

**DARE COUNTY
NORTH CAROLINA**

**THE DARE COUNTY BOARD OF COMMISSIONERS MINUTES
AUGUST 6, 2007**

The Dare County Board of Commissioners met in a regular session at 9:00 a.m. on August 6, 2007 in the Dare County Administrative Annex in Manteo. Commissioners present were: Warren Judge, Virginia Tillett, Allen Burrus, Richard Johnson, Mike Johnson, Jack Shea and Max Dutton. Also present were County Manager Terry Wheeler and County Attorney Bobby Outten. Chairman Judge called the meeting to order. He asked everyone to remember the friends and family of those involved in the tragic bridge collapse in Minneapolis. This was followed by a moment of silent meditation and the pledge of allegiance to the flag.

ITEM 1 – AMEND AGENDA / ADD CLOSED SESSION

MOTION

Commissioner Shea moved to add a closed session (litigation) to the agenda as Item 20.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 1A – PRESENTATION OF COUNTY SERVICE PINS

1. Virginia Midgett, Emergency Medical Technician Lt., received her 10 year pin from Skeeter Sawyer, EMS Director.
2. Jim Kelly, Senior Real Property Appraiser, received his 10 Year Pin from Greta Skeen, Tax Assessor.
3. John Kissinger, Deputy Sheriff Sgt., received his 10 Year Pin from Rodney Midgett, Sheriff.
4. Mark McKay, Deputy Sheriff Master Officer, received his 10 Year Pin from Rodney Midgett, Sheriff.
5. Heidi Wescott, Office Support Specialist, received her 15 Year Pin from Rodney Midgett, Sheriff.
6. Sandra Barile, Income Maintenance Caseworker II, received her 15 Year Pin from Pat Jump, Family Services Supervisor.
7. Ray Sturza, Planning Director, received his 20 Year Pin from Terry Wheeler, County Manager.
8. Trennis Rawls, Sanitation Equipment Operator II, received his 20 Year Pin from Edward Lee Mann, Public Works Director.
9. Teresa Hurd, Environmental Health Specialist, received her 20 Year Pin from Jack Flythe, Environmental Health Supervisor.

10. Margaret Doerr, Emergency Medical Technician Lt., received her 25 Year Pin from Skeeter Sawyer, EMS Director.
11. Barbara Gray, Register of Deeds, received her 30 Year Pin from Manager Terry Wheeler.

ITEM 2 – EMPLOYEE OF THE MONTH

Heather Gardiner, Health Nurse, received the Employee of the Month Certificate from Laurie White, Health Supervisor. She began working in the Health Department in 1998 and has worked in Home Health, Hospice, and the clinic division. One of Heather's greatest strengths is her willingness to be flexible and versatile. Her knowledge of all of the clinic programs is outstanding. She has been the Lead Family Planning Nurse and QA Coordinator for the division. She assumes the role as their Babies Link Nurse for new born babies in Dare County. She is a very nice person, a friend and there when you need her. She assumes roles left vacant by full time staff. She is a staff team player with an easy going spirit and positive attitude. Ms. White thanked her for her passion and loyalty to public health.

ITEM 3 – PRESENTATION OF ADVANCED SERVICE AWARD

Sgt. W.A. "Tony" Duvall received an Advanced Service Award from the N.C. Sheriff's Education and Training Standards Commission from Sheriff Rodney Midgett. He works with beach deputies and is a volunteer fireman at the Roanoke Island Fire Department in Manteo.

ITEM 4 – PUBLIC COMMENTS

No one came forward to speak.

ITEM 5 – DARE COUNTY TOURISM BOARD (ATT # 1)

Barbara Connery, Chairman, Outer Visitors Bureau ~~Director~~, presented a request from the Dare County Tourism Board for the Board of Commissioners to grant \$255,000.000 to the Town of Manteo. The grant funding will come from line item 4504, Green Space-Open Space Preservation of Land (GOSPL). GOSPL grant program was established to financially assist Dare County Governmental entities in a joint effort to preserve and protect land within critical mass area in Dare County.

