



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

August 17, 2009—5:00 P.M.

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

Commissioners Present:

Chairman Warren Judge, Dist. 3; 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: None

Others Present:

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

Action:

EMPLOYEE OF THE MONTH (AUGUST) — **Presented to Linda Webb**

AD-HOC COMMITTEE ON MOTORIZED OFF-ROAD RECREATIONAL EQUIPMENT — **Public Hearing scheduled for 9/21/09 at 5:30P.M.**

US CENSUS BUREAU PROCLAMATION — **Adopted**

ANNUAL SETTLEMENT AND CHARGES TO THE TAX COLLECTOR — **Authorized to collect 2009 taxes**

REVISION OF THE DARE COUNTY HAZARD MITIGATION PLAN — **Approved**

HOMELAND SECURITY GRANT (INFORMATION SHARING TECHNOLOGY) — **Approved**

DARE COUNTY DEPARTMENT OF PUBLIC HEALTH MEDICINE ABUSE AWARENESS MONTH — **Adopted**

WANCHESE ZONING MAP—CORRECTION OF MC-2 LABEL — **Public Hearing scheduled for 9/08/09 at 10:30 A.M.**

DARE COUNTY PUBLIC FACILITIES CORPORATION — **Appointed (Warren Judge, Sally Defosse and Richard Johnson)**

INTERLOCAL AGREEMENT TO PROVIDE FIRE INSPECTION SERVICES TO HYDE COUNTY — **Approved**

CNC ACCESS, INC. RESOLUTION AND LEASE FOR NAGS HEAD PROPERTY 2514 S CROATAN HWY — **Approved**

CONSENT AGENDA — **Approved**

- Approval of Minutes (7.20.09 and 8.4.09)
- Annual Report - Community Child Protection Team
- Capital Project Ordinances and Budget Amendments for Approved FY 2010 CIP Projects
- Reimbursement Resolution - Fiscal Year 2009-2010 Vehicle & Equipment Financing
- Department of Public Health Budget Amendment- Access East Change in Agreement
- Bylaws of the Jennette's Pier Advisory Committee
- Embarq Utility Easement to Southern Shores Water Tower

BOARD APPOINTMENTS

- Dare County Transportation Advisory Board — **Reappointed (Marla Hueston and Andy Szakos); Appointed (Gina Scarborough, Lynn Mills, and Paul Keller)**
- Jury Commission — **Reappointed (Sandra Robinson)**
- A.B.C. Board — **Reappointed (Rondal Tillett)**
- Dare County Center Advisory Board — **Appointed (Dorothy Tillett)**

BUDGET AMENDMENT SECTION 25 (Board of Education Installments) — **Approved**

CLOSED SESSION: APPROVAL OF MINUTES — **Held and Minutes Approved**

LAND OF BEGINNINGS

COMMISSIONERS OFFICE— PO Box 1000, MANTEO, NC 27954 • 252.475.5700 • DARENC.COM

Chairman Warren Judge, called the meeting to order at 5:00 p.m., invited Edward Lee Mann to share a prayer and then led the pledge of allegiance to the flag.

Chairman Judge asked for a motion to amend the agenda:

- Remove Item 15, Application and Authorizing Resolution by Dare County for the North Carolina Rural Center Building Reuse and Restoration Grants Program “Holiday Ice/Croswait Building Renovations Project,” by request of the item submitter.
- Move Item 12, Report from Ad-Hoc Committee on Motorized Off-Road Recreational Equipment, to be handled after Item 3, Public Comments, to accommodate Commissioner Mike Johnson who must leave for a Fisheries meeting.

MOTION

Commissioner Shea motioned to amend the agenda as detailed.

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS

- 1) James Basnight, Grounds Maintenance Worker, received his 10 year pin from Edward Lee Mann, Public Works Director.
- 2) Justin Creef, Maintenance Technician, received his 10 year pin from Edward Lee Mann, Public Works Director.
- 3) George King, Carpenter, received his 25 year pin from Edward Lee Mann, Public Works Director.
- 4) Marcy Mann, Land Transfer Tax Administrator, received her 25 year pin from Michelle Evans, Tax Collector.

