



COUNTY OF DARE, NORTH CAROLINA

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

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THE DARE COUNTY BOARD OF COMMISSIONERS MEETING

May 7, 2012 — 9:00 A.M.

Dare County Administration Building, Manteo, NC

Commissioners Present: Chairman Warren Judge, District 3; Vice-Chairman Allen Burrus, District 4; Virginia Tillett, District 1; Max Dutton, District 2; Mike Johnson, District 2; Jack Shea, District 5

Commissioners Absent: Richard Johnson, District 1

Others Present: County Manager/Attorney Bobby Outten; Finance Director, Dave Clawson; Public Information Officer, Dorothy Killingsworth, Clerk to the Board, Gary Gross

Public Comments: Made by three (3) people, including— David Bryan, Chris Carroll, and Georgianna Dunn

Presentations:

The Employee of the Month certificate for May 2012 was presented to Ken Fitzgerald, Lieutenant, Dare County EMS

Service Pins were presented to three (3) employees— Carolyn Norman, Gregory Padilla, and Charlie Watson

Governor's Service Awards for 2012 were presented

A report was given by Outer Banks Sporting Events

The Dare County Department of Public Health gave an update on substance abuse services

The Monitor National Marine Sanctuary explained their Draft Management Plan

Actions:

Agenda was amended to add a Closed Session to consult with the County Attorney to preserve the attorney-client privilege — **Approved**

KOA Kampground — Conditional Use Permit/Site Plan Review — **Approved**

Resolution — Public Trust Rights and the Extent of Local Government Regulation of Ocean Beaches — **Approved**

Resolution — Supporting the State Board of Elections request to receive maintenance of effort HAVA funds — **Approved**

Public Hearing — Preliminary Assessment Resolution — Kiddy Lane Water Distribution Expansion Project — **Conducted** a Public Hearing & **Adopted** the Resolution

Consent Agenda — **Approved**

1. Approval of Minutes (04.16.12)
2. Engineering Contract Approval for NPDES Permit Renewal Services for Dare County Water and Wastewater Facilities
3. Outer Banks National Scenic Byway Committee for Dare County — Addendum to Scope of Pathway Project in Avon
4. Juvenile Crime Prevention Council Grants, Executive Summary & Funding Plan for Fiscal Year 2012/2013
5. Government Education Access Channels Committee, 2012-2013 Proposed Budget
6. Dare County Department of Public Health — Budget Amendment
7. Secondary Road Abandonment Petition
8. Tax Collectors April 2012 Reports

Board Appointments

1. Veterans Advisory Council — **Adopted** ByLaws & **Appointed** Punk Daniels & Clarence Skinner each to a 1-year term; Joe Pope & Marsha Brown each to a 2-year term; Frank Draper & Clarence Lewis & Pete Groom each to a 3-year term
2. Dare County Board of Adjustment — **Reappointed** Jay Hart
3. Extra Territorial Jurisdiction District (Nags Head) — **Reappointed** Moncie "Punk" Daniels
4. Upcoming Board Appointments for June and July 2012 were announced

Commissioners' Business

Approved — Sending Hatteras Island tourism recommendations, as outlined by Chairman Judge, to the Dare County Tourism Board

Manager's/Attorney's Business

Authorized — County Manager to sign and submit a transportation grant; sign documents pertaining to the Gunboat project grant; sign and submit a Sheriff's Office public safety grant, and approved the Manager's submission of a CDC pass through catalyst grant

Closed Session — Approved a motion to go into Closed Session pursuant to provisions of NCGS 143-318.11(a)(3) to consult with the County Attorney to preserve the attorney-client privilege in the matter of Dare County versus First South Bank. The Board entered into Closed Session at 12:26 p.m. and exited at 12:48 p.m.

Chairman Warren Judge called the May 7, 2012 meeting of the Dare County Board of Commissioners to order at 9:00 a.m. He invited the Rev. Patricia Haresch from the Universalist Congregation, to share a prayer, and led the Pledge of Allegiance to the flag.