MOTION

Commissioner Richard Johnson moved to grant the funding request of \$255,000.00 to the Town of Manteo.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 6 – PRESENTATIONS FOR ROANOKE ISLAND SENIOR CENTER ARCHITECTURAL SERVICES / TABLED FROM JULY 16, 2007. (DOCUMENT FILED IN FINANCE DEPARTMENT)

Dave Clawson, Finance Director, informed the Board that from 10 responses, the CIPC is recommending two firms to the Board from which to select one to

perform architectural services for the Roanoke Island Senior Center. Each firm made a presentation to the Board. The firms are Oakley Collier Architects P.A. (from Rocky Mount) and DJG Inc. (from Williamsburg). Each Board member has a copy of each firm's response to the RFQ.

THE BOARD TOOK A 10 MINUTE BREAK.

Commissioner Tillett thanked the Roanoke Island Senior Center Committee for their decision in reaching this point and recognized the members: Margie Midgett, Malcolm Fearing, Betty Alice Mann, Bea Basnight, Brandi Rheubottom, and Cliff Ogburn and thanked the firms for their presentations.

MOTION

Commissioner Tillett moved to select the firm of Oakley Collier Architects PA. to perform the architectural services for the Roanoke Island Senior Center.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 7 – AMENDMENT NO. 3 AND 4 TO WOOTEN & CO. AGREEMENT
TABLED FROM JULY 16, 2007 (ATT # 2)**

Ray Sturza, Planning Director, informed the Board that in order to complete permit work made necessary by the Army Corps of Engineers and to consider Wooten & Co for the construction phase of the plant, it will be necessary for the SPW&SD to execute amendments to the original Agreement. Copies of both proposed amendments are attached for the Board's consideration.

Mr. Gary Hartong of Wooten & Co was present to answer any questions the Board may have. He reviewed the permits and project schedule and a bar chart outlining the estimated timeline.

MOTION

Commissioner Richard Johnson moved to recess the Dare County Board of Commissioners Meeting and reconvene the Stumpy Point Water and Sewer District.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

MOTION

Commissioner Shea moved to adopt both proposed amendments and the associated budget amendments necessary to execute the amendments.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

MOTION

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

VOTE: AYES unanimous

**ITEM 8 – COLINGWOOD GROUP HOUSING DEVELOPMENT – CUP AND
SITE PLAN REVIEW**

Donna Creef, Senior Planner, informed the Board that Colingwood is a proposed 12-unit group housing development to be located in Colington at the corner of Colington Road and Colingwood Lane. The site is zoned VC-2 village

commercial, and group housing developments are permitted subject to conditional use permit review and approval under the standards of Section 22-31 of the Zoning Ordinance. A State stormwater management permit has been secured and comments from the Health Department are attached.

MOTION

Commissioner Burrus moved to grant CUP approval and site plan approval as recommended by the Planning Board.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 9 – GUTTMAN SUBDIVISION – PRELIMINARY PLAT REVIEW

Donna Creef, Senior Planner, presented the preliminary plat review for approval. Guttman Subdivision is located in Rodanthe, NC. The area is zoned S-1/ Total site is 3.99 acres with the number of proposed lots being 3 lots. The smallest lot area is 15,336 square feet. Vice Chairman Burrus proposed they put a hard surface road (paved). Planning Board will discuss paved roads at the next Planning Board meeting.

MOTION

Vice Chairman Burrus moved to pave the road and directed Planning staff to prepare an amendment for Board consideration.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

MOTION

Vice Chairman Burrus moved to grant preliminary approval as recommended by the Planning Board in July.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

**ITEM 10 – SEATREE LLC SUBDIVISION – PRELIMINARY PLAT REVIEW
(DOCUMENT FILED IN CLERK TO THE BOARD'S OFFICE)**

Ray Sturza, Planning Director, presented the preliminary plat review for approval. SeaTree LLC Subdivision is located on Roanoke Island. The area is zoned R-1. Total site area is 7.11 acres with the number of proposed lots of 13. The smallest lot area is 22,181 square feet. The Planning Board did not recommend approval of the subdivision since the Subdivision Ordinance was amended in 2004 to add language to the streets standards regarding subdivisions on ineligible road <Section 153.40 (e) (1)>. Those providing statements were then sworn in by the Clerk to the Board.

