



## **CURRITUCK COUNTY NORTH CAROLINA**

September 19, 2022

Minutes – Regular Meeting of the Board of Commissioners

### **WORK SESSION-4:00 PM**

The Board of Commissioners met in a Work Session at 4:00 PM in the Board Meeting Room of the Historic Courthouse to discuss several topics.

#### **1. Solid Waste Curbside Collection**

Public Works Director Leighton Earwood, Operations Manager Rachel Anderson, and Assistant County Manager Rebecca Gay, presented information on curbside waste and recycling pickup to Commissioners for consideration. Curbside pickup is being considered in Moyock due to the growth the area is experiencing, and may be a more viable option due to costs associated with expanding the Panther Landing convenience site and constructing a new site to meet community needs.

Mr. Earwood used a Powerpoint and presented several considerations for the curbside collection pilot program and the process for implementation. Boundaries would need to be established and cost comparisons were presented. He said operating costs at the Moyock convenience site average \$430,225.50. Expansion would cost approximately \$3 million. Curbside collection costs for the entire Moyock community are estimated at \$1,226,640.00, and curbside collection for homes in Moyock Township are estimated at \$829,692. The County would bid out the service contract, but rough estimates show a \$19 monthly cost per household for weekly pickup of trash and recycling. Concerns with how long expansion of the existing site would sustain the community were discussed, and a new site design was displayed to allow for easier disposal. A timeline, beginning with a community survey and educational outreach program, would begin in November, 2022, followed by bidding and service implementation in January, 2024.

To address immediate challenges, Commissioners agreed operating hours at Moyock and Grandy convenience sites should be expanded on Sunday, the busiest day, from 7 AM till 7 PM. Hours will shift on Tuesday from 1 PM till 7 PM, one of the least busy days at the sites.

Staff suggested removing all household trash containers from the Moyock convenience site once curbside was established, but Commissioners requested one household dumpster remain. The site would continue to accept brush, electronics, and other solid waste disposal items. Commissioners set Moyock Township as the boundary for collection, excluding Gibbs Woods. The Board asked that community feedback from the survey be shared with them before moving to the next step.

#### **2. Lobbying Services Bid Review**

The Board of Commissioners reviewed submittals received in response to the County's request for proposals for lobbying services. Commissioners discussed and considered the benefits, costs and whether lobby services are a good use of funds. Commissioners decided it is beneficial for the County to have someone looking out for its interests at the Legislature and directed staff to reach out to all who responded and schedule brief presentations to the Board. Presentations would be scheduled during a mini-retreat/Work Session, tentatively planned for October 10 and 11, 2022.

### 3. Currituck County Access Permit

The Board of Commissioners discussed the County's new Solid Waste Decals, established last year, to determine whether any changes to the physical sticker or implementation of the program were necessary. Mr. McRee said people have reported the clings used were tearing, falling off, or rolling up, particularly when moving them between vehicles. A plastic hanger was suggested to replace the clings, and samples were distributed. Commissioners chose to keep the cling-type decal.

Commissioners addressed concerns with residents and property owners selling or renting unused decals and requested distribution be limited to two stickers per property owner, not per house or lot. Replacement passes, fees, and other items, including the visitor beach parking permits, would be discussed at the October mini-retreat/Work Session.

Commissioners asked for a report on solid waste disposal costs to determine if savings have been realized since instituting the solid waste decal.

County Manager, Ike McRee, presented a request from the Sheriff for additional beach vehicles. Mr. McRee wanted to make sure the Board understood, if approved, this would require an additional appropriation of \$250,000 out of fund balance for the purchase. Commissioners said they would like time to think about an additional appropriation and asked that the Sheriff be invited to speak to the Board. The request would be reconsidered at the October mini-retreat/Work Session.

There was no further discussion and the Work Session concluded at 5:50 PM.

### 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 and announced the earlier Work Sessions.

**A) Invocation & Pledge of Allegiance**

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

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

Commissioner Mary Etheridge read the Ethics Awareness and Conflict of Interest statement. No conflicts were presented by Board members.

**C) Approval of Agenda**

Commissioner White moved for approval of the agenda. Commissioner McCord seconded the motion. The motion carried and the agenda was approved, 7-0.

Approved agenda:

**Work Session-4:00 PM**

Solid Waste Curbside Collection

Lobbying Services Bid Review

Currituck County Access Permit

**6:00 PM Call to Order**

A) Invocation & Pledge of Allegiance

B) Ethics Awareness and Conflict of Interest Reminder

C) Approval of Agenda

**Public Comment**

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

**Commissioner's Report**

**County Manager's Report**

**County Attorney's Report**

**Administrative Reports**

A) Currituck County Regional Airport-William Nelson, Airport Manager

**New Business**

A) An Ordinance of the Currituck County Board of

**Commissioners Amending Chapter 9, Article III, Sections 9-71, 9-72, 9-73, and 9-74 of the Currituck County Code of Ordinances**

**B) Resolution Supporting Operation Green Light for Veterans**

**C) Board Appointments**

1. Social Services Board

**D) Consent Agenda**

1. Budget Amendments
2. Resolution Authorizing the Purchase of Kamstrup Meters from Fortiline, Inc, through Sole Source Purchase Pursuant to N.C. Gen. Stat. §143-129(e)(6)
3. Personnel Policy Revisions-Sick Leave
4. Public Safety Building-Sussex Change Order #3
5. Surplus Resolution: Sheriff K-9, Lola
6. Surplus Resolution: Ball Field Machines, Parks and Rec
7. Job Description-Permit Technician
8. Job Description-Cooperative Extension Administrative Support, Part Time
9. Approval Of Minutes-August 15, 2022

**Recess Regular Meeting**

**Special Meeting-Tourism Development Authority**

TDA                      Budget  
Amendments

**Adjourn        TDA        and**  
**Reconvene**

**Closed Session**

Closed Session Pursuant to NCGS 143-318.11(a)(3) to Preserve the Attorney-Client Privilege; and, NCGS 143-318.11(a)(5) to establish or to instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property for property located at 2878 Caratoke Highway owned by Daniel W. Humphrey.

**Adjourn**

<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, 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.

Tameron Kugler, Travel & Tourism Director, reported the Department received two Marketing awards from the Southeast Tourism Alliance. She recognized Alex Perry, Marketing and Communications Director, who earned a Tourism Marketing Certification, and staff was recognized for their hard work and efforts.

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

## **COMMISSIONER'S REPORT**

Commissioner J. Owen Etheridge discussed the divisive nature that currently exists in the country, but recognized how people came together with the passing of Queen Elizabeth.

Commissioner McCord announced upcoming events in Currituck County. He noted reduced traffic on the roadways and encouraged people to now watch for school buses.

Commissioner Beaumont reported on a meeting he attended with residents of Lower Currituck to discuss fire operations and services in the County. He spoke of the wild horses on the off-road area and requested that representatives from the Wild Horse Fund come before the Board to present information on the status and health of the herd.

Chairman Payment asked citizens to support their local fire departments and stressed safety on the highway. As a former member, he announced he will play with the Currituck County High School Band at an alumni gathering.

Commissioner White serves on the Tourism Advisory Board and attended a recent meeting where members discussed changes to the marketing and advertising campaign that will focus more on the beach and tourism industries. He reported \$473 million in direct tourism seasonal spending, resulting in a resident household tax savings of \$3,100. He reminded people Tourism offers events grants assistance to those wanting to hold an event in the County. Employee housing was discussed, as was development opportunities along the sound shoreline. Commissioner White serves on the Governing Board of the Wild Horse Fund and discussed the Wild Horse Management Agreement, which is overseen by several agencies and the County. He reviewed the mission statements in the Management Agreement and language that authorizes the Corolla Wild Horse Fund to take certain actions on behalf of the horses. Herd management and breeding, veterinary care, adoption

procedures, and other aspects of the management agreement were summarized, and he addressed rumors circulating about horses being removed for outside breeding. Commissioner White recently met with Corolla property owners to discuss beach nourishment and relayed that no decisions will be made until the County receives the results of the final phase of the Shoreline Stability Study.

Commissioner Mary Etheridge hosted a conference on the Outer Banks for members of the Risk Management Board of Trustees, a Board affiliated with the North Carolina Association of County Commissioners (NCACC) on which she serves. She explained the services provided to counties through the NCACC's Risk Management pool and thanked all who participated and assisted with the event. She announced Currituck County Farm Day at the Cooperative Extension facility in Barco on October 1.

Commissioner Jarvis also reported on the fire protection meeting in Lower Currituck, which was organized after a home in her community was lost to a fire. She thanked all who attended and said residents left with a good understanding of fire services in the County after the meeting. She acknowledged the dedication of volunteer firefighters, noted volunteerism is on the decline, and encouraged new ways to shore up fire services to provide better protection in the county. She thanked the North Carolina Department of Transportation (NCDOT) for their efforts to enhance safety at Edgewater Road and Caratoke Highway in Lower Currituck.

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

County Manager, Ike McRee, reported attending several meetings, including a meeting of the Tourism Advisory Board, a Fire Services meeting with residents of Lower Currituck, and a meeting to address Solid Waste issues in the Corolla off-road area.

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

County Attorney, Megan Morgan, noted excellent topics were presented at the County Attorney's conference she recently attended. Ms. Morgan is currently working through ordinance amendments and public record requests, and brushing up on County litigation matters. She recently met with the County's Engineering staff and came away with a better understanding of construction projects and related challenges. Ms. Morgan recently toured the Moyock area with Mr. McRee to view projects and some of the County's facilities.

### **ADMINISTRATIVE REPORTS**

#### **A. Currituck County Regional Airport-William Nelson, Airport Manager**

William Nelson, Airport Manager, updated Commissioners on airport operations and activity. Mr. Nelson used a powerpoint and highlighted several aspects of the airport, such as being a designated "Business Class" facility by the North Carolina Department of Transportation Division of Aviation and having the longest runway in close proximity to the Outer Banks. He provided an overview of airport staff and their duties and stressed the importance of providing excellent customer service to patrons to encourage a return to Currituck County. He reported on fuel sales and the airport's economic impacts. He showed photos of several large aircraft that have used the airport and invited everyone to attend the Aviation Day event.

Commissioners recognized Mr. Nelson and his staff for their efforts to grow and enhance the airport. Mr. Nelson responded to questions from Commissioners and spoke of the good relationships the airport has built with pilots who have helped with that growth. He said an Airport Layout Plan is currently at the Federal Aviation Administration for approval, which is a ten to fifteen year plan that will include runway strengthening and terminal expansion. He is currently working to relocate and install a new fuel farm.

Commissioner Beaumont noted the airport's previous losses of \$175,000 per year. He said the airport is now at a net positive of \$250,000 and credited Mr. Nelson's leadership for the turnaround. Mr. Nelson thanked Commissioners and County staff for their support.

Chairman Payment called a brief Recess at 7:12 PM. The meeting reconvened at 7:20 PM.

## **NEW BUSINESS**

### **A. An Ordinance of the Currituck County Board of Commissioners Amending Chapter 9, Article III, Sections 9-71, 9-72, 9-73, and 9-74 of the Currituck County Code of Ordinances**

County Attorney, Megan Morgan, reviewed the amendment to the Nuisance Ordinance as it pertains to managing noxious weeds and grass. She reviewed language revisions to address grass heights, enforcement procedures, and to clarify the process to remedy violations. Chronic violators were also addressed in the ordinance. The changes ensure the County is following lawful procedures for abatement. As this is the first reading, Ms. Morgan said a unanimous vote would be required for passage.

Commissioners suggested the term "active farming" in the ordinance is too vague and considered allowing an exemption for Agricultural districts. Following discussion, Commissioners requested the "active farming" statement be changed to "farming", striking the word "active" from the language.

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

### **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 9, ARTICLE III, SECTIONS 9-71, 9-72, 9-73, AND 9-74 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-123 a county may enforce an ordinance by an appropriate equitable remedy issuing from a court of competent jurisdiction, particularly an injunction and/or order of abatement; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-140 a county may remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-140.2 a county may remedy a nuisance violation committed by a chronic violator without further notice; and

WHEREAS, “grass” needs to be defined in the ordinance for understanding and consistency and the procedure to remedy any violation relating to the same must comply with North Carolina law;

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

### ARTICLE III. - NUISANCES

PART I. **Sec. 9-71(1) - Certain Conditions Declared Nuisances.** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

(1) *Growth of weeds and grass.* The uncontrolled growth of noxious weeds or grass causing or threatening to cause a hazard detrimental to the public health or safety. For purposes of this section, uncontrolled growth of noxious weeds or grass means grass and noxious vegetation that exceeds

- a. Twelve (12) inches if situated on lot that contains a structure; and
- b. Eighteen (18) inches if situated on a vacant lot.
- c. This definition does not include land used for farming or woodlands.

PART II. **Sec. 9-72. Investigation of Complaints.** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

#### **Sec. 9-72. Investigation of Complaints.**

The county manager, upon notice from any person of the existence of any of the conditions described in ~~Section 9-7~~ section 9-71, shall cause to be made, by the appropriate local health department or county official, such investigation as may be necessary to determine whether such conditions exist as to constitute a public nuisance as declared in ~~Section 9-7~~ Section 9-71.

PART III. **Sec. 9-73. Notice and order to abate on finding of existence.** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

#### **Section 9-73. Notice of Nuisance ~~and order to abate on finding of existence.~~**

- (a) Upon a determination that conditions constituting a public nuisance exist, the county manager or county manager’s designee shall notify, upon writing, the owner, occupant or person in possession of the premises in question of the conditions constituting such public nuisance and shall demand the prompt abatement thereof within 30 days from the receipt of such written notice. Receipt shall be deemed to occur on the third day after the date of the postmark if the notice is deposited in a United States Post office.

- (b) Abatement of a public nuisance shall consist of taking ~~whatever~~ appropriate steps reasonably necessary to remove the condition or conditions which result in the declaration of a public nuisance. Without limitation the county manager, in ~~ordering~~ demanding the abatement of a public nuisance, may require the removal of debris, rubbish, accumulations of animal or vegetable matter, growth of weeds and grass, burned or partially burned buildings, the isolation of the condition to be abated so that access cannot be gained by persons or property which may be injured by the nuisance or such other steps which are reasonably necessary to abate the nuisance.
- (c) Chronic Violator. Under the provisions of N.C. Gen. Stat. §153A-140.2, the county may notify a chronic violator of this article that, if the violator's property is found to be in violation of this article, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of this article.
- (d) ~~Any person may seek judicial review of a final administrative decision by the county manager by filing a petition for writ of certiorari within 30 days after receipt of notice by registered or certified mail, but not thereafter, with the superior court and with a copy to the county manager.~~

PART IV. **Sec. 9-74. Abatement by County.** Of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

**Sec. 9-74. Abatement by county.**

(a) *Generally.*

- (1) If any person, having been ordered to abate a public nuisance, fails, neglects, or refuses to abate or remove the condition constituting the nuisance within ~~15 days~~ 30 days from receipt of the ~~order~~ notice given pursuant to ~~section 9-9~~ section 9-73, the county manager ~~shall~~ may cause such condition to be removed or otherwise remedied by ~~having employees of the county or independent contractors go upon such premises and remove or otherwise abate such nuisance under the supervision of an officer or employee designated by the county manager.~~ applying to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property.
- (2) The county shall have the authority to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice.
- (3) Costs. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he or she may be cited for contempt and the county may execute the order of abatement. If the county executes the order, it has a lien on the property, in the nature of a mechanic's and materialman's lien, for the costs of executing the order.
- (4) Any person who has been ordered to abate a public nuisance may, within the time allowed by this chapter, request the county in writing to remove such condition, the cost of which shall be paid by the person making such request.
- (5) If a local contractor cannot be obtained after a reasonable effort, the county manager shall be authorized to obtain the services of a contractor outside the immediate local area, and the costs thereof shall be deemed to be reasonable.

- (b) ~~Costs. The actual cost incurred by the county in removing or otherwise remedying a public nuisance shall be charged to the owner of such lot or parcel of land; and it shall be the duty of the tax collector to mail a statement of such charges to the owner or other person in possession of such premises with instructions that such charges are due and payable within 30 days from the mailing thereof. If such costs charged in accordance with this section are not paid as stated in this section, the costs shall be a lien upon the land or premises where the nuisance arose and shall be collected as unpaid taxes.~~

PART V. If any provision, section, part, paragraph, phrase or sentence of this ordinance is found to be invalid, all other provisions, parts, paragraphs, phrases, and sentences shall remain valid and in full force and effect.

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

PART VII. This ordinance shall be effective immediately upon its adoption.

ADOPTED this 19<sup>th</sup> day of September, 2022.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul M. Beaumont, Vice 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

## B. Resolution Supporting Operation Green Light for Veterans

Commissioner Jarvis introduced the Operation Green Light Resolution, an initiative to show support for Veterans, many of whom are retiring to our area. She said both the National Association of Counties (NACO) and the North Carolina Association of County Commissioners (NCACC) are behind the Resolution. Commissioner Jarvis moved to support adoption of the Resolution. Commissioner J. Owen Etheridge seconded the motion. The motion carried unanimously, 7-0.

## Supporting Operation Green Light for Veterans

**WHEREAS**, the residents of Currituck County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

**WHEREAS**, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

**WHEREAS**, Currituck County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

**WHEREAS**, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

**WHEREAS**, Approximately 200,000 service members transition to civilian communities annually; and

**WHEREAS**, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

**WHEREAS**, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

**WHEREAS**, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

**WHEREAS**, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

**WHEREAS**, Currituck County appreciates the sacrifices of our United States Military Personnel and believes specific recognition should be granted.

**NOW, THEREFORE BE IT RESOLVED**, with designation as a Green Light for Veterans County, Currituck County hereby declares from October through Veterans Day, November 11, 2022, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service.

