



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

October 3, 2011 — 9:00 A.M.

Dare County Administration Building, Manteo, NC

Commissioners Present: Chairman Warren Judge, District 3; Vice-Chairman Allen Burrus, District 4; Virginia Tillett, District 1; Richard Johnson, District 1; Max Dutton, District 2; Mike Johnson, District 2; Jack Shea, District 5

Commissioners Absent: None

Others Present: County Manager/Attorney Bobby Outten; Public Information Officer, Dorothy Toolan; Finance Director, Dave Clawson; Clerk to the Board, Gary Gross

Public Comments: No one came forward to speak

Presentations:

The Employee of the Month certificate was presented to Sandy Scarborough, Dare County Center
Service Pins were presented to three (3) Dare County employees — Neries Sullivan, George Bowman, Amy Hill
A presentation was given on the Missions of Mercy (MOM) Free Dental Clinic and New Telepsychiatry Services available in Dare County
The County Manager provided an informational update on items related to Hurricane Irene

Actions:

2012 North Carolina Governors Highway Safety Grant — **Approved the grant application, resolution, and appropriation of matching funds**
Marshy Ridge Retreat Campground Conditional Use Permit — **Approved**
Recommended 2012 Capital Improvements Plan (CIP) — **Adopted the CIP, the budget action amendments, and capital project ordinances**
Dare County Arts Council — Renovation Plans — **Approved**
Dare County ABC Board — Request for Property Adjoining the Manteo Location — **Approved**
Preliminary Assessment Resolution for Roanoke Island Water System Expansion Project — **Adopted the Resolution & Set a Public Hearing for 10:00 a.m., November 7, 2011**

Consent Agenda — **Approved**

1. Approval of Minutes (09.19.11)
2. Health Department — Outer Banks Hospital Development Council Grant
3. Road Request — Swan View Drive, Colington, NC

Board Appointments —

1. Upcoming Board Appointments for November and December 2011 were announced

Commissioners' Business —

1. Authorized a resolution restating the County's position pertaining to the use of E911 funds — **Approved**

LAND OF BEGINNINGS

COMMISSIONERS OFFICE— PO Box 1 000, MANTEO, NC 27954 • 252.475.5700 • DARENC.COM

Chairman Warren Judge called the October 3, 2011 meeting of the Dare County Board of Commissioners to order at 9:00 a.m. He then invited the Rev. Craig Peel to share a prayer, and led the Pledge of Allegiance to the flag.

ITEM 1 – PRESENTATION OF COUNTY SERVICE PINS

- 1) Neries Sullivan, Telecommunicator Shift Supv., received her 10-year pin from Sheriff Doug Doughtie.
- 2) George Bowman, Community Program Coordinator, received his 15-year pin from Sheriff Doug Doughtie.
- 3) Amy Hill, Detention Trans/Class Officer, received her 15-year pin from Sheriff Doug Doughtie.

ITEM 2 – EMPLOYEE OF THE MONTH – OCTOBER 2011

Sandy Scarborough, Dare County Center, received the Employee of the Month certificate for October 2011 from Tim White who acknowledged her dedication and service. He also complimented her for making the Dare County Center a safe and comfortable place for the community as an emergency shelter during Hurricane Irene.

ITEM 3 – PUBLIC COMMENTS

County Manager Outten and Chairman Judge asked for public comments. No one in the meeting room responded.

ITEM 4 – UPDATE – MISSIONS OF MERCY (MOM) FREE DENTAL CLINIC & NEW TELEPSYCHIATRY SERVICES

Sheila Davies, Telepsychiatry Project Director for the Albemarle Hospital Foundation, presented information about new telepsychiatry services that will be available at The Outer Banks Hospital (OBH) beginning October 31. She said the Foundation received a grant from the Duke Endowment to establish telepsychiatry in the University Health Systems hospitals, including OBH. Ms. Davies explained how telepsychiatry uses two-way interactive audio and video, on a secure network, to link a psychiatrist with a patient in the hospital emergency department. She said the service will operate ten (10) hours per day from 8:00 a.m. to 6:00 p.m. She said the program is designed to reduce the length of stay in the emergency department and improve the transition to appropriate aftercare. Commissioner Richard Johnson asked if this was similar to what Albemarle Mental Health did years ago and added that at the time there was criticism of the cost for phone lines to provide the service. Ms. Davies reported that the program is similar and since the infrastructure was already in place there was not a huge initial cost. Commissioner Richard Johnson also asked if service is planned for Hatteras Island. Ms. Davies said the current project will not; however they are exploring further expansion. Commissioner Dutton said he was glad to see this service come back to our community. Ms. Davies also presented an update on the 3rd annual Missions of Mercy (MOM) free dental clinic, October 28-29, at the Youth Center & Family Recreation Park in Kill Devil Hills. As Chair of the Missions of Mercy partnership, she said a wide range of volunteers are needed to perform a variety of tasks. She explained that 200 volunteers are needed in partnership with the North Carolina Dental Society. She added that the free dental clinic, for those 18 years of age and older, provides care on a first come first served basis based on the needed procedure. Chairman Judge thanked all those involved in the Missions of Mercy free dental clinic.

