

Summary of the August 22, 2006 Meeting
Dare County Shoreline Management Commission

Members Present:

Warren Judge, Chairman
Wayne Gray
Richard Johnson
Neil Morrison
Richard Reid
Don Smith

Members Absent:

Paul Buske
Michael Johnson

Others Present:

Ray Midgett
Seth Lawless
Lee Wrenn
Beth Wrenn

The Commission meeting was called to order by Chairman Warren Judge at 5:30 PM in the Meeting Room of the Kill Devil Hills Town Hall.

The minutes of the meeting of June 27, 2006 were presented for approval. Motion was made by Member Don Smith and seconded by Member Neil Morrison to approve the minutes as submitted. Motion carried.

Chairman's Remarks

Chairman Judge reviewed recommendations that the Shoreline Commission made to the Dare County BOC at their last meeting.

1. Recommendation to make disbursement from the shoreline fund to Nags Head to help with the cost for their lobbying efforts for beach nourishment. Recommendation was denied by the BOC.
2. Recommendation to make appropriation to Nags Head from the shoreline fund not to exceed \$8 million for their beach nourishment project. The recommendation passed conditioned upon Nags Head complying with the following:
 - a) make a presentation to the BOC outlining the complete project
 - b) obtain and have in the town hall all permits necessary to begin and complete the project
 - c) successful passage of a town referendum for the authorization of the sale of bonds sufficient to fund the project and authority to tax the designated districts for repayment of the indebtedness.

Dare County BOC asked the SMC to develop a means / plan by which the towns and county government can apply for and receive monies for projects from the shoreline fund. To accomplish this they want the SMC to:

1. Determine what qualifies as an acceptable project
2. Formulate an application process
3. Make recommendations as to funding options

Chairman Warren Judge asked shoreline manager Lee Wrenn to present the subcommittee reports.

Subcommittees

Citizens Advisory Committee

1. Plans to coordinate a public forum with the COE will be delayed until early 2007. The delay is necessary because the COE is in the process of completing a limited re-evaluation of the economic benefits to the federal project. This benefit has increased substantially because of new guidelines from Congress that allows recreational benefits to be figured into the ratio. The COE feels it is important to wait until the review has been completed to schedule the meeting in Dare County. This review will have an impact on how things will be funded in the new federal budget.
2. Only three position statements have been received to date. Wrenn will email reminders to the BOC, SMC members and SMC committee members to encourage each to respond to the request for position papers of 150 words or less stating how they feel erosion should be addressed.
3. Wrenn is gathering information regarding the passage and repeal of the sales tax for erosion control in preparation for a factual history to go on the website. Wrenn asked Chairman Judge and/or Member Richard Johnson to review the material he gathers prior to publishing it on the website
4. The proposed TV spot that will air on the county government channel will include new content / information soon to be posted on the website. An automated email validation process has been introduced on the website to validate email addresses of those persons entering comments on the citizen input page. This will greatly reduce the number of spam messages.

Technical Advisory Committee - No Report

Finance Committee

The financial report was provided by David Claussen, Dare County Finance Director and included in the packet.

Fund balance on June 30, 2006 was \$9,892,877. Chairman Judge provided the amount of sales tax collected for May as \$798,459.

Member Don Smith expressed concern about distribution of sales tax should Nags Head increases its taxes to fund beach nourishment. Discussion followed regarding the effect it will have on the revenue of the County and other municipalities. David Claussen had prepared a report, at the request of the BOC, showing the distribution of tax to each town based on Nags Head increasing their tax by 5.5 cents. Such an increase would reduce the tax distribution received by the other towns and the County.

Smith suggested that if NH raises their tax rate to fund beach nourishment, the increase

should not be included in the distribution formula. He suggested that the ratios be adjusted to maintain equality.

Chairman Judge asked Lee Wrenn to contact Bobby Outten, County Attorney to inquire if the County could change the distribution percentages without new legislation. This item will be on the agenda for the November meeting.

Discussion on Development of Criteria for Requesting Funding for Beach Projects

Chairman Judge asked for suggestions and ideas for the following:

- Criteria for beach project to receive favorable recommendation from SMC for funding from the shoreline fund.
- Application process (written, multimedia presentation, etc.)
- Review process (waiting periods, review by finance committee, etc.)

A brainstorming session began with comments and suggestions from members.

- Member Richard Johnson suggested using the application process used by the Oregon Inlet and Waterway Commission as a guideline. He thinks projects may move to wetland restoration, shoreline management and beach nourishment.
- Member Neil Morrison suggested a project worthy of funding might be planting of grasses.
- Member Wayne Gray suggested that sand fencing is one of the best ways to help build up the beach.
- Member Don Smith questioned whether canal dredging would fall into shoreline management.
- Chairman Warren Judge suggested that there would be seven potential applicants: the six towns and the county.

Chairman Judge asked Lee Wrenn to begin working on the criteria and application process. Suggestions should continue to come from the SMC members. Eventually, a proposal will be made to the Dare County BOC concerning what will constitute a Shoreline protection project plus a process to request funding.

Members Items

Member Wayne Gray thanked everyone for their help in getting the requested \$8 million commitment for Nags Head beach emergency project. They are currently moving along with permit process. There will be a meeting at Nags Head on Friday, August 25 at 9 am with Coastal Science Engineering for briefing on permits, etc. It was suggested that there be a link from SMC website to the NH website.

Shoreline Manager Items

1. Currently working with county IT department to link from county site to SMC site.
2. At last meeting, Wrenn was given permission to coordinate with the Town of Nags Head to facilitate the exchange of information regarding the emergency project. He met with the NH staff last week and discussed the project. NH was hoping to use the easements acquired by the County for the federal project. It appears from information discussed that the NH project will be west of that easement line acquired by the County. That being the case, easements or letters of permission would have to be acquired for work in that area.

Public Comment

Ray Midgett expressed concern that the SMC had voted for the NH funding recommendation to the BOC without discussion of the tax implications to the other towns and the County.

There being no further business the meeting was adjourned at 6:45 PM.

The next scheduled meeting of the Shoreline Management Commission is Tuesday, November 28, 2006 @ 5:30 PM at the Kill Devil Hills Town Hall.

Submitted by: Lee Wrenn, Shoreline Manager

Adopted: _____