ITEM 2 – EMPLOYEE OF THE MONTH – AUGUST 2009

Linda Webb, Detention Center, received the Employee of the Month certificate for August 2009 from Rodney Midgett, Sheriff.

ITEM 3 – PUBLIC COMMENTS

- 1) Linda Brown, Manteo resident, presented a thank-you note to the Board regarding their stance on April 6, 2009 in favor of the Marriage Amendment Referendum.
- 2) Reese Stecher, Kill Devil Hills resident, addressed the Board regarding charges filed on June 30, 2009, against him for aiding and abetting boys on his charter who violated a beach closure at the pond at Oregon Inlet. He noted fencing was not in place in this area and the Consent Decree states it must be in place. He asked for the Board’s help in dealing with this situation.

MOVE TO ITEM 12

ITEM 4 – PRESENTATION ON “CLIMATE READY ESTUARIES” BY BILL HOLMAN, DIRECTOR OF STATE POLICY, NICHOLAS INSTITUTE FOR ENVIRONMENTAL POLICY, DUKE UNIVERSITY

Mr. Bill Holman, Director of State Policy at the Nicholas Institute for Environmental Policy, Duke University, made a presentation to the Board explaining anticipated effects of climate change in coastal North Carolina. He introduced Ms. Amy Pickle, Senior Attorney for State Policy at the Nicholas Institute, and Ms. Katherine McGlade who are working with Mr. Holman on this project. He gave an overview of the Nicholas Institute at Duke University and defined climate change. He detailed major concerns, possible scenarios and various environmental effects such as rising sea level and impacts on water, wastewater systems and other resources and investments. He detailed other locations where this presentation will be made and noted the feedback received would be compiled in order to see how best to help counties with preparation for climate change. Chairman Judge noted the septic system in Stumpy Point is nearing completion and stated Mr. Holman may be interested in that location as well. Chairman Judge asked

if this would be a true partnership as experience in the past with federal agency partnerships have resulted in forced actions. Mr. Holman noted the federal agencies involved are the U.S. Environmental Protection agency through its Estuary program, and NOAA through their Coastal Management Program. Chairman Judge noted the Board's willingness to be partners and shared his appreciation for Mr. Holman's work.

Commissioner Shea noted global warming is a debatable subject. Assuming it is true, he asked if Mr. Holman anticipates the sea level rise to be exponential. Mr. Holman stated there are current projections on the rate of sea level rise and noted science is still evolving on this matter. However, sea level is steadily increasing.

Commissioner Tillett asked if Mr. Holman had met Dr. Nancy White with Coastal Studies Institute. He replied he has known her for a long time and has worked with her previously. He felt she is a great resource to the Board as well. Commissioner Tillett also asked if Mr. Holman had met with Dare County's Water Department. He stated he had met with the Town of Manteo, and has intention to meet with the County's Water Department.

Vice-Chairman Burrus noted Mr. Holman's insinuation there would be funding available. He asked if this funding would be available for septic system restorations and the like, or simply added regulations. Mr. Holman noted this was still up for debate and noted the importance of the County clarifying what resources are needed. Vice-Chairman Burrus reiterated his concern for unfunded mandates. He then asked for Mr. Holman to clarify on his suggestion to not use bulk heading. Mr. Holman noted bulk heading has a negative impact on wetland and marshes. He stated there are alternatives that provide protection for the property and keep the marsh intact. Commissioner Richard Johnson asked for more clarification on Mr. Holman's stance against bulk heading. Mr. Holman stated it causes loss of wetlands and increased erosion in front of that property. Commissioner Richard Johnson noted so many environmentalists come in without a better suggestion. He expressed the need for positive solutions to problems instead of simply stating what cannot be done. He asked for environmentally friendly ways to protect what many people work their whole lives for.

