



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

September 21, 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; Jack Shea, Dist. 5; Mike Johnson, Dist. 2.; Richard Johnson, Dist. 1.

Commissioners Absent: Max Dutton, Dist. 2.

Others Present:

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

Action:

FIRE PREVENTION WEEK PROCLAMATION — **Adopted**

PROCLAMATION CONSTITUTION WEEK 2009 — **Adopted**

PUBLIC HEARING: PROPOSED TEXT AMENDMENT ON HOURS OF OPERATION FOR MOTORIZED OFF-ROAD RECREATIONAL EQUIPMENT — **Held and Amendment (Alternative 1) Approved**

ROANOKE ISLAND WATER SYSTEM EXPANSION PROJECT CONSTRUCTION MANAGER AT RISK (CMAR) SELECTION — **CDM Selected**

RESULTS OF THE SALE OF THE SERIES 2009 WATER SYSTEM REVENUE REFUNDING BONDS AND BUDGET AMENDMENT — **Adopted**

RESOLUTION 09-09-23: REQUESTING CRC SUPPORT FOR SENATE BILL 832 AN ACT TO PROVIDE THAT THE COASTAL RESOURCES COMMISSION MAY AUTHORIZE THE CONSTRUCTION OF A TERMINAL GROIN BY VARIANCE IF CERTAIN CRITERIA ARE MET—

Approved

BUDGET AMENDMENT FOR PURCHASE OF PARCEL #0170300 FOR SANITATION DEPARTMENT — **Approved**

CONSENT AGENDA — **Approved**

- Approval of Minutes (9.8.09)
- Emergency Food and Shelter Budget Amendment
- Medicaid Transportation Budget Amendment
- Public Works / Mosquito Control Department Donation
- Agreement for the Protection, Development and Improvement of Forest Land in Dare County North Carolina
- Department of Public Health Budget Amendment

BOARD APPOINTMENT: RODANTHE-WAVES-SALVO COMMUNITY BUILDING ADVISORY BOARD — **Appointed (Roberta Midgett)**

RESOLUTION 09-09-24: RESOLUTION OF THE DARE COUNTY BOARD OF COMMISSIONERS TO POSTPONE DARE COUNTY'S PROPERTY REVALUATION FROM JANUARY 1, 2010 TO JANUARY 1, 2011 — **Approved**

CLOSED SESSION: APPROVAL OF MINUTES (9.8.09) — **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 Mikey Daniels to share a prayer and then led the pledge of allegiance to the flag.

Chairman Judge noted Item 2: Presentation of Advance Certificates would be postponed until the October 5, 2009 meeting.

MOTION

Commissioner Shea motioned to amend the agenda as detailed.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 1 – PUBLIC COMMENTS

No one came forward to speak.

ITEM 3 – PRESENTATION OF RISE CERTIFICATE

Susan Ruiz-Evans, Cooperative Extension, and Tim White, Parks and Recreation Director, appeared before the Board to present certificates to summer employees. Mr. White explained this program took place this past summer for under-privileged youth in our community. Ms. Evans noted the program was funded by the American Recovery and Reinvestment Act through the Northeastern Workforce Development Board who teamed with NC State University and NC Cooperative Extension. The RISE Program was created with the purpose of training youth to help make them highly employable once they have completed the program. Participants were employed and attended one (1) day of training each week. There were eighty (80) at risk youth employed and trained in a ten (10) county area. Some funding remained and allowed two (2) youth in Dare County to continue working until November. Mr. White then recognized employees from the program with certificates: Nicholas Hannant, Walter Zuhars, Joshua Peterson and Shailor Clark (not in attendance).

ITEM 4 – ALBEMARLE COMMISSION SERVICES IN DARE COUNTY

Bert Banks, Executive Director, presented the annual report on services for Dare County. He detailed the number of clients served by the different services including Aging, Legal, Nutrition, and Workforce Development. He distributed the report and shared his appreciation of leadership by Commissioner Richard Johnson. He explained the RPO position has been vacant for two (2) months, until recently when the Commission hired Steve Lambert. Mr. Lambert set up the meeting for the RPO for October 15, 2009 in Hertford at the Albemarle Commission office. He noted they are working to have all projects moving forward by October 31st.

