



**CURRITUCK COUNTY  
NORTH CAROLINA**

October 17, 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	
J. Owen Etheridge	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Absent	
Selina S. Jarvis	Commissioner	Present	
Kevin E. McCord	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Payment called the meeting to order.

**A) Invocation & Pledge of Allegiance**

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

Chairman Payment reported that the meeting would not be live-streamed due to technical difficulties but was being transmitted via Facebook Live.

**B) Ethics Awareness and Conflicts of Interest Statement**

Commissioner Jarvis read the Ethics Awareness and Conflicts of Interest Statement. No conflicts were disclosed.

**C) Approval of Agenda**

Commissioner White moved to amend the agenda and canceled the Special Meeting of the Ocean Sands Water and Sewer District Board. Commissioner J. Owen Etheridge seconded the motion. The motion carried, 6-0.

Approved agenda:

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance
- B) Ethics Awareness and Conflicts of Interest Statement
- 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) State of North Carolina Legislative Update Presented by State Senator Bobby Hanig and State House Representative S. Paul O'Neal
- B) US Motto Action Committee Presentation-Rick Lanier

Public Hearings

- A) Public Hearing and Consideration of a Resolution and Order Closing a Portion of Simpson Road (SR 1280), Barco, Crawford Township

New Business

- A) Ordinance of the Currituck County Board of Commissioners Amending Chapter 9, Article I of the Currituck County Code of Ordinances by Adding Section 9-11 Prohibiting the Burning of Materials on Construction Sites Located at the Beach
- B) Ordinance of the Currituck County Board of Commissioners Amending Section 10-104 of the Currituck County Code of Ordinances Prohibiting All Beach Fires
- C) An Ordinance of the Currituck County Board of Commissioners Amending Chapter 3, Sections 3-1(c), 3-2, 3-29(a), 3-63, 3-64, 3-67, 3-71(b), 3-72(a), 3-73, 3-78, 3-79(b)-(d), 3-84, 3-87, 3-201(c), 3-234, and 2-325 of the Currituck County Code of Ordinances (Animal Services & Control)
- D) Resolution of the Currituck County Board of Commissioners Supporting State Legislation that Addresses Dangerous and Unsafe Digging on the Beach

## E) Consent Agenda

1. Budget Amendments
2. Project Ordinance-School Lottery Funds, CCHS Roof Coating-Phase II
3. Surplus Resolution-DSS Vehicle
4. Resolution Authorizing County Manager to Sign ABC Permits
5. Job Title and Descriptions Revisions-Travel & Tourism
6. Approval Of Minutes-October 3, 2022

AdjournSpecial Meeting-Tourism Development Authority

## TDA Budget Amendments

Adjourn TDASpecial Meeting-Ocean Sands Water and Sewer District Board

## OSWSD Budget Amendments

Adjourn OSWSD Board **OSWSD Board Special Meeting was cancelled.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	J. Owen Etheridge, Commissioner
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, 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 opened the Public Comment period. There were no speakers and the Public Comment period was closed.

**COMMISSIONER'S REPORT**

Commissioner Jarvis participated in a roundtable discussion with educators and state legislators to talk about furthering vocational education in Currituck County and looks forward to continued conversation on this initiative. She attended an Historic Currituck Properties tour and thanked the Historic Preservation Commission and Currituck Chamber for organizing the event that was attended by hundreds of people. Homes in Shawboro and the Historic Courthouse area were toured. She recognized staff who organized the recent Fall Retreat Commissioners attended.

Commissioner White thanked County staff for and coordinating the first day of the Fall Retreat in Corolla for discussion of beach issues. Commissioners and several staff members also toured the beach to assess conditions following several weather events.

Chairman Payment thanked the Board for a productive Fall Retreat that will give them a good head start going into Spring. He encouraged citizens to volunteer for their local Fire Departments. Chairman Payment announced the absence of Commissioner Mary Etheridge.

Commissioner Beaumont discussed the number of citizens who attended the Fall Retreat in Corolla due to it being scheduled during Owners Week. He reported he visited with or presented to several communities during Owners Week to discuss Corolla issues. He attended successful events at the Moyock Volunteer Fire Department and the Crawford Volunteer Fire Department, and reported that many who attended the events were not from Currituck County. Commissioner Beaumont asked the County Attorney to review whether the Board of Commissioners has any responsibility, financial or otherwise, related to Currituck County Schools Superintendent residency requirements or litigation matters. Megan Morgan, County Attorney, confirmed any responsibility pertaining to school matters will lie with Currituck County Schools and the Board of Education. Commissioner Beaumont announced dates for Early Voting and the County's Bulls and BBQ event.

Commissioner McCord thanked County staff for coordinating the off-site Fall Retreat and spoke of the storm damage noted while on a tour of the beach. He reported on a successful Sheriff's Community Night and encouraged citizens to follow school websites for fall festivals and halloween events. Upcoming County events were announced, and he asked that First Responders be remembered over the holiday season.

Commissioner J. Owen Etheridge announced his attendance at recent events held in the County and also noted many who attended the Sheriffs Night Out, Moyock Volunteer Fire Department Community Day, and the Crawford Volunteer Fire Department Fundraiser lived outside of Currituck County. He thanked County staff for organizing the Fall Retreat and Commissioner White for the beach tour.

#### **COUNTY MANAGER'S REPORT**

County Manager, Ike McRee, explained the reason for the cancellation of the Special Meeting of the Ocean Sands Water and Sewer District (OSWSD) Board. The County is purchasing a building to house water clerks and support staff, but concerns raised by some citizens in Corolla prompted removal of an OSWSD budget amendment to fund a portion of the cost of the building. Mr. McRee said the district was created out of a settlement agreement with Coastland Corporation, and led to the County providing water and sewer service to the Ocean Sands subdivision. He explained the duties of the OSWSD Advisory Board, which makes recommendations to the District, but has no authority. Mr. McRee said initial funding will come from elsewhere so the real estate closing can move forward, and staff will look at the OSWSD to ensure the district is paying all of the costs for the system. He provided additional information to Commissioner Beaumont regarding his questions on schools, and explained the Board of Education has governmental immunity similar to the County, and the school system would pay up to the amount of insurance available to cover the issue.

#### **COUNTY ATTORNEY'S REPORT**

No report.

## **ADMINISTRATIVE REPORTS**

### **A. State of North Carolina Legislative Update Presented by State Senator Bobby Hanig and State House Representative S. Paul O'Neal**

Chairman Payment introduced North Carolina state Senator Bobby Hanig and North Carolina House Representative S. Paul O'Neal, who attended to present a legislative update to Commissioners and report on legislation taken up by the North Carolina General Assembly.

Both Senator Hanig and Representative O'Neal discussed their role in providing constituent services, and recognized the work of Commissioners and challenges they are facing in the County. Senator Hanig presented state budget highlights that included funding for schools, broadband, transportation and water and sewer infrastructure. He said North Carolina is in excellent financial shape because of the sound decisions made by the legislature, and reported North Carolina has the number one economy in the United States.

Representative O'Neal addressed the Board and recalled his appointment to fill the House vacancy left by Senator Hanig. He discussed several issues important to Currituck County that will be addressed when the legislature meets in January. He said he is honored and grateful for the time he will have to serve.

Senator Hanig and Representative O'Neal provided contact information during presentation and responded to questions from Commissioners. Senator Hanig said the Mid-Currituck Bridge construction is still on track for a 2024 start, and he is confident the current lawsuit will be settled so the bridge can move forward. Board members acknowledged the work they do and thanked both for attending.

### **B. US Motto Action Committee Presentation-Rick Lanier**

Commissioner J. Owen Etheridge introduced Rick Lanier, Co-founder and Field Director of the US Motto Action Committee, who presented information on his organization that encourages local governments in North Carolina to display the United States motto, "In God We Trust", at government facilities. Mr. Lanier provided a history of the motto's origins as a demonstration of patriotism and several photos were displayed that showed government buildings with the lettering installed. A sample mock up of locations in Currituck County were shown, and he said the lettering is provided free to the government body.

All Commissioners were not present and the Board chose to wait to adopt a Resolution. Commissioner Jarvis moved to have a Resolution prepared for consideration at the next meeting. Commissioner Beaumont seconded the motion. The motion carried, 6-0.

County Attorney, Megan Morgan, suggested the Resolution be specific as to the facilities and locations where lettering will be installed.

The meeting was recessed at 7:05 PM and reconvened at 7:15 PM.

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

## **PUBLIC HEARINGS**

### **A. Public Hearing and Consideration of a Resolution and Order Closing a Portion of Simpson Road (SR 1280), Barco, Crawford Township**

County Attorney, Megan Morgan, reviewed the request to close a portion of Simpson Road, Barco, adjacent to Frog Island Seafood to allow for expansion at the restaurant. Applicant and owner, Robert White, owns the property on both sides of the road, and the closure would not affect ingress or egress for any other property owner. Bill Brumsey, Attorney for Mr. White, addressed the Board and briefly reviewed the request for the closure. He said he was not aware of any objections related to the closure.

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

Commissioner McCord move for approval of the Resolution to close Simpson Road. Commissioner J. Owen Etheridge seconded the motion. The motion carried, 6-0.

### **RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CURRITUCK, NORTH CAROLINA CLOSING A PORTION OF SIMPSON ROAD IN CRAWFORD TOWNSHIP**

WHEREAS, a preliminary resolution declaring the intent of the Board of Commissioners to close a portion of Simpson Road was adopted at a regular meeting of the Board of Commissioners for the County of Currituck on October 3, 2022 and a public hearing on the question was called for 6:00 P.M. on October 17, 2022 at the Historic Currituck Courthouse, Currituck, North Carolina for the purpose of hearing objections to the closing a portion of Simpson Road (SR 1280), Barco, Crawford Township; and

WHEREAS, notice of such public hearing has been published once a week for three successive weeks in The Daily Advance and The Coastland Times, a newspaper published and having a general circulation in Currituck County, North Carolina and at least two notices of the closing and the public hearing has been prominently posted along a portion of Simpson Road which is to be closed and

abandoned; and

WHEREAS, the public hearing was conducted at 6:00 P.M. on October 17, 2022 at the Historic Currituck Courthouse, Currituck, North Carolina and said public hearing was conducted for the purpose of hearing objections to closing a portion of Simpson Road at which time all parties and persons interested were given an opportunity to be heard; and

WHEREAS, the Board of Commissioners, after considering all matters has determined that the closing a portion of Simpson Road the will not be detrimental to the public interest or to any individual property rights and further the Board of Commissioners is satisfied that closing a portion of Simpson Road is not contrary to the public interest and that because the property served by the subject roads is owned by one corporation, there is no individual owning property that would thereby be deprived of reasonable means of ingress and egress to their property.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Currituck that a portion of Simpson Road is permanently closed and abandoned, and that the right, title and interest in a portion of Simpson Road is vested in the owners of the parcels of land adjoining the abandoned roadway which is more particularly described as follows:

**A Portion Of Simpson Road:** Beginning at the northeast corner of the Currituck County tax parcel 00690000110000 owned by Robert D. White (deed book 1612 page 486) and depicted on a map titled Tabb Associates recorded in the Currituck County Register of Deeds in deed book 267 page 325. Thence in a northwesterly direction approximately 60' +/- to the southeast corner of the Currituck County tax parcel 0069000005A0000 owned by Robert D. White (deed book 937 page 624) and depicted on a map titled Recombination Plat Robert D. White Property recorded in the Currituck County Register of Deeds in Plat Cabinet J slide 38. Then in a southwest direction 162.12' to a point, continuing in a southwest direction 85.1' to a point in the eastern right of way of highway 158, both points depicted on the plat recorded in plat cabinet J slide 38. Thence in a southeast direction along the eastern right of way of highway 158 approximately 60' +/-, parallel to an existing guard rail, to a right of way monument in the northwest corner of the Currituck County tax parcel 006900000060000 owned by Robert D. White (deed book 1612 page 486) and depicted on sheet 4 of North Carolina Department of Transportation project 8.1040901 in the Currituck County Register of Deeds. Thence a northeast direction approximately 79' +/- to a point, continuing in a northeast direction 166.16' to the point and place of beginning.

See attached map listed as Exhibit A

BE IT FURTHER RESOLVED, that a copy of this Resolution be certified to the

Register of Deeds of Currituck County and recorded in the Currituck County Registry.

This the 17th day of October 2022.

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

## NEW BUSINESS

### A. Ordinance of the Currituck County Board of Commissioners Amending Chapter 9, Article I of the Currituck County Code of Ordinances by Adding Section 9-11 Prohibiting the Burning of Materials on Construction Sites Located at the Beach

County Attorney, Megan Morgan, reviewed language included in a new Ordinance, requested by Commissioners, that would prohibit the burning of materials at construction sites located on the County's beach area. Ms. Morgan explained the Ordinance would require a second reading due to the criminal penalty provision established in the Ordinance.

Ms. Morgan responded to questions during review. She confirmed the language also pertains to lot clearing. Commissioner White moved for approval and Commissioner Jarvis seconded the motion. The motion carried, 6-0, and the Ordinance passed the first reading.

<b>RESULT:</b>	<b>ORDINANCE PASSED FIRST READING [UNANIMOUS]Next: 11/7/2022 6:00 PM</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Selina S. Jarvis, Commissioner
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

### B. Ordinance of the Currituck County Board of Commissioners Amending Section 10-104 of the Currituck County Code of Ordinances Prohibiting All Beach Fires

County Attorney, Megan Morgan, reviewed the Ordinance amendment which was requested by Commissioners based on discussion at their Fall Retreat on October 10, 2022. Language was added to prohibit all burning on the beach with the exception of fire fueled by



propane. A second reading would be necessary due to the penalty provision included in the Ordinance.

Commissioner White moved for approval. Commissioner Jarvis seconded the motion. The motion carried, 6-0, and the Ordinance passed the first reading.

<b>RESULT:</b>	<b>ORDINANCE PASSED FIRST READING [UNANIMOUS]</b> Next: 11/7/2022 6:00 PM
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Selina S. Jarvis, Commissioner
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

**C. An Ordinance of the Currituck County Board of Commissioners Amending Chapter 3, Sections 3-1(c), 3-2, 3-29(a), 3-63, 3-64, 3-67, 3-71(b), 3-72(a), 3-73, 3-78, 3-79(b)-(d), 3-84, 3-87, 3-201(c), 3-234, and 2-325 of the Currituck County Code of Ordinances (Animal Services & Control)**

County Attorney, Megan Morgan, presented changes to the Ordinance that establishes laws pertaining to the safety and treatment of animals and clarifies the responsibility and authority of the Department of Animal Services and Control. Language modifications for each section of the Ordinance modified were reviewed and the criminal penalty assessment was explained. She said the revisions were discussed with Animal Services and Control staff and will ensure compliance with state regulations. She said a second reading would be needed because of the penalty provision in the Ordinance.

Commissioner Jarvis questioned the provision requiring cats to wear a rabies tag and collar. Commissioner Beaumont suggested the item be tabled to allow Commissioners more time for review. Members agreed to present any changes for consideration at a second reading of the Ordinance at the November 7, 2022, Commissioners meeting.

**D. Resolution of the Currituck County Board of Commissioners Supporting State Legislation that Addresses Dangerous and Unsafe Digging on the Beach**

County Manager, Ike McRee, reviewed the Resolution supporting action by the General Assembly that grants local governments greater authority to regulate excessive, dangerous, and unsafe digging on the County's beaches. Mr. McRee said Resolutions have been adopted by several other coastal communities, and Currituck County supports the effort to establish local legislation.