**BE IT FURTHER RESOLVED**, that in observance of Operation Green Light, Currituck County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

**ADOPTED** this 19<sup>th</sup> day of September, 2022.

<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, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

## C) Board Appointments

### 1. Social Services Board

Commissioner Mary Etheridge nominated Janet McCloskey to fill a vacancy on the Social Services Board. Commissioner White seconded the nomination. The nominee was unanimously approved, 7-0.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Mary "Kitty" Etheridge, 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

#### D) Consent Agenda

Commissioner J. Owen Etheridge moved for approval of Consent Agenda. Commissioner White seconded the motion. The motion carried, 7-0.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** J. Owen Etheridge, 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

#### 1. Budget Amendments

20230011			Debit		Credit
			Decrease Revenue or		Increase Revenue or
<u>Account Number</u>	<u>Account Description</u>		<u>Increase Expense</u>		<u>Decrease Expense</u>
10490-590003	Capital Outlay - Court/Jail		\$ 30,000		
10380-488400	ABC Profits				\$ 30,000
			\$ 30,000		\$ 30,000
<b>Explanation:</b>	Court Facility Fees (10490) - Increase appropriation to upgrade the electrical system in the Judicial building that is require for the Courtroom A & B technology upgrades to allow for video and audio recording of proceedings in those rooms.				
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$30,000.				

20230012		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10550-526100	Advertising/Public Relations	\$ 10,000	
10390-495015	T F Occupancy Tax		\$ 10,000
		\$ 10,000	\$ 10,000
<b>Explanation:</b>	Airport (10550) - Increase appropriations for additional advertising for Airport events.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$10,000.		
20230013		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10460-592000	Courthouse Projects	\$ 18,926	
10530-590000	Capital Outlay	\$ 22,830	
10390-499900	Fund Balance Appropriated		\$ 41,756
		\$ 41,756	\$ 41,756
<b>Explanation:</b>	Various Department - Carry-forward purchase orders and project funds from prior fiscal year.		
<u>PO #</u>	<u>Vendor</u>	<u>Amount</u>	
20221383	REI Engineers Inc	17,051	
20221245	Stryker Medical	22,830	
20220457	Beacon Architecture &	1,875	
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$41,756.		
20230014		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10445-534000	Wellness program	\$ 6,813	
10340-452000	CIGNA Wellness Reimbursement		\$ 31,813
10390-499900	Fund Balance Appropriated	\$ 25,000	
		\$ 31,813	\$ 31,813
<b>Explanation:</b>	Human Resources (10445) - To carry-forward Wellness Funds from FY 2022 of \$11,813 and to budget the CIGNA reimbursement of \$20,000 for FY 2023.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$6,813.		

20230015		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10560-519701	HCCBG-Access Services	\$867	
10750-519504	Low Inc Household Water Asst (LIWAP)	24,119	
10752-519200	Special Assistance for the Blind	147	
10752-519700	HCCBG-In Home	15,726	
10390-499900	Fund Appropriate Balance		\$ 29,838
10750-557700	Crisis Intervention Program (CIP)		6,701
10752-532003	Supplies Special Adoption		4,320
		\$ 40,859	\$ 40,859
<b>Explanation:</b>	SOCIAL SERVICES ADMIN (750)- Adjust Crisis Intervention (CIP), Low Income Household Water Assistance Program (LIHWAP) to the allocations received. PUBLIC ASSISTANCE (752)-Adjust Special Assistance for the Blind and HCCBG In Home to the allocations received, carry forward FY 22 balance for Supplies Special Adoption. (560)-INTER COUNTY TRANSPORTATION- Adjust Access Services to allocation received.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$29,838.		
20230016		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10795-592000	Recreation Projects	\$ 4,821	
10795-590000	Capital Outlay		\$ 3,840
10795-576007	Youth Wrestling		\$ 981
		\$ 4,821	\$ 4,821
<b>Explanation:</b>	Parks & Recreation (10795) - Transfer funds for increased cost of dog park located at Sound Park.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

20230017			Debit		Credit
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>				
10640-503000	Part-time salary		\$ 11,115		
10640-505000	FICA		\$ 850		
10640-532006	4H Day Camp			\$ 9,598	
10640-545000	Contract Services			\$ 2,367	
			<u>\$ 11,965</u>	<u>\$ 11,965</u>	
<b>Explanation:</b>	Cooperative Extension (10640) - Increase appropriations to add a part-time secretary for Cooperative Extension.				
<b>Net Budget Effect:</b> Operating Fund (10) - No change.					
20230018			Debit		Credit
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>				
50448-590002	Historic Corolla Park Playground		\$ 50,000		
50442-597007	Connect Corolla Phase V			\$ 50,000	
			<u>\$ 50,000</u>	<u>\$ 50,000</u>	
<b>Explanation:</b>	Historic Corolla Park Playground - Move residual funds from Connecting Corolla Phase V to Historic Corolla Park Playground for requested additional to the original design.				
<b>Net Budget Effect:</b> County Governmental Construction Fund (50) - No change.					

## 2. Resolution Authorizing the Purchase of Kamstrup Meters from Fortiline, Inc, through Sole Source Purchase Pursuant to N.C. Gen. Stat. §143-129(e)(6)

### RESOLUTION AUTHORIZING THE PURCHASE OF KAMSTRUP METERS FROM FORTILINE, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the county's Mainland Water system requires replacement meters compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of Kamstrup AMR and AMI meters in the State of North Carolina, Fortiline, Inc. is the only entity capable of providing the county with meters compatible with current Mainland Water System equipment and operational systems, and

WHEREAS, Mainland Water System has been using Fortiline, Inc. to construct, develop and upgrade its system; and

WHEREAS, Mainland Water Department needs replacement meters and Fortiline, Inc. is the sole supplier of compatible meters; and

WHEREAS, Fortiline, Inc. is supplying Mainland Water Department with One Thousand five hundred seventy (1570) meters at a cost of \$175.00 each meter and One Hundred (100) meters at a cost of \$390.00 each meter; and

WHEREAS, the total cost for the Mainland Water Department meter purchase is \$334,928.13.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$334,928.13 with Fortiline, Inc. for the sole source purchase of Kamstrup meters in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Fortiline, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the 19th day of September 2022.

### **3. Personnel Policy Revisions-Sick Leave**

### **4. Public Safety Building-Sussex Change Order #3**

### **5. Surplus Resolution: Sheriff K-9, Lola**

## **RESOLUTION**

**WHEREAS, The Board of Commissioners of the County of Currituck, North Carolina, during its regularly scheduled meeting and pursuant to G.S. 160A and 270(b), approve the property listed in this Resolution to be declared surplus and authorize its conveyance to handler, Detective Joseph Rein.**

<u>County</u>	<u>Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
	#9453	LOLA Sheriff's K-9 German Shepard	N/A

**ADOPTED**, this 19th day of September 2022

### **6. Surplus Resolution: Ball Field Machines, Parks and Rec**

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
5493	2001 John Deere 1200A Ballfield Machine	TC1200X120506
6290	2006 John Deere 1200A Ballfield Machine	TC1200A13552
<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 19th day of September, 2022.</p>		

#### 7. Job Description-Permit Technician

#### 8. Job Description-Cooperative Extension Administrative Support, Part Time

#### 9) Approval Of Minutes-August 15, 2022

##### 1. Minutes for August 15, 2022

### RECESS REGULAR MEETING

Chairman Payment recessed the Regular Meeting at 7:41 PM to hold a Special Meeting of the Tourism Development Authority.

### SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners convened a Special Meeting on September 19, 2022, at 7:41 PM to sit as the Tourism Development Authority. The 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.

#### TDA Budget Amendments

County Manager, Ike McRee, reviewed the budget amendment transferring promotional funds to the airport. Commissioner White moved for approval of the budget amendment and Commissioner Jarvis seconded the motion. The motion carried, 7-0.

TDA2023001			Debit		Credit
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>				
15442-587010	T T - Operating Fund		\$ 10,000		
15442-526200	Promotional Efforts			\$ 10,000	
			\$ 10,000		\$ 10,000
<b>Explanation:</b>	Tourism Promotions (15442) - Transfer budgeted funds to operating fund for airport promotions.				
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - No change.				

**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

### ADJOURN TDA AND RECONVENE

With business concluded, Commissioner White moved to adjourn. Commissioner McCord seconded the motion. The motion carried, 7-0, and the meeting of the Tourism Development Authority adjourned at 7:42 PM.

Chairman Payment reconvened the regular meeting of the Board of Commissioners for a Closed Session.

**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, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

### CLOSED SESSION

**Closed Session Pursuant to NCGS 143-318.11(a)(3) to Preserve the Attorney-Client Privilege; and, NCGS 143-318.11(a)(5) to establish or to instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property for property located at 2878 Caratoke Highway owned by Daniel W. Humphrey.**

Chairman Payment moved to enter Closed Session pursuant to NCGS 143-318.11(a)(3) to Preserve the Attorney-Client Privilege; and, NCGS 143-318.11(a)(5) to establish or to instruct county staff concerning the position to be taken by the county in negotiating the

price or other material terms of a contract for purchase of real property for property located at 2878 Caratoke Highway owned by Daniel W. Humphrey.

Commissioner McCord seconded the motion. The motion carried, 7-0, and the Board entered into Closed Session at 7:42 PM.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael H. Payment, Chairman
<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

## ADJOURN

### Motion to Adjourn Meeting

There was no further business upon returning from Closed Session and Commissioner Mary Etheridge motioned for adjournment. Commissioner Jarvis seconded the motion. The motion carried, 7-0, and the meeting adjourned at 8:09 PM.

<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

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS  
AMENDING CHAPTER 9, ARTICLE III, SECTIONS 9-71, 9-72, 9-73, AND 9-74 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-123 a county may enforce an ordinance by an appropriate equitable remedy issuing from a court of competent jurisdiction, particularly an injunction and/or order of abatement; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-140 a county may remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-140.2 a county may remedy a nuisance violation committed by a chronic violator without further notice; and

WHEREAS, “grass” needs to be defined in the ordinance for understanding and consistency and the procedure to remedy any violation relating to the same must comply with North Carolina law;

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

**ARTICLE III. – NUISANCES**

**PART I. Sec. 9-71(1) - Certain Conditions Declared Nuisances.** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

(1) *Growth of weeds and grass.* The uncontrolled growth of noxious weeds or grass causing or threatening to cause a hazard detrimental to the public health or safety. For purposes of this section, uncontrolled growth of noxious weeds or grass means grass and noxious vegetation that exceeds

a. Twelve (12) inches if situated on lot that contains a structure; and

b. Eighteen (18) inches if situated on a vacant lot.

c. This definition does not include land used for active farming or woodlands.

**PART II. Sec. 9-72. Investigation of Complaints.** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

**Sec. 9-72. Investigation of Complaints.**

The county manager, upon notice from any person of the existence of any of the conditions described in ~~Section 9-7~~ section 9-71, shall cause to be made, by the appropriate local health department or county official, such investigation as may be necessary to determine whether such conditions exist as to constitute a public nuisance as declared in ~~Section 9-7~~Section 9-71.

PART III. **Sec. 9-73. Notice and order to abate on finding of existence.** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

**Section 9-73. Notice of Nuisance and order to abate on finding of existence.**

(a) Upon a determination that conditions constituting a public nuisance exist, the county manager or county manager's designee shall notify, upon writing, the owner, occupant or person in possession of the premises in question of the conditions constituting such public nuisance and shall demand the prompt abatement thereof within 30 days from the receipt of such written notice. Receipt shall be deemed to occur on the third day after the date of the postmark if the notice is deposited in a United States Post office.

(b) Abatement of a public nuisance shall consist of taking ~~whatever~~ appropriate steps reasonably necessary to remove the condition or conditions which result in the declaration of a public nuisance. Without limitation the county manager, in ~~ordering~~ demanding the abatement of a public nuisance, may require the removal of debris, rubbish, accumulations of animal or vegetable matter, growth of weeds and grass, burned or partially burned buildings, the isolation of the condition to be abated so that access cannot be gained by persons or property which may be injured by the nuisance or such other steps which are reasonably necessary to abate the nuisance.

(c) *Chronic Violator.* Under the provisions of N.C. Gen. Stat. §153A-140.2, the county may notify a chronic violator of this article that, if the violator's property is found to be in violation of this article, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of this article.

(d) ~~Any person may seek judicial review of a final administrative decision by the county manager by filing a petition for writ of certiorari within 30 days after receipt of notice by registered or certified mail, but not thereafter, with the superior court and with a copy to the county manager.~~

PART IV. **Sec. 9-74. Abatement by County.** Of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

**Sec. 9-74. Abatement by county.**

(a) *Generally.*

(1) If any person, having been ordered to abate a public nuisance, fails, neglects, or refuses to abate or remove the condition constituting the nuisance within ~~15 days~~ 30 days from receipt of the ~~order~~ notice given pursuant to ~~section 9-9~~ section 9-73, the county manager ~~shall~~ may cause such condition to be removed or otherwise remedied by ~~having employees of the county or independent contractors go upon such premises and remove or otherwise abate such nuisance under the supervision of an officer or employee designated by the county manager.~~ applying to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property.

(2) The county shall have the authority to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice.

(3) Costs. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he or she may be cited for contempt and the county may execute the order of abatement. If the county executes the order, it has a lien on the property, in the nature of a mechanic's and materialman's lien, for the costs of executing the order.

(4) Any person who has been ordered to abate a public nuisance may, within the time allowed by this chapter, request the county in writing to remove such condition, the cost of which shall be paid by the person making such request.

(5) If a local contractor cannot be obtained after a reasonable effort, the county manager shall be authorized to obtain the services of a contractor outside the immediate local area, and the costs thereof shall be deemed to be reasonable.

(b) ~~Costs. The actual cost incurred by the county in removing or otherwise remedying a public nuisance shall be charged to the owner of such lot or parcel of land; and it shall be the duty of the tax collector to mail a statement of such charges to the~~

~~owner or other person in possession of such premises with instructions that such charges are due and payable within 30 days from the mailing thereof. If such costs charged in accordance with this section are not paid as stated in this section, the costs shall be a lien upon the land or premises where the nuisance arose and shall be collected as unpaid taxes.~~

PART V. If any provision, section, part, paragraph, phrase or sentence of this ordinance is found to be invalid, all other provisions, parts, paragraphs, phrases, and sentences shall remain valid and in full force and effect.

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

PART VII. This ordinance shall be effective immediately upon its adoption.

ADOPTED this 19<sup>th</sup> day of September, 2022.

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

ATTEST:

(COUNTY SEAL)

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

APPROVED AS TO FORM:

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

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

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

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

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

## Supporting Operation Green Light for Veterans

**WHEREAS**, the residents of Currituck County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

**WHEREAS**, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

**WHEREAS**, Currituck County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

**WHEREAS**, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

**WHEREAS**, Approximately 200,000 service members transition to civilian communities annually; and

**WHEREAS**, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

**WHEREAS**, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

**WHEREAS**, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

**WHEREAS**, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

**WHEREAS**, Currituck County appreciates the sacrifices of our United States Military Personnel and believes specific recognition should be granted.

**NOW, THEREFORE BE IT RESOLVED**, with designation as a Green Light for Veterans County, Currituck County hereby declares from October through Veterans Day, November 11, 2022, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service.

**BE IT FURTHER RESOLVED**, that in observance of Operation Green Light, Currituck County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

**ADOPTED** this 19<sup>th</sup> day of September, 2022.

ATTEST:

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

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

Attachment: Resolution-Operation Greenlight (Resolution-Operation Green Light for Veterans)

Number 20230011

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 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>
10490-590003	Capital Outlay - Court/Jail	\$ 30,000	
10380-488400	ABC Profits		\$ 30,000
		<u>\$ 30,000</u>	<u>\$ 30,000</u>

**Explanation:** Court Facility Fees (10490) - Increase appropriation to upgrade the electrical system in the Judicial building that is require for the Courtroom A & B technology upgrades to allow for video and audio recording of proceedings in those rooms.

**Net Budget Effect:** Operating Fund (10) - Increased by \$30,000.

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)

Number 20230012

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 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>
10550-526100	Advertising/Public Relations	\$ 10,000	
10390-495015	T F Occupancy Tax		\$ 10,000
		<u>\$ 10,000</u>	<u>\$ 10,000</u>

**Explanation:** Airport (10550) - Increase appropriations for additional advertising for Airport events.

**Net Budget Effect:** Operating Fund (10) - Increased by \$10,000.

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)

Number 20230013

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-592000	Courthouse Projects	\$ 18,926	
10530-590000	Capital Outlay	\$ 22,830	
10390-499900	Fund Balance Appropriated		\$ 41,756
		<u>\$ 41,756</u>	<u>\$ 41,756</u>

**Explanation:** Various Department - Carry-forward purchase orders and project funds from prior fiscal year.

<u>PO #</u>	<u>Vendor</u>	<u>Amount</u>
20221383	REI Engineers Inc	17,051
20221245	Stryker Medical	22,830
20220457	Beacon Architecture & Design	1,875

**Net Budget Effect:** Operating Fund (10) - Increased by \$41,756.

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)

Number

20230014

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 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>
10445-534000	Wellness program	\$ 6,813	
10340-452000	CIGNA Wellness Reimbursement		\$ 31,813
10390-499900	Fund Balance Appropriated	\$ 25,000	
		<u>\$ 31,813</u>	<u>\$ 31,813</u>

**Explanation:** Human Resources (10445) - To carry-forward Wellness Funds from FY 2022 of \$11,813 and to budget the CIGNA reimbursement of \$20,000 for FY 2023.

**Net Budget Effect:** Operating Fund (10) - Increased by \$6,813.

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)

Number

20230015

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 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>
10560-519701	HCCBG-Access Services	\$867	
10750-519504	Low Inc Household Water Asst (LIWAP)	24,119	
10752-519200	Special Assistance for the Blind	147	
10752-519700	HCCBG-In Home	15,726	
10390-499900	Fund Appropriate Balance		\$ 29,838
10750-557700	Crisis Intervention Program (CIP)		6,701
10752-532003	Supplies Special Adoption		4,320
		<u>\$ 40,859</u>	<u>\$ 40,859</u>

**Explanation:** SOCIAL SERVICES ADMIN (750)- Adjust Crisis Intervention (CIP), Low Income Household Water Assistance Program (LIHWAP) to the allocations received. PUBLIC ASSISTANCE (752)-Adjust Special Assistance for the Blind and HCCBG In Home to the allocations received, carry forward FY 22 balance for Supplies Special Adoption. (560)-INTER COUNTY TRANSPORTATION- Adjust Access Services to allocation received.

