



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

THE DARE COUNTY BOARD OF COMMISSIONERS MEETING

May 18, 2009—5:00 P.M.

Dare County Administrative Building
PO Box 1000, Manteo, North Carolina 27954

Commissioners Present:

Vice-Chairman Burrus, Dist. 4; Virginia Tillett, Dist. 1; Richard Johnson, Dist. 1; Max Dutton, Dist. 2; Jack Shea, Dist. 5; Mike Johnson, Dist. 2

Commissioners Absent: Chairman Warren Judge, Dist. 3

Others Present:

County Attorney Bobby Outten, Dorothy Toolan-Public Information Officer, Katie Smith—Clerk to the Board

Action:

RESOLUTION HONORING NAOMI AUGUSTA COLLINS HESTER — **Adopted**

DARE COUNTY NUISANCE ORDINANCE — **Approved**

ROANOKE ISLAND WATER SYSTEM EXPANSION PROJECT ENGINEERING DESIGN CONTRACT — **Approved**

PUBLIC HEARING: Public Works Solid Waste Plan — **Held**

CONSENT AGENDA — **Approved**

- Approval Of Minutes (5.4.09)
- Audit Contract for the Fiscal Year to End June 30, 2009
- Resolution Supporting an Alternative Method of Recognition for Veteran Status to Merchant Marine Seamen of WWII (Res 09-05-13)
- Social Services Budget Amendment — Crisis Intervention Funding
- Social Services Budget Amendment — Emergency Food and Shelter Funding
- Budget Amendment for Insurance Matter Legal Fees

LAND OF BEGINNINGS

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Vice-Chairman Allen Burrus called the meeting to order at 5:00 p.m. and invited Commissioner Mike Johnson to share a prayer. He announced due to an emergency, Chairman Judge would not be in attendance. He then led the pledge of allegiance to the flag.

ITEM 1 – PUBLIC COMMENTS

No one came forward to speak.

ITEM 2 – RESOLUTION HONORING NAOMI AUGUSTA COLLINS HESTER

Vice-Chairman Burrus and Commissioner Tillett presented the family of Naomi Augusta Collins Hester with a resolution honoring her life and contributions to the community. Mr. Chuck Hester, husband, and Mr. Frank Hester, son, expressed their appreciation of the Board honoring Mrs. Hester with this resolution, and shared memories of the many great things she did for her community and for those with whom she came in contact.

MOTION

Commissioner Shea motioned to adopt the resolution honoring Ms. Hester. Commissioners Dutton and Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 3 – DARE COUNTY NUISANCE ORDINANCE (Att. 1)

County Attorney Outten noted the Board had held a Public Hearing on March 16, 2009 regarding a proposed amendment to the Dare County Nuisance Ordinance. He stated following the hearing, the Board instructed the staff to make additional revisions to address issues discussed at the hearing. He noted the changes have been made and the proposed ordinance amendments are being resubmitted for consideration.

MOTION

Commissioner Shea moved the revised Dare County Nuisance Ordinance be adopted. He found the amendments to be consistent with the policies for growth and development in the 2003 Dare County Land Use Plan and other officially adopted plans for Dare county that are applicable and in the public interest of Dare County by providing additional measures to address public health and safety concerns.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 4 – ROANOKE ISLAND WATER SYSTEM EXPANSION PROJECT ENGINEERING DESIGN CONTRACT (Att. 2)

Mr. Outten presented the Roanoke Island Water Expansion Engineering Design Contract with CDM, Inc. He announced CDM had given a price reduction and made necessary language changes which were recommended by the CIP committee. He noted the final version was being submitted for approval on the recommendation of the CIP committee.

MOTION

Commissioner Shea motioned to approve the final contract.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

MOVE TO ITEM 6 DUE TO TIME SPECIFIC PUBLIC HEARING

5:30 P.M. PUBLIC HEARING

ITEM 5 – PUBLIC WORKS ON SOLID WASTE PLAN

AT 5:32 P.M, THE DARE COUNTY BOARD OF COMMISSIONERS HELD A PUBLIC HEARING TO RECEIVE INPUT CONCERNING THE DRAFT DARE COUNTY SOLID WASTE MANAGEMENT PLAN FOR THE PERIOD OF JULY 1, 2009-JUNE 30, 2019.

