

**DARE COUNTY
NORTH CAROLINA**

**THE DARE COUNTY BOARD OF COMMISSIONERS MINUTES
June 7, 2004**

The Dare County Board of Commissioners met in a regular session at 9:00 a.m. on June 7, 2004, in the Dare County Administrative Annex in Manteo. Commissioners present were: Warren Judge, John Robert Hooper, Renée Cahoon, Virginia Tillett, Cheryl Byrd, Richard Johnson, and Stan White. Also present were Manager Terry Wheeler and Attorney Norma Mills. Chairman Judge reminded everyone of the 60th Anniversary of D-Day on June 6, 2004 and the passing of former President Ronald Reagan on June 5th. He asked everyone to keep in their thoughts and prayers the brave men and women serving in the Armed Forces. Chairman Judge opened the meeting with silent meditation followed by the pledge of allegiance to the flag.

ITEM 1 – PRESENTATION OF COUNTY SERVICE PIN

1. Tommy Ambrose, Detention Shift Leader, received his 10 Year Pin from Rodney Midgett, Sheriff.
2. Allen Scarborough, Deputy Sheriff, received his 10 Year Pin from Rodney Midgett, Sheriff.
3. Ken Flatt, Water System Analysis Superintendent, received his 15 Year Pin from Bob Oreskovich, Water Director.
4. Brandi Combs, Finance Tech., received her 15 Year Pin from Dave Clawson, Finance Director.
5. Kathy Huddleston, Manteo Library Branch Manager, received her 25 Year Pin from Jonathan Wark, Librarian.

ITEM 2 – EMPLOYEE OF THE MONTH

Brian Mitchell, Dare County Regional Airport, received the Employee of the Month Certificate from George Speake, Airport Director.

ITEM 3 – PUBLIC COMMENTS

1. Stan Clough, President of the Outer Banks Homebuilders Association, asked the Board members to support broad based options for the much needed beach nourishment project.
2. Susan Boncek, owner of the Sandspur Motel in Nags Head, thanked the Board for the wonderful services and caring employees she encountered from Dare Home Health and Hospice while they were caring for her father-in-law. She noted that three of the employees went way beyond their commitment to make the transition to a better place for her father in law.
3. Pogie Worsley, Nags Head and a local contractor, spoke about the problem with concrete that builders may have to face in the future. Should

concrete become unavailable, the builders will need some consideration to be able to use gravel as a temporary use.

4. Jim Northrup, Nags Head, noted that he and his wife (a teacher at First Flight Elementary) were given a choice as to which high school they wanted their sons to attend in the fall and they chose Manteo High School. The Board of Education is now allowing flexibility for teachers and staff. He feels this choice should be offered to everyone in the county. He has concerns about class sizes and curriculum when the second high school north of Oregon Inlet opens this fall and wants the Board of Education to be held accountable for the promises they have made.

ITEM 4 – LAND TRANSFER TAX RESOLUTION (ATT # 1)

Ray Sturza, Planning Director, reported that for several months the Beach Nourishment Committee has been considering the likelihood those federal funds to construct the proposed Northern Dare Beaches Storm Damage Reduction Plan will not be forthcoming in the near future. Hurricane Isabel and a couple of subsequent nor'easters this winter have made the oceanfront in all of Dare County as vulnerable to structural loss as anyone can remember. The Committee has concluded that if any protective measures are to be achieved in the near future, a back-up plan paid for with State and local monies will have to be implemented. After lengthy discussions of the various ways of funding such an endeavor, the committee voted in a special meeting on May 25, 2004, to ask the Dare County Board of Commissioners to seek an additional 1% on the Land Transfer Tax to fund this emergency approach to the shoreline management challenge. Meetings were held with the Homebuilders Association, Realtors Association, and Chamber of Commerce to brief them on the proposal during the week of June 1-4. On May 26, 2004, the Town of Kill Devil Hills Board of Commissioners authorized the Mayor of Kill Devil Hills to sign a copy of a Resolution adopted by Dare County modified to reflect the Town as the adopting jurisdiction. He also noted that information came to him as late as Friday night suggesting to give the General Assembly flexibility and a menu of options for generating the necessary funding. He presented an alternate resolution (Draft Number 2 dated June 7) that includes a local option sales tax and meals tax options.

