

**DARE COUNTY
NORTH CAROLINA**

**THE DARE COUNTY BOARD OF COMMISSIONERS MINUTES
DECEMBER 3, 2007**

The Dare County Board of Commissioners met in a regular session at 9:00 a.m. on December 3, 2007 in the Dare County Administrative Annex in Manteo. Commissioners present were: Warren Judge, Virginia Tillett, Allen Burrus, Richard Johnson, Jack Shea, Max Dutton, and Mike Johnson. Also present were County Manager Terry Wheeler and County Attorney Bobby Outten. Fran Harris, Clerk to the Board, called the meeting to order. She called on Commissioner Mike Johnson to offer prayer followed by the pledge of allegiance to the flag.

ITEM 1 – ELECTION OF CHAIRMAN

Fran Harris, Clerk to the Board, conducted the Election of Chairman. Allen Burrus nominated Warren Judge.
VOTE: AYES unanimous
Warren Judge was elected Chairman.

ITEM 2 – ELECTION OF VICE CHAIRMAN

Chairman Judge conducted the election of Vice Chairman. Commissioner Mike Johnson nominated Allen Burrus.
VOTE: AYES unanimous
Allen Burrus was elected Vice Chairman.

ITEM 3 – PRESENTATION OF COUNTY SERVICE PINS

1. Willie Brickhouse, Fleet Maintenance Mechanic, received his 10 Year Pin from Edward Lee Mann, Public Works Director.
2. Phyllis Hardison, In-Home Service Aid, received her 10 Year Pin from Theresa Edwards, Adult Services Social Work Supervisor III.
3. Barbara McClees, Income Maintenance Caseworker II, received her 10 Year Pin from Pat Jump, Family services Social Work Supervisor.
4. Linda Dunnigan, Vehicle Tax Administrator, received her 15 Year Pin from Michelle Evans, Tax Collector.

ITEM 4 – EMPLOYEE OF THE MONTH

Susan Saulsbury, Social Services, received the Employee of the Month Certificate from Teresa Edwards, Social Services. Susan has been with the department as a Social Worker since February 1989. She has always set an excellent example for everyone in the department. Mrs. Edwards referred to an article written by a researcher who wanted to know the kind of people who work in social work and those who are recognized to be excellent. The researcher found that the one quality almost universally shared was a deep and abiding belief that all human life is valuable and one can't be so young or so old so sick or troubled or so damaged that they don't matter. She can't think of anyone that has made that belief a part of her life better than Susan.

ITEM 5 – PUBLIC COMMENTS

1. Buddy Thompson, Roanoke Island, stated his interest in the Roanoke Island Senior Center and commended the Board of Commissioners for moving forward on the project. He congratulated the Board for making the Manteo Skateboard Park a reality for the teenagers.

ITEM 6 – UNC PLAN TO ENHANCE CANCER SERVICES IN DARE COUNTY

Anne Thomas, Dare County Health Director, introduced representatives from of the University of North Carolina Health Care System, Mr. Kevin FitzGerald, Executive Associate Dean for Finance and Administration for the UNC School of Medicine and Dr. Richard Goldberg, M.D., Division Chief and Physician-in-Chief of North Carolina Cancer Hospitals. They presented their plan for enhancing cancer care in Dare County. Mr. Kevin Fitzgerald spoke about cancer care in Dare County and this area of the state and the partnerships that are envisioned to enhance services. The new North Carolina Cancer Hospital will support the health of North Carolinians in all areas of the state. Dare County and northeastern North Carolina has services that are not consistently available and the goal is to work with the county and the medical community to form a long lasting partnership to improve cancer care. The Board expressed their appreciation for their work on the project.

ITEM 7 – CHAPTER 152 AMENDMENTS

Donna Creef, Senior Planner, reminded the Board that on November 5, 2007, the Board discussed some proposed amendments to Chapter 152 and voted to forward the alternative for a building height of 45' to the Planning Board for their review. The Planning Board met on November 12, 2007 at which time the 45' building height alternative was presented to them by the staff. The Planning Board voted 6-1 to recommend adoption of the 45' alternative as presented by staff. In order for the Board of Commissioners to proceed with this amendment, a Public Hearing on the 45' alternative must be held.