Chairman Judge then explained that the agenda needs an item added for a Closed Session to consult with the County Attorney. He also noted that the words "contract for" should be deleted from the Item #6 title on the printed agenda.

MOTION

Commissioner Dutton, Vice-Chairman Burrus, and Commissioner Shea motioned to add item #15 for a Closed Session to consult with the County Attorney.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Carolyn Norman, Leisure Activity Coordinator, received her 10-year pin from Tim White.
- 2) Gregory Padilla, Deputy Sheriff Sergeant, received his 15-year pin from Sheriff Doug Doughtie.
- 3) Charlie Watson, EMS Deputy Director, received his 30-year pin from Skeeter Sawyer.

ITEM 2 – EMPLOYEE OF THE MONTH – MAY 2011

Ken Fitzgerald received the Employee of the Month certificate for May 2012 from EMS Director William "Skeeter" who summarized the EMS Lieutenant's career. Director Sawyer said Mr. Fitzgerald serves a vital role in providing EMS education and is active with area fire departments. He also told the Board of Lieutenant Fitzgerald's efforts on the highly acclaimed mock wreck project that is conducted each year at high school prom time.

ITEM 3 – PUBLIC COMMENTS

The County Manager outlined the procedure for making public comments. Afterward three (3) people spoke –

- 1) David Bryan explained that Sgt. Earl Murray died in the line of duty while responding to an emergency in May 2009. He said North Carolina dedicates bridges to fallen officers and part of the process is documenting public interest. He noted that petitions have been circulated throughout the community and 1,734 signatures have been obtained. He presented a Resolution and asked the Board to approve it requesting that the State dedicate the Second Bridge on Colington Road in honor of Sgt. Earl Murray.
- 2) Chris Carroll outlined that she has been a resident since 1993, served as a firefighter, and knows EMS employees. In response to meetings County Manager Outten has had with EMS employees about proposed changes, she challenged the Board to ride along on a 24-hour shift. She said it would allow them to hear concerns and experience a full day and night seeing what is done. Ms. Carroll asked the Board to consider the reality of the proposals and remember that what looks good on paper may not actually work. She called on the Board to help EMS employees by looking long and hard at the proposed changes.
- 3) Georgianna Dunn said she is former resident who now lives in Virginia after serving as a Dare County Paramedic from 1996 to 2004. She explained that a minimum of 11 ambulances are needed according to a study that was done during her tenure. She said Dare County EMS frequently runs only nine ambulances and sometimes there is only one ambulance at Whalebone Junction for the entire County. She said changes are needed to fix the problem; however, the proposed solution, known as System Status Management, is now held in disregard. Ms. Dunn urged the Board to strongly evaluate any action that would cut ambulances and employee hours.

ITEM 4 – 2012 GOVERNOR'S SERVICE AWARDS

Skipper Hines, from the Outer Banks Community Foundation, presented the Governor's Service Awards. The following were honored for their volunteer service to the community: Julie Hume, Clay Richardson, Gail Leonard, the Pirates Cove Vacation Rentals & Property Management/Homeowner's Association, Tess Judge, and Marsha Riibner-Cady. A summary of each volunteer's extensive community service was outlined to the Board. Mr. Hines said since the awards program was established in 1979, the volunteer service of 16,000 people has been recognized. Mr. Hines explained that the award given to Ms. Riibner-Cady is historic in that it is the first time recognition has been given to a paid volunteer coordinator. Selection committee member Bob Muller assisted in the presentation of

the Governor's Service Awards. Mr. Hines expressed thanks to the Board of Commissioners for supporting the people who do so much for the community. Chairman Judge congratulated all those who received awards and thanked those who serve on the Outer Banks Community Foundation.