The speakers came forward:

Tom Imeson, 128 Sunny Side Drive, came forward to concur with the action of the Planning Board as this would increase traffic. He said there is the possibility of achieving a second entrance that would go a long way towards making the road eligible. There is a limited easement that the state would not accept. This means that adjacent property owners must maintain the road. There is an unenforceable agreement that says Duke Woods property owners will help maintain Sunnyside Road. They acknowledged issues when Duke

Woods was adopted and that is the reason the Board voted to adopt the amendment to keep this from happening. He asked Commissioners to support the Planning Board in their recommendation.

Ms. Jo Anne Adams, Sunnyside Drive, submitted the attached letter for the record. She spoke about the speed limit and lack of enforcement on the road since it is not on the state system. She urged the Board to go along with the Planning Board's recommendation.

Ray Sturza provided exhibits pertaining to the safety issues that have been recognized. The school buses do not access Sunnyside Drive; their pick up is at the end of Victor Meekins Drive. A number of photographs were submitted to show public safety issues mentioned, including the acute curve in the road.

Doug Langford, Real Estate Broker, Attorney Ike McRee, and Eddie Valdivieso presented the proposed subdivision that is owned by the Jones Family. The plat represents a 7.34 acre parcel that was a part of a much larger parcel. There is development on three sides of the property. Mr. Langford wanted the Board to have confidence in the information so there is no doubt that the Board makes the right and fair decision. The point of fairness, he believed, is obvious, with development on three sides and Sunnyside Drive adjacent to the property. Eddie Valdivieso will discuss the plat. Road improvements for Sunnyside Drive were completed in 2004 and they will present their case as to why Sunnyside Drive does not present a risk to safety.

Ike McRee stated that there are two main points – Sunnyside is the only road for access and egress and it is not eligible for the state system. The only legal means to ingress and egress to the property is by Sunnyside Drive. Dogwood Hills is not a viable means for accessing this proposed subdivision as their restrictive covenants prohibit the use of property for anything other than single family residences. In his opinion, the road (Sunnyside Drive) does not provide an unacceptable risk to public health and safety.

Mr. Valdivieso with Quible and Associates came forward to state that he believes that the proposed subdivision (13 lots) does not present an unacceptable risk to health and safety. He made comparisons to Colington Road and compared the walk to the school bus for students to that of Colington Harbor. Emergency vehicles and garbage trucks are able to access the area. These homeowners will provide a prorated share of the costs associated with maintenance of Sunnyside Drive.

Attorney Ike McRee handed up a report from the DC Sheriff's Office from 2002-2007 regarding calls on Sunnyside and there were no calls relating to any accidents during that time. He handed up Exhibit #1 ingress and egress, Exhibit # 2 Dogwood Hills Subdivision Plat, Exhibit # 3 Duke Woods revised plat and Exhibit #4 Sheriff's Report.

MOTION

Commissioner Shea moved that the proposed SeaTree LLC Subdivision be disapproved based on safety concerns associated with Sunnyside Drive as listed below: (1) the inability of school buses to traverse this road for pick-up of school-

aged children, (2) increased pedestrian traffic (children) to the school bus stops from the proposed SeaTree Subdivision, which will serve as a year-round residential subdivision and (3) the increased vehicular traffic associated with SeaTree Subdivision that will be added to Sunnyside Drive, a road that has been deemed ineligible for acceptance in the NCDOT secondary road maintenance program due to its current design. These issues combined represent unacceptable risks to public safety. I recommend that the developers pursue efforts to bring Sunnyside Drive into a state of eligibility consistent with the NCDOT secondary road maintenance program.