Kill Devil Hills Commissioner Bill Pitt noted the key issue is that they face an emergency situation and need to provide protection for the citizens. They have been focusing on three issues (1) the need to undertake a program that has sufficient funds (2) sustainability based on the economy and (3) ability to execute the source of revenue. He noted the absolute minimum to be done would be 55-60 yards at the cost of \$30 million and would provide 2-3 years extension of the beach. The county and state funding would double per year. The intent is to do the exact project that the corps has planned, which is intended to be the substitute for the federal project. He passed out the alternative language. Commissioner Johnson stated he could not vote for a resolution that includes a 1% sales tax option.

Vice Chairman Hooper expressed confusion because his understanding while in Raleigh a few weeks ago was that leadership wanted the County to select the funding option that would be presented to the General Assembly. He also does not support a sales tax option.

Commissioner Byrd is opposed to the whole thing. She felt the proposed taxes were ill conceived and that those areas that received beach nourishment should pay for it. She does not support levying taxes and does not think the whole county should be paying for the project.

Chairman Judge stated that, in theory, the people that will be the least hurt are the people that are wiped out by storms. They will reach an insurance settlement and leave Dare County. It is incumbent on this Board to protect Dare County. Beach nourishment will help everyone and will protect the economy. He noted that the Land Transfer tax may not be the answer, but he would hate for the Board not to act. He referred to the Oregon Inlet and Waterways Commission that has been waiting for funding from the Federal Government for 40 years. Commissioner White commended the Beach Nourishment Committee for bringing forth the resolution. Everyone has been working and trying to come up with a solution. He noted that his industry will be most affected by the Land Transfer tax and he has received many call from constituents. He felt that should the Board move forward and a tax is put in place that it may help get people to push the Federal government into providing funding for beach nourishment. He felt it was an attempt to move forward if the Federal government does not provide funding as promised. He is sold on what has been presented because it is the only thing that makes sense at this point (even though he does not support any particular tax). He hoped that people would realize where they would be in Dare County if there was no beach.

MOTION

Commissioner Cahoon moved to adopt Resolution #04-06-22 Draft # 2 Requesting that Dare County be Authorized to Levy an Additional 1% Land Transfer Tax for Emergency Shoreline Protection and Storm Damage Reduction Measures and to include Local Option Sales Tax up to 1% and Meals Tax up to 1%.

Commissioner White seconded the motion.

VOTE: AYES (4) Cahoon, White, Judge, & Tillett
NOES (3) Hooper, Johnson & Byrd

ITEM 5 – PUBLIC HEARING - FISCAL YEAR 2004-05 BUDGET

AT 10:00 A.M., THE DARE COUNTY BOARD OF COMMISSIONERS HELD A PUBLIC HEARING TO RECEIVE INPUT ON THE FY 2004-05 BUDGET.

Attorney Mills conducted the hearing and invited the public to speak:

1. Kaye White, Nags Head, on behalf of the League of Women Voters, asked for support of \$500 for the Citizen's Guide. This is the first year the League group has ever asked for funding. The support will allow them to distribute an additional 1200 copies. They have already distributed 6,000 copies to the public.

Chairman Judge closed the hearing at 10:10 a.m.

ITEM 6 – PUBLIC HEARING - 2004-05 CAPITAL IMPROVEMENT PLAN
AT 10:10 A.M., THE DARE COUNTY BOARD OF COMMISSIONERS HELD A
PUBLIC HEARING TO RECEIVE INPUT ON THE 2004-05 CAPITAL
IMPROVEMENTS PLAN.

Attorney Mills conducted the hearing and invited the public to speak:

There were no speakers.

