



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

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MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., May 20, 2013

Commissioners present: Chairman Warren Judge, District 3
Vice-Chairman Richard Johnson, District 1
Virginia Tillett, District 1; Max Dutton, District 2;
Robert Woodard, District 2; Allen Burrus, District 4;
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 May 20, 2013 meeting of the Dare County Board of Commissioners to order at 5:07 p.m. He invited Nick Hodsdon from the Unitarian Church to share a prayer, and then he led the Pledge of Allegiance to the flag.

Chairman Judge asked for a motion to remove Item #3 (Dare Co. Assoc. of Fire Officers Fire Safety Trailer) that could not be done due to a schedule conflict with the presenter.

MOTION

Commissioner Shea and Commissioner Dutton motioned to amend the agenda to remove Item 3 because of a schedule conflict with the presenter.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 1 – PUBLIC COMMENTS

The County Manager outlined the procedure for making public comments. The following people spoke

1. Terri Nunemaker appeared with her husband Mark Nunemaker. She read from a statement that was submitted to the Board outlining concerns with Bill's Marine adjacent to their property. She said the business has failed to comply with their original Conditional Use Permit and cited parking, wastewater, lighting, storage, and fencing concerns. She asked that no further approvals be given until Bill's Marine comes into full compliance with the original Conditional Use Permit.

2. Maynard Outlaw said he is a neighbor of Mr. Nunemaker and the applicant, Mr. Meyer. Mr. Outlaw expressed his agreement with the comments made by Mr. & Mrs. Nunemaker. He said Mr. Meyer is operating a full-grown business and has boats containing fuel parked next to a wooden fence 25 feet from his home. He also cited noise issues that are caused by Mr. Meyer's business.

ITEM 2 – AWARD FROM THE ROANOKE ISLAND GARDEN CLUB

Joan Brumbach, Past President of the Roanoke Island Garden Club, outlined the group's mission and provided information about the Garden of the Season Award. Sara Benson, Chair of the Garden of the Season Committee said the county governmental complex was selected to receive the coveted award and cited the county's blooming plants and bulbs, shrubbery and trees, meticulous landscaping, and Wellness Path. Ms. Benson acknowledged Ron Mills and his maintenance landscaping team from Dare County Public Works. Mr. Mills said his team is highly dedicated and committed to doing a good job. Donna Presgrave, Current President of the Roanoke Island Garden Club presented the Garden of the Season Award to Chairman Warren Judge.

ITEM 3 – DARE COUNTY ASSOCIATION OF FIRE OFFICERS FIRE SAFETY TRAILER (Item pulled from the agenda due to a scheduling conflict with the presenters)

ITEM 4 – 2013 DARE SCHOOL RESOURCE OFFICER INITIATIVE GRANT (Att. #1)

Sheriff Doug Doughtie presented a three-year grant opportunity to provide school Resource Officers in four elementary schools. He outlined the funding that would be required after the grant expiration. Sheriff Doughtie cited the impact that school Resource Officers have on young people and said if this saves one life, it is worth the cost. Commissioner Shea asked Sheriff Doughtie to consider the possibility of using part time Resource Officers. Vice-Chairman Johnson voiced his concern that the Board of Education (BOE) should be involved in the funding of additional Resource Officers. He said the County gives the BOE a substantial amount of funding and if Resource Officers are their priority, they should step up to the plate and underwrite it, or share in the cost. Commissioner Tillett clarified that the Town of Nags Head is taking care of the cost for a Resource Officer at Nags Head Elementary School and asked that negotiations continue with the other municipalities to participate in the funding of this project. Commissioner Burrus said Resource Officers are a great idea and worth the cost and Commissioner Dutton agreed. Commissioner Shea noted that had someone been in Sandy Hook Elementary School in Newtown, Connecticut with a licensed firearm, the death toll would not have been as high.

MOTION

Commissioner Burrus motioned to authorize the Sheriff to apply for the grant to add four School Resources Officers for the Kitty Hawk, First Flight, Manteo, and Cape Hatteras Elementary Schools and to instruct the County Manager to alter the Sheriff's Department budget by \$72,836 for FY 2014, \$53,513 for FY 2015, and \$53,513 for FY 2016. The Manager was also instructed to reach out for funding contributions from the Dare County Board of Education and the Town Municipalities.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 5 – GIOVANNA CALVILLO – HOME OCCUPATION APPLICATION

Planning Director, Donna Creef, reported that a Conditional Use Permit (CUP) application submitted by Mrs. Giovanna Calvillo for a home occupation at her residence on the north end of Roanoke Island in the R-1 District. Ms. Creef reviewed the square footage dedicated to the home occupation, the hours of operation, and conditions recommended by the Planning Board. The Board suggested that an eighth condition be added requiring that all conditions must be met and verified by the Planning Director before the home business can be authorized for operation.

