



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

Regularly scheduled Board meetings are videotaped and can be viewed at www.darenc.com

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

10:00 a.m., August 3, 2015

Commissioners present: Chairman Robert Woodard
Vice-Chairman Wally Overman
Warren Judge, Jack Shea, Allen Burrus,
Beverly Boswell, Margarett Umphlett

Commissioners absent: None

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

A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website www.darenc.com.

Note – the Commissioners meeting, scheduled for 10:00 a.m., was preceded by a News Conference on the sales tax redistribution proposal that is being considered by the North Carolina Legislature. At 10:00 a.m., with the News Conference still in progress, the Clerk made an announcement to those who had gathered for the Commissioner's meeting that it would commence at the conclusion of the News Conference.

Chairman Woodard called the meeting to order at 10:35 a.m. He invited Rev. Feyrer to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Constance Daniels, DHHS-Health Division, received a 10-year pin.
- 2) Ray Owens, Detention Center, received a 10-year pin.
- 3) Brenda Shiflet, DHHS-Health Division, received a 10-year pin.
- 4) Rosa King, DHHS-Health Division, received a 15-year pin.
- 5) Pamela Tate, EMS, received a 15-year pin.
- 6) Jeffrey Mitchell, EMS, received a 15-year pin.
- 7) Kevin Duprey, Sheriff's Office, received a 20-year pin.
- 8) Tonda Cutrell-Flynn, EMS, received a 25-year pin.

ITEM 2 – EMPLOYEE OF THE MONTH – AUGUST 2015

Melissa Condore, DHHS Health Division, received the Employee of the Month certificate for August 2015 from Sheila Davies who said Ms. Condore is an exceptional employee who is dependable, reliable, and genuinely concerned about those she serves.

ITEM 3 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard gave a follow-up report on what has transpired since the last meeting. He noted that Members of the Board have made weekly trips to Raleigh in the ongoing effort to fight the sales tax redistribution proposal. The Chairman thanked the Board of Commissioners for hosting this morning’s News Conference where municipal and county leaders described the harm that Dare County residents would suffer if the sales tax redistribution plan is adopted. He thanked all those who participated.

ITEM 4 – PUBLIC COMMENTS

The Manager outlined the public comments procedure. Citizen remarks can be seen in their entirety on the county website www.darenc.com. Following is a brief summary –

1. Matthew Byrne updated the Board on meetings he has had with the Mayors of Kill Devil Hills and Nags Head concerning the Fresh Pond. He said Kill Devil Hills has been supportive; however, Nags Head is hesitant to allow recreational access. Mr. Byrne asked Commissioners to call Nags Head and let them know that other areas allow recreation on their water supplies.
2. Tamara Wescott outlined a problem with a condemned structure on Bernice Avenue involving what she described as a drunken squatter living there who relieves himself in a bucket that is poured in the yard. She explained that she owns rental property across the street, which is being devalued because of this behavior. Ms. Wescott reported on her efforts to remedy the problem and called on the Board to take action.

ITEM 5 – REPORT ON FUTURE PLANS FOR DARE DAY

Martha Wickre, Town of Manteo Commissioner, outlined future plans for the annual Dare Day celebration. She announced that the Town of Manteo will take over the annual event and that she will serve as Chair of the Dare Day Committee. Chairman Woodard expressed gratitude to the Manteo Commissioners and thanked them for their willingness to continue this tradition.

ITEM 6 – SHANNON BROOKS, COUNTY EXTENSION DIRECTOR, INTRODUCTION TO THE BOARD OF COMMISSIONERS

Tim White introduced Shannon Brooks to the Board as the new Cooperative Extension Director for Dare County. Ms. Brooks briefly outlined the mission of the Cooperative Extension and highlighted various programs and services that are available for Dare County residents.

ITEM 7 – ANNUAL SETTLEMENT AND CHARGES TO TAX COLLECTOR (Att. #1)

Becky Huff, Dare County Tax Collector, gave a report on 2014 collections and described the collections process. She said the collection rate was 99.24% on real estate and personal property taxes. Ms. Huff explained the role of Zacchaeus Legal

Services in the collections process. She also described Dare County's willingness to work with people who need to make special payment arrangements.

MOTION

Commissioner Judge motioned to charge the Tax Collector to collect the 2015 taxes. Commissioner Shea and Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

ITEM 8 – CONTRACT WITH WHITING TURNER FOR THE RECC/EOC BUILDING PROJECT

Finance Director, David Clawson presented a contract with Whiting Turner as the Construction Manager at Risk (CMAR) for the Regional Emergency Communications Center (RECC) and Emergency Operations Center (EOC). He provided an analysis of the Whiting Turner proposal compared to the consultant's projections and to the amounts spent by the County on two recent projects.