Chairman Judge closed the hearing at 10:11 a.m.

THE BOARD TOOK A 5-MINUTE BREAK.

**ITEM 7 – PUBLIC HEARING - HURRICANE ISABEL RECONSTRUCTION AND
HEIGHT ALTERNATIVES (ATT # 2)**

AT 10:25 A.M., THE DARE COUNTY BOARD OF COMMISSIONERS HELD A
PUBLIC HEARING TO RECEIVE INPUT ON THE HURRICANE ISABEL
RECONSTRUCTION AND HEIGHT ALTERNATIVES.

Attorney Mills conducted the hearing and invited the public to speak:

1. Dan Burroughs, Hatteras Village, pointed out that all areas of the county that have zoning (with two exceptions) have height at 35' or lower. If the height limit is raised, it could mean larger structures in Hatteras Village and he does not support this. If it is raised to 42' it would be contrary to the wishes of the people of Hatteras Village. He asked the Board to change the present height of 35' to 39' and to keep the base flood elevation as the bench mark.
2. Howard Rooney, Hatteras Village, said they did not have a flood during Hurricane Isabel. It was a hurricane storm surge and there is no way to take the risk out of a disaster. He asked if they want a 3 story home or 4-5 story houses and does it make any difference. The county has a LUP that has just passed and states the county will maintain the flavor of a fishing village and height cannot be tied to flooding from the sound or storm surge from the sea. The people of Dare County have chosen to live in a very risky environment.
3. Judy Bonney, Hatteras Village, hoped they could form a plan that all could live with. She loves the village and the flavor of the village. She hopes they can adopt a compromise, but feel people need to be met halfway so that individual property owner's needs can be met, particularly if property is higher than base flood.
4. Joe Thompson, Frisco and builder/developer went on record to say that he had never seen any problem with 52' houses. He felt that the height did not determine whether or not there is a coastal village environment. He felt there was a compromise out there to be had and that Alternative 4 is the better choice.
5. Tim Midgett, Hatteras Village, presented information about the number of building permits issued for Hatteras Village. The number of permits issued in 2003 decreased from two previous years and he felt this is a result of the height restrictions that were voted on by the Board. He strongly

encouraged the Board to adopt a 52' height for the health, safety and welfare of the people.

6. Pogie Worsley, Hatteras Village, spoke about his experiences while rebuilding homes in Hatteras Village following Hurricane Isabel. He suggested that the Board keep the restrictions simple and recommended a combination of Alternative 2 and Alternative 4.
7. Jeff Aiken, Hatteras, thanked the Board for responding to his request at the Community Meeting regarding the roads. He owns interest in three businesses in Hatteras and 3 homes. He felt that the character in a fishing village is not defined by height and agreed that Alternative 4 has the best potential with some minor changes.
8. Ricky Sheppard, Hatteras Village, thanked the Board for their help after Hurricane Isabel. She pointed out that the sound and ocean property should be treated the same. She indicated that this was a difficult issue and that the 52' height limit was originally put in place because of the dune line in an effort to give visibility. Regarding the overlay district, she said it was the Civic Association's intention that any parcel that includes a portion of the overlay district is considered part of the overlay district. She encouraged them to follow FEMA guidelines. She also asked the Board to look at where measurements begin and to hold a hearing in Hatteras Village once options are narrowed down.
9. Larry Bonney, Hatteras Village, stated that he needs 46 1/2' for his home that he would like to build. He asked the Board for consideration and submitted letters from other citizens who could not attend.
10. Dan Johnson, Hatteras, went on record to say that this whole thing started because of the Slash Creek and does not think that everyone should be penalized because people opposed the development. He felt they should go back to 52' or come to a compromise.

Chairman Judge closed the hearing at 10:55 a.m.

There was extensive discussion.

Commissioner Byrd supported Alternative 4 with some tweaking. She felt the rewording the language so that the elevations were measured above base flood elevation or grade which ever is higher might make sense because they do not want people to dig into property that is already at a good elevation.