Commissioner White moved for approval. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS  
IN SUPPORT OF LEGISLATION CONCERNING EXCESSIVE AND UNSAFE  
DIGGING OR PILING OF SAND ON THE OCEAN BEACH**

WHEREAS, there is a notable increase in the number and size of holes and resulting dangerous conditions from excessive and unsafe digging and piling of sand from the holes on the ocean beach; and

WHEREAS, studies and experience show that large holes on a beach can collapse, trapping humans and marine life, resulting at times in serious injury or death and can cause damage to motor vehicles and equipment traversing the ocean beach; and

WHEREAS, the Currituck County Board of Commissioners has enacted an ordinance concerning excessive and unsafe digging or piling of sand on the ocean beach finding that excessive piling of sand or digging of holes in the sand of the county's ocean beaches affects the health, safety and welfare of the county's citizens and visitors by: (i) creating hazards for those traveling the ocean beaches during times of reduced visibility; (ii) unreasonably restricting the ability of emergency, lifesaving, public service and other motor vehicles to travel the ocean beach; (iii) creating hazards for endangered and protected species such as sea turtles which use the ocean beach at night; and (iv) creating the possibility of collapse of sand upon users of the ocean beach, particularly children; and

WHEREAS, although adopted under general authority of counties to enact ordinances to prohibit or abate acts or conditions detrimental to the health, safety or welfare of their citizens and peace and dignity of the counties, the enactment of state legislation clearly identifying authority to regulate the excessive and unsafe digging or piling of sand on the ocean beach and penalty for such acts would be beneficial to coastal towns and counties seeking to address the issue.

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

Section 1. Currituck County supports the enactment of state legislation that increases local government authority to address dangerous conditions caused by excessive and unsafe digging and piling of sand from the holes on the ocean beach.

Section 2. The Clerk to the Board of Commissioners shall forward a copy of this resolution to the county's legislative delegation and those coastal cities, towns and counties that have adopted resolutions requesting similar legislative authority.

ADOPTED the 17<sup>th</sup> day of October, 2022.

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

## E) Consent Agenda

Commissioner Jarvis moved for approval of Consent Agenda. Commissioner J. Owen Etheridge seconded the motion. The motion carried, 6-0.

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

## 1. Budget Amendments

20230025		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
43390-499900	Fund Balance Appropriated		\$ 345,000
43848-587061	T T - Mainland Water Operating Fund	\$ 345,000	
61390-495043	T F - Land Banking Fund		\$ 345,000
61390-495066	T F - Southern Outer Banks Water Fund		\$ 340,000
61390-499900	Retained Earnings Appropriated		\$ 340,000
61818-590000	Capital Outlay	\$ 1,025,000	
66360-470000	Utilities Charges		\$ 170,000
66360-471000	Tap & Connections Fees		\$ 20,000
66390-499900	Retained Earnings Appropriated		\$ 150,000
66868-587061	T T - Mainland Water Operating Fund	\$ 340,000	
		<u>\$ 1,710,000</u>	<u>\$ 1,710,000</u>
<b>Explanation:</b>	Land Banking (43848); Mainland Water (61818); Southern Outer Banks Water (66868) - Increase appropriations to purchase property at 2878 Caratoke Highway, Currituck, NC, closing costs and upgrades to make facility operational for additional office space.		
<b>Net Budget Effect:</b>	Land Banking Fund (43) - Increased by \$345,000. Mainland Water Fund (61) - Increased by \$1,025,000. Southern Outer Banks Water Fund (66) - Increased by \$340,000.		
20230026		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
61818-590000	Capital Outlay		\$ 8,000
61818-553000	Dues & Subscriptions	\$ 6,200	
61818-536000	Uniforms	\$ 1,800	
		<u>\$ 8,000</u>	<u>\$ 8,000</u>
<b>Explanation:</b>	Mainland Water (61818) - Transfer budgeted funds for cost increases for certifications for Mainland Water staff and increased costs of PPE uniforms.		
<b>Net Budget Effect:</b>	Mainland Water Fund (61) - No change.		

20230027			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
66868-536000	Uniforms	\$	500	
66868-526000	Advertising			\$ 500
		\$	500	\$ 500
<b>Explanation:</b>	Southern Outer Banks Water (66868) - Transfer budgeted funds for cost increases for PPE uniforms for Southern Outer Banks Water staff.			
<b>Net Budget Effect:</b>	Southern Outer Banks Water Fund (66) - No change.			
20230028			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
10430-514000	Travel			\$ 600
10430-516000	Maintenance & Repair	\$	600	
		\$	600	\$ 600
<b>Explanation:</b>	Elections (10430) - Transfer budgeted funds to rekey the office doors in the Board of Elections office.			
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.			
20230029			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
10750-590000	Capital Outlay	\$	5,585	
10390-499900	Appropriated Fund Balance			\$ 5,585
		\$	5,585	\$ 5,585
<b>Explanation:</b>	Social Services Administration (10750) - To carry-forward funds to replace HVAC in the DSS building.			
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$5,585.			

20230030		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10530-536000	Uniforms	\$ 3,000	
10541-532000	Supplies	\$ 4,500	
10541-536000	Uniforms	\$ 200	
10541-590000	Capital Outlay		\$ 7,700
210541-532000	Supplies	\$ 4,500	
210541-536000	Uniforms	\$ 4,000	
210541-590000	Capital Outlay		\$ 8,500
220548-532015	Supplies	\$ 4,000	
220548-536015	Uniforms	\$ 5,000	
220548-590000	Capital Outlay		\$ 9,000
		\$ 25,200	\$ 25,200
<b>Explanation:</b> Emergency Medical Services (10530); County Fire Services (10541); Corolla Fire Services (210541); Knotts Island Fire Services (220548) - Transfer budgeted funds to reclassify Personal Protective Equipment that did not meet the Capital Outlay threshold.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change. Corolla Fire Service District Fund (210) - No change Knotts Island Fire Service District Fund (220) - No change.			
20230031		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10510-590000	Capital Outlay	\$ 307,092	
10390-495015	T F - Occupancy Tax Fund		\$ 307,092
		\$ 307,092	\$ 307,092
<b>Explanation:</b> Sheriff (10510) - Increase appropriations to replace four vehicles used for patrol on the Currituck Outer Banks.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$307,092.			

20230031			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
51848-595010	CCHS ROOF COATING PH II	\$	300,000	
51380-425001	STATE LOTTERY PROCEEDS			\$ 300,000
		\$	300,000	\$ 300,000
<b>Explanation:</b>	School Capital Construction Fund (51848) - Increase appropriations to record CCHS Roof Replacement Phase II to be paid from the NC Lottery Maintenance and Repair Fund.			
<b>Net Budget Effect:</b>	School Capital Construction Fund (51) - Increased by \$300,000.			

## 2. Project Ordinance-School Lottery Funds, CCHS Roof Coating-Phase II

### 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 II, sloped roof.

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

CCHS Roof Coating Phase II	\$ 300,000
	<u>\$ 300,000</u>

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

Lottery Funds - Maintenance & Repair Fund	\$ 300,000
	<u>\$ 300,000</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 17th day of October 2022.

### **3. Surplus Resolution-DSS Vehicle**

RESOLUTION		
<p><b>WHEREAS,</b> 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	Serial Number
7349	2011 White Ford Fusion	3FAHP0HA2BR144945
<p><b>NOW, THEREFORE, BE IT RESOLVED,</b> that the Board of Commissioners of the County of Currituck reserves the right to reject any and all bids.</p>		
<p><b>ADOPTED,</b> this 17th day of October, 2022.</p>		

#### 4. Resolution Authorizing County Manager to Sign ABC Permits

##### **RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS**

**WHEREAS,** G.S. 18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

**WHEREAS,** the County of Currituck wishes to notify the NC ABC Commission of its designation as required by G.S. 18B-904(f).

**BE IT THEREFORE RESOLVED** that the Currituck County Manager, Donald I. McRee, Jr., is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the County of Currituck regarding the suitability of persons and locations for ABC permits within its jurisdiction.

**BE IT FURTHER RESOLVED** that notices to the County of Currituck should be mailed or delivered to the official designated above at the following address:

Currituck County Manager's Office  
153 Courthouse Road Suite 204  
Currituck, NC 27929  
Ph: 252-232-2075 Ext. 4000

Adopted this 17<sup>th</sup> day of October, 2022.



**5. Job Title and Descriptions Revisions-Travel & Tourism****6) Approval Of Minutes-October 3, 2022****1. Minutes for October 3, 2022****ADJOURN****Motion to Adjourn Meeting**

The Board had no further business. Commissioner White moved for adjournment. Commissioner McCord seconded the motion. The motion carried, 6-0, and the meeting of the Board of Commissioners adjourned at 7:47 PM.

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

**SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY**

The Currituck County Board of Commissioners sat as the Tourism Development Authority in a Special Meeting immediately after adjournment of the October 17, 2022, 6:00 PM Regular Meeting of the Board of Commissioners. The Special Meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering budget amendments.

Chairman Payment called the meeting to order at 7:47 PM.

**TDA Budget Amendments**

Commissioner White moved for approval of the budget amendments. Chairman Payment seconded the motion. The motion carried, 6-0.

TDA2023004			Debit		Credit
			Decrease Revenue or		Increase Revenue or
<u>Account Number</u>	<u>Account Description</u>		<u>Increase Expense</u>		<u>Decrease Expense</u>
15447-587010	T T - Operating Fund		\$ 307,092		
15320-415000	Occupancy Tax			\$ 307,092	
			\$ 307,092		\$ 307,092
<b>Explanation:</b>	Tourism Development Authority (15) - To transfer funds to the Sheriff's department to purchase replacement vehicles for beach patrol.				
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$307,092.				

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

### ADJOURN TDA

There was no further business and Commissioner White moved for adjournment. Commissioner McCord seconded the motion. The motion passed, 6-0, and the meeting of the Tourism Development Authority adjourned at 7:48 PM.

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

### SPECIAL MEETING-OCEAN SANDS WATER AND SEWER DISTRICT BOARD

The agenda was amended and the Special Meeting of the Ocean Sands Water and Sewer District Board was cancelled.

NORTH CAROLINA

CURRITUCK COUNTY

**RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE  
COUNTY OF CURRITUCK, NORTH CAROLINA CLOSING A PORTION OF  
SIMPSON ROAD IN CRAWFORD TOWNSHIP**

WHEREAS, a preliminary resolution declaring the intent of the Board of Commissioners to close a portion of Simpson Road was adopted at a regular meeting of the Board of Commissioners for the County of Currituck on October 3, 2022 and a public hearing on the question was called for 6:00 P.M. on October 17, 2022 at the Historic Currituck Courthouse, Currituck, North Carolina for the purpose of hearing objections to the closing a portion of Simpson Road (SR 1280), Barco, Crawford Township; and

WHEREAS, notice of such public hearing has been published once a week for three successive weeks in The Daily Advance and The Coastland Times, a newspaper published and having a general circulation in Currituck County, North Carolina and at least two notices of the closing and the public hearing has been prominently posted along a portion of Simpson Road which is to be closed and abandoned; and

WHEREAS, the public hearing was conducted at 6:00 P.M. on October 17, 2022 at the Historic Currituck Courthouse, Currituck, North Carolina and said public hearing was conducted for the purpose of hearing objections to closing a portion of Simpson Road at which time all parties and persons interested were given an opportunity to be heard; and

WHEREAS, the Board of Commissioners, after considering all matters has determined that the closing a portion of Simpson Road the will not be detrimental to the public interest or to any individual property rights and further the Board of Commissioners is satisfied that closing a portion of Simpson Road is not contrary to the public interest and that because the property served by the subject roads is owned by one corporation, there is no individual owning property that would thereby be deprived of reasonable means of ingress and egress to their property.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Currituck that a portion of Simpson Road is permanently closed and abandoned, and that the right, title and interest in a portion of Simpson Road is vested in the owners of the parcels of land adjoining the abandoned roadway which is more particularly described as follows:

Attachment: Resolution-Simpson Road Closure resolution (Public Hearing-Road Closure-Simpson Road, Barco)

**A Portion Of Simpson Road:** Beginning at the northeast corner of the Currituck County tax parcel 00690000110000 owned by Robert D. White (deed book 1612 page 486) and depicted on a map titled Tabb Associates recorded in the Currituck County Register of Deeds in deed book 267 page 325. Thence in a northwesterly direction approximately 60' +/- to the southeast corner of the Currituck County tax parcel 0069000005A0000 owned by Robert D. White (deed book 937 page 624) and depicted on a map titled Recombination Plat Robert D. White Property recorded in the Currituck County Register of Deeds in Plat Cabinet J slide 38. Then in a southwest direction 162.12' to a point, continuing in a southwest direction 85.1' to a point in the eastern right of way of highway 158, both points depicted on the plat recorded in plat cabinet J slide 38. Thence in a southeast direction along the eastern right of way of highway 158 approximately 60' +/-, parallel to an existing guard rail, to a right of way monument in the northwest corner of the Currituck County tax parcel 006900000060000 owned by Robert D. White (deed book 1612 page 486) and depicted on sheet 4 of North Carolina Department of Transportation project 8.1040901 in the Currituck County Register of Deeds. Thence a northeast direction approximately 79' +/- to a point, continuing in a northeast direction 166.16' to the point and place of beginning.

See attached map listed as Exhibit A

BE IT FURTHER RESOLVED, that a copy of this Resolution be certified to the Register of Deeds of Currituck County and recorded in the Currituck County Registry.

This the 17th day of October 2022.

By: \_\_\_\_\_  
Michael H. Payment, Chair  
Board of Commissioners

NORTH CAROLINA

CURRITUCK COUNTY

The undersigned certifies under the seal of the County of Currituck that she is the Clerk to the Board of Commissioners for the County of Currituck and as such is the custodian of records containing minutes of its official meetings and the custodian of its official documents and that the foregoing and attached Resolution ordering the closing of a portion of Simpson Road in Crawford Township is a true and perfect copy of official action of the Board of Commissioners taken at a meeting held on October 17, 2022.

\_\_\_\_\_  
Leeann Walton  
Clerk to the Board of Commissioners of  
Currituck County, North Carolina

Attachment: Resolution-Simpson Road Closure resolution (Public Hearing-Road Closure-Simpson Road, Barco)

NORTH CAROLINA

CURRITUCK COUNTY

I, \_\_\_\_\_, a Notary Public of the aforesaid State and County of \_\_\_\_\_ do hereby certify that Leeann Walton personally came before me this day and acknowledged that she is Clerk to the Board of Commissioners of Currituck County, a body corporate and politic, and that by authority duly given, the foregoing instrument was sealed with its County seal, and she further acknowledged the due execution of the foregoing certification and under oath swore to the matters therein certified.

Witness my hand notarial seal this the \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

My commission expires:\_\_\_\_\_

(NOTARY SEAL)

Attachment: Resolution-Simpson Road Closure resolution (Public Hearing-Road Closure-Simpson Road, Barco)

# Exhibit A



Attachment: Simpson Road Closure-Map-Exhibit A-4766 (Public Hearing-Road Closure-Simpson Road,



1                   **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF**  
2                   **COMMISSIONERS AMENDING CHAPTER 9, ARTICLE I OF THE**  
3                   **CURRITUCK COUNTY CODE OF ORDINANCES BY ADDING SECTION 9-**  
4                   **11 PROHIBITING THE BURNING OF MATERIALS ON CONSTRUCTION**  
5                   **SITES LOCATED AT THE BEACH**

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

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

18  
19           WHEREAS, the County has a duty to ensure there is adequate fire  
20 prevention located near its beaches, where there are typically stronger winds and,  
21 given the location and nature of the area, it is more difficult for the fire department  
22 to respond.

23  
24           NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for  
25 the County of Currituck, North Carolina as follows:

26   PART I. The Code of Ordinances, Currituck County, North Carolina is amended by  
27 adding Section 9-11 to Chapter 9, Article I to read as follows:

28  
29   **Sec. 9-11. Burning at Construction Sites Prohibited.**

30  
31           No person shall burn unused materials at construction sites. This also  
32 includes materials produced from clearing lots. Those materials shall be removed  
33 offsite or chipped onsite, but not burned on site. This section only applies to those  
34 sites located at or near the Currituck beaches north of the Currituck County/Dare  
35 County line and south of the Virginia/North Carolina border.

36  
37           A violation of this section shall be a misdemeanor, and, upon conviction, the  
38 violator shall be punished with imprisonment of not more than 30 days or a fine or  
39 not more than \$500.00.  
40

PART II. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

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

PART IV. This ordinance is effective upon adoption.

APPROVED at first reading this 17<sup>th</sup> day of October, 2022.

ADOPTED at second reading this 7<sup>th</sup> day of November, 2022.