MOTION

Commissioner Judge motioned to approve the contract with Whiting Turner and authorize the Chairman to execute the agreement.

Commissioners Overman, Shea, and Umphlett seconded the motion.

VOTE: AYES unanimous (Note – Commissioner Burrus was out of the room during voting on this item)

ITEM 9 – FY2016 THROUGH FY2020 RECOMMENDED CAPITAL IMPROVEMENTS PLAN WITH BUDGET AMENDMENTS AND CAPITAL PROJECT ORDINANCES (Att. #2)

Finance Director, David Clawson presented the Capital Improvements Plan (CIP) for FY2016-2020 as recommended by the Capital Improvements Planning Committee. He outlined the recommended projects and reviewed the E911 CIP and the Water Fund CIP. He asked the Board to approve Budget Amendments for the Capital Reserve Fund, General Fund, and Water Fund along with a Capital Project Ordinance for the 2016 CIP projects, 2016 Schools Capital Project Ordinance, and a Grant Project Ordinance for the RECC/EOC Project.

MOTION

Commissioner Judge motioned to approve the FY 2016 CIP, adopt the Budget Amendments for the Capital Reserve Fund, General Fund, and Water Fund, adopt the Capital Project Ordinances for the Capital Projects and School Capital Projects, and adopt the amendment to the Capital Project Ordinance for the RECC/EOC project.

Commissioners Overman, Shea, and Boswell seconded the motion.

VOTE: AYES unanimous (Note – Commissioner Burrus was out of the room during voting on this item)

ITEM 10 – CONSENT AGENDA

The Manager presented the Consent Agenda. The items were visually displayed in the meeting room and read into the record. Commissioner Burrus noted a typographical error on Consent item 4, to be corrected by the Clerk prior to distribution.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (07.20.15) **(Att. #3)**
- 2) Outer Banks Scenic Byway – Contract Negotiation for Professional Services
- 3) Amendment to Capital Project Ordinance – Outer Banks Scenic Byways **(Att. #4)**
- 4) Proclamation Honoring the Service of SFC Stephen L. Tolson
- 5) Public Health Division – Additional Grant Funds
- 6) Change to Local Fire Inspection Schedule **(Att. #5)**
- 7) Tax Collector's Report

Commissioner Judge seconded the motion.

VOTE: AYES unanimous

ITEM 11 – BOARD APPOINTMENTS

1) A.B.C. Board

Commissioner Umphlett motioned to reappoint Bobby Owens.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

2) Dare County Center Advisory Board

Commissioner Umphlett motioned to approve the Dare Center Advisory Board recommendation by – reappointing Flossie Tugwell and Mary Pendill, and appointing Tiffany Wescott and Anastacia Davis.

Commissioner Judge seconded the motion.

VOTE: AYES unanimous

3) Jury Commission

Commissioner Judge and Vice-Chairman Overman motioned to reappoint Alma Clark. Commissioners Boswell and Burrus seconded the motion.

VOTE: AYES unanimous

4) Upcoming Board Appointments

The Upcoming Board appointments for Sept., Oct., and Nov. were announced.

Vice-Chairman Overman recommended that the Board of Commissioners at their next meeting consider expanding the size of the A.B.C. Board from three members to five. He explained that the A.B.C. Board is a very small public body that oversees substantial sums of money and outlined the merits of having five members. He said if this is approved at the next meeting, new appointments to the A.B.C. Board should then be made at the September 8, 2015 meeting of the Dare County Board of Commissioners.

ITEM 12 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Following is a brief outline of items raised during this segment. Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety on a video archived on the Dare County website www.darenc.com.

Commissioner Burrus – commended the service pin recipients and the Employee of the Month and welcomed Cooperative Extension Director, Shannon Brooks. Commissioner Burrus expressed his objections to the sales tax redistribution proposal in the North Carolina Legislature. He encouraged the Board to explore out of the box ideas including the possibility of not collecting the local option portion if it is only going to be given away to other jurisdictions. He urged everyone to have a great summer on the Outer Banks.

Commissioner Shea – congratulated the service pin recipients and the Employee of the Month. He also welcomed Shannon Brooks as the next Extension Director. Commissioner Shea called on the North Carolina Legislature to vote down the draconian sales tax redistribution plan, which he said would be a terrible thing for Dare County. He encouraged everyone to have a fun and safe summer.