Commissioner Johnson suggested three minor changes Alt 4 – change 8' to 9' and measure from ground elevation and make the clearance for base flood and does not penalize a person with a good piece of property from parking underneath.

Commissioner Cahoon supported making some changes and was not in favor of filling lots and building on concrete slabs. She felt there should be flow through space and limit under the house (FEMA guidelines) of 3300 square feet of space. She feels there should be some alternative to just 35'.

Vice Chairman Hooper supported Alternative 4 but would like to measure from natural ground elevation and have 9' under the house. Alternative 4 is the best and be kept within the 45' range to the top of the roof.

Commissioner Johnson could not understand why they would be concerned about the roof height in an effort to encourage nice looking roofs.

Chairman Judge summarized: park underneath, start at lowest horizontal level to top plate and stay within 32' and let the roof go wherever it goes. There will not be an overall height limit of the structure.

MOTION

Commissioner Johnson moved to adopt Alternative 4 (Modified) that the 32 feet measured from the bottom of the floor joist to the top of the top plate of the primary structures, excluding those architectural features known as cupolas and observation towers that meet the requirements of Section 22-29 ©. The bottom of the floor joist shall be located a minimum of 2 feet above the established base flood elevation, and shall not exceed a distance of 9 feet above the established ground elevation. For purposes of this Section, established ground elevation is defined as the highest of (1) base flood elevation, or (2) natural ground elevation if natural ground elevation exceeds the base flood elevation, or (3) unnatural ground elevation created by the placement of fill material on a site on or before June 2, 2003. See attached for Roof pitch, storage area and elective elevation option.

Commissioner Byrd seconded the motion.

THE BOARD RECESSED AT 12:10 AND RECONVENED AT 1:45 P.M.

AMENDED MOTION

Vice Chairman Hooper moved to amend to include a cap of 45' from the bottom of the floor joist.

Commissioner Cahoon seconded the motion.

VOTE: AYES (2) Hooper & Cahoon

NOES (5) White, Tillett, Johnson, Judge & Byrd

THE MOTION FAILED.

MOTION

Commissioner Cahoon moved to send this alternative (original motion) to public hearing on July 19, 2004 at 3:30 p.m.

Commissioner Byrd

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

NOES (1) Hooper

MOTION

Vice Chairman Hooper moved to send the 45' building height measures from ground elevation to public hearing on July 19, 3:30 p.m. (Alternative 2).

Commissioner Tillett seconded the motion.

VOTE: AYES (4) Hooper, Tillett, White, & Cahoon

NOES (3) Byrd, Johnson, & Judge

ITEM 8 – AMENDMENTS TO CAPITAL PROJECT ORDINANCES FOR SCHOOL CAPITAL PROJECTS (ATT # 3)

Dave Clawson, Finance Director, presented the amendments. (See attached).

MOTION

Commissioner Byrd moved to adopt the amendments to the Series 2002 COP's, the 2004 COP's, and the 2005 COP's capital project ordinances.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 9 – AMENDMENT TO CAPITAL PROJECT ORDINANCE FOR VARIOUS SCHOOL PROJECTS (ATT # 4)

Dave Clawson, Finance Director, reported that the Board of Education staff has asked that the Board adopt the attached amendment to a capital project ordinance, originally adopted on 7/2/2001, when the County appropriated \$1,132,000 for emergency needs. \$115,242 remains and the Board of Education asks that, and County staff recommends that, the remaining amounts from various line items be placed into local capital outlay and be transferred to the Board of Education.