Commissioner Mike Johnson expressed he feels money causes climate change as many contributions are made as a result to environmentalists, politicians, scientists and to institutions. He stated there is evidence supporting both sides of the debate. He feels most of the land our County has lost is not due to sea level rise, but rather to erosion. He felt the situation is also being unfairly exaggerated and while the County does have an excellent Emergency Management Director, he stated the public sees exaggerated presentations and thinks a tidal wave is imminent. He noted the subject of increased salinity due to sea level rise, as well as increased rainfall due to temperature change. He explained tributaries, rivers and creeks are saltier now because of a three (3) year drought. He feels the salinity levels are due more to run-off than the ocean rising and emptying into them. Regarding land use solutions, he noted if bulkheads are built and we lose some wetlands, the County should gain wetlands back as sea levels rise. He also expressed how in the past few months, if there is a problem, government writes a check. He noted the need to discover absolute problems with absolute solutions, not just temporary fixes. He stated there is not enough money that can be printed to fix all of the problems. He feels if the sea level is truly rising, mankind is not in charge. Every time the government mentions it is here to help, it will not bode well with this area as our County is the poster child for the negative results. He then apologized to Mr. Holman for being argumentative and clarified it was not directed as him personally.

Commissioner Shea noted the shoreline erosion that has occurred due to storms. He stated unfortunately we are not allowed to do anything in this state to protect our shoreline. He expressed the need for the State to use its knowledge and resources to defend against coastline erosion. He shared the importance of maintain our economy through the beaches and the access to them. Without them, there will be huge economic problems for our County, State, and Country. He explained how revenues support infrastructure and how the State continues to do nothing to prevent erosion of the coastline.

Chairman Judge explained the Board would like to discuss all of these issues with Mr. Holman. He is confident that if a true partnership with equality among the parties exists, they will be able to look down the road, be leaders, and make changes on how the land is used. He noted the need to work positively in crafting the future of the County. Mr. Holman stated he would follow-up with the Utilities Departments and keep the dialogue open. Chairman Judge thanked him for his presentation.

ITEM 5 – U.S. CENSUS BUREAU PRESENTATION

Ms. Akilah Ensley, Partnership Specialist for the U.S. Census Bureau, gave a presentation regarding the current and future operation for the 2010 Census. She explained the goals of the Partnership Program are to improve distribution of information, response, accuracy and cooperation. She detailed the strategies that will be used during the Census to obtain the most accurate Census to date and asked for Dare County's cooperation through the adoption of the 2010 Census Partner Proclamation "It's In Our Hands." Commissioner Shea explained his concerns of fraud such as in the last census where certain groups were undercounted and adjustments were made. He asked what steps are being taken to guard against this in the 2010 Census. Ms. Ensley responded they are working very closely with undercounted and hard to count populations, as well as having quality control in place to make sure the Census is accurate. Chairman Judge noted only thirty-six percent (36%) of Dare County responded in 2000. He explained this percentage as being low due to the great number of absentee owners in our area. He asked what could be done to change this negative effect on the percentage of responses. Ms. Ensley noted they are working hard to have the forms sent to everyone. Commissioner Richard Johnson noted the fifty percent (50%) or greater "built in of failure" for our County for which we get penalized. He explained this would be the same for all resort areas like Morehead City, Currituck and even inland resort areas where there are many absentee home owners. Ms. Ensley stated she would forward the concerns to the Director of the Census Bureau. Vice-Chairman Burrus echoed these concerns stating the need to get senators involved. He explained the process as it now gives an unfair advantage to those in non-resort areas. Commissioner Tillett stated this is a problem that occurs with every Census, and as a Board they need to stay on top of the situation in order to get it changed for the future. Ms. Ensley stated they are finding this to be a problem in many counties and will take concerns to the leaders in Charlotte. Commissioner Dutton asked for clarification on the types of quality control systems in place. Ms. Ensley explained there are both technology and human systems in place to prevent fraud. Commissioner Shea asked what groups would be engaged to help complete the Census. Ms. Ensley explained only Census employees would do the footwork for gathering information. The Bureau will hire nationwide and all citizens have the ability to apply. County Manager Outten requested Ms. Ensley forward contact information for the leaders in Charlotte and Washington, D.C. to Mr. Ray Sturza, Planning Director, and staff. Chairman Judge asked Manager Outten to draft letters to Senators Hagan and Burr, and Congressman Jones regarding the issue of absentee owners. He then thanked Ms. Ensley for her presentation.

MOTION

Commissioners Tillett and Shea motioned to adopt the Proclamation.
Vice-Chairman Burrus and Commissioner Dutton seconded the motion.
VOTE: AYES unanimous

ITEM 6 – ANNUAL SETTLEMENT CHARGES TO THE TAX COLLECTOR (Att. 1)

Ms. Michelle Evans, Tax Collector, appeared before the Board in order to report on unpaid taxes and settlements for the 2008 taxes. She detailed the amounts due, amounts collected, the resulting collection rate, actions taken on past due accounts and settlements for 2008. She requested the Board charge her to collect the 2009 taxes.

MOTION

Commissioner Shea motioned to charge the tax collector to collect the 2009 taxes.
Vice-Chairman Burrus and Commissioner Dutton seconded the motion.
VOTE: AYES unanimous

ITEM 7 – REVISION OF THE DARE COUNTY HAZARD MITIGATION PLAN (Att. 2)

Mr. Sandy Sanderson, Emergency Management Director, presented the Resolution of Adoption Dare County Multi Jurisdictional Hazard Mitigation Plan for approval by the Board. He explained this resolution merges the Town of Duck and Town of Manteo’s Hazard Mitigation Plan in order to allow them to participate in Dare County’s Hazard Mitigation Plan.

MOTION

Commissioner Shea motioned to approve Resolution 09-08-21.

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 8 – HOMELAND SECURITY GRANT - INFORMATION SHARING TECHNOLOGY

Sheriff Rodney Midgett presented information regarding the Homeland Security Grant for Information Sharing Technology. He explained all grant applications to the Department of Homeland Security must be made through the Domestic Preparedness Region (DPR). There are nine (9) DPRs in North Carolina which are part of the NC Division of Emergency Management. He detailed the process of grant approval beginning with the DPR, then state, and finally Department of Homeland Security. He explained the grant must be submitted through a single local government entity. He noted the grants are currently one-hundred percent (100%) funded and require no matching grant. However, in order to receive the grant funding, the money must first be spent and be reimbursed. He explained this would benefit thirteen (13) counties in our region through offering access to databases to share information from the other twelve (12) Sheriff offices in our region. He stated the funds would be spent next July or August of next year with a forty-five (45) to sixty (60) day turnaround for reimbursement. He asked the Board authorize a grant application to be submitted to the DPR and that Dare County be the applicant for information sharing technology for DPR1. Chairman Judge asked why Dare County was chosen to be the applicant. Sheriff Midgett stated no one else volunteered and the application deadline for mid-October is nearing. If Dare County decides not to be the applicant, other counties will go through the same process of presenting to their Boards for approval, which may cause time to run out. He noted Pitt County had been the sponsor in the past, but has since changed regions. We are not in competition with other DPRs in the State and he named the thirteen (13) counties in DPR1. Commissioner Shea shared his concerns of pledging \$650,000 when the current federal administration is not as interested in homeland security as in past. He asked what would happen if the grant disappears. Manager Outten stated while there is a minimal risk of this happening, Dare County can approach the other counties involved with an agreement stating they would pay their share (\$50,000) if the grant was to fall through. Mr. Clawson noted the grant agreement has to be executed before a check is written from the County. Vice-Chairman Burrus also noted the small window between when the check is written and when the County is reimbursed. Commissioner Tillett reminded everyone there is always risks involved with grants and asked the Board to work with the Sheriff on this issue. Commissioner Dutton agreed with the importance of sharing technology, but added the risks must be low. Sheriff Midgett noted the agreement would be reviewed by the County Manager to have all assurances included.

MOTION

Commissioner Richard Johnson motioned to authorize the grant application using Dare County as the applicant.

Commissioners Dutton and Tillett seconded the motion.

Commissioner Shea reiterated the need to build in as much of a safe guard with the agreement with other counties. Should the grant not go through, others will need to pay their fair share and minimize Dare County’s risk as much as possible. Sheriff Midgett noted the final approval would likely be late next winter or spring. Manager Outten asked Sheriff Midgett to work with him get to propose this agreement to the other counties.

VOTE: AYES unanimous

RECESS 7:06 P.M. – 7:24 P.M.

