



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

Meetings of the Dare County Board of Commissioners 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 16, 2013

Commissioners present: Chairman Warren Judge, District 3
Virginia Tillett, District 1; Max Dutton, District 2;
Robert Woodard, District 2; Allen Burrus, District 4;
Jack Shea, District 5

Commissioners absent: None

Special note: Vice-Chairman Richard Johnson died August 29, 2013 having faithfully served the people of Dare County for 17 years. He is fondly remembered and deeply missed.

A replacement Commissioner has not yet been named to his District 1 seat.

Others present: County Manager/Attorney, Robert Outten
Public Information Officer, Dorothy Killingsworth
Clerk to the Board, Gary Gross

Chairman Warren Judge called the September 16, 2013 meeting of the Dare County Board of Commissioners to order at 5:09 p.m. He remarked on the ruling issued today by Federal Judge Louise Flanagan, which cleared a significant legal hurdle in the process to replace the Herbert C. Bonner Bridge. He expressed appreciation for the efforts of NCDOT and those in the community who have worked long and hard on this issue. Commissioner Burrus said this effort has been going on for over 20 years and thanked the community for its dedication. Commissioners Tillett, Dutton, Woodard, and Shea added their voices in celebration of today's ruling by Judge Flanagan.

Chairman Judge invited the Rev. Lorrie Ghering-Burick from the Roanoke Island Presbyterian Church to share a prayer. Commissioner Woodard asked that the victims of today's shooting at the Navy Yard in Washington, D.C. be remembered in prayer. Afterward Chairman Judge led the Pledge of Allegiance to the flag.

It was reported that the applicant for a Conditional Use Permit has asked the County Planner to pull item #6 from the agenda.

MOTION

Commissioner Woodard motioned to remove Item 6 from the agenda.

Commissioner Dutton 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. Theresa Faber of Colington said it is challenging to provide care for her 82-year-old mother with Alzheimer's disease. She asked the Board of Commissioners to consider a Respite Care program for Dare County.
2. Coy McNeal of Kill Devil Hills explained the challenges caring for her husband since his Alzheimer's diagnosis. She said Respite Care is needed and volunteered to assist in such a program.
3. Jack McNeal added his voice in support for a Respite Care program for the community.

ITEM 2 – GEM ADULT DAY SERVICES – PRESENTATION

Gail Sonnesso showcased the programs, events, and services offered by GEM. She highlighted training and workshop opportunities for family's and professional caregivers. She added that Respite Care, as was mentioned during Public Comments, is needed in the community. Chairman Judge thanked Ms. Sonnesso for the presentation. Commissioner Woodard expressed appreciation for the incredible work that GEM is doing for people. Commissioner Dutton thanked Ms. Sonnesso for her years of service.

ITEM 3 – PROCLAMATION – DIRECT SUPPORT PROFESSIONAL RECOGNITION

Renate Macchirole, Ambassador for the NC Council of Developmental Disabilities, presented a Proclamation expressing appreciation for the many caring people who are the primary providers of long-term support and service for disabled individuals. The Proclamation was read by the County Manager.

MOTION

Commissioner Shea motioned to issue a Proclamation promoting the recognition of Direct Support Professionals.

Commissioner Dutton and Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 4 – N.C. COASTAL FEDERATION UPDATE ON DURANT'S POINT

Erin Fleckenstein, Coastal Scientist and Northeast Regional Manager, N.C. Coastal Federation, gave an update on the Durant's Point living shoreline project at Hatteras Harbor. She credited the efforts of landowners, Dare County, local school groups, and community volunteers in creating a living shoreline to protect Hatteras Harbor. She showed before and after photographs depicting the progress that has been made and thanked the Board of Commissioners for their support of the project. Commissioner Burrus said Durant's Point looks good and thanked the Coastal Federation and everyone involved. Commissioner Tillett expressed appreciation for the way the project

has involved young people and given them exposure to new learning experiences. Chairman Judge thanked the Coastal Federation for their work on Durant's Point.