Vice-Chairman Overman – commended the service pin recipients and the Employee of the Month. He expressed gratitude that Manteo Commissioner Martha Wickre is taking over the Dare Day celebration and welcomed Cooperative Extension Director, Shannon Brooks. The Vice-Chairman reported on a sailboat regatta event held on the Outer Banks for the North American Laser Class Association Championship. He urged everyone to voice their displeasure over the sales tax redistribution plan. He said every call to Raleigh will make a difference.

Commissioner Umphlett – thanked the service pin recipients and the Employee of the Month. She thanked all those who participated in today's News Conference on the sales tax redistribution plan and explained that information has been shared with State legislators about the devastating impact the proposal would have on Dare County.

Commissioner Judge – acknowledged the service pin recipients and the Employee of the Month. He reported on recent meetings with the National Park Service. He thanked the participants in this morning's News Conference and voiced his frustration with the North Carolina Senate for bragging about reducing individual and business taxes, yet being willing to place a burden on Dare and others by redistributing sales tax revenue. Commissioner Judge said he wants to help less fortunate areas; however, it would be better done by investing in things that provide opportunities for them. He encouraged people everywhere to contact their legislators.

Commissioner Boswell – congratulated the service pin recipients and the Employee of the Month. She welcomed Cooperative Extension Director, Shannon Brooks. Commissioner Boswell asked the Board to consider increasing the time allocated for public comments by an extra minute or two because many people need more time than the existing three minute limit. She commented on the Wicked Tuna program aired on the National Geographic Channel. Commissioner Boswell cautioned that the fight that is now underway on the sales tax redistribution proposal will not be the only battle on this issue and urged people to contact the State Legislature and Governor.

Chairman Woodard – asked the County Manager to put an item on the next agenda for the Board to consider the amount of time allocated for Public Comments as requested

by Commissioner Boswell. He expressed gratitude that the Town of Manteo is willing to take over Dare Day. He welcomed Shannon Brooks as the new Cooperative Extension Director and praised the Tax Department for their collections success. Chairman Woodard congratulated the service pin recipients and the Employee of the Month. He thanked the Board of Commissioners and participants for today's News Conference on the sales tax redistribution proposal. He noted that it is critical that we keep our citizens and visitors well informed on this issue and commended Dorothy Hester and the Public Relations Department for their efforts. The Chairman echoed the need for people to call their legislators and voice their opposition to this plan because of the harmful impact it would have on Dare County.

MANAGER'S/ATTORNEY'S BUSINESS

1. County Manager, Robert Outten, reported that a group known as the Alliance for a Prosperous North Carolina would like Dare County and others to sign on to a letter opposing the sales tax redistribution plan.

MOTION

Commissioner Umphlett motioned to join in the letter.

Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

2. Mr. Outten explained that Outer Banks Sporting Events would like to close the Old Manns Harbor Bridge for a few hours during portions of the upcoming Outer Banks Triathlon in September. He asked the Board to consider approving a letter to NCDOT supporting this request.

MOTION

Vice-Chairman Overman motioned to authorize a letter of support.

Commissioner Shea and Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

3. The Manager commented on the remarks made by Tamara Wescott during Public Comments. He gave an overview of the problem and explained that the civil system works very slowly. Mr. Outten said the County is moving to take appropriate legal action. Chairman Woodard urged the County Manager to move forward with whatever legal action is necessary and to let Ms. Wescott know that the Board unanimously wants the problem to be resolved.

At the conclusion of the meeting, Chairman Woodard asked for a motion to adjourn.

MOTION

Commissioner Shea motioned to adjourn the meeting.

Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

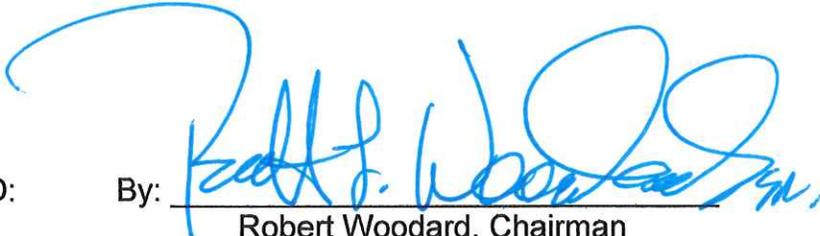
At 12:31 p.m., the Board of Commissioners adjourned until 5:00 p.m., August 17, 2015.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners