

**NORTH CAROLINA
DARE COUNTY****THE DARE COUNTY BOARD OF COMMISSIONERS MINUTES
May 5, 2003**

The Dare County Board of Commissioners met in a regular session at 9:00 a.m. on May 5, 2003, in the Dare County Administrative Annex in Manteo. Commissioners present were: Warren Judge, John Robert Hooper, Renée Cahoon, Richard Johnson, Cheryl Byrd, Virginia Tillett, and Stan White. Also present were Manager Terry Wheeler and Attorney Norma Mills. Chairman Judge opened the meeting followed by silent meditation and the Pledge of Allegiance to the flag.

ITEM 1 – AMEND AGENDA**MOTION**

Vice Chairman Hooper moved to amend the agenda to add a closed session for pending litigation.

Commissioner Cahoon seconded the motion.

VOTE: AYES unanimous

ITEM 1A – PRESENTATION OF COUNTY SERVICE PINS

1. Charles Liverman, EMT Intermediate, received his 15-Year Pin from Skeeter Sawyer, EMS Director.
2. Donna Stoneking, EMT Paramedic, received her 15-Year Pin from Skeeter Sawyer, EMS Director.
3. Brad Creef, Senior Real Property Appraiser received his 20-Year Pin from Greta Skeen, Tax Appraiser.

ITEM 2 – EMPLOYEE OF THE MONTH

Gary Gross, EMT, received the Employee of the Month Certificate from Skeeter Sawyer, EMT Director.

ITEM 3 – PUBLIC COMMENTS

1. Malcolm Fearing, Manteo, thanked the Board for \$5.9M for Manteo Elementary School and noted that the contractors do not believe there is sufficient amount of money to complete the renovations. Additional funding will be needed. He recommended that the flat roof be changed to a slope roof in order to accommodate the lighting and wiring. He urged the Board to complete the jobs in all schools and to complete Phase 1 (new classrooms and office space) at MES.
2. Chris Hardy, Manteo, Chairman of Democratic Party, referred to the Facility Use Plan - Item 14 on the agenda and noted that the plan prohibits political partisan activities. He asked the Board to reconsider and allow the parties to use the facilities for organizational purposes.

3. Marsha Brown, Salvo, expressed concerns about the growing problem with drugs on Hatteras Island. She employed the Board to consider the request made by Sheriff Rodney Midgett for additional officers.
4. Howard Rooney, Hatteras, questioned the update on political signs. He was under the impression that Hatteras was in the process of changing their zoning and he felt there has to be zoning for the whole county. He was not sure why sea level could not be the base for determining elevation in Hatteras Village. He would like to hear that discussion today.
5. Karen Cobb, Manteo, noted that Manteo Elementary School was given a cap of \$5.9M and they lived with that amount since they were anxious to start the renovations. It became apparent that the \$5.9M was not sufficient. She requested that the Board bring back the architects and reevaluate the process. This will bring MES in line with the other schools. MES needs a second look.
6. Sandy Brooks, Principal of MES, noted that it has only been in the last week that the School Improvement Team has noticed the inequalities in the building program. They were not aware of that until the reports came out. She urged the Board to allow them to finish this project.
7. Bea Basnight, MES teacher and Manteo, thanked the Board for their support of education and for the \$5.9M for MES, but it has come to their attention that MES is held to that limit and will not be equal to other classrooms of schools in Dare County. She noted that Chairman Oaksmith has assured MES staff that their school would be equal to all the other elementary schools in Dare County.
8. Kim Braswell, Kill Devil Hills and teacher at MES, would like to see the equality in all schools.
9. Debbie Farrell, Nags Head and MES teacher, noted that the paint job in Annex 1 is not adequate and needs to be brought to the level of the other schools.
10. Eugene Austin, Manteo, thanked the Board for allowing a monument to be allowed on county property to honor the former slaves who lived and died on Roanoke Island. He invited the Board to attend the Dedication Ceremony on May 17th at 11:00 a.m. at the Airport.
11. Petie Brigham, Manteo, asked the Board to continue working on the Land Use Plan. She moved to Dare County 5 1/2 years ago. She feels good that the people are very in tune with natural surroundings and is glad that land has been set aside for the environment.
12. Margie Tillet, Kitty Hawk, urged the Board to consider funding the 10-Year Facilities Plan today
13. Burnie Gould, Chairman of the Republican Party, referred to Item 14 - County Use Policy, urged the Board to encourage political parties by making available the use of county facilities for organizational meetings.