ITEM 5 – WANCHESE ASSEMBLY OF GOD CHURCH REQUEST FOR LATE APPLICATION FOR PROPERTY TAX EXEMPTION ON CHURCH PARSONAGE (Att. #1)

County Manager Outten said the Wanchese Assembly of God has asked the Board to accept their late application request for property tax year exemption for the church parsonage. He referenced a letter from Pastor Mark Hinson indicating the reason for late application. Chairman Judge said the circumstances caused by Hurricane Irene that were described in the letter were understandable. County Assessor, Greta Skeen added that if the late application is accepted, the Church would qualify for exemption.

MOTION

Commissioner Tillett motioned to accept the late application from Wanchese Assembly of God showing good cause by the applicant pursuant to their letter.

Commissioners Burrus, Dutton, and Woodard seconded the motion.

VOTE: AYES unanimous

MOTION

Commissioner Shea motioned to approve the exemption application from Wanchese Assembly of God for parcel # 027254-001.

Commissioners Burrus, Tillett, Dutton, and Woodard seconded the motion.

VOTE: AYES unanimous

ITEM 6 – GRACE CIARAVELLA – FAMILY CHILD CARE HOME CUP APPLICATION

Based on a request from the applicant, this item was pulled from the Agenda at the onset of the meeting.

ITEM 7 – APPOINTMENT OF CONSOLIDATED HUMAN SERVICES BOARD (Att. #2)

County Manager Outten explained that as part of the consolidation of the Health and Transportation Departments, the statute temporarily gave the Board of Commissioners the duty of the Health Board until the Board of Commissioners could reappoint the Health Board members as part of the new Consolidated Human Services Department. Mr. Outten said the statute requires staggered terms and he presented the following for Board approval –

- Initial 1-year term for Nick Kiouisis, Coy Tillett, and Steve Evans.
- Initial 2-year term for Dr. Trahey Maner, and Dr. Janet Riddick.
- Initial 3-year term for Dr. Steve Samson, Alexis Hodges, and Allen Burrus.
- Initial 4-year term for Dr. Christian Lige, Brant Murray, and David Ryan.

It was noted that positions are still open for a second physician member, a psychiatrist, and a social work position.

MOTION

Commissioner Shea motioned to reappoint the Health Board to the Consolidated Human Services Board with the names and staggered terms as outlined by the County Manager.

Commissioner Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 8 – PUBLIC HEARING – TRANSPORTATION DEPARTMENT FY2014 ROAP APPLICATION PUBLIC HEARING (Att. #3)

At 5:37 p.m., the Dare County Board of Commissioners held a Public Hearing to receive input concerning the Transportation Department FY2014 ROAP Application. The County Manager conducted the hearing and explained the procedure for making comments. No one in the meeting room responded to the invitation to make public comments. Chairman Judge closed the hearing at 5:38 p.m.

MOTION

Commissioner Shea motioned to approve the ROAP grant application and authorize the Chairman to sign.

Commissioner Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 9 – CONSENT AGENDA (Att. #4)

The County Manager presented the Consent Agenda.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (09.09.13)
- 2) Public Works / C&D Landfill Cell #5 Engineering Costs
- 3) Resolution Declaring Dare County Big Sweep 2013 Day
- 4) Tax Collector August 2013 Reports

Commissioner Dutton and Commissioner Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 10 – BOARD APPOINTMENTS

- 1) Dare County Center Advisory Board

Commissioner Tillett motioned to appoint Ann Groves to the seat previously held by James Harris, and Brooke McCord to fill the unexpired term of Malcolm Fearing.

VOTE: AYES unanimous

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

Commissioner Tillett

- She extended her personal thanks to Mary Helen Goodloe-Murphy for her commitment and dedication to the Scenic Byways project.

- Commissioner Tillett asked the County Manager to look into calls she has received from senior citizens about getting housing at the Bay Tree housing development
- In response to a question about cell tower lighting, the County Manager explained that the structure is owned by a tower company and not Dare County. He said staff has asked the company to dim the lighting or change the color and follow-up has been done with the FAA and the citizen who made the inquiry.
- Commissioner Tillett thanked Chairman Judge for his answer about funding for textbooks in Dare County Schools. She said she has received a call from a citizen in East Lake concerned that her school bus stop is located six miles away. She asked Commissioner Dutton to follow-up with the Board of Education Transportation Department so children will not have to walk six miles.
- She asked the Manager for ongoing reports from Human Resources to keep Commissioners informed of personnel actions, such as when someone is hired.
- In response to those who spoke during Public Comments about the need for programs for those with memory loss, Commissioner Tillett asked Mr. Outten to have information gathered for the public describing the County programs that are available at the Dare County Center, Baum Center and Fessenden Center.