Vice Chairman Burrus seconded the motion.

VOTE: AYES (5) Shea, Dutton, Judge, Johnson, & Burrus

NOES (1) Tillett

THE BOARD RECESSED FOR LUNCH AT 12:45 P.M. AND RECONVENED AT 2:30 P.M.

Commissioner Richard Johnson had permission to leave at lunch time.

ITEM 11 – ANNUAL SETTLEMENT AND CHARGES TO THE TAX COLLECTOR (ATT # 3)

Michelle Evans, Tax Collector, reported to the Board the unpaid taxes and made settlement for the 2006 taxes. The total real estate and personal levy for 2006 was \$42,975,238.88. The total includes all real estate, boats, rental personal property, and business personal. It also includes properties in bankruptcy, property with unknown owners and property in conflict. The total collected by June 29, 2007 was \$42,776,071.39 giving a collection rate of 99.53% on real estate and personal property taxes.

MOTION

Vice Chairman Burrus moved to charge the Tax Collector to collect the 2007 taxes.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 12 – DARE COUNTY WELLHEAD PROTECTION PLAN (ATT # 4)

Ken Flatt, Utilities Director, introduced Dr. Richard Spruill to the Board. Dr. Spruill presented the benefits of the Dare County Wellhead Protection Plan which has been submitted to the NC Department of Environment and Natural Resources for final approval. Dr. Spruill provided information about the current status of the county's wells and an explanation of the various aquifers including the Yorktown Aquifer which is the primary water source locally. He believes the county's wellhead protection plan is well done and presented ideas for the future. A copy of the Wellhead Protection Plan and Channel 20 PowerPoint Presentation is included in the packet. No action was necessary since the Board of Commissioners previously adopted a Groundwater Protection Resolution on September 6, 1999. Chairman Judge expressed appreciation to Dr. Spruill for his presentation.

ITEM 13 – DESIGN REPORT FOR OLD COURTHOUSE

Sandra Williams, project manager with Heery, presented the recommended design and interior finishes for the Old Courthouse renovation into Board of Commissioners meeting space. The CIPC and Heery met five times over the last 8 months to develop the recommendation. The attached presentation provides an overview of the proposed layout.

MOTION

Commissioner Shea moved to proceed with the recommendations and develop design plus construction manager's contract.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 14 – REVISIONS TO FINANCIAL AND BUDGETARY POLICIES (ATT # 5)

Dave Clawson, Finance Director, informed the Board that Finance has drafted revisions to the Financial and Budgetary Policies adopted by the Board of Commissioners on February 21, 2005. Some revisions are from the last set of meetings with the rating agencies (for the Series 2007 COPs), where the agencies agreed with certain proposed changes. Other revisions are either from experience, from making improvements to wording, or from GFOA recommended practices. Revisions are attached.

MOTION

Commissioner Shea moved to adopt revisions to Financial and Budgetary Policies.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 15 – UPDATE ON OREGON INLET BRIDGE

This report is verbatim by Vice Chairman Burrus.

Obviously the last couple of days have re-shown the light not only locally but statewide and nationally on Bonner Bridge. There is an upcoming meeting on August 15th of the Merger Team and at that time they will either make a decision, we hope, on one of the bridges or move it up to another level. I want to encourage them to make a decision. At the same time I want to take a few moments to just think about what has taken place in our country especially in the northeast. I have very much sympathy and I am very sorry for the folks that have lost their lives at the bridge in Minnesota. I can't help but compare it to what takes place on Hatteras Island if something very similar happens. Not only would we lose loss of life which is by far the greatest problem we have and can imagine, but we will also lose our electricity, our life line (economically our life line as far health problems) and reasons in and out of our area. It would be our economic life line. It would totally demolish Hatteras Island and what it does. We would go from a 15,000 car a day that we have this time of year to something a little less than 500 cars a day that a ferry system could take at its very best. I can't imagine that thought process taking place and what the economic input

