



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 17, 2011 — 5:00 P.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; Clerk to the Board, Gary Gross

Public Comments: One (1) person made public comments — Duke Geraghty

Presentations:

Board Items Related to Hurricane Irene — The County Manager gave an update on the reopening of NC Highway 12, which led to discussion of storm-related issues — **There were no items requiring Board action**

Actions:

Outer Banks SPCA Request to Use Vacant Buildings Adjacent to the Animal Shelter — **Authorized the County Manager to proceed with preparing a lease agreement between the County and the Outer Banks SPCA**

Future Use of the Old Administration Building & Old Alternative School Building — **The Board discussed the item and directed the County Manager to conduct research on possible options and related costs for the buildings before scheduling a public meeting to get community input about the future of these facilities**

Consent Agenda — **Approved**

1. Approval of Minutes (10.03.11)
2. Transfer Ownership of the Mobile Command Center
3. Emergency Food and Shelter Budget Amendment
4. Tax Collectors September 2011 Reports

Manager's/Attorney's Business —

1. Resolution Calling a Public Hearing on an Amendment to an Installment Purchase Contract and Directing the Publication of Notice with Respect Thereto — **Approved & Public Hearing set for 9:00 a.m., Monday, November 7, 2011**
2. Proclamations — 1) Designating October 2011 as Domestic Violence Awareness Month in Dare County — **Adopted**
2) Proclaiming October 2011 as Cyber Security Awareness Month in Dare County — **Adopted**

LAND OF BEGINNINGS

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

Chairman Warren Judge called the October 17, 2011 meeting of the Dare County Board of Commissioners to order at 5:00 p.m. He invited the Rev. Phillip Glick from Saint Andrews by the Sea Episcopal Church to share a prayer, and then led the Pledge of Allegiance to the flag. Chairman Judge recognized and welcomed Sheriff Doug Doughitie.

ITEM 1 – PUBLIC COMMENTS

One (1) person made public comment –

- Duke Geraghty of Manteo said in regards to the CDC affordable housing project on Bowsertown Road, he questioned whether County land should be given away to a developer in competition with local builders. He cited construction related unemployment of 35%, which has impacted dozens of builders. He said with a two-year supply of foreclosed homes already on the market, he questions the need for an affordable housing project. Mr. Geraghty reported that builders have a hard time competing when the CDC is offered free County land. He said tax money and County land should not be used for this purpose and expressed willingness to again discuss this issue further.

ITEM 2 – SPCA REQUEST TO USE VACANT BUILDINGS ADJACENT TO THE ANIMAL SHELTER (Att. 1)

County Manager, Robert Outten, said the Outer Banks SPCA (OBSPCA) has requested the use of the small County-owned buildings adjacent to the Animal Shelter for additional office, meeting, and storage space. He said the County has no current plans for the vacant buildings. Mr. Outten outlined the OBSPCA proposal setting forth rent of one (1) dollar per year with the OBSPCA responsible for cleaning, carpet replacement, painting, security, and utilities. He said the proposal calls for the County to maintain the exterior and the electrical, plumbing, and HVAC systems. Commissioner Tillett asked if this is consistent with what we do when leasing space. Mr. Outten said that as a general rule, the County takes care of the roof, HVAC, walls and foundation with the renter responsible for everything inside. He added that some leases are different where the County maintains everything. Commissioner Richard Johnson said he did not have a problem with someone using the buildings, but asked if something is different now from when the GEM Center looked at these buildings and determined it would take over \$100,000 in repairs. Mr. Outten said for use as an adult day care center, GEM would have required more extensive renovations, including bringing one of the buildings up to base flood level, compared to what is needed for the OBSPCA. He added that the County is not doing renovations for the OBSPCA to use the facilities. He said if the Board approves the OBSPCA proposal, he would work on preparing a mutually agreeable lease agreement and present it for formal approval. Chairman Judge thanked the OBSPCA for the service they provide to Dare County.

MOTION

Commissioner Shea motioned to authorize the County Manager to proceed with preparing a lease agreement as outlined between the County and the OBSPCA.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 3 – FUTURE USE OF THE OLD ADMINISTRATION BUILDING & OLD ALTERNATIVE SCHOOL BUILDING