**Net Budget Effect:** Operating Fund (10) - Increased by \$29,838.

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)

Number

20230016

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10795-592000	Recreation Projects	\$ 4,821	
10795-590000	Capital Outlay		\$ 3,840
10795-576007	Youth Wrestling		\$ 981
		<u>\$ 4,821</u>	<u>\$ 4,821</u>

**Explanation:** Parks & Recreation (10795) - Transfer funds for increased cost of dog park located at Sound Park.

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

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)

Number

20230017

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 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>
10640-503000	Part-time salary	\$ 11,115	
10640-505000	FICA	\$ 850	
10640-532006	4H Day Camp		\$ 9,598
10640-545000	Contract Services		\$ 2,367
		<u>\$ 11,965</u>	<u>\$ 11,965</u>

**Explanation:** Cooperative Extension (10640) - Increase appropriations to add a part-time secretary for Cooperative Extension.

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

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)

Number 20230018

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of September 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>
50448-590002	Historic Corolla Park Playground	\$ 50,000	
50442-597007	Connect Corolla Phase V		\$ 50,000
		<u>\$ 50,000</u>	<u>\$ 50,000</u>

**Explanation:** Historic Corolla Park Playground - Move residual funds from Connecting Corolla Phase V to Historic Corolla Park Playground for requested additional to the original design.

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

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

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

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

Attachment: BAs\_Sep 19\_General Meeting (Budget Amendments)



## **COUNTY OF CURRITUCK**

### **RESOLUTION AUTHORIZING THE PURCHASE OF KAMSTRUP METERS FROM FORTILINE, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the county's Mainland Water system requires replacement meters compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of Kamstrup AMR and AMI meters in the State of North Carolina, Fortiline, Inc. is the only entity capable of providing the county with meters compatible with current Mainland Water System equipment and operational systems, and

WHEREAS, Mainland Water System has been using Fortiline, Inc. to construct, develop and upgrade its system; and

WHEREAS, Mainland Water Department needs replacement meters and Fortiline, Inc. is the sole supplier of compatible meters; and

WHEREAS, Fortiline, Inc. is supplying Mainland Water Department with One Thousand five hundred seventy (1570) meters at a cost of \$175.00 each meter and One Hundred (100) meters at a cost of \$390.00 each meter; and

WHEREAS, the total cost for the Mainland Water Department meter purchase is \$334,928.13.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$334,928.13 with Fortiline, Inc. for the sole source purchase of Kamstrup meters in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Fortiline, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the 19th day of September 2022.

ATTEST:

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

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

(COUNTY SEAL)

Attachment: Sole Source Resolution Kamstrup Meters Fortiline Inc\_FY23 (Sole Source Resolution-Kamstrup Meters)



# **COUNTY OF CURRITUCK**

## **Human Resources Department**

Melissa Futrell, Director  
 153 Courthouse Road, Suite 103  
 Currituck, NC 27929  
 252-232-3228 Ext 4026  
 FAX: 252-232-2141

## **MEMO**

TO: Currituck County Commissioners  
 FROM: Melissa Futrell, Human Resources Director  
 DATE: September 1, 2022  
 RE: Personnel Policy Changes

Current policy regarding sick leave does not allow reinstatement of balances for employees who return to work for Currituck County. Because sick leave can contribute to retirement, it is an attractive benefit and may be used to entice an employee's return to work. Should an employee return and later resigns, the reinstatement of sick leave will not negatively impact the County because sick leave is never paid out. Retaining sick leave balance for a period of up to 5 years allows for an employee to return to college, or raise a child to school age, or possibly pursue another career before returning to county service. It is the recommendation of the HR Department that amending current sick leave policy be considered a benefit to employees that ultimately does not impact the budget. Guidelines for sick leave usage remain in effect, and the sick leave will not ever be paid out to an employee.

In addition to the amendment to sick leave, it is recommended that the shared leave policy be modified to allow employees to share sick leave. This change would allow for an employee to choose which of their leave balances are donated. From a standpoint of leave types, it is a transfer of like kinds as an employee must have a serious medical condition to qualify for shared leave and when taken is coded as sick leave. Policies in place do not allow for a resigning employee to offload their entire sick leave balance and employees on the receiving end of shared leave must have exhausted ALL their leave and cannot bank the shared leave, only using what is needed. This change allows for employee choice and may make an employee more apt to share leave if they can retain their vacation leave. The policies that govern shared leave will remain in place and any employee found abusing the proposed policy will be addressed on an individual basis. The overall impact is positive for an employee facing a difficult personal or family medical issue, who may find themselves fallen on hard times considering a serious illness (for them or their immediate family member).

Attachment: Policy Change Memo (Personnel Policy Revisions-Sick Leave)

## ARTICLE 6

### Holidays and Leave

#### **Section 601 Paid Holidays Observed**

- A. The North Carolina State Government Holiday Schedule as approved by the Office of State Human Resources and such others as the Board of Commissioners may designate shall be observed by County offices and shall be counted as hours worked.

All salaried employees appointed to a regular full-time established position, and all part-time employees normally scheduled to work the day on which the holiday falls, as documented on personnel action form, shall receive these days with pay.

- B. Employees who wish to use leave for religious observances must request leave from their respective Department Heads. The Department Head will attempt to arrange the work scheduled so that an employee may be granted annual leave for the religious observance. Annual leave for religious observance may be denied only when granting the leave would create an undue hardship for the County.

#### **Section 602 Effect of Holidays on Other Types of Paid Leave**

Regular holidays that occur during a vacation, sick, or other paid leave period of any employee of the County shall not be charged as vacation, sick, or other paid leave. Holidays that occur during leave without pay will not be paid.

## **Section 603 Holidays – When Work is Required**

Regular full-time employees required to perform work on regularly scheduled holidays will be paid up to twenty-four (24) hours per holiday on top of their base pay for hours actually worked on a holiday. The holiday is recognized on the date of the actual holiday, rather than the observed holiday. Regular full-time employees who work less than (8) hours, or that do not work on a holiday, will be paid eight (8) hours of holiday pay. Regularly scheduled part-time employees required to perform work on a holiday will be paid a pro rata share of any (8) hour holiday. All other employees required to perform work on regularly scheduled holidays may be granted compensatory time off at the rate of one hour off **for each hour worked on a holiday. Compensatory time for holiday work shall be granted within three (3) months from the date it is earned.**

**A holiday is defined as beginning at midnight and continuing for twenty-four (24) hours until the following midnight.**

## **Section 604 Adverse Weather Conditions**

County offices and departments shall remain open for the full scheduled work day unless authorization for early closing or other deviation is received from the County Manager's office. All departments and offices will be given sufficient advance notice of any authorized early closing. Employees scheduled to work during an authorized official closing or other deviation, will be given full credit for all their work hours scheduled but missed during the period covered by the authorized official closing or other deviation. Employees who leave work before an official early closing time, as well as those employees who report for work late or do not report for work at all, will be required to use earned vacation to account for this unauthorized missed time. Also, any employee who has leave time approved prior to the issuance of an authorization for early closing or other deviation, will be required to honor that approved leave time.

The authorization for early closing or other deviation issued by the County Manager's office is not applicable to those County offices and departments that perform an essential public safety function unless that office or department is specifically identified as being covered in the authorization.

## Section 605 Annual Leave

- A. For the purpose of earning and accruing annual leave, the twelve (12) month period beginning with the first full pay period in January and ending with the pay period including December 31 is established as the leave year.
- B. Employees serving a probationary period following initial appointment shall not be permitted to take annual leave during the first six months of the probationary period unless the denial of such leave will create an unusual hardship. Any annual leave granted during this period shall have prior approval of the County Manager.
- C. Each employee normally scheduled to work at least 30 hours per week shall earn annual leave on a bi-weekly basis in accordance with the following table of total service:

Total Years of Service	60 hours but less than 80 hours	80 hours per pay period	84 hours per pay period (Sheriff, Jail, EMS, Communications)	112 hours per pay period (Fire)
Hours Earned per Pay Period				
0-2 yrs.	.0453 per hour	3.6240	3.8052	5.0736
2-5 yrs.	.0529 per hour	4.2320	4.4436	5.9248
5-10 yrs.	.0644 per hour	5.1520	5.4096	7.2128
10-15 yrs.	.0760 per hour	6.0800	6.3840	8.5120
15-20 yrs.	.0875 per hour	7.0000	7.3500	9.8000
20 yrs. plus	.0990 per hour	7.9200	8.3160	11.0880
Maximum Accrual Carried Over to Following Year	240	240	240	240

- D. Annual leave may be accumulated without any applicable maximum until the final pay period that includes December 31 of each leave year. However, if the employee separates from service, payment for accumulated leave shall not exceed thirty (30) days or 240 hours. On the final pay period that includes December 31 of the leave year, any employee with more than thirty (30) days or 240 hours of accumulated leave shall have the excess accumulation converted to sick leave so that only thirty (30) days or 240 hours are carried forward to January 1 of the next leave year.
- E. Annual leave shall be taken with the prior approval of the employee's Department Head. If approved, annual leave can be taken for each hour an employee is regularly scheduled to work.

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- F. Annual leave shall not be advanced under any circumstances.
- G. An employee who is separated shall be paid for annual leave accumulated to the date of separation, not to exceed a maximum of thirty (30) days or 240 hours.
- H. The estate of an employee who dies while employed by the County shall be entitled to payment for all of the accumulated vacation leave credited to the employee's account, not to exceed a maximum of thirty (30) days or 240 hours.

### **Section 606 Sick Leave**

- A. Each employee normally scheduled to work at least 30 hours per week shall earn sick leave on a bi-weekly basis at the rate of .0461 per hour worked not to exceed hours shown on table below. Sick leave will be cumulative for an unlimited number of days.

60 but less than 80	80 hours per pay period	84 hours per pay period	112 hours per pay period
Maximum Hours of Sick Leave Earned Per Pay Period			
.0461	3.6880	3.8724	5.1632

- B. To the extent that employees have accrued sick leave, they may be granted sick leave for absence for each hour regularly scheduled to work due to the following:
1. Sickness or bodily injury that prevents the employee from performing the regular duties of the job.
  2. Medical or dental appointments.
  3. The actual period of disability caused by or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom. A doctor's certificate is required to verify the employee's period of temporary disability for these reasons.
  4. Exposure to a contagious disease when continuing work might jeopardize the health of others.
  5. Death in the employee's immediate family as defined in Article 1 Section 604, not to exceed three (3) days for any one occurrence. Additional leave

time, under exceptional circumstances, may be authorized by the Department Head.

6. Sick leave may also be requested for illness of a member of the employee's immediate family. For the purpose of leave policies, immediate family is defined as spouse, parent, sibling, son, daughter, grandparent and grandchild. Also included are the step, half and in-law relationships as appropriate based on the above listing.
- C. Except in cases of emergency, Employees must notify their immediate supervisor of all requests for sick leave before the leave is taken, or an employee must call the immediate supervisor at or prior to their schedule starting time for that day. Sick leave may only be taken with the approval of the immediate supervisor.
- D. The employee's Department Head or the County Manager may require a statement from the physician, or other acceptable proof, that the employee was unable to report for work as a condition of approving sick leave. At the expiration of an authorized sick leave period of 90 days or more, the employee's Department Head or County Manager may require a fitness-for-duty examination at the County's expense, to determine whether the employee is able to resume normal duties.
- E. Unused sick leave is allowed as creditable service at the time of retirement to employees who are members of the North Carolina Local Government Employee's Retirement System. One month of credit is allowed for each twenty (20) days of unused sick leave when an employee retires, and an additional month is credited for any part of twenty (20) days unused sick leave left over.
- F. Employee must notify County of any unused sick leave earned from another North Carolina governmental agency. The total number of days accepted as transferred will be added to the record after completion of the six months probationary period. Verification of accumulated sick leave must be received in writing from the previous employer.
- G. Employees who retire or resign with the County ~~shall lose all sick leave credits. No employee~~ shall not be paid for any accrued sick leave if the employee leaves employment for any reason. A former employee reinstated by the County within five (5) years from the date of separation shall be credited with the balance of sick leave at the time of separation, except when the employee retired under the North Carolina Retirement System and the sick leave was credited towards service time for the purposes of retirement.
- G.H. An employee who resigns from the County and becomes employed by the state of North Carolina or a local government participating in the North Carolina Local Government Employees' Retirement System within one (1)

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year, may request to have their sick leave balance transferred to the employing agency. Once transferred, the sick leave balance will return to zero.

## **Section 607 Leave without Pay**

- A. Leave without pay may be granted for up to six (6) months by the County Manager upon recommendation of the Department Head. Upon returning to duty after being on leave without pay, the employee shall be guaranteed a position of the same classification and pay. Failure to report for duty at the expiration of the leave without pay period, unless an extension has been granted, shall be considered a resignation.
- B. Vacation, holiday and sick leave credits will not be accrued during leave without pay. Longevity eligibility date will be extended by the same length of days (partial days shall revert to whole days) the employee was on leave without pay. Individual hospitalization and dental insurance provided for the employee by the employer during regular pay will not be provided as employer expense benefits during leave without pay, unless the employee is on FMLA leave or on the payroll a minimum of half the working days during the calendar month. The employee, however, may continue to be eligible for any benefit(s) under the County's group plans, subject to regulations adopted by the Board of Commissioners and the respective group carriers.
- C. The employee must apply in writing to the Department Head for leave without pay. The employee is obligated to return to work within or at the end of the time granted. Requests for leaves of absence without pay will be submitted to the County Manager as far in advance as possible.

## **Section 608 Shared Leave**

- A. Voluntary Shared Leave Program – There are occurrences brought about by serious and prolonged medical conditions that cause employees to exhaust all available leave and therefore be placed on leave-without-pay. It is recognized that such employees forced to go on leave- without-pay could be without income at the most critical point in their work life. It is also recognized that fellow employees may wish to voluntarily donate some of their vacation leave so as to provide assistance to a fellow County employee. This policy would provide an opportunity for employees to assist another affected by a serious medical condition that requires absence from duty for a period of time resulting in possible loss of income due to lack of accumulated leave. Vacation

leave may also be donated to an employee for the serious medical condition of that employee's spouse, parent or child.

This policy and program will provide the opportunity for one employee to help another on a one-to-one, personal basis. It does not permit "banking" of leave.

In those cases of a medical condition an employee may apply for or be nominated to become a recipient of leave transferred from the vacation leave account of another employee. For purposes of this policy, medical condition means medical condition of an employee, or their immediate family member, that is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee due to limited leave in the employee's leave account. The intent of this policy is to allow one employee to assist another in case of a crisis involving a serious or prolonged medical condition. It is not the intent of this policy to apply to incidental, normal, short-term medical conditions. The use of vacation on a shared basis for any purpose other than specified in this policy is prohibited. Sick leave may not be used in the voluntary shared leave program. An employee who has a medical condition and who receives benefits from the Disability Income Plan is not eligible to participate in the shared leave program.

**Commented [MF1]:** This has been added to match the on our shared leave form.

Participation in this program is limited to 1,040 hours, either continuously or, if for the same condition on a recurring basis. However, management may grant employee continuation in the program, month by month for a maximum of 2,080 hours, if management would have otherwise granted leave-without-pay.

B. Administration - When implemented, this program shall be administered under the following conditions:

1. Qualifying to Participate and Application Process:
2. Employee must be in permanent, probationary, or trainee appointment status and must apply for Shared Leave:
  - a. By letter of application to the County Manager, a recipient shall apply, or be nominated by a fellow employee to participate in the program.
  - b. Application for participation would include name, social security number, job title, description of the medical condition and estimated length of time needed to participate in the program.
  - c. Prior to making the employee's status public for purpose of receiving shared leave, the employee must sign a release to allow the status to be known.

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- d. The County Manager shall review the merits of the request and approve or disapprove. The County Manager may choose to delegate the responsibility for reviewing the validity of requests to the Human Resources Department for this purpose.
  - e. Establishment of a leave “bank” for use by unnamed employees is expressly prohibited.
3. Participation Requirements: A County employee may contribute only vacation leave to another County employee.
4. Recipient Guidelines
- a. A prospective recipient may make application for voluntary shared leave at such time as medical evidence is available to support the need for leave beyond the employee's available accumulated leave.
  - b. Participation in this program is limited to 1,040 hours, either continuously or, if for the same condition, on a recurring basis. However, management may grant employee continuation in the program, month by month for a maximum of 2,080 hours, if management would have otherwise granted leave without pay.
  - c. Subject to the maximum of 1,040 hours, the number of hours of leave an employee can receive is equal to the projected recovery or treatment period, less the employee's combined vacation and sick leave balance as of the beginning of the recovery or treatment period. The employee must exhaust all available leave before using donated leave.
  - d. Leave donated to a recipient's leave account is exempt from the maximum accumulation carry over restrictions at calendar year end.
  - e. At the expiration of the medical condition, as determined by the County, any unused leave in the recipient's donated leave account shall be treated as follows:
- The vacation and sick leave account shall not exceed a combined total of 40 hours. Any additional unused donated leave will be returned to the donor(s) on a pro rata basis and credited to the leave account from which it was donated. Fractions of one hour shall not be returned to an individual donor.
- If a recipient separates from the County, participation in the program ends. Donated leave shall be returned to donor(s) on a pro rata basis.

5. Donor Guidelines

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- a. County employees may choose to contribute ~~only~~ vacation or sick leave to another employee with the County. The minimum amount to be donated is four hours.
- b. The maximum amount of ~~vacation~~ leave allowed to be donated by one individual is to be no more than the amount of the individual's annual accrual rate. However, the amount donated is not to reduce the donor's vacation or sick leave balance below one-half of the annual vacation or sick leave accrual rate:

**Example 1** – Employee with 5 but less than 10 years of County service earns 133.95 hours annually. Employee may contribute four or more hours but may not reduce vacation balance below 66.98 hours.

