026511000) for \$20,000. Advertising was complete with no upset bids received. It was now appropriate for the Board to approve and accept the \$20,000.00 bid offered by Mr. Burrus and to authorize the County Attorney to finalize the sale and sign the deed to convey the property.

**MOTION**

Vice-Chairman Overman motioned to approve the \$20,000.00 sale of the parcel at Buxton Harbor, Portion of Parcel No. 026511000 to C. Daniel Burrus and to authorize the County Attorney to sign the deed to convey

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

The County had been approached by John Redden, who owned a parcel in the Mirlo Beach area where his home had been washed out by the ocean. He wanted to donate the remnant piece to the County for beach access. The County Manager had been to the property and noted the private, pot-holed, unimproved road provided no parking. If the County acquired the property and invited access to the beach, there would be no available parking. The oceanfront remnant was right up to the remaining houses. He did not recommend the County accept the parcel and after short discussion the Board concurred.

Dave Clawson and Dorothy Hester indicated they had no new business to add to the meeting.

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

**MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous



At 10:50 a.m., the Board of Commissioners adjourned until 5:00 p.m., October 19, 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.