



COUNTY OF DARE, NORTH CAROLINA

District 1: Roanoke Island & Mainland; District 2: Nags Head, Colington, Kill Devil Hills; District 3: Kitty Hawk, Southern Shores, Duck; District 4: Chicamacomico, Avon, Buxton, Frisco, Hatteras; District 5: At Large

Meetings of the Dare County Board of Commissioners are videotaped and can be viewed at www.darenc.com

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

9:00 a.m., March 3, 2014

Commissioners present: Chairman Warren Judge, District 3
Vice-Chairman Allen Burrus, District 4
Virginia Tillett, District 1; Wally Overman, District 1
Max Dutton, District 2; Robert Woodard, District 2;
Jack Shea, District 5

Commissioners absent None

Others present: County Manager/Attorney, Robert Outten
Finance Director, David Clawson
Public Information Officer, Dorothy Killingsworth
Clerk to the Board, Gary Gross

Chairman Warren Judge called the March 3, 2014 meeting of the Dare County Board of Commissioners to order at 9:01 a.m. He invited the Rev. Fran Peel to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS

1) Aulander Liverman, Sanitation Truck Driver, received a 15-year pin.

ITEM 2 – EMPLOYEE OF THE MONTH – MARCH 2014

DeShawn Banks, Parks and Recreation Department, received the Employee of the Month certificate for March 2014 from Tim White who described the recipient as someone who goes above and beyond the call of duty and is deeply committed to the FC Minton Charity Basketball Tournament. In accepting the award, Mr. Banks thanked his coworkers and supervisors.

ITEM 3 – PUBLIC COMMENTS

The County Manager outlined the public comment procedure. No one in the meeting room responded to the invitation to make public comments.

ITEM 4 – DARE COUNTY COOPERATIVE EXTENSION – REPORT TO THE PEOPLE

Dr. Travis Burke, District Extension Director, reviewed the 2013 accomplishments of the Dare County Cooperative Extension. He highlighted the value of Cooperative Extension services and introduced a video describing the group's 100th anniversary and depicting the many Cooperative Extension activities that serve the people of Dare County.

ITEM 5 – RODANTHE BEACH ACCESS PROJECT (Att. #1)

County Manager Outten said the project is in the permitting phase and soon will be ready to solicit bids. He explained how the project is planned so that it can be done in phases that will correspond to the available grant funding. He requested approval to move forward contingent on getting the necessary permits. Chairman Judge noted that approval is recommended by the Capital Improvements Planning Committee.

MOTION

Vice-Chairman Burrus motioned to approve the recommendation of the Capital Improvements Planning Committee to develop the project in phases and solicit bids. Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 6 – DARE COUNTY TOURISM BOARD REQUEST CONSENT FOR SPENDING FROM RESTRICTED FUNDS (Att. #2)

Diane Bognich, Director of Administration, presented three requests from the Tourism Board for Restricted Fund spending – 1) \$31,750 for 4th of July Fireworks for Kill Devil Hills, Nags Head, Manteo, and Avon. 2) \$19,250 for the Manteo Preservation Trust to repair the bell tower on the old Dare County Courthouse. 3) \$350,000 for costs associated with Phase 1 of the Outer Banks Event Site. Commissioner Tillett, who represents the Board of Commissioners on the Tourism Board, noted that the Tourism Board at their last meeting acted favorably on these items for presentation today to the Board of Commissioners. Commissioner Woodard said he was glad to hear that Kill Devil Hills is back in the mix for 4th of July fireworks. Chairman Judge outlined the funding parameters for Restricted Funds.

MOTION

Commissioner Shea motioned to approve spending from Restricted Funds for three projects in the amount of \$19,250 for replacing the bell tower on the old Dare County Courthouse, \$350,000 for Phase 1 costs associated with the Outer Banks Event Site, and \$31,750 for 4th of July fireworks.