ITEM 5 – NORTH CAROLINA GOVERNORS HIGHWAY SAFETY GRANT (Att. 1)

Sheriff Doug Doughtie said the \$220,000 Governors Highway Safety Grant has a local match of \$55,000. He explained that the Sheriff's Office has been trying to get video cameras in patrol cars as an important law enforcement documentation tool, which by themselves would cost \$42,000. He outlined how the Governors Highway Safety Grant will provide not only the needed video cameras, but also three patrol vehicles, pole mounted radar systems, mobile data terminals, and radar devices. Sheriff Doughtie said the grant will help improve law enforcement and result in greater visibility in our communities. In response to a question by Commissioner Richard Johnson, Sheriff Doughtie said any reoccurring costs for items outlined in the grant will be covered in the Sheriff's Office budget. County Manager Outten outlined an updated budget amendment detailing how the Sheriff's Office portion of the local match will come from different budget line items.

MOTION

Commissioner Dutton motioned to approve the grant application and adopt the budget amendment.

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

MOTION

Vice-Chairman Burrus motioned to approve the resolution and the agreement of conditions and appropriation of the matching funds.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 6 – MARSHY RIDGE RETREAT CAMPGROUND CONDITIONAL USE PERMIT (Att. 2)

Planning Director, Donna Creef, said the Conditional Use Permit (CUP) is for the Marshy Ridge Retreat Campground, a 48-site facility in Colington on 16.6 acres, which is owned by Beasley Land Company. She said the area is zoned R-2B. She explained that in this zoning district, campgrounds are conditional uses and the Travel Trailer Park Ordinance establishes the standards for travel trailer parks in Dare County. She said the CUP was reviewed by the Planning Board and they voted unanimously to recommend it to the Dare County Board of Commissioners. Ms. Creef reported that there are twelve (12) conditions outlined in the permit with #2 requiring that travel trailers be ready for highway use. In response to a question from Commissioner Shea about waste water treatment, the Planning Director said the applicant is working with Dare County Environmental Health Department on the construction of septic systems that will be used onsite. Vice-Chairman Burrus expressed his concern that these travel trailers not become permanent structures. Commissioner Mike Johnson acknowledged that this is a good project that should be done; however, he asked if there is a way to enforce the removal of travel trailers during mandatory evacuations. County Manager Outten said a condition could be added that requires the evacuation of the travel trailers, which might help avoid debris problems. Ms. Creef reported that she has discussed this issue with Mr. Beasley and he understands the cleanup concern. County Manager Outten said the property owner is ultimately responsible. Vice-Chairman Burrus said he did not want to unfairly penalize the applicant, but acknowledged that we need to start somewhere putting teeth into making sure travel trailers do not add to post-storm debris problems. Commissioner Richard Johnson said he likes campgrounds because they are good for people who do not have a lot of money, but questioned any action that would penalize this applicant instead of applying requirements equally to all campgrounds. He added that in order to be fair we must start everywhere, or not do it anywhere. After hearing Board discussion of the issue, Ms. Creef said rather than add it as a formal condition; she will encourage the applicant to include language in their customer lease agreements so that travel trailer debris problems are avoided.

MOTION

Commissioner Mike Johnson motioned to approve the site plan and Conditional Use Permit No. 7-2011 for the Marshy Ridge Retreat Campground.

