



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

January 19, 2010—5:00 P.M.

Dare County Administrative Building
PO Box 1000, Manteo, North Carolina 27954

Commissioners Present:

Chairman Warren Judge, Dist. 3; Richard Johnson, Dist. 1; Max Dutton, Dist. 2.; Mike Johnson, Dist. 2.

Commissioners Absent: Vice Chairman Allen Burrus, Dist. 4; Virginia Tillett, Dist. 1; Jack Shea, Dist. 5

Others Present:

County Manager Bobby Outten, Dorothy Toolan — Public Information Officer, Rhonda Creef—Deputy Clerk.

Action:

KITTY HAWK BOY SCOUT TROOP 117 EAGLE SCOUTS — **Recognition of Jonathan Delucia, Drew Keenan, Andrew Martin, Michael Ross, and Harris Styons**

CUB SCOUT PRESENTATION— **Recognized Cub Scout Christopher Pokorny**

BOY SCOUTS OF AMERICA DAY RESOLUTION— **Approved** DCTB REQUEST CONSENT OF DCBC FOR SHORT TERM RESTRICTED FUND PROJECTS — **Approved**

MANN'S HARBOR PIER PROJECT — **Approved**

US COAST GUARD HOUSING & BASE ACQUISITION — **Tabled until 2/1/10 DCBC meeting**

PUBLIC HEARING: COLINGTON HARBOUR ASSOCIATION SOUND SIDE SWIM AREA — **Held & Resolution 10-01-2 Adopted**

CONSENT AGENDA — **Approved**

- Approval of Minutes (1.4.10)
- Amendment to Capital Project Ordinance for Engineering and Design Services and for Construction Management and Construction for Roanoke Island Water System Expansion
- Social Services Budget Amendment—Crisis Intervention

BOARD APPOINTMENTS:

- Tourism Board — **Appointments (Jamie Daniels—Town of Manteo; Monica Thibodeau, Town of Duck)**
- Nursing Home Community Advisory Committee — **Tabled until 2/1/10 DCBC meeting**

CLOSED SESSION: APPROVAL OF MINUTES (11.16.09 & 1.4.10) — **Amended & Approved**

LAND OF BEGINNINGS

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Chairman Warren Judge called the meeting to order at 5:00 p.m. and invited Harris Styons to share a prayer. Girl Scout Rebecca Boyce, troop number 2540 from Manteo, then led the pledge of allegiance to the flag and distributed Girl Scout cookies to the Commissioners.

ITEM 1 – PUBLIC COMMENTS

There were no public comments.

ITEM 2 – KITTY HAWK BOY SCOUT TROOP 117 EAGLE SCOUTS

Scoutmaster Bill Owen introduced five (5) Eagle Scouts who reached the rank of Eagle within a twelve (12) month period: Jonathan Delucia, Drew Keenan, Andrew Martin, Michael Ross, and Harris Styons. He then gave a brief presentation regarding the meaning of being an Eagle Scout. Chairman Judge congratulated the Scouts and told them the Board is proud of them and what they have accomplished.

ITEM 2a – CUB SCOUT PRESENTATION AND RESOLUTION

Chairman Judge recognized Christopher Pokorney, Cub Scout. Chairman Judge stated that Christopher has been invited to join the Governor in Raleigh next month to celebrate the 100th birthday of Boy Scouts. Manager Outten read the resolution, “Boy Scouts of America Day.”

MOTION

Commissioners Dutton and R. Johnson motioned to declare February 8, 2010 as Boy Scouts of America Day.

Commissioner M. Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 3 – DARE COUNTY TOURISM BOARD REQUEST CONSENT OF DARE COUNTY BOARD OF COMMISSIONERS FOR SHORT TERM RESTRICTED FUND PROJECTS (Att. 1)

Lee Nettles, Executive Director of the Outer Banks Visitors Bureau, and Paul Buske, Vice Chairman of the Dare County Tourism Board, explained the Tourism Board is seeking approval of expenditures from the Restricted Fund for the Short Term Restricted Fund to finance three (3) projects: 1) Soundside Boardwalk Project Phase 1 in Duck, 2) Nature Trail/Boardwalk for the Hatteras Village Civic Association, and 3) Multi-Use Accessible Trail for The Nature Conservancy, Nags Head Woods. They gave a brief overview of each project and noted the projected cost for each project. They also noted Restricted Fund Grants are disbursed on a matching basis, not to exceed fifty (50) percent of the actual cost. They asked the Board of Commissioners to approve the expenditures in the amount of \$361,835.

MOTION

Commissioner M. Johnson motioned to approve DCTB expenditures from the Restricted Fund for the Short Term Restricted Fund Projects (line item 4999) in the amount of \$361,835.

Commissioner Dutton seconded the motion.

VOTE: AYES unanimous

ITEM 4 – MANNS HARBOR PIER PROJECT

Jenny Gray Jones, Grants and Waterways, stated the Manns Harbor Pier project on the lands donated by the Fearing family is nearing completion. She explained the original pier length was scaled back early in the project due to budget concerns. However, the project has come in under budget with sufficient funds to extend the pier to its original length, adding on an additional fifty-five (55) foot “dogleg” to the end of the pier. The project was funded by a combination of State and Tourist Bureau grants, and she noted the State has approved the use of their remaining grant funds for that purpose. Tourist Bureau staff will be presenting this proposal to the Tourism Board at their February meeting. Ms. Jones requested authorization of the extension, and authorization for staff to move forward with the CAMA Major permit application process needed for the additional fifty-five (55) feet of this project.

MOTION

Commissioner Dutton motioned to authorize the extension of the pier as detailed, and for staff to move forward with the CAMA Major permitting application process.

Commissioner M. Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 5 – US COAST GUARD HOUSING & BASE ACQUISITION

This item was tabled until the 2/1/10 meeting.

5:30 P.M. PUBLIC HEARING

ITEM 6 – COLINGTON HARBOR ASSOCIATION SOUND SIDE SWIM AREA (Att. 2)

AT 5:30 P.M, THE DARE COUNTY BOARD OF COMMISSIONERS HELD A PUBLIC HEARING TO RECEIVE INPUT CONCERNING: COLINGTON HARBOR ASSOCIATION SOUND SIDE SWIM AREA.

County Manager Outten conducted the Public Hearing and invited the public to speak.

No one came forward to speak.

Chairman Judge closed the hearing at 5:31 p.m.

MOTION

Commissioner M. Johnson motioned to adopt Resolution 10-01-2 Supporting the Enclosed Swim Area and No Wake Zone as Requested by the Colington Harbour Association.

Commissioners Dutton and R. Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 7 – CONSENT AGENDA (Att. 3)

Commissioner M. Johnson motioned to approve the Consent Agenda:

1. Approval of Minutes (1.4.10)
2. Amendment to Capital Project Ordinance for Engineering and Design Services and for Construction Management and Construction for Roanoke Island Water System Expansion
3. Social Services Budget Amendment - Crisis Intervention

Commissioners Dutton and R. Johnson seconded the motion.

VOTE: AYES unanimous

ITEM 8 – BOARD APPOINTMENTS

1. Tourism Board

Commissioner M. Johnson motioned to appoint Jamie Daniels to fill the unexpired term of David Farrow and Monica Thibodeau to fill the unexpired term of Dave Wessel.

VOTE: AYES unanimous

2. Nursing Home Community Advisory Committee

The appointment was tabled until the 2/1/10 meeting.

ITEM 9 – COMMISSIONERS' BUSINESS

Commissioner Mike Johnson – None

Commissioner Max Dutton – Commissioner Dutton stated he attended a Board of Education meeting the other night and wanted to appreciate the great job done by Ms. Carabello, the Spanish teacher at First Flight Elementary School. A group of second graders gave a bilingual presentation and it was excellent. He also recognized a lady he is associated with, Mrs. Lewis, who lives in Manteo. She was the chairperson of the Martin Luther King Celebration at the Manteo Elementary School last Saturday. She

has been doing this for seventeen (17) years. He appreciated her and everyone involved for their commitment. It was a great event with lots of talent.

Commissioner Richard Johnson – Commissioner Johnson stated he would like to see the Manns Harbor Pier Project named in honor of the late Dean Fearing, sister of Malcolm Fearing, whose family donated the land for this project. Chairman Judge stated the Board is moving in that direction and when the weather gets nicer, a ceremony will be planned to honor the family.

Chairman Warren Judge – Chairman Judge stated that he attended the Wedding Show at First Flight High School last weekend. There were an estimated five-hundred (500) brides registered. He remembers when it first started it was held in the gym, then in the lobby of the gym, then in the school lobby, then upstairs, then the cafeteria. This year a tent was erected between the gym and the cafeteria. He stated we need something like that every weekend in Dare County. We need to encourage those entities that are responsible to do these types of things that there is certainly a thirst. If Dare County can attract that kind of crowd on the first full weekend in January for a two (2) day event, then we can attract a lot of people throughout the year.

He stated “Serendipity” has moved and that’s good news.

He stated the Draft and Environmental Impact Statement is expected by the middle of February which will include the Off Road Vehicle Management Plan for the Cape Hatteras National Seashore. This will set the calendar in motion to allow the public to participate in public hearings. He expects there to be hearings on Hatteras Island, on the Northern Beaches, possibly Roanoke Island, possibly Raleigh and in Virginia. Those dates and locations have not yet been established. The County will participate extensively in those hearings and he asks that the general public take advantage of those hearings through the NEPA process. This is a very important part. The first of March is coming up quickly and that is when the closures will begin on the Cape Hatteras National Seashore recreational area.

MANAGER’S/ATTORNEY’S BUSINESS - None

ITEM 10 – CLOSED SESSION: APPROVAL OF MINUTES (11.16.09 & 1.4.10)

MOTION

Pursuant to the provisions of NCGS 143-318.11, County Manager Outten asked for a motion for the Dare County Board of Commissioners to go into Closed Session to: approve the minutes of the Closed Sessions held on November 16, 2009 and January 4, 2010.

Commissioner Dutton made the motion.

Commissioner M. Johnson seconded the motion.

VOTE: AYES unanimous

AT 5:45 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ENTERED CLOSED SESSION AND EXITED AT 5:50 P.M.

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

AT 5:55 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED UNTIL 9:00 A.M. ON FEBRUARY 1, 2010.

(SEAL)

Respectfully submitted,

By: _____
Rhonda L. Creef, Deputy Clerk

APPROVED:

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