MOTION

Commissioner Shea moved to schedule a public hearing on January 7, 2008 at 10:00 a.m.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 8 – COMMON DRIVEWAY STANDARDS – PROPOSED SUBDIVISION ORDINANCE AMENDMENTS (ATT # 1)

Donna Creef, Senior Planner, reminded the Board that earlier this year the Board of Commissioners reviewed a proposed subdivision that featured a common driveway as access for several lots. It was noted during the discussion that the Subdivision Ordinance did not include specific standard for common driveways. As a result of that discussion, the Board instructed the Planning Board and Planning staff to review the Subdivision Ordinance Street standards for amendments to address the construction of common driveways.

Attached with this agenda are draft standards for common driveways. These are proposed as an amendment to Section 153.40 of the Subdivision Ordinance which establishes the regulations for streets. The Planning Board conducted a hearing on the common driveways standards at their October 8, 2007 meeting. A copy of the draft language was sent to all the area surveying and engineering firms. Only one person spoke at the Planning Board hearing and his comments were more about subdivision roads in general versus the draft common driveway standards. The Planning Board voted on November 12 to recommend adoption of the common driveways standards.

MOTION

Commissioner Shea moved that the draft standards for common driveways be advertised for public hearing on January 7, 2008 at 10:00 a.m.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 9 – UPDATE OF SUBDIVISION ORDINANCE – STANDARDS FOR STREETS (ATT # 2)

Donna Creef, Senior Planner, informed the Board that during work on drafting the standards for common driveways, it was discovered that other sections of the Streets standards needed updating. Section 153.40 of the Subdivision Ordinance establishes standards for public and private streets. The current language (dating back to the 1980's) relies on NCDOT standards for subdivision roads. Current NCDOT standards permit subdivision streets with 18 feet of pavement for roads up to 2000 linear feet. The County has traditionally required pavement widths of 20 feet (the old NCDOT standard at the time the Subdivision Ordinance was adopted in the 1980's).

In summary, staff presented the draft amendments for direction since they represent more comprehensive amendments than previously instructed by the Board. If upon review of these additional amendments, the Board agrees that the Subdivision Ordinance needs updating, then specific direction to proceed can be given to staff and these amendments re-scheduled for consideration in the early part of 2008. If upon review, the Board is comfortable with the existing language of the Subdivision Ordinance, then no additional instruction to staff will be necessary. In addition, the amendments to the street standards were identified and recommended for action by the Planning Board at the October 8, 2007 meeting, so should it be the pleasure of the Board to proceed with these amendments as provided, the Board need not seek the Planning Board's recommendation prior to moving forward to a Public Hearing as that step has already been completed.

ITEM 10 – JUVENILE CRIME PREVENTION COUNCIL RESOLUTION FOR CONTINUATION OF FUNDING (ATT # 3)

Bonnie Bennett, Friends of Youth Director, informed the Board that the Juvenile Crime Prevention Council (JCPC) has been taken out of the state's recurring budget for fiscal year 2008-2009. This will have a detrimental impact on youth and families in Dare County. The JCPC requested the Dare County Commissioners' support and endorsement of the resolution. Nancy Hodges, the area JCPC Consultant, was present to answer any questions. Attorney Outten read the resolution.

MOTION

Commissioner Shea moved to adopt Resolution #07-12- 32 Supporting the full reinstatement of funding for Juvenile Crime Prevention Council Programs to the continuation budget and to contact the legislators.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 10A – AMEND AGENDA

MOTION

Commissioner Shea moved to amend the agenda to add a closed session (Item 19).