Commission Dutton and Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 7 – RECOMMENDED 2012 CAPITAL IMPROVEMENTS PLAN (Att. 3)

Finance Director, David Clawson said the Capital Improvements Planning Committee met several times reviewing requests and voted on September 19, 2011 to forward the recommended Capital Improvements Plan (CIP) to the Board of Commissioners. He outlined a summary of the Capital Reserve Fund as well as revenue projections, and a CIP summary. Mr. Clawson also reviewed the recommended CIP projects net total project amount and operating costs schedule. He detailed three (3) projections for the Capital Reserve Fund Balance sensitivity analysis. He also briefed the Board on the recommended CIP project summaries along with the Board of Education requested CIP. He identified \$467,632 in FY 2012 from closing prior projects that have been completed under budget. Mr. Clawson explained that \$350,000 per year in FY 2015 and 2016 is related to replacement of the EMS helicopter. He said they are considering conversion to an FAA 135 operation, which would allow for reimbursement and could have a positive impact on the County budget. Commissioner Shea asked if other size helicopters are being considered. County Manager Outten reported that several aircraft sizes are being researched and explained that smaller aircraft have limited multi-mission capability. Commissioner Richard Johnson said our current helicopter is almost never out of service and is a resource that has proven itself. Commissioner Dutton inquired as to whether it would be beneficial to keep our existing aircraft as a back-up rather than trade it in when acquiring a new one. Mr. Outten said they are looking at that option and doing an analysis. The Finance Director said \$619,172 in FY 2012 from the use of E911 funds must be for Public Safety items as required by North Carolina General Statutes. Commissioner Richard Johnson asked why the state changed their requirements regarding use of the 911 funds. The County Manager explained it as a State power play whereby they get to stockpile the money, or allocate it to other counties, rather than let local government entities do what they want with the funds. He added that we would rather save our money so it will be available when projects come up. Vice-Chairman Burrus expressed his appreciation to Finance Director, David Clawson for doing a great job.

MOTION

Vice Chairman Burrus motioned to adopt the recommended 2012 CIP and adopt the recommended budget action amendments and capital project ordinances.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

RECESS 10:29 A.M. – 10:50 A.M.

ITEM 8 – DARE COUNTY ARTS COUNCIL – RENOVATION PLANS (Att. 4)

County Manager, Robert Outten, said the Dare County Arts Council has submitted preliminary plans for renovations they would like to make to the Old County Courthouse building in downtown Manteo. He explained that the cost of these renovations will be paid by the Arts Council and there is no impact on County funds. He added that the renovation plans are being submitted to the Board as the leaseholder of the property. Mr. Outten reported that the building sustained significant water damage during Hurricane Irene and the needed repairs has changed the Council's renovation timetable. Chairman Judge said the planned renovations were reviewed by the Capital Improvements Planning Committee and they recommended it be brought to the Board. In response to a question from Commissioner Shea, the County Manager explained that the renovations will not involve load bearing walls. Commissioner Richard Johnson asked if the Town of Manteo has seen the plans. Mr. Outten said they will go through the normal permitting process after review and approval by the Dare County Board of Commissioners.

MOTION

Vice-Chairman Burrus motioned to approve the renovation plans submitted by the Dare County Arts Council. Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 9 – DARE COUNTY ABC BOARD – REQUEST FOR PROPERTY ADJOINING THE MANTEO LOCATION (Att. 5)

Robert Outten, County Manager, reported that the ABC Board has asked the County to make available surplus property adjoining their Manteo location on a no cost basis. He said the request is designed to solve traffic and parking problems at the facility, which has hurt their sales. He outlined that work on the project will be paid for by the ABC Board after obtaining Town of Manteo and Corridor approvals. Mr. Outten reported that the ABC Board is hopeful that improving ingress and egress issues will allow increased profits to be distributed back to the County and other agencies. Commissioner Richard Johnson confirmed that the property would be a gift and said he did not understand why the entire parcel was not initially given to them. Vice-Chairman Burrus noted that the surplus property is not useful for anything else.

MOTION

Commissioner Richard Johnson motioned to approve deeding the surplus County property adjacent to the Manteo ABC store to the Dare County ABC Board.

Commissioner Dutton & Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 10 – PRELIMINARY ASSESSMENT RESOLUTION FOR ROANOKE ISLAND WATER SYSTEM EXPANSION PROJECT (Att. 6)

County Manager, Robert Outten, reported that it is time to begin the assessment process for the Roanoke Island water expansion project. He said North Carolina General Statute 153A-190 requires the adoption of a resolution prior to sending out assessments and that the Board of Commissioners must conduct a public hearing. The Manager asked the Board to approve the resolution and set a public hearing for 10:00 a.m., November 7, 2011.

MOTION

Commissioner Shea motioned to adopt the Dare County Roanoke Island Water Distribution Expansion Project Assessment Resolution and set a public hearing for 10:00 a.m., November 7, 2011.

