



# 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

November 21, 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; Jack Shea, District 5

**Commissioners Absent:** Mike Johnson, District 2

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

**Public Comments:** None

### **Actions:**

Request for Income Maintenance Supervisor Position — **No motions were made to approve the position, therefore no action was taken**

Mary Ann Bohannon—Home Occupation Permit Application — **Approved**

Resolution Approving Amendment, Installment Purchase Contract with Dare Co. Public Facilities Corporation & Related Matters — **Adopted**

Public Hearing—Preliminary Assessment Role — Roanoke Island Water Distribution Expansion Project — **Public Hearing was held and twelve (12) people offered public comments. A list of deletions to the Assessment Role was presented and approved, and conditionally added to the list, with PIN verification by the County Manager, were 3 lots on William and Mary Way, 1 lot for Norma Jean Ward, 2 lots for Ben Midgett, 3 lots for Angel Khoury, 1 lot for David Light, 1 Tillett lot, Willie Daniels lots, and 8 lots at the rear of Ralph Umphlett's property that may be exempt because the water line was not run there. Also, the Board approved extending the assessment financing to 10 years at no interest, and extended the new customer application deadline to June 30, 2012**

Consent Agenda — **Approved**

1. Approval of Minutes (11.07.11)
2. Tax Collectors October 2011 Reports

Board Appointments —

1. Jury Commission — **Appointed Alma Clark**

Manager's/Attorney's Business

1. The Board authorized the County Manager to work with the Coastal Studies Institute (CSI) in the installation of water lines that will take County water through their geothermal unit and bring it back into the County system, and a contract to include all protections that the state and regulations require.

LAND OF BEGINNINGS

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

Chairman Warren Judge called the November 21, 2011 meeting of the Dare County Board of Commissioners to order at 5:05 p.m. He invited the Rev. Ted Bishop from All Saints Episcopal Church to share a prayer, and then led the Pledge of Allegiance to the flag. Chairman Judge announced that Commissioner Mike Johnson was out of town on business and unable to attend tonight's meeting.

#### **ITEM 1 – PUBLIC COMMENTS**

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

#### **ITEM 2 – REQUEST FOR INCOME MAINTENANCE SUPERVISOR POSITION**

Social Services Director, Jay Burrus, explained that for some time the Family Services Unit has been too large for one supervisor to manage and needs reorganization. He said the Supervisor now has responsibility for 20 staff members and a normal span-of-control is 5-10 people. He added that the Supervisor also oversees those who work in other programs including Food Stamps, Medicaid, prevention services, emergency services, and day care. Mr. Burrus said Pat Jump, who supervises the Family Services Unit, has announced her retirement effective January 1 after 30 plus years of service. He explained that this is an opportune time to split the Family Services Unit into Services staff and Economic Services staff. Additionally, he outlined a new Income Maintenance Supervisor position that would be created effective January 1, 2012. Mr. Burrus said the new position will cost approximately \$34,620 for the remainder of fiscal year 2012 and of that amount, 50% would come from federal and state reimbursements and approximately \$17,310 from Dare County. Commissioner Shea asked if a job description has been created for the new position. Mr. Burrus said it is being developed and was almost finished. Commissioner Richard Johnson asked where the money is coming from for this position. County Manager, Robert Outten, explained this year's portion comes out of the contingency and next year it would be part of the budget process. Commissioner Richard Johnson said we have been trying not to do any new hires and although more people are putting in for social services, he cannot support adding a new position at this time. Vice-Chairman Burrus asked if the State of North Carolina is going to have reoccurring funds each year for their portion of this position. The Social Services Director said continued state funds are anticipated. Commissioner Tillett expressed concerns with the \$34,620 cost for next year although she knows the position is needed. She added that another County department might come before the Board next month with a similar request. Chairman Judge said now is the natural time to split the two functions as the Social Services Director outlined. Commissioner Shea asked if this new position could be filled internally. Mr. Burrus said that is the plan and he believes that it can be done. He also added that we have needed more line staff in addition to supervisory staff because of increasing social service caseloads. After allowing time for questions on the issue, Chairman Judge said a motion would be in order if it was the pleasure of the Board to approve adding the position and the corresponding budget amendment. There were no motions made to approve the position and Chairman Judge announced there would therefore be no action taken on this agenda item.