ITEM 4 – NATIONAL SAFE BOATING WEEK PROCLAMATION

Dee Lewis, Public Affairs Staff Officer, and James M. Fordham, Vice Flotilla Cdr. Outer Banks Flotilla 16-07 were present. Mr. Fordham explained their many volunteer activities, which are mainly geared to safe boating. Justin Schnute, USCG, explained the new federal law for children under 13 years of age to wear a life jacket unless in a cabin or closed area. Attorney Mills read the proclamation.

MOTION

Commissioner Byrd moved the adoption of Proclamation National Safe Boating Week.

Commissioner Cahoon seconded the motion.

VOTE: AYES unanimous

ITEM 5 – EMS WEEK PROCLAMATION

Attorney Mills presented the proclamation.

MOTION

Commissioner Tillett moved the adoption of EMS Week Proclamation.

Commissioner White seconded the motion.

VOTE: AYES unanimous

ITEM 6 – BEST TASTING WATER AWARD

Bob Oreskovich, Utilities Director, reported that the Rodanthe Water System won the "Best Tasting Water" contest during the annual conference of the North Carolina Section of the National Rural Water Association on April 16th in Greensboro, NC. He recognized the Water Staff for this accomplishment. He recognized the Rodanthe Water Plant staff.

ITEM 7 – RENEWAL OF GOVERNMENTAL AFFAIRS COUNSEL CONTRACT (ATT # 1)

Ray Sturza, Planning Director, presented the contract between Dare County and the consulting firm of Manatt, Phelps, & Phillips, LLP for government affairs services for renewal. The contract will expire on May 8, 2003. He suggested, if it is the pleasure of the Board to renew and/or revise the contract, a motion authorizing the Chairman of the Dare County Board of Commissioners, the Mayor of the Town of Nags Head, the Mayor of the Town of Kill Devil Hills, and the Dare County Manager to negotiate a renewal of the contract with the financial terms not to exceed those in the initial agreement. If the representatives do not agree with the terms, then the renewal will have to be placed back on the agenda for renegotiation of the compensation elements of the agreement.

Bob Mueller, Mayor for Town of Nags Head, noted there were two things important to Nags Head - water and beach nourishment. The key element is federal funding and to continue lobbying. He strongly supported the lobbying effort.

Bill Pitt, Town of Kill Devil Hills Commissioner, reiterated Mayor Mueller's comments. Like Nags Head, their very life is the beach. The only way to

get federal support is to continue the lobbying effort. Achieving the new start was a key element. He strongly urged the Board to continue these services and the Town of Kill Devil Hills is eager to continue with the county.

Commissioner Byrd referred to the OIWC project and wondered if they needed to discuss whether the Board needs the lobbyists for the areas of jetties and transportation. Lobbying is necessary for beach nourishment, but she is concerned about the other elements.

Vice Chairman Hooper supported the lobbyists and noted they will still need work on Oregon Inlet and Highway 12 with the Department of Transportation as well as beach nourishment. He hopes that the NPS might change their minds on beach nourishment.

Commissioner White opposed the lobbyist as they were retained. He felt they needed a lobbyist for a specific item (beach nourishment), but was not sure this group was responsible for what they have on beach nourishment. There is no measuring stick for getting anything done. The lobbyists have not contacted anybody in Raleigh about the bridge. He noted the state is now endorsing the 17-mile bridge all the way to Rodanthe. He will support a lobbyist for beach nourishment and maybe at a later date a lobbyist for a specific item, but will not support this firm with no way of measuring what they have done.

Commissioner Tillett asked if they could use different lobbyists for specific items. She was shocked that the firm told them they were still on go with Oregon Inlet.

Commissioner Johnson disagreed with Commissioner White, but felt they needed better reporting from the lobbyists. He felt it is more effective to have one lobbyist who can talk about more than one item rather than four people showing up to report. He is not sure the Board has directed him to work with the state DOT on the bridge. Some of the problems may be a lack of communication. If the county does nothing, the federal government will exclude them. He gave the lobbyist credit for opening doors in Dare County. It is a tight budget year and money is directed to homeland security and people who will gain from the project will fund it.

Commissioner Cahoon believed that it is necessary to have legal counsel in DC. In talking with representatives, they have reaffirmed her belief. The new "start up fund" was from DC, which took a lot of help to obtain. It has enabled the county to get back on track especially in Kitty Hawk. The county will have to have continued support to keep that funding. In regard to the Oregon Inlet jetties, the Board saw a press release last week, but has not received Mr. Connaughton's report. There are other issues on the table. The Board also knows there is not enough money for the bridge and that Highway 12 is one of DC's major tragedies. It is going to take listening to the Board in DC and not in Dare County. She agreed with the need for better reporting. She thought that now was the time to put in the contract what they wanted. Dare County has already spent \$1M for a feasibility study.

Chairman Judge noted the firm's responsibility was to get the GAO report on OIWC that was promised to the Board in 90 days and the Board has not seen it as of yet. He supported the lobbying effort and giving them multi-responsibilities.

Commissioner White reported there is only \$122M in the TIP funding and they are \$13-14M short. The 17-mile bridge will cost an additional \$160M and they are short by \$130M. This is a replacement bridge. He thinks they are floating and need to renew the contract for 6 months.

MOTION

Commissioner Byrd moved to give the Chairman the authority to negotiate a 6-month contract.

THE MOTION DIED FOR LACK OF A SECOND.

MOTION

Commissioner Cahoon moved that the Chairman of the Dare County Board of Commissioners, the Mayor of Nags Head (or his designee), the Mayor of Kill Devil Hills (or his designee), and the County Manager be authorized to negotiate a contract with Manatt, Phelps & Phillips for a one-year contract, 30 day out to be reviewed at the end 6 months not to exceed the current fee for \$15,000 a month and to include the current project responsibilities with the exception of securing the release of the GAO Study.

Vice Chairman Hooper seconded the motion.

Commissioner White wanted to make a note to review the contract in six months.

VOTE: AYES (5) Cahoon, Hooper, Judge, Byrd & Johnson

NOES (2) White & Tillett

THE BOARD TOOK A 10-MINUTE BREAK.

Chairman Judge asked the Board to hold Items 10,11,12 until after lunch in order for the teachers, principals, parents, and School Board members to budget their time. The Board concurred to start at 2:00 p.m.

ITEM 8 – ADOPTION OF 2003 UPDATE OF DARE COUNTY LAND USE PLAN (ATT # 2)

Ray Sturza, Planning Director, reported that as of the completion of the Public Hearing that was conducted on Wednesday, April 30, 2003, the Board has satisfied all the procedures necessary to act on adoption of the updated Land Use Plan and its associated maps. He noted that at the public hearing there were two or three matters that came to the attention of the Board of Commissioners which they instructed staff to adjust and the most significant one was the change in the coloration of the map showing that the area known as Skyco is completely in the color blue. A small portion of that had been in the community village classification but is now in the community neighborhood classification.

MOTION

Commissioner Johnson moved that the 2003 Update of the Dare County Land Use Plan be adopted as advertised for hearing and displayed for public viewing at the Dare County Judicial Complex and Resolution #03-05-22.

Commissioner Byrd seconded the motion.

VOTE: AYES unanimous

ITEM 9 – HATTERAS VILLAGE ZONING AMENDMENTS

Ray Sturza, Planning Director, noted that in March the Board held a public hearing on a proposal submitted by the Hatteras Village Civic Association (HVCA) to amend the Zoning Ordinance as it applies in Hatteras Village. One aspect of this proposal was their concept to measure building height from sea level. This was the focus of the Board's discussion following the Hearing with no action taken to allow the HVCA additional time to consider this concept. Since that date the HVCA has held community meetings and a revised definition for building height been endorsed by HVCA. This definition continues to use sea level as the base measurement but includes language to clarify to what point of the structure this measurements shall apply. This is different that was originally advertised for the March 17, 2003 meeting and in staff's opinion will require a second Hearing before the Board may consider action on the HVCA's amendments.

Commissioner White stated that he still had his opposition and concern about measuring from sea level. He said that no one today, that he could find, measures height of buildings from sea level. He would like for the Board to be consistent in what they do throughout the county whether it is an overlay district or not. The numbers need to be consistent. No one that he has talked to likes sea level.

Commission Byrd said that if it is easier for the homebuilding industry to deal with flood plain she has no problem with that.

Vice Chairman Hooper concurred with Commissioner White. He noted that the people in Hatteras want to move forward quickly.

Commissioner Johnson would like it to be consistent. He would like to have a definition to use county wide. He felt the roof pitch should be defined as the principal roof or the highest peak should be no less than 412. (CONTINUED)

THE BOARD STOPPED FOR ITEM 13 – DEPARTMENT OF
TRANSPORTATION / SECONDARY ROAD IMPROVEMENT PLAN –
11:30 A.M.

THE BOARD MOVED BACK TO CONTINUE ITEM 9.

ITEM 9 – HATTERAS VILLAGE ZONING AMENDMENTS

Commissioner Cahoon agreed that it would be easier to be consistent in the measurements and did not agree with sea level. She believed that

flood plain would be a whole lot easier to measure from and would be more consistent. She said to adjust the heights minus 6 down. Mr. Sturza said that if that is the pleasure of the Board, that is the way he would advertise it.

Commissioner Byrd recommended changing 58' to 52', 41' to 35', substitute base flood level for sea level, and add the word principle in front of roof both in the first paragraph and the second paragraph so that we know we are talking about the pitch of the principle roof and not a lower level where someone may put a deck but is made out of roofing materials. Chairman Judge asked if this modified language was agreeable. The Board concurred.

MOTION

Commissioner Byrd moved to schedule a public hearing on the revised language and the modified language for June 2nd for 10:00 a.m.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

THE BOARD MOVED TO ITEM 14.

ITEM 10 – FINANCIAL IMPACT OF UPDATED 10-YEAR FACILITIES PLAN (ATT # 3)

Dave Clawson, Finance Director, presented the financial impact of the Board of Education Updated 10-Year Facilities Plan.

ITEM 11 – BOARD OF EDUCATION UPDATED 10-YEAR FACILITIES PLAN (DOCUMENT FILED IN CLERK TO THE BOARD'S OFFICE)

Dave Clawson, Finance Director, presented the Board of Education Updated 10-Year Facilities Plan.

Chairman Judge referred to Chairman Oaksmith's letter regarding the parity issue and a second letter asking for more items to be added to the MES project. The project has been funded. The additional work is estimated at \$1M.

Commissioner Byrd referred to two issues - parity among elementary schools, potential impact of the plan, and Cape Hatteras Secondary School.

Chairman Oaksmith reported they had met with the School Improvement Team on Friday and the School Board feels that MES has some valid concerns. In his letter, he had asked for \$75,000 to get the architect to look at the projects. He hopes they can work with the contractor and rebid it. He would like to meet with the architects within the next 30 days. It should not be a delay.

Commissioner Tillett questioned if the architect could look at a space for an auditorium/gym (gymtorium).

Vice Chairman Hooper wondered if the MES project needs \$1.5m more, should they have rebuilt instead of remodeling the school. He expressed concern about the Cape Hatteras Secondary School realizing that part

of their old school will be a new building. He knows their biggest issue is land on Hatteras Island.

BOE Member Joe Farrow noted that the School Improvement Team and teachers were satisfied with the school plan for Cape Hatteras Secondary School.

Commissioner White wanted to be sure that the architect could provide the estimates for MES within 30-45 days.

MOTION

Commissioner White moved the approval of the Board of Education Updated 10-Year Facilities Plan.

Commissioner Cahoon seconded the motion.