ITEM 5 – REPORT FROM OUTER BANKS SPORTING EVENTS (OBSE)

Lynda Wood, Mike Kelly, and Jim Snyder on behalf of Outer Banks Sporting Events (OBSE) presented a report on the local economic impact of the group's events. Lynda Wood said before the Outer Banks Marathon was formed, local runners were going out of the area to participate in charitable events. She presented a PowerPoint presentation that showcased the mission of the non-profit organization in promoting sporting events as a way of providing healthy lifestyles, financial resources for needed relief, and local economic development. Ms. Wood outlined the Flying Pirate Half Marathon, the Outer Banks Triathlon, and the Outer Banks Marathon. Mike Kelly reported that OBSE events have generated over \$25 million in local economic impact over the past six years. He added that \$7 million is projected for 2012 and OBSE events bring people together as a community. Jim Snyder explained that 100% of the net proceeds are split on a 50/50 basis with the Dare Education Foundation and the Outer Banks Relief Foundation. He also described OBSE's Healthy Kids Initiative and outlined new activities for 2012. Ms. Wood presented signed artwork to the Board as a token of appreciation. Vice-Chairman Burrus asked whether any OBSE events are planned for Hatteras Island. Mr. Snyder said while there are no direct events, OBSE has partnered with the GOFAR local running program for children and the Healthy Kids Initiative. Mr. Burrus credited OBSE with doing a great job, but he explained that Hatteras Island has been hurt economically and would benefit from OBSE events. He said 90% of OBSE's economic benefit now occurs north of Oregon Inlet and help would be appreciated for Hatteras Island. Mr. Snyder said the OBSE Adventure Race might be a possible event upon which to build upon for Hatteras Island. Ms. Wood explained that OBSE has talked about a cycling or triathlon event on Hatteras Island and that although there are challenges handling highway traffic, they are looking at possibilities. Vice-Chairman Burrus said we would like to see OBSE events on Hatteras Island.

ITEM 6 – DARE COUNTY DEPARTMENT OF PUBLIC HEALTH SUBSTANCE ABUSE SERVICES

Director Anne Thomas introduced Brooks Sutton for a presentation on the substance abuse services provided to Dare County residents in partnership with East Carolina Behavioral Health (ECBH) and Port Human Services. Ms. Sutton outlined the services provided by New Horizons where everyone is served regardless of ability to pay. She explained that things are going well and the outpatient program has been expanded. She provided details about the number of active clients and amount of people that have been served. She noted that since its inception New Horizons has treated 1,300 clients. She said at the present time there are 277 active clients. She stated that there are 30 to 40 new patients each month and that 85% are adults and 15% are adolescents between the ages of 12 to 17. She reported that 19% of patients have private insurance, 23% Medicaid, and 2% have Medicare. She added that 56% have no insurance and either pay out of pocket based on a sliding scale fee structure or receive services at no cost. Ms. Sutton said as data is received from the State of North Carolina and ECBH it will be compared to give insight on the program's cost and effectiveness. Commissioner Shea had a question about how opioid addiction is treated at New Horizons and Vice-Chairman Burrus requested a copy of the service statistics that were presented.

ITEM 7 – KOA KAMPGROUND – CONDITIONAL USE PERMIT/SITE PLAN REVIEW

Planning Director, Donna Creef, outlined a site plan and Conditional Use Permit (CUP) for new suites at the Kampground along with pool and parking improvements and remodeling for an existing structure. She said the CUP has been reviewed by the Fire Marshal and the Dare County Planning Board. In response to a question from Commissioner Shea about the site's septic plans, Ms. Creef explained that a low-pressure system is now under review and the applicant is working with the Health Department to get the necessary approval. Chairman Judge thanked KOA for making this investment in Hatteras Island and for moving quickly after Hurricane Irene and that this project is a good sign of life coming back to the area. He noted that campgrounds are well used on Hatteras Island because people can camp at a reasonable price. Vice-Chairman Burrus agreed that the KOA Kampground has done a good job.

MOTION

Commissioner Tillett and Commissioner Shea motioned to approve the Conditional Use Permit and Site plan for the KOA Kampground.

