



**CURRITUCK COUNTY
NORTH CAROLINA**

August 1, 2022

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 5:00 PM Advisory Boards

Due to the absence of several Commissioners, the Work Session was cancelled.

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners met at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for a regular meeting.

Attendee Name	Title	Status	Arrived
Michael H. Payment	Chairman	Present	
Paul M. Beaumont	Vice Chairman	Present	
J. Owen Etheridge	Commissioner	Absent	
Mary "Kitty" Etheridge	Commissioner	Absent	
Selina S. Jarvis	Commissioner	Present	
Kevin E. McCord	Commissioner	Present	
Bob White	Commissioner	Absent	

Chairman Payment called the meeting to order.

A) Invocation & Pledge of Allegiance

A moment of silence was held in remembrance of Ernie Bowden, a life-long resident of Currituck County and former long-time Commissioner, who recently passed away. Commissioner Jarvis offered the Invocation and led the Pledge of Allegiance.

B) Ethics Awareness and Conflict of Interest Reminder

Commissioner Jarvis read the Ethics Awareness and Conflict of Interest Reminder and no conflicts were presented.

C) Approval of Agenda

Commissioner Beaumont moved to amend the agenda and pulled Consent Agenda Item #4, Dune Walkover Replacement Project, Change Order #2, for separate discussion. Commissioner McCord seconded the motion. The motion carried, 4-0, and the agenda was approved as amended.

Approved agenda:

Work Session

5:00 PM Advisory Boards

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance
- B) Ethics Awareness and Conflict of Interest Reminder
- C) Approval of Agenda

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Commissioner's Report

County Manager's Report

County Attorney's Report

Administrative Reports

- A) Lifesaving Award Presentation to Corporal Jeremy Evans

Public Hearings

- A) Public Hearing Pursuant to NC Gen. Stat. Section 158-7.1 on Proposed Conveyance of a Fee Simple Interest for Lots 8, 9, and 10 at Maple Commerce Park as Shown on a Plat Recorded at Map Book N, Page 2, of the Currituck County Registry

New Business

- A) Ordinance Amending Section 10-64 of the Currituck County Code of Ordinances Providing for Issuance of User Permits to County Residents and Property Owners for the Operation of Utility Terrain Vehicles on the Beach
- B) Ordinance Amending the Code of Ordinances by Adding Section 12-70 Providing for the Penalty for Operating Golf Carts on Public Streets and Roads in Violation of Chapter

12, Article V, of the Code of Ordinances**C) Dune Walkover Replacement Project-Change Order #2-
*Amended, removed from Consent Agenda*****D) Consent Agenda**

1. Budget Amendments
2. Project Ordinance-Maple Community Park Design-Phase III
3. Project Ordinance-Streamflow Rehab Assistance Program
4. FY 21-22 SETTLEMENT FOR CURRENT & DELINQUENT TAXES
FOR YEARS
2012-2021
5. Hazard Mitigation Planning Committee Progress Report
6. Consideration of Job Descriptions and Revisions
7. Records Disposal-Parks and Recreation
8. Waiver of Cooperative Extension Auditorium Fees for
the Currituck Chamber of Commerce Candidate
Forum Event
9. Approval Of Minutes-July 18, 2022

Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Vice Chairman
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
ABSENT:	J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner

PUBLIC COMMENT

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Chairman Payment introduced the County's new Attorney, Megan Morgan, and welcomed her to the meeting. The Public Comment period was opened.

Cayden Lowe, of Aydlett, thanked Commissioners for their support of the County's 4-H program and announced she will be representing Currituck County as Youth Delegate at this year's North Carolina Association of County Commissioners Annual Conference.

Matt Crook and Kevin Thornton of Texas, representing Leeward Renewable Energy, provided an update on the Oak Trail Solar project to be constructed on Puddin Ridge Road,

Moyock. A timeline for the construction and panel installation was reviewed, and citizens were invited to visit the Oak Trail Solar website for more information.

No others were signed up nor wished to speak and the Public Comment period was closed.

COMMISSIONER'S REPORT

Commissioner Jarvis thanked the Board for allowing her the opportunity to attend the National Association of Counties Annual Conference in Aurora, Colorado. She highlighted the final session that included speaker, Mick Ebeling, discussing innovative, technological devices being developed by his company at little cost. She discussed the reduced speed limit at the south end of the County, recently implemented by the North Carolina Department of Transportation (NCDOT), and encouraged citizens to continue to contact the department about the dangers of the intersection at Caratoke Highway and Edgewater Road, Harbinger. She welcomed Ms. Morgan to the County.

Chairman Payment also addressed recent actions taken by NCDOT including the speed limit reduction on the highway, performing traffic counts, and installing a new traffic signal in Moyock. He thanked the Sheriff's office for their continued patrols and encouraged safe driving on the roadways. He asked citizens to support first responders.

Commissioner Beaumont discussed the role of the Fire and Emergency Medical Services Advisory Board, of which he is a member. He reported on a recent fire in Corolla, and although it was significant and the condominium building was lost, no injuries were reported. He expressed his concern that the hydrant nearest to the building was not operational, but the hydrant was reported to the County in February that repairs were needed. He said the Maritime Museum hours should be amended so the facility can be open seven days a week.

County Manager, Ike McRee, said after learning of the issue the hydrant was checked by staff and was reported as operational. A flow test will be conducted to assess water pressure, and Mr. McRee said he will review his report received earlier in the year that noted any hydrants that were not operational or in need of repair.

Commissioner McCord offered prayers to the family of Ernie Bowden, to Commissioner J. Owen Etheridge, and to Commissioner Mary Etheridge's husband who was recently injured, and he welcomed Ms. Morgan to the County. He said twenty-four speed limit signs were installed to note the reduction on Caratoke Highway at the south end of the County. Commissioner McCord discussed the Corolla fire and the excellent response by the County's first responders. He reported on the success of the Knotts Island Peach Festival over the weekend and announced upcoming events. Commissioner McCord acknowledged the work of first responders and challenged Governor Roy Cooper to install more North Carolina State Troopers in the County.

COUNTY MANAGER'S REPORT

County Manager, Ike McRee, announced upcoming public meetings that will be held by the Travel & Tourism Department to receive input on a plan to utilize grant funds by constructing a monument commemorating John Jasper White, also known as Currituck Jack, who was an enslaved sailor during the Revolutionary War period. He reported the Internet Technology Department is working to bring things back up after a weekend lightning strike affected equipment at the Corolla Satellite Office. Mr. McRee welcomed Ms. Morgan as County Attorney.

COUNTY ATTORNEY'S REPORT

Megan Morgan, County Attorney, reported on her first day at the County, which included a review of County litigation. She said she will be attending the upcoming County Attorney Conference, and she looks forward to serving as County Attorney.

ADMINISTRATIVE REPORTS

A. Lifesaving Award Presentation to Corporal Jeremy Evans

Commissioner McCord presented Currituck County Sheriff's Office Corporal, Jeremy Evans, with a Lifesaving Award in recognition of his actions that saved the life of a young motorist involved in a major accident on Caratoke Highway. Commissioner McCord introduced the Sheriff and members of the Sheriff's Office in attendance and praised the efforts of Corporal Evans to complete his training to become certified as an Emergency Medical Technician, one of a few Deputies who are certified in that capacity. Commissioner McCord read the Board of Commissioner Resolution honoring his heroic efforts. The victim and her family were present and joined Mr. Evans for photos and words of thanks.

RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS IN APPRECIATION FOR THE SERVICE OF CORPORAL JEREMY EVANS TO THE CITIZENS OF CURRITUCK COUNTY, NORTH CAROLINA

WHEREAS, on May 23, 2022, Currituck County Sheriff Corporal Jeremy Evans responded to an automobile accident in Powells Point, North Carolina, where he found an occupant of the automobile suffering from life threatening injuries; and

WHEREAS, Corporal Evans forced his way into the damaged automobile to reach and render lifesaving aid to the injured person until relieved by emergency medical services personnel;

WHEREAS, Corporal Evans's immediate and selfless lifesaving actions to another is a credit to him and to the Currituck County Sheriff's office for which the citizens of Currituck County are grateful.

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners, on behalf of the citizens of Currituck County, acknowledges the lifesaving actions of Corporal Jeremy Evans and extends its appreciation for his dedicated public service.

ADOPTED this 1st day of August 2022.

PUBLIC HEARINGS

A. Public Hearing Pursuant to NC Gen. Stat. Section 158-7.1 on Proposed Conveyance of a Fee Simple Interest for Lots 8, 9, and 10 at Maple Commerce Park as Shown on a Plat Recorded at Map Book N, Page 2, of the Currituck County Registry

County Manager, Ike McRee, reviewed the item with Commissioners regarding the sale of three lots in Maple Commerce Park near the Currituck County airport. The interest party plans to construct aeronautical related facilities. Mr. McRee said the Resolution is the first requirement in the process, with the sale price for the three properties amounting to \$760,000. Staff recommended adoption of the Resolution. Commissioner Beaumont expressed concern with the use of the property, and Mr. McRee said there are restrictive

covenants that spell out both allowable and prohibited uses of property in Maple Commerce Park.

Chairman Payment opened the Public Hearing. There were no speakers and the Public Hearing was closed.

Commissioner McCord moved for approval. Chairman Payment seconded the motion. The motion carried, 4-0.

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR CURRITUCK COUNTY, NORTH CAROLINA AUTHORIZING SALE OF PROPERTY HELD FOR ECONOMIC DEVELOPMENT PURPOSES PURSUANT TO SECTION 158-7.1 OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, N.C. Gen. Stat. §158-7.1 authorizes a county to undertake an economic development project by conveying property to a company to cause the company to locate or expand its operations within the county; and

WHEREAS, Currituck County is the owner and developer of Maple Commerce Park, Lot 8, which is a 5.49-acre tract, more or less, Lot 9, which is a 24.51-acre tract, more or less; and Lot 10, which is a 4.81-acre tract, more or less; and

WHEREAS, Currituck County and Lyn Van Lurette, LLC are engaging in negotiation for the conveyance of Maple Commerce Park Lots 8, 9 and 10, to the end that Lyn Van Lurette, LLC may construct improvements on the tracts under a Purchase and Sale Agreement to be further negotiated and approved by the Currituck County Board of Commissioners; and

WHEREAS, the Currituck County Board of Commissioners has held a public hearing to consider whether to approve conveyance of Maple Commerce Park Lots 8, 9 and 10 to Lyn Van Lurette, LLC upon the Currituck County Board of Commissioners' approval of a Purchase and Sale Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners that:

Section 1. The Chairman of the Board of Commissioners and the County Manager are authorized, upon approval of a Purchase and Sale Agreement by the Currituck County Board of Commissioners, to execute the necessary documents to convey to Lyn Van Lurette LLC the real property more particularly described as follows:

All of those parcels of land described as "Lot 8", "Lot 9" and "Lot 10" on a map or plat entitled "Maple Commerce Park, Maple, North Carolina, Crawford Township, Currituck County" prepared by Hyman & Robey, PC, July 25, 2013 and recorded in Plat Cabinet N, Page 2 of the Currituck County Registry which map or plat is incorporated herein by reference as if fully set out.

Section 2. The conveyance of Maple Commerce Park Lots 8, 9 and 10 is expected to enhance the local economy, promote business and result in the creation of jobs in Currituck County.

Section 3. As consideration for the conveyance of Maple Commerce Park Lots 8, 9 and 10 Lyn Van Lurette LLC will pay \$760,000.00 at closing. Improvement to the tracts is expected to generate property tax revenues, when combined with consideration paid at closing, in an amount that will return to the county the appraised tax value of the tracts in the total amount of \$760,000.00.

Section 4. This resolution is effective upon its adoption and supersedes any prior or conflicting resolution.

ADOPTED the 1st day of August, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin E. McCord, Commissioner
SECONDER:	Michael H. Payment, Chairman
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
ABSENT:	J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner

NEW BUSINESS

A. Ordinance Amending Section 10-64 of the Currituck County Code of Ordinances Providing for Issuance of User Permits to County Residents and Property Owners for the Operation of Utility Terrain Vehicles on the Beach

County Manager, Ike McRee, reviewed the ordinance language that will now provide the ability for Currituck County residents and property owners to operate Utility Terrain Vehicles (UTVs) with an ATV permit. The absence of several Commissioners will require a second reading of the Ordinance due to the inability to receive a unanimous vote of members. Commissioner McCord said he would like to address other amendments to Ordinances that are needed so the County is prepared for the 2023 season.

Commissioner Jarvis moved for approval and Commissioner McCord seconded the motion. The motion carried, 4-0, and the Ordinance passed the first reading.

RESULT:	ORDINANCE PASSED FIRST READING [UNANIMOUS]Next: 8/15/2022 6:00 PM
MOVER:	Selina S. Jarvis, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
ABSENT:	J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner

B. Ordinance Amending the Code of Ordinances by Adding Section 12-70 Providing for the Penalty for Operating Golf Carts on Public Streets and Roads in Violation of Chapter 12, Article V, of the Code of Ordinances

County Manager, Ike McRee, reviewed the revised language to include a specific penalty for the operation of golf carts on public streets and roads in Corolla. Mr. McRee said the change is needed due to modifications to North Carolina statutes that now require a penalty provision to be included in applicable sections of the County Code of Ordinances.

Commissioner Beaumont moved for approval. Commissioner Jarvis seconded the motion. The motion carried, 4-0. The ordinance will return for a second reading due to the inability to receive a unanimous vote. Commissioners discussed concerns with illegal parking and the need to require a vehicle identifier for golf carts.

RESULT:	ORDINANCE PASSED FIRST READING [UNANIMOUS]Next: 8/15/2022 6:00 PM
MOVER:	Paul M. Beaumont, Vice Chairman
SECONDER:	Selina S. Jarvis, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
ABSENT:	J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner

C. Dune Walkover Replacement Project-Change Order #2

At the request of Commissioner Beaumont, County Manager, Ike McRee, reviewed the reason for the change order that resulted in additional charges and discussed construction delays due to challenges receiving materials. Mr. McRee said he will follow up on the projects and provide Commissioners with a completion time for the Dolphin and Coral walkovers.

Discussion concluded and Commissioner Beaumont moved for approval. Commissioner McCord seconded the motion. The motion carried, 4-0.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Paul M. Beaumont, Vice Chairman
SECONDER: Kevin E. McCord, Commissioner
AYES: Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
ABSENT: J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner

D) Consent Agenda

Commissioner Beaumont moved for approval of the Consent Agenda. Commissioner Jarvis seconded the motion. The motion carried, 4-0.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Paul M. Beaumont, Vice Chairman
SECONDER: Selina S. Jarvis, Commissioner
AYES: Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
ABSENT: J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner

1. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
52606-545005	Streamflow Rehab Assistance 2023	\$ 248,000	
52330-448205	StrRAP Grant 22-080-4002		\$ 248,000
		\$ 248,000	\$ 248,000
Explanation:	Multi-year Grants - Soil Conservation (52606) - Record grant award of \$248,000 for the Streamflow Rehab Assistance Program (StRAP) awarded for the grant period August 1, 2022 through December 31, 2024. This is 100% grant funds with no required County match.		
Net Budget Effect:	Multi-year Grants (52) - Increased by \$248,000.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10460-557100	Software License Fee	\$ 500	
10460-516400	Equipment Maintenance		\$ 500
		\$ 500	\$ 500
Explanation: Public Works (10460) - Transfer budgeted funds to purchase Autodesk Software.			
Net Budget Effect: Operating Fund (10) - No change.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
50795-590010	Community Park Phase III 2023	\$ 50,000	
50795-590007	Moyock Park Shingle Landing		\$ 50,000
		\$ 50,000	\$ 50,000
Explanation: County Governmental Construction (50795) - Transfer residual funds from Moyock Park Shingle Landing project to begin design of Community Park Phase III, Maple NC.			
Net Budget Effect: County Governmental Construction (50) - No change.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10795-590000	Capital Outlay	\$ 7,500	
10390-499900	Fund balance appropriated		\$ 7,500
		\$ 7,500	\$ 7,500
Explanation: Parks & Recreation (10795) - To appropriate funds received from sale of lawn equipment to be used to purchase additional mower.			
Net Budget Effect: Operating Fund (10) - Increased by \$7,500.			

2. Project Ordinance-Maple Community Park Design-Phase III

COUNTY OF CURRITUCK

CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The grant project authorized is design of Community Park Phase III, Maple NC.