VOTE: AYES unanimous

ITEM 12 – BOARD OF EDUCATION REQUEST

Dave Clawson, Finance Director, presented the Board of Education request for the following projects:

Hatteras Secondary School

Manteo Middle School

Nags Head Elementary School

MOTION

Commissioner Johnson moved to move forward with the above projects at the rate of \$41, 952, 650 (No. 1 under Agenda Item 10).

Commissioner Tillett seconded the motion.

Vice Chairman Hooper questioned the wisdom of putting the Central Office on Nags Head Elementary School property. Chairman Oaksmith assured that they would still have room for expansion as soon as zoning is changed and they are looking at a two-story building.

VOTE: AYES unanimous

THE BOARD TOOK A 10-MINUTE BREAK AND MOVED TO ITEM 15.

ITEM 13 – SECONDARY ROAD IMPROVEMENT PROGRAM

The following were present:

Don Conner, Division Engineer; Gretchen Byrum, District Engineer; Allen Russell, County Maintenance Engineer and Commissioner Stan White, Transportation Board Member were present and presented the plan.

Commissioner White publicly thanked the DOT staff for the great job they do in Dare County. This program is based on the county's unpaved secondary roads and that number decreases every year. The only way to get money is to include more roads on the secondary road system. The good news is that the county is continually whittling down the unpaved roads in Dare County and that some roads that were not on the state system have been brought on the state system and have been paved all at one time.

In response to Attorney Mills' question, Mr. Conner noted that the two drainage improvements shown here could be proposed as Moving Ahead Projects, but he was not sure if they would make it. He noted the Board

could approve the program with a note that if these can be eligible for Moving Ahead the Board would like DOT to go to the Contingency. That may allow the two to be listed as potential and if they do not make it they can still be in the Secondary Road Program.

MOTION

Commissioner Byrd moved the approval of the 2003-2004 Secondary Road Improvement Program and if the two drainage improvements listed are eligible for the Moving Ahead Program then the DOT would pick up the contingency in order, as monies are available.

- Dixie Arrow Road, Hatteras \$40,000
- Drainage improvements on paved portion of SR 1237 (Kohler Drive) \$22,000
- Drainage improvements on SR 1238 (Altona Lane) \$30,000
- Maintenance Functions for \$15,649
- Retained for Road Additions, Overdrafts, & Contingencies \$10,638

Vice Chairman Hooper seconded the motion.

VOTE: AYES unanimous

ITEM 14 – COUNTY FACILITY USE POLICY

Attorney Mills noted the CIP Committee has considered and discussed the issue of public use of county facilities, and recommends that a policy be implemented to govern such use on a countywide basis. The attached proposed policy is a recommendation from the CIPC with revisions based on the Board's discussion at its last regular meeting specifically the prohibition against use of county facilities for political activities and lobbying. The proposed draft now does delete the reference to the prohibition against lobbying and clarifies political activities to be those that are partisan. The determination to the extent to which the county facilities should or should not be used for any sort of political activity is a policy decision.

Commissioner Byrd noted that precincts often meet in community buildings and fire departments, which are county owned buildings. Many counties hold county conventions at the county courthouse. Some schools are used for county conventions and occasional meetings. She felt that if they refrain from using public facilities for election campaigns or for bringing in people who are running for office, if we stay away from those kinds of partisan political and permit uses for business/organizational meetings and county conventions, she does not see it would be a problem. Both political parties are finding it difficult.

Commissioner Cahoon said that about every county convention during an election year, there is partisan politics taking place with candidates making speeches.

Commissioner Byrd did not see the big problem with the exception of an election year.

Commissioner Tillett recommended having the County Attorney check what buildings are included. It might seem on the surface they are excluded.

Attorney Mills noted this would not apply to any fire departments.

Chairman Judge recommended removing the political part of the policy. Commissioner Byrd did not see a problem as long as the county does not permit election campaigns to be operated out of public facilities with the exception of one county convention every two years that each party has. She recommended striking item c and adding an item that specifically prohibits the use of public facilities for election campaigns and political candidate activities in order to differentiate that from political parties having meetings with the exception of county conventions.

