

**DARE COUNTY
NORTH CAROLINA**

**THE DARE COUNTY BOARD OF COMMISSIONERS MINUTES
September 20, 2004**

The Dare County Board of Commissioners met in a regular session at 3:00 p.m. on September 20, 2004, in the Dare County Administrative Annex in Manteo. Commissioners present were: Warren Judge, John Robert Hooper, Renée Cahoon, Virginia Tillett, Cheryl Byrd, and Stan White. Richard Johnson was absent. Also present were Manager Terry Wheeler and Attorney Norma Mills. Chairman Judge opened the meeting with silent meditation followed by the pledge of allegiance to the flag.

**ITEM 1 – AMEND AGENDA – FUEL FARM BUDGET AMENDMENT
MOTION**

Commissioner Byrd moved to amend the agenda to add Item 6A - Dare County Airport Fuel Farm.

Vice Chairman Hooper seconded the motion.

VOTE: AYES unanimous

Chairman Judge noted that there are two Public Comments period on the agenda in order to allow people to speak prior to 5:30 p.m.

ITEM 1A – SPRINT E911 SERVICE AGREEMENT

Major Almey Gray presented a four year maintenance agreement for the Positron and LifeLine 100 E911 Controller and five Simon Workstations to be installed at the E911 Dare County Communications Center.

MOTION

Commissioner White moved to approve a four year maintenance agreement.

Commissioner Cahoon seconded the motion.

VOTE: AYES unanimous

ITEM 2 – PUBLIC COMMENTS

1. Thomas Morgan, resident of Dare County and a member of the conservation coalition, noted that for decades Purple Martins, a migratory bird species that breeds throughout eastern North America and winters primarily in South America, have been using the western end of William B. Umstead Bridge as a pre-migration communal roosting area from mid-June to early September. Approximately 100,000 martins roost under the bridge at night during the peak roosting period. When the martins leave and enter the roosting area each morning and evening, they collide with vehicles crossing the bridge and become entangled in fishing gear hanging on the bridge structure. An estimated 2,800 Purple Martins were killed in summer of 2004 at the bridge. Traffic flow is hampered and

unsafe driving conditions result due to the presence of Purple Martins flying in the line of traffic flow when the martins leave and enter the roost. He requested that the Board of Commissioners ask the NCDOT to undertake an assessment to study mitigation of the Purple Martins mortality and traffic hazards associated with the roost at the Umstead Bridge. The coalition partners have agreed to cooperate with the NCDOT in the preparation of the assessment.

2. Mark Martin, Chairman of the Outer Banks Business Task Force, thanked the Board for holding the beach nourishment workshop on Sept. 7th. He noted that beach nourishment is about protecting the Outer Banks community. He hoped the Board would schedule a public hearing so as to move forward on the project and implement the sales tax for beach nourishment.
3. Jay Overton, stated the beaches are so important to all of us and that we have created the dunes so that we can live here and we have created a large amount of infrastructure such as transportation, power, banking, etc. We have created ways to take care of these infrastructures but we have not put aside a committee working staff and because of this we are faced with beach nourishment. We need to move forward and put in place those things to make sure we protect this shoreline. He urged the Board to look at this matter.
4. Ray Midgett, member of Beach Huggers Association, asked the Board to take the beach nourishment out of the hands of government and put it in the hands of the people. He referred to the minutes from the Beach Nourishment Committee and asked the Board to give the general public an opportunity to ask questions and receive answers about the project. He said that the Board is not being straight forward with the people
5. JoAnn Baum Clift, Skyco, stated that the Skyco group has come up with a preliminary plan consistent with the Land Use Plan and that a few people are trying to come up with a plan that is inconsistent with LUP. She asked the Board to move forward with zoning recommendations that have been presented by the majority of the Skyco residents.

ITEM 3 – THE STORAGE SPOT CUP AMENDMENT AND SITE PLAN REVIEW

Donna Creef, Senior Planner, explained to the Board that in 1996, a conditional use permit was issued for The Storage Spot in Waves, NC. Three mini-warehouse buildings were constructed on the site at that time. A site plan and CUP amendment has been submitted by the property owner, Mary Temple Mullis, to develop the front portion of the site as a group housing project. Ms. Mullis has purchased four remodeled cottages from the owners of the Rodanthe pier. She also plans to construct one additional unit in the residential phase. The existing gravel drive will be used as access to the residential phase. Landscaped berms will be installed to create a buffer from the storage units. She noted that the Planning Board reviewed the site plan on August 9, 2004 and voted unanimously to recommend approval of the CUP amendment and the site plan.

MOTION

Commissioner White moved that the site plan and draft CUP amendment for the group housing phase of The Storage Spot be approved.

Vice Chairman Hooper seconded the motion.

VOTE: AYES unanimous

ITEM 4 – THE INN ON THE PAMLICO – GROUP DEVELOPMENT CUP APPLICATION AND SITE PLAN

Donna Creef, Senior Planner, presented a request by the owners of The Inn on the Pamlico Sound, Steve and Laura Nelson. They would like to expansion their business. The expansion involves the construction of an additional building on the site which triggers review as a group development. The site, located in Buxton, is zoned C-2 and this district permits hotels and motels. Due to its proximity to the Buxton Woods maritime forest, the site is also located in the SED-1 buffer district and subject to the land clearing restrictions of the SED-1 zoning district. The existing facility is located on lot 2 of the Reb'le Ridge Subdivision. The Nelson's residence is located on the adjoining lot, lot 1 Reb'le Ridge Subdivision. As part of the proposed expansion, the two lots will be combined into one large tract. A new building for an additional 6 units is proposed for construction. The existing inn features 5 units and is proposed for remodeling, including the addition of another unit. The new facility will be built in conformance with commercial building codes reflecting its status as a hotel. The existing facility will be remodeled under the commercial building codes as well. No changes or additional improvements are planned for the Nelson residence. At build out, a total of 12 units will be offered for overnight accommodations.

MOTION

Commissioner Byrd moved to approve CUP and site plan for the proposed expansion of the Inn on the Pamlico.

Commissioner White seconded the motion.

VOTE: AYES unanimous

ITEM 5 – UPDATE ON DARE COUNTY ZONING

Ray Sturza, Planning Director, introduced Lorraine Tillett, Zoning Administrator, who has been working with the village of Wanchese on their zoning plans. Ms. Tillett provided information to the Board about the village of Wanchese – over 11,000 parcels, 600 single family homes, 105 mobile homes, 58 commercial businesses, 3 bed & breakfast and 5 restaurants in addition to 12 parcels of land referenced by Tax Department as industrial that included large fish houses, warehouse facilities, and 12 boat building facilities and 13 parcels designated as churches, schools and cemeteries. There are 50 roads that are authorized by DOT and confirmed that 6900 cars travel to Wanchese everyday. She stated that it is the consensus of the residents to maintain the traditional family village lifestyle. A colored zoning map with written land use districts is being presented to a team group leading the initiative this evening at a meeting in the village. She stated that a community boundary line has not been established between Skyco and Wanchese and that it needs to be established. The new map will be presented to the community in two separate meetings in the next few weeks.

People seem happy with the process. Commissioner Byrd thanked Ms. Tillett for the presentation and commended her for the community involvement. The Board also recognized Buttons Daniels of Wanchese who has been working with Ms. Tillett. Ms. Byrd asked about progress in other communities. The Planning Director stated that there is ongoing work in Manns Harbor, but it has not been as vigorous as Wanchese. Possibly Ms. Tillett will be assigned to Manns Harbor once the Wanchese zoning is completed.

ITEM 6 – YOUTH AVIATION DAY – 2004

George Speake, Jr., Airport Authority Director, gave a presentation on Youth Aviation Day at the Dare County Regional Airport. The event will take place on September 25, 2004. Youth Aviation Day will include numerous displays, demonstrations, educational type activities, giveaways, and other fun activities. The day begins at 9:00 a.m. and continues until 4:00 p.m. This is a free event, open to kids of all ages. Attendees are asked to bring a non-perishable food item which will be collected and donated to the Beach Food Pantry. A sampling of the scheduled static display aircraft includes at least one North Carolina Forestry Service aircraft, banner towing aircraft, the Dare County EMS helicopter, corporate aircraft, CAP aircraft National Park Service aircraft, and a 1941 Waco among others. Scheduled aerial demonstrations include skydiving, water drops by the North Carolina Forestry Service, banner tows, remote control aircraft, and kit demonstrations by Kitty Hawk Kites. NPS will have two presentations by NPS staff and presentations by Mark Grady, writer and former commercial pilot. Questions about the event should be directed to George Speake, Airport Director at 252-475-5571.

Bob Shunemann of Wright Flight came forward to speak about the Wright Flight program at First Flight Elementary School and its successes. He believes that children learn about aviation and also how to push themselves academically. Over 450 kids have flown as part of the program and he is hopeful that the recent crash involving the Wright Flight plane will not hinder the program. No children were involved in the plane crash and the pilot is doing well. He asked people to continue to support youth aviation and stated that he is very supportive of Youth Aviation Day.

ITEM 6A – AIRPORT AUTHORITY- DARE COUNTY FUEL FARM PROJECT (ATT # 3)

George Speake, Airport Authority Director, explained that fuel is a very important part of the airport operation and it is important that the fuel tanks be replaced as soon as possible. He presented a budget amendment and capital project ordinance for the Dare County Airport Authority Fuel Farm Replacement. The County will contribute \$32,000 from Capital Reserve. Mr. Speake will confirm the completion date for the project and include it in the contract with the company performing the work.

Connie Brothers, Chairman of Airport Authority, noted that this is one of those unanticipated events and they met and hand delivered the request to Commissioner Richard Johnson, member of the Airport Authority.

MOTION

Commissioner Byrd moved to approve the budget amendment and capital project ordinance for FY 2004-05 Projects in the Adopted 2004-05 through 2008-09 Capital Improvements Plan.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

Commissioner White questioned if the Airport Authority has taken a written position on the additional airspace the military has requested. Mr. Speake responded they have sent a letter of opposition to the additional airspace and a request for that there be an additional comment period for the public. The FAA has not responded to the request. He will email the letter to the Board.

THE BOARD TOOK A 10- MINUTE BREAK.

ITEM 7 – STUMPY POINT WASTEWATER PROJECT (ATT # 1)

Bob Oreskovich, Utilities Director, noted that the Board has previously contracted with The Wooten Company for a feasibility study of the Stumpy Point Wastewater Project. The County has been awarded a grant of \$465,000 from the Rural Center to proceed with engineering, design, and permitting of the project. The attached amendment to the County's contract with Wooten provides for these services at a cost of \$184,110. The Rural Center has authorized proceeding with this phase of the project by amendment to Wooten's contract in lieu of a new competitive bid process.

MOTION

The Board of Commissioners moved to recess the Board of Commissioners meeting and to convene to the Stumpy Point Water and Sewer District Board.

VOTE: AYES unanimous

MOTION

Commissioner Cahoon moved to approve the attached amendment to County's contract with The Wooten Company for engineering, design, and permitting of the Stumpy Point Wastewater Project in the amount of \$184,110 and to approve the budget amendment reflecting receipt of Rural Center Grant in the amount of \$465,130.

Commissioner Byrd seconded the motion.

VOTE: AYES unanimous

MOTION

The Board of Commissioners moved to adjourn the Stumpy Point Water & Sewer District Board and reconvene the Dare County Board of Commissioners meeting.

VOTE: AYES unanimous

ITEM 8 – HATTERAS ELEVATED TANK TOWER – CONSTRUCTION CONTRACT AWARD (ATT # 2)

Bob Oreskovich, Utilities Director, reported that bids have been received for the construction of a 300,000 elevated water storage tower and the demolition of the existing 100,000 gallon water tower that was constructed in Hatteras Village in 1985. Water staff recommends that the Board agrees with Hobbs, Upchurch &

Associates engineers in their recommendation (attached) to accept the low bid and award the construction contract to Caldwell Tanks, Inc. in the about of \$847,200 with a contingency fund (5%) of \$43,710 for a total of \$917,910.

MOTION

Vice Chairman Hooper moved to approve the low bid for the construction new water tower and the demolition of the existing water tower in Hatteras Village and approve a budget amendment and the amendment to the Capital Project Ordinance.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 9 – SITE SELECTION FOR NEW ADMINISTRATIVE BUILDING

Chairman Judge reminded that the Board has dealt with the issue over the last 18 months and made a decision on the old courthouse in June. They also held a public meeting on September 9th to receive input.

MOTION

Commissioner Byrd moved to build the new administrative building at the Justice Center site near the Midway intersection of Roanoke Island.

Commissioner White seconded the motion.

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

NOES (2) Cahoon & Judge

VOTE: AYES unanimous

Chairman Judge tasked Commissioner White and the Capital Improvements Committee to move ahead and begin both the courthouse project and the administrative project and report back when necessary.

ITEM 10 – BEACH RE-NOURISHMENT WORKSHOP FOLLOW-UP

Ray Sturza, Planning Director, noted that at the conclusion of the Workshop on September 7th, the Chairman asked the Board to consider the information provided at the Workshop and to be prepared to discuss the same again on September 20th. He noted that staff and the Beach Nourishment Committee are looking for direction on how to proceed or not proceed on either or both the short and long term alternatives or simply abandon the entire notion of serving as the local sponsor of a federal protection plan. Mr. Sturza gave an overview of the project and reported that the state of North Carolina has budgeted money in conjunction with the federal appropriation for the project so procedurally money is not available from the state. However, the state can spend money to provide for shore protection measures without federal funding but the procedures will have to be handled differently.