ITEM 9 – DARE COUNTY DEPARTMENT OF PUBLIC HEALTH MEDICINE ABUSE AWARENESS MONTH PROCLAMATION

Ms. Sheila Davies, Substance Abuse Project Manager, read the proclamation detailing statistics of the effects of medicine abuse and declaring August 2009 as Medicine Abuse Awareness Month in Dare County.

MOTION

Vice-Chairman Burrus motioned to adopt the proclamation declaring August 2009 Medicine Abuse Awareness Month in Dare County.

Commissioners Tillett, Shea and Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 10 – DARE COUNTY DEPARTMENT OF PUBLIC HEALTH CHILDHOOD OBESITY PREVENTION PROJECT

Ms. Stephanie Bowers, Project Coordinator, provided the Board with an overview of the accomplishments of the Dare County Childhood Obesity Prevention Project. She distributed background information and explained this was a multilevel community wide demonstration project that took place October 2008 through May 31, 2009. There were four (4) components of the project: partnership development and advocacy, social marketing, the bicycle/pedestrian pathway, and various programs such as NAP SACC, ISPOD, and Energize-Dare. She explained the funding was initially set up as non-reoccurring funds, and was not funded for a second year. However, the partnership continues to meet quarterly to try and sustain some of the programs established. Chairman Judge thanked Ms. Bowers for her report. Vice-Chairman Burrus congratulated everyone on a great job with such a big undertaking.

ITEM 11 – WANCHESE ZONING MAP CORRECTION OF MC-2 LABEL (Att. 3)

Ms. Donna Creef, Senior Planner, explained staff recently discovered an incorrect labeling on the official version of the Wanchese zoning map. The incorrect label for one of the districts reads “NC” (neighborhood commercial) instead of the proper label of MC-2 (marine commercial). In order to make the necessary correction to the label on the official map, a Public Hearing must be held before generating a new map by the Tax Mapping Department and being signed by the Chairman and Clerk. The Planning Board recommended the change be made and public hearing scheduled.

MOTION

Commissioner Shea motioned to schedule the Public Hearing for September 8, 2009 at 10:30 A.M.

Commissioners Richard Johnson and Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 12 – REPORT FROM AD-HOC COMMITTEE ON MOTORIZED OFF-ROAD RECREATIONAL EQUIPMENT (Att. 4)

Commissioner Mike Johnson explained the Ad-Hoc committee appointed to consider additional amendments to the motorized off-road recreational equipment zoning regulations (Section 22-28.1) met on August 5, 2009. After discussion, the committee agreed upon revised hours of operation: 3:00 P.M. to 5:00 P.M. Monday through Saturday and no operation of the vehicles on Sunday. During daylight savings time, the hours of operation will be 4:00 P.M. to 8:00 P.M. Monday through Saturday with no operation of the vehicles on Sunday. These were the only changes recommended to the regulations. The Planning Board has met since this time and recommended the ordinance be left unchanged.

MOTION

Commissioner Shea motioned to set a Public Hearing for September 21, 2009 at 5:30 P.M.

Commissioners Tillett and Dutton seconded the motion.

Vice Chairman Burrus asked if the Planning Board’s recommendation would be included in the advertisement for the Public Hearing. Manager Outten stated two recommendations, both the original and with the Ad-Hoc Committee’s changes, would be advertised. He noted if substantial changes are made to what was advertised,

another Public Hearing may be required. If the changes are not substantial, another Public Hearing would not be necessary.

VOTE: AYES unanimous

MOVE TO ITEM 4

ITEM 13 – DARE COUNTY PUBLIC FACILITIES CORPORATION – APPOINTMENT OF DIRECTORS

Mr. Dave Clawson, Finance Director, shared the Dare County Public Corporation is a non-profit corporation formed in 2001 to serve as the counter-party corporation for debt issues of Certificates of Participation. He stated it was first used for the Series 2001 Certificates of Participation. He noted the current Directors are Warren Judge and Sally DeFosse, and the current officers are Terry Wheeler, President; David Clawson, Treasurer; Janice Williams, Secretary; and John Crill, Assistant Secretary. There has been a vacant seat since 2006. The Corporate Board usually meets once per year and once per COPs issuance. He asked the Board to reappoint Warren Judge and Sally DeFosse as directors, and to appoint someone for the vacancy.