disturbs me to hear our state officials defend Bonner Bridge that has a rating of 2 and they use an awful lot of thought processes to justify that but 2 when a 100 being good and 0 being bad. It doesn't take an engineer to tell you that they are telling you that's not a very good bridge and is not in very good condition. The bridge has been one of the great wonders of North Carolina. It has held its own, own pilings up off and on for 15 years while they have dangled freely under it and the state has worked hard to put sand and rock underneath it to hold those pilings up. It frustrates me to hear them say. Well I will ride across it 10,000 times knowing that in that comment they are sitting in Chapel Hill and Raleigh and not ever having to ride across there and certainly aren't doing it at times when the weather is bad or there are big trucks ahead of them and the thing shaking a little bit and moving in the wind and you see all those things taking place. Also it is awful peculiar to me that a state organization that will stand and defend it when one avenue will give you \$40 million dollars and another one to fix the problem. Maybe I am not the brightest guy on the block but I certainly can understand that there are an awful lot of problems if it takes \$40 million dollars to fix it and that is a whole lot more than the thing cost originally and is well on its way to making a new one - that \$40 million dollars. I am not upset with them appropriating that money. My goodness, do so. But the fact remains is that our Governor had a great opportunity to show us some leadership and step forward at this time and say, "Let's build the thing and let's get on with it" and he has declined to do so and he constantly refers all questions back to the Secretary who has showed over and over that he is totally incompetent to make a decision of any kind. It is just beyond imagination when you begin to look at the different avenues that have been going on. They have known for 17 years that they've got a problem. This bridge is over and over above its time to be replaced. Seventeen years ago how obsolete or how frustrating or maybe even just how bad can the bureaucracy get to take 17 years to make a decision and it is still in the same Merger Group realm that it was in 17 years ago. It amazes me. Why would they even use an apparatus that would take that long to make a decision? And they will say, "Well you ought to build a long bridge or a short bridge." In the beginning there was no opposition to the long bridge and it didn't get built. It was because they didn't have the money and now they got the money and they still have not built the small one. It just goes on and on as the price escalates and incompetence gets more and more at a level that is intolerable. I deal with the frustration of it every day going back and forth. I listen to vendors that work with me who come to the store in one of those big trucks and stuff that roll their windows down. They unbuckle their seat belts going across it because they are afraid of it. They feel it move under their big trucks when it comes in and out of there. You just wonder when it is going to end. When is somebody in our government going to stand up and say, "It is now build the thing, it is time to do so". Do our elected officials in Raleigh do they work for the bureaucracy or shouldn't the bureaucracy be working for the elected officials? I have to wonder in my own thought process which takes place? As far as worrying about suits, you talk about a law suit. They are worried about some environmentalists suing or this one not being well taken care of, you let the first person die and you let

that person be one of my children or one of my relatives and I will own whatever that Governor has accumulated and some of the others, too, because the liability is on them now like it's never been before. And they know beyond a shadow of doubt and their own engineer has stated, "That's unsafe". And they will continue to let it go without making any drastic decisions. I don't see how anyway you could get away with doing that, Mr. Governor and it bothers me in every avenue. Thank you gentlemen.

Commissioner Tillett expressed her frustrations and asked if there was anything as a Board they could do. Vice Chairman Burrus responded that possibly a resolution could be sent to the Governor asking him now to step forward and build that bridge now. Chairman Judge stated that there will be a Replace the Bridge Website with phone numbers for the Governor's office and Secretary's office. He urged everyone to make these calls and have their family members, friends, and visitors to make calls. There will be a letter on the website for everyone to endorse and send to the Governor's office. He urged everyone to send the letter. He expressed appreciation for Vice Chairman Burrus' speech. The Board concurred to arrange meetings in Raleigh if they could.