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 8 – MONITOR NATIONAL MARINE SANCTUARY – DRAFT MANAGEMENT PLAN

David Alberg, Sanctuary Superintendent, identified the site-specific goals and objectives and presented a timeline for the Management Plan. In a PowerPoint presentation he outlined details about eight (8) action plans and he also described the education and outreach effort of the Monitor National Marine Sanctuary (MNMS). He said the MNMS is interested in partnering with the Coastal Studies Institute (CSI) and they have moved a staff person to Manteo. Superintendent Alberg explained that a working group of state, federal and county officials, as well as non-governmental organizations and community stakeholders will be established to assess all aspects of expansion. He said this group will make recommendations to the MNMS Advisory Council. He announced that June 22, 2012 is the deadline for public comments on the MNMS Draft Management Plan. Vice-Chairman Burrus said that while he supports the MNMS efforts, he is very cautious about a federal agency considering any type of expansion. He explained that while the Superintendent may be well intended, safeguards are needed upfront before any expansion plans go up the chain of command to Atlanta or Washington, D.C. Mr. Alberg said that although the draft plan that has language stating that any expansion must include access, MNMS may need to strengthen the language. Vice-Chairman Burrus said he has no problem with MNMS regulating the removal of artifacts; however, he is very concerned about expansion and wants guarantees that the Advisory Council will not be hijacked by special interest groups who might want to limit fishing and restrict access. Vice-Chairman Burrus asked how MNMS is linked with CSI and was told they have worked together informally for the past five years and are working on a more formal Memorandum of Understanding. Commissioner Shea asked if the site is marked with lighted buoys and whether it is located in a shipping lane. The Superintendent said the Buoys are managed by a different NOAA Division; however, they are lighted and reflected on charts. He added that large vessels do pass by, but he did not know if it is officially considered a shipping lane. Commissioner Mike Johnson complimented Mr. Alberg on a good presentation and added that having spent a recent week in Alexandria, Virginia attending Fisheries Commission meetings, he is afraid that NOAA does not always use good science in making their decisions. He said we only want MNMS to manage artifacts without regulating marine craft. He added that any expansion of the Sanctuary is bad and he is opposed to any rules that would impede fishing. He reiterated that MNMS should only manage artifacts. Commissioner Tillett asked if public comments would be included in the final plan and was told by the Superintendent that they would be and that they are trying to give the community as much information as possible and be transparent in their efforts. Vice-Chairman Burrus asked if cameras had been considered as a management tool. Mr. Alberg stated that they have looked at the possibility; however, there are technology challenges that make it expensive in view of limited tax dollars that are available. Chairman Judge said Dare County would be submitting formal comments prior to the deadline through the Clerk to the Board. He reminded the Superintendent that government promises made by Conrad Wirth have not been kept. He cautioned that authority should not be given to an Advisory Council to advocate for expansion. He welcomed MNMS to come back on a regular basis and provide brief updates on the Management Plan. Commissioner Dutton asked when the final plan would be released and was told that although they are hoping for the fall of 2012, it may not be until January or February of 2013.

ITEM 9 – RESOLUTION – PUBLIC TRUST RIGHTS AND THE EXTENT OF LOCAL GOVERNMENT REGULATION OF OCEAN BEACHES

County Manager, Robert Outten, told the Board that the Resolution is in support of municipalities within Dare County in recommending that the North Carolina Supreme Court review the Town of Nags Head v. Cherry, Inc. He explained that the Town of Nags Head began an enforcement action and made efforts to remove homes, which has gone through the court system. He reported that the Court of Appeals determined that local governments cannot do such enforcement. Mr. Outten said coastal communities have adopted resolutions supporting a Supreme Court review of the Court of Appeals ruling.