PUBLIC COMMENTS (continued)

Mr. Tilman Gray, owner and operator of Avon Seafood, distributed an article that ran in the Coastland Times, Outer Banks Sentinel and Virginian Pilot. He explained the National Marine Fisheries Service was required to do a stock assessment and study on loggerhead turtles. The article claims the reduced stock is due to the increased number of commercial fishermen. He noted in 1990, there were 10,000 active NC commercial fishing licenses. In 1998, the Fishermen Reform Act was put into place. This Act combined with other circumstances has caused this number to decrease to less than 3,000 active licenses. He pleaded with the Board to request to the State and Federal Government to require an updated stock assessment on loggerhead turtles before any new restrictions are implied. He noted there has not been a stock assessment since 1978. He explained the urgency to take action before Dare County suffers a similar devastating economic impact with these turtles as has been experienced with Piping Plover.

ITEM 5 – FIRE PREVENTION WEEK PROCLAMATION

Doug Remaley, Fire Marshal, explained Fire Prevention Week occurs every year during the first full week of October. He stated National Fire Prevention Week began because of the Great Chicago Fire in 1871. He reminded the Commissioners every seven (7) seconds in this country, someone's property burns. Thus, the need to remember Fire Prevention Week and to identify the needs is imperative. He read a proclamation calling on Dare County citizens to participate in activities at home, work and school to bring awareness to this issue. He also noted the

importance of properly posting addresses outside of homes and businesses as the increased use of cell phones has made it harder to locate properties. He requested the Commissioners adopt the Fire Prevention Week Proclamation.

MOTION

Commissioner Shea motioned to adopt the Proclamation establishing October 4th through 10th National Fire Prevention and Address Awareness Week.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 6 – PROCLAMATION CONSTITUTION WEEK 2009

County Manager Bobby Outten presented a proclamation commemorating the two hundred and twenty-first anniversary of the drafting of the Constitution and requested they adopt the proclamation designating the week of September 17th through the 23rd as Constitution Week.

MOTION

Commissioners Shea and Tillett motioned to adopt the Proclamation designating September 17th through the 23rd as Constitution Week.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 7 – PANDEMIC INFLUENZA A(H1N1) PLANNING FOR THE FALL

Anne Thomas, Health Director, and Judith Flagge, Director of Public Health Nursing Clinical Services, appeared before the Board to provide an overview of the DCDP pandemic influenza A(H1N1) planning and response efforts. Ms. Flagge explained differences between seasonal and H1N1 influenza. She shared definitions of “epidemic” and “pandemic” with pandemic being a new virus that spreads worldwide. She noted expectations are that illness prevalence will be greater as there are two (2) types of the virus present. She detailed other differences between the two (2) viruses and the history of its discovery, resulting community goals, and actions being taken to help prevent infection and provide treatment. Commissioner Richard Johnson asked why there seems to be a panic with this virus when statistics do not reflect the need for such a strong reaction. Ms. Thomas stated because it is a pandemic and a new virus, there is no natural immunity for it. Therefore, the potential for escalated illness and the spread of the virus is a serious concern. She noted this virus typically affects those with compromised health conditions and stated while the season has been less severe than the seasonal virus, it has continued through the summer which is not typical. Vice-Chairman Burrus shared he understands Commissioner Richard Johnson’s concern with a panic reaction. He stated Ms. Thomas’ presentation points out common sense actions that will help prevent the spread of the virus, and help prepare everyone if it does get severe. He encouraged all to be cautious and act sensibly. He shared his appreciation of the Health Department’s low key approach to share information, but not cause panic in the community.

5:30 P.M.

ITEM 8 – PUBLIC HEARING (Att. 1)

- 1) Proposed Zoning Text Amendment on Hours of Operation for Motorized Off-Road Recreational Equipment

AT 5:52 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS HELD A PUBLIC HEARING TO RECEIVE INPUT CONCERNING THE PROPOSED ZONING TEXT AMENDMENT ON HOURS OF OPERATION FOR MOTORIZED OFF-ROAD RECREATIONAL EQUIPMENT

Mr. Outten conducted the hearing and invited the public to speak.