Attorney Mills cautioned the Board on their basis for determination of what groups are allowed and what groups are not allowed do need to be rational. She urged them to make sure the policy is clear and easily understandable by the public.

The Board concurred to table Policy on Public Use of County-Owned Facilities until the next meeting.

THE BOARD RECESSED AT 12:15 P.M. AND RECONVENED AT 2:00 P.M.

THE BOARD MOVED BACK TO ITEM 10.

ITEM 15 – AMORTIZATION LEGISLATION (ATT # 4)

Attorney Mills reminded that at the last Board meeting, she was directed to prepare summary information about pending legislation, which would disallow the use of amortization for nonconforming structures. Attached are (1) a summary of amortization and the pending legislation; (2) a copy of House Bill 429; and (3) a copy of a position paper on this legislation prepared by the NC League of Municipalities.

MOTION

Vice Chairman Hooper moved to direct the County Attorney to prepare a resolution reflecting the Board's position opposing this legislation and to forward that resolution to Dare County's legislative delegation.

Commissioner White seconded the motion.

Commissioner Byrd felt the bill might be appropriate.

VOTE: AYES (6) Hooper, White, Judge, Johnson, Tillett & Cahoon
NOES (1) Byrd

ITEM 16 – CONSENT AGENDA (ATT # 5)

MOTION

Commissioner Byrd moved the approval of the Consent Agenda:

1. Approval of Minutes – April 21, 2003
2. Social Services Budget Amendment
3. Transfer of Funds

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 17 – PRESENTATION OF 2003/2004 BUDGET WITH PLANNED 2004/2005 BUDGET

Manager Wheeler presented the proposed 2003/2004 budget with planned 2004/2005 budget. It maintains the same current tax rate for both years. Copies of the proposed budget are available for public inspection at the Board of Commissioners Office, County Manager's Office, Dare County Buxton Office, Duck Fire Station, All three Dare County libraries, Manns Harbor Community Center, and the Thomas A. Baum Center.

MOTION

Commissioner Cahoon moved to schedule a Public Hearing on the proposed budget for 10:00 a.m. June 2, 2003.

Commissioner Byrd seconded the motion.

VOTE: AYES unanimous

The Board scheduled a budget workshop for 2:00 p.m. on Tuesday, May 13th.

ITEM 18 – BOARD APPOINTMENT – EXTRA-TERRITORIAL JURISDICTION DISTRICT

MOTION

Commissioner White moved the reappointment of Moncie L. Daniels, III to serve a three-year term on the ETJ.

VOTE: AYES unanimous

ITEM 19 – BOARD APPOINTMENT – HEALTH BOARD

Vice Chairman Hooper nominated Kathy Jarvis, Registered Nurse, Hatteras.

Commissioner Byrd nominated Sue Meyer, Registered Nurse in Southern Shores.

VOTE: Kathy Jarvis (6)

Sue Meyer (1) Byrd

Kathy Jarvis was appointed to serve a three-year term on the Health Board.

ITEM 20 – COMMENTS BY COMMISSIONER TILLET

- Dedication Ceremony – Saturday, May 17th at 11:00 a.m. at Airport Road & Roanoke Trail at the Airport - A marker will be erected to honor the former slaves who lived and died on Roanoke Island. The marker will commemorate another important piece of history of Roanoke Island and the Outer Banks. Everyone is invited.
- College for Kids – The College of the Albemarle Dare Campus is holding a Summer Enrichment Program for Young People in July for Kindergarten through Eighth Grade. The fee is \$125. Commissioner Tillett encouraged the Board to become sponsors for students who could not afford the fee. Brochures are available.

ITEM 21 – COMMENTS BY COMMISSIONER WHITE

- Old Lighthouse Road in Buxton – He has received a request for a stoplight there. DOT will do the study once a request is sent to them. The Board concurred to send a letter requesting the study.
- Political Signs – He noted there were still a number of political signs that have not been removed since the last election. Attorney Mills will handle.