MOTION

Commissioner Byrd moved to adopt amendment to capital project ordinance with a change that the funds be applied to school projects included in the 2005 COPs. Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 10 – CAPITAL PROJECT ORDINANCE FOR ADDITIONAL TECHNOLOGY EQUIPMENT AT HATTERAS ELEMENTARY SCHOOL (ATT # 5)

Dave Clawson, Finance Director, referred to the attached memo regarding the allotment balance from State Public School Building Bonds. He noted that Dare County Schools has an allotment balance in the State School Building Bonds funds in the amount of \$60,384.97. This balance is a result of sales tax refunds. The funds are approved by the State for the Cape Hatteras Elementary School project number 26. Since these funds flow through Dare County, staff was asked to prepare an amendment to the budget ordinance for Cape Hatteras Elementary School to reflect these additional State funds. The funds will be used for technology equipment at Cape Hatteras Elementary School.

MOTION

Vice Chairman Hooper moved to adopt Capital Project Ordinance.

Commissioner Byrd seconded the motion.

VOTE: AYES unanimous

ITEM 11 – RESOLUTION AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT PURCHASE CONTRACT (ATT # 6)

Dave Clawson, Finance Director, reported that this item is the first Resolution necessary for the issuance of the Series 2004 Certificates of Participation (COP's) to finance the new Manteo Middle School and the new Nags Head Elementary School/Central Office. The participants' distribution list and the financing schedule follow the Resolution. The sale dates are set on the LGC calendar for July 27 (retail) and July 28 (institutional). Closing is scheduled for August 11th and 12th.

MOTION

Commissioner Cahoon moved the adoption of Resolution #04-06-23 setting a public hearing on June 21, 2004 at 3:30 p.m.

Vice Chairman Hooper seconded the motion.

VOTE: AYES unanimous

ITEM 12 – RESOLUTION AUTHORIZING ANNUAL SURPLUS PROPERTY SALE (ATT # 7)

Dave Clawson, Finance Director, presented a resolution authorizing the annual surplus property sale, by public auction, on Saturday, June 26th at 9:00 a.m. The resolution references an attached schedule, which lists all surplus property to be designated for sale.

MOTION

Commissioner Byrd moved the adoption of Resolution #04-06-24.

Com Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 13 – SCHOOL CALENDAR LEGISLATION (ATT # 8)

Norma Mills, County Attorney, reported that the General Assembly is currently considering legislation to set public school calendars statewide to begin no earlier than August 25th and end no later than June 10th, and reduce the number of non-instructional teacher workdays by 10 with no salary reduction. This legislation is similar to legislation introduced during last year's session that was supported by the County. A resolution of support, a summary of HB 1464 and the full text of HB 1464 are attached.

MOTION

Commissioner Cahoon moved to adopt Resolution #04-06-25 in support of House bill 1464.

Commissioner Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 14 – AMORTIZATION LEGISLATION (ATT # 9)

Norma Mills, County Attorney, reported that the General Assembly is currently considering legislation (SB 1056) that would prohibit the use of amortization in the regulation of outdoor advertising, and would require local governments to pay up to five times the average amount of the annual gross revenue of the advertising as compensation to sign owners. This legislation is similar to legislation introduced during last year's session that was opposed by the County. A resolution opposing this legislation, correspondence from the League of Municipalities and the County Commissioners Association to legislators and the full text of SB 1045 is attached.

MOTION

Commissioner Cahoon moved the adoption off Resolution #04-06-26 opposing Senate Bill 1056.

Commissioner Johnson seconded the motion.

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

NOES (1) Byrd**ITEM 15 – INTENT TO LEASE MMS TO COA (ATT # 10)**

Norma Mills, County Attorney, reminded that the Board had previously discussed entering into a long-term agreement with COA for use of portions of the Manteo Middle School. State bond funding is available for initial planning for renovations of the existing MMS site (no County match is required for these bond funds as Dare is already overmatched by \$400,000). In order to begin requesting state bond funds, a letter of commitment from the County indicating the County's intent to enter into the lease agreement is required. A lease agreement must be executed before bond funds can be expended.

MOTION

Commissioner Byrd moved to approve attached letter of intent, and authorize County Attorney to initiate discussions with COA on a long-term lease agreement.

Commissioner Cahoon seconded the motion.

VOTE: AYES unanimous

ITEM 16 – UPDATE ON OREGON INLET BRIDGE

Commissioner White noted there had been several Department of Transportation meetings and feared DOT was going to drop all plans except the 17-mile bridge. He had met with Secretary of DOT and the only plan he had in his office was the short version from 1993. The Secretary asked Commissioner White what it would take to make the people of Dare County happy. Commissioner White felt more optimistic this week than last week. He also noted that the Governor of North Carolina was well aware of the activities. Commissioner White will keep the Board posted and will ask for assistance if necessary.

ITEM 17 – GOVERNMENT AFFAIRS CONSULTING AGREEMENT

Attorney Mills reported that the County current letter of engagement with the firm of Manatt, Phelps & Phillips LLP expired on May 31st and does not automatically renew. She noted that Chairman Judge advised the firm that extension or renewal of the agreement required Board action, and request that the firm suspend services on behalf of the County pending Board discussion of this matter. (See attached letter). A copy of the 2003 engagement letter between the County and the firm is attached.

MOTION

Commissioner White moved to not renew existing engagement with firm and seek other proposals for government affairs consulting services.

Commissioner Cahoon seconded the motion.

VOTE: AYES unanimous

Chairman Judge tasked the Planning Director to work with the County Attorney on an RFP to send out. The Beach Nourishment Committee will review and narrow down to three firms and bring back to the Board.

ITEM 18 – CONSENT AGENDA (ATT # 11)

MOTION

Commissioner Cahoon moved the adoption of the Consent Agenda:

- A. Approval of Minutes – May 17 & 24, 2004
- B. – D. Social Services Budget Amendments
- E. Correcting Amendment to Capital Project Ordinance for FFHS
- F. Annual Participation Agreements for Workers Comp & Property Liability
- G. Resolution #04-06-27 Request from Ashe County

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 19 – BOARD APPOINTMENTS

A. COLLEGE OF THE ALBEMARLE BOARD OF TRUSTEES

MOTION

Commissioner Byrd moved the reappointment of Richard Johnson to serve a four year term on the COA Board of Trustees.

VOTE: AYES unanimous

B. FESSENDEN CENTER ADVISORY BOARD

MOTION

By acclamation Commissioner moved the reappointments of Ken Wenberg, Jack Leatherwood, Louise Rossiter and the appointments of Heidi Blackwood, Rev. Charles Mosley and Matt Caviness to serve a four year term on the Fessenden Center Advisory Board. Their terms will expire June 2006.

VOTE: AYES unanimous

MOTION

By acclamation Commissioner moved the reappointments of Kathy Kiddy, Bonnie Williams, Jinny McBride, Ormond Fuller and the appointments Susan Gray and Jennifer Kingery to serve a four year term on the Fessenden Center Advisory Board. The term will expire June 2008.

VOTE: AYES unanimous

C. HATTERAS COMMUNITY CENTER BOARD

The item was tabled until the July meeting.

D. LIBRARY BOARD – REGIONAL

MOTION

Commissioner Cahoon moved the reappointment of Laura Catoe to serve a four year term on the Library Board – Regional.

VOTE: AYES unanimous

E. LIBRARY BOARD – DARE COUNTY

MOTION

Commissioner Cahoon moved the reappointment of Dorothy Fink to serve a three year term on the Library Board – Dare.

VOTE: AYES unanimous

F. MANN'S HARBOR COMMUNITY CENTER BOARD

MOTION

Commissioner Byrd moved the reappointments of Clyde Gard and Bonny Sawyer to serve a two year term on the Manns Harbor Community Center Board.

VOTE: AYES unanimous

G. OREGON INLET AND WATERWAYS COMMISSION**MOTION**

Commissioner Cahoon moved the reappoints of Richard Johnson, Ephraim O'Neal, and Michael Davenport to serve a two year term on the OIWC.