MOTION

Commissioner Tillett motioned to approve the Conditional Use Permit with the addition of an eighth condition as outlined.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 6 – VC-2 TEXT AMENDMENT TO ADD BOAT/BOAT MOTOR/BOAT TRAILER SALES

The Planning Director outlined a proposed zoning text amendment to add boat/boat motors/boat trailer sales to the list of uses allowed in the VC-2 zoning district on the property of Bill Meyer. Ms. Creef explained that the County issued a Conditional Use Permit (CUP) in 2010 for boat storage and repair; however, Mr. Meyer has not complied with the CUP and has been less than cooperative. Vice-Chairman Johnson questioned how the applicant can be operating having not met the requirements. He recommended giving the applicant 30 days to comply and if he does not, then pull his electrical meter. Chairman Judge summarized the Board's displeasure with the applicant's compliance with the previously granted Conditional Use Permit. By consensus, the Board agreed with giving the applicant 30 days to become compliant with the previous CUP after which time the County will pursue enforcement proceedings.

ITEM 7 – UPDATE REPORT FROM THE OREGON INLET TASK FORCE ADVISORY COMMITTEE (Att. #2)

Commissioner Woodard informed the Board that the Task Force Advisory Committee recommends replacing Carl "Pogie" Worsley with Bob Peele to the Wanchese Seafood Park Authority seat on the Oregon Inlet Task Force Advisory Committee. The Board discussed the possible future of the Seafood Park and agreed to continue with the Seafood Park seat on the Committee.

MOTION

Commissioner Woodard motioned to accept the resignation of Carl "Pogie" Worsley and appoint Bob Peele to the seat representing the Wanchese Seafood Park Authority on the Oregon Inlet Task Force Advisory Committee.

Vice-Chairman Johnson and Commissioners Shea and Dutton seconded the motion.

VOTE: AYES unanimous

Commissioner Woodard reported that two additional stakeholder assessment options have been presented to the Task Force. He introduced Committee Chairman Jim Tobin who asked Nancy White from the Coastal Studies Institute (CSI) to make a presentation about the assessment options. Ms. White explained that Dr. Steve Smutko is effective

in gathering information and has proposed a more enhanced version that will provide more information. She outlined the additional options that would provide more face-to-face interviews and bring in a specialist for qualitative analysis. In response to a question from Vice-Chairman Johnson, Ms. White explained that the assessment process provides a voice for the stakeholders who are going to participate fairly in the process. Mr. Woodard said the more comprehensive option #3 would cost \$11,091 and noted that the Board initially approved \$4,500.

MOTION

Commissioner Woodard motioned to expand the scope of the assessment project to fund Option #3 for \$11,091 and authorize the County Manager to move forward on this project.

Vice-Chairman Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 8 – COMMISSIONER COMMITTEE AND BOARD REPORTS

Commissioner Shea reported on a meeting of the Regional Planning Organization (RPO) and gave a summary of the status of the Mid-Currituck Bridge and the replacement of the Bonner Bridge. He briefed Commissioners on a Board of Education gathering at Manteo Middle School where awards were presented.

Commissioner Tillett noted that Dare Day preparations are underway and reminded everyone that this year's event will be held Saturday, June 1, 2013

Commissioner Dutton advised that \$1,300 was raised by the Food Lion located next to the Outer Banks Mall for the Dare County Bicycle and Pedestrian Safety Coalition. He said the group is moving forward and working to get the municipalities involved.

RECESS: 6:21 p.m. – 6:48 p.m.

ITEM 9 – PUBLIC HEARING – MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2014

At 5:47 p.m., the Dare County Board of Commissioners held a Public Hearing to receive input concerning the Manager's Recommended Budget. The County Manager conducted the hearing and explained the procedure for making comments. No one in the meeting room responded. Chairman Judge closed the hearing at 5:48 p.m.

The County Manager summarized new budget requests for additional school Resource Officers, and an increase for the physician who serves as the Medical Director for EMS. Commissioner Shea requested a report on the possibility of utilizing part time positions to provide school Resource Officers. Commissioner Woodard said he had asked the County Manager to look at a Cost of Living Allowance (COLA) for employees earning less than \$40,000 compared to those earning less than \$60,000 and summarized the results. Commissioner Tillett asked the Manager how morale will be affected if an across the board COLA is not given. Mr. Outten explained the issue of pay grade compression and said giving a bifurcated COLA would worsen the problem.

Commissioner Tillett questioned why a salary study is needed and the Manager outlined the merits of doing a study and keeping the results current in order to avoid taking a big financial hit later. Vice-Chairman Johnson noted that the cost of a salary study could be saved because people's jobs have not changed. He added that salary studies unfairly compare counties to towns. The Vice-Chairman said he is against the budget because he does not support a tax increase and called for government to be made smaller whenever possible. Commissioner Burrus noted that Dare County cannot control mandates imposed by the federal and state government. Commissioner Woodard said the School of Government study of salaries in North Carolina confirms that many of Dare County's employees are in the top earning percentile in the state. He also voiced concerns about the 300% increase requested by the EMS physician, the substantial sum of money given to the schools, and funding for special appropriations. He explained that the private sector economy is hurting and many Dare County citizens have not had a job in weeks. He added that people are facing increased rates for flood and homeowners insurance. Commissioner Woodard said he is struggling with the concept of an additional tax increase above the revenue neutral rate and noted that there is time to tweak the recommended budget. Commissioner Shea recommends that the budget be examined for additional savings. Commissioner Dutton said he does not want a tax increase; however, services need to be provided, and something needs to be done for County employees. Vice-Chairman Johnson said although he thinks highly of County employees, he described their benefits as tremendously good compared to the private sector. He said we have a responsibility to the public not to go beyond the revenue neutral rate. He added that in the future, he would like to see the County Manager and County Attorney function become two different job positions, which he said would provide better checks and balances citing past problems in Chowan County. Chairman Judge observed that the combination of positions did not cause the problems in Chowan County. The Finance Director explained the operation of the state 911 Fund and its impact on Dare County. The Board discussed per pupil funding for the schools and the Chairman recommended talking with the School Board in the upcoming fiscal year about their long-range plans and noted the importance of properly maintaining school facilities. He also cited a need in the 2015 budget to address key staffing concerns in several departments. The Chairman invited the Board to review special appropriations line by line. There was extensive discussion of the revenue neutral rate and how best to move forward with the budget process. It was determined that this item will be put back on the Agenda for the June 3, 2013 meeting.

ITEM 10 – CONSENT AGENDA (Att. #3)

The County Manager presented the Consent Agenda.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (05.06.13)
- 2) Social Services Adoption Incentive Budget Amendment
- 3) Hatteras Island Fishing Tournament
- 4) Tax Collectors April 2013 Reports

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

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

Commissioner Virginia Tillett

- She reported on the National Park Service event commemorating the 150th anniversary of the Roanoke Island Freedmen’s Colony.
- Commissioner Tillett extended Happy Birthday wishes to Commissioner Burrus.
- She urged everyone to remember Dare Day coming up on Saturday, June 1.

Commissioner Allen Burrus

- He voiced birthday greetings to Commissioner Tillett.
- Commissioner Burrus recognized the work done by the National Park Service getting recognition for the Hotel D’Afrique site on Hatteras Island.
- He expressed concern about groups trying to stop the building of a Hatteras Island bridge who then come before a County agency to apply for grant funding.
- Commissioner Burrus said we are fortunate to have a summer season to help the economy and expanded on the issue of unemployment.

Commissioner Jack Shea

- Wished a happy birthday to Commissioner Tillett and Commissioner Burrus.

Vice-Chairman Richard Johnson – None

Commissioner Robert Woodard – None

Commissioner Max Dutton

- Extended birthday greets to Commissioner Tillett and Commissioner Burrus.

Chairman Warren Judge

- He said a House Committee has marked up HR 819 sending the bill to the floor of the U.S. House. He expressed hope that it will pass the House along with the companion bill (S. 486) in the U.S. Senate and explained the bill’s status.
- Chairman Judge commented on the special interest groups dedicated to ruining life on Hatteras Island with a propaganda campaign based on false claims. He called upon leadership of the organizations to end their assault and be willing to compromise. He said efforts must continue to present the truth about the Cape Hatteras National Seashore Recreational Area.
- The Chairman presented a Resolution to formalize the action taken at the last meeting regarding North Carolina Senate Bill 236.

MOTION

Commissioner Shea motioned to approve a Resolution in support of North Carolina Senate Bill 236 that would give the Dare County Board of Commissioners the option of managing school resources.

Commissioner Dutton and Commissioner Burrus seconded the motion.

VOTE: AYES (6) Chairman Judge, Vice-Chairman Johnson,

Commissioners Shea, Burrus, Dutton, and Woodard

NOES (1) Commissioner Tillett

- Chairman Judge asked Commissioners to meet with the Board of Education to hear a presentation that was made today to the Capital Improvements Planning Committee about school capital issues. A Special Meeting for this purpose was slated for 2:00 p.m., Monday, June 3, 2013.

MANAGER'S/ATTORNEY'S BUSINESS

The County Manager said a \$3,000 non-matching grant has been received from Blue Cross Blue Shield for a community garden center. He asked for authorization to accept the grant and do whatever budget amendment is necessary.

MOTION

Commissioner Tillett motioned to accept the grant and authorize whatever budget amendment may be necessary.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

AT 8:40 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON JUNE 3, 2013.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

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