The County Manager asked the Board to begin the discussion process of exploring possible future uses for two (2) County-owned buildings. He said developing possible courses of action for the old Administration Building and the old Alternative School would help the County plan for the future of these facilities. Commissioner Shea said if there is use for the buildings, it should be considered rather than letting them rot. Chairman Judge outlined several possible uses for the old Administration building. He said the front of the building that is prone to flooding, where the County Manager and Attorney's office used to be located, could be torn off returning the façade of the hotel to its original state. He said one possible use of the facility would include making space available to non-profit organizations after establishing rules and criteria. He said many non-profits do an outstanding job and their resources are severely challenged. The Chairman listed another possible use as a small business center to attract and assist new businesses perhaps in partnership with the College of the Albemarle, the Coastal Studies Institute and affiliated Universities. He explained that this might help attract young people back home after leaving the area to pursue their education or serve in the military. Mr. Judge said we need to pay attention to tourism and support and protect that industry and its tax revenue streams. He added that we should have a goal of hosting an event or festival on a weekly basis. He explained that we could partner with an agency to create and fund a position and if office

space were needed, we could provide it in the old Administration building. He expressed concern about losing small businesses in various areas of Dare County and suggested we help by identifying available resources and assisting businesses in gaining access to them. Vice-Chairman Burrus said he likes the idea of exploring economic development. He added that small businesses are in trouble and we need to look for ways to provide support and help people cut through the red tape in accessing FEMA, SBA and other funds that may be available. Mr. Burrus said he would love to see something done to focus attention on job development as a tool for keeping our young people here. He acknowledged that the old Alternative School building may be too far gone at this time. Commissioner Shea asked if inquiries have been made to use the facilities. County Manager Outten explained that the Girl Scouts use the old Administration building office area and the Coastal Studies Institute (CSI) is occupying the rest of the downstairs area until they move into their new facility. He said depending on the costs to bring the building up to code, there are people, such as the Public Defenders, that we provide space to that could be moved there. He added that it could cost one (1) million to bring it up to code. The County Manager also described \$50,000 to \$75,000 needed just for air conditioning work at the old Alternative School, in addition to structural and termite problems that would require a substantial investment. In response to Commissioner Shea's question about soliciting inquiries, Mr. Outten said that is what was done with the old Courthouse building. Commissioner Tillett said she liked Mr. Shea's idea of a public hearing to get citizen input about future use of the buildings. She added that the old Alternative School may have historical significance and could perhaps be used as a Heritage Center, which we should try to save and not demolish and the former hotel building may be usable to COA as dorm space. County Manager Outten summarized available options as fixing up and using the facilities, selling them, or having them demolished. Following discussion of the item, Chairman Judge directed the County Manager to contact the Town of Manteo, the Historic Preservation Trust, and conduct research on possible options for the buildings and the related costs, before scheduling a public meeting to get community input about the future of these facilities.

ITEM 4 – BOARD ITEMS RELATED TO HURRICANE IRENE

Robert Outten, County Manager, said Highway 12 being open resolves one post-storm hurdle. He added that there were no storm-related items requiring Board action. Chairman Judge reported the deadline for submitting flood insurance proof of loss claims, including supplementals, has been extended to November 24. He asked the County Public Relations Department to assist in publicizing the deadline extension. Mr. Outten suggested that people registering with FEMA should also, at the same time, file with the Small Business Administration (SBA) just in case it is needed. Vice-Chairman Burrus asked if FEMA is going to pay for removal of trailers on the side of roadways and for debris in drainage ditches. The County Manager reported that trailer owners have been directed to take their trailers to the designated debris site so the County can properly dispose of them and try to get reimbursement for it. He said FEMA will not pay for debris removal from ditches on private property, although they may reimburse NCDOT for cleaning ditches along the right of way. In response to a question from Commissioner Richard Johnson about discarded trailers, Mr. Outten said the removal of campers from trailer parks is the responsibility of the park owner. He added that it is illegal to abandon a trailer on the side of the roadway. Commissioner Richard Johnson asked if camper owners or trailer park operators can be billed for cleanup. Mr. Outten said we may ultimately do that, however, we are trying to get FEMA to pick up the cost involved. He suggested that we proceed with getting the eligible debris picked up and then see where we are with other trash-related issues. He added that a trailer has a title, just like a car, which requires detailed legal procedures almost like a foreclosure. Commissioner Richard Johnson recommended getting the process started now because the debris is unsightly and dangerous and could hurt someone. Vice-Chairman Burrus reported seeing 26 abandoned trailers on Hatteras Island during his latest count this morning. He said he was frustrated by it and suggested we need a long-term solution. Mr. Outten explained that meetings have been held with the Finance Director, Public Works and FEMA trying to work through a process to solve the problem. Chairman Judge asked the County Manager and his team to move expeditiously to get trailers off the road and to the debris site and acknowledged that it could be a long time before we actually receive payment, if we are successful in getting reimbursement approval. Commissioner Tillett shared in the concern about debris removal and said we should allow the County Manager to resolve it. Mr. Outten confirmed that he understood the need for urgency. In response to a question from Commissioner Tillett about ditches, he said we have gone to FEMA and presented it as a health issue related to drainage, mosquitoes and debris, however, FEMA has denied reimbursement. He added that easements are required before we can clean out ditches on private property. He said NCDOT is working with FEMA concerning ditches on state-owned property. Commissioner Richard Johnson observed that the mosquito spraying by airplane has worked very well. Commissioner Dutton said he received a report that East Carolina Behavioral Health (ECBH) services were not being provided for this disaster. As an ECBH Board Member, he clarified that this report is not true. He outlined numbers to call for those needing services after Hurricane Irene. He said the toll free line, 1-877-685-2415, is answered 24 hours a day by clinical professionals.