ITEM 16 – CONSENT AGENDA (ATT # 6)

MOTION

Commissioner Shea moved to approve the Consent Agenda:

1. Approval of Minutes
2. PARTF Grant Requirement
3. Wetlands Conservation Easement at Hatteras Satellite Office
4. Annual Report: Community Child Protection Team
5. Capital Projects Ordinances and Budget Amendment for Approved CIP
6. Health Department – Dare Respite Care Funding
7. Health Department – Child Fatality Prevention Team Appointments
8. Health Department – WIC Grant
9. Health Department – Community Health Center Grant
10. Health Department – Budget Amendment / Healthy Carolinians
11. Operating Lease and MOU for Hatteras Library

Vice Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 17 – BOARD APPOINTMENTS

1. A.B.C. BOARD

MOTION

Commissioner Tillett nominated Ray White.

Vice Chairman Burrus nominated Guy Midgett.

VOTE: White (1) Tillett

Midgett (4) Burrus, Judge, Shea, & Dutton

Guy Midgett was appointed to serve a three year term on the A.B.C. Board.

2. JURY COMMISSION

MOTION

Commissioner Tillett moved the reappointment of Sandra Robinson to serve a two year term on the Jury Commission.

VOTE: AYES unanimous

3. OLDER ADULTS SERVICES BOARD**MOTION**

Commissioner Shea moved to appoint Lynn Thomason (south beach) and Georgia Ellis (central beach) to serve a four year term on the DCOAS.

VOTE: AYES unanimous

The Hatteras Island seat will be placed on the next agenda – Sept. 4th.

4. STUMPY POINT COMMUNITY CENTER BOARD**MOTION**

Vice Chairman Burrus moved the reappointments of Roger Best, Linda Barbee, Naomi Midgett and Jeff Griffith to serve a three year term on the SPCCB.

VOTE: AYES unanimous

ITEM 18 – COMMISSIONERS' BUSINESS**1. VICE CHAIRMAN BURRUS**

- Letter to NCDOT TIP – He asked that a letter be sent to NCDOT Transportation Improvement Plan (TIP) asking for assistance in cleaning the drains in Hatteras Village. Some of the drains are 30 years old.
- National Park Service – He thanked NPS in a couple areas: (1) the leadership of Supt. Mike Murray and his work with the ORV programs. Federal Judge Boyles issued a verbal statement to close all beaches to four-wheel drives on Hatteras Island and Supt. Murray responded by standing up and stating what Dare County needed. He was straight forward and informed the Commissioners of what was going on. (2) He asked that Lee Wrenn, someone with shoreline experience, be made an alternated on the Negotiated Rulemaking Committee. He will attend when Chairman Judge cannot. (3) He thanked the NPS, Public Works, Senator Basnight's office, and COE that Walter Slough has been dredged along with some dredging in the basin itself. It took 90 days or less to complete the work. One of the things that has taken place in the whole process is that the Oregon Inlet area is looking better. Construction will begin 9/15 on the bar and pit and they are hoping to put the sand on the south side which will be a major difference. We will have a reservoir for emergencies which will make a big difference in the sand itself.
- Working waterfront – He asked the Board to promote him to sit on the State Marine Fisheries Sub Board as a Commissioner Representative for that Board.
- Trash on Hatteras Island – Public Works Department does not operate the pickup of trash on Saturdays and Sundays and the cleaners come to the motels those two days. Thus the trash cans are filled when vacationers arrive. He asked the County Attorney to research an ordinance for more trash cans for the rental houses. An ideal situation would be to have X number of trash cans per bedroom.

- Fireworks – The Fireworks Ordinance has worked well and the number of calls to the Sheriff's Department has reduced.
- Facilitate a meeting – He would like to facilitate a meeting with the Visitors Bureau to create another committee for tourism. When the beaches are closed, Hatteras Island is shut down. Other areas of interest need to be promoted rather than just the beaches.
- Social Services/Health Department Reports - The issuance of food stamps has increased and the Board should take a look to be sure all is being done to help those people who are out of work.
- Coastal Studies Institute – He thanked Senator Marc Basnight's office for the funding for CSI (\$38 million dollars) and Graveyard of the Atlantic (\$300,000) and to also include it in the state line of museums.