MOTION

Commissioner Shea motioned to reappoint Warren Judge and Sally DeFosse as Directors of the Corporation, and to appoint Commissioner Richard Johnson to fill the vacant seat.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 14 – INTERLOCAL AGREEMENT TO PROVIDE FIRE INSPECTION SERVICES TO HYDE COUNTY (Att. 5)

County Manager Outten explained Hyde County is currently without an inspector who is rated to perform fire inspections. He explained, subject to Board approval, Dare County has agreed to provide these services to Hyde County until they hire a new inspector. Hyde has agreed to reimburse Dare for all costs, including mileage, and either party can terminate on fifteen (15) days notice. He noted the agreement provides that Dare has priority and that the inspector will schedule Hyde around his duties to Dare. Commissioner Shea asked if Hyde County is currently recruiting an inspector. Manager Outten stated his understanding was they are recruiting an inspector and this agreement should not be needed much longer than a few months.

MOTION

Vice-Chairman Burrus motioned to approve and the Interlocal Agreement and to authorize the County Manager to execute the documents.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 16 – CNC ACCESS, INC. RESOLUTION AND LEASE FOR NAGS HEAD PROPERTY 2514 S CROATAN HWY (Att. 6)

County Manager Outten presented a lease agreement between Dare County and CNC Access, Inc. for the Nags Head property located at 2514 S. Croatan Highway. He explained CNC Access will provide psychiatric services in the building previously occupied by Albemarle Mental Health. He stated CNC will pay \$1,800 per month which will help the County recoup some funds as Albemarle Mental Health did not pay rent. He noted at the time the resolution was placed in the Board packet, some of the dates were unknown. However, the updated information for the resolution includes an inception date of September 1, 2009 with the first rent payment being due on that day, and the 1st of each month thereafter. The lease will terminate on the 31st day of August, 2010. Commissioner Shea asked if there was currently gas for this building. Mr. Outten stated he did not think so, but would check to be sure. Commissioner Shea stated he wants to make sure the County is reimbursed for any tanks with gas already on the property.

MOTION

Commissioner Shea motioned to approve the resolution and lease agreement and authorize the County Manager to execute the lease agreement.

Vice-Chairman Burrus seconded the motion.

Commissioner Tillett inquired how long the lease would be. Mr. Outten responded one (1) year.

VOTE: AYES unanimous

ITEM 17 – CONSENT AGENDA (Att. 7)

Commissioner Shea motioned to approve the Consent Agenda:

1. Approval of Minutes (7.20.09 and 8.4.09)
2. Annual Report - Community Child Protection Team
3. Capital Project Ordinances and Budget Amendments for Approved FY 2010 CIP Projects
4. Reimbursement Resolution - Fiscal Year 2009-2010 Vehicle & Equipment Financing
5. Department of Public Health Budget Amendment- Access East Change in Agreement
6. Bylaws of the Jennette's Pier Advisory Committee
7. Embarq Utility Easement to Southern Shores Water Tower

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 18 – BOARD APPOINTMENTS

- 1) Dare County Transportation Advisory Board

MOTION

Commissioner Shea motioned to reappoint Marla Hueston, Andy Szakos for four year terms.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

MOTION

Commissioner Shea motioned to appoint Gina Scarborough, Lynn Mills, and Paul Keller for four year terms.

VOTE: AYES unanimous

- 2) Jury Commission

MOTION

Commissioner Tillett motioned to reappoint Sandra Robinson for another two year term.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

- 3) A.B.C. Board

MOTION

Commissioner Dutton motioned to reappoint Rondal Tillett for another three year term.

Commissioner Shea and Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

- 4) Dare County Center Advisory Board

MOTION

Commissioner Tillett motioned to appoint Dorothy Tillett for a term yet to be determined.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 19 – COMMISSIONERS’ BUSINESS

Commissioner Tillet shared she attended funeral services for Raymond Charity and offered her sympathies to the family. She thanked Warren for filling in for her seat on the Ad-Hoc Committee regarding Recreational Off-Road Equipment. She also thanked Katie Smith, Clerk, for the arrangements made for her upcoming trip to the 2009 NCACC conference.