Basically we have been authorized the project by the Congress a 14 mile shoreline restoration and protection plan and is in three portions of the beaches of the Outer Banks – from Kitty Hawk south into Kill Devil Hills and picks up in Nags Head (10 miles) and tapers about 1000 feet north of the NPS line. We are seeking an appropriation from Congress for about \$22 million dollars to begin construction of the first breach. The appropriation is the biggest hurdle to cross.

In the recent past there has been no desire by Congress to add money in lieu of the nation's commitments to the Gulf War and the anti-terrorism efforts. Procedurally the way the State of North Carolina budgets their money is always in conjunction with a federal appropriation. The procedures by which the state budgets match money run in conjunction with federal appropriations. If you don't have a federal appropriation, procedurally they are now going to request that the state budget match money. Procedurally that money is not available. In terms of the statutory limitations on the ability of the state to spend money they can spend money to provide for shore protection measures when there is not a federal appropriation but the procedure by which you would secure that money, we would have to request it in a manner different from their normal procedures. There is always uncertainty anytime you go to the General Assembly and ask for money and this would be the first time it has ever been done that way because it would be outside their normal procedures. The answer is yes statutorily they can provide us with funds to help without federal money. But procedurally the avenues for doing that are normally associated with a federal appropriation. That is the latest information that has occurred since the workshop. We don't have the procedural precedence to secure the funding but we don't have a statutory prohibition by using state money that way. We would have to ask. The short terms alternatives involve (1) formalization of the Beach Nourishment Committee moving it into a more standing committee similar to the Oregon Inlet Commission and (2) addressing those erosion prone hot spots county wide not under the regulatory mandates of the federal government (3) keep working to secure the federal appropriation on the large north beach project and (4) coordinate a cost share with other agencies and municipal partners whenever possible in terms of the management program.

Commissioner Byrd noted that when the Corps in the 1920's built an extensive dune system from one end of the county to the other, they created a very different environment and is one that is promoted and encouraged to some extent. It has become the basis for our economy. We have to recognize that these sand islands are prone to migration and to erosion over a long period of time no matter what the county does in terms of engineering solutions. There are areas that we will have to step back from and there are some already such as the north end of Kitty Hawk. We need to take a broader look other than just beach nourishment. We need to look at the whole county in partnership with the other towns and need to look at other measures we can take, too. We don't know when or if we will ever get federal dollars. There are some areas that we could make more secure by planting dune grasses and sea oats. We need to think about how to handle protecting the development that we have without engineering every last inch of beach that we have. That is what we could be heading toward if we start with these massive projects. That will not make sense in the long run. At some point we will have to pull the dunes back and we will have to recognize that some of the structures in front of those new dunes will go and we will not be able to protect them forever. She does not think we have looked at any all alternatives except this one project and never looked at the county as a whole and never

looked at the long term picture for the county. It bothers so many people that the county is so focused on just this one thing. We have not looked at underwater structures. The Humburg technology is one that has come up again in these discussions. We never looked at the reefs and there are materials that you can do reefs out of. I think we have more research to do. You will not sell the community until you look at other issues rather than just one. She thinks the committee needs to be reformed and populated with a greater diversity of people. Commissioner White disagreed with most of Commissioner Byrd's comments. He feels that technology has afforded us to do things we could not do 15-20 years ago. He would not be opposed to a Humburg Beach. He flew to Michigan and looked at that project and was impressed with it and would not be opposed to doing an experiment in the interim but to him it is the same thing. You will end up with engineered beach. It is a groin that is pumped full of sand and it traps laterally moving sand and it seems to work. Whether it would work fast enough to help us in some hot spot areas and whether it could get permitted. The question is how much would it cost and could Dare County afford and experiment. He would agree to do it as an interim. He is all for an engineered beach, which, in his mind, is the only way to save our economy. When you loose a road, you will loose the infrastructure. This is happening in Kitty Hawk. When you loose a road you will loose a whole tier of houses. We need to continue to move forward as quickly as we can. He asked if they could start applying for permits today and does it negate the existing permit. Mr. Sturza said there is nothing we could do that would negate the one they have already secured. He asked if they could do two or three things in parallel and can we start the process in their own name. He is optimistic that they will get federal funding. Mr. Sturza stated he was not aware of anything they could do that would endanger our federal project in terms of its legality or what has already been done. The only real danger in choosing to move forward independent of federal dollars is a policy matter that somewhat plays into the hand of those in Washington of those that are trying to shift the responsibility for shoreline protection away from the federal level and to the local level. We would be demonstrating that we are capable of doing that. The desperation of acting without the federal government has put us in this dilemma. Can we afford to wait and that is the predicament we are in.