**Example 2** – Employee with more than 20 or more years of County service earns 205.92 hours annually. Employee may contribute four or more hours but may not reduce vacation leave balance below 102.96 hours.

#### C. Leave Accounting Procedures

To facilitate the administration of the program, the County may establish a specific time period during which leave can be donated.

The County shall establish a system of leave accountability which will accurately record leave donations and recipients use. Such accounts shall provide a clear and accurate record for financial and management audit purposes.

Withdrawals from recipient's leave account will be charged to the recipient's account according to usual leave policies.

Leave transferred under this program will be available for use on a current basis or may be retroactive for up to 30 calendar days to substitute for leave without pay

Each approved medical condition shall stand alone and donated leave not used for each approved incident shall be returned to the donor(s). Employees who donate "excess" leave (any amount above 240 maximum allowable carryover) at the end of December may not have it returned and converted to sick leave.

## Section 609 Military Leave

- A. An employee who is a member of the National Guard or Armed Forces Reserve will be allowed eighty hours (80) of military training leave with pay annually and will be entitled to receive regular compensation in addition to the compensation received from the U.S. Armed Forces while on military leave. If such military duty is required beyond this period of eighty hours (80), the employee shall be eligible to take accumulated personal leave or be placed on military leave-without-pay status or reschedule the work hours at the option of the employee.
- B. While on military leave with partial or full pay the employee's leave credits and other benefits shall continue to accrue as if the employee remained with the County during this period. Employees who are guardsmen and reservists have all job rights specified in the Veterans Readjustment Assistance Act and USERRA. While on military leave without pay, the employee's benefits (such as vacation, etc.) do not accrue but when the service member returns to work, he or she would be entitled to the accrual schedule that would apply if he or she had been continuously employed during military service.
- C. The County may request that the employee provide copies of official orders or other appropriate documentation for all periods of active-duty training. The employee may also be asked to provide a memorandum from the Unit Commander for periods of inactive duty training (weekend duty).
- D. Employees who are called to active duty or returning from active duty will have the rights provided for under the Uniformed Services Employment and Re-employment Rights Act of 1994. More information can be found at the following link: <http://webapps.dol.gov/elaws/vets/userra/userra.asp>.

## Section 610 Court Leave

County employee called for jury duty or as a job-related court witness for the Federal or State government, or a subdivision thereof, is entitled to a leave with pay for the period of absence required. Leave is granted for the period of time an employee is required to be in court. Employee shall be required to provide documentation from the court verifying attendance. When the court releases an employee with instructions to report back at a later time, the employee is expected to return to the regular work schedule for that day. The employee is entitled to regular compensation, plus fees received for jury duty.

Employees shall take vacation or unpaid leave for court appearances that are not

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jury duty or for court appearances that are not required by the job for the period of absence required.

## **Section 611 Educational Leave with Pay**

Leave of absence at full or partial pay for a period not to exceed sixty (60) working days may be granted, upon the recommendation of the Department Head and with the approval of the County Manager, to take courses of study that will better equip the employee to perform the respective job duties for the County. A leave of absence at full or partial pay for a period not to exceed nine (9) months may be granted for the same purpose, but only upon the recommendation of the Department Head and the County Manager with the approval of the Board of Commissioners. An employee on educational leave with full pay shall continue to earn leave credits and any others benefits to which County employees are entitled.

## **Section 612 Family and Medical Leave**

A. Family and Medical Leave Act: In general, Currituck County provides an eligible employee up to 12 workweeks of job-protected, unpaid leave (or to substitute appropriate earned or accrued leave) within any 12-month period for:

1. Birth or adoption of a child. (An employee must conclude leave for the birth or placement of a child or adoption or foster care within 12 months after the event). Leave may begin prior to birth or placement, as circumstances dictate. To provide physical or psychological care for child, spouse, or parent with a serious health condition. A child, for purposes of FMLA leave is either under the age of 18 or is over the age of 18 but incapable of self-care due to a physical or mental disability that substantially limits one or more major life functions.
2. To care for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's job or
3. For qualifying military exigencies arising from the fact that the employee's spouse, son or daughter or parent is on active duty or has been notified of an impending call to active duty as a member of the Armed Forces (including the National Guard or Reserves) in support of a contingency operation as defined in Section 101(a)(13) of Title 10, US Code. The entitlements differ for this category and are outlined in Section 612 M.

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4. Military caregiver leave as described below in paragraphs #Q and #R.

- B. Eligibility and Entitlement for Family and Medical Leave: Employees must have worked for the County a minimum of one year and this need not be consecutive and have worked for at least 1,250 hours or more during the 12 months prior to requesting leave. The County has designated entitlement for FMLA leave shall be determined using a "12-month period measured forward from the date any employee's first use of FMLA leave."
- C. Qualifying for Leave for the Employee's Own Serious Health Condition: The employee must have a serious health condition that involves:
1. Inpatient care in a medical-care facility, including any period of incapacity or inability to work or perform other regular daily activities or subsequent treatment in connection with such inpatient care or,
  2. Continuing treatment by a healthcare provider which includes
    - a. a period of incapacity lasting more than three full consecutive calendar days and any treatment relating to this condition that includes treatment two or more times by a healthcare provider (in-person visits beginning within 7 days and concluding within 30 days of the first day of incapacity) or one treatment by a healthcare provider with a continuing regimen of treatment such as prescription medication or physical therapy,
    - b. periods of incapacity related to pregnancy or for prenatal care,
    - c. periods of incapacity or treatment for a chronic condition which continues over an extended period of time that requires visits at least twice per year to a healthcare provider (employees should provide documentation related to these visits to Human Resources),
    - d. periods of incapacity that are permanent or long-term due to a condition for which treatment is not effective but is under the supervision of a healthcare provider,
    - e. absences to receive multiple treatments for restorative surgery or for a condition that may result in a period of incapacity of more than three days if not treated.
- D. Employer Notification: In cases in which the need for leave is foreseeable, the employee is required to provide at least thirty days' notice before the date leave is to begin. When circumstances prevent such notice, the employee must provide notice as soon as practicable. It is the responsibility of the Department Head to forward employee requests for Family Medical Leave to the Human Resources Director who will determine eligibility for coverage under this policy. A personnel action form placing the employee on Family Medical Leave and

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supporting documents must be forwarded to the Human Resources Office as soon as possible so that appropriate personnel and payroll adjustments can be made.

- E. Certification: Certification of the need for leave to care for the employee's illness or injury or that of a family member is required. Certification is also required for qualifying exigency and military caregiver leave. The employee must complete required FMLA requests and provide requested information as required by the Human Resources department within 15 calendar days from the date of their request for leave. Such verification is to include the date on which the serious health condition began; the probable duration of the condition; the appropriate medical facts known by the health care provider regarding the condition; and if the request is for a family member, a statement that the employee is needed to provide care. The applicable Certification of Health Care Provider forms are located in the Human Resources Department.

If no certification is provided, based on the information at hand, the County may not designate leave as qualifying as FMLA leave. If the County designates leave as qualifying as FMLA leave, the employee will be provided with a written notification of such designation.

Human Resources Department reserves the right to contact the employee's health care provider to verify the authenticity of any certification that is received.

- F. Medical Dispute Resolution: If there is a dispute about the medical opinion provided by the employee's physician, in support of a request for leave for a serious health condition of the employee or the employee's family member, the County may require a second opinion by a physician of the County's choice, at the county's expense. If a third opinion is necessary, a third physician may be selected. The third physician must be agreed upon by both the employee and the County. The third opinion is final and binding upon both parties. The costs of the second and third opinions, if any, are borne by the County.
- G. Leave Provisions: Employees must first use and exhaust any accrued paid leave time before taking unpaid family and/or medical leave. Sick leave will be used first and then vacation leave until all leave is exhausted. Vacation and sick leave credits will not be accrued, nor will the employee receive paid holidays during family and/or medical leave without pay. If the employee has available compensatory time this will be exhausted before any other type of paid leave can be used. Any combination of family and medical leave within the 12 month period may not exceed this maximum limit. In the case of military caregiver leave, more than 12 weeks in a single 12 month period may be available. If the initial period of approved absence proves insufficient, consideration may be given to a request for an extension.

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- H. Leave Provisions for Spouses Both Working for the County: If leave is taken for adoption or birth of a healthy child, the maximum combined leave for both spouses is 12 weeks. If leave is taken for a serious medical condition of employee, spouse parent or child the maximum combined leave for both spouses is 12 weeks. If leave is taken for the care of a sick or injured covered service member the maximum combined leave for both spouses is 26 weeks.
- I. Employee Benefits: Both the County and the employee will continue to pay their customary portions of the monthly premiums during FMLA leave. If the employee chooses not to return from leave, under certain circumstances, the employee may be required to repay the County's portion of the premium payment as provided by statute.
- If the FMLA leave is unpaid, service and paid leave earnings cease (401K Match, retirement, vacation and sick leave accrual, etc.).
- J. Intermittent or Reduced Leave: There are cases when leave is needed intermittently or on a reduced-time schedule due to a serious health condition of the employee or a member of the employee's family. Intermittent or reduced schedule leave is also available for qualifying exigency and military caregiver leave. If the employee requests intermittent leave or leave on a reduced-time schedule for planned medical treatment, the County Manager may transfer the employee temporarily to another position of equal pay and benefits for which the employee is qualified. Such transfer is to be made for the purpose of accommodating the recurring periods of leave. The employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the County's operations.
- K. Return to Work: An employee returning from medical leave must submit a health care provider's verification of the employee's fitness to return to work. Failure to provide a medical certificate of fitness for duty may result in a denial of job reinstatement until medical certificate release is provided and approved by the Human Resources Department.
- L. So that an employee's return to work can be properly scheduled, an employee on family and/or medical leave is requested to provide the County with at least two (2) weeks advance notice of the date the employee intends to return to work. When a family and/or medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent or virtually identical position, i.e. with same benefits, pay, and other terms and conditions of employment, for which the employee is qualified.
- M. The employee may be required to report to the immediate supervisor at regular intervals regarding the status of the condition that prompted the requested leave.

- N. If, at the expiration of the family and/or medical leave without pay period, an employee fails to report for duty, and no extension of the leave without pay has been granted, then the failure to report is deemed a resignation.
- O. Periods of paid leave and periods of leave without pay count towards the FMLA 12 week entitlement. This includes Workers' Compensation leave and shared leave and will run concurrently.
- P. Job Restoration: Most employees granted leave will be returned to the same position held prior to the FMLA leave or one that is equivalent in pay, benefits, and other terms and conditions of employment. Certain highly compensated salaried employees (key employees) are eligible for leave, but are not guaranteed restoration to their position if they choose to take leave.
- Q. Military Caregiver Leave: THE FMLA Act provides an eligible employee with up to 26 weeks of unpaid leave within a "single 12 month period" to care for the serious injury or illness of a spouse, child, parent or next of kin who is a member of the Armed Forces, including National Guard or Reserves. Military caregiver leave also allows an eligible employee who is the spouse, son, daughter, parent, or "next of kin" of a covered veteran with a serious injury or illness to take up to a total of 26 workweeks of unpaid leave during a "single 12-month period" to provide care for the veteran.  
  
A veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness is a covered veteran if he or she: was a member of the Armed Forces (including a member of the National Guard or Reserves); was discharged or released under conditions other than dishonorable; and was discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for him or her.
- R. A serious injury or illness is defined as an injury or illness that the service member incurred in the line of duty, while on active duty, that renders them medically unfit to perform the duties of their office, grade, rank or rating. The "single 12 month period" for Military Caregiver Leave begins on the first day the employee takes leave for this reason and ends 12 months later. Documentation and certification requirements can be found at the following links: <https://www.dol.gov/whd/regs/compliance/whdfs28mb.pdf> and <https://www.dol.gov/whd/regs/compliance/whdfs28ma.pdf>.
- S. Qualifying Military Exigencies include but are not limited to short notice deployment (seven or less days of notice prior to deployment, military events and related activities, making financial and legal arrangements, post-deployment activities, any other event that the employee and County agree is a qualifying military exigency).
- T. Grievance Procedure: It is the policy of Currituck County not to discharge or discriminate against any employee exercising his/her rights under the FMLA.

6.2

ED: 01/06/2020 (REV)

Any employee who feels he/she has been treated unfairly should follow the Problem Resolution and Grievance Procedure as outlined in Article 10.

### **Section 613 Leave for Parent Involvement in School**

In accordance with North Carolina General Statute 95-28.3, Currituck County allows the use of up to four (4) hours of vacation or compensatory leave per year to all employees who are a parent, guardian, or person standing in loco parentis of a school aged child so that the employee may attend or otherwise be involved at that child's school. However, any leave granted for such reasons is subject to the following conditions:

- A. The leave must be at a mutually agreed upon time between the employee and the Department Head.
- B. The employee must notify the immediate supervisor with a written request for the leave at least forty-eight hours before time desired for the leave.
- C. The supervisor or Department Head may require written verification from the child's school that the employee attended or was otherwise involved at that school during the time of the leave.

### **Section 614 Employee Service on Boards and Commissions**

An employee serving as the County's representative on any State, Local or other boards, commissions and councils shall not be compensated for their services in addition to their regular salary. An employee serving as the County's representative on any State, Local or other boards, commissions and councils shall be reimbursed for subsistence and travel expenses allowed to County employees and for the actual amount expended for convention or meeting registration fees as shown by receipt.

# **AIA® Document G701™ – 2017**

## Change Order

<b>PROJECT:</b> <i>(Name and address)</i> Currituck Public Safety Center & Support Buildings	<b>CONTRACT INFORMATION:</b> Contract For: General Construction  Date: 4/17/2019	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 003  Date: 08/05/22
<b>OWNER:</b> <i>(Name and address)</i> County of Currituck  153 Courthouse Road, Suite 204 Currituck, NC 27929	<b>ARCHITECT:</b> <i>(Name and address)</i> Boomerang Design, PA  6131 Falls of Neuse Road, Suite 204 Raleigh, NC 27609	<b>CONTRACTOR:</b> <i>(Name and address)</i> Sussex Development Corporation  109 South Lynnhaven Road, Suite 200 Virginia Beach, VA 23452

### THE CONTRACT IS CHANGED AS FOLLOWS:

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*


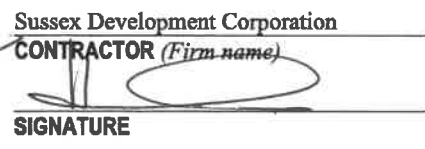
GMP Contract Savings	
Construction and Design	\$(721,470.13)
Allowances & Additions to Contract	\$(676,872.14)
Owner Reserve	\$(327,724.97)
<b>Total</b>	<b>\$(1,726,067.24)</b>

The original Contract Sum was	\$ 22,979,453.16
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 22,979,453.16
The Contract Sum will be decreased by this Change Order in the amount of	\$ 1,726,067.24
The new Contract Sum including this Change Order will be	\$ 21,253,385.92

The Contract Time will be increased by Zero (0) days.  
 The new date of Substantial Completion will be

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Boomerang Design <b>ARCHITECT</b> <i>(Firm name)</i>  <b>SIGNATURE</b> Angela Crawford Easterday, AIA Principal <b>PRINTED NAME AND TITLE</b> 8/16/2022 <b>DATE</b>	Sussex Development Corporation <b>CONTRACTOR</b> <i>(Firm name)</i>  <b>SIGNATURE</b> Harry L. Davis, III, President <b>PRINTED NAME AND TITLE</b> 08/09/22 <b>DATE</b>	Currituck County <b>OWNER</b> <i>(Firm name)</i>  <b>SIGNATURE</b> Donald "Ike" McRee, Jr., County Manager <b>PRINTED NAME AND TITLE</b>  <b>DATE</b>
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# SUSSEX

## Currituck Public Safety Contract Savings Breakdown 8/5/2022

Category Name	Cost Budget	Total Projected Cost	Difference
<b>Construction &amp; Design</b>			
Architectural Design	\$ 920,350.00	\$ 920,350.00	\$ -
Site/Civil Design	\$ 131,200.00	\$ 139,564.81	\$ 8,364.81
Hazmat & Geotechnical	\$ 14,550.00	\$ 14,550.00	\$ -
PreCon Fee	\$ 84,488.43	\$ 84,488.43	\$ -
E&S Control Bond	\$ 2,210.00	\$ -	\$ (2,210.00)
Storm Water Bond	\$ 10,000.00	\$ -	\$ (10,000.00)
Water, Sewer, & Utility Fees	\$ 12,000.00	\$ 5,085.00	\$ (6,915.00)
ROW Fees	\$ 10,000.00	\$ -	\$ (10,000.00)
Other Permits & Fees	\$ 2,585.00	\$ 796.14	\$ (1,788.86)
GL & Builder's Risk Insurance	\$ 228,227.17	\$ 209,150.29	\$ (19,076.88)
Business License	\$ 34,193.91	\$ 33,969.43	\$ (224.48)
Project Engineer	\$ 235,000.00	\$ 293,524.97	\$ 58,524.97
Superintendent	\$ 213,605.04	\$ 380,757.52	\$ 167,152.48
Temporary Utilities	\$ 81,137.99	\$ 51,050.51	\$ (30,087.48)
Trailers & Containers	\$ 16,824.48	\$ 28,529.74	\$ 11,705.26
Project Signage	\$ 3,000.00	\$ 7,878.11	\$ 4,878.11
Temp Barricades & Dust Protect	\$ 7,500.00	\$ 6,980.71	\$ (519.29)
Equip Rental/Loader/Elevator	\$ 32,700.00	\$ 52,328.53	\$ 19,628.53
Daily Clean	\$ 6,500.00	\$ 37,123.49	\$ 30,623.49
Dump Fees	\$ 15,200.00	\$ 40,200.58	\$ 25,000.58
Safety & Silica Protection	\$ 45,042.04	\$ 37,319.78	\$ (7,722.26)
Small Tools & Supplies	\$ 3,500.00	\$ 6,680.35	\$ 3,180.35
Protect New & Existing Constr	\$ 7,500.00	\$ 5,208.00	\$ (2,292.00)
Closeout, Postage, & Asbuilts	\$ 9,327.00	\$ 7,231.26	\$ (2,095.74)
Final Cleaning	\$ 24,915.28	\$ 40,692.00	\$ 15,776.72
Payment & Performance Bonds	\$ 199,428.28	\$ 211,501.00	\$ 12,072.72
Engineering Layout	\$ 44,260.00	\$ 8,955.27	\$ (35,304.73)
Concrete	\$ 687,160.00	\$ 645,377.19	\$ (41,782.81)
Masonry	\$ 976,121.00	\$ 895,806.68	\$ (80,314.32)
Misc Metals	\$ 12,780.00	\$ 11,550.90	\$ (1,229.10)
Structural Metals	\$ 1,187,794.63	\$ 1,123,943.00	\$ (63,851.63)
Pre-Engineered Metal Building	\$ 327,113.17	\$ 303,694.57	\$ (23,418.60)
Rough Carpentry	\$ 97,569.64	\$ 162,846.28	\$ 65,276.64
Woodwork & Arch Casework	\$ 103,873.00	\$ 145,652.28	\$ 41,779.28
Thermal & Mst Protection Labor	\$ 8,800.00	\$ 14,074.00	\$ 5,274.00
Elevator Pit Waterproof	\$ 4,500.00	\$ 1,400.00	\$ (3,100.00)

Attachment: CO #3-Sussex GMP Contract Savings (Change Order #3-Public Safety Building-Sussex)

Insulation	\$ 91,037.00	\$ 87,608.81	\$ (3,428.19)
EIFS	\$ 35,500.00	\$ 58,415.00	\$ 22,915.00
Roofing	\$ 568,500.00	\$ 568,500.00	\$ -
Caulking & Joint Protection	\$ 25,000.00	\$ 17,846.54	\$ (7,153.46)
Wall Flashings	\$ 25,000.00	\$ 4,360.09	\$ (20,639.91)
Hardie Panels	\$ 93,100.00	\$ 123,230.00	\$ 30,130.00
Fiber Cement Panel Insulation	\$ 18,620.00	\$ -	\$ (18,620.00)
Air/Vapor Barrier	\$ 91,688.00	\$ 13,606.50	\$ (78,081.50)
Openings	\$ 6,600.00	\$ 3,646.76	\$ (2,953.24)
Doors, Frames, & Hardware	\$ 243,325.53	\$ 294,972.34	\$ 51,646.81
Glass & Storefront	\$ 548,061.00	\$ 559,333.41	\$ 11,272.41
Overhead Coiling Door	\$ 51,370.00	\$ 63,238.00	\$ 11,868.00
Kalwall Sky Roof	\$ 38,850.00	\$ 38,850.00	\$ -
Finishes	\$ 5,680.00	\$ 1,983.22	\$ (3,696.78)
Metal Studs & Drywall	\$ 1,109,704.78	\$ 990,627.37	\$ (119,077.41)
Ceilings	\$ 224,850.00	\$ 210,280.00	\$ (14,570.00)
Floor Coverings	\$ 409,223.00	\$ 400,332.80	\$ (8,890.20)
Paint & Wallcovering	\$ 176,615.00	\$ 153,132.28	\$ (23,482.72)
Operable Partitions	\$ 41,965.00	\$ 48,616.00	\$ 6,651.00
Mapes Canopies	\$ 44,650.00	\$ 44,650.00	\$ -
Wire Mesh Partitions	\$ 13,050.00	\$ 13,165.00	\$ 115.00
Toilet Partitions	\$ 19,165.60	\$ 37,095.00	\$ 17,929.40
Wall Protection	\$ 8,640.00	\$ 9,488.00	\$ 848.00
Toilet Accessories	\$ 17,102.88	\$ 21,928.00	\$ 4,825.12
Fire Extinguishers & Cabinets	\$ 7,500.00	\$ 5,891.90	\$ (1,608.10)
Lockers	\$ 13,000.00	\$ 18,069.68	\$ 5,069.68
Flagpoles	\$ 25,500.00	\$ 35,673.46	\$ 10,173.46
Conveying Equipment	\$ 96,071.32	\$ 101,599.20	\$ 5,527.88
Fire Suppression	\$ 392,861.00	\$ 393,728.20	\$ 867.20
Plumbing & HVAC	\$ 3,053,670.00	\$ 3,074,401.11	\$ 20,731.11
Electrical	\$ 3,310,283.02	\$ 2,821,066.57	\$ (489,216.45)
Video Surveillance	\$ 147,922.71	\$ 152,552.66	\$ 4,629.95
Earthwork	\$ 1,903,594.51	\$ 1,613,109.77	\$ (290,484.74)
Bollards	\$ 59,950.00	\$ 32,995.09	\$ (26,954.91)
Sliding Gates	\$ 40,000.00	\$ 28,405.00	\$ (11,595.00)
Fencing	\$ 5,187.00	\$ 23,823.00	\$ 18,636.00
Irrigation	\$ 28,509.00	\$ 19,890.00	\$ (8,619.00)
Landscaping & Sod	\$ 50,000.00	\$ 106,460.70	\$ 56,460.70
Overhead & Profit	\$ 1,367,756.52	\$ 1,367,756.52	\$ -
	\$ 20,210,058.93	\$ 19,488,588.80	\$ (721,470.13)
Less Owner Reserve Cost - Accounted for below	\$ (581,311.90)	\$ (581,311.90)	\$ -
<b>TOTALS</b>	<b>\$ 19,628,747.03</b>	<b>\$ 18,907,276.90</b>	<b>\$ (721,470.13)</b>

Attachment: CO #3-Sussex GMP Contract Savings (Change Order #3-Public Safety Building-Sussex)

Category Name	Cost Budget	Total Projected Cost	Difference
<b><u>Allowances:</u></b>			
Construction Testing	\$ 140,000.00	\$ 1,360.80	\$ (138,639.20)
Furniture, Fixtures & Equipmen	\$ 900,000.00	\$ 691,001.32	\$ (208,998.68)
Front Entry Upgrades Estimate	\$ 250,000.00	\$ 193,651.82	\$ (56,348.18)
Electrical Underground Fees	\$ 65,000.00	\$ 631.80	\$ (64,368.20)
Gas Utility UG Fees Estimate	\$ 45,000.00	\$ 437.40	\$ (44,562.60)
Exterior Signage Estimate	\$ 65,000.00	\$ 10,853.61	\$ (54,146.39)
911 Grounding Soil testing	\$ 10,000.00	\$ 97.20	\$ (9,902.80)
Sheriff's Department Storage	\$ 143,000.00	\$ 164,811.24	\$ 21,811.24
Lobby Handrail Allowance	\$ 45,000.00	\$ 95,040.00	\$ 50,040.00
Balistic Glass Allowance	\$ 35,000.00	\$ 32,358.96	\$ (2,641.04)
Ballistic Shielding Allowance	\$ 45,000.00	\$ 3,051.00	\$ (41,949.00)
Architectural Louvers Allowance	\$ 22,170.40	\$ -	\$ (22,170.40)
Access Control Hdwr Allowance	\$ 35,000.00	\$ 87,344.89	\$ 52,344.89
Floor Leveling Allowance	\$ 15,000.00	\$ 1,036.80	\$ (13,963.20)
Raised Access Flooring Allowan	\$ 40,000.00	\$ 29,596.32	\$ (10,403.68)
Interior & Exterior Signage Allowance	\$ 75,000.00	\$ 30,872.07	\$ (44,127.93)
Appliances Allowance	\$ 50,000.00	\$ 28,569.59	\$ (21,430.41)
Window Treatments Allowance	\$ 35,935.50	\$ 30,666.27	\$ (5,269.23)
Visual Display Boards Allowanc	\$ 28,500.00	\$ 19,852.56	\$ (8,647.44)
Entry Column Covers Allowance	\$ 50,000.00	\$ 15,336.00	\$ (34,664.00)
Testing/Spc Insp Allowance	\$ 140,000.00	\$ 106,686.99	\$ (33,313.01)
Develp Permits & Fees Allowanc	\$ 161,362.00	\$ 175,839.12	\$ 14,477.12
<b>TOTALS</b>	<b>\$ 2,395,967.90</b>	<b>\$ 1,719,095.76</b>	<b>\$ (676,872.14)</b>
<b>Owner Reserve</b>	<b>\$ 954,738.23</b>	<b>\$ 627,013.26</b>	<b>\$ (327,724.97)</b>
<b>Original Contract Amount</b>	<b>\$ 22,979,453.16</b>		
<b><u>Savings</u></b>			
Construction & Design	\$ (721,470.13)		
Allowances & Additions to Contract	\$ (676,872.14)		
Owner Reserve	\$ (327,724.97)		
	<b>\$ (1,726,067.24)</b>		
<b>FINAL CONTRACT AMOUNT</b>	<b>\$ 21,253,385.92</b>		

Attachment: CO #3-Sussex GMP Contract Savings (Change Order #3-Public Safety Building-Sussex)

## RESOLUTION

**“WHEREAS, The Board of Commissioners of the County of Currituck, North Carolina, during its regularly scheduled meeting and pursuant to G.S. 160A and 270(b), approve the property listed in this Resolution to be declared surplus and authorize its conveyance to handler, Detective Joseph Rein.**

County		
<u>Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
#9453	LOLA Sheriff's K-9 German Shepard	N/A

**ADOPTED**, this 19th day of September 2022

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

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

(Seal)

Attachment: Resolution-Surplus K-9\_ (Surplus Resolution-K-9 Lola)



*From the desk of*  
**Sheriff Matthew W. Beickert**

**Currituck County, North Carolina**

125 College Way • Barco, N.C. 27956 • Office: (252) 453-8204 • Fax: (252) 453-2630  
matt.beickert@currituckcountync.gov

Date: August 2, 2022

Subject: Retirement of Drug K9 "Lola"

Dog Name: Lola

Breed: German Shepard

Asset Number: 9453

The Currituck County Sheriff's Office is requesting the Currituck County Board of Commissioners to retire Canine "Lola" from service. Canine "Lola" is a female German Shepard and has served with the Currituck County Sheriff's Office since 2016. She is a certified full patrol and drug detection canine through the United States Police Canine Association (USPCA). Lola is 8 years old and served the county along side Detective Joseph Rein. We are requesting Canine "Lola" be retired due to age and changing drug laws. She will be replaced through an already approved grant from USPCA and AKC reunite to cover the replacement costs for "Lola".

Sincerely,

A handwritten signature in black ink that reads "Matthew Beickert".  
Matthew Beickert  
Currituck County Sheriff

Attachment: Sheriff-Lola-K-9 Surplus Request (Surplus Resolution-K-9 Lola)

## 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
5493	2001 John Deere 1200A Ballfield Machine	TC1200X120506
6290	2006 John Deere 1200A Ballfield Machine	TC1200A13552

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

**ADOPTED**, this 19th day of September, 2022.

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

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

(Seal)



## **CURRITUCK COUNTY JOB DESCRIPTION**

### **JOB TITLE: PERMIT TECHNICIAN DEVELOPMENT SERVICES DEPARTMENT**

#### **GENERAL STATEMENT OF JOB**

Under general supervision, performs a variety of specialized clerical and technical work for the Development Services Department. Work involves receiving building permit applications over the counter and online, routing applications, minor review of applications, accepting applicable fees, scheduling inspections, preparing reports, and issuing permits. Work also includes serving as division receptionist. Reports to the Development Services Director or their designee.

#### **SPECIFIC DUTIES AND RESPONSIBILITIES**

##### **ESSENTIAL JOB FUNCTIONS**

Provides information and assistance to the public for obtaining building permits, including greeting customers to determine what type of permit or license is needed, compiling necessary information to complete a permit application, checking to ensure that contractor's licenses are current and proper, and application packets are complete, calculating area of proposed structure to determine proper fees, entering data, issuing permits, collecting applicable fees, and serves as division receptionist.

Reviews minor building permit applications and site plans to ensure compliance with county ordinances.

Assigns building permit plan review and coordinated the inspection process with various county and state departments as well as other agencies and utility companies.

Issues building permits upon approval of required documents, associated plan reviews, and collections of fees.

Identifies FEMA flood zones and reviews flood related documents for completeness, including elevation certificates.

Processes cancelled or revoked permits; issues letters; responds to refund requests.

Compiles forms, permits, notices, licenses, affidavits, or form letters with designated or routine information; records data from approved building permit applications for the issuance of permits.

Enters applications in the county permitting software system, including scanning, documents, prepares electronic document files gathered from various sources for entry into the permitting software system.

## **PERMIT TECHNICIAN**

Summarizes information and selects data from varied sources to prepare and distribute various reports required by the county such as monthly, quarterly, and yearly building reports and reports required by the State and Federal Government.

Answers telephone and greets visitors; gathers and provides information based on knowledge of programs and procedures.

Analyzes information and data from varied sources and prepare additional charts and graphs as requested.

Receives payments for various fees; prepares daily deposits and cash reports; maintains accounts receivable records for department; prepares invoices and billing statements.

Schedules daily inspections and verifies receipt of required forms, approvals, and maintains daily inspection schedule on the website.

Research permitting, zoning, flood plain, plat/maps, tax, and other property records.

Research public information records requests for the division.

Operates various office equipment including computers, scanners, printers, copy machines, etc.; maintains files; maintains office supply inventory.

### **ADDITIONAL JOB FUNCTIONS**

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

Performs other related work as required.

Part of a disaster response team during natural or unnatural events.

### **MINIMUM TRAINING AND EXPERIENCE**

High school diploma or equivalent supplemented by college-level course work in typing and business practices, and three to five years of experience in secretarial or clerical work, preferably in construction or building trades operations; or any equivalent combination of training and experience which provides the required knowledge, skills, and abilities.

### **SPECIAL REQUIREMENTS**

Ability to attend the North Carolina Law and Administration Course and obtain certification.

Ability to obtain Permit Technician Certification based on future North Carolina State requirements.

Possession of a valid North Carolina driver's license.

PERMIT TECHNICIAN

Attachment: PERMIT TECHNICIAN- Job Description 9.1.22 (Job Description-Permit Technician)

## PERMIT TECHNICIAN

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

**Physical Requirements:** Must be physically able to operate a variety of machinery and equipment, including typewriters, computers, etc. Must be able 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. 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 receiving instructions, assignments, or directions from superiors.

**Language Ability:** Requires the ability to read a variety of permits, surveys, charts, graphs, etc. Requires the ability to prepare inspection sheets, reports, refunds, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak to 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, construction and building terminology.

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

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

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

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

## PERMIT TECHNICIAN

**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**

Considerable knowledge of modern office practices, procedures and equipment and standard clerical techniques.

General knowledge of arithmetic, spelling, grammar, punctuation, and vocabulary.

General knowledge of office policies governing permit fees, contractor licensing and administrative procedures of the department.

Ability to operate a variety of common office machines, including popular computer-driven word processing, spreadsheet, and file maintenance programs.

Ability to use a calculator and equipment to calculate square footage and measure distances.

Ability to make minor decisions in accordance with laws, ordinances, regulations and departmental policies and procedures.

Ability to maintain a variety of moderately complex records and to compile data from such records.

Ability to exercise independent judgment and initiative to ensure that work is completed on a timely basis.

Ability to understand and follow moderately complex oral and written instructions.

Ability to communicate effectively orally and in writing.

Ability to exercise tact and courtesy in frequent contact with the public.

Ability to read and interpret surveys and building plans.

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

Ability to use independent judgment in making decisions.

## **CURRITUCK COUNTY JOB DESCRIPTION**

### **JOB TITLE: County Extension Administrative Support CURRITUCK COUNTY EXTENSION**

#### **GENERAL STATEMENT OF JOB**

This is a part-time position to provide administrative support to the Currituck County Extension staff. Duties will include answering phone lines, greeting the public, assisting agents with administrative tasks, operating office equipment, managing facility rentals, and assisting with program marketing.

#### **SPECIFIC DUTIES AND RESPONSIBILITIES**

##### **ESSENTIAL JOB FUNCTIONS**

This position performs administrative duties for Currituck County Cooperative Extension at the local level. Duties include:

- phone and lobby reception
- Preparing and distributing forms, educational literature and various program related materials.
- Website maintenance
- Establishing and maintaining files
- Preparing spreadsheets and database records as needed
- Preparing newsletters and event announcements for web-based email marketing distribution
- Managing social media for program announcements and educational correspondence
- Overseeing facility reservations and scheduling

##### **ADDITIONAL JOB FUNCTIONS**

Operate (and maintain) a variety of standard office machines, including personal computers, phone, shredding machine, photocopy machine, and video equipment.

Participate in team meetings and activities.

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

Performs other related work as required.

##### **MINIMUM TRAINING AND EXPERIENCE**

Graduation from high school and two years office assistance or secretarial experience; or equivalent combination of training and experience.

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

### County Extension Administrative Support

**Physical Requirements:** Must be physically able to operate a variety of machinery and equipment, including computers, typewriters, calculators, copiers, facsimile machines, etc. 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 receiving instructions, assignments or directions from superiors.

**Language Ability:** Requires the ability to speak to people with poise, voice control and confidence.

**Intelligence:** Requires the ability to apply common sense understanding to carry out instructions furnished in written, oral or diagrammatic form; to deal with problems involving several concrete variables in or from standardized situations.

**Verbal Aptitude:** Requires the ability to follow oral and written instructions. Must be able to communicate effectively and efficiently in standard English.

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

**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 automated office equipment.

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

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

**Personal 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.) Requires the ability to communicate via telephone.

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

Experience in web-page management, social media, newsletter design.

Must be highly motivated and innovative.

Must be a good team member and support and develop a positive work environment.

Must possess accurate typing, editing, and computer skills.

Must have strong grammar, spelling and proofreading skills.

Proficiency with computer applications to include Microsoft Word, Excel and Google Drive.

The ability to support clientele and maintain confidentiality is essential.

Good time-management skills and the ability to juggle multiple responsibilities.