Commissioner Tillett and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 7 – CITY BEVERAGE GROUP DEVELOPMENT CUP EXTENSION REQUEST

Planning Director, Donna Creef, presented a request from City Beverage Co. seeking an extension of time for a previously authorized Conditional Use Permit (CUP) to construct a second building of storage units at 1099 Driftwood Drive. She said the applicant has been working to obtain state permits and asks for an additional twelve months to secure the building permits. Commissioner Shea raised the safety issue for the nearby airport by noting that this has been approved by the Airport Authority.

MOTION

Commissioner Dutton and Commissioner Overman motioned to amend CUP No. 5-2012 for an additional 12 months to secure building permits as requested.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 8 – AWARD OF FY2013-2014 VEHICLE & EQUIPMENT FINANCINGS (Att. #3)

Finance Director, David Clawson, explained the proposals for financing of county vehicles and equipment that was approved in the fiscal year 2013-14 budget. He identified \$1,825,925 with a 3-year financing term, and \$806,156 with a 4-year term. Mr. Clawson said the lowest total cost for 3-year financing was submitted by US Bancorp Government Leasing and Finance at a rate of 0.936%. He said the lowest total cost for 4-year financing was from the Bancorp Bank at a 1.15% rate. Vice-Chairman Burrus commended the Finance Director on negotiating such impressive interest rates. In response to a question from Commissioner Shea, Mr. Clawson and the County Manager explained what happens to County vehicles that are replaced.

MOTION

Commissioner Shea motioned to adopt Resolutions awarding 3 year financing to U.S. Bancorp GLF and 4 year financing to the Bancorp Bank, and authorize the County Manager, Finance Director, and Clerk to execute all necessary documents.

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 9 – CONSENT AGENDA

The County Manager presented the Consent Agenda.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (02.17.14) **(Att. #4)**
- 2) Gov-Ed Access Channels Committee 2014/2015 Proposed Budget and Interlocal Agreement Update **(Att. #5)**
- 3) Budget Amendment – Outer Banks Natl. Scenic Byway Website Design Donations
- 4) Johnson Controls – Five Year Contract on Administration Building
- 5) Budget Amendment for E911 Needs Assessment Study
- 6) DHHS – Social Services Day Care Budget Amendment
- 7) Budget Amendment – Scrap Tire Disposal
- 8) Detention Center Elevator Service Contract
- 9) NPS Grant to Scenic Byways
- 10) Tourism Board Grant

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

During discussion of the motion, Commissioner Woodard raised questions about two Consent Agenda items –

- #4 Johnson Controls, Five Year Contract on Administration Building – He expressed concern that the agreement calls for payment in full rather than monthly billing. He said if the company were to experience problems after receiving advance payment, the County would be forced to file a lawsuit. He asked the County Manager to see if prepayment would be negotiable with the vendor and asked for the standard hourly rate that would apply for inspections.

- #8 Detention Center Elevator Service Contract – Commissioner Woodard said he had similar concerns with this contract requiring annual payment. He asked if quarterly payments would be more appropriate since they are doing inspections on a quarterly basis.
- Commissioner Woodard also expressed concern that the public may not be aware of what items are on the Consent Agenda. He recommended that the Consent Agenda items be displayed on the video monitors and that the County Manager list each item, which led to a general discussion of handling the Consent Agenda.

ITEM 10 – BOARD APPOINTMENTS

1) Albemarle Commission – Board of Directors (At Large Member)

Commissioner Tillett nominated Ernest Terry Gore.

Commissioner Shea nominated Perry White.

VOTE: AYES (6) for Mr. Gore: Commissioners Judge, Burrus, Dutton, Overman, Tillett, Woodard
AYES (1) for Mr. White: Commissioner Shea

2) Fessenden Center Advisory Board

Vice-Chairman Burrus motioned to –

Appoint Laura Fiscus to fill the unexpired term of Cheryl Austin.

Appoint Sonny Quidley to fill the unexpired term of Susan Gray.

VOTE: AYES unanimous

3) Veterans Advisory Council

Commissioner Tillett motioned to appoint Joshua Turner.

VOTE: AYES unanimous

4) Upcoming Board Appointments

The upcoming Board appointments for April and May 2014 were announced.