MOTION

Vice-Chairman Burrus and Commissioner Shea motioned to adopt the Resolution.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 10 – A RESOLUTION OF THE ELECTION BOARDS ASSOCIATION OF NORTH CAROLINA

The County Manager said the Resolution supports one passed by the State Board of Election requesting that an appropriation be included in the Governor's budget and in the General Assembly's budget to meet the maintenance of effort requirements for the release of Help America Vote Act (HAVA) funds. He explained that these funds will help counties administer elections and repair voting machines. He added that removing these funds has put a burden on local governments and we ask that the money be restored in order to continue maintaining our voting machines.

MOTION

Vice-Chairman Burrus motioned to approve the Resolution.
Commissioner Tillett and Commissioner Shea seconded the motion.
VOTE: AYES unanimous

ITEM 11 – PUBLIC HEARING – PRELIMINARY ASSESSMENT RESOLUTION – KIDDY LANE WATER DISTRIBUTION EXPANSION PROJECT (Att. #1)

AT 10:34 A.M., THE DARE COUNTY BOARD OF COMMISSIONERS HELD A PUBLIC HEARING TO RECEIVE INPUT CONCERNING THE PRELIMINARY ASSESSMENT RESOLUTION – KIDDY LANE WATER DISTRIBUTION EXPANSION PROJECT.

County Manager, Robert Outten opened the Public Hearing by explaining that the Water Department is expanding the water system to nine (9) property owners on Kiddy Lane in Avon. He said the required public notices have been sent and this hearing is required by the Statute in order to move forward with the project. He said the Water Department may be able to handle this as a tap-on fee and obviate the need to do the assessment involving the Tax Department. He noted that it might be easier to handle it through the Water Department rather than the Tax Department. Mr. Outten said rather than cancel the scheduled Public Hearing; it is being conducted at this time in case it is needed. He then invited the public to speak at the Public Hearing. One person responded –

- 1) Gary Price, on behalf of he and his wife Carol, thanked the Board for their support in getting this water service for them. He expressed thanks for information the County Manager and staff have provided. He said he was attending the Public Hearing as a point man for his neighbors in order to keep them informed. He concluded his comments by again thanking the Board of Commissioners for their help.

Chairman Judge closed the hearing at 10:37 a.m.

MOTION

Vice-Chairman Burrus motioned to adopt the Kiddy Lane Water Expansion Project Assessment Resolution.
Commissioner Shea and Commissioner Dutton seconded the motion.
VOTE: AYES unanimous

RECESS: 10:37 a.m. – 11:05 a.m.

ITEM 12 – CONSENT AGENDA (Att. #2)

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (04.16.12)
- 2) Engineering Contract Approval, NPDES Permit Renewal Services – Dare County Water & Wastewater Facilities
- 3) Outer Banks National Scenic Byway Committee for Dare County – Addendum to Scope of Pathway Project in Avon.
- 4) Juvenile Crime Prevention Council Grants, Executive Summary & Funding Plan for fiscal year 2012/2013
- 5) Government Education Access Channels Committee, 2012-2013 Proposed Budget
- 6) Dare County Department of Public Health – Budget Amendment
- 7) Secondary Road Abandonment Petition
- 8) Tax Collectors April 2012 Reports

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.
VOTE: AYES unanimous

ITEM 13 – BOARD APPOINTMENTS

- 1) Veterans Advisory Council

The County Manager presented proposed By-Laws and a slate of candidates for appointment.

a. By-Laws

Vice-Chairman Burrus motioned to adopt the By-Laws outlined by the County Manager to establish the Dare County Veterans Advisory Council.

Commissioner Tillett and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

b. Veterans Advisory Council - Appointments

Vice-Chairman Burrus motioned to appoint the following:

Punk Daniels & Clarence Skinner – each to a 1-year term

Joe Pope & Marsha Brown – each to a 2-year term

Frank Draper, Clarence Lewis, & Pete Groom – each to a 3-year term

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

Commissioner Tillett asked that those in the community who wish to serve in the future get involved in the application process. Chairman Judge announced that the first meeting of the Veterans Advisory Council is scheduled for 6:00 p.m. on Thursday, May 24, 2012.

