



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., April 19, 2021

Commissioners present: Chairman Robert Woodard, Sr., Vice Chairman Wally Overman
Steve House, Rob Ross, Jim Tobin, Danny Couch and 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 available for viewing on the Dare County website: www.darenc.com

At 5:05 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Jody Moore to share a prayer and then Chairman led the Pledge of Allegiance to the flag. Chairman Woodard asked for a motion to move Item 6 to be renamed as Item 3A.

MOTION

Commissioner Couch motioned to move Item 6 – Public Hearing–Dare County Home Health Hospice to Item 3A on the agenda.

Commissioner Tobin seconded the motion.

VOTE: Ayes unanimous

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 by video on the Dare County website:

- Photographs of the Dare Health Dept. renovation were shared. The new section may be completed in July while renovations continue both inside and out.
- He shared photographs of the progress of The College of the Albemarle construction project. The new buildings were anticipated for completion in spring of 2022.
- He referenced the Board’s efforts on finding solutions for sustainable housing. In following weeks a few additional proposals for workforce housing are expected. SAGA had presented a 72-unit complex for Bowerstown area.
- Reported the COA had a new program to train students interested in obtaining CDL licenses. The class had three instructors with a ten-week program.

- Met with Governor Roy Cooper and NC Department of Health of Human Services Secretary Dr. Mandy Cohen on April 16, 2021 with several members of the Board, as they visited the Kill Devil Hills COVID-19 vaccination clinic.
- Announced the formation of the NC12 Task Force to develop a long-term transportation plan for NC Hwy 12 to identify vulnerable hotspots related to erosion, storms and sea level rise. The collaborative effort would include Dare and Hyde Counties, the National Park Service, NC National Wildlife Refuge and NCDOT.

ITEM 2 – PUBLIC COMMENTS

At 5:28 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 may be viewed in their entirety in a video on the County website. Attempts have been made to accurately reflect the spelling of each name as spoken at the podium or based upon the legibility of the sign-in sheet.

1. Stephen Day, an Avon resident, referred to a website petition opposing the proposed property tax plan. He provided an updated copy of the petition with 74 names who opposed the plan. He presented the Board with a request to inspect communications received from Avon property owners who supported or opposed the tax plan.

Comments from Buxton:

2. Bruce Miller spoke to the Board regarding an email from Mark Bissell identifying a 38-acre sand mine in Avon to support beach nourishment. The mine is owned by Ray Hollowell. Permits were not yet in place; however, he expected to have more information in the next thirty days.

The County Manager closed Public Comments at 5:40 p.m.

3. Megan Elder submitted an email to the Board with her concerns over the handling of the COVID-19 pandemic in Dare County.

ITEM 3 – PROCLAMATION – DECLARING OUTER BANKS WOMAN’S CLUB DAY

Jean Pratt, President of the Outer Banks Woman’s Club presented the Board with a proclamation which highlighted the many accomplishments of the organization.

MOTION

Commissioners House and Tobin motioned to adopt the Proclamation Declaring Outer Banks Woman’s Club Day as April 21, 2021.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

ITEM 4 – MONITOR NATIONAL MARINE SANCTUARY

Tane R. Casserley, of the Monitor National Marine Sanctuary, provided an update on their programs and accomplishments. He stated the NASA Ingenuity helicopter had succeeded in its flight to Mars with a fragment of the Wright brother’s Kitty Hawk Flyer. He reviewed the Ocean Guardian School whereby Cape Hatteras Secondary Schools had a recycling program in 2019-20 and now were working on a refill station for water bottles. The school was requesting additional funding for an oyster restoration area behind the school. He showcased

the webinar series “Submerged NC”, which was free to the public. He provided a brief video promo entitled, “Valor in the Atlantic”. Working with the Global Foundation for Ocean Exploration and satellite technology, shipwrecks would be investigated along with the marine habitats near them using ROV (remotely operated vehicles). The shipwrecks off the North Carolina shore included the Light Vessel 71, the USS Virginia, WWI and WWII vessels and other notable battleships from the Civil War.