2. COMMISSIONER JACK SHEA

- Employee of the Month and County Service Pins – Congratulations to all of the employees who were recognized for good and faithful service to the county.

3. COMMISSIONER MAX DUTTON

- Employed of the Month / County Service Pins – He echoed Commissioner Shea's comments.
- Roanoke Island Senior Center – He was pleased they are moving forward on the senior center and pleased with the firm that was chosen – Oakley & Collier Inc.
- Bonner Bridge rating – He noted that the bridge was rated a 2 and wondered what the bridge in Minnesota was rated. Burrus responded 50.
- Out of town – He can be reached Tuesday, Wednesday, and Thursday by cell phone since he will be in Graham, NC.

4. COMMISSIONER VIRGINIA TILLET

- Collins Park Resolution (ATT # 7)

MOTION

Commissioner Tillett moved to adopt Resolution #07-08- 25 Requesting Funding for Improvements to Collins Park.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

- Water Projects – Sydney Fleming with Soil & Water Conservation is keeping her updated and she will share with the group when she receives a full report.
- Bowsertown Road – The road is full of ruts and the shoulders have not been mowed in a very long time. Local DOT will handle the issue.
- Water for Wanchese / Roanoke Island – She feels they need to resolve the issue.
- Citizen complaint – Ray Sturza, Planner, will look at the property on Amelia Heights filled with junk vehicles.
- Roanoke Island Senior Center – She will meet with the RI Senior Group to look at the design that was chosen today and asked that a CIP member be present.

- **Boards/committees** – She has been approached by concerned citizens asking why the Board appoints the same people to boards when others would like to serve. She suggested the Board needed to review the idea of limiting terms of boards.

5. CHAIRMAN WARREN JUDGE

- **Boards/Commissions** – He appointed Commissioner Tillett to look into the term limit issue and bring back recommendations at the next meeting.
- **Letter NCDOT** – He asked that the request from Allen Russell, Local DOT, to have the storm water runoff, drain, and cleaning repairs in Hatteras Village be placed in the Transportation Improvement Plan and prepared for signature.
- **Letter to appropriate authorities** – He directed the County Attorney to draft a letter asking that Vice Chairman Burrus be placed on the subcommittee of the Marine Fisheries.
- **Wanchese/Roanoke Island Water Workshop** – He asked the Board to check their calendars between now and the end of September for dates to follow up on the water meetings.
- **UNC Doctors** – The state legislature has passed its budget and now is the time to schedule a meeting with the doctors regarding the cancer initiative.

5. ATTORNEY BOBBY OUTTEN

- **Kellogg/Airport Swap** - He reminded the Board that in 2004 the Board did a swap with Kellogg Supply with regard to improvements made at Manteo Elementary School. The Board swapped some property near the airport with them and had some FAA releases granted by the FAA. At that time there were two easements that were adjacent to that property and were used for access that did not get included in the FAA release. In order to get it finalized and released they have to go through the whole process again. He will have to get another survey and appraisal and will come back before the Board before he moves forward.

MOTION

Commissioner Shea moved to have the County Attorney move forward with the survey and appraisal.

Vice Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 19 – UPCOMING BOARD APPOINTMENT FOR SEPTEMBER

The upcoming Board Appointments for September are Dare Day Committee and Nursing Home Community Advisory Committee.

ITEM 20 – CLOSED SESSION

MOTION

Vice Chairman Burrus, pursuant to the provisions of NCGS 143-318.11, moved that the Dare County Board of Commissioners go into closed session to consult with an attorney employed or retained by the county in order to preserve the attorney client privilege between the attorney and the county.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

AT 5:15 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS ENTERED
CLOSED SESSION AND EXITED AT 5:50 P.M.

Chairman Judge reported the Board met with the County Attorney about matters
to protect the attorney client privilege and took no further action.

AT 5:55 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS
ADJOURNED UNTIL 9:00 A.M. ON SEPTEMBER 4, 2007.

(SEAL)

Respectfully Submitted,

By: _____
Frances W. Harris,
Clerk to the Board

APPROVED:

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