Vice-Chairman Burrus thanked Ms. Linda Webb, Employee of the Month, and stated he was impressed that she is back to work so soon after having a baby. He shared the Consent Decree has been proven to be a scientific sham. He noted the perfect nesting season. More yardage was taken and more money was spent on patrols. As a result, less birds nested and less hatched than last year. He stated the Park Service and Fish and Wildlife’s management was much better than the Consent Decree. He stated they need to continue to be allowed the opportunity to manage the area. He noted he was not able to make “Hero’s Day” at the Chicamacomico Lifesaving Station, but heard a lot of great things about it. He appreciated those who worked hard to make this day a success. He noted the continued work on dredging in Rodanthe and Stumpy Point in the coming weeks. He stated they are now dredging the Inlet at the bar and in Shallowbag Bay.

Commissioner Shea shared his appreciation for those receiving service pins, and for Ms. Webb as Employee of the Month.

Commissioner Richard Johnson – None

Commissioner Max Dutton shared his appreciation for the service pin recipients and all they do for the County. He also congratulated Ms. Webb for the Employee of the Month award.

Chairman Judge announced Dr. Rich Goldberg, UNC Cancer Hospital, will give a presentation on October 8th at the Kern Pitt Center. He noted this is a great opportunity for the community to hear this presentation and interact with this world class doctor. He encouraged those who would like to participate or have questions to contact Dorothy Toolan, Public Information Officer for Dare County. He shared his appreciation for Vice-Chairman Burrus’ remarks concerning the Consent Decree. He noted how our County has been challenged by the effects of this decree and how they have constantly reached out to the Hatteras Island residents. He explained how members of the Board and Dare County staff spent time working with the Congressional delegation in Washington, D.C. He encouraged everyone to call Senator Hagan’s office to offer thanks and encouragement for her support as she has been under a lot of scrutiny for this support. He also thanked Melissa Midgett from Wanchese for her support of Senator Hagan and for being our State Director for our Senator. He thanked Reese Stecher for his comments during the Public Comment period. He stated he is unsure on where this will end; however, there is a need to plead with law enforcement to use great discretion in taking action. He stated when a vandal tears up a sign on a beach closure, often the punishment does not fit the crime.

MANAGER’S/ATTORNEY’S BUSINESS

(Att. 8) Manager Outten noted in the budget ordinance when the School Board funding is appropriated, the current local expense appropriation is distributed in twelve (12) monthly installments. For cash flow reasons, there are times when it would be of some benefit to the School Board to distribute it in some way other than on a monthly basis. He asked for authorization to do this when necessary. He stated typically this would be done on a monthly basis, but in the rare instances it would be beneficial to do it in another manner, he would need authorization to do so.

MOTION

Commissioner Shea motioned to authorize the County Manager to distribute the funds as detailed.

Commissioner Tillet and Vice-Chairman Burrus seconded the motion.

Vice-Chairman Burrus noted having sat on the School Board with the State budget went into September, cash flow can be difficult when attempting to pay teachers when the necessary funds are not coming in from the State.

Therefore, he supports this motion. Commissioner Tillett asked if this action was requested by the School Board. Manager Outten responded the two finance directors involved discussed this option and brought it to his attention.
VOTE: AYES unanimous

ITEM 20 – CLOSED SESSION – APPROVAL OF MINUTES (7.20.09)

MOTION

Pursuant to the provisions of NCGS 143-318.11, Commissioner Shea moved that the Dare County Board of Commissioners go into Closed Session to: approve the minutes of the last closed session.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

AT 8:03 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ENTERED CLOSED SESSION AND EXITED AT 8:05 P.M.

Chairman Judge reconvened the meeting. After returning from Closed Session, County Manager Outten reported the minutes from the last closed session were approved. The Board took no other action.

AT 8:05 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON September 8, 2009.

(SEAL)

Respectfully submitted,

By: _____

Katie Smith, Clerk

APPROVED:

By: _____

Warren C. Judge, Chairman

Dare County Board of Commissioners