ITEM 5 – DARE COUNTY N.C. COOPERATIVE EXTENSION REPORT

Tanya Lamo, Director of the NC Cooperative Extension Office, presented a Report to the People. She stated 2020 presented challenges but did not stand in the way of innovation. NC Cooperative was an educational partnership committed to lifelong learning. COVID did not change their mission or outreach. Some of the 2020 program highlights included: Three active 4H Clubs, OBX Waveriders Community Service projects, the launch of a Master Food volunteer program, sixty-eight Dare County Master Gardeners providing educational opportunities such as six library garden series workshops; and PPE distribution for local businesses and food distribution sites. Their volunteers remain a valuable asset to the community with over 3,500 hours, which translated into a \$91,268 cash value. The Extension office would plan future diverse programs to continue the work to reach the next generation.

ITEM 3A – (Originally ITEM 6) PUBLIC HEARING: DARE HOME HEALTH AND DARE HOSPICE

Prior to the public hearing representatives of BrightSpring Health Services addressed the Board and answered each of their questions, which are presented in their entirety in a video on the County website. Rexanne Domico, President of Home Health Care and Rehabilitation Services, and Joseph “Jody” Moore, Vice President of Post Acute Strategy, both gave information regarding their backgrounds in healthcare. Ms. Domico stated there would be a listening and learning path moving forward in any service transition.

Erin Roberts, Esq. addressed the Board to clarify a comment regarding quality reporting. In addition to quality reporting, Ms. Roberts stated BrightSpring would be required to report to the Board on an annual basis regarding the constituents and payer mix being served and their commitment to not deny services based upon their financial position. She also confirmed she had first-hand knowledge of BrightSpring’s efforts to retain the healthcare staff at Stanly County during a recent sale of their home health hospice.

BOARD RECESSED at 7:18 p.m. and RECONVENED at 7:32 p.m.

At 7:32 p.m. the Board held a Public Hearing to receive input concerning Dare County Home Health Hospice services. Following is a summary of all citizen remarks made in Manteo (none were made from Buxton), which may be viewed in their entirety in a video on the County website.

1. Courtney N. Gallop stated the first consideration should be maximum access for the best possible hospice care to all residents. She provided her concerns regarding the BrightSpring proposal including: Not enrolled in NC Medicare program, currently has no hospice agency in NC, care prices are double and inflated and a complicated process for qualification of indigent services. She opposed the sale and voiced the need for additional time to review alternative ideas.

2. Lexy Maratellos spoke against the transfer of hospice care to BrightSpring. She said the privilege of providing medical care should not be commercialized or treated as a commodity. She asked the Board if they were concerned on how BrightSpring would earn their money back. She stated the decision to sell the service was lacking in community support.
3. Ann Maratellos, a long-term home health professional, stated BrightSpring made no guarantee as to how they would care for indigent and low-income residents of the County. She stated BrightSpring was not the right fit for the community and shared an email from a consultant who she opined affirmed BrightSpring had already been selected as the home health/hospice provider.
4. Charlie Parker stated his wife had been a hospice nurse for 30 years and shared memories of how some had described hospice aids and nurses as angels sent to help families get through the nightmare of losing a family member. He was opposed to the sale of the hospice service and wanted to make sure Dare residents die with dignity.
5. Charlie Myers asked if anyone had asked the employees what they want and stated taxes were meant to represent the priorities of the citizens. He explained the average high and low deficits would willingly be paid by citizens. He wanted to keep Dare Home Health services operating with locals taking care of locals.
6. Amanda Myers, a physical therapist for Dare Home Health, had experience working for a for-profit company whose focus was not on care but maximizing unwarranted services. She noted she would lose her benefits with this sale and was opposed to the sale of the Dare Home Health to a private provider. She explained the liability of "patient dumping" by other providers as the reason for Dare's operational deficits.
7. Danielle Stine described how staffing shortages in the current Dare home health service did not affect the concern and warmth staff gave their patients. She stated other jurisdictions were also having staffing issues. She shared an email from Vicki Craddock who echoed many of the same staffing concerns along with BrightSpring's increased cost of health care for residents with an anticipated 30% cost increase.
8. Whitney Lancaster appeared on behalf of Angela White Davis, who had signed up for comment. Ms. Lancaster had been a Dare nurse for almost two years. Ms. Davis' statement reflected the many weather challenges of serving patients and her concerns and opposition to the sale of Dare services. She asked the Board to do what was best for employees and for residents needing this specialized service.
9. Johanna Walmsley, an occupational therapist with Dare County, stated locating permanent housing here was mind blowing. If this sale goes through, the transition would take place in June/July. She stated housing was a nightmare. BrightSpring could recruit healthcare staff but she stated "where would they live".
10. Alfreda Shelton shared, as lead aid for the home health program, the patients and coworkers become a part of family. She stated her coworkers all brought something special to the table. The program had seen good and bad and there had been issues