#### **ITEM 3 – MARY ANN BOHANNON – HOME OCCUPATION PERMIT APPLICATION**

Donna Creef, Planning Director said a Conditional Use Permit (CUP) has been submitted by Mary Bohannon, on behalf of her daughter, Mary Elliott, for a home occupation at their residence on 904 Wingina Avenue, which is zoned R-1. The application seeks permission to operate a small hair/nail salon that will encompass approximately 395 square feet with hours of operation Monday through Friday from 9:00 a.m. to 7:00 p.m. and Saturdays from 9:00 a.m. to 3:00 p.m. and no hours on Sundays. Commissioner Richard Johnson asked if designated parking spaces were required. The Planning Director explained that the applicant has a very large driveway that can easily accommodate six vehicles and that onsite parking should not be a problem. In response to a question from Commissioner Dutton, Mrs. Creef said the adjoining property owners have been notified and there were no comments submitted from neighbors. Commissioner Shea asked how the applicant will advertise since signage is not permitted. Ms. Creef reported that the applicant is aware that signage is not allowed and would need to depend on word of mouth advertising. She added that the Planning Board voted unanimously for approval.

#### **MOTION**

Commissioner Shea motioned to approve the Conditional Use Permit for the Bohannon home occupation as presented by the Planning Director and recommended by the Dare County Planning Board.

Vice Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

#### **ITEM 4 – RESOLUTION APPROVING AN AMENDMENT TO THE INSTALLMENT PURCHASE CONTRACT WITH THE DARE COUNTY PUBLIC FACILITIES CORPORATION AND RELATED MATTERS (Att. 1)**

Finance Director, David Clawson provided an update on the Certificates of Participation (COPs) sale with a date set for January 10<sup>th</sup> or 11<sup>th</sup> in 2012.

Mr. Clawson asked the Board to adopt a resolution with several findings and statements of fact including: 1) It is in the best interest of the County to enter in an amendment to the 2002 Installment Purchase Contract with the Dare County Public Facilities Corporation and into the Deed of Trust. 2) The County will execute a Letter of Representations for Southwest Securities, underwriter and Goldman Sachs, co-underwriter. 3) Copies of the documents have been made available to the Board and the Board approves the Contract Amendment, Notice of Extension, Escrow Agreement, and Letter of Representation. 4) A draft of the Preliminary Official Statement (POS) has been presented to the Board and it is in an appropriate form. 5) The Board held a public hearing on November 7, 2011. 6) The County has filed an application with the Local Government Commission for approval.

The resolution, as outlined by Mr. Clawson, lists the following: 1) That all actions of the Clerk, the Manager, the Finance Director and their respective designees are approved, ratified and authorized. 2) That the form, terms and content of the POS and final Offering Statement are authorized, approved and confirmed. 3) That the Contract Amendment is approved and that the Manager, the Finance Director, the Clerk and their designees are authorized and directed to execute and deliver the Contract Amendment with any changes which shall to them seem necessary. That the Manager, Clerk and Finance Director are authorized to do all such acts and things necessary to comply with the provision of the Contract Amendment. 4) That the Notice of Extension is approved and that the Manager, the Finance Director, the Clerk and their designees are authorized to execute and deliver the Notice of Extension with any changes which to them seem necessary. That the Manager, Clerk and Finance Director are authorized to do all such acts and things necessary to comply with the provisions of the Notice of Extension. 5) That the Escrow Agreement is approved and that the Manager, the Finance Director, the Clerk and their designees are authorized to execute and deliver the Escrow Agreement with any changes which shall to them seem necessary. That the Manager, Clerk and Finance Director are authorized to do all such acts and things necessary to comply with the provision of the Escrow Agreement. 6) That the form and content of the Letter of Representations is approved and that the Manager or Finance Director is authorized to execute the Letter of Representations. 7) That the County Manager and Finance Director are designated as the County's Representative to act on behalf of the County with the transaction; that the same are authorized to obtain an opinion from the County Attorney and other attorneys for the documents; that the County Attorney is authorized to provide an opinion; that the County representatives are authorized to supply all information for the POS; that the Manager, Clerk, Finance Director or their designees are authorized and empowered to do any and all acts and to execute other documents which they deem necessary and appropriate to complete the transaction. 8) That the County Manager and the Finance director are authorized and directed to evaluate the risks and benefits of terminating the swap and swaption and based upon that evaluation are authorized and directed to terminate or modify all or any portion of the swap or swaption.