- 1) Gail Hutchison, Manteo resident, thanked the Commissioners for allowing her to participate in this process and for choosing her to sit on the subcommittee. She thanked Mr. Ivy Johnson for his cooperation in the fair compromise that was reached in this subcommittee. She shared her support of the proposed amendment.

- 2) James Hilliard, Holly Ridge Road resident, opposed the proposed amendment.
- 3) Matt Doshier, East Lake resident, opposed the proposed amendment.
- 4) Barbara Sevonka, Manteo resident, opposed the proposed amendment.
- 5) Steven Johnson, Manteo resident, opposed the proposed amendment.
- 6) James Cahoon, Holly Ridge Road resident, opposed the proposed amendment.
- 7) Will Daniels, Wanchese resident, opposed the proposed amendment.
- 8) David Light, Wanchese resident, opposed the proposed amendment.
- 9) Tinka Martin, Manteo resident, opposed the proposed amendment.

Chairman Judge closed the hearing at 6:18 P.M.

Ms. Donna Creef, Senior Planner, noted the proposed amendment was advertised as recommended by the subcommittee. Alternatives were also presented for other actions that could be taken. Commissioner Mike Johnson updated the Board on the subcommittee meeting and the resulting compromise which was now being presented as alternative one (1). Discussion followed on the proposed hours of operation, the 100cc stipulation in the proposed amendment and the concern for vehicle use with engines larger than 100cc (hunting, life saving four-wheelers and boats). County Manager Outten explained this is a permissive ordinance which allows a certain activity. He clarified this does not prohibit any activity. There was question regarding a Wanchese dirt-bike track. County Manager Outten noted he did not know the zoning of this particular property and if the ordinance for that area allowed the activity before, it is still legal regardless of the action the Board takes on the proposed amendment. He stated action approving this amendment would permit this type of activity. Commissioner Shea asked if this ordinance would be for unincorporated Dare County. Mr. Outten replied it would be for unincorporated Dare County as that is all the Board has jurisdiction over.

MOTION

Commissioner Tillett moved the revised hours of operation for Section 22-28.1 Motorized Off-Road Recreation Equipment be adopted as advertised. She found the amendment to be consistent with the policies of the 2003 Dare County Land Use Plan and other officially adopted plans of Dare County that are applicable and in the public interest of Dare County in that this amendment addresses the hours of operation for the operation of motorized off-road recreational equipment as previously authorized by Dare County.

Commissioner Shea seconded the motion.

Vice-Chairman Burrus noted he misunderstood this amendment not being a prohibiting ordinance as the amendment clearly states this activity is not allowed in areas zoned MP-1. Mr. Outten explained this is specifying Martin's Point as they have their own restrictive covenants prohibiting this activity already. Vice-Chairman Burrus felt this statement insinuates the rest of unincorporated Dare is also included. Mr. Outten used David Light's property as an example. He stated if he was legal to ride up until now, he is still legal if this amendment passes. If he was not legal before, this amendment helps him.

VOTE: AYES (5) Chairman Judge, Vice-Chairman Burrus, Commissioners Richard Johnson, Shea and Tillett.

NOES (1) Commissioner Mike Johnson

RECESS 6:44 P.M. – 7:06 P.M.

Chairman Judge clarified the last vote on the zoning issue regarding off-road motorized vehicles was five (5) Ayes and one (1) No.

ITEM 9 – ROANOKE ISLAND WATER SYSTEM EXPANSION PROJECT CONSTRUCTION MANAGER AT RISK (CMAR) SELECTION (Att. 2)

Ken Flatt, Utilities Director, explained the Board needs to select a Construction Manager at Risk in response to the Roanoke Island Water System Expansion Project Request for Qualification (RFQ) as advertised on July 9, 2009. He noted if a firm is selected Dare County staff would begin contract negotiations with the firm. The proposed contract would include provisions for a "Project price not to exceed" and a "Guaranteed Maximum Price" to be established at 50% of the engineering design phase. Chairman Judge noted this action comes as a recommendation from the

Capital Improvements Planning Committee. Commissioner Richard Johnson asked why there was only one (1) bid received. Mr. Flatt responded advertisements typically bring a lot of respondents; however, he assumed the experience required for this project was the limiting factor.