Discretion, diplomacy, sound judgment and the ability to solve problems independently.

Good interpersonal communication skills and teamwork ability is required.

Must have a willingness to learn new relevant software programs as they become available.

Ability to serve diverse clientele and provide top notch customer service.

Strong written and oral communication skills.

Organizational skill.



## CURRITUCK COUNTY NORTH CAROLINA

August 15, 2022

Minutes – Regular Meeting of the Board of Commissioners

### WORK SESSION-5:00 PM

#### 1. Advisory Boards Review

The Currituck County Board of Commissioners held a Work Session at 5:00 PM in the Board Meeting Room of the Historic Courthouse.

The Board reviewed county Advisory Boards. A list of existing Advisory Boards was provided to Board members for a review of each County Advisory Board. Commissioners discussed impacts, functions, values, and benefits of each Board and after consideration, staff was directed to take the following action:

- Dissolve the Historic Boat Building Advisory due to the completion of the Maritime Museum.
- Prepare and conduct orientations for new advisory members on the duties of the board on which they are appointed.
- Reduce membership of the Northwest Watershed Service District Advisory from five to three
- Dissolve the original, countywide Stormwater District Board.
- Hold further discussion of the Animal Services and Control Advisory Board; Carova Beach Road Maintenance Service District Advisory Board; Veterans Advisory Board; and the Tourism Advisory Board (marketing and promotion plan).

Challenges with solid waste collection services in the Whalehead Subdivision in Corolla were discussed, and the Board agreed to meet after the visitor season to talk about the Whalehead Solid Waste Service District.

#### 2. Historic Corolla Park Playground & Maritime Museum

Commissioner Beaumont presented items for discussion related to a playground planned for Historic Corolla Park. He presented alternative design ideas and expressed concerns with the site location and its proximity to the air up stations. He suggested a fence be placed around the area with a single entry and exit. Board members agreed to include fencing to enhance safety.

Commissioner Beaumont suggested expanded operating hours for the Maritime Museum and Whalehead to allow both facilities to be open seven days a week during visitor season. Commissioners discussed the challenges finding staff to work the weekend, and Ike McRee, County Manager, reviewed a tourism staffing plan that would

Communication: Minutes for August 15, 2022 (Approval Of Minutes-August 15, 2022)

allow the facilities to be open six days each week. Chairman Payment suggested continuing the discussion to allow all Board members to provide input so an operating schedule could be created.

The Work Session concluded at 5:58 PM.

### 6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners held a 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 and announced the earlier Work Session.

#### A) Invocation & Pledge of Allegiance

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

#### B) Ethics Awareness and Conflict of Interest Reminder

Commissioner McCord read the Ethics Awareness and Conflict of Interest Reminder. No conflicts were presented.

#### C) Approval of Agenda

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

Approved agenda:

#### Work Session-5:00 PM

Advisory Boards Review

Historic Corolla Park Playground & Maritime Museum

#### 6:00 PM Call to Order

A) Invocation & Pledge of Allegiance

B) Ethics Awareness and Conflict of Interest Reminder

## C) Approval of Agenda

**Public Comment**

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

**Commissioner's****Report****County      Manager's****Report****County      Attorney's****Report****Public Hearings**

- A. **PB 22-10 Beach Buggy, LLC:** Use Permit request for Auto Sales and Rental Use to sell low speed electric vehicles located at 5760 Caratoke Highway, Tax Map 84, Parcel 30E, Poplar Branch Township. Use permit public hearing for low speed electric vehicle sales, Caratoke Highway, Poplar Branch Twp.
- B. **PB 21-21 Algonquin Subdivision:** Request for a preliminary plat/special use permit for a 10-lot traditional subdivision located on Indian Kettle Road, Jarvisburg, Tax Map 109, Parcel 53F, Poplar Branch Township.

**New Business**

- A. **Ordinance Amending Section 10-64 of the Currituck County Code of Ordinances Providing for Issuance of User Permits to County Residents and Property Owners for the Operation of Utility Terrain Vehicles on the Beach**
- B. **Ordinance Amending the Code of Ordinances by Adding Section 12-70 Providing for the Penalty for Operating Golf Carts on Public Streets and Roads in Violation of Chapter 12, Article V, of the Code of Ordinances**
- C. **Resolution Authorizing Sole Source Purchase of Mueller/Hersey Water Meters from Water Works Supply, Inc. dba Water Works, Inc. through Sole Source Purchase Pursuant to NC G.S. §143-129(e)(6)**
- D. **Resolution Authorizing the Purchase with Install of New Railing by Art Graphics N Designs, Inc. Through Sole Source**

**Purchase Pursuant to N.C. GEN. STAT. §143- 129(e)(6)****E. Board  
Appointments**

1. Game Commission
2. Library Board of Trustees

**F. Consent Agenda**

1. Budget Amendments
2. Surplus Resolution-2004 Dodge Durango
3. Personnel Policy Revisions
4. Public Works Department-Custodian Position
5. Job Descriptions-Travel & Tourism Positions
6. Approval Of Minutes-August 1, 2022

**Closed Session**

Closed Session Pursuant to G.S. 143-318.11(a)(3) to preserve the attorney-client privilege; and, G.S. 143-318.11(a)(4) to discuss matters related to the location or expansion of industry or business within the County; and, G.S. 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 purchase of real property, PIN No. 0029000011C0000 located on West Gibbs Road, owned by Jerry L. Old and Juanita F. Pendleton, Trustee, to be used for any governmental 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.

Thom Roddy of Moyock discussed the absence of basketball courts in County's public parks, which he believes should be installed per the County's 2011 master plan. He reviewed data that showed no relation between basketball courts and increased crime.

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County Manager, Ike McRee, said the County has nine basketball courts and fifteen goals available to the public. He said park amenities will differ over time based on citizen feedback, and we will see what amenities are suggested for incorporation into the Recreation Master Plan which is currently going through a rewrite. Commissioner Jarvis said her son was instrumental in securing grant funding for the basketball court at Mt. Zion Church in Grandy, which is for public use. Commissioner McCord suggested holding open gym nights at the recreation center.

Ken Langford of Corolla, owner of OBX Beach Buggies, voiced concern with the name of the business on the agenda being considered for a Use Permit, Beach Buggy, LLC, which is very similar to the name of his business.

There were no other speakers and Chairman Payment closed the Public Comment period.

### COMMISSIONER'S REPORT

Commissioner Jarvis reported on the North Carolina Association of County Commissioners Annual Conference (NCACC) she recently attended and highlighted several sessions. She spoke of using visioning to move the county forward and better plan for projects such as school construction, infrastructure and utilities. She said Currituck County ranks number one in North Carolina for growth and twenty-ninth in the nation. She said housing helps the County grow, but does not help the County thrive.

Commissioner Mary Etheridge recounted an unfortunate accident her husband had while she was attending the National Association of Counties (NACO) Annual Conference and took a moment to thank those who came to his aid, including 911 and Emergency Medical Services (EMS) personnel. Her husband is improving daily.

Commissioner White discussed a recent fire in the Monterey Pines condos and took a moment to review some of issues and challenges that occurred during the fire response. He reported a positive discussion was had at a subsequent meeting of County staff and fire representatives on finding ways to improve departmental communication.

Chairman Payment discussed the fire meeting and agreed good things came out of it. He asked citizens to keep local firefighters in their thoughts and prayers and announced the selection of Ashley Stoop as the new Director of Albemarle Regional Health Services. He encouraged everyone to sign up for Currituck Alert and prepare with the arrival of peak hurricane season.

Commissioner Beaumont reported on the fire meeting held after the Monterey Pines condo fire, which opened the lines of communication and ensured accountability. He said there were good takeaways from the meeting about what went wrong and what went right. He discussed the fire response and said at no time did water run out, even with the hydrant challenges.

Commissioner McCord reported on successful events held in the County and announced upcoming events. He asked for prayers for law enforcement and welcomed Commissioner J. Owen Etheridge back to the meetings.

Commissioner J. Owen Etheridge offered his thanks and appreciation for Currituck County EMS staff and others who reached out to him during his illness. He encouraged the North Carolina Department of Transportation (NCDOT) to complete a turn lane at the intersection of Caratoke Highway and Tulls Creek Road and to perform a traffic study on Caratoke Highway in Moyock. He reported the US Motto Action Committee has asked to do a formal presentation to the Board to encourage the display of "In God We Trust" at County facilities.

### COUNTY MANAGER'S REPORT

County Manager, Ike McRee, reported on the fire meeting discussion after the Monterey Pines condo fire and looks forward to better communication and operation between fire departments and County water department staff. He said the County's Moyock Wastewater consulting firm, PFAL, will provide a report to the Board the week of October 10, and a "mini-retreat" will be held at that time to discuss other matters the Board wishes to address. Meetings and calls related to the new Tulls Creek Elementary School were reported, as was a request from the North Carolina Department of Transportation (NCDOT) to meet with staff to discuss solutions to improve safety at Edgewater Road in Harbinger. He said he will report Commissioner J. Owen Etheridge's concerns at that meeting. He said the County is working with Dominion Power to have a light pole installed at the Edgewater Road intersection.

### COUNTY ATTORNEY'S REPORT

Megan Morgan, County Attorney, said the Attorney's office is currently working through issues related to code violations, ordinance revisions, court processes, and public records. She participated in a Local Government Commission meeting to discuss school construction financing, announced plans to attend the upcoming County Attorneys Conference and discussed the County's contract process. Ms. Morgan spoke of her long family history in Currituck County and shared an old Currituck Times cover photo that featured her grandfather.

### PUBLIC HEARINGS

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

APPLICATION SUMMARY	
<b>Property Owner:</b> 5752 Caratoke Highway, LLC	<b>Applicant:</b> NC Beach Buggy, LLC
<b>Case Number:</b> PB 22-10	<b>Application Type:</b> Use Permit
<b>Parcel Identification Number:</b> 0084000030E0000	<b>Existing Use:</b> Vacant
<b>Land Use Plan Classification:</b> Limited Service	<b>Parcel Size (Acres):</b> 10.01 Acres
<b>Request:</b> Use Permit – Automobile Sales and Rental	<b>Zoning:</b> General Business

SURROUNDING PARCELS		
	Land Use	Zoning
North	Vacant	General Business

South	Vacant	General Business
East	Vacant	General Business
West	Vacant	Agriculture

The purpose of the project is to build a showroom to showcase and sell low speed vehicles to the public.

The applicant is requesting a use permit to establish a low-speed electric vehicle sales business in the General Business (GB) zoning district. This project previously received Major Site Plan approval as a retail use for golf cart sales. Subsequently, the applicant decided to include sales of low-speed vehicles which requires a use permit when located in the General Business zoning district. The use will be established in a new building that has been approved through Major Site Plan review but has yet to be constructed.

#### COMMUNITY MEETING

A community meeting was held on April 20, 2022, at 5:30 pm at the subject property. No one from the community attended the meeting. Only the applicant and county staff were present. A summary of the community meeting is provided in the packet.

#### INFRASTRUCTURE

Water	Public
Sewer	Septic
Landscaping	Landscaping will be installed according to the approved major site plan.

#### RECOMMENDATIONS

##### TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends **adoption** of the use permit subject to the following conditions of approval:

- 1) The application complies with all applicable review standards of the UDO provided the following outstanding items are addressed:
  - a. *The building design shall meet the requirements of the UDO*
- 2) The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
  - a. *The applicant shall work with staff to modify building elevations to preserve the aesthetics of the Corridor.*

#### USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.

*The use will not endanger the public health or safety.*

Preliminary Applicant Findings:

1. The use will not be a danger to the public health or safety. The applicant will be installing a new fire hydrant. The business consists of sales and rental of low-speed electric vehicles so there will be no associated fuel storage.

The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Preliminary Applicant Findings:

1. The use will not injure the value of adjoining or abutting lands and is in harmony with the other buildings and uses adjacent to the parcel.

The use will be in conformity with the Land Use Plan or other officially adopted plans.

Preliminary Staff Findings:

1. The 2006 land Use Plan classifies this site as Limited Service within the Aydlett-Waterlilly-Churches Island Subarea.
2. The proposed use is in keeping with the policies of the plan, including Policies ED1 and ED4.

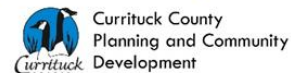
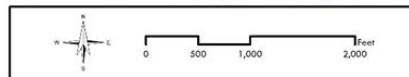
The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Staff Findings:

The use will have no effect on Currituck County Schools. The county has adequate public facilities to support this use. There will be no effect on the school system. Currituck County has adequate public facilities to serve this use.



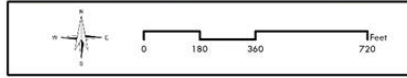
NC Beach Buggy, LLC  
5670 Caratoke Hwy  
Vicinity




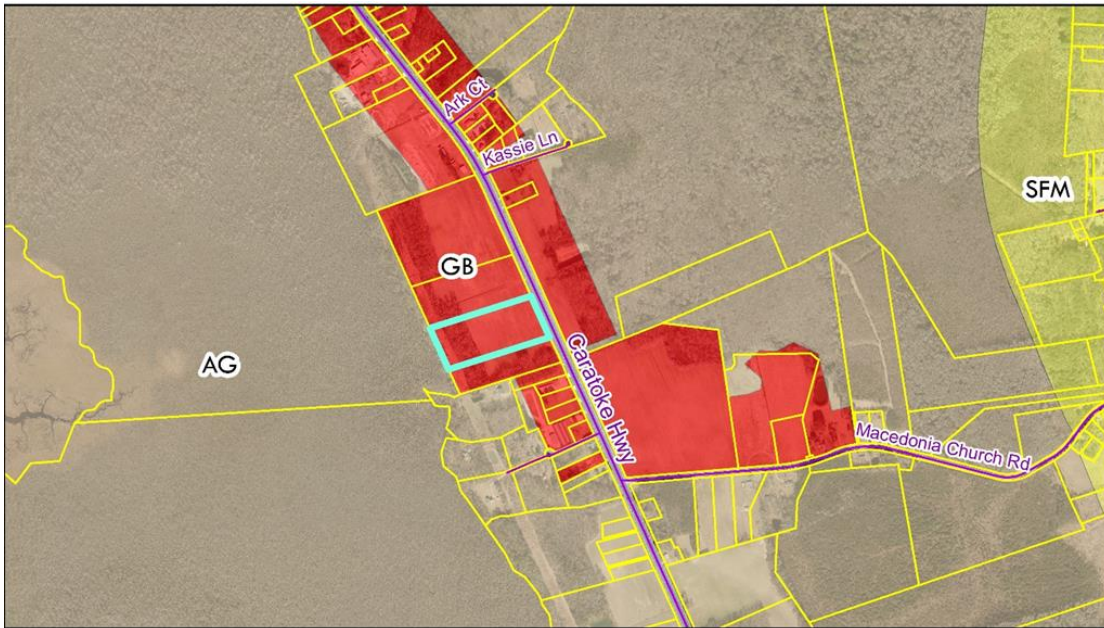
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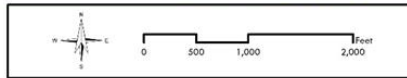
NC Beach Buggy, LLC  
5670 Caratoke Hwy  
Aerial



 Currituck County  
Planning and Community  
Development

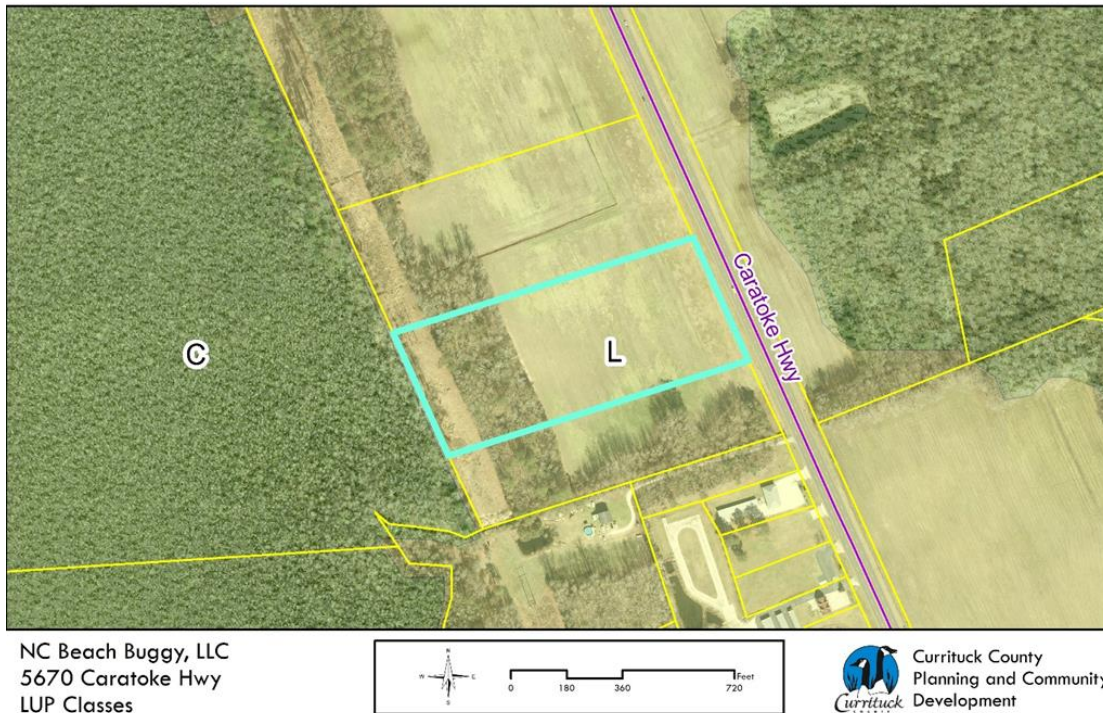


NC Beach Buggy, LLC  
5670 Caratoke Hwy  
Zoning



 Currituck County  
Planning and Community  
Development

Communication: Minutes for August 15, 2022 (Approval Of Minutes-August 15, 2022)



Parties to testify were sworn in and Kevin Kemp, Development Services Director, reviewed the Use Permit application for the Board. A powerpoint displayed the site plan, site location and area land use and zoning. Review standards were presented.