\_\_\_\_\_  
Michael H. Payment, Chairman  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Leeann Walton, Clerk to the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Megan E. Morgan, County Attorney

Date adopted: \_\_\_\_\_

Motion to adopt by Commissioner \_\_\_\_\_

Second by Commissioner \_\_\_\_\_

Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS



1           **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF**  
2           **COMMISSIONERS AMENDING SECTION 10-104 OF THE CURRITUCK**  
3           **COUNTY CODE OF ORDINANCES PROHIBITING ALL BEACH FIRES**

4  
5           WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance  
6 define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the  
7 health, safety, or welfare of its citizens and the peace and dignity of the county; and

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

16           WHEREAS, the current ordinance only prohibits bonfires on the beach and  
17 due to health and safety concerns, this amendment will prohibit all fires;

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

20           PART I. The Code of Ordinances, Currituck County, North Carolina is amended by  
21 rewriting Section 10-104 of the Code of Ordinances to read as follows:

22           **Sec. 10-104. – ~~Bonfire~~ not permitted**

23           No person, other than a licensed commercial fisherman actively engaged in  
24 fishing, shall kindle or maintain any ~~bonfire~~ or authorize any such fire to be kindled  
25 or maintained on the Currituck beaches north of the Currituck County/Dare County  
26 line and south of the Virginia/North Carolina border. This prohibition does not apply  
27 to fire fueled by propane.

28           A violation of this section shall be a misdemeanor, and upon conviction, the  
29 violation shall be punished with imprisonment of not more than 30 days or a fine or  
30 not more than \$500.00.

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

PART III. This ordinance is effective upon its adoption.

APPROVED at first reading this 17<sup>th</sup> day of October, 2022.

ADOPTED at second reading this 7<sup>th</sup> day of November, 2022.

\_\_\_\_\_  
Michael H. Payment, Chairman

ATTEST:

\_\_\_\_\_  
Leeann Walton, Clerk to the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Megan E. Morgan, County Attorney

Date adopted: \_\_\_\_\_

Motion to adopt by Commissioner \_\_\_\_\_

Second by Commissioner \_\_\_\_\_

Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS  
AMENDING CHAPTER 3, Sections 3-1(c), 3-2, 3-29(a), 3-63, 3-64, 3-67, 3-71(b), 3-72(a), 3-73, 3-78, 3-79(b)-(d), 3-84, 3-87, 3-201(c), 3-234, and 3-235 OF THE CURRITUCK  
COUNTY CODE OF ORDINANCES**

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 may define and abate nuisances; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-127, a county may by ordinance define and prohibit the abuse of animals;

WHEREAS, pursuant to Session Law 2021-138, violation of a county ordinance may be a misdemeanor or infraction only if the county specifies such in the ordinance, which may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by N.C. Gen. Stat. § 14-4;

WHEREAS, pursuant to N.C. Gen. Stat. §153A-76 a Board of Commissioners may change the composition and manner of selection of boards, commissions, and agencies, and may generally organize and reorganize the county government in order to promote orderly and efficient administration of county affairs; and

WHEREAS, Currituck County oversees the Department of Animal Services and Control, not the Sheriff's Office, and the County no longer employs a County dog warden and deputy dog warden for authority and responsibility of animal control. The County employs Animal Control officers, whose responsibilities are clarified by this amendment;

WHEREAS, the purpose of this Ordinance Amendment is to protect the health, safety and welfare of Currituck County residents and the animals residing within the County and to regulate and control the conduct, keeping and care of those animals.

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

**PART I. Sec. 3-1(c)** of The Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

(c) Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$500.00. Each day any violation of this Ordinance shall constitute a separate offense, unless otherwise specified.

**PART II. Sec. 3-29(a)** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

- 1 (a) The violation of any provision of this article shall be a misdemeanor, and upon  
 2 conviction shall be punished by a fine of not more than \$500.00. Each day any  
 3 violation of this Ordinance shall constitute a separate offense, unless otherwise  
 4 specified.

5 PART III. **Sec. 3-63- Agency authority and Responsibility** of the Code of Ordinances,  
 6 Currituck County, North Carolina is amended to read as follows:

- 7 (a) There is hereby established by the board of commissioners, ~~a county dog warden and~~  
 8 ~~deputy dog warden, along with~~ a department of animal services and control, for which  
 9 shall be employed animal control officers and such other employees as shall be  
 10 determined necessary by the board of commissioners.

- 11 ~~(b) There is hereby established by the board of commissioners, a department of animal~~  
 12 ~~control, for which shall be employed animal control officers and such other employees~~  
 13 ~~as shall be determined necessary by the board of commissioners.~~

- 14 ~~(c) The county dog warden and deputy dog warden shall:~~

15 ~~(1) Serve at the pleasure and under the supervision of the Sheriff of Currituck~~  
 16 ~~County.~~

17 ~~(2) Be appointed by the County Manager of Currituck County at the recommendation~~  
 18 ~~of the Sheriff of Currituck County.~~

19 ~~(3) Have the authority to write citations for violations of all laws of North Carolina~~  
 20 ~~and all ordinances of Currituck County pertaining to dogs pursuant to N.C.G.S.~~  
 21 ~~67-31 and 15A.~~

22 ~~(4) Not exercise any authority of physical custody for any person found in violation~~  
 23 ~~of the laws of North Carolina or the ordinances of Currituck County pertaining to~~  
 24 ~~dogs unless duly certified by the North Carolina Sheriff's Commission as a law~~  
 25 ~~enforcement officer or as permitted under N.C.G.S. 15A-404.~~

26 ~~(5) Be authorized to store at the animal shelter or carry in division vehicles firearms~~  
 27 ~~approved for use by the Sheriff of Currituck County and use such firearms when~~  
 28 ~~necessary to enforce sections of this chapter or other applicable law for the~~  
 29 ~~control of wild, vicious or diseased animals.~~

- 30 (d) ~~The county dog warden, deputy dog warden and~~ Department of Animal Services and  
 31 Control shall:

32 (1) Have the responsibility along with law enforcement agencies to enforce all laws  
 33 of North Carolina and all ordinances of Currituck County pertaining to animals  
 34 and shall cooperate with all law enforcement officers within Currituck County in  
 35 fulfilling this duty.

36 (2) Have the authority to issue citations for violations of all laws of North Carolina  
 37 and all ordinances of Currituck County pertaining to dogs;

- (3) Enforce and carry out all laws of North Carolina and all ordinances of Currituck County pertaining to rabies control.
- (4) Organize and conduct, in conjunction with the health department, ~~semi-annual~~ rabies vaccination clinics. ~~for which shall be charged a nominal fee as established by the board of commissioners.~~
- (5) Be responsible for the investigation of all reported animal bites, for the quarantine of any dog or cat involved and suspected of having rabies, for a period of not less than ten days, and for reporting to the health ~~director~~ department as soon as practicable the occurrence of any such animal bite and the condition of any quarantined animal.
- (6) Be responsible for the operation of the animal quarantine shelter.
- (7) Be responsible for the seizure and impoundment, where deemed necessary, of any dog or other animal in Currituck County involved in violation of this or any other county ordinance or state law.
- (8) Investigate cruelty or abuse with regard to animals and make written reports of such investigations and, when requested, provide such reports to appropriate law enforcement officers or the District Attorney's office.
- (9) Make such canvasses of the county, including the homes in the county, as necessary for the purpose of ascertaining compliance with this article or state statute.
- (10) Keep, or cause to be kept, accurate and detailed records of:
  - a. Seizure, impoundment, and disposition of all animals coming into the custody of the animal control program.
  - b. Bite cases, violations and complaints, and investigation of same
  - c. All monies belonging to the county which were derived from fees, penalties, license tags, sales of animals, or other sources.
  - d. Any other matters deemed necessary by the health ~~director~~ department and county manager.
- (11) Be empowered to issue notices of violation of this article in such form as the county manager may prescribe.

PART IV. **Sec. 3-64- Cruelty to Animals.** Of the Code of Ordinances, Currituck County, North Carolina, shall add the following subsection:

(f) A violation of this section shall be punishable under the provisions of N.C. Gen. Stat. §14-360.

PART V. **Sec. 3-67- Animals creating nuisance prohibited** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:

(a) It shall be unlawful for an owner or keeper to permit an animal or animals to create a nuisance, or to maintain a nuisance created by an animal or animals.

(b) Compliance shall be as follows:

(1) When an animal control officer, law enforcement officer, or person duly authorized by the county manager observes a violation, the owner or keeper will be provided written notification of such violation ~~and be given 48 hours from time of notification to abate the nuisance.~~ indicating the time permitted to abate the nuisance, which is within the discretion of the animal control officer.

(2) Upon receipt of a written detailed and signed complaint being made to the animal control officer or by any person over the age of 18 years, that any other person is maintaining a nuisance as defined in this article, the animal control officer shall cause the owner or keeper of the animal or animals in question to be notified that a complaint has been received, and shall cause the situation complained of to be investigated and a report and findings thereon to be reduced to writing.

(3) If the written findings indicated that the complaint is justified, then the animal control officer or person duly authorized by the county manager shall cause owner or keeper of the animal or animals in question to be so notified in writing, and ordered to abate such nuisance within the time established by the animal control officer, unless the animal is determined to be dangerous to persons or property, by whatever means may be necessary. In the event the owner or keeper of the animal or animals is unknown and cannot be ascertained, ~~the notice and order, along with a general description of the animal or animals shall be posted for 48 hours at the animal shelter and the county courthouse.~~ a notice shall be posted on the property of the owner or keeper of the animal to contact the animal shelter within 24-48 hours.

(4) In the event the owner or keeper of the animal or animals is unknown and cannot be ascertained, the notice ~~and order~~, along with a general description of the animal or animals shall be posted for ~~seven~~ five days at the animal shelter. If after ~~seven~~ five days the owner or keeper of the animal or animals remains unknown, the animals may be impounded or humanely destroyed if necessary.

(c) It shall be unlawful for a person to fail or refuse to abate the nuisance as required by this article. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$500.00. Each day any violation of this Ordinance shall constitute a separate offense, unless otherwise specified.

(d) In the event the owner or keeper does not abate such nuisance within the time ordered by the animal control officer, Animal Services and Control shall notify the owner or keeper in writing that the animal may be impounded or a civil penalty may be issued.

PART VI. **Sec. 3-71(b)- Vaccination tag and certificate** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:

(f) If an owner fails to comply with the vaccination requirements or to produce proof of vaccination when required, the owner may be charged with a Class 1 misdemeanor and/or the County can seek an injunction.

**PART VII. Sec. 3-72(a). Notice to health director when person bitten; confinement of animal** of the Code of Ordinances, Currituck County, North Carolina, is amended is follows:

(a) When a person has been bitten by an animal having rabies or suspected of having rabies, it shall be the duty of such person, or his parent or guardian if such person is a minor, and the person owning such animal or having the same in his or her possession or under his or her control, to notify the sheriff or a person duly authorized by the sheriff local health director immediately and give their names and addresses; and the owner or person having such animal in his or her possession or under his or her control shall immediately relinquish custody of the animal for quarantine in the Currituck County Quarantine Shelter confinement at a place designated by the health department for a period of ten days.

**PART VIII. Sec. 3-73. Destruction or confinement of animal bitten by a known rabid animal** of the Code of Ordinances, Currituck County, North Carolina, is amended as follows:

~~Animals not vaccinated against rabies which are bitten by a known rabid animal shall be immediately destroyed, unless the owner or keeper agrees to strict isolation of the animal at a veterinary hospital for a period of six months at the owner's or keeper's expense. If the animal has a current rabies vaccination, it shall be revaccinated and returned to the owner or keeper.~~

If the health department reasonably suspects an animal has been exposed to rabies, the following rules apply:

(a) Dogs, cats, and ferrets that have never been vaccinated should be euthanized immediately or placed in strict quarantine for four months (dogs and cats) or six months (ferrets). If quarantined, the animal should be vaccinated within ninety-six hours of exposure.

(b) Dogs and cats with appropriate documentation of vaccination should receive a booster vaccination within ninety-six hours of exposure be under the control of owner and observed for forty-five days for signs of illness.

(c) If the owner reports the dog or cat has been vaccinated but does not have proper documentation, the animal may be placed in strict quarantine as if they were unvaccinated as described in (a) above.

**PART IX. Sec. 3-78- Impoundment** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:

(a) Any animal which appears to be lost, stray or unwanted, or a dog not wearing a currently valid rabies tag as required by state law or this article, has been declared dangerous and is outside and not in a secure pen or on a restraint, that is a danger to the public, that is in imminent danger, abandoned, or for any other reason designated



in this Chapter is a nuisance may be seized, impounded, and confined in a humane manner at the animal shelter.

(b) Impoundment of such an animal shall not relieve the owner or keeper thereof from any penalty which may be imposed for violation of this article.

(c) If an animal is impounded, the Department of Animal Services and Control may take the animal to a veterinary hospital for stabilization for a period of 24 hours if necessary. The owner of the animal shall be subject to payment of costs associated with the treatment of the animal.

PART X. **Sec. 3-79(b)-(d)- Redemption, adoption** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:

(b) The owner shall be entitled, after the expiration of any quarantine, to resume possession of the animal, and the payment of a shelter fee and the payment of the boarding expenses. The fees for reclaiming an animal and adoption fees shall be set by the ~~operator of the animal shelter~~ Department of Animal Services and Control. Adoption fees charged by the animal shelter shall not exceed ~~\$50.00~~ \$100.00 for a cat/kitten and ~~\$100.00~~ \$200.00 for a dog/puppy. The Department of Animal Services and Control ~~The operator of the animal shelter~~ shall receive approval from the board of commissioners for any fee that exceeds said amounts except when adopting at events held outside of Currituck County, fees may be comparable to those charged by other similar humane organizations in that area.

(c) If the owner/keeper of an animal does not reclaim or resume responsibility for their animal after the required quarantine period is over, within 3 days, the animal will become property of the Animal Shelter. The owner is responsible for payment of the quarantine fee even if the animal has not been reclaimed by the owner and is now property of the Animal Shelter.

(d) Nothing in this Chapter shall require the Department of Animal Services and Control to release an animal that has been impounded that is need of protection because of cruel treatment.

PART XI. **Sec. 3-80(a). Destruction or adoption of unredeemed animal generally** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:

(a) If an impounded animal is not redeemed by the owner or keeper within the period prescribed in this section, it may be destroyed in a humane manner or shall become property of the animal shelter and its operators ~~or if this is not possible, an organization duly chartered by the Society for the Prevention of Cruelty to Animals or the Humane Society of the United States~~. It may be offered for adoption to a responsible adult who is willing to comply with this article, with policies promulgated by the board of commissioners, and qualifies according to the requirements set forth in the animal shelter operators' adoption contract.

PART XII. **Sec. 3-84. Destruction of wounded, diseased or unwanted animals** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:



**Sec. 3-84. Abandoned Animals and/or Destruction of wounded, diseased or unwanted animals**

- (a) No animal shall be left at the animal shelter before or after the posted hours of operation of the animal shelter, unless authorized by the ~~Sheriff of Currituck County~~ Department of Animal Services and Control or a person duly authorized thereby.
- (b) No owner or keeper of any animal shall willfully abandon such animal on any street, road, highway, public place or private property when not in the care of another person.
- (c) Notwithstanding any other provision of the article, any animal seized and impounded which is badly wounded, diseased and not a rabies suspect, or unweaned and has no identification, the Department of Animal Services and Control shall attempt to notify the owner or keeper of the animal before disposing of the animal. If the owner or keeper of the animal cannot be reasonably ascertained or readily available and the animal is suffering, the Department of Animal Services and Control may destroy the animal at its discretion in a humane manner.

PART XIII. **Sec. 3-87(a)** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:

- (a) It shall be unlawful for any person in the county knowingly and intentionally to harbor, feed, keep in possession by confinement or otherwise ~~retain-allow to remain on his property~~ any animal which does not belong to them, unless ~~he has~~ they have, within 72 hours from the time such animal came into his possession, notified the animal control officer. Upon receiving such notice, the animal control officer or person duly authorized by the board of commissioners may take such animal and place it in the animal shelter or the animal may remain with the reporting person and be dealt with as provided by this article.
- (b) It shall be unlawful for any person to refuse to surrender any such stray animal to the animal control officer or person duly authorized by the county manager upon demand, if the owner of the stray animal has been located and requests return of the stray animal.
- (c) It shall be unlawful to maintain or feed any stray animal on any property in Currituck County. Owner/keeper of any groups, colonies, or gatherings shall be required to provide proof of a rabies vaccination. The owner/keeper of the group, colony or gathering shall be responsible for the welfare of their animals, this including, but not limited to, medical care, daily feeding and adequate shelter.