Vice Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 11 – SPRING ARBOR REQUEST (ATT # 4)

Manager Wheeler informed the Board that HHHunt opened Spring Arbor of the Outer Banks in May 2005 which is currently the only licensed residential Assisted Living community on the island. At this time Spring Arbor has reached 94% of the licensed capacity of 72 residents and anticipates reaching 100% in the near future. He noted there is a need for a specialized residential Alzheimer's / dementia care program to serve the residents of Dare County. Presently there only two available dementia care options; the Gem Day Care program and Britthaven Nursing Home. Spring Arbor would like to meet this need by adding an additional 18 licensed beds and creating a residential Alzheimer's / Dementia Care Program within the current footprint of the building, as it has units that could appropriately be converted into a secure program. He noted that in order of them to have the opportunity to create the program, they needed to ask the State's Medical Facilities Planning Section to modify its methodology in determining the number of licensed assisted living beds needed in Dare County and, as a result, reflect a need for an additional 18 beds in Dare County. He asked for the Board's support on behalf of Spring Arbor.

MOTION

Commissioner Tillett moved to authorize the Chairman to send a letter of support.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

**ITEM 12 – AWARD OF FY 2007-08 VEHICLE AND EQUIPMENT FINANCING
(ATT # 5)**

Dave Clawson, Finance Director, informed the Board that on November 21st, the Finance Department received proposals for the financing of county vehicles and equipment as approved in the fiscal year 2007-08 operating budget. As detailed in the attached RFP, the total amount to finance is \$1,760,802. Four responses were received, as shown on the attached tabulation.

MOTION

Commissioner Shea moved to adopt Resolution # 07-12-31 Awarding Financing to RBC Centura, at interest rate of 3.36% for 36 months and authorizing County Manager, Finance Director, and Clerk to execute all necessary documents.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

**ITEM 13 – SCHEDULE OF 2008 BOARD OF COMMISSIONERS MEETINGS
(ATT # 6)**

MOTION

Commissioner Richard Johnson moved to approve the Schedule of 2008 Board of Commissioners Meetings.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 14 – UPDATE ON OREGON INLET BRIDGE

Vice Chairman Burrus reported that he has been assured by Senator Basnight’s office things are going in the right direction. The design is on its way. There is some contention about the landing aspects but it is being worked out. Things are moving along at a slow creeping government way.

ITEM 15 – CONSENT AGENDA (ATT # 7)

MOTION

Commissioner Shea moved to approve the Consent Agenda:

- 1. Approval of Minutes
- 2. Resolution Authorizing the Conveyance of Property

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 16 – BOARD APPOINTMENTS

- 1. ALBEMARLE COMMISSION – BOARD OF DIRECTORS

MOTION

Commissioner Shea moved the reappointment of Richard Johnson to serve a one year term on the Albemarle Commission – Board of Directors.

VOTE: AYES unanimous

- 2. BOARD OF EQUALIZATION AND REVIEW

MOTION

Commissioner Mike Johnson moved the reappointments of the following to serve a one year term on the Board of E&R: John Receveur, Bette Gray, Kerwin W. Hoy, Barbara Britt and Michael Davenport.

VOTE: AYES unanimous

- 3. SPECIAL MOTOR VEHICLE VALUATION REVIEW BOARD

MOTION

Commissioner Mike Johnson moved the reappointments of Richard Johnson and Dock Sawyer and the appointment of Lori Hageman to serve a one year term on the Special Motor Vehicle Valuation Review Board.

VOTE: AYES unanimous

ITEM 17 – COMMISSIONERS’ BUSINESS

- VICE CHAIRMAN ALLEN BURRUS
- Eagle Scout – He commended Connor Winstead for a great dedication.