ITEM 11 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Commissioner Overman

- He congratulated Aulander Liverman on receiving a service pin and DeShawn Banks on being named Employee of the Month
- Commissioner Overman complimented the Dare County Cooperative Extension on their presentation to the Board of Commissioners
- He reported that he attended the recent State of the Region meeting in Williamston. He said good ideas were presented on a range of subjects and expressed interest in exploring new economic development opportunities for Dare County.

Commissioner Woodard

- He congratulated the service pin recipient and the Employee of the Month. He thanked them for their loyalty and dedication.

Commissioner Dutton

- He expressed appreciation for Aulander Liverman, the service pin recipient.
- Commissioner Dutton described Employee of the Month, DeShawn Banks, as a great role model for our youth.
- He thanked Dare County Cooperative Extension for an outstanding presentation.

Commissioner Tillett

- She thanked retiring Susan Ruiz-Evans for the fantastic job she has done as the Dare County Cooperative Extension Director. She expressed hope that her position will be filled as quickly as possible.
- Commissioner Tillett said she received a letter complaining of recreational activities at the Detention Center and asked the County Manager to answer it.
- She cited a complaint from Buxton about Charter Cable and asked the Manager to look into what is wrong with the company's service in the Buxton area.
- Commissioner Tillett expressed deep gratitude to those who attended the unveiling ceremony of the State Historical Marker commemorating the Freedmen's Colony of Roanoke Island. She said she appreciated seeing fellow Commissioners and the County Manager attend this important event.

Vice-Chairman Burrus

- He extended birthday greetings to his daughter.
- Vice-Chairman Burrus thanked NCDOT for the great job they did on the recent Highway 12 culvert replacement in Frisco, which caused temporary closure of the roadway. He said they finished ahead of schedule and many of the NCDOT staff worked 39 straight hours in order to complete the project as quickly as possible. He also thanked the Seashore Superintendent for the cooperation of the Park Service and said it shows what can be accomplished when people work together.
- He asked the County Manager to investigate what can be done to make Charter Cable more accountable to the Public.
- Vice-Chairman Burrus announced that Radio Hatteras will soon be on the air.
- He thanked the Service Pin recipient and the Employee of the Month.
- Vice-Chairman Burrus said it was good to see all that Cooperative Extension does throughout the County.
- He wished everyone a Happy Saint Patrick's Day.

Commissioner Shea

- He thanked service pin recipient Aulander Liverman for his service. He also recognized DeShawn Banks as Employee of the Month.
- Commissioner Shea thanked Cooperative Extension for 100 years of service.
- He explained that bringing non-seasonal job opportunities to Dare County is ranked high on his agenda.

Chairman Judge

- He reported on attending the recent Shellabration event in Hatteras Village, which he said was a great celebration of our coastal heritage.
- Chairman Judge echoed the comments of Vice-Chairman Burrus in commending NCDOT and recognizing the quick response by the Seashore Superintendent to provide alternative transportation related to the temporary closure of NC Highway 12 in Frisco for a culvert replacement. He also complimented the Robbie Parker Construction Company for completing the project earlier than expected.

MANAGER’S/ATTORNEY’S BUSINESS

The County Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the County in order to preserve the attorney-client privilege.

MOTION

Commissioner Shea motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Vice-Chairman Burrus, Commissioners Dutton & Overman seconded the motion.

VOTE: AYES unanimous

At 10:02 a.m., the Board of Commissioners exited the room to meet in Closed Session. They reconvened at 10:47 a.m. and Chairman Judge called on Vice-Chairman Burrus for an action item to be taken in Open Session.

MOTION

Vice-Chairman Burrus motioned to accept the AE Systems bid for the Control Room system at the Dare County Detention Center.

Commissioners Dutton, Shea, and Overman seconded the motion.

VOTE: AYES unanimous

At 10:48 a.m., the Board of Commissioners adjourned until 9:00 a.m., April 7, 2014.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

By: 
Warren C. Judge, Chairman
Dare County Board of Commissioners