

OUTER BANKS SEN. EL  
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# Tail wagging the dog again

Before state legislators killed a bill that would have required closed sessions of boards and commissions to be taped, they should have taken a look at Dare County.

Recent revelations about plans to place several new wells — including three deep wells at Jockey's Ridge — bring up a host of questions that beg for a thorough explanation from both local and state officials.

The obvious secrecy surrounding the wells project violates both the Open Meetings Law and the policy regarding use of state park lands whereby public participation in decision making (through the use of the advisory panels) is mandated.

Statements that Jockey's Ridge advisory panel was not told of the impending action regarding the park because not enough information was available would be laughable if it weren't so outrageous.

A year before the advisory panel learned — accidentally — of the plans, Nags Head officials were briefed in closed session about the possibility that additional wells would be needed there.

Dare County commissioners haven't discussed this issue in public thus leaving the assumption that the issue was discussed in closed session.

The Sentinel requested minutes of closed sessions related to the placement and planning of the wells and the response was that it has never been discussed in closed session.

So who is making these decisions? How could this much money — which could ultimately amount to millions of dollars — be committed to multiple projects and there be no discussion recorded anywhere?

If legislators had come to Dare County, they would have had a better understanding of why taping closed sessions would be in the public's best interest.

And they would understand why local boards lobbied so violently against it.

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The Open Meetings Law allows certain items — such as land acquisitions — to be discussed in closed session so that public disclosure of property transactions doesn't hamper the negotiation process or cause owners of needed land to jack up prices.

But commissioners and park officials weren't discussing big bucks changing hands. Free water to the park from Nags Head was exchanged for easements granted to the county on which wells could be placed.

This simply translates into government agencies exchanging taxpayers' assets.

Not enough information to present to the advisory panel? Proposed easement surveys are dated March 6. Sen. Marc Basnight's office had enough information to help draft the needed documents, and sufficient information was available to present to the Council of State. The Council of State action was weeks before an official meeting was held to brief the advisory panel, which is made up of locals.

The obvious need to increase the water supply for the Outer Banks does not outweigh the need to adhere to the law. When officials offer the excuse that "they were just trying to do something good" while knowingly withholding information from the public and violating state statutes and standards, red flags whip in the wind.

The best guess as to why this was kept secret is that those who are engaged in this maneuvering knew that there would be questions about whether there is enough scientific data to support claims that the environmental impact would be minimal.

Evidence has already surfaced that water in existing wells at Jockey's Ridge is tainted.

And other troubling issues are still swirling around. When the three water systems — Kill Devil Hills, Nags Head and Dare County — merged and the property was listed under the county's name, it was understood that the Skyco plant could produce more water if needed. And it was a given that the two towns would be part of the decision-making as the need arose.

Instead, an emphasis has been placed on reverse osmosis plants along the island. Why? But when and where were these changes in planning and action made? Were Nags Head and Kill Devil Hills involved in the changes and, if so, when did their boards discuss them?

The taping of closed sessions may not have stopped this scenario in its tracks, but it may have given those who have been wagging the dog a little hesitation if they knew that some way, some day, the public would be able to know what is really going on.