Vice-Chairman Burrus & Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 11 – BOARD ITEMS RELATED TO HURRICANE IRENE

Robert Outten, County Manager, reported on several storm related issues. He said spraying for mosquitoes, which was suspended Friday night due to weather conditions, resumed over the weekend. He said the Center for Disease Control has approved it as a health issue, which allows the County to explore reimbursement from FEMA. The County Manager explained that debris removal is moving forward and will continue. He said there is a problem with trailers being put in the right of way. In response to questions by Commissioner Richard Johnson and Commissioner Tillett, the County Manager explained that regulations require campground owners to keep their private property in proper order for the public health and welfare. He added that when property owners do not comply, or drag debris items out to the right of way, it becomes a County problem and we will research possible solutions. Mr. Outten reported that sixteen (16) county residents have qualified to receive temporary FEMA

housing and we want to encourage people to access available FEMA resources. Vice-Chairman Burrus said with FEMA sign-up periods ending this is important, however, some people are afraid of doing the paperwork. Mr. Outten said people must be in the FEMA system before getting benefits and can call 1-800-621-FEMA, or register online at www.disasterassistance.gov. He identified a local hotline, 475-5667 created to help people navigate through the recovery benefit process. Commissioner Tillett asked when FEMA's temporary housing will be delivered. Mr. Outten said the Hatteras Island units will likely be delivered after the temporary Highway 12 bridge is completed, and no date has been announced for the remainder of the County. Commissioner Tillett encouraged that housing units for the Mainland and other areas of Dare County not be held up while waiting for the road to Hatteras Island to reopen. Vice-Chairman Burrus said a campground in the Waves/Rodanthe area has expressed willingness to let FEMA hook up housing units on a temporary basis. The Manager said placing FEMA trailers on an existing campground would be acceptable; however, the goal is to put people back on their own property lot. He reported that work on the steel portion of the temporary bridge on Highway 12 is nearly complete. He added that NCDOT has given October 15 as a projected completion date. Vice-Chairman Burrus said if necessary people would be willing to have one-way traffic on Highway 12 rather than wait for ferries. Commissioner Tillett asked what is being done about water accumulating in NCDOT ditches along the roadway. Mr. Outten explained that NCDOT is trying to solve standing water problems. He added that ditches on private property are a separate issue for which we have wanted to get Crowder Gulf, while they are here, to clear debris out of private ditches; however this would require funding approval from FEMA. David Clawson said the FEMA Project Officer reported last week that this effort would not be funded; however, he is continuing to explore this with others. Commissioner Tillett stressed that it is a waste of taxpayer money to spray for mosquitoes while there is stagnant water in ditches. She asked that FEMA be made aware of this. Mr. Outten explained that we have been presenting these issues to FEMA, and will continue to do so.

ITEM 12 – CONSENT AGENDA (Att. 7)

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (09.19.11)
- 2) Health Department – Outer Banks Hospital Development Council Grant
- 3) Road Request – Swan View Drive, Colington

Vice-Chairman Burrus & Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 13 – BOARD APPOINTMENTS

- 1) Upcoming Board Appointments for November & December 2011

County Manager, Robert Outten announced the upcoming appointments for November as the Older Adult Services Advisory Council, and the Dare County Youth Council. He said the upcoming appointments for December are the Board of Equalization and Review, the Special Motor Vehicle Valuation Review Board, the Parks & Recreation Advisory Council, and the Dare County Tourism Board.

ITEM 14 – COMMISSIONERS' BUSINESS

Commissioner Mike Johnson

- Said everything he had was covered during the discussion of hurricane related items.

Commissioner Max Dutton

- Expressed his appreciation for those who received service pins.
- He congratulated Sandy Scarborough on being awarded the Employee of the Month certificate.

Commissioner Virginia Tillett

- Reported that people are complaining about roads not being put back to their original condition after work is done on the Roanoke Island water expansion project. She asked why some areas have lines bored underground, and not others. County Manager Outten explained boring efforts are not possible everywhere, but they do try to bore around old, established trees in the least obtrusive manner possible. Commissioner Tillett added that when people call with complaints and inquiries, they are not getting

friendly responses from the contractor. Chairman Judge recommended those who experience these problems, contact members of the Board or the County Manager.

- She asked that the cable and phone companies double check their lines to make sure they are not in water, which is causing problems for people especially for those without maintenance agreements on their lines.
- In regards to the E911 funds discussed during Item #7 for the Capital Improvements Plan, she asked for a resolution to take to the North Carolina Association of County Commissioners for their support.

MOTION

Vice-Chairman Burrus motioned to authorize a resolution restating the County's position pertaining to the use of E911 funds.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

- Expressed a willingness to share any of her committee assignments with others on the Board who may be interested in serving.