PART XIV. **Sec. 3-201(c)- Currituck Dog Restraint Ordinance** of the Code of Ordinances, Currituck County, North Carolina, shall be amended as follows:

- (c) Hunting dogs shall be excluded from the provisions requiring physical restraint while the dogs are engaged in hunting or training or the owners are actively looking for them provided that the hunting complies with North Carolina law. This exception only applies

1 for a reasonable time and distance, which is within the discretion of the Animal Control  
 2 officer to determine.

3 **PART XV. Sec. 3-234- Mistreatment of animals prohibited** of the Code of Ordinances,  
 4 Currituck County, North Carolina, shall add the following section:

5 (5) Any person who violates this Section of this chapter is guilty of a class 3  
 6 misdemeanor as defined by state law at the time of the offense, unless otherwise  
 7 provided by law.

8 **PART XVI. Sec. 3-325- Sanctions and penalties** of the Code of Ordinances, Currituck County,  
 9 North Carolina, shall be amended as follows:

10 Any person who fails, refuses or otherwise violates this article, in addition to criminal  
 11 penalties described above, shall be subject to the following civil actions:

12 (1) Pursuant to G.S. 19A-46, ~~animal control~~ an animal cruelty investigator appointed by the  
 13 board of commissioners may obtain a magistrate's order to take possession of the animal.

14 (2) If the conditions pose an immediate threat to the health or safety of the animal or the  
 15 public, animal control may impound ~~summarily seize~~ the animal in accordance with  
 16 Sections 3-78 through 3-81 of this Ordinance ~~the following~~:

17 a. A notice of ~~seizure~~ impoundment describing the exigent circumstances  
 18 warranting the ~~seizure~~ impoundment shall be left with the owner or affixed  
 19 to the premises. Examples of circumstances include but are not limited to  
 20 the following:

21 1. Unsanitary conditions resulting from the number of animals involved.

22 2. Unsanitary conditions resulting from the owner's inability or  
 23 unwillingness to clean the area where the animals are housed.

24 ~~b. The owner of the animal seized pursuant to this section may appeal the~~  
 25 ~~seizure by filing a request for appeal with the office of the sheriff as set forth~~  
 26 ~~in subsection (6).~~

27 c. If the owner fails to redeem the animal within the time limit provided by this  
 28 ordinance ~~or fails to timely request an appeal or fails to timely appeal the~~  
 29 ~~sheriff's decision~~, the animal shall become the property of the county.

30 (3) If it is determined by the animal control officer that the animal is not in immediate

31 danger or the problem which gives rise to the inadequate or cruel treatment can be  
 32 corrected within 72 hours, the office may, in lieu of subsection (1) or (2) of this  
 33 section, issue a written notice of violation directing the owner or possessor of the  
 34 animal to correct the problem within 72 hours. If the condition or problem is not  
 35 corrected within 72 hours, the animal control officer may ~~take action as outlined~~  
 36 ~~in subsection (1) or (2) of this section.~~ apply to the appropriate division of the  
 37 General Court of Justice for a mandatory or prohibitory injunction and order to

correct the problem or animal control will impound the animal (s) and maintain custody of them for care, subsequent adoption, or euthanasia if the circumstances warrant it.

(4) *Criminal penalties.* Any person who violates ~~any section of this chapter~~ this article is guilty of a class 3 misdemeanor as defined by state law at the time of the offense, unless otherwise provided by law.

(5) *Civil penalties.* The Department of Animal control is authorized to assess civil penalties in the following manner:

a. A civil penalty of \$25.00 shall be assessed for the first violation of any section of this chapter.

b. A civil penalty of \$75.00 shall be assessed for the second violation of any section of this chapter.

c. A civil penalty of \$150.00 shall be assessed for the third violation of any section of this chapter.

d. A civil penalty of \$250.00 shall be assessed for the fourth and any subsequent violations of any section of this chapter.

A civil penalty is due and owing upon assessment. Surrender of an animal or failure to redeem an animal shall not relieve the owner of responsibility for payment of any outstanding civil penalty that was assessed prior to the animal being surrendered or as a result of the animal being impounded. If payment of a civil penalty is not received within five working days of issuance, animal control may initiate legal proceedings to recover the amount of the penalty.

~~(6) *Challenge to seizure order.* If the owner wishes to challenge the seizure order, then the owner must submit in writing the basis of the challenge within five days of the seizure of the animal, not counting the day of seizure of the animal. The challenge must be filed with the office of the director of the area health department. The director is authorized to hear and decide the challenge to the seizure order. The director shall conduct a hearing to determine if the decision is correct or incorrect that the animal is in circumstances that pose a danger to the public safety or public health, is a nuisance as defined herein, or is being subjected to unsanitary or inhumane conditions as defined herein. If the director determines the circumstances to pose a danger to the public safety or public health, then the animal control officer shall turn the animal over to the county animal shelter. The decision of the director shall be mailed to the person requesting the appeal by certified mail, return receipt requested within three working days of the final decision. If the decision of the director is against the person requesting the appeal, such person may appeal the decision to the county superior court by filing a notice of appeal and petition for judicial review within ten days of the written decision. Any sanctions or penalties imposed shall be enforceable during the pendency of any appeal. In the event of an appeal to the courts from the sheriff's decision, the animal shall be confined at the animal shelter, and a cash bond shall be requested for all costs whatsoever attendant upon county's retention of the animal.~~

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

PART XIX. This ordinance is effective immediately upon adoption.

FIRST READING this 17<sup>th</sup> day of October, 2022.

ADOPTED this 7th day of November, 2022.

\_\_\_\_\_  
Michael H. Payment, Chairman

ATTEST:

\_\_\_\_\_  
Leeann Walton  
Clerk to the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Megan E. Morgan  
County Attorney

Date adopted: \_\_\_\_\_

Motion to adopt by Commissioner \_\_\_\_\_

Second by Commissioner \_\_\_\_\_

Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF  
COMMISSIONERS IN SUPPORT OF LEGISLATION CONCERNING  
EXCESSIVE AND UNSAFE DIGGING OR PILING OF SAND ON THE  
OCEAN BEACH**

WHEREAS, there is a notable increase in the number and size of holes and resulting dangerous conditions from excessive and unsafe digging and piling of sand from the holes on the ocean beach; and

WHEREAS, studies and experience show that large holes on a beach can collapse, trapping humans and marine life, resulting at times in serious injury or death and can cause damage to motor vehicles and equipment traversing the ocean beach; and

WHEREAS, the Currituck County Board of Commissioners has enacted an ordinance concerning excessive and unsafe digging or piling of sand on the ocean beach finding that excessive piling of sand or digging of holes in the sand of the county's ocean beaches affects the health, safety and welfare of the county's citizens and visitors by: (i) creating hazards for those traveling the ocean beaches during times of reduced visibility; (ii) unreasonably restricting the ability of emergency, lifesaving, public service and other motor vehicles to travel the ocean beach; (iii) creating hazards for endangered and protected species such as sea turtles which use the ocean beach at night; and (iv) creating the possibility of collapse of sand upon users of the ocean beach, particularly children; and

WHEREAS, although adopted under general authority of counties to enact ordinances to prohibit or abate acts or conditions detrimental to the health, safety or welfare of their citizens and peace and dignity of the counties, the enactment of state legislation clearly identifying authority to regulate the excessive and unsafe digging or piling of sand on the ocean beach and penalty for such acts would be beneficial to coastal towns and counties seeking to address the issue.

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

Section 1. Currituck County supports the enactment of state legislation that increases local government authority to address dangerous conditions caused by excessive and unsafe digging and piling of sand from the holes on the ocean beach.

Section 2. The Clerk to the Board of Commissioners shall forward a copy of this resolution to the county's legislative delegation and those coastal cities, towns and counties that have adopted resolutions requesting similar legislative authority.

ADOPTED the 17<sup>th</sup> day of October, 2022.

---

Michael H. Payment, Chairman  
Board of Commissioners

ATTEST:

---

Leeann Walton, Clerk to the Board

(COUNTY SEAL)

Number 20230025

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
43390-499900	Fund Balance Appropriated		\$ 345,000
43848-587061	T T - Mainland Water Operating Fund	\$ 345,000	
61390-495043	T F - Land Banking Fund		\$ 345,000
61390-495066	T F - Southern Outer Banks Water Fund		\$ 340,000
61390-499900	Retained Earnings Appropriated		\$ 340,000
61818-590000	Capital Outlay	\$ 1,025,000	
66360-470000	Utilities Charges		\$ 170,000
66360-471000	Tap & Connections Fees		\$ 20,000
66390-499900	Retained Earnings Appropriated		\$ 150,000
66868-587061	T T - Mainland Water Operating Fund	\$ 340,000	
		<u>\$ 1,710,000</u>	<u>\$ 1,710,000</u>

**Explanation:** Land Banking (43848); Mainland Water (61818); Southern Outer Banks Water (66868) - Increase appropriations to purchase property at 2878 Caratoke Highway, Currituck, NC, closing costs and upgrades to make facility operational for additional office space.

**Net Budget Effect:** Land Banking Fund (43) - Increased by \$345,000.  
Mainland Water Fund (61) - Increased by \$1,025,000.  
Southern Outer Banks Water Fund (66) - Increased by \$340,000.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (Budget Amendments)

Number

20230026

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
61818-590000	Capital Outlay		\$ 8,000
61818-553000	Dues & Subscriptions	\$ 6,200	
61818-536000	Uniforms	\$ 1,800	
		<u>\$ 8,000</u>	<u>\$ 8,000</u>

**Explanation:** Mainland Water (61818) - Transfer budgeted funds for cost increases for certifications for Mainland Water staff and increased costs of PPE uniforms.

**Net Budget Effect:** Mainland Water Fund (61) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (Budget Amendments)



Number

20230027

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
66868-536000	Uniforms	\$ 500	
66868-526000	Advertising		\$ 500
		<u>\$ 500</u>	<u>\$ 500</u>

**Explanation:** Southern Outer Banks Water (66868) - Transfer budgeted funds for cost increases for PPE uniforms for Southern Outer Banks Water staff.

**Net Budget Effect:** Southern Outer Banks Water Fund (66) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (Budget Amendments)

Number

20230028

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
10430-514000	Travel		\$ 600
10430-516000	Maintenance & Repair	\$ 600	
		<u>\$ 600</u>	<u>\$ 600</u>

**Explanation:** Elections (10430) - Transfer budgeted funds to rekey the office doors in the Board of Elections office.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (Budget Amendments)

Number

20230029

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
10750-590000	Capital Outlay	\$ 5,585	
10390-499900	Appropriated Fund Balance		\$ 5,585
		<u>\$ 5,585</u>	<u>\$ 5,585</u>

**Explanation:** Social Services Administration (10750) - To carry-forward funds to replace HVAC in the DSS building.

**Net Budget Effect:** Operating Fund (10) - Increased by \$5,585.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (Budget Amendments)

Number 20230030

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
10530-536000	Uniforms	\$ 3,000	
10541-532000	Supplies	\$ 4,500	
10541-536000	Uniforms	\$ 200	
10541-590000	Capital Outlay		\$ 7,700
210541-532000	Supplies	\$ 4,500	
210541-536000	Uniforms	\$ 4,000	
210541-590000	Capital Outlay		\$ 8,500
220548-532015	Supplies	\$ 4,000	
220548-536015	Uniforms	\$ 5,000	
220548-590000	Capital Outlay		\$ 9,000
		<u>\$ 25,200</u>	<u>\$ 25,200</u>

**Explanation:** Emergency Medical Services (10530); County Fire Services (10541); Corolla Fire Services (210541); Knotts Island Fire Services (220548) - Transfer budgeted funds to reclassify Personal Protective Equipment that did not meet the Capital Outlay threshold.

**Net Budget Effect:** Operating Fund (10) - No change.  
Corolla Fire Service District Fund (210) - No change  
Knotts Island Fire Service District Fund (220) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (Budget Amendments)

Number 20230031

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
10510-590000	Capital Outlay	\$ 307,092	
10390-495015	T F - Occupancy Tax Fund		\$ 307,092
		<u>\$ 307,092</u>	<u>\$ 307,092</u>

**Explanation:** Sheriff (10510) - Increase appropriations to replace four vehicles used for patrol on the Currituck Outer Banks.

**Net Budget Effect:** Operating Fund (10) - Increased by \$307,092.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (Budget Amendments)

Number 20230031

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 17th day of October 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>
51848-595010	CCHS ROOF COATING PH II	\$ 300,000	
51380-425001	STATE LOTTERY PROCEEDS		\$ 300,000
		<u>\$ 300,000</u>	<u>\$ 300,000</u>

**Explanation:** School Capital Construction Fund (51848) - Increase appropriations to record CCHS Roof Replacement Phase II to be paid from the NC Lottery Maintenance and Repair Fund.

**Net Budget Effect:** School Capital Construction Fund (51) - Increased by \$300,000.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_Oct 17\_General Meeting-Rev (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 project authorized is Currituck County High School roof coating – Phase II, sloped roof.

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

CCHS Roof Coating Phase II	\$ 300,000
	<u>\$ 300,000</u>

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

Lottery Funds - Maintenance & Repair Fund	\$ 300,000
	<u>\$ 300,000</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 17th day of October 2022.

---

Michael Payment, Chairman  
Board of Commissioners

ATTEST:

---

Leeann Walton  
Clerk to the Board



## RESOLUTION

**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.

County Asset Tag	Description	Serial Number
7349	2011 White Ford Fusion	3FAHP0HA2BR144945

**NOW, THEREFORE, BE IT RESOLVED,** that the Board of Commissioners of the County of Currituck reserves the tight to reject any and all bids.

**ADOPTED,** this 17th day of October, 2022.

\_\_\_\_\_  
Michael H. Payment  
County of Currituck, Board of Commissioners

\_\_\_\_\_  
Leeann Walton  
Clerk to the Board

(Seal)

Attachment: SURPLUS RESOLUTION FORM-DSS Vehicle (Surplus Resolution-DSS Vehicle)

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS  
REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE  
RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE  
CONTROL COMMISSION ON ABC PERMIT APPLICATIONS**

**WHEREAS**, G.S. 18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

**WHEREAS**, the County of Currituck wishes to notify the NC ABC Commission of its designation as required by G.S. 18B-904(f).

**BE IT THEREFORE RESOLVED** that the Currituck County Manager, Donald I. McRee, Jr., is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the County of Currituck regarding the suitability of persons and locations for ABC permits within its jurisdiction.

**BE IT FURTHER RESOLVED** that notices to the County of Currituck should be mailed or delivered to the official designated above at the following address:

Currituck County Manager's Office  
153 Courthouse Road Suite 204  
Currituck, NC 27929  
Ph: 252-232-2075 Ext. 4000

Adopted this 17<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
Michael H. Payment, Chairman

ATTEST: \_\_\_\_\_  
Leeann Walton, Clerk to the Board



## CURRITUCK COUNTY JOB DESCRIPTION

**JOB TITLE: SALES & MARKETING ASSOCIATE SOCIAL MEDIA AND RETAIL SALES COORDINATOR**

### GENERAL STATEMENT OF JOB

The Sales & Marketing Associate is responsible for providing marketing assistance to the Marketing Director for assigned marketing programs, including administering and coordinating and the administration and coordination of social media efforts for the Currituck Travel & Tourism sites that includes publication of content and updates, and Historic Corolla Park (which includes Whalehead) as well as other marketing programs.

The Sales and Marketing Associate works as an additional administrator of the tourism website, visitcurrituck.com, publishing content and updates. This position coordinates and publishes content, maintains and updates accounts, publishes and updates both events and deals on both websites and maintaining the events and places widgets located on that site.

The position is also responsible for oversight of the retail sales operations at the Moyock Welcome Center and Corolla Visitor's Visitors Center. The Sales & Marketing Associate provides for the including the accurate recording of sales, inventory maintenance (selection of inventory, ordering and pricing, merchandizing displays, organization of sales areas and report generation). This position is expected to provide sales training to staff. The position also assists with stocking, pricing, ordering inventory, merchandising displays, and ensuring sales areas are well maintained and organized, while providing exceptional customer service to patrons.

The Sales & Marketing Associate also selects and purchases promotional items, purchases supplies and maintains supply inventory for the Corolla Visitors Center and the Moyock Welcome Center.