SECTION 2. The following amounts are appropriated for the project:

Streamflow Rehab Assistance Program 2023	\$ 248,000
	<u>\$ 248,000</u>

SECTION 3. The following funds are available to complete this project:

StRAP Grant 22-080-4002	\$ 248,000
	<u>\$ 248,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.

- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 1st day of August 2022.

3. Project Ordinance-Streamflow Rehab Assistance Program

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The grant project authorized is Streamflow Rehabilitation Assistance Program (StRAP) Grant 22-080-4002.

SECTION 2. The following amounts are appropriated for the project:

Streamflow Rehab Assistance Program 2023	\$ 248,000
	<u>\$ 248,000</u>

SECTION 3. The following funds are available to complete this project:

StRAP Grant 22-080-4002	\$ 248,000
	<u>\$ 248,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

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The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 1st day of August 2022.

4. FY 21-22 SETTLEMENT FOR CURRENT & DELINQUENT TAXES FOR YEARS 2012-2021**5. Hazard Mitigation Planning Committee Progress Report****6. Consideration of Job Descriptions and Revisions****7. Records Disposal-Parks and Recreation****8. Waiver of Cooperative Extension Auditorium Fees for the Currituck Chamber of Commerce Candidate Forum Event****9) Approval Of Minutes-July 18, 2022****1. Minutes for July 18, 2022****ADJOURN****Motion to Adjourn Meeting**

There was no further business and Commissioner Beaumont moved to adjourn. Commissioner Jarvis seconded the motion. The motion carried, 4-0, and the meeting of the Board of Commissioners adjourned at 7:01 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Vice Chairman
SECONDER:	Selina S. Jarvis, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
ABSENT:	J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF
COMMISSIONERS IN APPRECIATION FOR THE SERVICE OF
CORPORAL JEREMY EVANS TO THE CITIZENS OF CURRITUCK
COUNTY, NORTH CAROLINA**

WHEREAS, on May 23, 2022, Currituck County Sheriff Corporal Jeremy Evans responded to an automobile accident in Powells Point, North Carolina, where he found an occupant of the automobile suffering from life threatening injuries; and

WHEREAS, Corporal Evans forced his way into the damaged automobile to reach and render lifesaving aid to the injured person until relieved by emergency medical services personnel;

WHEREAS, Corporal Evans's immediate and selfless lifesaving actions to another is a credit to him and to the Currituck County Sheriff's office for which the citizens of Currituck County are grateful.

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners, on behalf of the citizens of Currituck County, acknowledges the lifesaving actions of Corporal Jeremy Evans and extends its appreciation for his dedicated public service.

ADOPTED this 1st day of August 2022.

Michael H. Payment, Chairman
Board of Commissioners

Leeann Walton
Clerk to the Board

**RESOLUTION OF THE BOARD OF COMMISSIONERS FOR
CURRITUCK COUNTY, NORTH CAROLINA AUTHORIZING SALE
OF PROPERTY HELD FOR ECONOMIC DEVELOPMENT
PURPOSES PURSUANT TO SECTION 158-7.1 OF THE GENERAL
STATUTES OF NORTH CAROLINA**

WHEREAS, N.C. Gen. Stat. §158-7.1 authorizes a county to undertake an economic development project by conveying property to a company to cause the company to locate or expand its operations within the county; and

WHEREAS, Currituck County is the owner and developer of Maple Commerce Park, Lot 8, which is a 5.49-acre tract, more or less, Lot 9, which is a 24.51-acre tract, more or less; and Lot 10, which is a 4.81-acre tract, more or less; and

WHEREAS, Currituck County and Lyn Van Lurette, LLC are engaging in negotiation for the conveyance of Maple Commerce Park Lots 8, 9 and 10, to the end that Lyn Van Lurette, LLC may construct improvements on the tracts under a Purchase and Sale Agreement to be further negotiated and approved by the Currituck County Board of Commissioners; and

WHEREAS, the Currituck County Board of Commissioners has held a public hearing to consider whether to approve conveyance of Maple Commerce Park Lots 8, 9 and 10 to Lyn Van Lurette, LLC upon the Currituck County Board of Commissioners' approval of a Purchase and Sale Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners that:

Section 1. The Chairman of the Board of Commissioners and the County Manager are authorized, upon approval of a Purchase and Sale Agreement by the Currituck County Board of Commissioners, to execute the necessary documents to convey to Lyn Van Lurette LLC the real property more particularly described as follows:

All of those parcels of land described as "Lot 8", "Lot 9" and "Lot 10" on a map or plat entitled "Maple Commerce Park, Maple, North Carolina, Crawford Township, Currituck County" prepared by Hyman & Robey, PC, July 25, 2013 and recorded in Plat Cabinet N, Page 2 of the Currituck County Registry which map or plat is incorporated herein by reference as if fully set out.

Section 2. The conveyance of Maple Commerce Park Lots 8, 9 and 10 is expected to enhance the local economy, promote business and result in the creation of jobs in Currituck County.

Section 3. As consideration for the conveyance of Maple Commerce Park Lots 8, 9 and 10 Lyn Van Lurette LLC will pay \$760,000.00 at closing. Improvement to the tracts is expected to generate property tax revenues, when combined with consideration paid at closing, in an amount that will return to the county the appraised tax value of the tracts in the total amount of \$760,000.00.

Section 4. This resolution is effective upon its adoption and supersedes any prior or conflicting resolution.

ADOPTED the 1st day of August, 2022.

Michael H. Payment, Chair
Board of Commissioners

ATTEST:

Leeann Walton,
Clerk to the Board of Commissioners

(COUNTY SEAL)

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF
COMMISSIONERS AMENDING SECTION 10-64 OF THE CURRITUCK
COUNTY CODE OF ORDINANCES PROVIDING FOR ISSUANCE OF USER
PERMITS TO COUNTY RESIDENTS AND PROPERTY OWNERS FOR THE
OPERATION OF UTILITY TERRAIN VEHICLES ON THE BEACH**

WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-145.3 a county may, by ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the State's ocean beaches and prevent or abate any unreasonable restriction of the public's right to use the State's ocean beaches; may regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris upon the State's ocean beaches; and may otherwise enforce any ordinance adopted pursuant to this section or any other of provision of law upon the State's ocean beaches located within the county's jurisdictional boundaries; and

WHEREAS, pursuant to Section 1 of Chapter 875 of the 1985 Session Laws, as amended by S.L. 1998-64 and S.L. 2001-33 the county may by ordinance regulate, restrict, and prohibit the use of dune or beach buggies, jeeps, motorcycles, cars, trucks, or any other form of power-driven vehicle specified by the county's governing board on the foreshore, beach strand and barrier dune system; and

WHEREAS, the Board of Commissioners finds as follows:

- a. Approximately 23 mile of Currituck County fronts the Atlantic Ocean. Of those 23 miles, approximately 11 miles are only accessible by four-wheel drive motor vehicles traveling along the ocean beach in an area known as the off-road area of the county.
- b. There are approximately 3,000 platted lots located in the off-road area of the county.
- c. Particularly during late Spring, Summer and early Fall, the off-road area of the county attracts large numbers of motor vehicles and persons recreating on the ocean beach.
- d. Due to the large numbers of motor vehicles traversing the ocean beach, which is the main north-south travel way, and recreating persons interacting with and exposed to heavy motor vehicle traffic, there exists a condition hazardous to the health, safety and welfare of the general public that must and can be addressed, by the reduction of motor vehicle traffic on the ocean beach.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina as follows:

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-64 of the Code of Ordinances to read as follows:

Sec. 10-64. – User Permit system.

(a) This section shall be applicable for those areas of Currituck County, including, but not limited to, the beach strand and foreshore areas, located from the Dare/Currituck line to the North Carolina/Virginia line.

(b) County residents and property owners desiring to operate a moped, motorcycle or off-road vehicles, including but not limited to, all-terrain vehicle, utility vehicle, recreational off-highway vehicle, multipurpose off-highway utility vehicle, utility terrain vehicle, side-by-side vehicle, or other off-road vehicle, (“ORV”), on the areas covered by this section shall obtain a user permit from the county manager or county manager’s designated representative. User permits may be obtained at times and places designated by the county manager.

(c) Any person parking a motor vehicle, other than a moped, motorcycle or ORV, on the area covered by this section from the last Saturday in April to the first Saturday in October shall have first obtained from the county manager or county manager’s designated representative a user parking permit which must be prominently displayed when parking on the area covered by this section. User Parking permits may be obtained at times and places designated by the county manager.

(d) County residents may obtain for no fee two annual user permits for operation of a moped, motorcycle or ORV owned by them upon making application as provided in subsection (b) above and upon showing proof of liability insurance and ownership for the moped, motorcycle or ORV. Non-resident property owners may obtain at no fee a maximum of two annual user permits for operation of a moped, motorcycle or ORV owned by them upon making application as provided in subsection (b) above and showing proof of liability insurance and ownership for the moped, motorcycle or ORV. Liability insurance coverage on the moped, motorcycle or ORV shall be maintained continuously throughout the term of the user permit.

(e) County residents and non-resident property owners shall prominently display a county issued and designated user parking permit at all times when parking a motor vehicle, other than a moped, motorcycle or ORV, on the area covered by this section. Liability insurance on the motor vehicle shall be maintained continuously throughout the term of the permit.

1 (f) Persons who own a dwelling north of the North Beach Access Ramp may
2 obtain for no fee two additional user parking permits assigned to the physical
3 address of their dwelling for terms adopted by the board of commissioners upon
4 making application in subsection (b) above and showing proof of ownership.

5
6 (g) Persons other than county-residents and non-resident property owners
7 may obtain a user parking permit for a motor vehicle, other than a moped,
8 motorcycle or ORV, upon payment of a fee and for a term adopted by the board
9 of commissioners, making application as provided in paragraph (b) of this
10 section, and acknowledgement that they have read and are familiar with county
11 beach driving ordinances. Liability insurance on the motor vehicle shall be
12 maintained continuously throughout the term of the user parking permit.

13
14 (h) County residents and property owners, operating mopeds, motorcycles
15 or ORVs shall ensure that these vehicles have a valid permit prominently
16 displayed at all times while operating, or parked, on the Currituck County outer
17 banks, beach foreshore or beach strand.

18
19 (i) Any sworn law enforcement officer with jurisdiction is authorized to take
20 possession of any user permit or user beach parking permit issued pursuant to
21 this section upon expiration, revocation, cancellation, or suspension thereof, or
22 which is fictitious, or which has been unlawfully or erroneously issued, which
23 has been unlawfully used or upon issuance of citation for violation of section 10-
24 59 of this Code. Any law enforcement officer who seizes a user permit or user
25 parking permit pursuant to this section shall report the seizure to the county
26 manager's office within 48 hours of the seizure and shall return the permit to
27 the county manager's office within seven business days of the seizure unless the
28 permit is deemed evidence in another pending matter.

29
30 (j) The county manager or county manager's designee shall refuse issuance of
31 a user permit or user parking permit under this section for a period of one year
32 following seizure of a permit by a law enforcement officer pursuant to this
33 section.

34
35 (k) An appeal of seizure of a user permit or user parking permit under this
36 section shall be made to the county manager by filing a written notice of appeal,
37 specifying with particularity the grounds upon which the appeal is made, no
38 later than ten days from the date of the seizure. The county manager or county
39 manager's designee shall fix a reasonable time for the hearing of the appeal,
40 shall give due notice to all parties and shall render a decision within a
41 reasonable time.

(l) The county manager is directed and authorized to establish forms, procedures, and directives as may be required to implement this permit system and ensure that it is run in an effective, safe, and fair manner.

(m) This section shall not apply to:

(1) Activity under a Coastal Area Management Act (CAMA) permit requiring access to the beach and authorized by the county permitting officer;

(2) County employees, county contractors, county vehicles or emergency vehicles or drivers of such vehicles, which may be required to enter upon the beach in the performance of their official duties or a governmental agency, its employees, agents, contractors and subcontractors and their motor vehicles when engaged in beach restoration or protection work or conducting scientific research or animal preservation studies or operations;

(3) Commercial fishermen;

(4) Hunters possessing valid hunting licenses while engaged in an active hunt or State or federal property located on the Currituck outer banks; or

(5) Outdoor tour operators with a valid license issued under Article IV, Chapter 8 of this Code when actively engaged in an outdoor tour.

(n) *Violation of section.* Notwithstanding Sec. 10-54 of this code, a violation of this section shall be a civil violation subjecting the offender to a civil penalty in the amount of \$75.00 and shall not constitute a misdemeanor or infraction enforceable under G.S. 14-4.

PART II. Severability. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. Should a court of competent jurisdiction declare this ordinance or any part of this ordinance to be invalid, such decision shall not affect the remaining provisions of this ordinance or the Code of Ordinances of the County of Currituck, North Carolina.

PART III. This ordinance is effective upon its adoption.

ADOPTED at the second reading this 15th day of August, 2022.

Michael H. Payment, Chairman

ATTEST:

1
2 _____
3 Leeann Walton, Clerk to the Board

4
5 APPROVED AS TO FORM:

6 _____
7 Megan E. Morgan, County Attorney

8
9 Date adopted: _____

10
11 Motion to adopt by Commissioner _____

12 Second by Commissioner _____

13 Vote: _____ AYES _____ NAYS

1 **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF**
2 **COMMISSIONERS AMENDING THE CURRITUCK COUNTY CODE OF**
3 **ORDINANCES BY ADDING SECTION 12-70 PROVIDING FOR THE**
4 **PENALTY FOR OPERATING GOLF CARTS ON PUBLIC STREETS AND**
5 **ROADS IN VIOLATION OF CHAPTER 12, ARTICLE V OF THE CODE OF**
6 **ORDINANCES**

7
8 WHEREAS, pursuant to N.C. Gen. Stat. §153A-245 a county may regulate
9 the operation of golf carts on any public street, road or highway where the speed
10 limit is 35 miles per hour or less;

11 NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for
12 the County of Currituck, North Carolina as follows:

13 PART I. That the Code of Ordinances, Currituck County, North Carolina is
14 amended by adding Sec. 12-70 to Chapter 12, Article V. Operation of Golf Carts on
15 Public Streets and Roads to read as follows:

16 **ARTICLE V. OPERATION OF GOLF CARTS ON PUBLIC STREETS AND ROADS**

17 **Sec. 12-70. Violation of Article.**

18 A violation of this article shall be a civil violation subjecting the offender to a
19 civil penalty in the amount of \$75.00 and shall not constitute a misdemeanor or
20 infraction enforceable under G.S. 14-4.

21 PART II. All ordinances or parts of ordinances in conflict with this ordinance are
22 hereby repealed

23 PART III. This ordinance is effective upon its adoption.
24 .

25
26 ADOPTED at the second reading this 15th day of August, 2022.
27

28
29 _____
30 Michael H. Payment, Chairman

31 ATTEST:

32
33 _____
34 Leeann Walton
35 Clerk to the Board
36
37
38

1 APPROVED AS TO FORM:
2
3 _____
4 Megan E. Morgan
5 County Attorney
6
7 Date adopted: _____
8
9 Motion to adopt by Commissioner _____
10 Second by Commissioner _____
11 Vote: _____ AYES _____ NAYS
12 S:\Legal\Ordinances\

Date of Issuance: 7/15/2022

Owner: Currituck County

Contractor: WM Dunn Construction LLC

Project: Phase II - Whalehead Subdivision Public Access Walkover Replacement, Currituck County, NC

Date of Contract: February 7, 2022

The Contract is modified as follows upon execution of this Change Order:

Description: Revise contract to include (9) additional cross-bracing locations, stair stringer, and piling lengths needed to accommodate the change in the dune profile at the Coral Street access. Add 6 days due to May 2022 Nor'easter.

