

**DARE COUNTY  
NORTH CAROLINA**

**THE DARE COUNTY BOARD OF COMMISSIONERS MINUTES  
APRIL 2, 2007**

The Dare County Board of Commissioners met in a regular session at 9:00 a.m. on April 2, 2007 in the Dare County Administrative Annex in Manteo. Commissioners present were: Warren Judge, Virginia Tillett, Allen Burrus, Richard Johnson, Mike Johnson, Max Dutton and Jack Shea. Also present were County Manager Terry Wheeler and County Attorney Bobby Outten. A moment of prayer was offered by Commissioner Mike Johnson followed by the pledge of allegiance to the flag.

**ITEM 1 – AMEND AGENDA**

**MOTION**

Commissioner Shea moved to add Finance Budget Amendment to the agenda making it Item 13A.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

**ITEM 1A – PRESENTATION OF COUNTY SERVICE PINS**

1. Kenneth Randall, EMS Tech. Intermediate, received his 10 Year Pin from Skeeter Sawyer, EMS Director.
2. Gregory Padilla, Deputy Sheriff Sergeant, received his 10 Year Pin from Rodney Midgett, Sheriff.
3. Nancy Huff, Social Worker Supv. II, received her 15 Year Pin from Jay Burrus, Social Services Director.
4. Raymond Moore, Environmental Health Spec., received his 20 Year Pin from Anne Thomas, Health Director.

**ITEM 2 – EMPLOYEE OF THE MONTH**

Connie Daniels, Housekeeper, received the Employee of the Month Certificate from Anne Thomas, Health Director. According to Ms. Thomas, Connie is an essential part of the daily operations at the Health Department. She takes her job seriously and takes pride in her responsibilities. She is always looking to make improvements and tries to make everyone's day a little brighter. She shows genuine care and concern for those around her and is well deserving of the Employee of the Month Award.

**ITEM 3 – TAX COLLECTOR OF THE YEAR FOR THE STATE OF NORTH CAROLINA**

Chairman Judge recognized Michelle Evans, Tax Collector, for having received the Tax Collector of the Year for the State of North Carolina. She received her award from the Tax Collectors Association on March 22, 2007 in Forsyth County. The Board is very proud of her collection rate of 99.21%.

**ITEM 4 – PUBLIC COMMENTS**

No one came forward to speak.

**ITEM 5 – REPORT ON THE 2006 OBX MARATHON**

Mike Kelly, Chairman of 2006 OBX Marathon, updated the Board on last year's marathon. He said the economic impact for the event was \$3 million, according to the Visitors Bureau. There were participants from every state except Alaska. Five records were broken, one being a national record. One Lebanese Regional record was broken in the half marathon. The marathon was so successful and such a wonderful event because the citizen and spectator support was incredible. Mr. Kelly said 4,400 runners registered last year with 3,700 actually participating. 6,000 runners is the goal for 2007. There were many examples of county participation and he thanked the Commissioners for that. He then took time to thank the County for their support of the 18<sup>th</sup> annual Kelly's St. Patrick's Day Parade. 10,000 people attended with 1,500 people in the parade. It has become an event that brings in spring season.

**ITEM 6 – FOOD FOR THOUGHT**

Nick Nuzzi updated the Board on the activities of the Food for Thought Program, a special program operated by eight board members. Mr. Nuzzi serves as the board member who is the liaison with the Board of Education. He introduced all Board Members and asked Ed Hazelett to come forward. Mr. Hazelett presented the attached information about the Food for Thought program-how it was created through a grant from the Outer Banks Community Foundation and has grown to serve 243 children throughout Dare County (from all 5 elementary schools). They send breakfasts and lunches home on the weekends for the children. The meals cost \$5 per weekend per child. They are expecting over 300 children next year. They will soon have a web site. In 2008 they will be exploring the idea to expand the program during the summer months.

Chairman Judge expressed appreciation for the presentation.

**ITEM 7 – JUVENILE CRIME PREVENTION COUNCIL PRESENTATION**

Eddie Lynch, Chairman of JCPC, gave a brief overview of the Juvenile Crime Prevention Council. Sherri Ellington, Vice Chair, of JCPC and Chief Juvenile Court Counselor for District One gave a Power Point presentation on Dare County Youth, 2005-2006, a collaborative between the North Carolina Department of Juvenile Justice and Delinquency Prevention.

**ITEM 8 – CHILD ABUSE PREVENTION MONTH 2007 PROCLAMATION**

Sara Sampson, Family Services Coordinator, and Tanya Barkley-Graham, Department of Social Services were present. Attorney Bobby Outten read the proclamation.