No one came forward to speak.

Vice-Chairman Burrus closed the hearing at 5:32 P.M.

MOVE TO ADJOURNMENT

ITEM 6 – CONSENT AGENDA (Att. 3)

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (5.4.09)
- 2) Audit Contract for the Fiscal Year to End June 30, 2009
- 3) Resolution Supporting An Alternative Method of Recognition for Veterans Status to Merchant Marine Seamen of WWII (Res 09-05-13)
- 4) Social Services Budget Amendment – Crisis Intervention Funding
- 5) Social Services Budget Amendment – Emergency Food and Shelter Funding
- 6) Budget Amendment for Insurance Matter Legal Fees

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 7 – COMMISSIONERS' BUSINESS

Commissioner Tillett stated she had asked the group to submit a name for the Dare Day Citizen of the Year. She had not received one and noted she would share her selection via email. She announced she would have Jenny Jones appear before the Board at the next meeting in order to update everyone on the progress of a grant received by the County. She thanked Ms. Mary Helen Goodloe-Murphy for guiding the Board on a tour of Hatteras Island and shared how much she enjoyed the day. She stated on Friday, May 15, an abbreviated version of the Older Adults Summit was held at the Fessenden Center and the Baum Center for those who were unable to make the seminar in March. They will be working on gathering the comments to be presented to the Board. She shared the importance of the Board to hear and act on the requests from the older adult population of our County.

Commissioner Shea expressed his condolences to the family of Nags Head Police Officer, Sgt. Earl Murray, who was killed in the line of duty.

Commissioner Richard Johnson - None

Commissioner Mike Johnson noted he has received a letter from Steve Wilson regarding the monitoring sanctuary off of Hatteras Island. He was presented with the rumor that NOAA had plans to increase this sanctuary. After researching this issue further, he believes this to be only a rumor, but thought NOAA could potentially be working on some changes. He asked that a letter be written to David Ahlberg opposing any increases in the sanctuary. Vice-Chairman Burrus agreed stating there is indication they have plans to do something, but he was unsure what it could be. He felt further government intrusion of this issue may be well intended with the current

leaders; however, future leaders could use this for other reasons. He suggested waiting until after the meeting on May 19 to respond. He noted he would continue to update the Board on the issue. Commissioner Mike Johnson thanked Dr. Louis Daniel, North Carolina Marine Fisheries Commission, Senator Basnight, and Representative Spear for their help in the recent success with the opposition to Red Drum gaining gamefish status. He also announced the Working Watermen Committee accomplished their goals recently at the Atlantic States Marine Fisheries Commission meeting.

Commissioner Dutton shared his appreciation of Ms. Mary Helen Goodloe-Murphy on her guidance during the Board's tour of Hatteras Island. He asked the Board to look at naming the recycle plant. He then offered his condolences to Sgt. Murray's family in their recent loss.

Vice-Chairman Burrus offered his condolences to Sgt. Murray's family stating he had worked with him when he was a lieutenant on Hatteras Island. He also noted he had known Sgt. Murray through their daughters' athletic events. He stated this incident was very tragic as Sgt. Murray was such a nice guy. He then thanked the Board for their participation in the opening of the Hatteras Island office.

ATTORNEY'S BUSINESS

None

MANAGER'S BUSINESS

Mr. Wheeler reminded the Board of the upcoming ground breaking ceremony for Jeanette's Pier on Friday, May 22, 2009.

RECESS 5:28 P.M. – 5:31 P.M.

MOVE TO ITEM 5 – TIME SPECIFIC PUBLIC HEARING

AT 5:32 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON JUNE 1, 2009.

(SEAL)

Respectfully submitted,

By: _____
Katie Smith, Clerk

APPROVED:

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