Vice-Chairman Allen Burrus

- Thanked the Baptist Men, Salvation Army, those repairing the roads, the Cape Hatteras EMC, and others who have been working hard to help the community recover from Hurricane Irene.
- Confirmed with the County Manager that travel trailer owners are the responsible party when their structures go into the sound or ocean.
- Pushed for a permanent solution for areas of Highway 12 compromised during the storm.
- Advocated that the temporary bridge being built by NCDOT be opened as soon as possible. He said the Ferry Division has done a remarkable job with a bad situation; however, even one lane of traffic on the road would be better than enduring the long lines associated with the emergency ferry service.
- Thanked the Board of Commissioners for supporting the people of Hatteras Island.

Commissioner Jack Shea

- Thanked all those who received service pins.
- Acknowledged Sandy Scarborough as a worthy recipient of the Employee of the Month award.
- Thanked everyone who is working hard to get Dare County back to normalcy following the storm.

Commissioner Richard Johnson

- Explained that noisy phone lines are frequently due to utilities being placed underground, which often means being underwater during extreme weather events. He said this is a widespread problem that will continue for years because some lines were saturated with saltwater during the storm. He added that phone company service crews have been doing the best they can to help people recover.

Chairman Warren Judge

- Expressed his gratitude to all the agencies, volunteer groups, faith based organizations, and neighbors helping neighbors for their efforts helping the community recovery from Hurricane Irene. He said this volunteer effort speaks to the people's character and commitment.

MANAGER'S/ATTORNEY'S BUSINESS

- County Manager, Robert Outten, reported that AT&T is interested in placing a cell phone tower on County property at the airport where the old Coastal Studies Institute was going to be located. He said AT&T is trying to resolve reception issues on Roanoke Island. He asked the Board if they are interested in letting AT&T use a portion of the land, and if so, he would pursue it with them. Vice-Chairman Burrus asked if the tower site would be too close to the airport. Mr. Outten explained that all ordinances and rules would apply. Commissioner Richard Johnson said the Airport Authority has looked at this and he recommends a freestanding tower, rather than a structure with guy wires, so the land can better be utilized for other purposes in the future. Chairman Judge acknowledged the site as valuable property that may have future potential for Parks and Recreation or as a new Emergency Operations Center; however he is not opposed to exploring it. The County Manager said he would discuss it with AT&T and see what they propose.

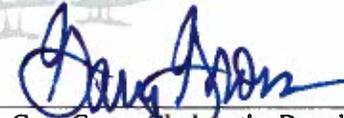
- Mr. Outten provided an update on the previous refinancing of debt that allowed the County to issue variable rate debt, which has saved over \$1,000,000. He explained that with falling interest rates, it may now be better to refinance at a fixed rate and not have the risk of variable rate fluctuations. The Manager said it will cost some money upfront, which would be part of the refinancing; however, it will save money in subsequent years and help our credit rating. He advised the Board that this refinancing will be formally presented to them for action in the near future.
- The Manager said the SPCA would like to use the old Parks & Recreation building across from Public Works. He said the facility, which looks like a house, is now empty. He explained that the SPCA would like to use it as an office and could use their existing space to house more animals. Mr. Outten said the County has looked at possible uses for the vacant building and has no particular need for it at the moment. He added that the SPCA has a new Director in place and is moving forward positively. Mr. Outten asked the Board for guidance before proceeding further with the request. Chairman Judge said he did not see any negatives and advised the Manager to pursue discussions.
- The County Manager asked the Board to begin thinking about how to proceed with the old Administration building and the old Alternative School. He said we do not have plans for these vacant buildings, but need to begin discussion so we can plan financially. He reported that the old Administration building has had significant water damage and needs work. He asked the Board to start thinking about what to do with these buildings and said he would be presenting it as a future discussion item. In response to Commissioner Shea's question whether any inquiries have been received from the community, Mr. Outten explained that CSI is using the old Administration building until they transition to their new building, and the Girl Scouts use one office for storage. He added that the old Alternative School Gym may be used during basketball season; however the building has some significant structural problems.

AT 11:59 A.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 5:00 P.M. ON OCTOBER 17, 2011.



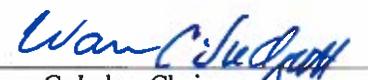
Respectfully submitted,

By: _____


Gary Gross, Clerk to the Board

APPROVED:

By: _____


Warren C. Judge, Chairman
Dare County Board of Commissioners