**MOTION**

Commissioner Shea moved to adopt the Child Abuse Prevention Month 2007 Proclamation.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

**MOTION**

Commissioner Shea moved to excuse Commissioner Richard Johnson who had to leave.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – GEM ADULT DAY SERVICES PRESENTATION**

Gail Sonnesso, GEM Adult Day Services, Inc., introduced Lynda Hester, who presented the PowerPoint show about dementia and Alzheimer's that explains why group respite care is a valuable resource for family caregivers and Dare County. It also included specifics about the GEM program and care they provide for people with dementia. The Board applauded the group for their work.

**ITEM 10 – DOMINION POWER RIGHT OF WAY AGREEMENT (ATT # 1)**

Manager Terry Wheeler presented Dominion Power's request for a right of way agreement around the north and south property lines of the Old Manteo Middle School. Harold Parker and Jay Tutwiler of Dominion Power were present to answer any questions. They indicated everything will be underground.

**MOTION**

Commissioner Burrus moved to approve the right of way agreement.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

**ITEM 11 – STUMPY POINT WATER & SEWER AUTHORITY CONTRACT AMENDMENT WITH THE RURAL CENTER (ATT # 2)**

**MOTION**

Commissioner Shea moved to recess the Board of Commissioners meeting and convene the Stumpy Point Water & Sewer Authority.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

Ray Sturza, Planning Director, informed the Board that the contract with the Rural Center to finance the Stumpy Point Wastewater Treatment Plant needs to be amended and the completion date revised. In addition, the N.C. Division of Water Quality and the U.S. Army Corps of Engineers have requested new wetlands delineations and raised other issues concerning the project. Mr. Sturza explained that wetland delineations must now be done for each individual lot. The federal agency has determined that bringing a wastewater plant to the village even though it has limited capacity, is economic development and has the potential to generate economic development. Mr. Sturza has written a letter letting them (Corps of Engineers and NC Division of Water Quality) know that the building of house is all that the plant will facilitate and he disagrees with their determination. Representatives of both of these agencies were not present to explain these issues to the Board, but will be asked to attend a future meeting to provide additional details.

**MOTION**

Commissioner Shea moved to amend the Contract and to revise completion date.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

**MOTION**

Commissioner Shea moved to recess the Stumpy Point Water & Sewer Authority and reconvene the Board of Commissioners meeting.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

**ITEM 12 – SAND FENCING & DUNE PLANTING PROJECT (ATT # 3)**

Lee Wrenn, Shoreline Manager, presented the Shoreline Management Commission's recommendation for a 3 year pilot project of sand fencing and dune plantings to be financed from interest earned on fund balance from monies collected from the 1% sales tax for shore protection.

**MOTION**

Commissioner Shea moved the approval of Shoreline Management Commission's recommendation for a three-year sand fencing and dune plantings project to be funded from interest earned on 1% sales tax collected for shore protection.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

**ITEM 13 – COUNTY GOVERNMENT WEEK**

Dorothy Toolan, Public Information Officer, and Gary Gross, EMS Paramedic and Chairman of the County Government Week Committee, provided a short presentation about plans for County Government Week 2007. She presented a proclamation for adoption.

**MOTION**

Commissioner Tillett moved the adoption of County Government Week April 22-28, 2007, Dare County Government, Ready to Serve.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 131A – FINANCE DEPARTMENT BUDGET AMENDMENT (ATT # 4)**

Dave Clawson, Finance Director, informed the Board that revenues for the current year are down significantly with a projected deficit of \$1.4 million. Over the last months, the projected deficit has increased. He explained that it takes several months for the Department of Revenue to process sales tax figures. The causes of the deficit are real estate and construction related. The following suggestions were offered:

- Reduce the current year transfer to the school capital reserve fund by one million. The School Debt Repayment Plan has the capacity to absorb the reduction.

- Implement a hiring freeze for vacant positions in the General Fund through June 30 (17 vacancies). Do not freeze vacant positions (5 total) for Communications, Detention Center and Drug Rehabilitation (\$325,000).
- Take 25% of UNSPENT balances of travel, training, supplies, and operating expenses from General Fund Departments (\$135,000 savings).

**MOTION**

Commissioner Shea moved to approve the plan as recommended and approve the budget amendment.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

**ITEM 14 – UPDATE ON OREGON INLET BRIDGE**

Vice Chairman Burrus reported on the two DOT meetings (Justice Center and Rodanthe). He heard some interesting speeches during the last two days and it was unanimous that everyone wants the short bridge alternative and wants it done quickly. There seems to be a more uniform voice and he was pleased to see that all were on one page and he hopes it will push things forward more quickly. Work on asphalt along Highway 12 has been completed and the road is looking a lot better. Also, sand bags are down at the s-curve with some repaving. He is very pleased with the results.