Commissioner Burrus

- He thanked the Replace the Bridge Committee for their hard work, which is now paying off.
- Commissioner Burrus invited everyone to Day at the Docks this weekend in Hatteras Village.
- He congratulated Mary Helen Goodloe-Murphy for the success of the Scenic Byways sidewalks project in Avon and Rodanthe-Waves-Salvo. He noted that people are using the sidewalks and he values all her hard work. He expressed hope that sidewalks will become a reality in the other Hatteras Island Villages.
- Commissioner Burrus asked the County Manager why attorney fees cannot be recovered when a judge rules against the SELC (Southern Environmental Law Center) like happened today with Judge Flanagan in the United States District Court. Mr. Outten explained that we are not entitled to attorney fees on compliance issue suits because currently there is a statutory provision for it.

Commissioner Shea

- He thanked everyone who has worked on the Bonner Bridge project for so many years. He expressed optimism that there may be light at the end of the tunnel.
- Commissioner Shea said he hopes to see everyone at Day at the Docks.

Commissioner Woodard – None

Commissioner Dutton

- He echoed what others said concerning the ruling today on the Bonner Bridge.
- Commissioner Dutton reported that he was thrilled to see so many people using the new pathways on Hatteras Island and thanked Mary Helen Goodloe-Murphy for her hard work on the project.

Chairman Judge

- He reported on public meetings that were conducted last week by the National Marine Fisheries Service (NMFS) regarding the proposed designation of Critical Habitat for sea turtles. He described the area involved in the critical habitat proposal and said it is shameful that public hearings were not held at a location in Dare County.
- Chairman Judge announced that NOAA will be holding a meeting this week in Manteo concerning highly migratory species. He provided details about the event and urged people to attend.
- He provided an update on plans by NCDOT to begin general maintenance on the Bonner Bridge. He also outlined plans for an 8-month maintenance project on the Wright Memorial Bridge that will close the westbound span.
- Chairman Judge encouraged everyone to phone or email the Southern Environmental Law Center on a daily basis asking them to stop blocking the replacement of the Bonner Bridge and let it be built. He said we need to stay diligent on this issue and keep up the pressure.
- He reminded everyone that the Board of Commissioners provides school funding based on a formula. He explained that while several years ago cuts had to be made; however, since then funding has risen to its proper level. He said if anyone is being told now that funding has been cut, he wanted them to know the Board of Commissioners has not done it.
- Chairman Judge presented a Resolution expressing gratitude for the efforts of NCDOT in pursuing replacement of the Bonner Bridge. The County Manager read the Proclamation.

MOTION

Commissioner Shea motioned to adopt the Resolution.

Commissioner Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

MANAGER'S/ATTORNEY'S BUSINESS

1. County Manager, Robert Outten, said he has met with Gail Sonnesso on behalf of the American Alzheimer's Association. He said the group is looking for office space for an outreach information program. He reported that the County has space available in the old Administration Building in Manteo, which is also being used by the Girl Scouts and the SPCA. He recommended allowing the Alzheimer's Association to use the space where the tax office formerly was located on a no charge basis. He said that if, in the future, the County needs the space, they would have to leave the facility.

MOTION

Commissioner Shea motioned to authorize the County Manager to implement the plans outlined for the Alzheimer's Association.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

2. The Manager said he has met with Commissioner Burrus and others about the Hatteras Clinic facility. He said there may be an opportunity to get some health care in the clinic. He said if that should happen we would need to enter into a lease agreement. He noted that in the past the County has provided the space rent-free and handled the maintenance in order to have health care in the community. He asked the Board for guidance before preparing a lease, which would later be brought back to the Commissioners for approval. Chairman Judge recommended doing what was done in the past for other providers.

MOTION

Commissioner Shea motioned to authorize the County Manager to pursue a lease agreement for the Hatteras Clinic consistent with what has been done in the past.

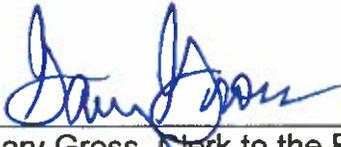
Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

AT 6:22 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON OCTOBER 7, 2013.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

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