ITEM 22 – COMMENTS BY VICE CHAIRMAN HOOPER

- Group development – He noted the moratorium on group development has been in place for over a year and feels they need to move with some lesser density requirements and then work on affordable housing. He directed staff to come back with the initial proposals – 3 units per acre.

ITEM 23 – COMMENTS BY COMMISSIONER BYRD

- Candidates for Zoning Board of Adjustment – Appointments need to be made.
- Adoption at LUP – The Board needs to begin working on zoning the rest of Dare County. She would like to schedule a meeting with Planning staff.
- Donation of a lot in Pamlico Sound Shores – The Board received a letter from a property owner who would like to donate property. Attorney Mills will look into it.
- Bill 756 – The House of Representatives has passed Bill 756 in support of same day voter registration and she thinks it is a great idea.
- Status of Jennette's Pier – Chairman Judge responded that they hope to reach an agreement before 24th of May and should possibly be on the next agenda.
- Political sign issues – Chairman Judge responded that he would report after the next Mayors/Managers meeting on local jurisdictions.

ITEM 24 – COMMENTS BY COMMISSIONER CAHOON

- Oregon Inlet Jetties – She requested that a letter be written to Mr. Connaughton of the CEQ expressing their level of frustration about the way information was released about the jetties. The Board learned about the matter in the newspaper.

MOTION

Commissioner Byrd moved to authorize the Chairman to send a letter to the Director of the CEQ.

Commissioner Cahoon seconded the motion.

VOTE: AYES unanimous

The Board advised to be firm but careful.

- Well Sites Jockey's Ridge – She felt the county needed to prepare a hydrological study and to update the Water Carrying Capacity Study in order to make sure the county is insuring their resources. The county is using more water.
- Clean-up efforts – She complimented the County Attorney and the Planning Director for cleaning up sites in the unincorporated areas of Dare County.

ITEM 25 – COMMENTS BY CHAIRMAN JUDGE

- Oregon Inlet Jetties – He felt that Dare County was disrespected on the OIWC issue. The Board had been promised they would hear first hand, but instead heard from the press. He would like to bring in Lobbyist Hugh Overholt for an explanation and also to meet with Oregon Inlet Waterways Commission. He noted the Board would have to fight hard to acquire funding for the dredging that is recommended.
- Bridge at Oregon Inlet – He finds it incredible that it will cost over \$2M to build a 17-mile bridge from Oregon Inlet to Rodanthe. He said that the next thing the groin on the south side would come out and put a whole section of the beach out of touch with humans. He is not so sure that it is what they want in Dare County and maybe by next meeting we can talk about it.
- Thanks to all throughout the county and staff for well wishes during the illness and death of his Dad.

ITEM 26 - UPCOMING BOARD APPOINTMENTS

The Board questioned the terms for the following Boards. Staff will handle.

1. Advisory Committee for Dare County Youth Center
2. Hatteras Community Center
3. Health Board
4. Library Board
5. Manns Harbor Community Center Board
6. Oregon Inlet & Waterways Commission
7. Roanoke Island Community Center Board
8. Rodanthe-Waves-Salvo Community Center
9. Social Services Board
10. Dare County Transportation Advisory Board

ITEM 26 – CLOSED SESSION – PENDING LITIGATION MOTION

Vice Chairman Hooper, pursuant to the provisions of NCGS 143-318.11, moved that the Dare County Board of Commissioners go into closed session to instruct the County staff or negotiating agents concerning the position to be taken by or on behalf of the County in negotiating the price and other material terms of a contract for the acquisition of real property by purchase, option, exchange or lease.

Commissioner Johnson seconded the motion.

VOTE: AYES unanimous

AT 4:50 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS
ENTERED INTO CLOSED SESSION AND EXITED AT 5:25 P.M.

Attorney Mills reported that the Board took no action in closed session
that requires action in open session.

THE DARE COUNTY BOARD OF COMMISSIONERS RECESSED AT
5:25 P.M. UNTIL 3:00 P.M. ON MAY 19, 2003.



By: Warren Judge
Warren Judge, Chairman
Dare County Board of Commissioners

Respectfully Submitted,
By: Frances W. Harris
Frances W. Harris
Clerk to the Board