Commissioner Shea asked what the bond market looks like now. Mr. Clawson said it is excellent and will probably do better in January than in December. He added that we would watch the market and use the authorization given to pick a more favorable sale date if needed.

**MOTION**

Commissioner Shea motioned to adopt the resolution as outlined by Finance Director, David Clawson  
Commissioner Dutton and Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

**ITEM 5 – PUBLIC HEARING – PRELIMINARY ASSESSMENT ROLE – ROANOKE ISLAND WATER DISTRIBUTION EXPANSION PROJECT (Att. 2)**

AT 5:30 P.M., THE DARE COUNTY BOARD OF COMMISSIONERS HELD A PUBLIC HEARING TO RECEIVE INPUT CONCERNING THE PRELIMINARY ASSESSMENT ROLE FOR THE ROANOKE ISLAND WATER DISTRIBUTION EXPANSION PROJECT.

County Manager, Robert Outten, conducted the hearing and invited the public to speak. The following people spoke:

- 1) Jimmy Brown asked for mercy for the water hook-up fees. He said the flat rate assessment of \$1,700 plus \$340 connection fee and \$107 security deposit comes to \$2,147 due by March 31. He added the hook-up is the responsibility of the property owner and he has been unable to get a plumber's estimate because it is unknown where the tie-in will be. Mr. Brown said his home was built in 1986 and he considered many

places for retirement and Manteo looked like the best place. He added, however, that at the time he did not know additional costs would be involved. As a retiree, he said any consideration on the fees would be appreciated. Chairman Judge said he could receive the project due dates from the County Manager.

- 2) Ben Midgett said the \$1,700 assessment for each PIN number is ridiculous and there is no way out. He explained that he and his daughter both own PIN number parcels that cannot be built upon. One of these is just a road and another is a 50x20 dock that can never be used for anything. He said he would like these pin numbers brought up and dropped. Mr. Midgett also complained about using funds to upgrade the Skyco plant in order to shoot water over to the beach. He said if he is paying for sand to go on the beach over there, why can't the beach share in the assessment for water here. County Manager, Robert Outten, asked Mr. Midgett to provide him the PIN numbers for his lots so he can include them on the elimination list. He added that tomorrow would be fine for submitting the PIN information.
- 3) Francis D'Ambra, retired Manteo Police Chief, explained that during his 25 years of local government service he has learned that government must be a good steward of public funds. He said this project has lacked leadership and added that in a recession, as we are in, with 15% unemployment in Dare County and the Federal Debt Commission unable to reach agreement, we need the Board to give us help. He added that the hurricane has caused a great hardship and people are lacking insurance settlements. He also said charging interest a 5% is higher than what can be obtained at a bank. Mr. D'Ambra said this represents a lack of leadership and foresight, especially for those who own more than one parcel. He explained that in our form of government, we do not elect leaders; we elect representatives who are supposed to reflect the views of those they serve, which has not been done. He expressed that a more palatable way could have been found and asked the Board to revisit the project and develop a more cost effective method. Chairman Judge asked for clarification of his parcel number for appeal.
- 4) Lillie (Button) Daniels of Wanchese said she does not understand how the Board is ready to proceed with this. She said the community needs a clear understanding and has repeatedly asked for help. She asked if the proper homework has been done and if any grant funds are available. Ms. Daniels explained that jobs are scarce, boat building is down, fishing has been hurt, and Hurricane Irene had an impact on everyone. She said we cannot afford what is being proposed and that it will cost us an arm and a leg. She called for a committee to be formed to do something and asked the Board for help in finding some way to financially support this project.
- 5) Will Fields said Wanchese citizens have talked about this a lot and have gotten mad about it. He outlined how citizens have voted on liquor by the drink, but we have never voted on this project. He concluded that voting on liquor by the drink is more popular than voting on water. He asked how many units are being assessed the \$1,700 fee. He also asked for clarification for when the money must be paid. Mr. Fields wanted to know if the meters and lines would be tested by the time we need to pay the impact fee, or, do we pay and then wait months until our water gets there. He also asked for a projected completion date for the project. Mr. Fields explained that this has been a hard time and, along with others who have spoken, asked the Board to help us if you can. He said anything you can do to lower this cost would be greatly appreciated.

