



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

5:00 p.m., September 15, 2014

Commissioners present: Chairman Warren Judge, District 3
Virginia Tillett, District 1; Wally Overman, District 1
Max Dutton, District 2; Robert Woodard, District 2;
Jack Shea, District 5

Commissioners absent: Vice-Chairman Allen Burrus, District 4

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

Chairman Judge called the meeting to order at 5:02 p.m. He invited the Rev. Jody Moore from the Outer Banks Presbyterian Church to share a prayer, and then he led the Pledge of Allegiance to the flag. Chairman Judge reported that Vice-Chairman Burrus was not present due to the funeral today of his father-in-law. He then asked that item 5 (Community Rating System (CRS) Activities) be removed from the agenda. He explained that staff was unable to be here tonight and noted that the item is not time critical.

MOTION

Commissioner Woodard and Commissioner Shea motioned to amend the agenda to remove item 5 (Community Rating System (CRS) Activities – Status Report).

Commissioner Dutton and Commissioner Overman seconded the motion.

VOTE: AYES unanimous

ITEM 1 – PUBLIC COMMENTS

The County Manager outlined the public comments procedure. The following spoke -

1. Jack Bennett, Avon Harbor property owner, expressed thanks for the effort that has been done to clean-up the debris-dumping problem that was occurring in his neighborhood. He then outlined a concern about the Tax Mapping Department and explained how procedures taken 14 years ago are causing a deed related problem for which property is now being put up for auction for non-payment of

taxes. Mr. Bennett said he has not received a satisfactory explanation in response to his repeated questions. He asked the Board to look into this matter.

2. Patricia Elliott said she owns property near Mr. Bennett and agreed that the neighborhood looks better thanks to the debris clean-up effort that has occurred. She then described a problem with her driveway, which she said is being used as a public road. She asked that the tax map reflect that it is a private driveway and added that she would like for it to be listed as "Miller Driveway."

ITEM 2 – PROCLAMATION – ALZHEIMER’S DISEASE AWARENESS MONTH

Gail Sonnesso presented a Proclamation promoting Alzheimer’s Disease Awareness in Dare County. She outlined the scope of the problem and explained that every 67 seconds someone develops dementia. The County Manager read the Proclamation.

MOTION

Commissioners Shea, Overman, and Dutton motioned to proclaim September 2014 as World Alzheimer’s Disease Awareness Month in Dare County.

Commissioner Woodard seconded the motion.

VOTE: AYES unanimous

ITEM 3 – TOURISM BOARD REQUEST FOR RESTRICTED FUND SPENDING

Lee Nettles, Executive Director of the Outer Banks Visitors Bureau, asked the Board to approve spending \$25,000 from the Natural, Historic, and Cultural Resources line item for the new USS Monitor exhibit at the North Carolina Aquarium. He explained that this exhibit will be part of the Aquarium’s renovation and outlined its targeted completion.

MOTION

Commissioner Tillett and Commissioner Shea motioned to approve spending \$25,000 from the Natural, Historic, and Cultural Resources line item of the Restricted Fund for the new USS Monitor exhibit at the North Carolina Aquarium.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 4 – REDUCTION IN STATE FUNDING FOR TRANSPORTATION DEPT.

Mr. Outten explained that the County was notified last week of an unexpected 31% cut in the NCDOT Rural Operating Assistance Program (ROAP) grant, which represents \$42,700 of the County’s Transportation budget. However, late last week he said the County was further notified that instead of a 31% cut, the reduction in funding would be 16% for a shortfall of \$21,783. The Manager said he has instructed the Transportation Department to combine trips and modify operations in order to operate within their budget. He briefed the Board on client feedback and the group discussed the department’s fare structure for in county and out of town service. By consensus, the Board agreed to continue addressing the problem by combining trips and managing routes, and as more information is gathered, the County Manager will bring it back to the Board as warranted.

ITEM 5 – COMMUNITY RATING SYSTEM (CRS) ACTIVITIES – STATUS REPORT

At the onset of the meeting, the Board removed this item from the agenda.

ITEM 6 – RECOMMENDED WATER CAPITAL IMPROVEMENTS PLAN FOR FY2015 THROUGH 2021 (Att. #1)

Finance Director, David Clawson, and Utilities Director, Ken Flatt presented the recommended Water Capital Improvements Plan (CIP) for FY 2015-2021. Funding sources were identified and the projects were outlined by year. The Board was asked to approve the Water CIP and adopt the related Budget Amendment and Capital Project Ordinance.