she felt could have been fixed and were not handled. She explained it took a special person to do this job and she closed with a prayer in support of her co-workers.

11. Pamela Hay, of Southern Shores, a Dare County retiree after twenty years, stated Dare had unique challenges with hospice vacations such as those who came here who had never seen the ocean and wanted it off their bucket list before they died. There were family members who needed care for loved ones while they took respite. She saw a need to keep Dare County's home health hospice under local control.
12. Dianna Varchio processed Dare's medical records and stated her co-workers were all dedicated woman who ensured patients were taken care of through COVID. She asked the Board to consider resolutions which could be offered by the healthcare employees such as cross-training. She shared some comments on a petition opposing the sale of the service and asked for the services to remain under local control.
13. Angelica Lewis from Manteo shared the hospice services provided by Dare for her mother. Her family had been pleased with the services. She said if Dare's services were sold the indigent would suffer the most. She proposed public/private partnerships could be utilized to save the current services.
14. Amanda Hooper did not speak but provided a letter for the Board's consideration. She opposed the sale of the service and stated in part that if it were sold, the county would lose its oversight capacity for the quality of care given to its residents. Palliative care was hands on and she stated telehealth care could only supplement. Staffing was an issue challenged by local housing availability and affordability by potential staff.

The County Manager closed the Public Hearing at 8:39 p.m. Following are email comments received during the meeting:

15. Amanda Myers sent the Board an email during the meeting which was a copy of her talking points shared in person opposing the sale to BrightSpring.
16. Danielle Stine sent several emails to the Board during the meeting sharing emails previously shared with the Board along with internet articles and reviews providing negative feedback of BrightSpring's services in other areas.
17. Dianna Vurchio sent an email to the Board which shared comments from a petition in support of retaining and praising the present Dare County Home Health Hospice services.
18. Michelle Lewis sent an email to share her concerns that BrightSpring would not provide the hospice care Dare residents needed. She also voiced concerns regarding due diligence and transparency.
19. Beverly Bull sent an email to the Board stating she had used Dare's homecare services at least ten times and voiced concern over the potential sale. She stated our geographic location often causes residents to be isolated and asked to keep "our community a true village and not just a bottom line."

ITEM 7 – DISCUSSION AND ACTION FOR AVON BEACH NOURISHMENT SERVICE DISTRICT (Att. #1)

The County Manager reviewed that the Board had made findings towards the formation of a service district for the Avon beach nourishment project on April 7, 2021. He explained there was a need to restructure the districts. The proposed numbers would not change; however, District A would be an Oceanside District at twenty cents and District B would be the remainder of Avon at five cents. District B would overlap District A with District B paying a total of twenty-five cents. He read the required statutory finding of facts for the two districts to the Board incorporated here by reference.

MOTION

Vice Chairman Overman motioned to establish Service District A, an Oceanside District, and Service District B, for all of Avon properties, based upon the finding of facts provided.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

Mr. Outten stated a Public Hearing had been noted for May 19, 2021 but would likely be moved to June 7, 2021 if necessary to meet statutory requirements of notice.

ITEM 8 – HEALTH AND HUMAN SERVICES–PUBLIC HEALTH DIVISION - PATAGONIA CONTRACT

Mr. Outten explained Patagonia had provided the medical record service contract as a seven year contract and had offered approximately a 40% discount. His review of the contract had required a few changes as to automatic renewals, compatible issues with the state and termination issues. Commissioner Ross wanted further assurances from Dr. Davies. She explained Patagonia was one of three vendors working with the state and they had satisfactorily met Dare's electronic medical record needs for more than eight years.