Chairman Judge explained that County Manager, Robert Outten is compiling a list of questions and property lots identified at the public hearing that will be addressed.

- 6) Tom Wagner explained that he wanted to talk about his block on Old Schoolhouse Road in Wanchese. He identified his sister-in-law at 84 Schoolhouse Road, a teacher at Wanchese Christian Academy who is struggling. He also identified his in-laws, Babs and R.S. Meekins, who are retired and disabled and cannot afford this. He said he has a fulltime State job and works part-time when it is available. He said he purchased his house recently and people are struggling in this economy. He said he does not have the money for this project and neither do his neighbors. He added that his brothers-in-law, who are in the boat building industry, are also struggling. Mr. Wagner reported that he was told on the phone by Commissioner Mike Johnson that if he cannot afford the \$1,700 assessment, he needed to find another job. Mr. Wagner reported that Commissioner Richard Johnson told him at McDonald's that Stumpy Point got their water for free because they are a poor community. He expressed that he is not happy about it and

explained that he has multiple medical bills and pays on them monthly. He said the parcels represent people who are struggling and this Board needs to do something.

- 7) Angel Khoury said we have water and we have 20,000 sq ft lot minimums. She said although we turned out at previous meetings and said we did not want this; you have given it to us and should fix the lot requirements. She explained that people do not want increased density on Roanoke Island. Ms. Khoury expressed that you have done us a disservice in this economy. She added that people are not showing up because you have not listened to us before. She said you have gone about this in an irresponsible way by asking people to pay for something before they get it. She referenced three lots that are owned by a non-profit, a graveyard, a field restricted in development, and property to save a heritage tree. She explained that people cannot afford what you are asking and said you have also asked for ridiculous amounts of money for property that will never be served by water. She asked that the Board act on all PIN numbers, stop now while you are ahead, and not assess anyone. She called on the Board not to spend money the County does not have, and the people do not have, for water that we do not need. County Manager, Robert Outten asked Ms. Khoury to provide the PIN numbers for the lots she referenced.
- 8) Mark Vrablic said he was in favor of trying to get all lots knocked off the list. He said County wells are pulling 60% of all the city water used, which is about 6 million gallons per day on peak time. He reported that right now nobody in Wanchese is having a problem with water. He added that from Memorial Day to Labor Day he has a problem. He said our aquifer and water tables in 25 years have been greatly damaged by these County wells. He added that the Water Department is selling water for 7.50 per thousand, which represents about \$45,000 per day, or \$4 million in three months. He asked why there was not some repair funds put in the Water Department years ago to set these lines. Mr. Vrablic reported that Senate bill 676, passed in June, saying that no landowner can be denied a well. He outlined how the wells have gone from 1.25 inch, to 2 inch, to 4 inch now and that has scared people who cannot afford a \$7,000 well. He expressed that the revenue generated by the water could have helped cover these assessments. He also raised a question about the grace period before the price goes up.

JoAnne Cliff signed the roster but declined the opportunity to come forward and speak when her name was called.

- 9) Steve Smith said he sent a check for \$447 earlier this year and is now being asked to pay an additional \$1,700. He said he understood that Wanchese would be hooked up into the existing Industrial Park water. He added, that if true, why are we being charged the same amount of money as the areas that get all the brand new equipment.
- 10) Ralph Umphlett, Sr. from the north end of Roanoke Island said the water main has been put in front of his house. He explained that his children have eight lots in the back of his property and although a line has not yet been installed, he assumes they will be running a line there because they have been notified of the assessment. He added that he thought there was supposed to be a hydrant in front of my house to cover the back area for fire purposes and they did not put it there. He reported that it was not put in because a lady, who owned property nearby, talked ugly to the work crew and warned them not to go onto her property. Mr. Umphlett said the road in front of his house is the shortest North Carolina state road, with a right of way of 60 ft. allowing plenty of room to put hydrants in without crossing private property. He explained to the Board that this project had to come and people do not realize that for many years sewage from the beach area and development has strained our sewer and water supply. He added that his house has good water, but not as good as it was 8 to 10 years ago. He concluded by saying the Board did a good thing putting in this water system and he looked forward to hooking on to it. The Chairman confirmed his address as 166035 for the fire hydrant issue.

Mark Vrablic asked to speak again and commented on the lot size density reduction. He said there are only about 400 unbuildable lots in Wanchese and if the size were reduced to 15,000 there would only be 80 more. He added that after Wanchese was zoned in 2006, if it was not subdivided before then, it would have to stay at 20,000 ft. Mr. Vrablic said he is for city water, but against the assessment, especially for those who have adequate wells.

- 11) David Light identified one Wanchese parcel with an assessment fee that will be more than its tax value and asked that it be looked at. He added that this assessment will be a huge financial burden for him. He said

the project would cost him \$14,000. He explained that his insurance company says the benefit in cost savings will be minimal, which would take years and probably decades to offset the cost. He asked if grants had been examined on a community basis or for Roanoke Island as a whole. He told the Board that any help they give would be greatly appreciated. County Manager, Robert Outten, asked Mr. Light to give him the parcel number he identified.

- 12) Juanita Westcott said she has people in her family who get food assistance. She explained that if she does not give them money they are unable to eat. She added that these people cannot pay a water bill. She said she has a friend who has been hit by the flood whose insurance has now doubled and would have to sell their house to pay the \$2,100 fee. She explained that she can afford the fee and identified another concern that some may not have considered. She reported that her husband is a diabetic with neuropathy and she has neuropathy from an automobile accident. She said a high level of arsenic in water is bad and can create neuropathy. She added that her water was tested and it is good. She said she will pay the assessment, but she will not hook-up to the water because her existing water is good. She reported that although her brother is poor he will pay it, but it will come out of his funds for living. Ms. Westcott said she will likely have to supplement her brother's groceries, as well as those for her sister who lives in a mobile home, who cannot afford these fees. Ms. Westcott asked the Board to please provide financial help, especially for those on social services.

#### CHAIRMAN JUDGE CLOSED THE PUBLIC HEARING AT 6:09 P.M.

County Manager, Robert Outten, explained that tonight we are required to remove parcels that are not benefited by the assessment. He said a list has been prepared of those that have talked with County staff and outlined 4 or 5 more that have been identified today, in addition to those mentioned at tonight's public hearing. Mr. Outten reported that the \$1,700 assessment is the same no matter how many properties are assessed and represents about 25% of the project, with the remainder being paid by the system. He reported that the N.C. statute has been changed allowing us to finance it over 10 years rather than 7. He added that the interest rate could also be waived by the Board of Commissioners.

In reviewing his notes from the public hearing, Mr. Outten explained that in response to Mr. Brown's comments the \$1,700 assessment can be paid in full or over time and it is the hook-up fee that is discounted by signing-up before the March deadline. Commissioner Tillett asked if the system would be ready to go in March 2012. The County Manager reported it will be completed everywhere by June. He explained that work has started in Wanchese and the area north of Midway intersection is ready now. He explained that grants have been explored and we did not qualify on a community basis, except for one \$500,000 grant that was applied to the system. He added that Stumpy Point benefited from a consortium of grants that were available at that time for their project. Mr. Outten detailed that the 3,200 original properties to be served by the Roanoke Island Expansion project has been reduced by approximately 50. He said the density rules have not changed and we will be supplying water to the Seafood Park in Wanchese. He added that water lines must be tested before going online and must meet clean water standards. Water Department Director, Ken Flatt added that there is no arsenic in the water. Mr. Outten said we do not sell water to neighboring counties. Commissioner Tillett said her family has lots that we do not believe are buildable. Mr. Outten asked for the PIN numbers and said he would look at that. In response to a question from Mark Vrablic, Mr. Outten said the tap-on fee goes to \$2,500 if the subscriber has not signed up by the deadline. He summarized lots identified by various individuals at the public hearing that will be looked at. In response to a question from Vice-Chairman Burrus, Mr. Outten explained that before March subscribers will pay a reduced hook-up fee which goes up to the going rate after the deadline. He added that \$13.07 is the minimum quarterly payment for water service. Commissioner Tillett expressed that March 2012 is near and people are having a hard time. She asked if that deadline could be extended. Vice-Chairman Burrus added that those that are ready today should be allowed to hook-up, and those who are not yet ready should be able to wait. Commissioner Richard Johnson asked if we move the March deadline until June, would it change the costs for the contracting crew. Water Department Director, Ken Flatt, said that would have to be researched. He also responded to a concern Mr. Umphlett identified about being on the dead-end of a water line saying that dead-ends are routinely flushed. The County Manager explained that the Water Department usually does hookups, however it is part of the contract for this project because of the large number of hookups involved.

### **MOTION**

Vice-Chairman Burrus motioned to approve the list of deletions to the Assessment Role as presented, and conditionally added to the list, with PIN verification by the County Manager, were 3 lots on William and Mary Way, 1 lot for Norma Jean Ward, 2 lots for Ben Midgett, 3 lots for Angel Khoury, 1 lot for David Light, 1 Tillett lot, Willie Daniels lots, and 8 lots at the rear of Ralph Umphlett's property that may be exempt because the water line was not run there.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

Chairman Judge asked people to bring forward any additional names that should be on the list of deletions and we will compile another list for a possible future public hearing. He then summarized the County Manager's report that legislative changes permit going ten years on financing and there is no requirement to charge interest. He said based on previous projects, staff had recommended five (5) percent interest, however, it is the Board's discretion to charge no interest and expand it to ten (10) years as well as extending the new customer application deadline date. Chairman Judge said we will continue to keep our eyes open for any available grants for this project.

### **MOTION**

Commissioner Richard Johnson motioned to extend the assessment financing to ten (10) years at no interest, and extending the new customer application deadline to June 30, 2012.

Vice-Chairman Burrus and Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

### **ITEM 6 – CONSENT AGENDA (Att. 3)**

#### **MOTION**

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (11.07.11)
- 2) Tax Collectors October 2011 Reports

Commissioner Dutton and Vice-Chairman Burrus seconded the motion.

VOTE: AYES unanimous

### **ITEM 7– BOARD APPOINTMENTS**

- 1) Jury Commission

Commissioner Tillett motioned to appoint Alma Clark.

VOTE: AYES unanimous

### **RECESS 6:43 P.M. – 6:53 P.M.**

### **ITEM 8 – COMMISSIONERS' BUSINESS**

#### **Vice-Chairman Burrus**

- Expressed thanks for this season saying that although it has been a difficult time in Dare County and our Country, he is thankful to live in Dare County and serve God who has blessed him.
- He reported that the recent Community Fair on Hatteras Island was wonderful. He said it featured many events and raised everyone's spirit.
- Vice-Chairman Burrus announced that NCDOT will be here on December 5<sup>th</sup> and asked people to study their information about permanent solutions for the vulnerable areas of NC Highway 12.
- He expressed thanks for the dredging effort at Hatteras Inlet, which looks better now. He added that there are problems at Oregon Inlet with a bar visible under the Bonner Bridge today.
- Vice-Chairman Burrus said he was thankful to work with a good Board of Commissioners.
- He wished everyone a happy Thanksgiving.

#### **Commissioner Jack Shea**

- He said he was thankful to live in Dare County and to be an American.
- Commissioner Shea wished everyone a happy Thanksgiving.

#### Commissioner Richard Johnson

- Said he does not mind people disagreeing with what he does, but it hits a nerve when someone says the Board does not care. He explained that we do care; however, nobody could foresee the hurricane. He said people want the fire protection that will be provided by the water system. He added that the firemen wanted it and they knew the need. He reported that people with wells going bad also wanted it. He said the Board makes decisions based on the best information available at the time and we felt we were representing the majority. Commissioner Johnson said we have already spent millions on the project and it cannot be stopped. He outlined how today the Board dropped any interest charge and expanded the deadline and financing period. He wanted people to know that the Board is listening and we do care. He added that we also took care of the people who were silent. He said if we have 5% of the people speaking out now, that means we have still served others.

#### Commissioner Max Dutton

- Reported on a Board of Education meeting he attended on Hatteras Island along with Commissioner Jack Shea. He said he wished a curriculum as they saw during their visit with hurricane tracking and weather forecasting had been available when he was in school.
- He said he felt fortunate to live in Dare County.
- He also said he was thankful our citizens have healthy water. He added that he does not like the expense and wished that grants were available.
- Commissioner Dutton thanked the Board for what they do.
- He expressed wishes for everyone to have a happy Thanksgiving and encouraged people to spend time with family and friends.

#### Commissioner Virginia Tillett

- Reported that Tradewinds recently published a feature article describing R.S. Meekins of Wanchese as a renaissance man and detailed important aspects of Wanchese history.
- She thanked the Board for reconsidering things that will help citizens pertaining to the Roanoke Island Water Expansion project including dropping the interest rate and extending the financing and deadline date.
- Commissioner Tillett asked if FEMA had extended the deadline for filing claims. The County Manager said nothing has been heard as the start of this meeting. Ms. Tillett explained that anything we can do to encourage the Insurance Commission in this effort is good since many people have not yet heard back from their local agent. Chairman Judge encouraged people to call him and he would try to help people's agents be their advocates. He also said he was thankful for the staff that has helped those who Commissioner Tillett has referred for help.

#### Chairman Warren Judge

- Asked the media to stay diligent in reporting on the issue of deadlines for filing insurance proof of loss claims. He encouraged people to check with their agents.
- He outlined that we also need to stay diligent on Oregon Inlet issues. He explained that we have worked hard on this and every coastal community is facing these types of issues as he learned at the recent NC Beach, Inlet, and Waterway Association.
- Chairman Judge announced that Outer Banks Catch has 16 new members having joined with the committee that was formed to organize a seafood festival. He said the next Outer Banks Catch meeting is 1:00pm on December 6, 2011 at the Chamber of Commerce office in Kill Devil Hills. He added that October 19 to 21, 2012 has been tentatively selected as the date for the Outer Banks Seafood Festival and details would be forthcoming.
- He wished everyone a safe and happy Thanksgiving.

#### **MANAGER'S/ATTORNEY'S BUSINESS**

- 1) County Manager Outten said the Coastal Studies Institute (CSI) is in the construction phase of their new building and intended to do a geothermal heating and air conditioning system by digging wells into the aquifer where we get our drinking water. He said their original plan was to put over 100 wells in the top of our aquifer. He explained that we have been working with them trying to prevent this and have offered, subject to Board approval, to allow CSI to put a "U" into our water line. He detailed how this would run

through their evaporator and back out never leaving the water line and not affecting our water quality. He said CSI would pay for all pipes, pumps and equipment at no cost to Dare County. Mr. Outten added that Ken Flatt has looked at this project along with the engineers and there are no problems or water quality issues involved and this is safer than allowing holes to be punched into the aquifer, which can become polluted even with proper care. Commissioner Shea asked if CSI will be required to notify the Water Department in the event of a system leak. Mr. Outten explained there will be an agreement in place to cover those issues. Mr. Shea said the Water Department should be involved in the making of any needed repairs. Commissioner Richard Johnson asked about the CSI supply well. Mr. Outten said this was a spare well that has since been eliminated from the plan. Mr. Johnson asked if the "U" line will be metered to make sure there is no loss. Ken Flatt, Water Department Director, said a meter will measure how much water goes through the CSI facility and if there were a leak, we would know because we would lose pressure. In response to a question from Commissioner Tillett about payment for water usage, Mr. Outten said CSI would not be paying because they are not actually consuming any water.

**MOTION**

Commissioner Richard Johnson motioned to authorize the County Manager to work with CSI in the installation of water lines that will take County water through their geothermal unit and bring it back into the County system, and a contract to include all protections that the state and regulations require.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

- 2) Mr. Outten reported that the SPCA contract has not been signed for this year. He said they have had changes in their administration, which now has new leadership and a new Director following the departure of their former Finance Officer, Board Chair, and some Board Members. Mr. Outten said we did not sign the contract until an organization was in place and we could be assured that things were in proper order. He reported that everything is fine and there are no problems, therefore he would sign the contract that he had been holding until everything was in place. He added that we appreciate the good work of the SPCA.

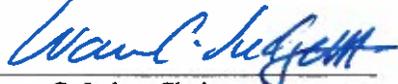
AT 7:17 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON DECEMBER 5, 2011.



Respectfully submitted,

By:   
Gary Gross, Clerk to the Board

APPROVED:

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