Bill Pitt, Beach Nourishment Member, with regard to the existing permits there are two ways to proceed. One is the way that we want to proceed which is to secure the federal appropriation and proceed with the federal project as originally planned. Another method that is frequently used in Florida and is called a reimbursable system by which the county would reimburse the Federal government for the full cost of the project. This means that the Corps can remain the project manager and their permits are valid. This is a full commitment from the County to move ahead with the project and if for some reason the County is unable to pay, the project would stop. It is not the most agreeable way to go and the third way is to secure your own permit and take on your own project. That happens in areas where they don't want to follow the federal guidelines.

Mr. Sturza noted that one important thing that needs to be considered now is that most of the alternatives Commissioner Byrd discussed that have never been

considered, in fact, have been considered. This project has been in the works for 15 years. A panel of experts has looked at all options and beach nourishment is the only legal alternative. No conditions have changed that would allow the other options to move ahead.

Commissioner Byrd said that we may need to pull the shoreline back to a protectable area and perhaps moving the duneline back. There needs to be a different philosophy to move forward.

Commissioner Cahoon asked Mr. Sturza when he meets with the Corps of Engineers on Wednesday to check into what new environmental impact studies would have to be done for the county to pursue the project independently and what time frame is involved. She suggested meeting with the Towns and the Beach Nourishment Committee to get their input about which strategy to pursue. Oregon Inlet dredging needs to be pursued for hot spots on Hatteras Island. She suggested pursuing agreements with the National Park Service to move this option forward. She asked what it would take to have permits in place so an agreement would enable the county to do hot spot maintenance while there is the possibility of a pipeline agreement with NPS. to do our own project.

Commissioner Tillett asked if the short term alternatives would include Hatteras Island. Mr. Sturza responded that there are erosion hot spots on Hatteras Island and as long as they are applying their own money the Board would include the island. A project manager would be needed if the county worked outside the federal project. The sunset for the tax ends in eight years from the time it is passed. After eight years, the General Assembly would have to decide whether to renew the tax. Theoretically it is possible.

Vice Chairman Hooper has followed beach nourishment for a long time. He thinks it is the only answer. He would hate to see the county study the issue to death. Permits will be hard to get, particularly with the National Park Service. He says both short and long term options are excellent and he would encourage the Beach Nourishment Committee to move ahead.

Mr. Sturza explained that in a past meeting with the Corps of Engineers it was stated that it would take 18 to 24 months for the County to obtain permits and that may be cut down to 12 to 18 months.

MOTION

Commissioner White moved to instruct staff to move forward on short and long term options as have been outlined.

Commissioner Cahoon seconded the motion.

Commissioner Byrd reiterated they need a more flexible long term planning and while this might be a component to it she does not think it goes far enough and does not think it recognizes the real environmental challenges over the long run. That we are not taking the opportunity to step back and listen to how the people feel about this issue.

VOTE: AYES (5) White, Cahoon, Tillett, Judge & Hooper
NOES (1) Byrd

ITEM 11 – UPDATE ON OREGON INLET BRIDGE

Attorney Mills reported that she has spoken to the new DOT staffer assigned to the project. Final completion date is now being stated as 2010 so Commissioner White's talks with the Secretary must have had a positive effect. The short bridge alternative has received verbal commitment from all agencies and DOT has about half of the necessary signatures. The hot spot issues are still part of the review process. Commissioner White stated that he had no additional information to report. It does appear the project is back on track for completion in 2010.

ITEM 12 – CONSENT AGENDA (ATT # 3)

MOTION

Commissioner Cahoon moved the approval of the Consent Agenda:

- A. Approval of Minutes – September 7 & 9, 2004
- B. Public Works – Sanitation Contracts
- C. Budget Amendment to receive grant for Fire Marshal

Commissioner Byrd seconded the motion.