MOTION

Vice-Chairman Overman motioned to approve the final contract with Patagonia and authorize the County Manager to sign the final contract after approved changes were made.

Commissioner Ross 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 Bateman motioned to approve the Consent Agenda:

- 1) Approval of Minutes 04.07.21 and Retreat Minutes 3/24/21 (**Att. #2 & 3**)
- 2) Tax Collector's Report
- 3) Juvenile Crime Prevention Certification Standards Fiscal Year 2021-22
- 4) Health & Human Services, Public Health – Continued COVID-19 Funding

Commissioner House seconded the motion.

VOTE: AYES unanimous

ITEM 10 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

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

Vice Chairman Overman: No further comments

Commissioner Bateman

- Discussed a comment made during the Home/Health/Hospice public hearing regarding an email referencing a decision had already been made by the Board to select a company to provide the services. The County Manager reiterated no decision had been made and the Board had not voted on the matter. There were four vendors and BrightSpring had been chosen to begin negotiations through a letter of intent. The county had not yet entered into a contract with any company.

Commissioner Couch:

- Initially stated he had no further comments; however, he offered condolences to the family and friends of the worker who had died at the construction site last week during the demolition of the old bridge.

Commissioner Tobin

- Presented initial pictures of the construction of the County dredge. He offered framing members were now complete on the dredge. Prefab on the ___ deck house fabrication is a little behind; however, they were still on schedule with a delivery date of April 4, 2022. Since steel was purchased at the height of the COVID pandemic, the steel prices had been good.

Commissioner Ross: No further comments

Commissioner House

- The NASA Ingenuity helicopter had touched the surface of Mars with a piece of the Wright brother's aircraft. NASA named the spot Wright Brothers Field. He noted their first flight December 1903 had not been mentioned in the county's board minutes and he wanted today's achievement on record.
- He recollected April 19, 1995 was the anniversary of the horrific Oklahoma City bombing.
- Presented the SPCA Pet of the Week with Mackie a three-year old adoptable dog.

MANAGER'S/ATTORNEY'S BUSINESS

County Manager Outten advised the Board regarding the current SPCA contract. They had requested a modification to their operational hours to allow opening for weekends and close on Mondays to maximize potential service and adoption of animals. New hours would be Tuesday through Sunday from 8:00 a.m. to 5:00 p.m.

MOTION

Commissioner Bateman motioned to allow the changes in the SPCA contract as requested. Commissioner Tobin seconded the motion.

VOTE: Ayes unanimous

At the request of the Board, the County Manager would review whether the old SPCA building could provide any further use to the County. He stated the area was known to flood and probably would not serve the purpose of needed County storage.

Mr. Outten updated the Board on Barnhill Contracting Change Order #003. There had been initial cost concerns regarding coatings, canopies, handrails and landscaping of the Professional Arts Building. The change order would allow these items without impact on the total overall price.

MOTION

Commissioner House motioned to authorize the County Manager to execute Barnhill PR-003 and Change Order 003, to authorize Barnhill Contracting to utilize \$64,331.99 of unused contract allowances for the Professional Arts Building, to authorize Barnhill Contracting to utilize \$50,000 savings from the bid package scope duplication and to adopt the Amendment to the Capital Project Ordinance.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

Dorothy Hester mentioned April 22, 2021 was Earth Day. NBC would be presenting a special on the Avon beach nourishment project to be featured on the Today Show.

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

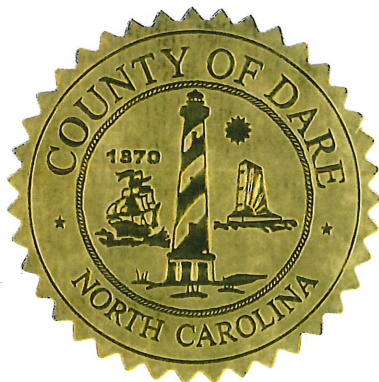
MOTION

Commissioner House motioned to adjourn the meeting.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

At 9:46 p.m., the Board of Commissioners adjourned until 9:00 a.m., May 3, 2021.



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.