He also provided the number for the Mobile Crisis Team, Integrated Family Services, 1-866-437-1821. Mr. Dutton added that disaster-related crisis counseling is free of charge. The Chairman thanked Commissioner Dutton for checking on this and Vice-Chairman Burrus reported that mental health and substance abuse services have been offered on Hatteras Island and he appreciates their efforts.

ITEM 5 – CONSENT AGENDA (Att. 2)

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (10.03.11)
- 2) Transfer Ownership of the Mobile Command Center
- 3) Emergency Food and Shelter Budget Amendment
- 4) Tax Collectors September 2011 Reports

Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

ITEM 6 – COMMISSIONERS' BUSINESS

Commissioner Max Dutton – None

Commissioner Virginia Tillett –

- Asked the County Manager about road conditions on Highway 64 after crossing the Alligator River Bridge. Mr. Outten said NCDOT is aware of it and he would follow-up with them.
- She congratulated Warren and Tess Judge on being recognized as the Citizens of the Year.
- Reported on her participation at the recent Board of Directors meeting for the North Carolina Association of County Commissioners (NCACC). She said they are looking for people to serve on a Healthy Living Task Force and will share the information with Anne Thomas at the Dare County Department of Public Health. Commissioner Tillett also detailed information about the NCACC Ambassadors Program for training and providing community group speakers. She also outlined information about the future of high-speed internet service in North Carolina, which is linked to job creation. She said she will be tracking this issue further and will keep the Board posted.

Vice Chairman Allen Burrus –

- Thanked NCDOT Ferry Division personnel for their long hours and service related to Hurricane Irene.
- He expressed the need for a permanent solution to the Highway 12 problems on the north end of Hatteras Island. He said we need a meeting with NCDOT to pursue all options rather than relying on partial solutions. While thankful for what has been done, he called for permanent solutions in an effort to save disruption, stress, and taxpayer expense.

Commissioner Jack Shea

- Congratulated Warren and Tess Judge for being recognized as the Citizens of the Year.
- He said he was glad Highway 12 has reopened to interconnect all of Dare County.

Commissioner Richard Johnson

- He congratulated Warren and Tess Judge as recipients of the Award for Citizens of the Year.
- Expressed thanks to the Healthy Carolinians group for giving flu shots to Board Members. He credited Debbie Dutton with making it a painless procedure and recommended that people get their flu shots.

Commissioner Mike Johnson

- Congratulated Warren and Tess Judge on being named the Citizens of the Year.

Chairman Warren Judge

- He echoed the comments that were made expressing thanks to all the agencies, staff, and neighbors helping neighbors in the recovery effort following from Hurricane Irene.
- Thanked Commissioner Richard Johnson for reminding everyone about the importance of flu shots.

- Reported that NCDOT is conducting a Citizens Informational Workshop for improvements to Colington Road. He said the workshop is October 24 from 4:00 p.m. to 7:00 p.m. at the Kill Devil Hills Town Hall.
- Expressed gratitude to Commissioner Mike Johnson for his efforts to improve citizen use of the land at the Dare County Bombing Range. He said the Air Force and Navy have come back with a better plan and he is hoping that even more tweaking will be done to improve it further for the people of Dare County.

MANAGER'S/ATTORNEY'S BUSINESS

- 1) County Manager Outten outlined Board action needed for the refinancing of debt from a variable rate to a fixed rate, as was discussed at the last meeting. He asked the Board to approve a Resolution calling a public hearing and directing the publication of notice about the public hearing.

MOTION

Vice-Chairman Burrus motioned to approve a resolution calling a public hearing for 9:00 a.m., Monday, November 7, 2011 on an amendment to an installment purchase contract and directing the publication of notice with respect thereto.

Commissioner Shea and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

- 2) Mr. Outten presented a request from Hotline for the Board to issue two proclamations. One proclamation would designate October 2011 as Domestic Violence Awareness Month. The other would proclaim October 2011 as Cyber Security Awareness Month.

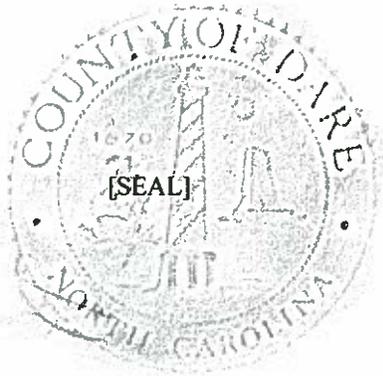
MOTION

Commissioner Shea motioned to proclaim October 2011 as Domestic Violence Awareness Month & Cyber Security Awareness Month in Dare County.

Vice-Chairman Burrus & Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

AT 6:16 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON NOVEMBER 7, 2011.



Respectfully submitted,

By: 
 Gary Gross, Clerk to the Board

APPROVED:

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