Tim Koller, applicant's Attorney, introduced LLC member, Brandon Reed, the dealer and operator of the business. In response to questions posed by Mr. Koller, Mr. Reed confirmed the business activity will consist only of sales of low-speed electric vehicles. He said they will operate using a "DBA" (doing business as) to avoid confusion and address concerns voiced at public comment by Ken Langford, owner of OBX Beach Buggies.

Mr. Reed said maintenance will be done by others and batteries will not be stored on site. He said the building will be used as a showroom for sales of low speed vehicles and accessories at this time. He said he would have a separate building for maintenance services, if added, and understands he would need to come before the Board again to expand the business.

Steven Craddock, Certified Real Estate Appraiser, testified on behalf of the applicant. He responded to questions posed by Mr. Koller to establish his education and experience in Real Estate appraising and was tendered as an expert witness. Documents submitted included a record of testimony and evaluation (Exhibit A), photos of the site location (Exhibit B) and Mr. Craddock's resume (Exhibit C). Mr. Craddock summarized the methodology used for the property assessment, presented statistical data and reviewed his findings based on research and inspection of the site and surrounding properties. He provided residential and commercial sale data on the mainland and reviewed benefits of a diversified tax base. Mr. Craddock determined the request will not injure the value of adjoining land, will be in harmony with the area in which it is located, and is in conformity with the local Land Use Plan (LUP).

Mr. Reed responded to Commissioner questions pertaining to operating hours and expected traffic flows at the facility, which will be low. There was no further testimony and Chairman Payment opened the Public Hearing. No one wished to speak, and the Public Hearing was closed.

Chairman Payment moved for approval of PB 22-10: Beach Buggy, LLC preliminary plat/special use permit because the applicant has demonstrated the proposed use meets the review standards of the UDO. The TRC review comments provided in the staff report shall become conditions of approval.

The use will not endanger the public health or safety: There will be no hazardous materials stored at the site and there will be a fire hydrant installed at the site to provide further protection.

The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located: Based on the testimony of Steven Craddock and Exhibit A, excluding the comments regarding traffic impacts on page 4.

The use will be in conformity with the Land Use Plan or other officially adopted plans: The 2006 Land Use Plan Policies ED1 and ED4.

The use will not exceed the County's ability to provide adequate public facilities: As stated, there will be no impact to school systems.

Commissioner McCord seconded the motion. The motion carried, 7-0.

Chairman Payment called a recess at 7:20 PM. The meeting was reconvened at 7:32 PM.

<b>RESULT:</b>	<b>MOTION PASSED-ITEM APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael H. Payment, Chairman
<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

#### B. PB 21-21 Algonquin Subdivision:

##### APPLICATION SUMMARY

<b>Property Owner:</b> Joel K. & Stacy A. Justice PO Box 208 Grandy, NC 27939	<b>Applicant:</b> Same
<b>Case Number:</b> PB 21-21	<b>Application Type:</b> Preliminary Plat/Special Use Permit
<b>Parcel Identification Number:</b> 0109-000-053F-0000	<b>Existing Use:</b> Vacant

**APPLICATION SUMMARY**

<b>Land Use Plan Classification:</b> 2006 LUP Limited Service	<b>Parcel Size (Acres):</b> 15.48 acres
<b>Zoning:</b> Single Family Residential Mainland (SFM)	
<b>Number of Units:</b> 10 residential lots	<b>Project Density:</b> .64 dwelling unit/acre
<b>Required Open Space:</b> 4.33 acres (30%)	<b>Provided Open Space:</b> 4.48 acres (30.83%)

**SURROUNDING PARCELS**

	<b>Land Use</b>	<b>Zoning</b>
North	Low density residential	AG
South	Mining operation/Agricultural/ Low density residential	AG
East	Institutional (Jarvisburg Elementary School)	AG
West	Agricultural/Low density residential	AG

The applicants are requesting preliminary plat approval of a Type I, 10-lot Traditional Subdivision on a 15.48-acre tract zoned SFM. The minimum lot size for a Traditional Subdivision in SFM is 40,000 square feet and the proposed lots range from 40,000 to 43,064 square feet.

The subject parcel is the residual tract of Algonquin Subdivision, a four-lot private access subdivision that was recorded on July 22, 2002. The applicants propose to improve the existing gravel road, Indian Kettle Road (a 45' wide private right-of-way) to a 20' wide paved road in accordance with NCDOT construction standards. A sidewalk will be installed on one side of the road in the existing right-of-way to achieve compliance with the UDO. The applicants propose a 45' wide right-of-way extension of Indian Kettle Road and a cul-de-sac for access to the proposed lots and open space area. The new portion of the right-of-way will include a 20' wide paved street and 5' wide sidewalks on each side. Roadside swales are proposed. A 15' utility and drainage easement is proposed along Indian Kettle Road and street trees are proposed in a 10' planting easement.

Cluster mailbox units are proposed within the cul-de-sac in accordance with NCDOT standards. The requisite open space area is proposed at the rear of the subdivision and existing vegetation is required to be maintained.

**INFRASTRUCTURE**

<b>Water</b>	Public
<b>Sewer</b>	On-site septic
<b>Transportation</b>	Pedestrian: Sidewalks on both sides of proposed street extension, sidewalk proposed on one side of existing street
<b>Stormwater/Drainage</b>	Property line vegetative swales will convey runoff to roadside swales and flow to the proposed open space pond that will discharge to Forbes ditch
<b>Lighting</b>	No street lighting proposed
<b>Landscaping</b>	Street trees along internal streets. Open space areas to remain forested.

<b>Recreation and Park Area Dedication</b>	A payment in lieu of the dedication shall be provided.
<b>Riparian Buffers</b>	Not required

**COMMUNITY MEETING**

A community meeting is not required for a Type I preliminary plat.

**SCHOOLS**

This development is in the Jarvisburg Elementary and Currituck Middle Schools' attendance area. There is capacity available. High schools in the County have actual capacity to serve the additional student generated by this development.

<b>ADEQUATE PUBLIC FACILITIES – SCHOOLS<sup>1</sup></b>			
<b>School</b>	<b>2021-2022 Actual Capacity<sup>2</sup></b>	<b>Committed Capacity<sup>3</sup></b>	<b>Proposed Capacity Changes</b>
			<b>Number of Students</b>
Moyock Elementary	132%	135%	0
Shawboro Elementary	101%		
Central Elementary	99%		
Griggs Elementary	61%	100%	1 student
Jarvisburg Elementary	92%		
Knotts Island Elementary	44%	44%	0
Moyock Middle	95%	93%	0 students
Currituck Middle	63%		
Currituck High	83%	100%	1 student
JP Knapp Early College	80%		

<sup>1</sup>Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

<sup>2</sup>Capacity percentages are based on 2021-2022 school year classroom standards and Apr 1, 2022 enrollment

<sup>3</sup>Capacity percentages are based on the 2021-2022 school year classroom standards and Apr 1, 2022 enrollment

**STAFF REVIEW****TECHNICAL REVIEW COMMITTEE**

The Technical Review Committee (TRC) reviewed the application and provided the following comments:

1. A fee in lieu of recreation and park area dedication is required to be paid prior to recording the final plat.
2. Proposed recombination of existing Justice lot (shown on sheet 3 of 6) shall occur prior to submittal of construction drawings.

**2006 Land Use Plan**

The proposed development is in the Limited-service land class by the 2006 Currituck County Land Use Plan. The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. While low-density development may continue to locate in these areas, it is recognized that soil limitations, flood prone areas, and a lack of infrastructure and services may prevent these areas from ever reaching an urban level of development. Residences in these areas usually employ wells and private septic tanks. Because many of the areas identified for Limited Service also include prime farmland efforts should be made to ensure that thriving agricultural

operations are protected from encroaching development through the use of buffering, landscaping, and conservation-oriented design.

Despite the overall low density of these areas, efforts should be made to encourage clusters of residential uses to preserve open space and to provide for a sense of a "community". Base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community.

The proposed development is .64 units per acre with on-site septic systems and open space set-asides and is generally in conformance with the 2006 Land Use Plan.

### **SPECIAL USE PERMIT REVIEW STANDARDS**

Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards. It is the burden of the applicant to provide evidence to address the Review Standards. The applicant's findings can be found in the attached application.

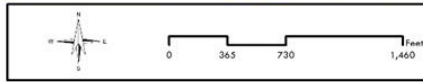
#### **Special Use Permit Review Standards**

A special use permit shall be approved on a finding that the applicant demonstrates the proposed use will:

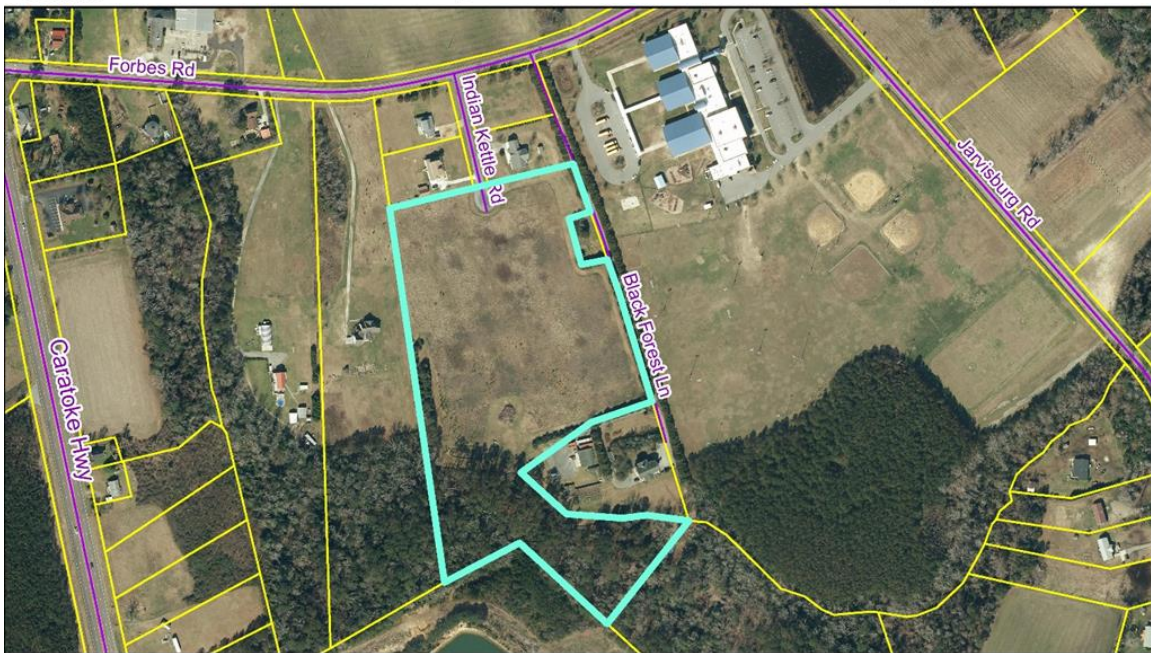
1. Not endanger the public health or safety.
2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
3. Be in conformity with the Land Use Plan or other officially adopted plan.
4. Not exceed the county's ability to provide adequate public facilities, including but not limited to schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.



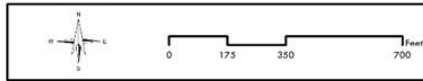
PB 21-21 Algonquin  
Preliminary Plat/Special Use Permit  
Context



Currituck County  
Development Services  
Department

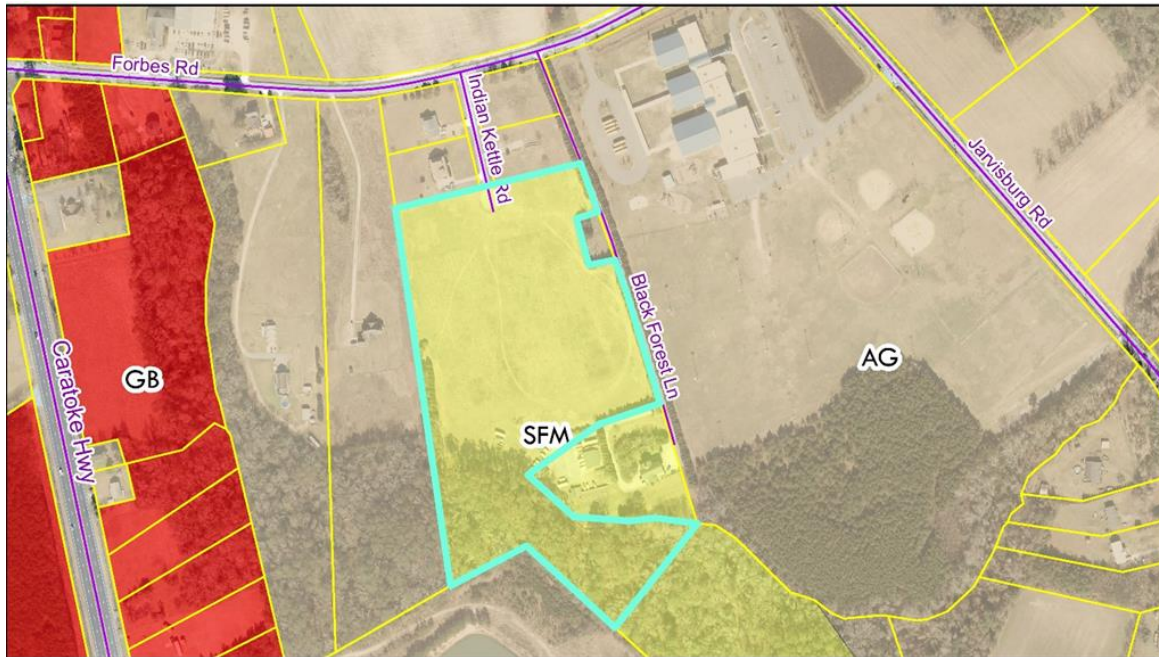


PB 21-21 Algonquin  
Preliminary Plat/Special Use Permit  
2020 Aerial Photography

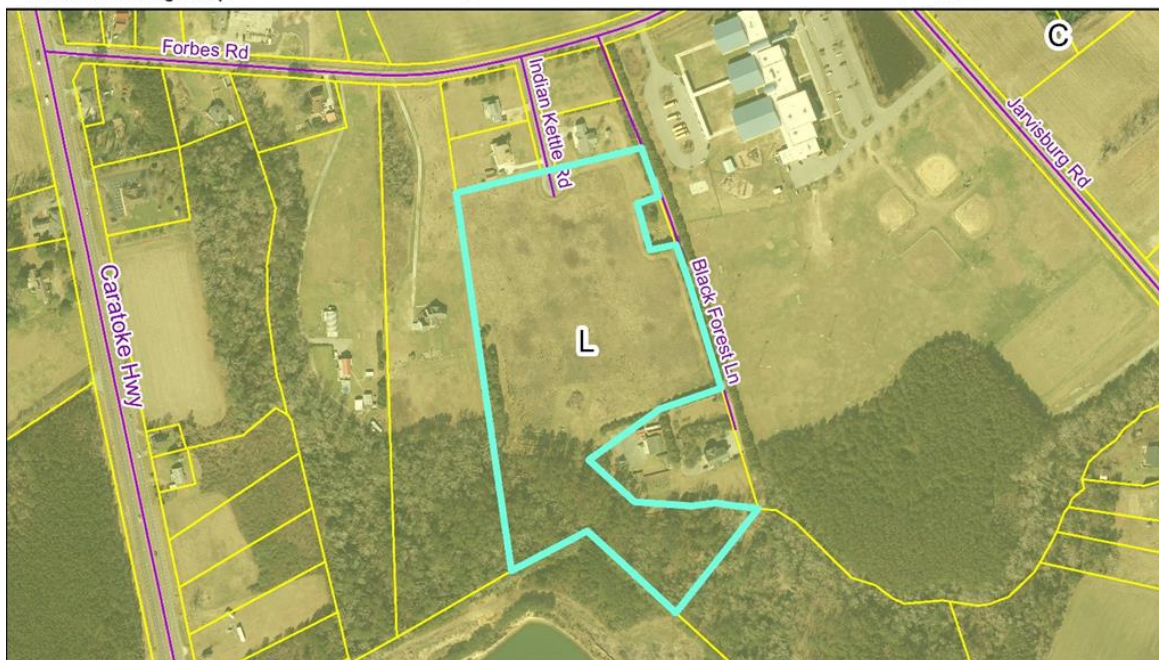


Currituck County  
Development Services  
Department

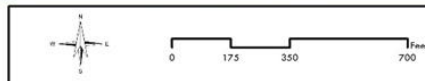
Communication: Minutes for August 15, 2022 (Approval Of Minutes-August 15, 2022)



PB 21-21 Algonquin  
Preliminary Plat/Special Use Permit  
Official Zoning Map



PB 21-21 Algonquin  
Preliminary Plat/Special Use Permit  
2006 Land Use Plan



Parties to testify were sworn in and Kevin Kemp, Development Services Director, reviewed the request for Commissioners. Mr. Kemp explained the Use Permit request is before Commissioners due to requirements in the Adequate Public Facilities Ordinance based on school capacities at Jarvisburg Elementary. A powerpoint was used to review the site location, zoning and land uses. An overview of the site plan noted lot delineations, open

space, buffering, stormwater, infrastructure and a planned sidewalk for connectivity. Mr. Kemp provided information related to Adequate Public Facilities and school capacities, and review standards were presented.

Ben Gallop, Attorney for applicants Joel and Stacy Justice, introduced those to testify. Mr. Gallop questioned Mark Bissell, Civil Engineer, who presented his experience and was tendered as an expert witness. A powerpoint was used by Mr. Bissell to provide a summary of the request for the Board. He reviewed the zoning history, which was rezoned in 2008 as Single Family Mainland, and the site plan for the ten-lot subdivision. He said the gravel road serving the existing four lots will be upgraded to North Carolina Department of Transportation (NCDOT) standards when the extension is constructed. Stormwater and the drainage path into Forbes ditch was reviewed, which he said will be cleaned out. Mr. Bissell expects the stormwater pond will be a little less than an acre in size. Utilities and infrastructure were reviewed.