This position reports to the Director of Travel & Tourism, Marketing and Communications Director.

### SPECIFIC DUTIES AND RESPONSIBILITIES

#### ESSENTIAL JOB FUNCTIONS

##### Social Media and Marketing

- Assists with a variety of projects including marketing through social media and other online advertising.
- Social Media Coordinator, Administrator, and Content Manager of the Tourism and Historic Corolla Park (Whalehead) social media programs, including Facebook, Instagram and Pinterest. Currituck Travel & Tourism social media sites including Currituck Outer Banks, Whalehead in Historic Corolla and the Currituck Maritime Museum (Facebook and Instagram).
- Develops marketing pieces to share on social media using Currituck Outer Banks, Whalehead in Historic Corolla and the Currituck Maritime Museum pages.

Formatted: No underline

Formatted: No bullets or numbering

### SALES & MARKETING ASSOCIATE

- Photography in house and on location for our attractions and events for use in marketing the county through social media – utilizes Adobe Photoshop for editing purposes.
- Works with the Marketing Communications Manager as an aAdditional website administrator for the tTourism website.
- Publishes and updates content for the tTourism websites including places and events widgets and website pages (events, visitor information, specials, staff, blogs, images, locations, and other pages as needed). all events and deals.
- Assists with lead-generation and dissemination.
- Photography in house and on location for our attractions and events for use in marketing the county through social media.
- Develops marketing pieces to share on social media and for other marketing efforts.
- Edits photographs with Adobe Photoshop software.
- Assists with the coordination of events
- Answers or redirects the public information email from info@visitcurrituck.com.
- Assists in the planning and implementation of advertising and promotional activities.

Formatted

### Retail

- Oversees visitor center retail operations and monitors inventory, performs register transactions, and occasionally assists customers with products including ordering merchandise, making changes in the POS system (Square) and creating price lists.
- Develops ideas and sets priorities in an effort to achieve maximum sale potential.
- Designs and updates display cases and windows in the Moyock Welcome Center.
- Analyzes inventory data and reconciles inventory variances.
- Maintains proper inventory levels and performs periodic inventory of retail merchandise.
- Plan and implement advertising and promotional activities and contribute to policy-making as required.
- Maintain proper inventory levels and perform periodic inventory of retail merchandise. Analyze figures and reconcile inventory variances.
- Assists with staff development and training with regard to regarding retail sales and ensures staff is following proper procedures regarding sale transactions, cash handling, and deposits.
- Makes all deposits and works as a liaison between this department the Tourism Department and the Finance Department.
- Works with troubleshooting the POS system (Square) and is on call as needed.
- Ensures the sales area is well maintained and organized. Manage while managing the upkeep and efficiency of in-store systems.
- Projects budgetary needs relating to inventory, budgeting, and staffing to assist in the development of the Tourism Department's annual budget.
- Researches and performs cost comparisons for merchandise.
- Contacts and secures product vendors.
- Maintains statistics and creates various reports necessary for tracking inventory and sales.
- Assists with Creates purchase orders and processes invoices for promotional and event items, processing invoices, writing purchase orders, and, ordering promotional items.
- Orders all cleaning and office supplies for both the Corolla and Moyock centers and maintains inventory of supplies.

Formatted: No underline

Formatted: No bullets or numbering

### SALES & MARKETING ASSOCIATE

- Assists with staff development and training regarding retail sales and ensures staff is following proper procedures regarding sale transactions, cash handling, and deposits.

#### Additional Responsibilities

- Contributes to policy-making as required.
- Assists with lead generation and dissemination.
- Assists with the coordination of events.
- Attends and works travel shows when needed as a representative of Currituck County Travel and Tourism.
- Performs other duties as assigned by the Marketing Communications Director, the Travel & Tourism Director and the County Manager or his designees.

#### ADDITIONAL JOB FUNCTIONS

Periodic travel to Currituck Outer Banks Visitor Center and attendance at job-related meetings required.

Performs duties as assigned by the Travel & Tourism Director and the County Manager or his designees during a State of Emergency or other disaster.

Performs duties as assigned by the Tourism Director, County Manager or his designees.

Performs other related work and Visitor Relations duties as required or assigned.

#### MINIMUM TRAINING AND EXPERIENCE

Bachelor's degree in Communications, Accounting, English or other related field and at least two years work experience which provides the required knowledge, skills and abilities. Prefer applicants with experience at a visitors' center, retail sales, marketing firm, or other tourism-related industry. Must have strong writing skills and a solid knowledge of the utilization of social media for communication. Prefer applicants with experience in retail sales, marketing or other tourism-related industry.

#### SPECIAL REQUIREMENT

Possession of a valid North Carolina driver's license.

#### 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 computers, registers, credit card machines, typewriters, copiers, calculators, facsimile machines, cameras, etc. Must be physically able to operate a motor vehicle. Requires the ability to exert up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are in excess of those for sedentary work. Light Work usually requires walking or standing to a significant degree. However, if the use of arm and/or leg controls requires exertion

**Formatted:** Indent: Left: 0", Bulleted + Level: 1 + at: 0.25" + Indent at: 0.5"

**Formatted:** Font: Not Bold

**Formatted:** No underline

**Formatted:** No bullets or numbering

**Formatted:** Bulleted + Level: 1 + Aligned at: 0" + at: 0.25"

### SALES & MARKETING ASSOCIATE

of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

**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 giving instructions, assignments or directions to clients and supporting personnel.

**Language Ability:** Requires the ability to read a variety of reports, correspondence. Requires the ability to prepare a variety of correspondence, reports, forms, budgets, studies, projects, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

**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 or professional languages, including accounting, engineering, legal, and marketing terminology.

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

**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 office equipment.

**Manual Dexterity:** Requires the ability to handle a variety of items, such as keyboards, control knobs, toggle 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.

**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.

### **KNOWLEDGE, SKILLS AND ABILITIES**

### SALES & MARKETING ASSOCIATE

Working knowledge of the methods and techniques used in marketing and promotion for travel and tourism.

Considerable knowledge of the available resources of the County.

Considerable knowledge of general management and business organization principles and practices.

Considerable knowledge of County geography and the local tourism industry.

Considerable knowledge of ethical guidelines applicable to the position as outlined by professional standards and/or federal, state and local laws, rules and regulations.

Ability to use common office machines, including popular computer-driven word processing, spreadsheet and file maintenance programs.

Ability to exercise considerable independent judgment and discretion in establishing, applying and interpreting policies and procedures.

Ability to effectively express ideas orally and in writing.

Ability to exercise tact, courtesy and firmness when in contact the general public.

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

ED: 10/07/2019 (REV BOC)



## CURRITUCK COUNTY JOB DESCRIPTION

JOB TITLE: CREATIVE DIRECTOR

### **GENERAL STATEMENT OF JOB**

Responsible for the creation and/or oversight of the Currituck Brand across all media; conceptualizing, directing, designing and implementing creative campaigns for the Department of Travel & Tourism. Work includes conceptualization of research driven creative strategy, branding, creative direction, art direction, copywriting, graphic design, digital production, oversight of numerous contracted agency creative strategies and efforts, relationship building with professional photographers, advertising representatives, contracted services management, and research analysis. Establishes overall brand direction for Currituck and assures a consistent branded public image is maintained in terms of messaging, layouts, colors, and imagery (Developing on-brand advertising strategy, copy (text) and design execution to fit the medium and promotional need). Reports to the [Director of Travel & Tourism/Marketing and Communications Director](#).

### **SPECIFIC DUTIES AND RESPONSIBILITIES**

- Creates branded advertisements, web promotions, publications, direct mail advertising and web online layouts promoting visitation to Currituck County
- Creates/maintains branding and campaigns for county-owned departments, attractions and events such as Whalehead, the Currituck Rural Center, Currituck Economic Development, The Corolla Greenway, Currituck Alert, The Currituck Heritage Festival, Whalehead Wednesdays, Under the Oaks Arts Festival (etc.) and perpetuates these new brands across all media through online and traditional campaign promotion of these initiatives
- Directs photoshoots, the creation of original digital artwork, logos and icons for tourism's online and print campaigns, promotional video applications and outdoor promotion
- Contributes branded concepts, creative direction oversight/guidance and copywriting (text) to in-house videographer
- Provides tailored/brand artwork and creative guidance to in-house social media director in support of branded events, attractions and ongoing tourism promotions
- Manages contract fulfillment for major print and online publications each year
- Defines/clarifies specifications for online and print advertising and publication productions
- Reviews bids and recommends vendor selection based on in-depth industry knowledge
- Recommends relevant photography and information for publication editorial
- Coordinates and oversees contractors in producing, printing and delivering publications
- Provides strategic direction and guidance/feedback to Marketing Director on website and email marketing campaigns implemented in-house or by web contractors
- Provides oversight to ensure funding supports the full year's program plan
- Provides support for press media and familiarization tours, travel shows and special promotions.
- Develops and implements creative strategy and innovative solutions that consistently deliver on the brand's business objectives
- Assists in the planning, organizing and implementing of the marketing and advertising program
- Assists with creating the marketing and advertising plan for the department



Creative Director  
Page 2

- Reviews media kits and fulfills media requests generated through PR.
- Manages/coordinates print advertising purchase orders, contracts and invoicing
- Reviews vendor relationships for cost, performance and quality of service
- Uses data and research and makes decisions based on cost-benefit analysis
- Assists with sales calls when necessary
- Meets with advertising representatives
- Creates and manages co-op advertising programs for local businesses/attractions
- Promotes and coordinates co-op advertising
- Designs and places branded ads within national publications (may design ads for businesses partners and tourism-relevant attractions as needed)
- Makes strategic recommendations relative to contracts for television and video content
- ~~Attends~~ Directs photography and video shoots of ads and coordinates the production with the contractor
- Reviews and approves final TV and video ads before release.
- Provides strategic creative support for familiarization and press tours in conjunction with the Public Relations Coordinator
- Pitches story ideas
- Creates press kits and monitors editorial coverage
- Supports vacation giveaways as means to increase potential visitors and businesses
- Provides on-site assistance with Travel & Tourism events

### **ADDITIONAL JOB FUNCTIONS**

- Stays current with practices and trends, etc., of the tourism industry and reviews reports on tourism trends
- Attends local, regional and national industry meetings and award shows; attends conferences and seminars (if requested by the Director)
- Reviews reports on tourism analytics and trends and provides correlated creative strategy
- Provides branding, creative direction, art direction, copywriting, graphic design, production management and marketing assistance to other county departments if requested.
- [Performs duties as assigned by the Tourism Director, County Manager or his designees](#)
- [Performs other related work as required or assigned.](#)

### **MINIMUM TRAINING AND EXPERIENCE**

Graduation from a four year college or university with a major in marketing, advertising, communications, or related degree, and 5+years agency-level marketing, advertising and/or public relations experience; or an equivalent combination of education and experience. Previous Art Direction background or Creative Direction experience required. Graphic design skills essential.

### **SPECIAL REQUIREMENT**

Possession of a valid North Carolina driver's license.

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

Creative Director  
Page 3

**Physical Requirements:** Must be physically able to operate a variety of machinery and equipment, including computers, typewriters, copiers, calculators, facsimile machines, cameras, etc. Must be physically able to operate a motor vehicle. Requires the ability to exert up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are in excess of those for sedentary work. Light Work usually requires walking or standing to a significant degree. However, if the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

**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 giving instructions, assignments or directions to clients and supporting personnel.

**Language Ability:** Requires the ability to read a variety of reports, correspondence. Requires the ability to prepare a variety of correspondence, reports, forms, budgets, studies, projects, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

**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 or professional languages, including accounting, engineering, legal, and marketing terminology.

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

**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 office equipment.

**Manual Dexterity:** Requires the ability to handle a variety of items, such as keyboards, control knobs, toggle 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.

Creative Director  
Page 4

**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.

### **KNOWLEDGE, SKILLS, AND ABILITIES**

- Strong experience with the design and art direction of marketing communication pieces including: outbound print and web based ads, brochures, direct-mail and marketing collateral materials, large-format outdoor, trade-show displays, eblasts, advertorial, advertiser comps, presentations, media kits, logos, corporate identity and iconography.
- Ability to creatively brainstorm and conceptualize a variety of visual approaches for print and digital content, and to carry these concepts through in engaging visual products with targeted strategy, clear readability, excellent hierarchy and logical structure.
- Expert proficiency with graphic design software such as Adobe InDesign, Photoshop, Illustrator, Acrobat, etc.
- Strong knowledge of photography, illustration stock resources and licensing needs.
- Expert knowledge of principles, practices and techniques of travel and tourism industry.
- Expert knowledge of resources for printing of publications and collateral materials.
- Significant knowledge of web processes and trends.
- Demonstrated skill in using computers, internet technology, word processing, spreadsheet, database,
- Ability to organize and gain input from a variety of sources and to develop and maintain effective working relationships with community organizations, local business owners, travel and tourism writers and professionals, advertising sales representatives, Director, elected officials, advisory board members, peers, and the public.
- Working knowledge of the methods and techniques used in marketing and promotion for travel and tourism.
- Considerable knowledge of the available resources and geography of the County.
- Considerable knowledge of ethical guidelines applicable to the position as outlined by professional standards and/or federal, state and local laws, rules and regulations.
- Ability to use common office machines, including popular computer-driven word processing, spreadsheet and file maintenance programs.
- Ability to exercise considerable independent judgment and discretion in establishing, applying and interpreting policies and procedures.

Creative Director  
Page 5

- Ability to effectively express ideas orally and in writing.
- Ability to exercise tact, courtesy and firmness when in contact the general public.
- Ability to establish and maintain effective working relationships as necessitated by work assignments.

ED: 08/17/2020 (REV BOC)



## **CURRITUCK COUNTY JOB DESCRIPTION**

**JOB TITLE: PUBLIC RELATIONS COORDINATOR**  
**GRADE: 68**

### **GENERAL STATEMENT OF JOB**

Under limited supervision, develops public relations strategies and coordinates business development and research regarding tourism in Currituck County. Promotes attributes of the area to visitors and potential writers and bloggers. Maintains a database of Currituck County tourism-related resources/businesses to strengthen ties with Travel & Tourism and to promote Currituck County businesses to visitors and potential visitors. Updates the North Carolina tourism department's database and provides and promotes these resources to the public. Responsible for tracking fulfillments of mail, phone, Internet inquiries, and other data. Organizes and supervises public relations events with key media stakeholders that will attract visitors to the County. Reports to the [Director of Travel & Tourism](#) [Marketing and Communications Director](#).

### **SPECIFIC DUTIES AND RESPONSIBILITIES**

#### **ESSENTIAL JOB FUNCTIONS**

- Develops and executes public relations programs and projects that promote Currituck County.
- Serves as a liaison between the Travel and Tourism Department and local tourism-related businesses and civic/community groups organizations.
- Works to implement business development initiatives and conduct research regarding tourism in Currituck County as assigned by the Director.
- Responsible for the tracking and fulfillment of mail, phone, internet and other inquiries.
- Collects and analyzes data and research (including occupancy tax and sales tax analytics) to create a monthly report on tourism and assists in the publication of an annual report.
- Works with travel marketing research firms to obtain statistical information and the latest travel trends regarding tourism and the economy (e.g. Travel and Tourism Research Association, etc.).
- Manages Meltwater, a web-based PR software program that tracks Currituck County editorial coverage and reports analytics to Director and Marketing Director.
- Creates, updates and maintains a business database for local tourism-related businesses, civic groups, community organizations and events in Currituck County for use on various travel websites, publications, listings and other outlets.
- Maintains the business listings on the Travel & Tourism website, visitcurrituck.com, using software and online content management programs.
- Serves as the Travel & Tourism contact for updating and maintaining Currituck County's business listings and events for the North Carolina Division of Tourism's database for use on [www.visitnc.com](http://www.visitnc.com) and in the State Travel Guide.
- Responsible for maintaining and updating databases and websites associated with Currituck County Travel & Tourism ([historicalbemarletour.org](http://historicalbemarletour.org), [coasthost-nc.com](http://coasthost-nc.com), etc.).
- Plans and implements familiarization and press Tours.
- Organizes and secures lodging for event speakers, visiting media and staff.