MOTION

Commissioner Shea motioned to select CDM as the Construction Manager at Risk and to authorize staff and the CIP committee to negotiate the terms, conditions and price of the contract with CDM.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 10 – RESULTS OF THE SALE OF SERIES 2009 WATER SYSTEM REVENUE REFUNDING BONDS AND BUDGET AMENDMENT FOR THE SAME (Att. 3)

Dave Clawson, Finance Director, shared the Series 2009 Water Revenue Refunding Bonds were sold on August 4, 2009. He explained a situation involving the bonds called oversubscription which allowed for a reduction in yields of two (2) to three (3) basis points. He detailed the final savings amounts and noted a budget must be established for the bonds in the Water Fund. He explained the budget amendment accounts for the retirement of the old bonds and the issuance of the new bonds. He presented the budget and budget amendment, detailed what they entail and asked the Board adopt the budget amendment.

MOTION

Commissioner Shea motioned to adopt the Budget Amendment as presented.

Commissioner Tillett seconded the motion.

VOTE: AYES unanimous

ITEM 11 – RESOLUTION (09-09-23) REQUESTING CRC SUPPORT FOR SENATE BILL 832 AN ACT TO PROVIDE THAT THE COASTAL RESOURCES COMMISSION MAY AUTHORIZE THE CONSTRUCTION OF A TERMINAL GROIN BY VARIANCE IF CERTAIN CRITERIA ARE MET

County Manager Outten presented a resolution requesting CRC support of Senate Bill 832. He explained this would allow CRC to authorize construction of a terminal groin under certain conditions in order to help protect the eroding shoreline. The resolution requests the CRC voice support for the legislature to adopt the bill.

MOTION

Vice-Chairman Burrus motioned to adopt the Resolution 09-09-23.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 12 – BUDGET AMENDMENT FOR PURCHASE OF PARCEL #01701300 FOR SANITATION DEPARTMENT (Att. 4)

County Manager Outten explained the Board had previously determined to offer to purchase parcel number 01701300 for use by the Sanitation Department. He noted this parcel was discussed previously as the Jarvis Williams parcel in Buxton adjacent to the County's Solid Waste facility. He noted the contract was discussed in Closed Session where the Board approved the terms, and now the contract must be approved in Open Session and the Budget Amendment adopted.

MOTION

Vice-Chairman Burrus motioned to approve the contract and adopt the Budget Amendment.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 13 – CONSENT AGENDA (Att. 5)

County Manager Outten noted in Item five (5) there is a contract in regards to the protection of forest land. He stated there is a routine contract where the County pays money that is in the budget to the Forest Service. He detailed several technical corrections to be conditioned on the motion to approve: 1) the addition to paragraph two (2) part

two (2) “as specified in paragraph one (1) above” to show the dollar amount is the percentage listed to make sure we are not asked to pay both, and 2) the addition of a termination date of June 30, 2010 to Part three (3).

Commissioner Shea motioned to approve the Consent Agenda condition upon the two (2) changes to the agreement as detailed by County Manager Outten:

- 1) Approval of Minutes (9.8.09)
- 2) Emergency Food and Shelter Budget Amendment
- 3) Medicaid Transportation Budget Amendment
- 4) Public Works / Mosquito Control Department Donation
- 5) Agreement for the Protection, Development and Improvement of Forest Land in Dare County North Carolina
- 6) Department of Public Health Budget Amendment

Commissioner Richard Johnson seconded the motion.

Vice-Chairman Burrus asked if there were boundaries on Item five (5) and would this include the woods on Hatteras Island, Colington, and beyond. Mr. Outten noted it would include the forest in Dare County. Commissioner Tillett asked who drew up the contract as it was very late. Mr. Outten explained the Forest Service had to wait until their budget at the end of August to create and send the contract.