2) Dare County Board of Adjustment

Vice-Chairman Burrus motioned to reappoint Jay Hart

Commissioner Shea and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

3) Extra Territorial Jurisdiction (ETJ) District (Town of Nags Head)

Vice-Chairman Burrus motioned to reappoint Moncie “Punk” Daniels, III

Commissioner Dutton and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 14 – COMMISSIONERS’ BUSINESS

Commissioner Max Dutton

- Expressed appreciation for those who received service pins representing 80 years of combined service.
- He acknowledged service pin recipient Charlie Watson and thanked him for his dedication to EMS.
- Congratulated EMS Lieutenant Ken Fitzgerald on receiving the Employee of the Month award.
- Thanked those who received Governor’s Service Awards for the outstanding work they do.

Commissioner Virginia Tillett

- Reminded everyone that Dare Day is Saturday, June 2. She explained that the Dare Day Citizen of the Year presentation will be at 12:00 noon and asked Chairman Judge and Vice-Chairman Burrus to make the Citizen of the Year presentation. She also thanked the Dare Day Committee and said a fun day is planned with lots of activities for children and families.
- Congratulated all Dare County students graduating from colleges and noted that Elizabeth City State University had Dare County students in their graduating class.
- Said that the North Carolina Association of County Commissioners is pleased to have former Dare County Public Relations employee Chris Baucom serving in their Raleigh office staff.
- She reported on her attendance at the conference conducted by the North Carolina Alliance of Black Elected Officials. She said they discussed ways to find funding and appreciated Senator Kay Hagan and her staff being there. She said the conference occurred while Chairman Judge, Vice-Chairman Burrus, and County Manager Outten were fighting for Dare County issues in Washington, D.C.
- Commissioner Tillett called on the Board to consider an opportunity to name something in honor of Marc Basnight in recognition of how much he has done to help Dare County and all of North Carolina.

Vice-Chairman Allen Burrus

- Congratulated the service pin recipients and the May 2012 Employee of the Month.
- Said substance abuse is on the incline and is an issue that needs continual work and must be fought.

- He thanked the NCDOT Highway and Ferry Divisions for their work on Hatteras Island. He explained that inlet navigational conditions have been deplorable and that the Hatteras to Ocracoke Ferry was forced to shut down most of yesterday. He said Dare County will continue to address dredging issues with the Corps of Engineers.
- Vice-Chairman Burrus thanked Commissioner Tillett for her work in Raleigh reaching out to people and keeping open lines of communication.

Commissioner Jack Shea

- Thanked the service pin recipients and congratulated the Employee of the Month, Ken Fitzgerald.
- He acknowledged those who received Governor's Service Awards and thanked them for what they do.
- Commissioner Shea urged everyone to vote in tomorrow's election.

Commissioner Mike Johnson

- Reported on his participation at the Atlantic States Marine Fisheries Commission. He explained the Spiny Dogfish quota issue and outlined his concerns with efforts to list Atlantic Sturgeon as an endangered species. He outlined the regulatory impact of documenting "takes" of a listed species noting that since Atlantic Sturgeon are abundant; there will be many "takes." Commissioner Mike Johnson said positive work is being done to move forward with delisting it, however, he cautioned that the delisting process could take years.