## PUBLIC RELATIONS COORDINATOR

- Organizes donations from local businesses for vacation giveaways, familiarization and press tours, and other special promotions.
- Attends local events and tradeshow as a representative of the Travel and Tourism Department.
- Assists with the cooperative advertising programs for local businesses with the Marketing Director.
- Responsible for the collection and distribution of leads to local Currituck County tourism-related businesses as part of the Lead Sharing Program.
- Researches, recommends and attends those travel shows that will best promote Currituck County based on marketing demographics provided by the Currituck Travel and Tourism Marketing Director.
- Selects and trains staff members on travel show etiquette and guidelines prior to attending expos.
- Organizes and secures travel show lodging and transportation for staff members and prepares travel advancements/reimbursements.
- Obtains and transports the materials and supplies needed for travel shows.
- Works with the Creative and Marketing Director in the creation of promotional materials such as electronic newsletters, give-away promotions, visitor's guide, shopping & dining guide, wedding guide, etc.
- Coordinates focus groups and other projects that develop working relationships with local businesses.
- Maintains a well-informed, working knowledge of the attractions and services available in the area to visitors.
- Assists with the answering of telephones and e-mail inquiries when needed.
- Performs other clerical duties as assigned by the Director.
- Assists the Director of Travel & Tourism in the preparation of the annual budget for promotion and execution of tourism projects.
- Works with staff to conduct research for new publications and promotional materials.
- Maintains a cohesive working relationship with all other Department personnel to ensure a unified and effective promotional effort.
- Maintains records and reconciles monthly purchasing statements for Travel and Tourism department with Finance.
- Responsible for the Travel & Tourism PR Twitter account, tweeting at least twice a week at a minimum to draw visitors to Currituck Outer Banks.
- Serves as a back-up for the Sales and Marketing Associate with merchandise deposits and paperwork and for the Visitor Center Supervisor as needed.
- Attends industry conferences and seminars as assigned by the Director.
- Serves on the Coast Host Board of Directors.

### **ADDITIONAL JOB FUNCTIONS**

Performs duties as assigned by the Director of Travel & Tourism, [County Manager or his designees](#).

Performs other related work as required [or assigned](#).

### **MINIMUM TRAINING AND EXPERIENCE**

## PUBLIC RELATIONS COORDINATOR

Requires any combination of education and experience equivalent to graduation from high school and at least two years work experience in tourism/hospitality or customer service field. Solid knowledge of MS Office applications (including Access, Word and Excel) is required.

### **SPECIAL REQUIREMENT**

Possession of a valid North Carolina driver's license. Typing test required with application; minimum 30 words per minute.

### **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 computers, typewriters, copiers, calculators, facsimile machines, cameras, etc. Must be physically able to operate a motor vehicle. Requires the ability to exert up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are in excess of those for sedentary work. Light Work usually requires walking or standing to a significant degree. However, if the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

**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 giving instructions, assignments or directions to clients and supporting personnel.

**Language Ability:** Requires the ability to read a variety of reports, correspondence. Requires the ability to prepare a variety of correspondence, reports, forms, budgets, studies, projects, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

**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 or professional languages, including accounting, engineering, legal, and marketing terminology.

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

**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 office equipment.

## PUBLIC RELATIONS COORDINATOR

**Manual Dexterity:** Requires the ability to handle a variety of items, such as keyboards, control knobs, toggle 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.

**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.

## **KNOWLEDGE, SKILLS AND ABILITIES**

Working knowledge of the methods and techniques used in marketing and promotion for travel and tourism.

Considerable knowledge of the available resources and geography of the County.

Considerable knowledge of ethical guidelines applicable to the position as outlined by professional standards and/or federal, state and local laws, rules and regulations.

Ability to use common office machines, including popular computer-driven word processing, spreadsheet and file maintenance programs.

Ability to exercise considerable independent judgment and discretion in establishing, applying and interpreting policies and procedures.

Ability to effectively express ideas orally and in writing.

Ability to exercise tact, courtesy and firmness when in contact the general public.

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

ED: 10/07/2019 (REV BOC)





**CURRITUCK COUNTY  
NORTH CAROLINA**

October 3, 2022

Minutes – Regular Meeting of the Board of Commissioners

**6:00 PM CALL TO ORDER**

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

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

Chairman Payment called the meeting to order. He reported technical difficulties with the audio equipment and said the meeting would not be able to be streamed or televised.

**A) Invocation & Pledge of Allegiance**

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

**B) Statement of Ethics and Conflict of Interest Reminder**

Commissioner White read the Statement of Ethics and Conflict of Interest reminder. No conflicts were reported.

**C) Approval of Agenda**

Commissioner White moved for approval of the agenda. Commissioner Jarvis seconded the motion. The motion carried, 7-0.

Approved agenda:

**6:00 PM Call to Order**

A) Invocation & Pledge of Allegiance

B) Statement of Ethics and Conflict of Interest Reminder

Communication: Minutes for October 3, 2022 (Approval Of Minutes-October 3, 2022)

## 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) Team Recognition-District Champions, Currituck County 8U Coach Pitch Softball

- B) NC Forest Service Annual Report to the Board

**Public Hearings**

- A) **PB 22-11 Bissell Professional Group:** Request to amend the Unified Development Ordinance, Chapter 10. Definitions and Measurement, to change the way multi-family building height is measured in the Planned Development-Residential District.

**New Business**

- A) **Resolution of Intent to Permanently Close a Portion of Simpson Road (SR 1280) in Crawford Township**
- B) **An Ordinance Directing the Building Inspector to Remove or Demolish the Dwelling Located at 101 Baxter Grove Road, Crawford Township, as Unfit for Human Habitation and Directing the Removal of the Current Occupants.**
- C) **Consideration of Additional Appropriation for Purchase of New Fire Apparatus for Corolla Volunteer Fire Department**
- D) **Board Appointments**
1. Recreation Advisory Board
- E) **Consent Agenda**
1. Budget Amendments
  2. Dominion Power Easement-Maple Commerce Park

3. **Contract Approval to Install Fiber Cable for Telecommunications System and Authorize County Manager to Execute Documents**
4. **No Cost Lease Agreement-NC Public Safety and Parole, Judicial Center**
5. **Approval Of Minutes-September 19, 2022**

**Recess Regular Meeting**

**Special Meeting-Tourism Development Authority**

Tourism Development Authority-Budget Amendments

**Adjourn TDA**

**Special Meeting-Ocean Sands Water & Sewer District Board**

Ocean Sands Water & Sewer District-Budget Amendments

**Adjourn OSWSD Board and Reconvene**

**Closed Session**

Closed Session Pursuant to NC G.S. 143-318.11(a)(4) to discuss matters related to the location or expansion of business or industry within the county; and, NC GS 143- 318.11(a)(5) to establish or instruct County staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for the purchase of real property located at 2878 Caratoke Highway owned by Daniel W. Humphrey to be used for any public purpose.

**Adjourn**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Selina S. Jarvis, Commissioner
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, 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 opened the Public Comment period.

John Snowden of Maple Road, Maple, introduced his rooster, Buddy, who is in a prize competition for "America's Favorite Pet". Buddy won the quarter-final round and must come in first in the next round to get into the finals. Mr. Snowden encouraged everyone to go online and vote for Buddy.

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

### COMMISSIONER'S REPORT

Commissioner Jarvis commended County staff on a successful Aviation Day event recently held at the Currituck County Airport. She recognized October as Breast Cancer Awareness month and encouraged women to get annual mammograms.

Commissioner Mary Etheridge recognized several County Departments for hosting successful events she recently attended, including Stacy Joseph, Senior Center Director, and staff for hosting the Volunteer Banquet; William Nelson, Airport Director, and staff for coordinating Aviation Day; and Cameron Lowe, Currituck Extension Director, and staff for hosting the Currituck Farm Festival. She asked the County to consider temporarily suspending the dress code policy so staff could pay to wear jeans on Fridays to benefit the Department of Social Services (DSS) Operation Santa program. Congratulations were offered to Samantha Hurd, DSS Director, who was asked to serve on the Governance Team for the State Department of Health and Human Services Division of Aging and Adult Services.

Commissioner Beaumont reported his attendance at Aviation Day and thanked William Nelson, Airport Director, and staff for a great event. He noted the perfect weather and the many types of aircraft on display.

Commissioner McCord also recognized the efforts of Airport Director, William Nelson, and reported on upcoming events in the County. He encouraged residents to monitor the County website and social media for event information.

Commissioner J. Owen Etheridge reported his attendance at both the Senior Center Volunteer Banquet and Aviation Day. He said he was amazed how many people attended Aviation Day who were not from Currituck County. He reported on a successful Farm Day event at Currituck Cooperative Extension and noted the importance of agriculture to our area.

### COUNTY MANAGER'S REPORT

County Manager, Ike McRee, announced revised hours of operation for the Moyock and Grandy solid waste convenience centers starting November 6, 2022. Sunday hours will be 7:00 AM till 7:00 PM and Tuesday hours will be 1:00 PM till 7:00 PM.

Mr. McRee recalled Commissioner Mary Etheridge's request to suspend the County's dress code policy and suggested a motion be made. Commissioner Mary Etheridge moved to temporarily suspend the dress code policy. Commissioner Jarvis seconded the motion. The motion carried, 7-0.

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

## COUNTY ATTORNEY'S REPORT

County Attorney, Megan Morgan, reported her attendance at Aviation Day and Farm Day. She and the County Manager attended S. Paul O'Neal's swearing in ceremony, who was recently appointed to fill a vacancy in the North Carolina House of Representatives. She reported on several meetings she attended to discuss County issues and plans to take an online class through the University of North Carolina School of Government.

## ADMINISTRATIVE REPORTS

### A. Team Recognition-District Champions, Currituck County 8U Coach Pitch Softball

Commissioner J. Owen Etheridge read a Resolution honoring the 8-U All-Stars Girls Softball Team, who won the District 7 Tarheel Softball Tournament. Players and Coaches were in attendance, and each received a copy of the Resolution.

### RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS HONORING THE 8U ALL-STARS SOFTBALL TEAM

**WHEREAS**, participation in organized athletics helps to build character and teaches a wholesome sense of fair play and good sportsmanship among our youth; and

**WHEREAS**, an outstanding example of athletic participation has been brought to our attention by the achievement of the Currituck County 8U All-Stars Softball Team, who won the Tarheel League Softball Tournament District 7 Championship, earning them a spot in the state tournament; and

**WHEREAS**, special recognition is due to all the players and coaches, and all who offered their support, and especially to the parents and families:

<b><u>Players:</u></b> Braylin Biddiscombe	Aubrey Holley	Hailey Smith
Ryleigh Bonneval	Tenley Miller	Caroline Thomas
Sadie Drab	Peyton Moore	Addyson Williams
Quinn Hartman	Keanna Rozell	Kaydence Williams

**Head Coach:** Ashley Foster

#### **Assistant Coaches**

Asheley Austin  
Amy Hartman  
Tyler Miller  
William "Bill" Rozell  
Brooke Williams

**NOW, THEREFORE BE IT RESOLVED**, the Currituck County Board of Commissioners extends, on behalf of Currituck County and its citizens, its pride in your accomplishment and appreciation for the distinction you have brought to Currituck County by the exceptional display of good sportsmanship, motivation, and inspired team play.

**ADOPTED** this 3<sup>rd</sup> day of October, 2022.

## **B. NC Forest Service Annual Report to the Board**

Will Rose, Assistant County Ranger (Interim County Ranger), introduced himself and District Ranger, Mike Petruncio, and presented the annual report to the Board for the North Carolina (NC) Forest Service. He provided information on emergency response, service activity, and operations in the County. Services provided by NC Forest Service were reviewed, such as fire control, forest management, water quality protection, and educational programs. Mr. Rose thanked Commissioners for their support and responded to questions. Board members offered their appreciation for their efforts in Currituck County.

A brief recess was called at 6:38 PM. The meeting reconvened at 6:45 PM and moved to the next order of business.

## **PUBLIC HEARINGS**

### **A. PB 22-11 Bissell Professional Group:**

To: Board of Commissioners

From: Tammy D. Glave, CZO  
Senior Planner

Date: September 16, 2022

Subject: PB 22-11 Bissell Professional Group, Representing Ryan Homes- Building Height Text Amendment

---

### **Background**

The enclosed text amendment, submitted by Bissell Professional Group, is intended to revise Section 10.3.6 of the county's Unified Development Ordinance (UDO) as it relates to the rules of measurement of height for multi-family buildings exclusively in the PD-R (Planned Development Residential) district. The PD-R district is a legacy district, meaning that only properties that are currently PD-R can have that zoning designation. The county currently has two developments that are zoned PD-R, which are University Park and Fost.

Although the text amendment applies county-wide, this application was submitted because two of the multi-family buildings in the Fost development were built taller than the maximum building height of thirty-five feet. The thirty-five foot maximum height for the development was set by the developer and is enforced through the Terms and Conditions document, preliminary plat/special use permit, and final plat. A third multi-family building was built too tall; however, the roof was removed and replaced with a roof pitch that complies with the maximum height requirement.

Section 5.7.3.C.5. of the UDO requires that "the minimum ground floor elevation shall be elevated two feet above established or finished grade" for all multi-family structures. In the case of buildings one and two of the Fost development, when the townhomes were elevated, the height of the structure became too tall. Therefore, the applicant wishes to exclude the required two-foot elevation from the height measurement.

Section 10.3.6.A of the UDO defines the building height as “the vertical distance measured from the average established grade adjoining the building to the highest point of the roof surface of a flat roof, to the deck line of a mansard or Bermuda roof, to the mean height levels between eaves and ridge of gable, hip cone, gambrel and shed roofs.” Section 10.3.6.C. of the UDO identifies the exemptions to the measurement of height. This proposed amendment would add a section to the exemptions that would exclude two-feet of height from the measurement of a multi-family structure only in the PD-R zoning district.

### Staff Comments

Staff has been working with the builder since spring when it was determined that the height of the first multi-family building exceeded the height limit set by the developer. Although this proposed text amendment would correct the problem of buildings one and two exceeding the maximum allowed height, staff has shared with the applicant that the preferred method to correct the issue is to amend the Terms and Conditions document, preliminary plat and final plat. The applicant has chosen to pursue this county-wide text amendment in the interest of time.

Although staff feels a thirty-seven foot maximum height for multi-family structures in the Fost development is not unreasonable, the logical way to address this via a text amendment would be to draft a height exemption in a similar way to structures located in the Special Flood Hazard Area. Section 10.3.6.C.(2) of the UDO allows for structures in a Special Flood Hazard Area and required to elevate in order to meet Design Flood Elevation (DFE), a maximum building height not to be exceeded by a distance greater than the difference between the established grade and the DFE. The required elevation is allowed, not to exceed three feet; however, the additional elevation is still counted when measuring total structure height, not exempt from the measurement. The approach to the text amendment would still require an amendment to the Terms and Conditions document, preliminary plat/special use permit, and the final plat, and therefore was not pursued.

### 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

The staff recommendation of the proposed text amendment involves concluding whether the application complies with all applicable review standards identified in Section 2.4.2.C. of the UDO. As presented the staff recommends denial of this application for the following reasons:

1. The proposed text amendment is not due to changed conditions, as the maximum building height of thirty-five feet was established by the developer.



2. Because the Fost PD-R zoning district has height requirements solely for that district set by the developer, exceeding the maximum defined height as is currently measured in the UDO is not consistent with the intent that was established in the Terms and Conditions document, which limits the height to thirty-five feet.

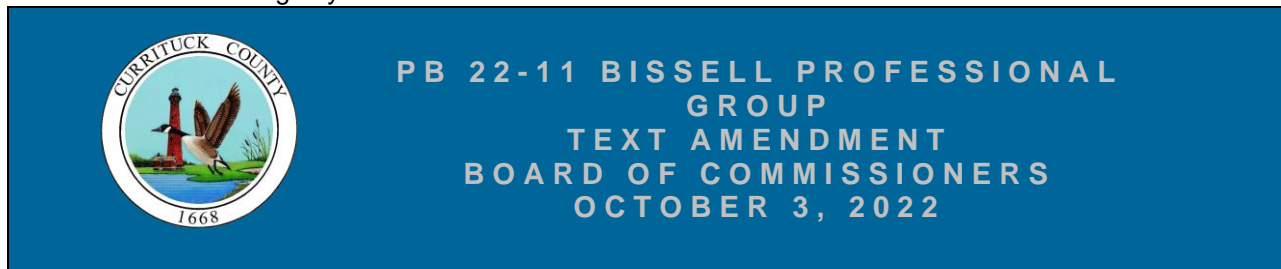
#### Planning Board Recommendation

The Planning Board recommended approval of the requested text amendment on September 13, 2022, with a 3-2 vote.