VOTE: AYES unanimous

ITEM 14 – COMMISSIONERS’ BUSINESS

Commissioner Shea complimented the RISE Program and the Albemarle Commission for all they do for the residents of Dare County. He reminded lawmakers in the Federal Government of their oath to uphold the Constitution when voting on proposed laws and regulations.

Commissioner Richard Johnson – None

Commissioner Mike Johnson in regards to Tilman Gray’s Public Comment, he asked Chairman Judge and Vice-Chairman Burrus if there had been action to encourage a stock assessment on turtles. Vice-Chairman Burrus responded there has been much discussion on the turtle situation with Wildlife. However, they did not discuss a stock assessment as he assumed this was already being done on a fairly regular basis. He did not have a problem asking for a stock assessment. He feels this should be an ongoing occurrence. Chairman Mike Johnson noted if rules are going to be imposed based on a shortage or depleted number, then a number since 1978 is needed. Chairman Judge agreed a stock assessment should take place and he requested Mr. Outten contact Gordon Myers with North Carolina Wildlife. He stated the latest report puts pressure on the government to upgrade their status to endangered. He feels before listing the turtles as endangered, a species assessment that is more up to date is needed. The 1978 date needs to be verified, but once it is, the letter should go to the appropriate authorities and copied to the delegation in Washington. Commissioner Mike Johnson suggested the proper authorities be the National Marine Fisheries Service Director. Vice-Chairman Burrus suggested adding NC Wildlife. Chairman Judge asked the letter be copied to Senators Burr and Hagan, Representative Jones, Governor Perdue, Senator Basnight and Representative Spear. Commissioner Mike Johnson also asked the County Manager to research jurisdiction in the Pamlico Sound. He explained there has been confrontation between kite boarders and commercial fishermen that may need to be addressed through ordinances. Vice-Chairman Burrus noted if boundaries meet in the water, it would be important to know the proper agencies with jurisdiction. Lastly, Commissioner Mike Johnson noted he would have a letter for Chairman Judge to sign to go to the Marine Fisheries meeting to support fishermen and their flounder efforts.

Commissioner Tillett thanked the County Manager for researching the federal stimulus funds that have come to Dare County. She asked him to explain those for the public. Mr. Outten detailed the amounts and explained where the monies had been spent. She then asked Dave Clawson, Finance Director, if any more funds had been received. He stated only for the RISE program and the CASA grant. She noted a lot of time has been spent a lot of time on the

issue of off-road motorized vehicles and asked the Board to consider looking into the East Lake landfill property as a possible site for a motocross park. Commissioner Mike Johnson explained Edward Lee Mann, Public Works Director, has already begun looking into this property for this reason. There are complications with the methane gas vent pipes, ways these can be rerouted, and the resulting dangers involved. Commissioner Tillett stated she has received calls regarding this issue and had told the callers that the Board would try to find a site that could be used countywide. She then asked County Manager Outten to review a resolution on the federal health reform legislation to find ways to word it to push healthcare for citizens of this County. She stated she has received letters from people who want the Commissioners to know that most people in Manteo want the health bill passed. They also request every city should hold a rally for health reform. Therefore, she hopes the Board can come to a consensus for a generic resolution to pass. She noted she would leave the resolution from the North Carolina Association of County Commissioners with Mr. Outten. The NCACC asks each Board to review the resolution, change the language to suit the Board, and then pass their own version. Commissioner Richard Johnson did not agree with supporting this resolution. Commissioner Tillett then announced on Friday from 4:00 p.m. to 6:00 p.m., COA is having a celebration of being open for twenty-five (25) years. On September 23rd from 2:00 p.m. to 3:00 p.m., the Girls Scouts of Dare County are holding an open house for their new facility. She thanked Stan White and the DOT team for assistance with the rainfall about a month ago where the ditches overflowed and caused standing water on the roads. They got the water moving in the ditches and took care of the situation. She shared her appreciation for their efforts.