Attachments: Scope of work and Summary of Costs, Coral Piling Adjustment Drawing, Project Delay Tracker, Project Delay Request Responses
(Updated Schedule required for any change in Contract Time)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>772,350.00</u>	Original Contract Times: Substantial Completion: <u>June 18, 2022</u> Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. ____: \$ <u>37,700.00</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. ____: Substantial Completion: <u>(Dolphin & Coral) June 18, 2022</u> Ready for Final Payment: <u>(Mackerel) January 6, 2023</u>
Contract Price prior to this Change Order: \$ <u>734,650.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>June 18, 2022 & January 6, 2023</u> Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order: \$ <u>13,020.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>(Dolphin & Coral) June 24, 2022</u> Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ <u>747,670.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>(Dolphin & Coral) June 24, 2022</u> Ready for Final Payment: <u>(Mackerel) January 6, 2023</u> days or dates

RECOMMENDED:
By: [Signature]
Engineer (if required)

Title: COUNTY ENGINEERDate: 7-15-22

ACCEPTED:

By: _____
Owner (Authorized Signature)

Title: _____

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Title: Fran DunnDate: 7/15/2022

Attachment: Dune Walkover Replacement-Change Order 2 (Change Order #2-Dune Walkover Replacement Project)

CHANGE ORDER #02



125 Greyson Loop PO Box 201
Powells Point, NC 27966
(252)207-8964

Date: 07/11/2022

Project/Location: Whalehead Walkovers - Phase 2

Owner: Currituck County/Eric Weatherly

Contract #: PO 20221102-000

Scope of Work:

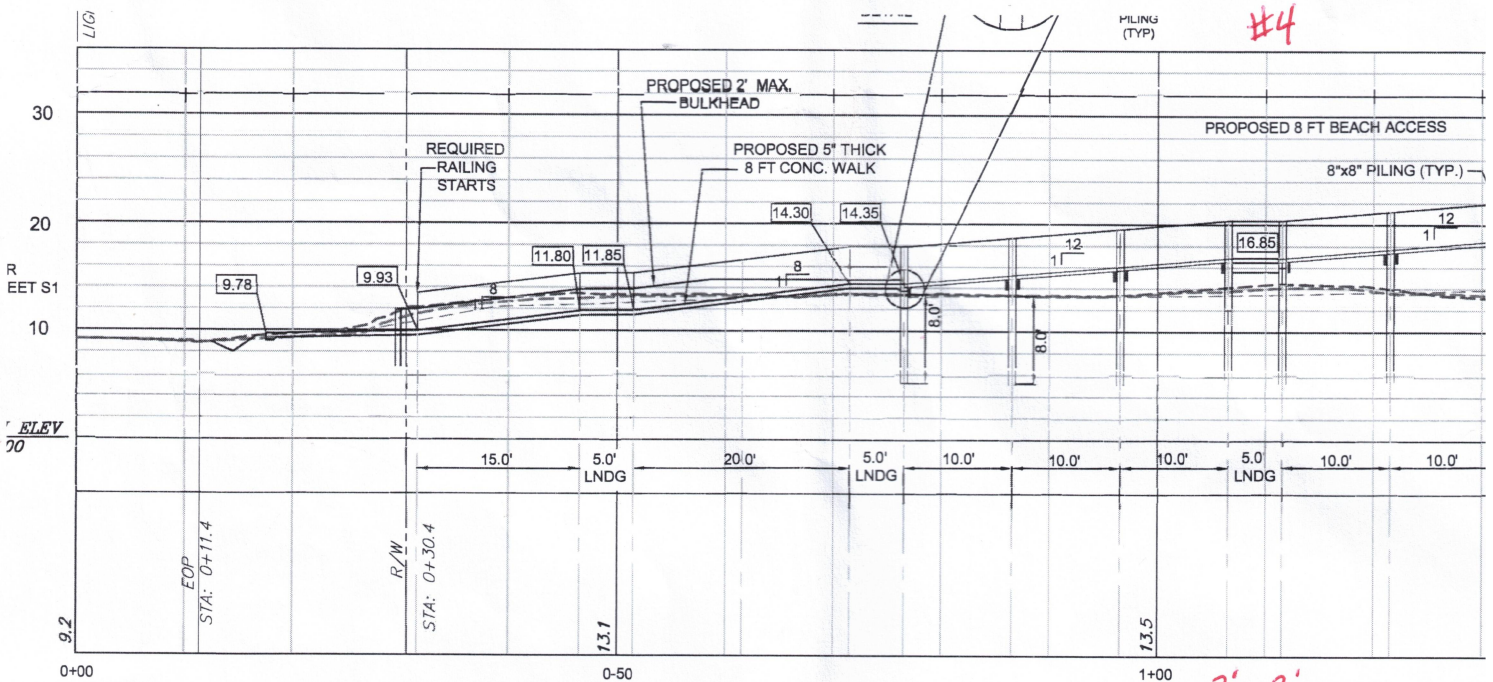
Additional piling lengths needed due to change in dune profile at the Coral St Access, drawing provided by the county June 30,2022. Additional cross bracing and stair stringer is also needed. Please see attached drawing.

Original Contract Price:	Dolphin St - \$214,240.00	New Contract Price:	Dolphin St - \$199,073.33
	Coral St - \$187,460.00		Coral St - \$185,313.33
	Mackerel St. - \$267,800.00		Mackerel St - \$252,633.34

Summary of Costs	Amount
Original Contract Price:	669,500.00
New Contract Price SUBTOTAL:	\$624,000.00
26 Pilings to change lengths -Total costs	10,900
Credit for existing pilings to be returned to Kempsville	(6,900)
Additional piling install costs(based on length of piling)	1,500.00
9 Additional cross bracing needed	3,600
Additional stringer length needed for bottom stairs (11 pcs per stair)	1,750
SUB-TOTAL	\$10,850.00
Markup/OHP 20%	\$2,170.00
SUB-TOTAL	\$13,020.00
TOTAL	\$631,800.00
Project completion date based on acquiring these special order items. Lead time is approx. 3-4 weeks.	

Mike Dunn 7/11/2022
WM Dunn Construction LLC/Date:

Attachment: Dune Walkover Replacement-Change Order 2 (Change Order #2-Dune Walkover Replacement Project)



16-10³/₁₆
#4

Elevation above
proposed Grade

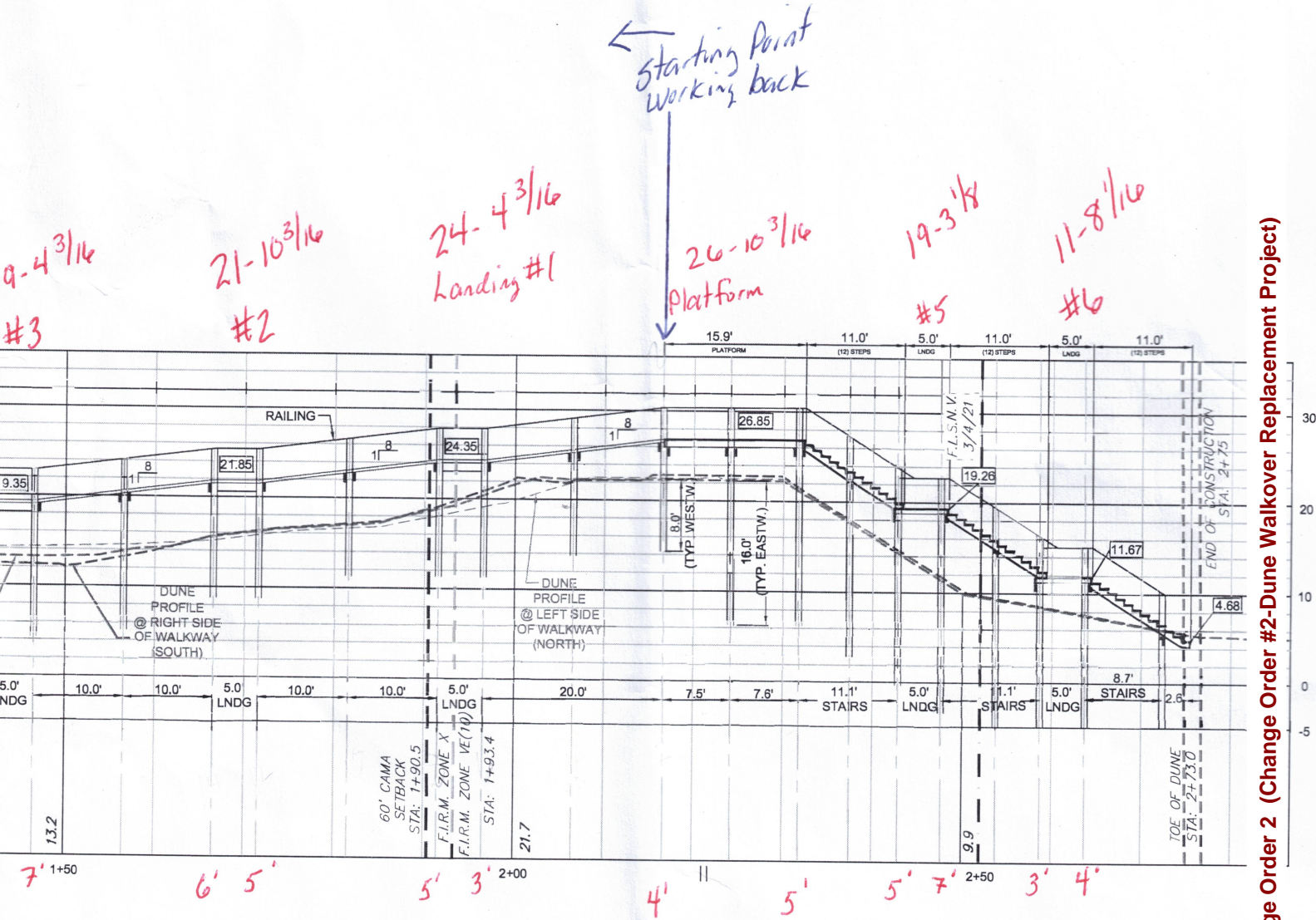
→ 3' 2'

Actual Grade

Piling length at Bid	16	16	16	16	16	16	16
Change Order Adjusted Piling Length	-	-	-	-	-	-	-

Piling Count 28 8x8x16 Needed:
 ordered 8 8x8x18
 4 8x8x20
 12 8x8x24

Attachment: Dune Walkover Replacement-Change Order 2 (Change Order #2-Dune Walkover Replacement Project)



18	18	16	16	16	18	16	16	16	24	24	24	24	24	24	20	20	16
-	-	-	-	-	20	18	18	22	30	30	28	26	26	26	22	22	18

WM Dunn Construction LLC

PO BOX 201
Powells Point, NC 27966
(252)207-8964

Project Delay Tracker

Submitted on 05/18/2022

Project

Currituck County
Whalehead Walkovers Phase 2

	Original	Approved
Notice to Proceed	2/17/2022	
Substantial Completion		
Final Completion	6/18/2022	

Delay Description	Start Date	End Date	Delays Requested	Delays Approved
Wind Delay - Avg Temp 50 degrees	3/6/2022	3/7/2022	2	
Rain & Wind Delay - Avg Temp 52 degrees	3/9/2022	3/9/2022	1	
Rain & Wind Delay - Avg Temp 50 degrees	3/12/2022	3/12/2022	1	
Rain & Wind Delay - Avg Temp 65 degrees	3/18/2022	3/19/2022	2	
Wind Delay - Avg Temp 45 degrees	3/28/2022	3/28/2022	1	
Rain Delay - Avg Temp 50 degrees	4/8/2022	4/8/2022	1	
Wind Delay - Avg Temp 70 degrees	4/14/2022	4/14/2022	1	
Rain Delay - Avg Temp 50 degrees	4/19/2022	4/19/2022	1	
Rain Delay - Avg Temp 50 degrees	5/7/2022	5/7/2022	1	
Nor'easter - Rain & Wind Delay - Avg Temp 55 degrees	5/9/2022	5/14/2022	6	
TOTAL DELAYS			17	

Attachment: Dune Walkover Replacement-Change Order 2 (Change Order #2-Dune Walkover Replacement Project)

From: [Eric Weatherly](#)
To: [Fran Dunn](#)
Cc: [Mike Dunn](#)
Subject: Project Delay Request
Date: Friday, May 27, 2022 9:39:00 AM
Attachments: [Project Delay Tracker - Whalehead 01.pdf](#)
[image001.png](#)

We have received and reviewed your Project Delay Tracker.

Reference is made to Article 8 – Contract Times in the General Conditions of the Contract. Time extensions will not be granted for wind and rain of normal intensity for the locality of the work. Requests for extension of time shall be made in writing within 10 days following the cause of delay.

Based on Article 8 requirements, a contract time extension of 6 days is granted. This is for the Nor'easter that hit the work area from May 9, 2022 to May 14, 2022. Therefore, the new completion date is June 24, 2022. We will prepare change order 2 for this time extension.

It is pointed out the time extension to June 24, 2022 applies to Dolphin and Coral walkovers. The county is already executing change order 1 which gives a time extension of January 6, 2023 to Mackerel walkover.

We are very concerned about the lack of progress on Dolphin and Coral walkovers. For example, minimal work has been performed on Coral in the past 2 months. All of the concrete work remains to be completed on Dolphin. No work has been performed on the accessory items. Your immediate action is requested to providing work forces necessary to complete the project on schedule.

Eric T. Weatherly, P.E.
County Engineer



County of Currituck | Engineering Department
 153 Courthouse Road, Suite 302 | Currituck, NC 27929
 P: 252-232-6035 | F: 252-232-3298
Eric.Weatherly@CurrituckCountyNC.gov

From: Fran Dunn <fran@wmdunnconstruction.com>
Sent: Wednesday, May 18, 2022 1:46 PM
To: Eric Weatherly <eric.weatherly@currituckcountync.gov>
Cc: Mike Dunn <mike@wmdunnconstruction.com>
Subject: [EXTERNAL] Project Delay Request

[CAUTION]: This email originated from outside of Currituck County's system. Do not click links or open attachments unless you verify that the attachment and contents are safe. Please report any suspicious emails or attachments to [support](#).

Attachment: Dune Walkover Replacement-Change Order 2 (Change Order #2-Dune Walkover Replacement Project)

Please see attached.

Thanks!

--

Fran Dunn, Owner/Manager
WM Dunn Construction, LLC
Office: 252-261-1542
Cell: 252-996-8070
www.wmdunnconstruction.com

Attachment: Dune Walkover Replacement-Change Order 2 (Change Order #2-Dune Walkover Replacement Project)

Number 20230003

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 1st day of August 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
52606-545005	Streamflow Rehab Assistance 2023	\$ 248,000	
52330-448205	StrRAP Grant 22-080-4002		\$ 248,000
		<u>\$ 248,000</u>	<u>\$ 248,000</u>

Explanation: Multi-year Grants - Soil Conservation (52606) - Record grant award of \$248,000 for the Streamflow Rehab Assistance Program (StRAP) awarded for the grant period August 1, 2022 through December 31, 2024. This is 100% grant funds with no required County match.

Net Budget Effect: Multi-year Grants (52) - Increased by \$248,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Aug 1_General Meeting (Budget Amendments)

Number 20230003

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 1st day of August 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-557100	Software License Fee	\$ 500	
10460-516400	Equipment Maintenance		\$ 500
		<u>\$ 500</u>	<u>\$ 500</u>

Explanation: Public Works (10460) - Transfer budgeted funds to purchase Autodesk Software.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Aug 1_General Meeting (Budget Amendments)

Number 20230004

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 1st day of August 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50795-590010	Community Park Phase III 2023	\$ 50,000	
50795-590007	Moyock Park Shingle Landing		\$ 50,000
		<u>\$ 50,000</u>	<u>\$ 50,000</u>

Explanation: County Governmental Construction (50795) - Transfer residual funds from Moyock Park Shingle Landing project to begin design of Community Park Phase III, Maple NC.

Net Budget Effect: County Governmental Construction (50) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Aug 1_General Meeting (Budget Amendments)

Number 20230005

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 1st day of August 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10795-590000	Capital Outlay	\$ 7,500	
10390-499900	Fund balance appropriated		\$ 7,500
		<u>\$ 7,500</u>	<u>\$ 7,500</u>

Explanation: Parks & Recreation (10795) - To appropriate funds received from sale of lawn equipment to be used to purchase additional mower.

Net Budget Effect: Operating Fund (10) - Increased by \$7,500.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Aug 1_General Meeting (Budget Amendments)

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The grant project authorized is design of Community Park Phase III, Maple NC.

SECTION 2. The following amounts are appropriated for the project:

Community Park Phase III 2023	\$	50,000
	<u>\$</u>	<u>50,000</u>

SECTION 3. The following funds are available to complete this project:

Residual funds from Moyock Park Shingle Landing	\$	50,000
	<u>\$</u>	<u>50,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and

- materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 1st day of August 2022.

Michael H. Payment, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The grant project authorized is Streamflow Rehabilitation Assistance Program (StRAP) Grant 22-080-4002.

SECTION 2. The following amounts are appropriated for the project:

Streamflow Rehab Assistance Program 2023	\$ 248,000
	<u>\$ 248,000</u>

SECTION 3. The following funds are available to complete this project:

StRAP Grant 22-080-4002	\$ 248,000
	<u>\$ 248,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and

- materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 1st day of August 2022.