- Merry Christmas and Happy New Year!
- COMMISSIONER JACK SHEA
- Cancer Care – He is excited about the opportunity to enhance the cancer care and services within the county. He hopes this is a speedy approval and they can move quickly on the process.
- County Service Pins – He commended the individuals who received their service pins and the employee of the month and complimented them for their work.
- Merry Christmas and Happy New Year.
- COMMISSIONER MIKE JOHNSON
- Christmas Season – He asked the citizens to do something nice for your neighbor and Merry Christmas.
- COMMISSIONER MAX DUTTON
- Dedication Ceremony at Welcome Center – He attended the ceremony last Saturday and commended Connor Winstead, Eagle Scout for having the vision of past, present, and future of the fishing industry in Dare County. He is an outstanding young man.
- Festival of Trees – He attended the Hotline Festival of Trees and reported they raised \$75,000. He urged everyone to continue supporting Hotline.
- Merry Christmas & Happy New Year and be safe!
- COMMISSIONER VIRGINIA TILLET
 - Calendar: December 7th - First Friday in Manteo – the lighting of Manteo's Christmas tree; December 8th – Manteo Christmas Parade; December 11th – Teen Court Party and JCPC Luncheon at Embarq Building and December 18th – Saturday at 6pm at Roanoke Island Community Headstart Building – Toys for Tots.
 - Christmas Breakfast – She thanked Rhonda and Fran.
 - Employee of the month – She congratulated Susan Saulsbury, a very caring employee of Dare County.
 - Cancer Program in Dare County – She wants to be sure citizens are aware of the plans for the program.
 - Happy Holidays!
- 4. COMMISSIONER RICHARD JOHNSON
 - Cancer Care – He is appreciative of Dare County's program.
Christmas Season – He hopes everyone takes time to be thankful and enjoys the Christmas Season.
- 5. CHAIRMAN WARREN JUDGE
 - Eagle Scout – He noted that Connor Winstead had a wonderful dedication with two excellent speakers – Reverend David Daniels and Vice Chairman Allan Burrus who blended history of fishing with folklore.
 - CIP Projects - Roanoke Island Senior Center / Restoration of old courthouse – He hopes to bring these items to the Board in January.
 - 800 Mhrz – He met with the Sheriff last week regarding Mhrz. The radio system has infrastructure issues (old and outdated) and operational issues (channels crowded and users up 300%). Now the FCC is cutting the narrow

banding by 25%. The recommendation is to go to a trunking system. He said the next step is to get Motorola to come and engineer the county before making a commitment. The Board concurred.

- County Service Pin / Willie Brickhouse – He noted that families like Willie's are invaluable to Dare County.
 - Cancer project – This will be a move up for the folks in Dare County and northeastern North Carolina to have that type of facility so close to home.
 - He thanked the Board of their support for him as Chairman for another year. Merry Christmas and Happy New Year!
6. COUNTY ATTORNEY BOBBY OUTTEN (ATT # 8)
- North Carolina Dominion Power Easement – This easement will allow power to the new administration building on Highway 64/264.

MOTION

Vice Chairman Burrus moved to approve and authorize the Chairman to sign the easement.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

7. COUNTY MANAGER TERRY WHEELER (ATT # 9)
- Percy W. & Elizabeth G. Meekins Charitable Trust Grant – The Board approved the grant application for \$60,413.29 from the Percy W. & Elizabeth Meekins Charitable Trust at their June 18th meeting. The grant has been awarded and the money will be used to equip the nutrition room in the new Roanoke Island Senior/Community Center. The trust requests that the main community multi-purpose room be named for Percy W. and Elizabeth G. Meekins.

MOTION

Commissioner Richard Johnson moved to accept the grant and authorize the Chairman to sign.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Manager Wheeler wished everyone a Merry Christmas and Happy New Year!

ITEM 18 – UPCOMING BOARD APPOINTMENTS FOR JANUARY

The following are the upcoming board appointments for January: Nursing Home Community Advisory Council and Dare County Transportation Advisory Board.

ITEM 19 – CLOSED SESSION / LAND MATTER

MOTION

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

Commissioner Shea seconded

VOTE: AYES unanimous

AT 11:15 A.M., THE DARE COUNTY BOARD OF COMMISSIONERS ENTERED
CLOSED SESSION AND EXITED AT 11:25 A.M.

Attorney Outten reported the Board of Commissioners gave the County Attorney
guidance with respect to the contract for Donnie Odem's property in Buxton Harbor and
for the Lighthouse Estate's property next to the Water Plant in Rodanthe and took no
other action.

AT 11:30 A.M. THE DARE COUNTY BOARD OF COMISSIONERS ADJOURNED
UNTIL 9:00 A.M. ON JANUARY 7, 2008. MERRY CHRISTMAS!

(SEAL)

Respectfully submitted

By: _____
Frances W. Harris
Clerk to the Board

APPROVED:

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