Vice-Chairman Burrus stated last Saturday was the 5th Annual Day at the Docks in Hatteras Village which originated six (6) years ago with Hurricane Isabel. It was a beautiful day with a lot of people in attendance. Chairman Judge and Commissioner Mike Johnson spoke at the celebration. He announced the Rodanthe-Waves-Salvo Community Building Advisory Board has one (1) vacancy from the death of Claude Howard and the Board of Commissioners has received one (1) application for this position from Roberta Midgett. He noted he would typically wait until the first meeting of the month for a Board appointment; however, they need to fill the position as soon as possible as Mr. Howard helped with many of the finances.

MOTION

Vice-Chairman Burrus motioned Roberta Midgett be appointed to fill the unexpired term of Claude Howard on the Rodanthe-Waves-Salvo Community Building Advisory Board.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Vice-Chairman Burrus noted he and Commissioner Mike Johnson had the opportunity to spend time with the new Dare County Tourism Board Director Lee Nettles. Chairman Judge and County Manager Outten also spent time with him. He described him as a very nice man from Wrightsville Beach who was born and raised in North Carolina. Vice-Chairman Burrus offered his condolences to Mr. Nettles as he recently lost his father-in-law. Mr. Nettles's father-in-law had a place in Nags Head which Mr. Nettles had visited for eighteen (18) years. Therefore, Mr. Nettles had a lot of interest in Dare County before the director position was open. Vice-Chairman Burrus shared his concerns regarding the S-curves and wondered if there was a way to sit down with DOT officials to look at purchasing the house in that area to see if the house could be moved or other ways to redirect that area to help with the problem. He knew of grants available and wanted to go through this process to see if there is a way to move the house. He thanked DOT for their efforts in keeping the roads open in that area. He requested Mr. Outten research who would need to be met with to get this process started. He challenged everyone to go to Pea Island to see the sand that has been pumped from Oregon Inlet. He said it is truly remarkable. He knows there is the potential for erosion, but hopes places south could potentially receive some of the sand and benefit if it does. He noted he has met with NC Wildlife on the turtle situation. He announced a hearing on Friday being conducted by Senator Basnight and his office on windmills and their placement in the Pamlico Sound. He encouraged all to attend to share opinions at the hearing.

Chairman Judge shared Pea Island is an outstanding example of a beach nourishment project. He asked Mr. Outten to explore ways to honor those who have participated and made financial contributions to the Dare County Center. He wanted some way to honor those contributions from the community. He shared Commissioner Tillett has represented the Board to the North Carolina Association of County Commissioners and Commissioner Richard Johnson to the North Carolina Association of Counties. He read a letter from Mary Accor, NCACC President, to Virginia regarding her acceptance of an at large position to the association's Board of Directors. He congratulated her on this appointment and shared his appreciation to her for representing the Board in this way. He also noted he and Virginia went to Willie Gilchrist's inauguration at Elizabeth City State University where he spoke about his vision for ECSU in Northeast North Carolina as it becomes the focal point for college education for our people in Northeast North Carolina. The Board received a letter addressed to Virginia that the University of North Carolina Board of Governors confirmed the election for Virginia to serve on the Board of Trustees for ECSU. He thanked her for representing Dare County on the Board of Trustees for ECSU.

MANAGER'S/ATTORNEY'S BUSINESS

County Manager Outten presented a resolution required by the State regarding the decision to postpone revaluation. (Att. 6)

MOTION

Vice-Chairman Burrus motioned to approve the resolution.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 15 – CLOSED SESSION: APPROVAL OF MINUTES (9.8.09)

MOTION

Pursuant to the provisions of NCGS 143-318.11, Vice-Chairman Burrus moved that the Dare County Board of Commissioners go into Closed Session to: approve the minutes of the last Closed Session.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

AT 7:46 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ENTERED CLOSED SESSION AND EXITED AT 7:48 P.M.

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

AT 7:49 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON OCTOBER 5, 2009.

(SEAL)

Respectfully submitted,

By: _____
Katie Smith, Clerk

APPROVED:

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