MOTION

Commissioner Dutton and Commissioner Shea motioned to approve the Water CIP and adopt the related Budget Amendment and Capital Project Ordinance.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 7 – BUDGET AMENDMENT FOR LOCAL CURRENT EXPENSE FOR COUNTY SCHOOLS FOR SALARY INCREASES PER THE FINAL STATE BUDGET (Att. #2)

The Finance Director reported that the Board of Commissioners included \$354,834 in the original FY2015 budget as an estimate for locally paid salary and fringe benefit increases. He explained that the County committed to funding additional amounts if the State of North Carolina caused the increases to be greater than \$354,834. Mr. Clawson said the effect of the State's final budget results in an increase of \$212,496 over what was allocated in Dare County's budget. He said the source of funding for the increase will need to come from the County's Appropriated Fund Balance. He asked the Board to adopt a Budget Amendment reflecting the increased amount.

MOTION

Commissioner Shea motioned to adopt a Budget Amendment reflecting the increase in Local Current Expense as presented.

Commissioner Overman seconded the motion.

VOTE: AYES unanimous

ITEM 8 – CONSENT AGENDA

The Manager presented the Consent Agenda. The items were visually displayed in the meeting room and read into the record.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (09.02.14) **(Att. #3)**
- 2) Renewal of Contract and Agreement between Dare County and Southern Shores Volunteer Fire Department
- 3) Southern Shores Volunteer Fire Department – Firefighters' Relief Fund Board of Trustee's Appointments

- 4) Capital Project Ordinance Amendment – Hurricane Irene, Phase 1, Elevation of 17 Homes **(Att. #4)**
- 5) Exemption for Selection of Firm to Perform Analysis of Old Administration Building
- 6) Budget Amendment – Parks & Recreation Tennis Grant
- 7) Update to Dare County Social Media Use Policy
- 8) 2015 Governors Highway Safety Grant **(Att. #5)**
- 9) Tax Collectors August 2014 Reports

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 9 – BOARD APPOINTMENTS

- 1) Health and Human Services Board

Commissioner Woodard motioned to reappoint Nicholas Kioulosis and Mary Gray, and to appoint Kevin Phillips to the Pharmacist seat.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 10 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Commissioner Shea

- He urged everyone to attend Day at the Docks on Hatteras Island.

Commissioner Overman - None

Commissioner Woodard – None

Commissioner Dutton – None

Commissioner Tillett

- She announced that next month the Dare County Center will commemorate its five-year anniversary. She said a special celebration event will take place from 4:00 p.m. to 6:00 p.m. on October 15.
- Commissioner Tillett said the State of the Child Conference will be held September 26 and urged everyone to participate.

Chairman Judge – None

MANAGER'S/ATTORNEY'S BUSINESS

1. County Manager, Robert Outten briefed the Board on the tax mapping issues that were addressed during Public Comments. He explained the statutory process that Dare County must follow in recording deeds and outlined how overlaps and disputed

areas can occur. Mr. Outten offered to meet with those who are struggling with this issue and brief them on the tax mapping process. Regarding the request for a private road designation, he said the name "Miller Road" is acceptable, unless it causes confusion with another road.

2. The Manager told the Board that sometime before spring, the Forestry Service intends to do a prescribed burn that will impact County land along Highway 345. He said it poses no risk to the Water Department and noted that the Dare County Fire Marshal says the prescribed burn is needed as a protective measure.
3. Mr. Outten reported on a meeting he attended in Hyde County concerning the possibility of them joining in with the Dare/Tyrrell consolidation of 911 services. He reviewed the \$7 million grant that has been authorized to build a new facility for the consolidated service. He explained that in order for Hyde to get the money that they will need to pay for their portion of the venture, they will need to seek funding from the State's E911 Board. In order to do that, Dare County will need to amend its grant accordingly. Mr. Outten asked the Board for permission to do what is needed to assist Hyde County without putting the Dare County grant in jeopardy. He also explained the need to reengage the project consultant and send out an RFQ (Request for Qualifications) for hiring an architect for the 911 consolidation project.

MOTION

Commissioner Shea motioned to authorize accommodating Hyde County as long as it does not hurt Dare County's grant standing in any way, and to immediately place an RFQ for architectural services.

Commissioner Overman and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

4. The County Manager asked for a Closed Session pursuant to NCGS 143-318.11(a)(5) to instruct the County staff, or negotiating agents, concerning the position to be taken by or on behalf of the County in negotiating the price and other material terms of a contract, for the real property described as Parcel #024472000.

MOTION

Commissioner Shea motioned to go into Closed Session pursuant to the provisions of the North Carolina General Statutes cited by the County Manager.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

At 6:10 p.m., the Commissioners exited the room to meet in Closed Session. They reconvened at 6:33 p.m. and Mr. Outten reported that during the Closed Session the Board approved previous Closed Session Minutes and gave the County Attorney guidance with regard to a real estate matter and took no other action.

At 6:34 p.m., the Board of Commissioners adjourned until 9:00 a.m., October 6, 2014.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

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