Michael H. Payment, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board


FY 21-22 SETTLEMENT FOR CURRENT & DELINQUENT TAXES FOR TAX YEARS 2012-2021 (G.S. 105-373)
COLLECTION TOTALS FOR THE YEARS 2012 -2021*

YEARS	Levy All Charge Codes	Adjustments Releases/Writeoffs	Net Levy	Interest Collected	Tax Payments*	Unpaid Balance*	% COLL
2021	44,084,928.46	-66,371.01	44,018,557.45	63,458.56	43,699,862.58	318,694.87	99.28%
2020	36,975,153.70	-30,062.06	36,945,091.64	98,783.59	36,853,665.98	91,425.66	99.75%
2019	36,310,409.52	-38,856.52	36,271,553.00	126,268.16	36,225,795.56	45,757.44	99.87%
2018	35,527,802.81	-29,698.45	35,498,104.36	91,552.89	35,471,056.57	27,047.79	99.92%
2017	32,887,580.66	-3,559.27	32,884,021.39	96,642.44	32,867,081.18	16,940.21	99.95%
2016	31,866,841.01	-55,876.68	31,810,964.33	95,858.17	31,800,455.66	10,508.67	99.97%
2015	31,147,847.01	-34,233.30	31,113,612.71	112,892.21	31,105,880.52	7,733.19	99.98%
2014	30,606,696.75	-31,190.80	30,575,505.95	103,781.40	30,569,014.29	6,491.66	99.98%
2013	30,945,081.92	-74,522.82	30,870,559.10	117,527.07	30,862,367.01	8,192.09	99.97%
2012	30,147,850.90	-86,910.80	30,060,940.10	117,672.98	30,052,857.01	8,083.09	99.97%
TOTALS	340,500,192.74	-451,281.71	340,048,910.03	1,024,437.47	339,508,036.36	540,874.67	99.81%

*Collections through June 30, 2022

Respectfully Submitted

and Sworn to this the 21st day of July, 2022

Tracy Sample, Tax Collector

ANNEX A: CURRITUCK COUNTY UNINCORPORATED AREAS

A.5 MITIGATION STRATEGY

Action #	Action Description	Hazard(s) Addressed	Goal & Objective Addressed	Priority	Lead Agency / Department	Potential Funding Source	Implementation Timeline	2022 Implementation Status Comments
CUR1	Establish appropriate buffers/setbacks between critical facilities and other uses that may be incompatible	All Hazards	2.1	High	Planning	General Fund	On going	Currituck participated in DCM's Resilient Coastal Communities Program (RCCP) which included a detailed Risk & Vulnerability Assessment of critical assets (see final report link) https://tnc.box.com/s/slik2adh303ulg681jiwmuakzl2b8x6b
CUR2	Maintain partnerships with adjacent counties and municipalities to leverage and share resources.	All Hazards	2.2	Moderate	Emergency Management	General Fund	On going	Continuous - county-to-county mutual aid agreement
CUR3	Encourage clustering of residential lots outside of hazard areas in subdivision design/review and discourage development intensity and infrastructure improvements in known hazard areas	All Hazards	3.1	Moderate	Planning	General Fund	On going	This is somewhat addressed by ordinance language but will be reinforced by policies in the new Land Use Plan. <i>Imagine Currituck</i> , the new Land Use Plan, Adopted June 20, 2022, includes an Action for UDO AMENDMENT CC-ACT-29 "Prioritize preservation of open space near marshes and special flood hazard areas to allow for inland retreat of coastal marshes and wetlands."
CUR4	Encourage development away from high-risk and vulnerable areas and establish redevelopment standards that decrease hazard risk	All Hazards	3.1	High	Planning	General Fund	On going	We allow higher density development as an incentive for developers to place special flood hazard area portions of large tracts in perpetual conservation. The new Coastal Resilience Tool, created for Currituck County by The Nature Conservancy, is used during subdivision review to encourage development away from high-risk areas.
CUR5	Install back-up generators at the Historic County Courthouse and the fuel farm.	All Hazards	2.2	Moderate	Emergency Management	HMGP Grant	2 years	The county is currently engaged in the design/bid process for generators at the historic courthouse and the fuel farm.
CUR6	Enhance existing and/or implement new groundwater lowering systems in low-lying coastal areas.	Coastal Hazards, Flood, Hurricane & Tropical Storm	1.2	Moderate	Stormwater Service Districts/ Engineering	Service District Taxes	On going	Adding an additional pumping station to the existing <i>Whalehead</i> system in approximately 1.5 years. Ocean Sands Phase 1 is in the design phase. Due to High building costs, Limits on the County's ability to borrow funds, and the pressing need for new schools, this project may not begin for 3 years.
CUR7	Support individuals and Homeowners Associations in acquiring funding for green stormwater infrastructure to mitigate nuisance flooding.	Coastal Hazards, Flood, Hurricane & Tropical Storm	1.2	Moderate	Soil & Water Conservation Board, Planning, Cooperative Extension	General Funds and Grants	On going	Currituck County was awarded \$248,000 through the North Carolina Department of Agriculture's <i>Stream Flow Rehabilitation Program</i> . This funding will be used to improve stormwater infrastructure throughout the county.
CUR8	Preserve natural environmental features to naturally absorb water run-off and serve as wind buffers	Coastal Hazards, Flood, Hurricane & Tropical Storm, Severe Weather	3.2	Moderate	Planning	General Fund	On going	Our Unified Development Ordinance contains provisions for preserving existing vegetation for buffers as well as preservation of wetland areas. Our stormwater manual contains water quality standards as well.
CUR9	Retain vegetation and require buffers in areas adjacent to wetlands, water bodies and Maritime forests	Coastal Hazards, Flood, Hurricane & Tropical Storm, Severe Weather	3.2	Moderate	Planning	General Fund	On going	This is ongoing through a combination of wetland buffers, implementation of CAMA regulations, and heritage tree protection standards.
CUR10	Evaluate allocating a portion of occupancy tax toward the dune protection program and shoreline restoration, and expand extent of the dune protection program to include grant support of sand fencing.	Coastal Hazards, Flood, Hurricane & Tropical Storm, Severe Weather	3.2	High	Planning	Occ Tax	On going	The county is offering yearly dune vegetation and sand fence cost share programs.
CUR11	Work to pursue shoreline stabilization projects and regular shoreline monitoring.	Coastal Hazards	3.3	Moderate	Engineering	General Funds	On going	Currituck County is in year 3 of a shoreline stabilization study directed by the BOC and led by the Engineering Department.

Outer Banks

Regional Hazard Mitigation Plan
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ANNEX A: CURRITUCK COUNTY UNINCORPORATED AREAS

Action #	Action Description	Hazard(s) Addressed	Goal & Objective Addressed	Priority	Lead Agency / Department	Potential Funding Source	Implementation Timeline	2022 Implementation Status Comments
CUR12	Currituck Sound Coalition will prioritize marsh restoration planning and design for storm surge mitigation benefits.	Coastal Hazards	3.3	Moderate	Audubon, Planning, GIS, Soil & Water Conservation	General Funds	On going	In August the County is participating in Coalition outreach meeting with potential VA partners where they will tour an example project.
CUR13	Encourage linkage of existing and future open space areas to implement greenways throughout unique geographies of the county.	Coastal Hazards, Flood, Hurricane & Tropical Storm, Severe Weather	3.3	Moderate	Planning	No funding needed	On going	In partnership with The Nature Conservancy the county is testing out utility of a Green Space Dashboard: https://www.arcgis.com/apps/dashboards/11ea7205594d41e4bda0738adf7b0e62
CUR14	Seek funding for public hazard mitigation projects.	All Hazards	1.2	Moderate	Emergency Management	Grant	On going	County will continue to seek mitigation funding. Submitted 7 properties for elevation under Flood Mitigation Assistance grant program (2018); application currently under review with FEMA. Submitted 8 properties for HMGP - elevation following Hurricane Matthew but projects were not considered cost beneficial. Grant writing and monitoring added to Soil & Water admin position. Also monitoring EPA flood reduction grants. County has signed agreements with State for the State centric plan. The state will now handle all contract work and county EM will now be the liaison between homeowner and state. State has bids out for contractors to lift each of the houses. Very slow process.
CUR15	Continue to support efforts for planning, design, and construction of the Mid-County bridge project.	All Hazards	3.3	Moderate	Planning	NC Turnpike Authority	5 years	Planning staff is working on terminus designs and studying impacts to properties on both sides of the bridge. Funding allocated in STIP for FY18, awaiting Record of Decision which should be issued spring/summer 2018.
CUR16	Identify bridges for retrofitting.	All Hazards	1.2	High	Planning	NCDOT	On going	Ongoing. Continuing to work with DOT to maintain roadways and the Wright Memorial Bridge.
CUR17	Secure funding, design, and construct an EOC/Public Safety Facility	All Hazards	3.3	High	Engineering/Emergency Management	General Fund/Grant	2 years	The new Public Safety Building is complete and operational.
CUR18	Maintain and work to improve radio communications and technology throughout public safety programs	All Hazards	4.2	High	Public Safety Agencies	General Funds and Grants	On going	This project is still in process. Updates to the microwave system will be worked on first. Waiting on proposal from vendor.
CUR19	Provide continuous training and information for first responders in hazard response	All Hazards	4.1	High	Public Safety Agencies	General Funds and Grants	On going	Ongoing
CUR20	Coordinate response to bridge incidents for the Wright Memorial Bridge	Transportation Infrastructure Failure	4.1	High	Public Safety Agencies	General Funds/Grants	On going	This exercise is complete and continuous, planning will improve response.
CUR21	Educate the public and inform them of the benefits of participation in the Fire Wise program.	Wildfire	1.1	High	Emergency Management	Grant	On going	We have 3 communities that are in the Firewise program: Pine Island, Currituck Club, Point Harbor We met with each community at the end of April to renew their certifications.
CUR22	Educate homeowners and builders on the benefits of sprinkler systems in residential structures	Wildfire	1.1	Moderate	Fire Marshal/Planning	General Fund	On going	Ongoing through the fire marshal and planning department. The County requested special legislation to address life safety issues in residential structures greater than 5,000 sq. feet, to include a requirement for residential sprinkler system. The request was denied.

ANNEX A: CURRITUCK COUNTY UNINCORPORATED AREAS

CUR23	Increase public awareness and understanding of the locations and proper way to dispose of hazardous waste	Hazardous Materials Incident	1.1	Moderate	Public Works	General Fund	On going	PW continues to sponsor an annual household hazardous waste day. Hazardous waste day is now advertised in the Focus on Currituck publication and on social media platforms. Participation has increased considerably.
CUR24	Periodically survey the public to evaluate if public outreach efforts are effective in identifying potential flood hazards, public concern, and ways to mitigate against hazards	Coastal Hazards, Flood, Hurricane & Tropical Storm	1.1	Moderate	Planning	General Fund	On going	A public survey was conducted as part of participation in the Division of Coastal Management's Resilient Coastal Communities Program.
CUR25	Develop a joint public outreach document that addresses all hazards (published by the Planning and Emergency Management Departments)	All Hazards	1.1	High	Planning/Emergency Management	General Fund	On going	The planning department and the emergency management department publish documents in the "Focus on Currituck" publication. The new outreach brochure, created as a joint effort by Currituck and Dare Counties through our CRS user's group, addresses all hazards.
CUR26	Evaluate effectiveness of Currituck's warning systems	All Hazards	1.1	High	Emergency Management	General Fund	On going	Number of individuals registering for Currituck Alert provides a baseline for effectiveness of mass notification. Planning a campaign to increase awareness of ENS and increase number of subscribers. Registrations still rising. Utilizing social media and Focus on Currituck publication to increase awareness.
CUR27	Educate and assist vulnerable populations in developing personal preparedness plans	All Hazards	1.1	High	Emergency Management	General Fund	On going	Continuous
CUR28	Partner with other County Departments, State, local agencies to educate and inform vulnerable populations about special needs registry with Social Services through community outreach (survey, website, social media, water bill)	All Hazards	1.1	High	DSS, EM, PIO	General Fund	On going	Continuous
CUR29	Create curriculums for all hazards preparedness to better educate the public	All Hazards	1.1	High	Emergency Management	General Fund/Grants	less than 5 years	Due to understaffing, difficulties brought on by COVID 19, and LACK OF FUNDING
CUR30	Continue to educate elected officials and the public on the need for and benefits of sustained shoreline management strategies.	Coastal Hazards, Flood, Hurricane & Tropical Storm, Severe Weather	1.1	High	Planning	General Fund	On going	Staff continues to share information with elected officials and the public.
CUR31	Educate property owners on the natural and beneficial functions of floodplains, watersheds, and other natural/coastal areas.	Coastal Hazards, Flood, Hurricane & Tropical Storm	3.2	Moderate	Planning	General Fund	On going	This is included in the new outreach brochure.
CUR32	Educate the development and agricultural communities as well as the public on the impacts of turbidity on floodplain/natural areas and mitigating best management practices	Coastal Hazards, Flood, Hurricane & Tropical Storm	3.2	Moderate	Soil & Water Conservation Board, Planning, Cooperative Extension	General Fund	On going	The Soil and Water Conservation Board and the Cooperative Extension continue to work on this action as time and budget allows.
CUR33	Develop outreach materials and offer training on Low Impact Development (LID) best management practices that can be distributed to the public and engineering communities.	Coastal Hazards, Flood, Hurricane & Tropical Storm	3.2	High	Soil & Water Conservation Board, Planning, Cooperative Extension	General Fund	less than 5 years	The stormwater manual addresses this. Training has not been offered yet. Progress on this action has been hindered by staffing and budget constraints.
CUR34	Send targeted outreach on flood risk, preparedness, insurance and mitigation options to repetitive loss property owners	Coastal Hazards, Flood, Hurricane & Tropical Storm	1.1	High	Planning	General Fund	1 year	All repetitive loss properties received a copy of our outreach brochure which addresses these concerns.
CUR35	Send targeted outreach on flood risk, preparedness, insurance, and mitigation options to pre-FIRM property owners	Coastal Hazards, Flood, Hurricane & Tropical Storm	1.1	High	Planning	General Fund	1 year	The Currituck County GIS department is working with the tax department to compile a list of pre-FIRM structures. The size of the list and budgetary constraints will dictate the nature of the outreach.

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CURRITUCK COUNTY JOB DESCRIPTION

**JOB TITLE: CERTIFIED DEPUTY SHERIFF ↓
SHERIFF'S DEPARTMENT**

GENERAL STATEMENT OF JOB

Under general supervision, performs general law enforcement work to protect lives, property and rights of County residents. Work involves patrolling the County in an official vehicle or vessel on an assigned shift to deter crime or apprehend violators or suspects, answering complaint calls, serving legal papers, and attending court. Employee is subject to the usual hazards of law enforcement work. Reports to the Corporal, Sergeant, Lieutenant, Captain, Chief Deputy and Sheriff.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Patrols an assigned area of the County; inspects troublesome areas and checks security of business establishments; answers complaint/service calls, works traffic enforcement, DWI, drug enforcement, vehicle wreck investigations. Deputies assist in investigating misdemeanor and felony crimes and disturbances; school security; interviews witnesses; gathers evidence; interrogates suspects and makes arrest; prepares investigation reports.

Patrols the water surrounding the county water under jurisdiction by boat and search and rescue calls in woodland areas.

Processes suspects including obtaining fingerprints, photographs, personal data, statements, etc.; processes prisoners for admission to County Jail.

Serves legal papers, such as summons, warrants, commitment papers and special court orders; uses directories and other means to locate designated parties; briefly explains the meaning of papers and makes arrest when necessary.

Appears in court as a witness to testify.

Cooperates and assists ~~s~~ law enforcement officers of other governmental units in investigations and arrests.

Provides security at courthouse and for courtroom participants; calls docket before courtroom; sequesters and provides for needs and comforts of juries.

Notifies next of kin of deaths and accidents.

Assists EMS and fire personnel in all emergency calls pertaining to arrival time sensitive situations.

CERTIFIED DEPUTY SHERIFF I

Assists disabled motorists, such as unlocking doors or changing flat tires, or by contacting others for assistance; provides directions, answers routine inquiries, etc.

ADDITIONAL JOB FUNCTIONS

Performs duties as assigned by the Sheriff, County Manager or designees during a State of Emergency or other disaster.

Performs other related work as required.