VOTE: AYES unanimous

ITEM 13 – BOARD APPOINTMENT – INDUSTRIAL BONDING AUTHORITY

MOTION

Commissioner White moved the reappointments of the following to serve on the Industrial Bonding Authority: Rondall Tillett / four year term to expire in 2008; Chris Payne/Six Year term to expire in 2010; John Robert Hooper / six year term to expire in 2010; Kenneth Whittington / six year term to expire in 2010.

VOTE: AYES unanimous

The seats held by Anna Sadler, Edward Greene, are open and are two year terms.

The seat held by Warren Judge is a four year term. He cannot serve as he is an elected official.

ITEM 14 – PUBLIC COMMENTS – 5:30 P.M.

1. Ray Midgett, Southern Shores, does not think that the Board has public support for the project. He said that the Warner Act (Homeland Security) has nothing to do with lack of funding. The work done in the 1930's is not an engineered beach. He asked the Board to get away from this. He also spoke about the recovery of the beach following nourishment and that there will have to be replenishment every two years. He asked the Board not to impose a sales tax because people do not want to be taxed to protect private oceanfront property. He asked the Board to be honest and referred to photos where a berm established by FEMA has almost been demolished.
2. Mark Martin, of Southern Shores, spoke in support of beach nourishment and that he is willing to help pay for it. He said that all of the work will go out the window if it is not supported.
3. Russell Lay, Nags Head, stated that he does not own any property near the beach but uses the beach a lot. He believes that the nourishment will

work and he refuses to believe that it cannot be fixed. He supports the sales tax and called for a public hearing.

ITEM 15 – COMMENTS BY COMMISSIONER TILLET

- Walker Park in Wanchese – Manager Wheeler responded he received a letter from Parks & Recreation that the building is leaning. He assured that the building is safe and will be straightened. Money has been included in next year's budget.

ITEM 16 – COMMENTS BY COMMISSIONER WHITE

- Airport Airspace – He asked if the Board has taken a position on the air space controlled by the military and if not to take the position to oppose any air space.

MOTION

Commissioner Cahoon moved to send a letter opposing any additional airspace be created for the military.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

- NCACC / Amendment One (Self financing development bonds that are subject to voter approval on November 2, 2004).

MOTION

Commissioner Tillett moved to approve Resolution #04-09- Supporting Approval of Amendment One.

Commissioner Cahoon seconded the motion.

Commissioner Byrd opposed passing a resolution about a matter that is going to be on the November ballot.

VOTE: AYES (5) Tillett, Cahoon, Judge, Hooper & White

NOES (1) Byrd

- Deadline for Goals to NCACC – He noted that the deadline for goals is approaching and asked the Board to send him any goals they would like to have considered.
- Pasquotank County Property in Dare County – He was asked by a Pasquotank County Commissioner why they Board had not asked to be considered for their land in Dare County. He is not sure of the Board's position but assured that they were not many tracks left that could accommodate a civic center. Pasquotank Board and the Hospital Board have decided to sell the property.

MOTION

Commissioner White moved send a letter asking that they be notified about the sale of the property.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 17 – COMMENTS BY COMMISSIONER BYRD

- Grants committee – She would be willing to work on that committee with other commissioners.

- Older adult issues – She felt that a board may need to be created concerning older adult issues so there is coordination as to services available. So many elderly people are coming forth with issues. She asked that this be placed on the agenda in the near future.
- Rural Planning Organization – She received a letter from the Rural Planning Board asking if anyone in Dare County would like to attend a workshop on Access Management Handbook Training. Commissioner White responded that it was not needed in Dare County and the engineers are aware of the new DOT driveway policies and that the Planning Director should be made aware of this.

ITEM 18 – COMMENTS BY MANAGER WHEELER / UNC-TV (ATT #)

- Manager Wheeler reported that UNC TV, the public television network serving North Carolina, has filed a petition to change WUND-TV/DT's community of license from Columbia, NC to Edenton, NC. It would be made satellite and would carry public television in Virginia and North Carolina.

MOTION

Vice Chairman Hooper moved to send the attached letter to the FCC supporting a petition filed by UNC-TV to change their community of license from Columbia, NC to Edenton, NC. The benefits of this change are outlined in the letter. It would enable satellite television customers to receive the station.

Byrd

ITEM 16 – UPCOMING BOARD APPOINTMENT FOR OCTOBER

Oregon Inlet & Waterways Commissioner is the upcoming board appointment for October.

**AT 6:35 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS
ADJOURNED UNTIL 9:00 A.M. ON OCTOBER 4, 2004.**

(SEAL)

Respectfully Submitted,

By: _____
Frances W. Harris
Clerk to the Board

APPROVED:

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