#### Planning Board Motion

Mr. Bass moved to recommend **approval of PB 22-11 Bissell Professional Group (Multi-Family Height in PDR)** because the request is reasonable and in the public interest because it would be an undue burden on the builder to make the necessary adjustments to the structure and it is the quickest remedy.

Chairman Ballance seconded the motion and the motion carried 3-2 with Mr. Corbell and Mr. Doll voting nay.



Bissell Profession Group requests an amendment to the Unified Development Ordinance, Chapter 10 Definitions and Measurement, to except multi-family buildings in the PD-R District that are subject to the two-foot raised finished floor provision from counting that two-feet in overall height measurement.

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 10 is amended by adding the bold and underlined language in Section 10.3.6.C Exceptions:

#### 10.3.6. Height

##### C. Exceptions

##### (1) General

Height limits shall not apply to bulk storage silos, grain elevators, barns, chimneys, elevator shafts, church spires, belfries, cupolas, domes, flag poles, monuments, water towers, rooftop dish antennas, solar equipment, skylights, fire escapes or roof access stairways, outdoor recreation uses subject to Section 4.2.4.F., mechanical equipment required to operate and maintain the building, or similar appurtenances, provided:

- (a) The appurtenance does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace;
- (b) The appurtenance does not exceed a maximum height of 200 feet above grade;
- (c) The appurtenance is not constructed for the purpose of providing additional floor area in the building;
- (d) The appurtenance complies with the screening requirements for mechanical equipment and appurtenances in this Ordinance; and,
- (e) The maximum area and height of cupolas shall be determined as follows:



- (i) The area of the base of appurtenances shall not singularly or collectively exceed 10 percent of the footprint of a structure's roof or 200 square feet, whichever is less.
- (ii) The appurtenance shall be situated on top of a roof and shall not extend below the midpoint of a roof's ridge and eave.
- (iii) The walls of the appurtenance shall not be directly in line with any exterior walls of the structure.
- (iv) The appurtenance does not extend more than 15 feet above the highest roof ridge.

(2) **Special Flood Hazard Areas**

When structures are required to be elevated in order to meet the design flood elevation (DFE), the maximum building height may be exceeded provided:

- (a) The resulting mean roof height does not exceed 38 feet; and
- (b) The maximum building height is not exceeded by a distance greater than the difference between established grade and the DFE.

(3) **Multi-family Buildings in PD-R Districts**

**For buildings in legacy PD-R zoning districts that are subject to the two-foot raised finished floor provision in paragraph 5.7.3.C(5), the two feet required to raise the finished floor elevation shall be excluded from the building's height measurement.**

*For reference purposes only*

5.7.3.C Multi-family Design Standards, Building Design

- (5) The minimum ground finished floor elevation shall be elevated two feet above established or finished grade.

**Item 2:** Staff suggested Statement of Consistency:

The requested zoning text amendment is not consistent with adopted plans because:

- Allowing Developments in the PD-R district to exceed the height standards without including going through the public hearing process like the original plan did could create a conflict with adjoining property owners.
- If this text amendment passes, the Fost Development would not comply with the design standards set by the developer and enforced through the Terms and Conditions documents, preliminary plat/use permit, and final plat.

**Item 3:** 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 4:** This ordinance amendment shall be in effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Planning and Community Development Director, Kevin Kemp, used a powerpoint and presented the text amendment request to change the way height is measured for dwellings in a PD-R (Planned Development-Residential) zoning district. Mr. Kemp

reviewed the approval process for the Fost development and establishment of the thirty-five foot height limit for the subdivision as part of the application process. He said the first two townhome buildings exceed the established height limit. Building three was corrected. He said meetings with the applicant included discussion of a two-foot above grade floor elevation requirement. He said a note was added to the plans and the thirty-five foot maximum height was stated on the building permit. The text amendment is being requested because the maximum height was exceeded on the first two townhome buildings. Mr. Kemp reviewed the method for measuring height as established in the County's Unified Development Ordinance (UDO) and confirmed it has not changed since 2019. The text amendment would apply only to PD-R districts, which no longer exist.

In lieu of a text amendment, Mr. Kemp said staff recommended alternatives that would provide more consistency with the Planned Development-Residential zoning. The Planning Board recommended approval of the request on a 3-2 vote. Text amendment review standards were presented.

Applicant and Engineer for Fost, Mark Bissell, used a powerpoint and reviewed the project. Photos of the townhomes in various stages of completion were displayed. Timelines for permitting, staff meetings and construction, were presented, and he discussed raising the floor two feet above established grade to meet development standards for Currituck Station. He said the two townhome buildings exceeding the height limit are ready for Certificates of Occupancy (CO). The third building roof height was corrected. Mr. Bissell said tearing the roofs off the two buildings would be impractical, unsafe, and expensive, and he provided justification for approval of the text amendment. He said it was an unintentional oversight, and recommended UDO language be clarified as it relates to height definitions. He said the request meets the review standards for Text Amendments.

During presentation, Commissioners posed questions to Mr. Kemp and Mr. Bissell and voiced concerns with the request. Commissioners considered whether the builder might request multiple text amendments because the subdivision is the only PD-R in the County. Commissioners also questioned why a stop work order was not issued by the Building Inspector when a potential problem was discovered. Past applicants who were denied requests to remedy issues through text amendments were considered. Mr. Kemp and Mr. Bissell responded to questions and reviewed the floor elevation requirement and clarified the permitting and construction timeline throughout the presentation.

Greg Knapp of Virginia Beach, Division Manager for Ryan Homes, also reviewed the timeline for construction and permitting and when he became aware of the height issue. He said townhome building three was corrected, and he believes a text amendment is the most timely resolution. Mr. Knapp responded to questions from the Board. Commissioners suggested that if staff recommendations were followed initially the process would be over already, and Mr. Knapp said he would have followed staff's suggestion had he known. He said there were some oversights and some things were missed, and he is looking for a solution. He confirmed future townhome building construction would match building three roof height for aesthetics, but the text amendment would allow a higher roof height.

Mr. Bissell remarked that it was an honest mistake. He said the text amendment does no harm, and he asked for the Board to support the request. Mr. Bissell responded to questions related to height measurements and suggested there is room for interpretation in the UDO regarding established grades.

Chairman Payment opened the Public Hearing.

John Snowden of Maple, addressed the need for Engineers and builders to pay attention to detail. He is typically opposed to ordinance changes because they set a precedent, and impacts of changes are not considered. He noted off-site advertising signage is illegal in Currituck County and returned a Ryan Homes sign that was placed off-site along Caratoke Highway.

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

Commissioner Jarvis moved to recommend denial of PB 22-11: Bissell Professional Group (Multi-Family Height in PD-R) because the request is not consistent with the adopted plans because allowing Developments in the PD-R district to exceed the height standards without going through the public hearing process like the original plan went through could create a conflict with adjoining property owners. If this text amendment passes, the Fost Development would not comply with the design standards set by the developer and enforced through the Terms and Conditions documents, preliminary plat/use permit, and final plat.

And, the request is not reasonable and not in the public interest because the proposed text amendment is not due to changed conditions, as the maximum building height of thirty-five feet was established by the developer; and because the Fost PD-R zoning district has height requirements solely for that district set by the developer, exceeding the maximum defined height as is currently measured in the UDO is not consistent with the intent that was established in the Terms and Conditions document, which limits the height to thirty-five feet.

Commissioner Mary Etheridge seconded the motion. The motion failed with a vote of 3-4. Chairman Payment, Commissioner Mary Etheridge and Commissioner Jarvis voted for approval. Commissioners Beaumont, J. Owen Etheridge, McCord and White were opposed.

At 8:03 PM, Chairman Payment recessed the meeting at the request of Board members to allow time to review Policies relative to the request. The meeting reconvened at 8:11 PM.

Commissioner McCord moved to recommend approval of PB 22-11: Bissell Professional Group (Multi-Family Height in the PD-R) because the request is consistent with the Land Use Policies. The amendment is not going to endanger the public health or safety; with the planned total height, to include the two-foot elevation, shall not exceed the height of building one which is thirty-five foot eleven inches, and has compatibility with the neighborhood and promotes good building aesthetics throughout the PD-R.

Commissioner J. Owen Etheridge seconded the motion. The motion carried, 4-3. Chairman Payment, Commissioner Mary Etheridge and Commissioner Jarvis opposed the motion.

<b>RESULT:</b>	<b>MOTION PASSED-ITEM APPROVED [4 TO 3]</b>
<b>MOVER:</b>	Kevin E. McCord, Commissioner
<b>SECONDER:</b>	J. Owen Etheridge, Commissioner
<b>AYES:</b>	Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
<b>NAYS:</b>	Michael H. Payment, Chairman, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner

## NEW BUSINESS

### A. Resolution of Intent to Permanently Close a Portion of Simpson Road (SR 1280) in Crawford Township

County Attorney, Megan Morgan, reviewed the Resolution for Commissioners that would close a portion of Simpson Road in Barco, North Carolina. The action was requested by the owner of Frog Island Seafood, who owns both sides of Simpson Road, to allow for expansion of outdoor space. An overhead site map of the location and portion to be closed was presented, and it was noted that access to Simpson Road from Caratoke Highway has been closed off for some time. A Public Hearing would be set for the next meeting, October 17, 2022.

Commissioner Beaumont moved for approval and Commissioner J. Owen Etheridge seconded the motion. The motion carried, 7-0.

#### RESOLUTION OF INTENT TO PERMANENTLY CLOSE A PORTION OF SIMPSON ROAD (SR 1280) IN CRAWFORD TOWNSHIP

**WHEREAS**, pursuant to N.C. Gen. Stat. §153A-241 a county may permanently close any street, whether opened or unopened; and

**WHEREAS**, the Board of Commissioners for the County of Currituck, North Carolina has determined that it is desirable, necessary and appropriate to permanently close a portion of Simpson Road (SR 1280) in Crawford.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners for the County of Currituck, North Carolina that:

Section 1. A public hearing shall be held on October 17, 2022, at 6:00 p.m., or as soon thereafter as the matter can be reached, to hear any person on the question of whether or not to permanently close a portion of Simpson Road (SR 1280) in Crawford Township, more particularly described as:

Beginning at the northeast corner of the Currituck County tax parcel 00690000110000 owned by Robert D. White (deed book 1612 page 486) and depicted on a map titled Tabb Associates recorded in the Currituck County Register of Deeds in deed book 267 page 325. Thence in a north-westerly direction approximately 60' +/- to the southeast corner of the Currituck County tax parcel 0069000005A0000 owned by Robert D. White (deed book 937 page 624) and depicted on a map titled Recombination Plat Robert D. White Property recorded in the Currituck County Register of Deeds

in Plat Cabinet J slide 38. Then in a southwest direction 162.12' to a point, continuing in a southwest direction 85.1' to a point in the eastern right of way of highway 158, both points depicted on the plat recorded in plat cabinet J slide 38. Thence in a southeast direction along the eastern right of way of highway 158 approximately 60' +/-, parallel to an existing guard rail, to a right of way monument in the northwest corner of the Currituck County tax parcel 006900000060000 owned by Robert D. White (deed book 1612 page 486) and depicted on sheet 4 of North Carolina Department of Transportation project 8.1040901 in the Currituck County Register of Deeds. Thence a northeast direction approximately 79' +/- to a point, continuing in a northeast direction 166.16' to the point and place of beginning.

See attached map listed as Exhibit A.

Section 2. The Clerk to the Board of Commissioners shall cause the publication of this Resolution once a week for three successive weeks prior to the public hearing and a notice of the proposed permanent closing of a portion of Simpson Road (SR 1280) in Crawford Township shall be prominently posted in two locations along Simpson Road proposed for permanent closure.

ADOPTED this 3<sup>rd</sup> day of October, 2022.





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

**B. An Ordinance Directing the Building Inspector to Remove or Demolish the Dwelling Located at 101 Baxter Grove Road, Crawford Township, as Unfit for Human Habitation and Directing the Removal of the Current Occupants.**

County Attorney, Megan Morgan, reviewed the Demolition Ordinance for Board consideration that pertains to a property at 101 Baxter Grove, which had been condemned by the County's Chief Building Inspector after it was badly damaged in a fire. Ms. Morgan said attempts have been made by several agencies and organizations to assist the residents, and action is now necessary due to the severe defective and unsafe conditions of the structure. She said the home is in a dilapidated state, has structural damage and electrical defects, and lacks heat and sanitation. She provided a process timeline and said the County must get an order from a District Court Judge to remove the occupants.

Board members considered the safety of the occupants, and Commissioner Jarvis moved to adopt the Ordinance. Commissioner White seconded the motion. The motion carried, 7-0.

**AN ORDINANCE DIRECTING THE BUILDING INSPECTOR TO REMOVE OR DEMOLISH THE DWELLING LOCATED AT 101 BAXTER GROVE ROAD, CRAWFORD TOWNSHIP, AS UNFIT FOR HUMAN HABITATION AND DIRECTING THE REMOVAL OF THE CURRENT OCCUPANTS**

WHEREAS, the Board of Commissioners for the County of Currituck finds that the dwelling located at 101 Baxter Grove Road, Crawford Township and described herein is unfit for human habitation pursuant to the February 8, 2022 order of the Chief Building Inspector issued in accordance with N.C. Gen. Stat. § 160D-1119 and Article IV, Chapter 4 of the Code of Ordinances of the County of Currituck, North Carolina, (the "Code of Ordinances"), and that all of the procedures required in the statute and county's ordinances have been complied with; and

WHEREAS, the dwelling described in the February 8, 2022 order of the Chief Building Inspector should be removed or demolished as directed by the Chief Building Inspector, such dwelling more particularly described in Deed Book 1021, Page 534 of the Currituck County Registry as:

...that certain 1987 Champion Mobile Home, Vehicle Identification No. 2371530877AB, Hud No. RAD344514 and RAD344515, Serial No. 23-7-153-0877, 40.30 X 23.70, which is permanently affixed to the real estate and is a part thereof;

WHEREAS, a placard has been placed on the dwelling with a notice prohibiting use for human habitation; and

WHEREAS, Charles P. Hardy, Donna Hardy, and Loretta C. Hardy, joint owners of the dwelling, have been given reasonable opportunity to remove or demolish the dwelling pursuant to Article IV, Chapter 4 of the Code of Ordinances and the order of the Chief Building Inspector and has failed to comply with, respond to or appeal within the time required by the Code of Ordinances and the Chief Building Inspector's order.

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

Section 1. The Chief Building Inspector is hereby authorized and directed to proceed to remove or demolish the above-described dwelling in accordance with his February 8, 2022 order and in accordance with Article IV, Chapter 4 of the Code of Ordinances and N.C. Gen. Stat. §160D-1125.

Section 2. The cost of removal or demolition of the dwelling shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the Tax Collector for the County of Currituck and shall have the same priority and be collected in the same manner as the lien for special assessments as provided in Article 10 of Chapter 160 A of the General Statutes of North Carolina.

Section 3. Upon completion of the required removal or demolition, the Chief Building Inspector shall sell the usable materials of the dwelling and credit the proceeds against the cost of removal or demolition. The Chief Building Inspector shall certify the remaining balance to the Tax Collector for the County of Currituck. If a surplus remains after sale of the materials and satisfaction of the cost of removal or demolition, the Chief Building Inspector shall deposit the surplus in the Office of the Currituck County Clerk of Superior Court where it shall be secured and disbursed in the manner provided by N.C. Gen. Stat. §160D-1125(b).

Section 5. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 6. The Chief Building Inspector is hereby authorized and directed pursuant to Article IV, Chapter 4 of the Code of Ordinances, to proceed to file a civil action in the name of the County to remove the occupants in the nature of a summary ejectment proceeding.

Section 7. This ordinance shall be in full force and effect from and after the 3<sup>rd</sup> day of October, 2022.

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

### **C. Consideration of Additional Appropriation for Purchase of New Fire Apparatus for Corolla Volunteer Fire Department**

Commissioner Beaumont relayed concerns discussed at a recent meeting of the Fire and Emergency Medical Services Advisory Board regarding the time lag that now exists for delivery of new fire apparatus. He explained Corolla is next in line for a new

apparatus, and asked the Board to consider an additional appropriation so the order can be placed now. With a two year expectation for delivery, he said funds would be available by the time the apparatus is received.

Commissioner Beaumont and County Manager, Ike McRee, responded to questions. It was confirmed that the apparatus would be titled solely in the name of the County and leased to Corolla Volunteer Fire Department for their use. Commissioners asked for an updated quote on the apparatus to get a better idea of pricing. The Board would review at a Special Meeting scheduled on October 11, 2022, at which time they may consider taking action on budget amendment.

## D) Board Appointments

### 1. Recreation Advisory Board

Commissioner J. Owen Etheridge nominated Ashley Foster to serve on the Parks and Recreation Advisory Board. Commissioner McCord seconded the nomination. The nominee was unanimously approved, 7-0.

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

## E) Consent Agenda

Commissioner Beaumont moved for approval of the Consent Agenda. Commissioner Mary Etheridge seconded the motion. The motion carried, 7-0.

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

### 1. Budget Amendments



20230019		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10430-532000	Supplies	\$ 2,790	
10440-514500	Training & Education	\$ 6,500	
10440-514000	Travel	\$ 15,000	
10441-545000	Contract Services	\$ 10,474	
10441-557100	Software License Fees	\$ 19,455	
10441-590000	Capital Outlay	\$ 22,863	
10441-590003	BOC Meeting Room	\$ 89,000	
10460-516000	Repair & Maintenance	\$ 5,060	
10460-590000	Capital Outlay	\$ 38,409	
10460-592000	Projects	\$ 4,285	
10510-590000	Capital Outlay	\$ 5,881	
10511-545000	Contract Services	\$ 1,103	
10511-590000	Capital Outlay	\$ 51,878	
10512-590000	Capital Outlay	\$ 35,860	
10530-590000	Capital Outlay	\$ 358,479	
10531-590000	Capital Outlay	\$ 6,300	
10640-532004	Supplies - Home Economics	\$ 3,431	
10796-590000	Capital Outlay	\$ 30,575	
10390-499900	Appropriated Fund Balance		\$ 707,343
16390-499900	Fund Balance Appropriated		\$ 5,200
16609-545000	Contract Services	\$ 293,550	
16609-587010	T T - Operating Fund		\$ 288,350
20609-545000	Contract Services	\$ 23,170	
20609-590000	Capital Outlay	\$ 35,535	
20390-499900	Appropriated Fund Balance		\$ 58,705
61818-557100	Software License Fees	\$ 1,659	
61818-590000	Capital Outlay	\$ 59,787	
61818-545000	Contract Services	\$ 26,530	
61390-499900	Appropriated Retained Earnings		\$ 87,976
66868-557100	Software License Fees	\$ 1,657	
66868-590000	Capital Outlay	\$ 14,030	
66390-499900	Appropriated Retained Earnings		\$ 15,687
29690-590000	Capital Outlay	\$ 603,767	
29390-499900	Appropriated Fund Balance		\$ 603,767
63838-532000	Supplies	\$ 3,945	
63838-545001	Contract Services	\$ 15,041	
63390-499900	Retained Earnings Appropriated		\$ 18,986
		<u>\$ 1,786,014</u>	<u>\$ 1,786,014</u>
<b>Explanation:</b>	Various Departments - Carry-forward purchase orders established in prior fiscal year that were still in process at year end.		

PO Number	Description	Vendor	Amount
20221137	Utility Software Conversion	Tyler Technology	31,377.00
20221121	Migrate & Update	Centurylink/Lumen Tech	10,474.00
N/A	Onsite/Virtual Training - System Upgrades	Tyler Technology	21,500.00
20220054	Barracuda ESS Mail Gateway	So Computer Warehouse	15,419.00
N/A	Meeting & Conference Room Upgrades	TBD	111,863.00
20220054	DUO MFA	CDW Government Inc	4,036.00
20220479	Public Works Truck	Piedmont Truck Center	37,283.00
N/A	Sales Tax/Title/Tag for PWD Truck	NC DMV	1,126.00
20220490	Currituck Courthouse Emerg Power Modifications	Pace Collaborative	4,285.00
20220476	Animal Control Truck	Parks Ford HV LLC	34,810.00
N/A	Sales Tax/Title/Tag for AC Truck	NC DMV	1,050.00
20220500	Vehicle equipment install	Julie Cherry	4,729.00
20220156	Vehicle striping/remaining GL balance	Coastal Impressions	1,152.00
20221034	Repairs	BFPE International	2,120.00
20221417	Fuel monitoring for generator	Managed Generator Serv	2,940.00
N/A	MIPPA grant funds	Cooperative Extension	3,431.00
20221453	Commissary Annual Maintenance	CentralSquare Tech	1,103.00
20220494	Install cage in new van	Odons Body Shop	2,000.00
20220495	Install cage in new vehicle	Odons Body Shop	1,000.00
20220496	Van compartment insert	Dana Safety Supply Inc	16,076.00
20220497	Vehicle compartment insert	Dana Safety Supply Inc	1,416.00
20220493	Striping new car	RO Givens Signs Inc	500.00
20220498	striping new van	RO Givens Signs Inc	600.00
20220502	Transport Van	Piedmont Truck Center	29,391.00
N/A	Sales Tax/Title/Tag for Jail Van	NC DMV	894.00
20220456	Ambulance	Select Custome Apparatus	120,803.00
20220881	2 Ambulances	Atlantic Emergency Solutions	227,176.00
N/A	Sales tax/Title/Tag for 3 Ambulances	NC DMV	10,500.00
20221274	Radio batteries and headsets	Motorola Solutions	6,300.00
20220478	Vehicle for CCRC	Piedmont Truck Center	29,675.00
N/A	Sales Tax/Title/Tag for CCRC vehicle	NC DMV	900.00
20220801	Phase I Drainage - OS/Crown Pt N	Albemarle & Associates LTD	293,550.00
20220876	Whalehead Drainage Generator Repairs	Managed Generator Serv	9,394.00
20221390	Whalehead Drainage Generator Repairs	Managed Generator Serv	13,775.00
20221271	Back-up pump	Core & Main	22,242.00
20220519	Telemetry/Coral Street	Instrulogic LLC	13,293.00
20221373	Election Labels	Another Printer Inc	2,790.00
20221419	E-One Pumper	Fire Connections Inc	603,767.00
20221156	Install gear at sand plant	Hoffman Mechanical Sol	4,897.00
20221412	Actuator replacement	Hoffman Mechanical Sol	21,633.00
20220626	Towmaster Trailer	Gregory Poole Equipment	26,723.00
20220581	Scada	Instrulogic LLC	5,768.00
20220682	Valve replacement	Hoffman Mechanical Sol	13,267.00
20221414	Recycling Decals	Graphic Solitions Advertising	3,945.00
20220583	Design/Moyock Convenience Exp	Quible & Assoc	15,041.00
			1,786,014.00
<b>Net Budget Effect:</b>			

20230020			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description			
50390-495010	T F - Operating Fund			\$ 600,000
50535-590002	Broadband Project	\$ 600,000		
		\$ 600,000		\$ 600,000
<b>Explanation:</b>	County Governmental Construction (50535) - Increase appropriations to run fiber from the Historic Courthouse to the Maple Complex.			
<b>Net Budget Effect:</b>	County Governmental Construction Fund (50) - Increased by \$600,000.			
			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description			
61818-532003	Supplies - Fire Hydrants	\$ 7,500		
61818-590000	Capital - Fire Hydrants	\$ 5,000		
61390-499900	Appropriated Retained Earnings			\$ 12,500
66868-532003	Supplies - Fire Hydrants	\$ 7,500		
66868-590000	Capital - Fire Hydrants	\$ 5,000		
66390-499900	Appropriated Retained Earnings			\$ 12,500
		\$ 25,000		\$ 25,000
<b>Explanation:</b>	Mainland Water (61818); So Outer Banks Water (66868) - Appropriated funds for fire hydrant replacement and repairs in the Mainland Water System and the Southern Outer Banks Water System.			
<b>Net Budget Effect:</b>	Mainland Water Fund (61) - Increased by \$12,500 Southern Outer Banks Water Fund (66) - Increased by \$12,500.			

20230022		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10990-587050	T T - Co Governmental Construction	\$ 42,450	
10390-499900	Appropriated Fund Balance		\$ 42,450
50795-590009	Recreation Master Plan	\$ 42,450	
50390-495010	T F - Operaning Fund		\$ 42,450
		\$ 84,900	\$ 84,900
<b>Explanation:</b>	County Governmental Construction Fund (50) - Increase appropriations to fund Project Ordinance for the Recreation Master Plan that was adopted March 7, 2022.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$42,450. County Governmental Construction Fund (50) - Increased by \$42,500.		
20230023		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10550-545000	Contract Services	\$ 20,000	
10550-531002	Aviation Fuel	\$ 150,000	
10350-467100	Aviation Fuel Receipts		\$ 170,000
		\$ 170,000	\$ 170,000
<b>Explanation:</b>	Airport (10550) - Increase appropriations for additional fuel purchases due to increased use of our airport and increases in cost of fuel. Also increase contract services for tree removal as required by the FAA for flight path clearance.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$170,000.		

## 2. Dominion Power Easement-Maple Commerce Park

## 3. Contract Approval to Install Fiber Cable for Telecommunications System and Authorize County Manager to Execute Documents

## 4. No Cost Lease Agreement-NC Public Safety and Parole, Judicial Center

## 5) Approval Of Minutes-September 19, 2022

### 1. Minutes for September 19, 2022

Communication: Minutes for October 3, 2022 (Approval Of Minutes-October 3, 2022)

**RECESS REGULAR MEETING**

Chairman Payment recessed the Regular Meeting to hold Special Meetings of the Board of Commissioners.

**SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY**

The Board of Commissioners held a Special Meeting during a recess of the 6:00 PM regular meeting to sit as the Tourism Development Authority. The Special Meeting took place in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, to consider budget amendments.

Chairman Payment called the meeting to order at 8:37 PM.

**Tourism Development Authority-Budget Amendments**

Following review, Commissioner White moved for approval of the Budget Amendment. Commissioner Jarvis seconded the motion. The motion carried, 7-0.

TDA2023002			Debit		Credit
			Decrease Revenue or		Increase Revenue or
<u>Account Number</u>	<u>Account Description</u>		<u>Increase Expense</u>		<u>Decrease Expense</u>
15442-590000	Capital Outlay		\$ 49,009		
15447-545002	Historic Preservation		\$ 20,196		
15447-545015	Beach Stabilization		\$ 1,110		
15448-590460	Capital Outlay		\$ 5,000		
15390-499900	Appropriated Fund Balance				\$ 75,315
			\$ 75,315		\$ 75,315
<b>Explanation:</b>	Tourism Development Authority (15) - Carry-forward purchase orders from prior fiscal year.				
<u>PO Number</u>	<u>Vendor</u>		<u>Description</u>		<u>Amount</u>
20221047	Performance Ford		Tourism Vehicle		47,576
N/A	NC DMV		Tax/Tags/Title		1,433
20220515	Joseph K Opperman Architect		Historic Jail Stabilization		20,196
20221299	Scott Leedy		Beach Stabilization		460
20221295	One Good Tern LLC		Beach Stabilization		300
20221392	One Good Tern LLC		Beach Stabilization		350
20221165	Jeffrey Lees		Boathouse Roof Assessment		5,000
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$75,315.				

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

### ADJOURN TDA

Business concluded and Commissioner White moved to adjourn. Commissioner Beaumont seconded the motion. The motion carried, 7-0, and the meeting of the Tourism Development Authority adjourned at 8:38 PM.

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

### SPECIAL MEETING-OCEAN SANDS WATER & SEWER DISTRICT BOARD

The Board of Commissioners held a Special Meeting during a recess of the 6:00 PM regular meeting to sit as the Ocean Sands Water and Sewer District Board. The Special Meeting took place in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, to consider budget amendments.

Chairman Payment called the meeting to order at 8:38 PM.

#### Ocean Sands Water & Sewer District-Budget Amendments

Following review, Commissioner Jarvis moved for approval. Commissioner White seconded the motion. The motion carried, 7-0.

OS2023001		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
60808-516001	Maintenance & Repair - Sewer	\$ 6,633	
60808-532000	Supplies	\$ 2,679	
60808-545001	Contract Services - Sewer	\$ 2,007	
60808-590001	Capital Outlay - Sewer	\$ 32,968	
60390-499900	Appropriated Fund Balance		\$ 44,287
		\$ 44,287	\$ 44,287
<b>Explanation:</b> Ocean Sands Water and Sewer (60808) - To carry forward purchase orders from FY 2022.			
PO Number	Vendor	Description	Amount
20220604	Basnight Construction Co Inc	Sewer repairs	\$ 4,000
20221404	Pete Duty & Associates Inc	Sewer repairs	\$ 2,633
20221261	AC Controls Co Inc	Actuators	\$ 2,679
	Gregory Poole Equipment Company	ATS Panel replacement	\$ 2,007
20221059			
20221422	Water Guard Inc	LMI Valve	\$ 9,782
20221449	Pete Duty & Associates Inc	Dosing Pump	\$ 23,186
<b>Net Budget Effect:</b> Ocean Sands Water and Sewer District Fund (60) - Increased by \$44,287.			

OS2023002		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
60808-532003	Supplies - Fire Hydrants	\$ 7,500	
60808-590003	Capital Outlay - Fire Hydrants	\$ 5,000	
60390-499900	Appropriated Retained Earnings		\$ 12,500
		\$ 12,500	\$ 12,500
<b>Explanation:</b> Ocean Sands Water and Sewer (60808) - To appropriate funds for fire hydrants maintenance and replacement.			
<b>Net Budget Effect:</b> Ocean Sands Water and Sewer District Fund (60) - Increased by \$12,500.			

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

**ADJOURN OSWSD BOARD AND RECONVENE**

Communication: Minutes for October 3, 2022 (Approval Of Minutes-October 3, 2022)

Business concluded and Commissioner White moved to adjourn. Commissioner Beaumont seconded the motion. The motion carried, 7-0, and the meeting of the Ocean Sands Water and Sewer District Board adjourned at 8:39 PM.

Chairman Payment reconvened the Regular Meeting to hold a Closed Session.

## CLOSED SESSION

**Closed Session Pursuant to NC G.S. 143-318.11(a)(4) to discuss matters related to the location or expansion of business or industry within the county; and, NC GS 143-318.11(a)(5) to establish or instruct County staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for the purchase of real property located at 2878 Caratoke Highway owned by Daniel W. Humphrey to be used for any public purpose.**

Chairman Payment moved to enter Closed Session pursuant to NC G.S. 143-318.11(a)(4) to discuss matters related to the location or expansion of business or industry within the county; and, NC GS 143-318.11(a)(5) to establish or instruct County staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for the purchase of real property located at 2878 Caratoke Highway owned by Daniel W. Humphrey to be used for any public purpose.

Commissioner Jarvis seconded the motion. The motion carried, 7-0, and the Board moved into Closed Session at 8:39 PM.

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

## ADJOURN

### Motion to Adjourn Meeting

Commissioners returned from Closed Session at 8:59 PM. Commissioner Jarvis took a moment to update Board members on funding that has been allocated by the North Carolina Department of Transportation (NCDOT) to install a restricted access median on Caratoke Highway from the H2OBX water park location to the Wright Memorial Bridge. She said it is slated for construction in 2024.

There was no further business and Commissioner White moved to adjourn. Commissioner Jarvis seconded the motion. The motion carried, 7-0, and the meeting of the Board of Commissioners adjourned at 9:02 PM.



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

Number

TDA2023004

## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 3rd day of October 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15447-587010	T T - Operating Fund	\$ 307,092	
15320-415000	Occupancy Tax		\$ 307,092
		<u>\$ 307,092</u>	<u>\$ 307,092</u>

**Explanation:** Tourism Development Authority (15) - To transfer funds to the Sheriff's department to purchase replacement vehicles for beach patrol.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$307,092.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmend\_Oct 17 TDA (TDA Budget Amendments)