MINIMUM TRAINING AND EXPERIENCE

Must be at least 21 years old, possess a high school diploma or equivalent, be a citizen of the United States, and must not have been convicted of a felony or serious misdemeanor.

SPECIAL REQUIREMENTS

Must possess or be able to possess a North Carolina Driver's License. Must meet all the applicable standards and qualify for State Law Enforcement Certification in accordance with the North Carolina Sheriff's Training and Standards Commission as well as the policies of the Office of the Sheriff of Currituck County.

**MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED
TO PERFORM ESSENTIAL JOB FUNCTIONS**

Physical Requirements: Must be physically able to operate a variety of machinery and equipment, including typewriters, firearms, restraint devices, two-way radios, etc. Must be able to exert up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 25 pounds of force constantly to move objects. Work may involve walking, standing, running and physical confrontation. Physical demand requirements are for Medium to Heavy Work. Deputies must be able to pass a yearly state certified physical assessment called POPAT in the required time set by the policy and/or a Cooper's assessment in the required time set by the policy.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural or composite characteristics (whether similar or divergent from obvious standards) of data, people or things.

Interpersonal Communication: Requires the ability to speak and/or signal people to convey or exchange information. Includes receiving instructions, assignments or directions from superiors.

Language Ability: Requires the ability to read a variety of correspondence, reports, manuals, forms, etc. Requires the ability to prepare a variety of correspondence, reports, forms, etc., using prescribed formats. Requires the ability to speak to people with poise, voice control and confidence.

Intelligence: Requires the ability to apply rational systems to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists; to interpret a variety of instructions furnished in written, oral, diagrammatic or schedule form.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical and professional languages, including law enforcement terminology and emergency response codes.

CERTIFIED DEPUTY SHERIFF †

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; calculate decimals and percentages.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width and shape.

Motor Coordination: Requires the ability to coordinate hands and eyes rapidly and accurately in using law enforcement equipment.

Manual Dexterity: Requires the ability to handle a variety of items, such as control knobs, switches, levers, etc. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination: Requires the ability to differentiate between colors and shades of color.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress, and in emergency situations.

Physical Communication: Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via telephone and two-way radio.

KNOWLEDGE, SKILLS AND ABILITIES

Considerable knowledge of modern law enforcement practices, procedures and investigation techniques.

Considerable knowledge of the content and purpose of legal papers and the practices involved in serving them.

General knowledge of County, state and federal laws relative to civil and criminal processes.

General knowledge of court process and procedures.

General knowledge of the locations of streets, roads, highways and other landmarks in the County, and the geographic and socioeconomic characteristics of the County.

Skill in the use of firearms and other law enforcement equipment.

Ability to exercise sound judgment in emergency and routine situations and to adopt quick, effective and reasonable courses of action.

Ability to apply interpretation of laws to specific situations.

Ability to prepare clear and concise reports.

Ability to present court testimony effectively.

Ability to maintain discipline and order in court.

Ability to exercise tact, courtesy and firmness in frequent contact with suspects, defendants, lawyers, plaintiffs and the general public.

CERTIFIED DEPUTY SHERIFF †

Ability to establish and maintain effective working relationships as necessitated by work assignments.

8/17/2020 (REV BOC)

Attachment: JD-Certified Deputy 8.1 (Job Descriptions-Variou

SENIOR Deputy Sheriff II**CURRITUCK COUNTY JOB DESCRIPTION**

**JOB TITLE: SENIOR DEPUTY SHERIFF II
SHERIFF'S DEPARTMENT**

GENERAL STATEMENT OF JOB

Under general supervision, performs general law enforcement work to protect lives, property and rights of County residents. Work involves patrolling the County in an official vehicle or vessel on an assigned shift to deter crime or apprehend violators or suspects, answering complaint calls, serving legal papers, and attending court. Employee is subject to the usual hazards of law enforcement work. Reports to the Sergeant, Lieutenant, Captain, Chief Deputy and Sheriff.

SPECIFIC DUTIES AND RESPONSIBILITIES**ESSENTIAL JOB FUNCTIONS**

Patrols an assigned area of the County; inspects troublesome areas and checks security of business establishments; answers complaint calls, works traffic enforcement, DWI, drug enforcement, vehicle wreck investigations. Deputies assist in investigating misdemeanor and felony crimes and disturbances; school security; interviews witnesses; gathers evidence; interrogates suspects and makes arrest; prepares investigation reports.

Patrols the water surrounding the county water under jurisdiction by boat and search and rescue calls in woodland areas.

Processes suspects including obtaining fingerprints, photographs, personal data, statements, etc.; processes prisoners for admission to County Jail.

Serves legal papers, such as summons, warrants, commitment papers and special court orders; uses directories and other means to locate designated parties; briefly explains the meaning of papers and makes arrest when necessary.

Appears in court as a witness to testify.

Cooperates and ~~assist~~ lawassists law enforcement officers of other governmental units in investigations and arrests.

Provides security at courthouse and for courtroom participants; calls docket before courtroom; sequesters and provides for needs and comforts of juries.

Notifies next of kin of deaths and accidents.

Assists EMS and fire personnel in all emergency calls pertaining to arrival time sensitive situations.

Assists disabled motorists, such as unlocking doors or changing flat tires, or by contacting others for assistance; provides directions, answers routine inquiries, etc.

ADDITIONAL JOB FUNCTIONS

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Attachment: JD-Senior Deputy Job Description 7.27.22 (Job Descriptions-Various)

Performs duties as assigned by the Sheriff, County Manager or designees during a State of Emergency or other disaster.

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Performs other related work as required.

MINIMUM TRAINING AND EXPERIENCE

Must be at ~~least~~least 21 years old, possess a high school diploma or equivalent, be a citizen of the United States, and must not have been convicted of a felony or serious misdemeanor. Must have three years of experience as a Deputy Sheriff.

SPECIAL REQUIREMENTS

Must possess or be able to possess a North Carolina Driver's License. Must meet all the applicable standards and qualify for State Law Enforcement Certification in accordance with the North Carolina Sheriff's Training and Standards Commission as well as the policies of the Office of the Sheriff of Currituck County.

Must have three or more years of certified (arrest powers) experience to be considered at a senior rank.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of machinery and equipment, including typewriters, firearms, restraint devices, two-way radios, etc. Must be able to exert up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 25 pounds of force constantly to move objects. Work may involve walking, standing, running and physical confrontation. Physical demand requirements are for Medium to Heavy Work. Deputies must be able to pass a yearly state certified physical assessment called POPAT in the required time set by the policy —and/or a Cooper's assessment in the required time set by the policy.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural or composite characteristics (whether similar or divergent from obvious standards) of data, people or things.

Interpersonal Communication: Requires the ability to speak and/or signal people to convey or exchange information. Includes receiving instructions, assignments or directions from superiors.

Language Ability: Requires the ability to read a variety of correspondence, reports, manuals, forms, etc. Requires the ability to prepare a variety of correspondence, reports, forms, etc., using prescribed formats. Requires the ability to speak to people with poise, voice control and confidence.

Intelligence: Requires the ability to apply rational systems to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists; to interpret a variety of instructions furnished in written, oral, diagrammatic or schedule form.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical and professional languages, including law enforcement terminology and emergency response codes.

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; calculate decimals and percentages.

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width and shape.

Motor Coordination: Requires the ability to coordinate hands and eyes rapidly and accurately in using law enforcement equipment.

Manual Dexterity: Requires the ability to handle a variety of items, such as control knobs, switches, levers, etc. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination: Requires the ability to differentiate between colors and shades of color.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress, and in emergency situations.

Physical Communication: Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via telephone and two-way radio.

KNOWLEDGE, SKILLS AND ABILITIES

Considerable knowledge of modern law enforcement practices, procedures and investigation techniques.

Considerable knowledge of the content and purpose of legal papers and the practices involved in serving them.

General knowledge of County, state and federal laws relative to civil and criminal processes.

General knowledge of court process and procedures.

General knowledge of the locations of streets, roads, highways and other landmarks in the County, and the geographic and socioeconomic characteristics of the County.

Skill in the use of firearms and other law enforcement equipment.

Ability to exercise sound judgment in emergency and routine situations and to adopt quick, effective and reasonable courses of action.

Ability to apply interpretation of laws to specific situations.

Ability to prepare clear and concise reports.

Ability to present court testimony effectively.

Ability to maintain discipline and order in court.

Ability to exercise tact, courtesy and firmness in frequent contact with suspects, defendants, lawyers, plaintiffs and the general public.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

08/17/2020 (REV BOC)



PUBLIC UTILITIES DIRECTOR

General Statement of Duties

Performs difficult professional and managerial work planning, organizing and directing the design, construction, operations, maintenance, and analysis of ~~water and wastewater treatment plants, and related laboratory facilities, collection and distribution systems~~ water treatment and distribution systems, wastewater treatment and collection systems., ~~and utility customer services including billing and collections.~~ Reports to the County Manager.

Distinguishing Features of the Class

An employee in this class plans, organizes and directs the design, construction, operations and maintenance of the water treatment plants, distribution systems, pumping facilities, and related facilities and equipment, and wastewater collection and treatment systems. Work also includes responsibility for the utility long range planning for service needs for capacity, and environmental compliance, ~~information technology systems, and customer service and utility billing and collections function.~~ Work is performed in accordance with state and federal laws and regulations. Work involves responsibility for department staffing, budget development and administration; assistance with and advising county management on long range planning for facilities and system capacity and technical compliance needs; establishing and maintaining records and reports necessary for full compliance with all regulations and for effective management decision-making; and ensuring effective productivity of assigned personnel. Work involves considerable ~~public contact~~, initiative and judgement. The employee may occasionally enter confined spaces and come in contact with other hazards; thus the position may be subject to OSHA's blood borne pathogens standards. General administrative direction is received from the County Engineer and County Manager regarding matters of policy, budget, long range plans, personnel matters, and work priorities. Work is evaluated through conferences and reports for productivity, and compliance with required laws and regulations.

Duties and Responsibilities

Essential Job Tasks

Plans, organizes, and directs the work of supervisors and employees engaged in plant operations, process control, laboratory analysis, distribution and collection system construction, operations and maintenance, pumping stations, and preventive maintenance and repair; ~~oversees utility customer service, billing, and collections services;~~

~~Partners with the Public Utilities Manager on department wide strategic, operational, budgetary, and policy issues.~~

Provides strategic direction, leadership development, resource needs, and budget oversight for the department.

Tracks and addresses deficiencies to minimize negative impact to water and wastewater systems.

Ensures regulatory compliance.

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~~pParticipates in storm water management activities.~~

Advises management and participates in planning for current and future capacity needs and plant and systems modifications for increased efficiency or regulatory compliance; ~~attends County Commissioner meetings to advocate for system needs and provide advice and information.~~

Develops and maintains Utilities' capital improvement programs.

Works collaboratively with other county departments, regional partners, and regulatory partners on programs, projects, goals, regulatory issues, stakeholder processes and initiatives.

Represents the Public Utilities Department in work with elected officials, county staff, state and federal regulators, regional partners, consultants, and contractors.

~~Manages~~ Supervises the hiring, promotion, training, discipline, evaluation, and other personnel actions and decisions for the department in consultation with the Public Utilities Manager and County Manager.

~~plans and~~ Directs the Responsible for the implementation of safety programs including training, procedures, and equipment as necessary.

Researches and recommends strategies for meeting new regulatory requirements; ~~manages contracted wastewater treatment plant operations and maintenance.~~

~~Evaluates utility customer service policies and procedures, billing and collections procedures for effectiveness; recommends improvements.~~

~~Participates in planning and supervision of~~ Manages contracted design, construction, and maintenance projects; ~~insures~~ ensures proper inspection and adherence to plans and standards prior to County acceptance.

Establishes, maintains, and analyzes a variety of reports as required and as needed for effective management decision-making; directs the acquisition and usage of computer systems to enhance operations and record keeping.

Plans, organizes, and directs the utility system through supervisors ~~including the maintenance and repair of water and sewer pumping stations, elevated storage tanks, and related facilities; supervises the installation of water taps and meters; supervises the meter reading program, water service connections and disconnections, and related utility customer response.~~

Requests division resources as part of annual budget process; reviews and submits budget requests of subordinate supervisors; controls allocated resources once approved; participates in capital budgeting to construct and maintain utility infrastructures; researches and recommends fee schedule.

~~Participates in development plan review and review~~ Reviews of all plans and specifications regarding utility systems.

Reviews and approves subdivision and land development plans for compliance with regulations and sound engineering practices related to design of water and wastewater systems as required.

Prepares scope of work and assists with Request for Proposals (RFP) for various professional services required for County Utility projects.

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Additional Job Duties

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Serves as a member of the County's Technical Review Committee.

Performs other related work as required.

Recruitment and Selection GuidelinesKnowledges, Skill, and Abilities

~~Thorough-k~~ Knowledge of engineering principles and their application to utilities design, construction and maintenance.

Thorough knowledge of the principles and practices of water and wastewater treatment, distribution and collection system, pumping stations, metering, and other utility systems appurtenances.

Thorough knowledge of the local, state, and federal laws and regulations relating to water treatment and distribution and sewer collection and treatment.

Thorough knowledge of the County budget, purchasing, and personnel policies and practices.

Thorough knowledge of effective management practices including hiring, staffing, motivation, communications, delegation, discipline, performance review, and other practices.

Thorough knowledge of the application of information technology to the work of the department.

~~Considerable knowledge of the effective organization and implementation of customer service, billing, and collections functions.~~

~~Considerable knowledge of principles of customer accounts management.~~

~~Working knowledge of engineering principles and their application to utilities construction and maintenance.~~

~~Working~~ ~~Thorough-k~~ Knowledge of mechanical, electrical, and electronic trades as applied to water treatment facilities and equipment maintenance and repair.

Ability to analyze information and make effective decisions.

Ability to establish and maintain effective working relationships with County official, industrial officials, regulatory officials, contractors, other employees, and the general public.

Ability to prepare, present and interpret complex records and reports.

Physical Requirements

Must be able to perform the basic life functions of climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, fingering, talking, hearing, and repetitive motions.

Must be able to perform light work exerting up to 20 pounds of force occasionally; and/or up to 10 pounds of force frequently or constantly to move objects.

Must possess visual acuity necessary to inspect schematic drawings, prepare and analyze figures and data, perform extensive reading, and operate a computer terminal.

Desirable Education and Experience

Graduation from college with a four-year degree in environmental sciences, civil engineering, chemistry, or related field and extensive design and construction experience supervising in water and/or wastewater treatment and/or distribution and collection systems; or an equivalent combination of education and experience.

Special Requirement

Requires ~~certification~~ N.C. Professional Engineer license.

Requires certification for water or wastewater treatment and/or collections or distribution systems operations by the State of North Carolina or the ability to obtain within two years.

Possession of a valid North Carolina driver's license.

ED: 6/20/2016 (REV BOC)



PUBLIC UTILITIES MANAGER

General Statement of Duties

Performs work involving overall compliance; managing assigned workforce; ensuring the appropriate treatment and distribution of water systems and collection and treatment of wastewater; ensuring equipment is maintained and working appropriately; establishing goals for water and wastewater superintendent's and their staff; providing technical direction; assisting the Public Utilities Director to help implement assignments and projects; and making sure divisions have sufficient resources to perform. Reports to the Public Utilities Director.

Essential Job Tasks

Oversees daily operation of the water and wastewater systems.

Manages the hiring, promotion, training, discipline, evaluation and other personnel actions and decisions for the department in consultation with the Public Utilities Director.

Mentors staff and aids with career development.

Partners with the Public Utilities Director on department-wide strategic, operational, budgetary, and policy issues.

Implements strategic direction, leadership development, resource needs, budget oversight and procurement for the department.

Tracks and addresses deficiencies to minimize negative impact to water and wastewater systems.

Monitors performance levels and metrics applicable to the environmental management system.

Manages safety controls and regulatory compliance.

Provides input into the development of capital improvement programs.

Works collaboratively with other county departments, regional partners, and regulatory partners on programs, projects, goals, regulatory issues, stakeholder processes and initiatives.

Represents the Public Utilities Department in work with elected officials, county staff, state and federal regulators, regional partners, consultants, and contractors.

Coordinates with internal and external service providers to assure support services and other needs are met to establish and sustain efficient, effective operations.

Additional Job Functions

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as required.

Recruitment and Selection GuidelinesKnowledges, Skill, and Abilities

Knowledge of the principles and practices of water and wastewater treatment, distribution and collection system, pumping stations, metering, and other utility systems appurtenances.