Chairman Warren Judge

- Thanked Commissioner Mike Johnson for his work on the Atlantic States Marine Fisheries Commission and expressed hope that Commissioner Johnson would consider staying in that fisheries seat.
- He thanked Commissioner Tillett for traveling to Raleigh and representing Dare County.
- He also thanked Commissioner Shea for reminding everyone to vote.
- Chairman Judge thanked Senators Hagan and Burr who have done so much for Dare County along with Congressman Walter Jones.
- He reported that testimony was presented April 27, 2012 in Washington, D.C. before the House Subcommittee on National Parks, Forests and Public Lands. He said we found new friends in Washington who were before the Subcommittee about similar access issues at the Biscayne National Park. He noted that while Dare County representatives were in D.C. on behalf of H.R. 4094, a companion bill S.2372 was introduced in the United States Senate. He explained that both bills would return management of the Cape Hatteras National Seashore Recreational Area to the Interim Plan. He added that the Southern Environment Law Center, Audubon, and Defenders of Wildlife have erroneously characterized these bills as "road kill" legislation. He encouraged everyone to go to Hatteras Island, walk the streets, and talk with people about the impact of beach closures.
- Chairman Judge said we need to make Hatteras Island work. He explained that it is vital to everyone since 28% of Dare County revenues are from commerce and land value on Hatteras Island. He described Hatteras Island as a jewel with a rich heritage and culture. He reported that he has met with the Chairman of the Tourism Board and that they are interested in doing something for Hatteras Island. He described an island-wide marketing campaign that would strategically target all seven Hatteras Island Villages and convey the distinctive qualities that each Village has to offer. He said this could be patterned after the successful "Discovering Roanoke Island" campaign that the Tourism Board did in 1998. Mr. Judge stated that Saltwater Connection and others are creating ideas to benefit Hatteras Island and we need our Tourism Board to offer their services to help. The Chairman also asked the Tourism Board to make a substantial capital investment in Hatteras Island. He said this would be similar to the major investment that was made for improvements in Kill Devil Hills and Kitty Hawk for the 2003 anniversary of flight. He explained that Hatteras Island tourism would benefit from funds to build accesses, acquire land, and to construct parks and waterfront boardwalks. He recommended that the first project site be the County owned property in Rodanthe where work can begin immediately.

MOTION

Vice-Chairman Burrus motioned to send the recommendations outlined by Chairman Judge to the Dare County Tourism Board

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

MANAGER'S/ATTORNEY'S BUSINESS

- 1) County Manager, Robert Outten, said several grant opportunities have recently developed that are of a timely nature. He described the first as a transportation grant from DOT for cameras in transportation vehicles. He explained that there is no cost to the County except that when the vehicle is replaced in the future, the camera will need to be removed and placed in the new vehicle.

MOTION

Commissioner Shea motioned to authorize the County Manager to sign and submit a transportation grant. Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

- 2) Mr. Outten said a previously authorized grant has been received for the Gunboat project to produce Catamarans. He asked for authorization for the Chairman or Manager to sign necessary grant documents. The Chairman notes that this project has already put 18 people to work.

MOTION

Vice-Chairman Burrus motioned to authorize the Chairman or County Manager to sign the necessary grant documents.

Commissioner Shea and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

- 3) The County Manager explained that the Sheriff's Office has received a Public Safety grant for an evidence collection unit. He asked for authorization for the Chairman or Manager to sign the grant.

MOTION

Vice-Chairman Burrus motioned to authorize the Chairman or County Manager to sign the grant. Shea and Dutton seconded the motion.

VOTE: AYES unanimous

- 4) Mr. Outten said a time sensitive grant was presented by the CDC for pass through the County. He said since the grant was due prior to today's meeting, he signed and sent it subject to Board review and approval for acceptance.

MOTION

Commissioner Shea and Commissioner Dutton motioned to approve the County Manager's action on the grant.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 15 – CLOSED SESSION (The agenda was amended to add this item)

The County Manager said a Closed Session was needed pursuant to the provisions of NCGS 143-318.11(a)(3), in order to preserve the attorney-client privilege in the matter of Dare County versus First South Bank.

MOTION

Pursuant to the provisions of NCGS 143-318.11(a)(3), Commissioner Shea 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 in the matter of Dare County versus First South Bank.

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

AT 12:26 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ENTERED INTO CLOSED SESSION AND EXITED AT 12:48 P.M.

Chairman Judge reconvened the meeting. County Manager Outten reported that the Board consulted with the County Attorney to preserve the attorney-client privilege in the matter of Dare County versus First South Bank and took no other actions.

AT 12:49 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 5:00 P.M. ON MAY 21, 2012.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

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