VOTE: AYES unanimous

H. ROANOKE ISLAND COMMUNITY CENTER BOARD**MOTION**

Commissioner Cahoon moved the reappointments of James Eubanks, Doris Pledger-Creecy and Earl Bryant.

VOTE: AYES unanimous

I. RODANTHE-WAVES-SALVO COMMUNITY CENTER BOARD**MOTION**

Commissioner Tillett moved the reappointment of Joey O'Neal to serve a three year term on the R-W-S Community Center Board.

VOTE: AYES unanimous

J. SOCIAL SERVICES BOARD**MOTION**

Commissioner Cahoon moved the reappointment of Stan White to serve a three year term on the Social Services Board.

VOTE: AYES unanimous

ITEM 20 – COMMENTS BY COMMISSIONER TILLET

- Dare Day – She will report on Dare Day at the next meeting. She also thanked the Board members who were able to attend.
- Sewage system for Dare County – She questioned if it had ever been explored. She would like some information presented at a future meeting.
- Shortage of Concrete – She referred to public comments regarding the shortage of concrete for driveways, etc. causing projects to be delayed. The County Attorney will look into the issue and bring back at the next meeting.

ITEM 21 – COMMENTS BY COMMISSIONER WHITE

- Albemarle Regional Solid Waste Authority – He reported that the Bertie Landfill is offering to their subscribers a renegotiated contract since Camden County is in the process of building a landfill. Bertie would like to lock in their contract in order to not loose their subscribers to Camden County.

ITEM 22 – COMMENTS BY VICE CHAIRMAN HOOPER

- NPS/ USFWS Boat Ramp – He has met with the group regarding a boat ramp between Frisco and Hatteras Village in hopes of getting more boating access there.
- Outer Banks Preservation Association – He noted that some federal representatives have come to look at the Pole Road issue and hopefully some progress is being made.

ITEM 23 – COMMENTS BY COMMISSIONER BYRD

- COLA Adjustment – Manager Wheeler reported that the Board members receive an automatic COLA adjustment since they are considered county employees.

ITEM 24 – COMMENTS BY COMMISSIONER CAHOON

- CRC Meeting – She noted that when the municipalities updated their Land Use Plan the County or CRC must give their approval.

MOTION

Commissioner Cahoon moved to endorse the concept by blanket approval to update their land use plans and notify the CRC so that the Towns in Dare County do not have to request approval to update their land use plans.

Commissioner Byrd seconded the motion.

VOTE: AYES unanimous

- SPCA-She referred to complaints by property owners regarding animals with erratic behavior and the lack of assistance from SPCA. The County Manager will handle.

ITEM 25 – COMMENTS BY COMMISSIONER JOHNSON

- Dare Day – He commended the committee for a great job.

ITEM 26 – COMMENTS BY CHAIRMAN JUDGE

- National Flood Insurance Program - Anthony Lowe, Director of FEMA National Flood Insurance Program has resigned. He is the one who promised the work and promised sweeping changes.
- Beach Nourishment - Chairman Judge reported that the Town of Duck has asked for representation on the Beach Nourishment Committee. He appointed Nancy Caviness as their representative to the committee. The Board concurred. He also appointed the Chairman or his/her designated Board member from the Dare County Tourism Board to the Beach Nourishment Committee. The Board concurred.

ITEM 27 – COMMENTS BY COUNTY ATTORNEY (ATT # 12)

Resolution Supporting Funding for the Restoration of the Bodie Island Lighthouse

MOTION

Commissioner Byrd moved the adoption of Resolution #04-06-28.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 28 – UPCOMING BOARD APPOINTMENTS

Upcoming Board Appointments for July are: East Lake Community Center Board, Game and Wildlife Commission, Library Board-Regional, Parks & Recreation Advisory Council, and Wanchese Community Center Board.

AT 3:25 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS
ADJOURNED UNTIL IS 3:00 P.M. ON JUNE 21, 2004.

(SEAL)

Respectfully Submitted,

By: _____
Frances W. Harris
Clerk to the Board

APPROVED:

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