Knowledge of the local, state, and federal laws and regulations relating to water treatment and distribution and sewer collection and treatment.

Knowledge of the County budget, purchasing, and personnel policies and practices.

Knowledge of effective management practices including hiring, staffing, motivation, communications, delegation, discipline, performance review, and other practices.

Knowledge of the application of information technology to the work of the department.

Working knowledge of mechanical, electrical, and electronic trades as applied to water treatment facilities and equipment maintenance and repair.

Ability to analyze information and make effective decisions.

Ability to establish and maintain effective working relationships with County official, industrial officials, regulatory officials, contractors, other employees, and the general public.

Ability to prepare, present and interpret complex records and reports.

Physical Requirements

Must be able to perform the basic life functions of climbing, balancing, stooping, kneeling, crouching, reaching standing, walking, pushing, pulling, lifting, fingering, talking, hearing, and repetitive motions.

Must be able to perform light work exerting up to 20 pounds of force occasionally; and/or up to 10 pounds of force frequently or constantly to move objects.

Must possess visual acuity necessary to inspect schematic drawings, prepare and analyze figures and data, perform extensive reading, and operate a computer terminal.

Desirable Education and Experience

Graduation from college with a four-year degree in environmental sciences, civil engineering, chemistry, or related field and experience supervising water and/or wastewater treatment and/or distribution and collection systems; or an equivalent combination of education and experience.

Special Requirement

Requires certification for water or wastewater treatment and/or collections or distribution systems operations by the State of North Carolina or the ability to obtain.

Possession of a valid North Carolina driver's license.

LINE MAINTENANCE MECHANIC DISTRIBUTION OPERATOR

General Statement of Duties

Performs responsible semi-skilled and skilled work in the installation, replacement, repair and maintenance of water and sewer lines, and appurtenances.

Distinguishing Features of the Class

An employee in this class performs a variety of skilled work as a member of a crew engaged in the construction, installation and repair of water and sewer lines. Work involves operating construction equipment and participating in the installation, replacement and repair of water and sewer pipes to specific grade and depth, and back filling and compacting the site. Work also includes making taps to water and sewer mains, installing hydrants, meters, and valves, and making repairs to the water and sewer system. Work requires operation of backhoes and other heavy equipment in tight spaces, around parked cars and overhead and underground utilities. Employees are subject working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as loud noises, vibration, moving mechanical parts, electrical current, chemicals, fumes, odors, dusts, mists, gases, poor ventilation, and oils. Work is also subject to the final standards of OSHA on blood borne pathogens. Employees are also subject to on-call and call-back work. Work is performed under regular supervision and is evaluated through observation and inspection for adherence to instructions and standard trade and safety practices.

Duties and Responsibilities

Essential Duties and Tasks

Operates heavy construction equipment requiring skill and care around parked cars and overhead and/or underground utility lines; operates front end loader, dump trucks, jackhammers, tampers, pipe threading machines, tapping machines, trenchers, air compressors, and boring machines.

Locates and marks water lines in different locations in the county.

Performs hydrant and valve exercising; paints hydrants; mows and trims around hydrants and other utility facilities.

Performs work order tasks including inspecting meters for leaks; connect and disconnect water service for moving or non paying customers; flushes hydrants to insure water is fresh.

Operates tapping machine to make water and sewer taps and service connections.

Lays water and sewer pipes; repairs and replaces sewer and water lines and related facilities.

Installs, services and tests water meters and meter yokes.

Installs hydrants, meters, valves, clamps, and related pipeline apparatus; sets meter boxes; repairs and replaces fire hydrants.

Maintains assigned truck properly stocked and in proper operating condition.

Keeps customers informed when water service is turned off for repairs.

Assists with inspection and repair of pumping stations, reading water meters, and other related tasks.

Additional Job Duties

Completes assigned work by the Public Utilities Director or their designee. Performs other related tasks as required.

Knowledges, Skills, and Abilities

Considerable knowledge of the tools, materials and equipment used in the installation, replacement, maintenance and repair of utility lines.

Considerable knowledge of a variety of maintenance and manual methods and tasks involved in the installation, maintenance, repair and replacement of utility lines and appurtenances.

Considerable knowledge of the use of common hand and power tools.

Considerable knowledge of the safe use and operation and preventive maintenance of common automotive and mechanical equipment.

Some knowledge of the operating requirements of sewer lift stations and water pumping stations.
Some knowledge of the water service policies and procedures.

Skill in the operation of a backhoe and other heavy construction equipment.

Ability to establish and maintain effective working relationships with supervisors, co-workers and the public.

Ability to read utility line maps and operation and service manuals and to understand and follow oral and written instructions.

Physical Requirements

Must be able to physically perform the basic life operational functions of climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, feeling, talking, hearing, and repetitive motions.

Must be able to perform very heavy work exerting up to 100 pounds of force occasionally; 50 pounds of force frequently; and 20 pounds constantly.

Must possess the visual acuity to operate mobile equipment such as loaders in a safe manner to fit pipes and other parts, read gauges, and make written records.

Desirable Education and Experience

Graduation from high school and considerable experience in construction-related utility work, including considerable experience in water distribution and/or sewer collection system maintenance involving the operation of back hoes and excavators; or an equivalent combination of education and experience.

Special Requirements

Possession of valid North Carolina commercial driver's license.

ED: 06/20/2016 (REV BOC)



**CURRITUCK COUNTY
NORTH CAROLINA**

July 18, 2022

Minutes – Regular Meeting of the Board of Commissioners

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners met at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for a regular meeting.

Attendee Name	Title	Status	Arrived
Michael H. Payment	Chairman	Present	
Paul M. Beaumont	Vice Chairman	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Selina S. Jarvis	Commissioner	Present	
Kevin E. McCord	Commissioner	Present	
Bob White	Commissioner	Present	
J. Owen Etheridge	Commissioner	Absent	

Chairman Payment called the meeting to order.

A) Invocation & Pledge of Allegiance

Commissioner Jarvis offered the Invocation and led the Pledge of Allegiance.

B) Approval of Agenda

Commissioner White amended the agenda to include adding a letter to Consent Agenda supporting establishment of an open-heart surgery program at Chesapeake Regional Medical Center. A Closed Session was added to follow Consent Agenda, pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county; and, pursuant to G.S. 143-318.11(a)(5) to establish or to instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property for property located at 2878 Caratoke Highway owned by Daniel W. Humphrey, and unaddressed property located at West Side Lane owned by Amy D. Wells and Ronald K. Bennett, to be used for any governmental purpose.

Commissioner Jarvis moved to approve the agenda as amended. Commissioner McCord seconded the motion. The motion carried, 6-0.

Communication: Minutes for July 18, 2022 (Approval Of Minutes-July 18, 2022)

Approved agenda:

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance
- B) Approval of Agenda

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Commissioner's Report

County Manager/Attorney

Reports

Public Hearings

- A) **PB 22-06 H2OBX, LLC:** Request for conditional rezoning from General Business and Conditional General Business to Conditional General Business to allow a campground with up to 335 campsites with associated amenities at 8526 Caratoke Highway (H2OBX Waterpark), Tax Map 124, Lot 137L, Poplar Branch Township.
- B) **PB 22-10 Beach Buggy, LLC:** Use Permit request for Auto Sales and Rental Use to sell low speed electric vehicles located at 5760 Caratoke Highway, Tax Map 84, Parcel 30E, Poplar Branch Township. Use permit public hearing for low speed electric vehicle sales, Caratoke Highway, Poplar Branch Twp.
- C) **PB 22-07 Currituck County Text Amendment:** Request to amend the Currituck County Unified Development Ordinance, Chapter 4. Use Standards, Chapter 8. Nonconformities and Chapter 10. Definitions and Measurement to make minor corrections and clarifications to ordinance language related to campgrounds.

New Business

- A) **Consideration of an Amendment to the Board of Commissioners Rules of Procedure to Provide for a Reading of a Code of Ethics Statement at Each Meeting**
- B) **Appointment of Megan E. Morgan as County Attorney and Consideration of County Attorney Employment Agreement**

Communication: Minutes for July 18, 2022 (Approval Of Minutes-July 18, 2022)

C) Board Appointments

1. Game Commission
2. Senior Citizens Advisory

D) Consent Agenda

1. Budget Amendment
2. Resolution Appointing County Assessor and Tax Collector
3. Project Ordinance-School Lottery Funds for CCHS Roof Coating, Phase I
4. Project Ordinance-School Lottery Funds for JP Knapp Early College Foundation Repairs
5. Job Description Revisions
6. Surplus Resolution-Communications
7. Amended-Letter of Support for Open-Heart Surgery Program at Chesapeake Regional Medical Center
8. Approval Of Minutes-6/15/2022 Work Session; 6/20/2022, 6/27/2022

Closed Session

Amended-Closed Session Pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county; and, pursuant to G.S. 143-318.11(a)(5) to establish or to instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property for property located at 2878 Caratoke Highway owned by Daniel W. Humphrey, and unaddressed property located at West Side Lane owned by Amy D. Wells and Ronald K. Bennett, to be used for any governmental purpose.

Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Selina S. Jarvis, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

PUBLIC COMMENT

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Chairman Payment acknowledge the absence of Commissioner J. Owen Etheridge and opened the Public Comment period.

Renee Etheridge, Moyock, provided an update on her husband, Commissioner J. Owen Etheridge, who has been dealing with health impacts of a fall in March of this year. She reported he is recovering at home and encouraged citizens to contact him with any questions. She provided assurance of his dedication to the County and dispelled rumors that he plans to step down after his swearing-in in December.

No others were signed up nor wished to speak and the Public Comment period was closed.

COMMISSIONER'S REPORT

Commissioner McCord wished Commissioner J. Owen Etheridge a speedy recovery. He commended staff involved in coordinating this year's July 4th fireworks event and thanked coaches and other volunteers for the County's successful baseball and softball all-star season. He encouraged people to be cautious driving on the roadways and said many speeding violations are being issued.

Commissioner Beaumont recognized Currituck County's Fire and Emergency Medical Services (EMS) personnel after his daughter had a life-threatening emergency in another area. He said his daughter's response team was not equipped to provide advanced care, and lauded Currituck County as the best equipped and best trained teams of responders. He is particularly proud of the County's advanced life support capabilities.

Chairman Payment discussed the Board's letter of support to assist Chesapeake Regional Medical Center with establishing an open-heart surgery center. He serves on the Albemarle Regional Health Services Board and announced the retirement of Director, Battle Betts, at the end of July. He also encouraged safety on the roadways.

Commissioner White discussed the letter of support for an open-heart surgery program at Chesapeake Regional Medical Center. He thanked first responders and volunteers for their efforts.

Commissioner Jarvis spoke of the numerous accidents and close calls at the corner of Edgewater Road and North Carolina Highway 158 in Harbinger and encouraged citizens to contact the North Carolina Department of Transportation (NCDOT) to directly express their concerns about the intersection. She asked drivers to be patient, kind and to drive safely on the roadway and recognized the work performed by first responders. She recognized Chief Building Inspector, Bill Newns and his staff and Parks and Recreation Director, Jason Weeks, and staff for the work they do after she received calls from citizens. She offered prayers for Commissioner J. Owen Etheridge.

COUNTY MANAGER/ATTORNEY REPORTS

County Manager, Ike McRee, announced two upcoming staff-level meetings. A meeting will be held with the design-build team for the new Tulls Creek Elementary School. A meeting is scheduled with stakeholders to re-start the off-road area land swap discussion. Mr. McRee updated the Board on the status of the Corolla ABC store construction project.

PUBLIC HEARINGS**A. PB 22-06 H2OBX, LLC:****APPLICATION SUMMARY**

Property Owner: H2OBX LLC 13 Green Mountain Dr Cohoes NY, 12047	Applicant: H2OBX LLC 13 Green Mountain Dr Cohoes NY, 12047
Case Number: PB 22-06	Application Type: Conditional Rezoning
Parcel Identification Number: 0124000137L0000	Existing Use: Outdoor Recreation (Waterpark)
Land Use Plan Classification: Full Service	Parcel Size (Acres): 96.77
Current Zoning: GB and C-GB	Proposed Zoning: C-GB
Zoning History: Main parcel HI to C-GB 5/2/2016; Others B (1975), GB (1989 and 2013)	

NARRATIVE

The Board of Commissioners (BOC) approved the current C-GB zoning on the property on May 2, 2016, to allow an outdoor recreation facility including a waterpark with associated infrastructure and amenities including restaurants, water slides, restroom facilities, employee housing/dorms, stormwater management, on site sewer treatment and disposal, parking, and all other required features as required by county, state, and federal regulations. On February 7, 2022, the BOC approved an amendment to the Unified Development Ordinance (UDO) to allow for new campgrounds. Upon the approval of that text amendment, this request was submitted for the addition of a campground on the site with up to 244 RV campsites, 25 tent sites, and 66 cabin sites (total of 335 campsites.) Proposed amenities include such things as the following: swimming pool, playground, pickleball courts, cornhole courts, shuffleboard courts, sand volleyball court, lodge, pavilion, golf cart rentals, and a dog park. These amenities are detailed in the attached applicant's submittal package.

SUMMARY	CAMPSITES	CABINS	SEASONAL CAMPSITES	DENSITY
UDO ALLOWANCE	500	100	100	12 campsites/ac
REQUEST	335	66	67	3.46 campsites/ac

Since the UDO requires that new campgrounds shall only be accessed from a major arterial street, the campground will be accessed from the existing waterpark entrance. Ballast Rock Road will not be used for campground access, but it will continue to be used as a maintenance access for the wastewater treatment plant. The applicant has agreed to place private access signage along Ballast Rock Road to prevent its use by the general public. (See Agreed Upon Conditions of Approval)

The number of campsites and amenities on the campground property are limited by the capacity of the existing on-site wastewater treatment plant. The applicant has agreed to conditions to ensure that the wastewater usage does not exceed what has been permitted. Development of the site will be done in phases. The existing wastewater plant will have adequate facilities for phase one of the development. Should additional wastewater facilities be required for phase two, all necessary approvals shall be obtained from NCDEQ. (See the Agreed Upon Conditions)

COMMUNITY MEETING

A community meeting was held on February 22, 2022. Seven people attended the meeting, including staff. Questions primarily involved the start date, total acreage, site fencing or containment, the use of Ballast Rock Road, campground management, and noise concerns. A complete summary of the community meeting provided by the applicant is available in the supporting documentation attached to the staff report.

SURROUNDING PARCELS

	Land Use	Zoning
North	Commercial Park, Sand Mine	HI & GB
South	Commercial Park, Residential	LI, GB, AG
East	Residential	GB & MXR
West	Sand Mine, Wetlands	HI & GB

LAND USE PLAN

The 2006 Land Use Plan classifies this site as Full service within the Point Harbor subarea. The policy emphasis for the Point Harbor subarea is to allow portions of the Point Harbor area to continue to evolve as a full service community, but with better attention to the planning needed to protect residential areas and the natural features that work to make the area attractive.

Policy ED1	It promotes a new and expanding industry that diversifies the local economy, trains, and utilizes a more highly skilled labor force, and is compatible with the environmental quality of the county.
Policy ML4	With limited access from US 158 and a focus on landscaping and appearance standards, the request can have a positive impact on the long-term economic prospects for residents and property owners
Policy ES1	New development shall be permitted to locate only in areas with suitable soils and adequate infrastructure.
Policy ES2	Non-Coastal wetlands must be protected for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species.
Policy PP2	Adequate public facilities exist to support the associated growth associated with the development.

TECHNICAL REVIEW COMMITTEE RECOMMENDATION

Only conditions mutually agreed to by the owner(s) may be approved as part of a conditional zoning district. Conditions shall be limited to those that address conformance of development and use of the site with county regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use. No condition shall be less restrictive than the standards of the parallel general use zoning district. All conditions of the original approval remain valid (see attached conditional zoning approval order).

Agreed upon conditions of approval:

1. All proposed development will be consistent with and currently allowed within GB zoning.

2. The entire entrance to the campground shall be on the same parcel as the campground and under the same ownership as the campground.
3. "Private Access – Not for campground use" signage shall be placed where Ballast Rock Road terminates at the subject property line. The guard shack amenity and any other campground entrance/exit feature will be eliminated at this location.
4. Since the total wastewater capacity for the development is expected to exceed 60,000 gpd and wastewater capacity beyond 60,000 gpd is not available to the project at this time (per project engineer), the project will be developed in two phases:
 - a. Phase 1 shall include no more camp sites and amenities than will bring the total wastewater usage up to 60,000 gpd for the development.
 - b. Phase 2 (remaining campsites and amenities) shall not be developed until the proper state permits are issued and required system expansion is complete and operating in compliance with the state permits.