**ITEM 15 – CONSENT AGENDA (ATT # 5)**

**MOTION**

Commissioner Shea moved to approve the Consent Agenda:

1. Approval of Minutes with correction made. – 3/19/07
2. Dare County Older Adult Services Budget Amendment

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

**ITEM 16 - BOARD APPOINTMENTS**

1. AIRPORT AUTHORITY

**MOTION**

Commissioner Shea moved the reappointment of Richard Johnson to serve a four year term, the appointment of Steven Evans to fill the expired term of Jay Wheless and J. David Harden to serve a four year term on the Airport Authority.

VOTE: AYES unanimous

2. OLDER ADULT SERVICES ADVISORY COUNCIL

**MOTION**

Commissioner Tillett moved the appointment of Lynda Hester to fill the unexpired term of Mary Conway. (11/06-11/10).

VOTE: AYES unanimous

**ITEM 17 – COMMISSIONERS' BUSINESS**

**COMMISSIONER MAX DUTTON**

- Community Development Council – He attended his first CDC meeting with Chuck Poe, Director of CDC, and Bo Taylor. There have been

meetings held with Manteo and First Flight teachers regarding the proposed development in Kill Devil Hills for teachers. There was light attendance in Manteo and good attendance at First Flight. Good input was received.

- Town of Nags Head Beach Nourishment – He noted a Public Information Session will be held by the Town of Nags Head on April 14<sup>th</sup> at 2:00 p.m. at the Fire Station in Nags Head. The referendum will be held on April 17<sup>th</sup>. He supports the bond referendum for beach nourishment.

#### COMMISSIONER VIRGINIA TILLET

- Dare Day – She announced that Dare Day is the first Saturday in June. She asked the Board to submit a name as a possible candidate for the Dare Day Award. A list of past recipients was passed out.
- Solid Waste Transfer Station – She has received calls about the cats that were left behind at the closing of the station. Animal Control is aware of the situation.
- Water fees for Roanoke Island Project – Manager Wheeler responded that the Board of Commissioners has not made a decision regarding the expansion of the water system. There will be meetings held for public input when a decision is made.
- Working Waterfronts – She recently read an article about the committee and what an excellent job they were doing.

#### VICE CHAIRMAN BURRUS

- JCPC- He mentioned that Holly Givens does great work and is helping with the substance abuse program in the schools.
- DOT Meetings – Approximately 100 people attended the public hearing at the Justice Center and about 140 attended in Rodanthe. He thanked DOT for their work along Highway 12.
- Working Waterfronts – They are finishing the second phase and will submit it to the Senate and House by April 12<sup>th</sup>. Once completed, he will email to the board.
- Substance Abuse Program – An employee has been hired and will begin working this week.
- Happy Anniversary to his wife of 31 years.

#### COMMISSIONER JACK SHEA

- GEM Center – He felt it was important for the County to support the work being done by Gail Sonesso and staff for families and patients of Alzheimer's.

#### CHAIRMAN WARREN JUDGE

- Senate Bill 1484 – He referred to the Medicaid Bill that would take Medicaid costs away from the county but also would take away the article 44 local sales tax. The net revenue loss for Dare County in 2008 would be \$2.05 million.

#### MOTION

Vice Chairman Burrus moved to oppose the bill and update their resolution and send to the Senate and House of Representatives.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

- Senate Bill 901 – This bill will take the power away from the Insurance Commissioner to be the judge in rate cases and give it to the court system. Jim Long has served the state well and this would be a mistake.

**MOTION**

Commissioner Shea moved to have the County Attorney draft a letter of opposition from the Board and send to Raleigh.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

**ITEM 18 – UPCOMING BOARD APPOINTMENTS FOR MAY**

The Health Board and the Board of Adjustment are the upcoming Board Appointments for May.

**ITEM 19 – LUNCH WITH JUVENILE CRIME PREVENTION COUNCIL (JCPC)**

AT 11:30 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED FOR LUNCH WITH JUVENILE CRIME PREVENTION COUNCIL (JCPC). THE NEXT REGULAR MEETING IS 5:00 P.M. ON APRIL 16, 2007.

(SEAL)

Respectfully Submitted,

By: \_\_\_\_\_  
Frances W. Harris,  
Clerk to the Board

APPROVED:

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