Mr. Bissell presented consistency statements with the 2006 Land Use Plan (LUP), Imagine Currituck and the County Unified Development Ordinance (UDO) based on review by the Technical Review Committee (TRC). He said the plan is compatible with the existing development and no adverse impacts are anticipated. Adequate public facilities exist for students generated by the development and specific LUP Policies to support the request were stated. Concerns of residents pertaining to the sidewalk plan were addressed, and he proposed a modification on the west side to move the swale closer to the existing road within the existing utility easement with the sidewalk located on the east side. Mr. Bissell said he would ask NCDOT if they would allow the sidewalk closer to the road.

Owner and applicant, Joel Justice, said they would have no objection to including the replacement of any landscaping of property owners damaged or destroyed by construction as a condition of approval.

Mr. Bissell responded to questions from Commissioners. He pointed out a revised location for the cluster mailbox and showed access to an existing cemetery on the property.

Mr. Gallop introduced Mr. Kim Tate, Real Estate Appraiser, who responded to questions related to his experience in real estate appraisals and acknowledged the report that he prepared based on his findings after assessing the property. He was tendered as an expert witness and his report was entered into the record as Exhibit A.

Mr. Tate had made two site visits and in the past performed appraisals for other properties at the location. He reviewed the methodology used for his determination and discussed sales and other data gathered for comparisons. He determined the subdivision will be in harmony and will not have a negative impact on the community. He said it will have stormwater improvements and a paved road which will enhance the marketability of existing homes. He clarified his determination that there will be no impacts or positive impacts on the subdivision.

Ben Gallop called the applicant, Mr. Joel Justice. He confirmed an existing tree buffer at fifty percent around the cemetery and agreed to plant additional screening at the back.

He confirmed he will continue to maintain the cemetery but will ask for assistance from the community. He discussed the continued maintenance of red cedar trees along the easement adjoining school property, which they planted years ago, and the continued beautification of the subdivision.

He said he and his neighbors are upset about the sidewalk that is required to be installed through the development to Forbes Road and spoke about other issues that caused a reduction of the number of lots from nineteen to ten and spoke of the extra costs to retool the existing home lots with the sidewalks and moving the swales.

Mr. Justice confirmed he would agree to remedy any landscaping that needs replacing but he and his neighbors are opposed to sidewalk.

Mr. Tate confirmed he would not change his opinion if the sidewalk was not constructed.

Chairman Payment opened the Public Hearing and Megan Morgan, County Attorney, reviewed the quasi-judicial process for the record.

Mike Ollum resides on Indian Kettle Road. He is opposed to the addition of a sidewalk, the movement of existing swales. He said he just planted trees on his property and wants things to remain the way they are.

Al Kwasnic resides on Indian Kettle Road after relocating to the area one year ago. He is opposed to moving the easement and losing land from his yard. He provided dimensions for the new road with ditching and sidewalk.

David Locklear resides on Indian Kettle Road. He is completely opposed to the sidewalk, and said they will have to take his trees, driveway, and culvert pipes and move them into his yard. He addressed drainage at the location and believes Mr. Justice should have to replant all the way down the front of all the properties.

Commissioners discussed several aspects of the plan. Commissioner McCord questioned the public safety of the sidewalk for children. Mr. Kemp explained the pedestrian plan for the area that is included in Connect Currituck. When asked, Mr. Tate said he is not qualified to calculate the cost for trees removed from properties.

Commissioners, Mr. Justice and Mr. Bissell discussed the replacement caliper of trees and Jennie Turner, Senior Planner, was sworn in to explain the caliper replacement requirement in the UDO for heritage trees, which is half of what was removed.

Mr. Gallop argued that the trees are in the easement, and Mr. Justice has agreed to remedy any loss. Mr. Gallop does not believe that a loss is being suffered because the trees were there at the time of purchase in the right of way.

Mr. Justice desires having one Home Owners Association (HOA) for the subdivision, but the existing property owners want to have a separate one.

Commissioners J. Owen Etheridge, McCord and Jarvis disagree with the sidewalk requirement citing safety concerns.

Mr. Kemp was asked by Mr. Gallop to read the language in the UDO pertaining to sidewalks. Mr. Kemp read the section in the UDO and confirmed that other subdivisions are required to have sidewalks.

Chairman Payment closed the Public Hearing.

Mr. Gallop said, after the reading of the language, that he believes the subdivision does not require a sidewalk. He said Mr. Justice requests the item be tabled to allow time to clarify whether a sidewalk is needed based on the language in the UDO.

Commissioner Jarvis made a motion to table PB 21-21: Algonquin Subdivision until the issues with the UDO presented during the hearing can be resolved. Commissioner J. Owen Etheridge seconded the motion. The motion carried, 7-0.

The meeting was recessed at 9:14 PM. Chairman Payment reconvened the meeting at 9:25 PM.

<b>RESULT:</b>	<b>TABLED [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, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner

## NEW BUSINESS

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

County Attorney, Megan Morgan, reviewed the Ordinance amendment which will add a permit requirement for residents wanting to operate a Utility Terrain Vehicle on the off-road area. As it is the second reading of the Ordinance, it may pass by a simple majority vote.

Commissioner White moved for approval. The motion was seconded by Commissioner Beaumont. The motion passed, 7-0.

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

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

WHEREAS, pursuant to N.C. Gen. Stat. §153A-145.3 a county may, by

ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the State's ocean beaches and prevent or abate any unreasonable restriction of the public's right to use the State's ocean beaches; may regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris upon the State's ocean beaches; and may otherwise enforce any ordinance adopted pursuant to this section or any other of provision of law upon the State's ocean beaches located within the county's jurisdictional boundaries; and

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

WHEREAS, the Board of Commissioners finds as follows:

a. Approximately 23 mile of Currituck County fronts the Atlantic Ocean. Of those 23 miles, approximately 11 miles are only accessible by four-wheel drive motor vehicles traveling along the ocean beach in an area known as the off-road area of the county.

b. There are approximately 3,000 platted lots located in the off-road area of the county.

c. Particularly during late Spring, Summer and early Fall, the off-road area of the county attracts large numbers of motor vehicles and persons recreating on the ocean beach.

d. Due to the large numbers of motor vehicles traversing the ocean beach, which is the main north-south travel way, and recreating persons interacting with and exposed to heavy motor vehicle traffic, there exists a condition hazardous to the health, safety and welfare of the general public that must and can be addressed, by the reduction of motor vehicle traffic on the ocean beach.

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

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

**Sec. 10-64. - User Permit system.**

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

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

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

Parking permits may be obtained at times and places designated by the county manager.

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

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

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

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

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

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

(j) The county manager or county manager's designee shall refuse issuance of a

user permit or user parking permit under this section for a period of one year following seizure of a permit by a law enforcement officer pursuant to this section.

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

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

(m) This section shall not apply to:

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

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

(3) Commercial fishermen;

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

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

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

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

PART III. This ordinance is effective upon its adoption.

ADOPTED at the second reading this 15<sup>th</sup> day of August, 2022.

<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

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

County Attorney, Megan Morgan, explained the new North Carolina state statutory requirement which requires penalty provisions to be stated in ordinances. She reviewed the Ordinance amendment which includes the penalty for the illegal operation of a golf cart. As it is the second reading, the Ordinance may pass by a simple majority vote.

Commissioner Beaumont moved for approval. Commissioner Jarvis seconded the motion. The motion carried, 7-0.

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

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

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

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

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

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

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

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

PART III. This ordinance is effective upon its adoption.

ADOPTED at the second reading this 15<sup>th</sup> day of August, 2022.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul M. Beaumont, Vice 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

**C. Resolution Authorizing Sole Source Purchase of Mueller/Hersey Water Meters from Water Works Supply, Inc. dba Water Works, Inc. through Sole Source Purchase Pursuant to NC G.S. §143-129(e)(6)**

County Attorney, Megan Morgan, reviewed the Sole Source Purchase Resolution for the purchase of Mueller/Hersey Water Meters water meters to allow for compatibility and standardization with existing equipment.

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

**RESOLUTION AUTHORIZING THE PURCHASE OF MUELLER/HERSEY WATER METERS FROM WATER WORKS SUPPLY, INC. DBA WATER WORKS, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the County's Southern Outer Banks Water System (SOBWS) requires replacement meters compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of Mueller/Hersey water meters and required antennas in the State of North Carolina, Water Works Supply, Inc. dba Water Works, Inc. is the only entity capable of providing the county with meters and antennas compatible with current SOBWS equipment and operational systems, and

WHEREAS, the County's SOBWS has been using Water Works Supply, Inc. dba Water Works, Inc. to construct, develop and upgrade its system; and

WHEREAS, the County's SOBWS needs replacement water meters and antennas and Water Works Supply, Inc. dba Water Works, Inc. is supplier of compatible water meters; and

WHEREAS, Water Works Supply, Inc. dba Water Works, Inc. is supplying the County's SOBWS with three hundred (300) 5/8x3/4, 420, SG, ME8, IB, 5'NIC (Part# VEGB213N) and three hundred (300) MiNode M Water MIU (Part# MSW-NODE5-1P-05) at a total cost per meter of \$183.35; and

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$58,717.84 with Water Works Supply, Inc. dba Water Works, Inc. for the sole source purchase of 5/8x3/4, 420, SG, ME8,IB,5'NIC (Part# VEGB213N) and MiNode M Water MIU (Part# MSW-NODE5-1P-05) water meters in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Water Works Supply, Inc. dba Water Works, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.  
This the \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul M. Beaumont, Vice Chairman
<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

**D. Resolution Authorizing the Purchase with Install of New Railing by Art Graphics N Designs, Inc. Through Sole Source Purchase Pursuant to N.C. GEN. STAT. §143-129(e)(6)**

County Attorney, Megan Morgan, reviewed the Sole Source Purchase Resolution for the purchase of hand rails that match the existing rails recently installed at the Historic Courthouse.

Commissioner White moved for approval. Chairman Payment seconded the motion and the motion carried, 7-0.

**RESOLUTION AUTHORIZING THE PURCHASE OF STAIR HANDRAILS BY ART GRAPHICS N DESIGNS, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, the stair handrail and accessible ramp handrail at the Historic Courthouse main entrance was replaced by Art Graphics N Designs, Inc. for the Historic Courthouse Entrance Renovations project; and

WHEREAS, Art Graphic N Designs is the only entity capable of providing the county with handrails compatible with the handrails installed for the renovation project; and

WHEREAS, the stair handrails at three (3) additional Historic Courthouse entrances require replacement; and

WHEREAS, Art N Graphics Design, Inc. is fabricating and installing the handrails at a cost of \$16,901.58; and

WHEREAS, the total cost for the Historic Courthouse stair handrail replacement is \$16,901.58.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$16,901.58 with Art Graphics N Designs, Inc. for the sole source purchase of stair handrails at the Historic Courthouse in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Art Graphics N Designs, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Communication: Minutes for August 15, 2022 (Approval Of Minutes-August 15, 2022)

Section 2. This resolution shall be effective upon its adoption.

This the \_\_\_\_ day of \_\_\_\_\_ 2022.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Michael H. Payment, 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

## E) Board Appointments

### 1. Game Commission

County Manager, Ike McRee, provided background on the creation of the Game Commission and explained that one member from each residency district must serve on the Commission. Recent appointments did not meet this member requirement and resulted in the need to rescind an appointment and make new appointments to fill positions.

Chairman Payment rescinded the appointment of Louis Davis and appointed Janet Rose Ross to serve as the District 3 member on the Game Commission.

Commissioner Jarvis nominated Thomas Newbern to serve on the Game Commission for District 2.

Chairman Payment moved for approval of the appointments and Commissioner McCord seconded the motion. The motion carried, 7-0.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael H. Payment, Chairman
<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

### 2. Library Board of Trustees

Commissioner McCord nominated members to serve on the Library Board of Trustees. Commissioner White seconded the nominations and the following members were approved, 7-0.

New member, Jeff Gardner, was approved to fill an unexpired term ending June 30, 2023.

Serving member, Mike Fost, was reappointed to a second, two-year term ending June 30, 2024.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Kevin E. McCord, 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

## F) Consent Agenda

Commissioner Beaumont removed item 3 from the Consent Agenda, Personnel Policy Revisions-Sick Leave, and moved for approval of Consent Agenda. Commissioner J. Owen Etheridge seconded the motion and the motion carried, 7-0.

The Consent Agenda was approved with the omission of the Sick Leave Policy Revision, and staff agreed to provide a memo to Commissioners to explain the change.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Paul M. Beaumont, Vice Chairman  
**SECONDER:** J. Owen Etheridge, 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

## 1. Budget Amendments

20230006		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10480-545200	Records Management	\$ 2,347	
10480-545201	Records Management - 2023 Grant	\$ 2,000	
10480-532000	Supplies		\$ 2,347
10330-449480	ROD Records Management Grant		\$ 2,000
		<u>\$ 4,347</u>	<u>\$ 4,347</u>
<b>Explanation:</b>	Register of Deeds (10480) - Increase appropriations to record State grant award of \$2,000 to the Register of Deeds office to preserve deed books.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$2,000.		

20230007		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10441-514000	Travel	\$ 3,400	
10441-514500	Training and Education	\$ 4,000	
10441-590000	Capital Outlay		\$ 7,400
		\$ 7,400	\$ 7,400
<b>Explanation:</b>	Information Technology (10441) - Transfer budgeted funds for increased costs of Training for IT staff.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		
20230008		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
61818-532000	Supplies	\$ 30,000	
61818-557100	Software License Fee	\$ 4,500	
61818-590000	Capital Outlay		\$ 34,500
		\$ 34,500	\$ 34,500
<b>Explanation:</b>	Mainland Water (61818) - Transfer funds from capital outlay that was originally allocated at \$40,000 for a vehicle to purchase Syncta software for Cross Connection operator, annual software maintenance and supplies necessary for the cross connection program.		
<b>Net Budget Effect:</b>	Mainland Water Fund (61) - No change.		
20230009		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10510-532510	Supplies - GHS Grant	\$ 14,916	
10510-590510	Capital Outlay - GHS Grant	\$ 9,840	
10390-499900	Appropriated Fund Balance		\$ 24,756
		\$ 24,756	\$ 24,756
<b>Explanation:</b>	Sheriff (10510) - To carry-forward Governor's Highway Safety grant funds from FY 2022.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$24,756.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10530-590000	Capital Outlay	\$ 249,401	
10380-484001	Insurance Recovery		\$ 51,066
10390-499900	Fund Balance Appropriated		\$ 198,335
		\$ 249,401	\$ 249,401
<b>Explanation:</b> Emergency Medical Services (10530) - Increase appropriations to replace the ambulance that was totaled by accident on 6/14/2022.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$249,401.			

## 2. Surplus Resolution-2004 Dodge Durango

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 given to the Lower Currituck Volunteer Fire Department for fire training. Truck has not been in service for unknown time period.</p>			
County			
Asset Tag	Description (Year & Make/Model)	Dept.	Serial Number
7113	2004 Dodge Durango		1D4HB38N24F143391
<p><b>NOW, THEREFORE, BE IT RESOLVED,</b> that the Board of Commissioners of the County of Currituck approves transferring above vehicle to the Lower Currituck Volunteer Fire</p>			
<p><b>ADOPTED,</b> this 15th day of August 2022.</p>			

## 3. Personnel Policy Revisions

This item was removed from consideration on the Consent Agenda.

## 4. Public Works Department-Custodian Position

## 5. Job Descriptions-Travel & Tourism Positions

## 6) Approval Of Minutes-August 1, 2022

**CLOSED SESSION**

Communication: Minutes for August 15, 2022 (Approval Of Minutes-August 15, 2022)

**Closed Session Pursuant to G.S. 143-318.11(a)(3) to preserve the attorney-client privilege; and, G.S. 143-318.11(a)(4) to discuss matters related to the location or expansion of industry or business within the County; and, G.S. 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 purchase of real property, PIN No. 0029000011C0000 located on West Gibbs Road, owned by Jerry L. Old and Juanita F. Pendleton, Trustee, to be used for any governmental purpose.**

Chairman Payment moved to enter into Closed Session pursuant to G.S. 143-318.11(a)(3) to preserve the attorney-client privilege; and, G.S. 143-318.11(a)(4) to discuss matters related to the location or expansion of industry or business within the County; and, G.S. 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 purchase of real property, PIN No. 0029000011C0000 located on West Gibbs Road, owned by Jerry L. Old and Juanita F. Pendleton, Trustee, to be used for any governmental purpose.

Commissioner Mary Etheridge seconded the motion. The motion carried, 7-0, and the Board entered Closed Session at 9:40 PM.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael H. Payment, 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

## ADJOURN

### Motion to Adjourn Meeting

Commissioners returned from Closed Session at 10:02 PM and considered a request for a Resolution to be included on an upcoming agenda to approve a fireworks display. Following discussion, the Board decided any fireworks Resolutions for private functions would not be considered for approval.

Commissioner Jarvis spoke of a Resolution honoring Veterans that had been shared with Board members. She said she would like to include the Resolution on the September 19, 2022 meeting agenda and asked Commissioners to review the document.

Cancellation of the September 6, 2022 regular Board meeting was announced. With no further business, Commissioner Jarvis moved to adjourn. Commissioner Mary Etheridge seconded the motion. The motion carried, 7-0, and the meeting adjourned at 10:06 PM.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Selina S. Jarvis, Commissioner  
**SECONDER:** Mary "Kitty" Etheridge, 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

TDA2023001

## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 19th day of September 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>
15442-587010	T T - Operating Fund	\$ 10,000	
15442-526200	Promotional Efforts		\$ 10,000
		<u>\$ 10,000</u>	<u>\$ 10,000</u>

**Explanation:** Tourism Promotions (15442) - Transfer budgeted funds to operating fund for airport promotions.

**Net Budget Effect:** Occupancy Tax Fund (15) - No change.

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

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

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

Attachment: TDA BudAmends\_Sept 19 (TDA Budget Amendments)