Staff Suggested conditions of approval that must be agreed upon by the applicant:

1. The project engineer shall designate the number of campsites and which amenities Phase 1 will include prior to site plan approval.

PLANNING BOARD RECOMMENDATION

On June 14, 2022, the Planning Board unanimously approved PB 22-06 H2OBX, LLC, conditional rezoning.

Motion: Mr. Bass moved to recommend approval of PB 22-06 H2OBX, LLC because the request is consistent with Land Use Plan policies: ED1, ML4, ES1, ES2, PP2.

The request is reasonable and in the public interest because it addresses a need to operate a desired businesses for tourists and perhaps an economic stimulus to local businesses that may share the customer base and residents who may work at the facility.

Mr. Hurley seconded the motion, and the motion was approved unanimously, 5-0. Chairman Ballance was recused from voting.

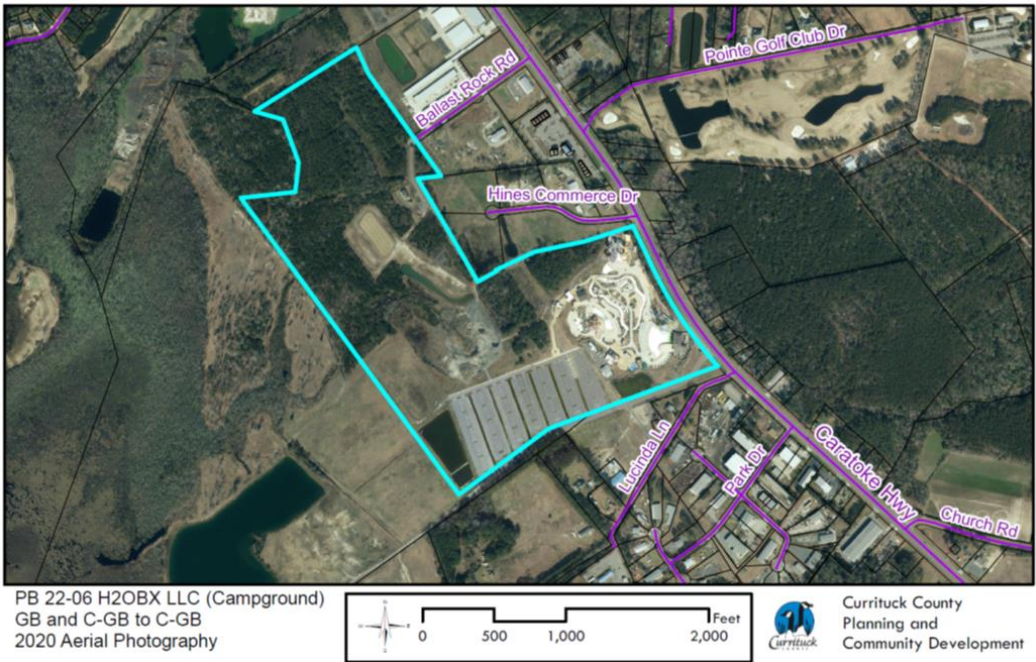
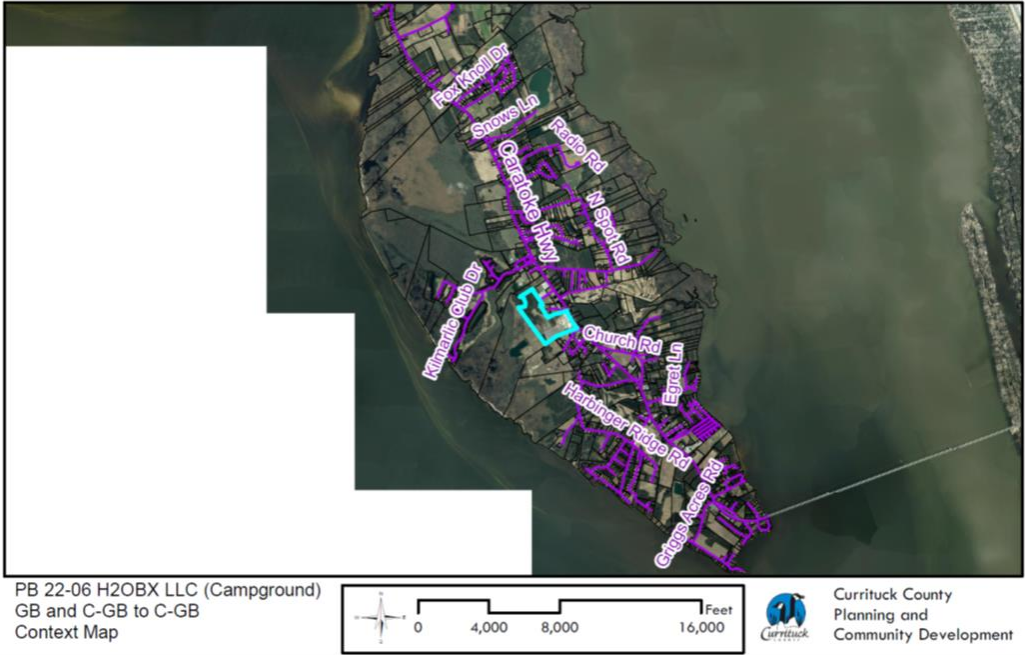
An amended conditional zoning is a legislative decision of the Board of Commissioners. In determining whether to approve or deny a conditional rezoning the Board of Commissioners shall adopt a written statement of consistency and reasonableness.

The requested amended conditional zoning is consistent with the 2006 Land Use Plan because:

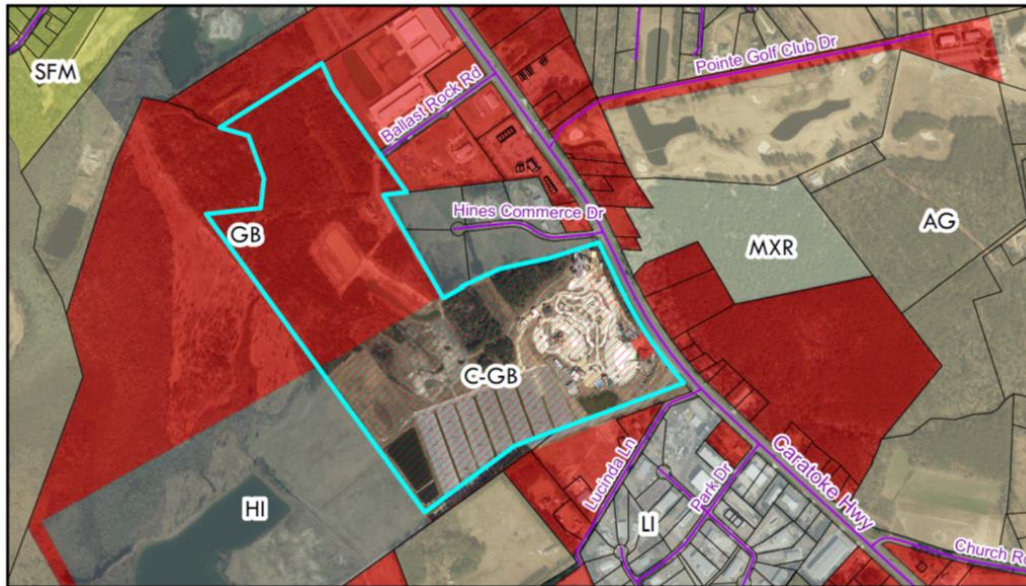
- The campground allows for a new and expanding tourist-oriented businesses in targeted tourist growth areas and allows for continued economic growth of our tourist industry. (Policies ED1, ED2, and ED3)
- There is adequate infrastructure available, both county and private services, and the plan mitigates impacts to the wetlands on the property by providing a minimum 30' setback from the wetlands to any development as required by the UDO. (Policies ES1 and ES2)
- The development will have no impact on schools, the water supply is sufficient, it will be served by private sewer, and law enforcement and fire and rescue reviewed the project without any noted concerns. (Policy PP2)

The request is reasonable and in the public interest because:

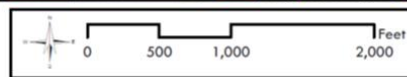
It addresses a need to operate a desired businesses for tourists and perhaps an economic stimulus to local businesses that may share the customer base and residents who may work at the facility.



Communication: Minutes for July 18, 2022 (Approval Of Minutes-July 18, 2022)



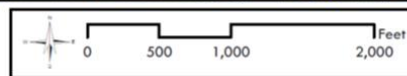
PB 22-06 H2OBX LLC (Campground)
GB and C-GB to C-GB
Zoning



Currituck County
Planning and
Community Development



PB 22-06 H2OBX LLC (Campground)
GB and C-GB to C-GB
LUP Classification



Currituck County
Planning and
Community Development

Development Services Director, Kevin Kemp, presented an overview of the Conditional Rezoning application that would allow for a campground to be constructed at the H2OBX Waterpark location. A conceptual site plan was displayed on the overhead for a review of amenities, access roads, and a phasing plan to accommodate wastewater capacity needs for the RV park. Supporting Land Use Plan policies, consistency statements, and review standards were presented. Mr. Kemp said the Technical Review Committee (TRC) recommended approval with conditions, as did the Planning Board. He responded to questions related to acreage, density, and reorientation of an existing pond. He confirmed the North Carolina Department of Transportation provided no comments relative to traffic.

Applicant and owner of H2OBX, Ken Ellis, addressed the Board. He said a campground would complement both the area and the waterpark and would not result in a lot of additional traffic. He reported an easement for the entry to the park is progressing forward, and he is working on a way to combine the parallel roadway included in the current design. He said the amenities shown in the conceptual plan will be included when the request comes back to the Board for site plan approval.

Commissioners expressed concerns with the parallel roadways and Mr. Ellis clarified he will work to find a solution for the road situation. County Manager, Ike McRee, reviewed the language in the campground text amendment resulting in the parallel access roads.

Chairman Payment opened the Public Hearing.

Diane and Jerry Siever of Lucinda Lane, next to the H2OBX Waterpark, voiced their concerns with increased traffic, an issue since construction of the water park, and wanted assurance that large campers would not travel down Lucinda Lane. Mrs. Siever is opposed to allowing the RV park. Mr. Siever said there needs to be a traffic signal at the location.

Gary Dunston of Kitty Hawk owns a business adjacent to the proposed RV campground and thinks it will be a good thing for the County. He expressed concern with the parallel entry road design, lack of highway signage noting the water park entrance, and potential difficulty large vehicles will experience turning into the southern entrance. Mr. Dunston said he is in favor of the project but recommended changes for easier entry and a text amendment to remedy some of the easement issues.

Responding to comments, Mr. Ellis said at site plan approval there will be changes made to provide for easier access.

Shay Balance of Jarvisburg Road represents the adjacent land owner and also does not agree with the parallel road. He said he developed an agreement that allows the use of the existing entry, and he supports a text amendment or variance to allow it. He said the road was previously used to access a mining operation, but the mine has reached its excavation limit and no mining traffic has been generated in the last few years. He reported the North Carolina Department of Transportation (NCDOT) agreed to reassess traffic if needed, and no accidents have been reported at the location.

No others were signed up nor wished to speak and the Public Hearing was closed.

Concerns were voiced over the lack of a traffic signal at the location, the parallel entry, and the potential for large campers to stack up in the deceleration lane on the highway. Mr. Ellis clarified there is a single entry, after which the road splits. He said he will be a proponent of working with NCDOT to alleviate traffic and stacking on the roadway, and said there will be ample space to stack within the park area. Mr. McRee confirmed that a campground licensing ordinance would be coming before the board within thirty to sixty days.

Commissioner Jarvis moved for approval of PB 22-06: H2OBX LLC (Campground)

because the request is consistent with Land Use Plan policies ED1, ML4, ES1, ES2, and PP2. The request is reasonable and in the public interest because it addresses a need to operate a desired business for tourists and perhaps and economic stimulus to local businesses that may share the customer base and residents who may work at the facility. Conditions include:

1. All proposed development will be consistent with and currently allowed within GB zoning.
2. The entire entrance to the campground shall be on the same parcel as the campground and under the same ownership as the campground unless otherwise modified by law.
3. "Private Access - Not for campground use" signage shall be placed where Ballast Rock Road terminates at the subject property line. The guard shack amenity and any other campground entrance/exit feature will be eliminated at this location.
4. Since the total wastewater capacity for the development is expected to exceed 60,000 gpd and wastewater capacity beyond 60,000 gpd is not available to the project at this time (per project engineer), the project will be developed in two phases:
 - a. Phase 1 shall include no more camp sites and amenities than will bring the total wastewater usage up to 60,000 gpd for the development.
 - b. Phase 2 (remaining campsites and amenities) shall not be developed until the proper state permits are issued and required system expansion is complete and operating in compliance with the state permits.
5. The project engineer shall designate the number of campsites and which amenities Phase 1 will include prior to site plan approval.
6. A traffic study be conducted by the applicant prior to the site plan approval process.

The applicant, Ken Ellis, confirmed agreement with the stated conditions.

Commissioner White seconded the motion. The motion carried, 6-0.

A brief recess was called at 7:15 PM. The meeting was reconvened at 7:26 PM.

RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]
MOVER:	Selina S. Jarvis, Commissioner
SECONDER:	Bob White, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

B. PB 22-10 Beach Buggy, LLC: Use Permit request for Auto Sales and Rental Use to sell low speed electric vehicles located at 5760 Caratoke Highway, Tax Map 84, Parcel 30E, Poplar Branch Township.

Attorney for the applicant addressed Commissioners and requested the matter be continued to August 15, 2022, Board of Commissioners meeting. Chairman Payment

moved to continue the item to August 15, 2022. Commissioner McCord seconded the motion and the motion carried, 6-0.

RESULT:	CONTINUED [UNANIMOUS]	Next: 8/15/2022 6:00 PM
MOVER:	Michael H. Payment, Chairman	
SECONDER:	Kevin E. McCord, Commissioner	
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner	

C. PB 22-07 Currituck County Text Amendment:

To: Board of Commissioners

From: Planning Staff

Date: June 21, 2022

Subject: PB 22-07 Currituck County Text Amendment
Campgrounds – Minor Corrections

The enclosed text amendment, submitted by Planning Staff, provides minor corrections to the recently adopted campground language.

BACKGROUND

In February 2022, the Board of Commissioners approved Text Amendment PB 21-29 to allow new campgrounds as a permitted use with conditional zoning approval. After implementation of this new language, minor grammar and reference issues were encountered by staff. This text amendment corrects the inconsistencies.

- Item 1 **Changes to UDO Section 4.2.4.J Visitor Accommodations**
For consistency with UDO verbiage - eliminates the word "facilities" in relation to infrastructure for consistency with current UDO language and the definition of infrastructure.; clarifies that campground driveways accessing a major arterial street shall meet Section 5.6.7. Driveway and Access standards and are exempt from increased setback requirements associated with new campgrounds.
Corrects a section reference number.
- Item 2 **Changes to UDO Section 8.2.6 Nonconforming Campgrounds**
Clarifies that campgrounds in existence prior to January 1, 2013 are considered nonconforming unless conditionally rezoned.
- Item 3 **Changes to UDO Section 10.5 Definitions**
Grammar change to definition of Alternative Camping Unit.

Text Amendment Review Standards

The advisability of amending the text of the UDO is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed text amendment:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan and

- other applicable county-adopted plans;
2. Is not in conflict with any provision of this Ordinance or the County Code of Ordinances;
 3. Is required by changed conditions;
 4. Addresses a demonstrated community need;
 5. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the county;
 6. Would result in a logical and orderly development pattern; and
 7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Staff Recommendation

Planning staff recommends approval of the request as submitted and suggests the following statement of Consistency and Reasonableness:

The requested zoning text amendment is consistent with the goals, objectives, and policies of the 2006 Land Use Plan including:

Land Use and Development Goal # 10 To properly distribute development forms in accordance with the suitability of the land, infrastructure available and the compatibility of surrounding land uses.

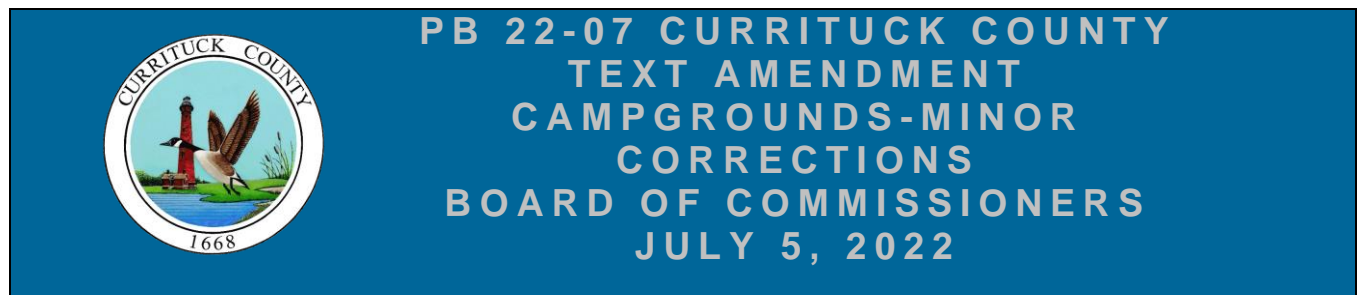
Policy ED 1: NEW AND EXPANIDNG INDUSTRIES AND BUSINESSES should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

The request is reasonable and in the public interest by correcting and clarifying language recently implemented in the Unified Development Ordinance.

Planning Board Recommendation

On June 14, 2022, the Planning Board approved PB 22-07 Currituck County Text Amendment.

Motion: Mr. Corbell moved to approve PB 22-07 because the request is consistent with Land Use and Development Goal #10 and Policy ED1 of the 2006 Land Use Plan and the request is reasonable and in the public interest by correcting and clarifying language recently implemented in the Unified Development Ordinance. Mr. Bass seconded the motion and the motion carried unanimously, 6-0.



Amendment to the Unified Development Ordinance Chapter 4: Use Standards, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurements, to add private campgrounds as an allowable use.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1: That Chapter 4, Section 4.2.4.J. is amended by adding the following underlined language and deleting the struck-through language and renumbering accordingly:

Private Campgrounds

Private campgrounds shall comply with all applicable standards in the county Code of Ordinances and the following standards:

Camping is an allowed use of land only in campgrounds and camper subdivisions.

All land used for the campground must be one parcel and under the same ownership.

Campgrounds shall be accessed from a major arterial street.

The minimum parcel size for a campground shall be 50 acres.

No campground shall be located within 5 miles from another campground as measured from exterior property lines of the campgrounds.

The maximum number of campsites permitted for a campground shall be 500 and a campsite density not exceeding 12 campsites per acre of land, whichever is less. CAMA and 404 wetland areas shall not be included in the density calculation.

The application shall include a conceptual development plan. The conceptual development plan shall be in accordance with Section 3.6.5 and shall also include the following:

Campsites, amenities, recreation areas and facilities, associated with campground use.

General location and total square feet of storage areas for recreational vehicles, boats, watercraft, and all associated trailers only.

Storage areas shall be used only by the owner of the facility, full-time employees, seasonal guests, or short-term guests.

The storage areas shall not exceed five acres or 10 percent of the total area of the campground. CAMA and 404 Wetlands shall not be included in the calculation.

All storage areas facing interior to the campground shall be screened by a minimum Type "B" buffer. Storage areas shall be screened from off-site views in accordance with Table 4.3.3.S, Outdoor Storage Screening.

General location of all required and proposed infrastructure.

All campsites, amenities, restroom, kitchen and laundry facilities, food service areas, recreation areas, camp stores, welcome centers, offices, parking areas and vehicular circulation areas (excluding driveways accessing a major arterial street) and infrastructure facilities shall be setback 100 feet from all property lines of the campground. The setback may be reduced by up to fifty feet from a property line, provided a Type "D" buffer is installed and maintained along all property lines where the setback is less than 100 feet. Driveways accessing a major arterial street shall meet the requirements of Section 5.6.7.

A Type "C" buffer shall be provided as a perimeter landscape buffer between campground projects and all adjacent properties, not separated from the property by a right-of-way greater than 20 feet in width, except as provided for in Section 4.2.4.J(10)(h)(iv) .3.g.iv.

Item 2: That Chapter 8 is amended by adding the following underlined language and deleting the struck-through language:

Nonconforming Campgrounds

Private campgrounds are not allowed as a principle use in Currituck County. All existing ~~campgrounds existing on January 1, 2013 shall receive conditional rezoning approval to be a conforming use. Any campground without conditional rezoning approval shall be a nonconforming use.~~ Nonconforming campgrounds and campground subdivisions are nonconforming uses subject to the following standards:

Item 3: That Chapter 10 is amended by deleting the struck-through language and renumbering accordingly:

10.5 DEFINITIONS

ALTERNATIVE CAMPING UNIT

A camping unit constructed of canvas or other similar materials, not to exceed 400 square feet in area, ~~to~~ intended to locate in a campground and used as temporary quarters for shelter during period of recreation, vacation, leisure time of travel and shall not be used for permanent living quarters. Alternative camping units shall be constructed for compliance with the applicable North Carolina Building Code and Section 7.4 of this ordinance. The unit may or may not include kitchen and restroom facilities. The term alternative camping unit includes terms such as yurts, eco-tents, safari tents or other similar names.

Item 4: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2022.

Kevin Kemp, Development Services Director, reviewed the text amendment language revisions, most of which corrected grammatical errors or provided reference clarifications. No substantive changes to content were made. Text amendment review standards were presented, and Mr. Kemp responded to questions.

Chairman Payment opened the Public Hearing. No one was signed up nor wished to speak and the Public Hearing was closed.

Commissioner White moved for approval of PB 22-07, Currituck County Text Amendment, because the request is consistent with Land Use and Development Goal #10 and Policy ED1 of the 2006 Land Use Plan. The request is reasonable and in the public interest by correcting and clarifying language recently implemented in the Unified Development Ordinance.

Chairman Payment seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Michael H. Payment, Chairman
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

NEW BUSINESS

A. Consideration of an Amendment to the Board of Commissioners Rules of Procedure to Provide for a Reading of a Code of Ethics Statement at Each Meeting

Chairman Payment introduced the item and County Manager/Attorney, Ike McRee, confirmed the adequacy of the ethics statement in the proposed draft. Commissioner Mary Etheridge read the statement for the record and made a motion to include a reading of the ethics statement at each meeting and to adopt the Ordinance in its entirety as presented. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

Mr. McRee reviewed the purpose of the statement and change to the Board's Rules of Procedure to now include the statement as the third item on meeting agenda.

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING SECTIONS 2-63 AND 2-65 OF THE CURRITUCK COUNTY, NORTH CAROLINA CODE OF ORDINANCES PROVIDING FOR INCLUSION OF AN ETHICS AWARENESS AND CONFLICT OF INTEREST REMINDER ON THE BOARD OF COMMISSIONERS' AGENDA

WHEREAS, pursuant to N.C. Gen. Stat. §153A-71 a board of commissioners may adopt its own rules of procedure in keeping with the size and nature of the board and in the spirit of generally accepted principles of parliamentary procedure.

WHEREAS, under Chapter 2, Division 3. Code of Ethics of the Code of Ordinances for Currituck County a county commissioner should uphold the integrity and independence of his or her office, avoid impropriety and the appearance of impropriety in all his or her activities, conduct the affairs of the board in an open and public manner and regulate his or her extra-governmental activities to minimize the risk of conflict with his or her official duties; and

WHEREAS, a reminder at the beginning of any meeting of the Board of Commissioners of a commissioner's duty to avoid conflicts of interest and to continually monitor, evaluate and manage the commissioner's personal, financial and professional affairs to ensure the absence of conflicts of interest will enhance the public interest in open government.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina as follows:

PART I. Sec. 2-63 of the Code of Ordinances, Currituck County, North Carolina is rewritten to read as follows:

Sec. 2-63. Power of chair.

The chair shall preside at all meetings of the board. A member must be recognized by the chair in order to address the board. The chair shall have the power to:

- (1) Rule motions in or out of order, including the right to rule out of order any motion patently offered for obstructive or dilatory purpose;
- (2) Determine whether a speaker has gone beyond reasonable standards of courtesy in ~~his~~ their remarks and entertain and rule on objections from other members on this ground;
- (3) Entertain and answer questions of parliamentary law or procedure;
- (4) Call a brief recess at any time;
- (5) Adjourn in an emergency;

(6) Read, or designate someone to read, the following ethics awareness and conflict of interest reminder itemized in the board agenda order of business:

Pursuant to G.S. 153A-44, a commissioner has a duty to vote on matters coming before the board but may be excused from voting on issues involving the commissioner's own financial interest, official conduct or on matters on which the commissioner is prohibited from voting under G.S. 14-234, 153A-340(g), or 160A-388(e)(2). In accordance with Chapter 2, Division 3 of the Currituck County Code of Ordinances, it is the duty of every commissioner to avoid both conflicts of interest and appearances of conflict.

Does any commissioner have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board of Commissioners in this meeting? If so, please identify the conflict or appearance of conflict.

PART II. Sec. 2-65 of the Code of Ordinances, Currituck County, North Carolina is rewritten to read as follows

Sec. 2-65. Order of business.

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

- (1) Call to order;
- (2) Invocation and pledge of allegiance;
- (3) Ethics awareness and conflict of interest reminder;
- ~~(3)~~(4) Approval of agenda;
- ~~(4)~~(5) Public comment;
- ~~(5)~~(6) Commissioner reports;
- ~~(6)~~(7) County manager's report;
- ~~(7)~~(8) County attorney's report;
- ~~(8)~~(9) Administrative reports;
- ~~(9)~~(10) Old business;
- ~~(10)~~(11) Public hearings;
- ~~(11)~~(12) New business;
- ~~(12)~~(13) Board appointments;
- ~~(13)~~(14) Consent agenda;
- ~~(14)~~(15) Approval of minutes;
- ~~(15)~~(16) Adjournment.

Without objection, the chair may call items in any order most convenient for the dispatch of business.

PART III. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART IV. This ordinance is effective immediately upon adoption.

ADOPTED this 18th day of July 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Selina S. Jarvis, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

B. Appointment of Megan E. Morgan as County Attorney and Consideration of County Attorney Employment Agreement

County Manager, Ike McRee, reported that the offer of employment and employment agreement have been accepted by Megan E. Morgan, who has been selected to fill the County Attorney position. He said Ms. Morgan will begin work on August 1, 2022. Commissioner Jarvis moved for approval and Commissioner Mary Etheridge seconded the motion. The motion carried, 6-0.

Ms. Morgan attended the meeting and took a moment to address the Board, thanking them for the opportunity.

C) Board Appointments

1. Game Commission

Chairman Payment nominated Louis Davis to serve on the Game Commission. Commissioner White seconded the motion and the motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael H. Payment, Chairman
SECONDER:	Bob White, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

2. Senior Citizens Advisory

Commissioner McCord nominated Donna McCormick to serve on the Senior Citizens Advisory. Chairman Payment seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin E. McCord, Commissioner
SECONDER:	Michael H. Payment, Chairman
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

D) Consent Agenda

Commissioner Beaumont moved for approval of the Consent Agenda. Commissioner White seconded the motion. The motion carried, 6-0, and Consent Agenda items were approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Vice Chairman
SECONDER:	Bob White, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

1. Budget Amendment

20230001		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
51848-599005	JPK foundation repairs 2023	\$ 50,000	
51848-595009	CCHS Roof Coating Phase I	\$ 240,000	
51380-425001	State Lottery Proceeds		\$ 290,000
		\$ 290,000	\$ 290,000
Explanation:	School Construction (51848) - Increase appropriations for foundation repairs and JP Knapp Early College and roof coating at Currituck County High School.		
Net Budget Effect:	School Construction Fund (51) - Increased by \$290,000.		

2. Resolution Appointing County Assessor and Tax Collector

RESOLUTION APPOINTING COUNTY ASSESSOR AND TAX COLLECTOR

WHEREAS, N.C.G.S. 105-349 charges the governing body of each county and municipality to appoint a Tax Collector to serve a term to be determined by the governing body; and

WHEREAS, N.C.G.S. 105-294 charges the board county commissions of each county to appoint a County Assessor to serve a term of not less than two nor more than four year; and

WHEREAS, Tracy L. Sample was first appointed Tax Collector and County Assessor on October 7, 1996 and has held these offices continuously thereafter.

NOW, THEREFORE BE IT RESOLVED by the Currituck County Board of County Commissioners that:

Tracy L. Sample is appointed Currituck County Tax Collector and Currituck County Assessor effective July 1, 2022 for a four year term expiring on June 30, 2026.

ADOPTED this, 18th day of July, 2022.

3. Project Ordinance-School Lottery Funds for CCHS Roof Coating, Phase I

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is Currituck County High School roof coating - Phase I, sloped roof.

SECTION 2. The following amounts are appropriated for the project:

JPK foundation repairs	\$ 50,000
	<u>\$ 50,000</u>

SECTION 3. The following funds are available to complete this project:

Lottery Funds	\$ 50,000
	<u>\$ 50,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 18th day of July 2022.

4. Project Ordinance-School Lottery Funds for JP Knapp Early College Foundation Repairs

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is foundation repairs at JPK Early College High School A Building.

SECTION 2. The following amounts are appropriated for the project:

JPK foundation repairs	\$ 50,000
	<u>\$ 50,000</u>

SECTION 3. The following funds are available to complete this project:

Lottery Funds	\$ 50,000
	<u>\$ 50,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not

require formal competitive bid procedures.

- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 18th day of July 2022.

5. Job Description Revisions

6. Surplus Resolution-Communications

RESOLUTION				
<p>WHEREAS, THE Board of Commissioners of the County of Currituck, North Carolina during its regularly scheduled meeting authorized the following, pursuant to G.S. 160A and 270(b) that the property listed below will be sold at auction, negotiated sale or will be disposed of if not sellable.</p>				
County				
Asset Tag	Description	Notes	Serial Number	PO#
9558	vesta 911 command post unit 1	Backup PSAP phones		20171629
9559	vesta 911 command post unit 2	Backup PSAP phones		20171629
9560	vesta 911 command post unit 3	Backup PSAP phones		20171629
9561	vesta 911 VOIP System Network	Backup PSAP equipment		20171289
6384	wrightline console furniture CAD1	Primary PSAP furniture		20070236
6385	watson console furniture CAD2	Primary PSAP furniture		20070236
6386	watson console furniture CAD3	Primary PSAP furniture		20070236
7884	watson console furniture CAD4	Primary PSAP furniture		20130391
9093	vesta e911 workstation 1	Primary PSAP Phones		20160666
9094	vesta e911 workstation 2	Primary PSAP Phones		20160666
9095	vesta e911 workstation 3	Primary PSAP Phones		20160666
9096	vesta e911 workstation 4	Primary PSAP Phones		20160666
6208	Command Radio Consoles from Waterlily site	Waterlily site	124CGB0082	20060639
6209	Command Radio Consoles from Waterlily site	Waterlily site	124CGB0083	20060639
<p>NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the County of Currituck reserves the right to reject any and all bids.</p>				
ADOPTED, this 18th day of July, 2022.				

7. Amended-Letter of Support for Open-Heart Surgery Program at Chesapeake Regional Medical Center

8) Approval Of Minutes-6/15/2022 Work Session; 6/20/2022, 6/27/2022**1. Minutes for June 15, 2022 Work Session****2. Minutes for June 20, 2022****3. Minutes for June 27, 2022-Reconvened****CLOSED SESSION**

- 1. Amended-Closed Session Pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county; and, pursuant to G.S. 143-318.11(a)(5) to establish or to instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property for property located at 2878 Caratoke Highway owned by Daniel W. Humphrey, and unaddressed property located at West Side Lane owned by Amy D. Wells and Ronald K. Bennett, to be used for any governmental purpose.**

Chairman Payment entered the Board into Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county; and, pursuant to G.S. 143-318.11(a)(5) to establish or to instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property for property located at 2878 Caratoke Highway owned by Daniel W. Humphrey, and unaddressed property located at West Side Lane owned by Amy D. Wells and Ronald K. Bennett, to be used for any governmental purpose.

ADJOURN**Motion to Adjourn Meeting**

Commissioners returned from Closed Session and had no further business. Commissioner White moved for adjournment and Commissioner Jarvis seconded the motion. The motion carried, 6-0, and the regular meeting of the Board adjourned at 8:02 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Selina S. Jarvis, Commissioner
AYES:	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner