



**Board of Commissioners  
Agenda Packet**

**August 15, 2016**

**6:00 PM Call to Order**

- A) Invocation & Pledge of Allegiance-Pastor Glenn McCranie, US Navy Chaplain, Retired
- B) Approval of Agenda

**Administrative Reports**

- A) **Mobile Crisis Services-Keith Hamm, Crisis Worker**
- B) **Whalehead Dredging**

**Public Hearings**

- A) **Public Hearing and Action: PB 15-10 The Landing: Request for a preliminary plat/use permit for a 29 lot conservation subdivision located on Baxter Lane, Tax Map 14, Parcel 4, Moyock Township.**

**New Business**

- A) **Board Appointments**
  - 1. ABC Board
  - 2. Historic Preservation Commission
- B) **Consent Agenda**
  - 1. Approval Of Minutes-August 1, 2016
  - 2. Budget Amendments
  - 3. Resolution to Surplus Water Department Assets
  - 4. Job Description Revisions-Custodian & Maintenance Repair Worker-Electrician
  - 5. Amended Item-Consideration of Alcohol Use Application-Soundside Park
- C) **Commissioner's Report**
- D) **County Manager's Report**

**Public Comment**

***Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 5 minutes.***

**Closed Session**

Amended Item-Closed Session pursuant to G.S. 143.318.11(a)(3) to consult with the County Attorney in order to preserve attorney-client privilege and receive advice from the County Attorney and for the following pending lawsuits: Swan Beach Corolla, LLC v. Currituck County.

**Adjourn**



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1635)

**Agenda Item Title**

Mobile Crisis Services-Keith Hamm, Crisis Worker

**Brief Description of Agenda Item:**

Mr. Keith Hamm, a Crisis Worker with Mobile Crisis, will report on services available to Currituck County. Mobile Crisis works closely with our Department of Social Services, the Sheriff's Department, and the school system to provide emergency crisis assessment and intervention.

**Board Action Requested**

Information

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1634)

**Agenda Item Title**

Whalehead Dredging

**Brief Description of Agenda Item:**

**Planning Board Recommendation:**

County Manager's report to the Board on Whalehead channel dredging.

**Board Action Requested**

Discussion

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**

Daniel F. Scanlon



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1558)

**Agenda Item Title**

Public Hearing and Action: PB 15-10 The Landing: Request for a preliminary plat/use permit for a 29 lot conservation subdivision located on Baxter Lane, Tax Map 14, Parcel 4, Moyock Township.

**Brief Description of Agenda Item:**

**Planning Board Recommendation:**

Request for a preliminary plat/use permit for a 29 lot conservation subdivision located on Baxter Lane, Tax Map 14, Parcel 4, Moyock Township.

**Board Action Requested**

Action

**Person Submitting Agenda Item**

Susan Tanner, Administrative Assistant

**Presenter of Agenda Item**

Ben Woody



# STAFF REPORT PB 15-10 THE LANDING BOARD OF COMMISSIONERS AUGUST 15, 2016

## APPLICATION SUMMARY

<b>Property Owner:</b> James & Catherine Jarvis 241 Shingle Landing Road; PO Box 609 Moyock, NC 27958	<b>Applicant:</b> Same
<b>Case Number:</b> PB 15-10	<b>Application Type:</b> Preliminary Plat/Use Permit
<b>Parcel Identification Number:</b> 0014-000-0004-0000	<b>Existing Use:</b> Undeveloped, partially wooded site
<b>2006 Land Use Plan Classification:</b> Rural <b>2014 Moyock Small Area Plan Land Use Classification:</b> Limited Service	<b>Parcel Size (Acres):</b> 120.06 (Total tract) 72.66 (Total development area) 47.4 (Residual parcel to be recorded)
<b>Number of Units:</b> 29	<b>Project Density:</b> .4 units/acre
<b>Required Open Space:</b> 36.33 acres	<b>Provided Open Space:</b> 43.39 acres

## SURROUNDING PARCELS

	Land Use	Zoning
North	Farmland	AG
South	Low Density Residential	SFM
East	Undeveloped/wooded	SFM
West	Low Density Residential	SFM, CD-SFM

## STAFF ANALYSIS

The Landing is a proposed 29 lot conservation subdivision. Preliminary plat and use permit approval are required. The property is located at the terminus of Little Acorn Trail adjacent to Baxter's Lane Estates Subdivision and Shingle Landing Creek in Moyock Township. The proposed subdivision abuts the proposed County-owned Moyock park property and it is located in an area that has experienced recent subdivision growth. Paved walking trails are proposed and connections will be made to existing sidewalks in adjacent neighborhoods and to the park property. Community water access and kayak launches are also proposed.

INFRASTRUCTURE	
<b>Water</b>	Public
<b>Sewer</b>	On-Site Wastewater (Septic)
<b>Transportation</b>	The primary access is Little Acorn Trail. It is the applicant's responsibility to extend Little Acorn Trail to make the connection to the subject property. The UDO also requires road construction to the property line that abuts the existing portion of Baxter's Lane. The applicants will install paved walking trails and will make connections to existing sidewalks.
<b>Stormwater/Drainage</b>	Reviewed by Engineer.
<b>Schools</b>	Elementary Students Generated: 7
	Middle School Students Generated: 2
	High School Students Generated: 4
<b>Compatibility</b>	The use is compatible with the 2006 Land Use Plan and the 2014 Moyock Small Area Plan.
<b>Recreation and Park Area Dedication</b>	The applicants have offered an easement for access to Shingle Landing Creek as well as construction of a camping platform along Shingle Landing Creek. A payment-in-lieu will be required if the County prefers not to accept the easement.

## RECOMMENDATIONS

### TECHNICAL REVIEW COMMITTEE

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

1. The application complies with all applicable review standards of the UDO provided the following items are addressed:
  - a. Recreation and Park Area Dedication or Payment-in-Lieu resolved to County's satisfaction.
  - b. Community Water Access shall be provided including an elevated boardwalk and kayak launch adjacent to Shingle Landing Creek.
  - c. Paved walking trails and connection to existing sidewalks shall be required.
  - d. Record exempt division plat so that the application and area calculations are consistent with the 72.66 acre tract.
  - e. Access streets shall meet NCDOT Construction Standards.
  - f. Soil engineering for footer(s) will be required as determined by soil map.
2. 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.

## USE PERMIT REVIEW STANDARDS

The use will not endanger the public health or safety.

Preliminary Applicant Finding:

1. The use will adhere to County health and safety standards, including recommendations made by Albemarle Regional Health Services. The project should not adversely affect the public health or safety.

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. Land to the east and south has been developed into single family homes; the developable portion of this tract will be developed similarly; over 50% of the land will be preserved. Lot sizes are similar to those in adjacent subdivisions. Wetlands will be preserved. The use will not injure the value of adjoining or abutting lands, and will be in harmony with the surrounding area.

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

Preliminary Staff Findings:

1. The UDO indicates that a Type II conservation subdivision is allowed in the AG zoning district with a use permit.
2. The 2006 Land Use Plan classifies this site as Rural within the Moyock subarea. The proposed use is in keeping with the policies of the plan, some of which are:  
POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.  
POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
  1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment.POLICY ES2: NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON-TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species.
3. The 2014 Moyock Small Area Plan classifies this site as Limited Service. The policy emphasis of this designation is more on residential development and densities. Limited service designations provide for limited availability to infrastructure and services and low to moderate residential densities. This application is low density at .4 units per acre. The proposed use is in keeping with the policies of the plan, some of which are:  
POLICY FLU1: Promote compatibility between new development and existing development to avoid adverse impacts to the existing community.  
POLICY CC1: Encourage and foster development that is compatible with rural atmosphere, transitional areas, and a small town, main street feel consistent with the vision, policies, and future land use map of this plan.

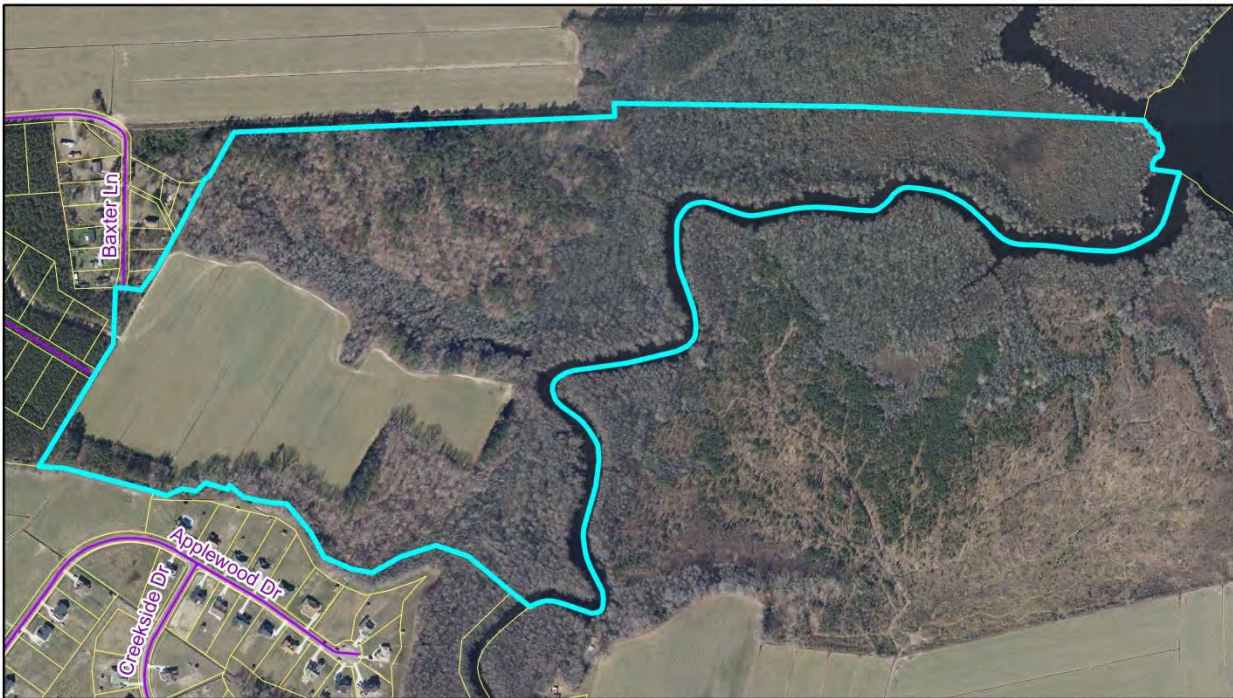


The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

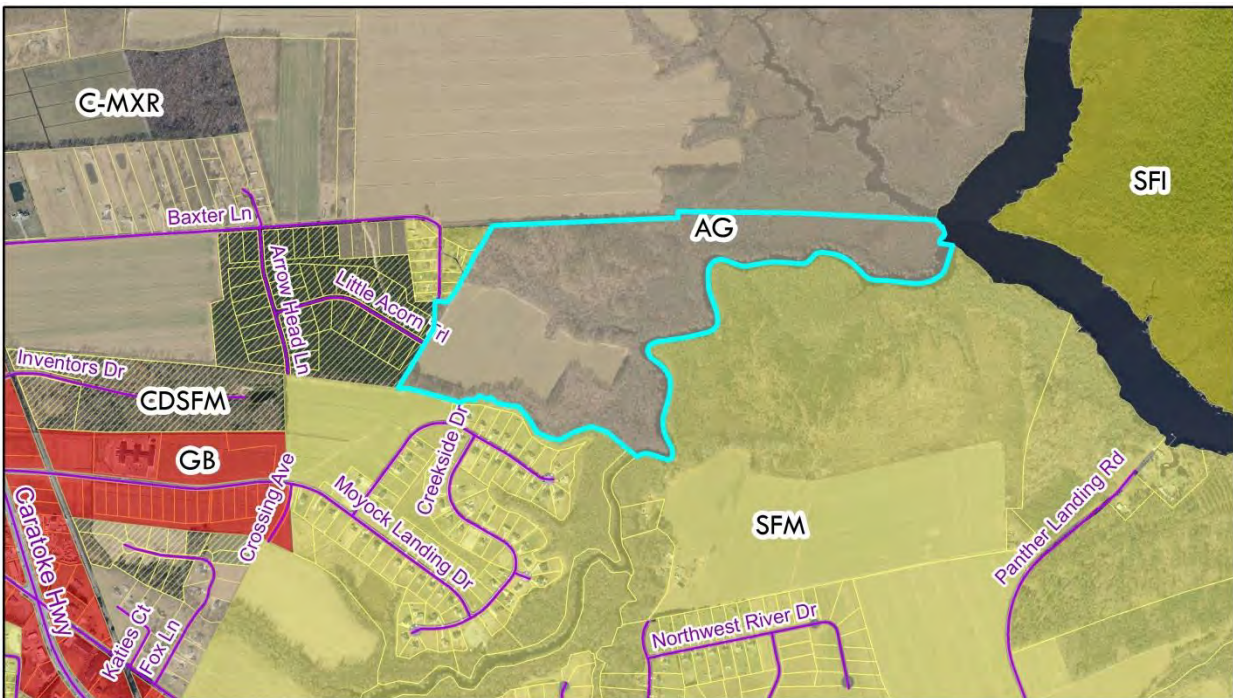
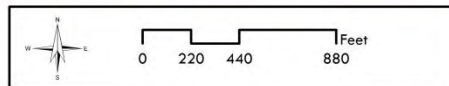
Preliminary Staff Findings:

1. The county has adequate public facilities to service this development including schools, fire and rescue, law enforcement, etc.

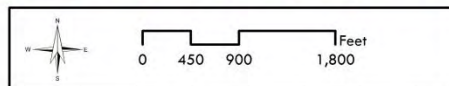
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE  
Board of Commissioners: [www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm](http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm)



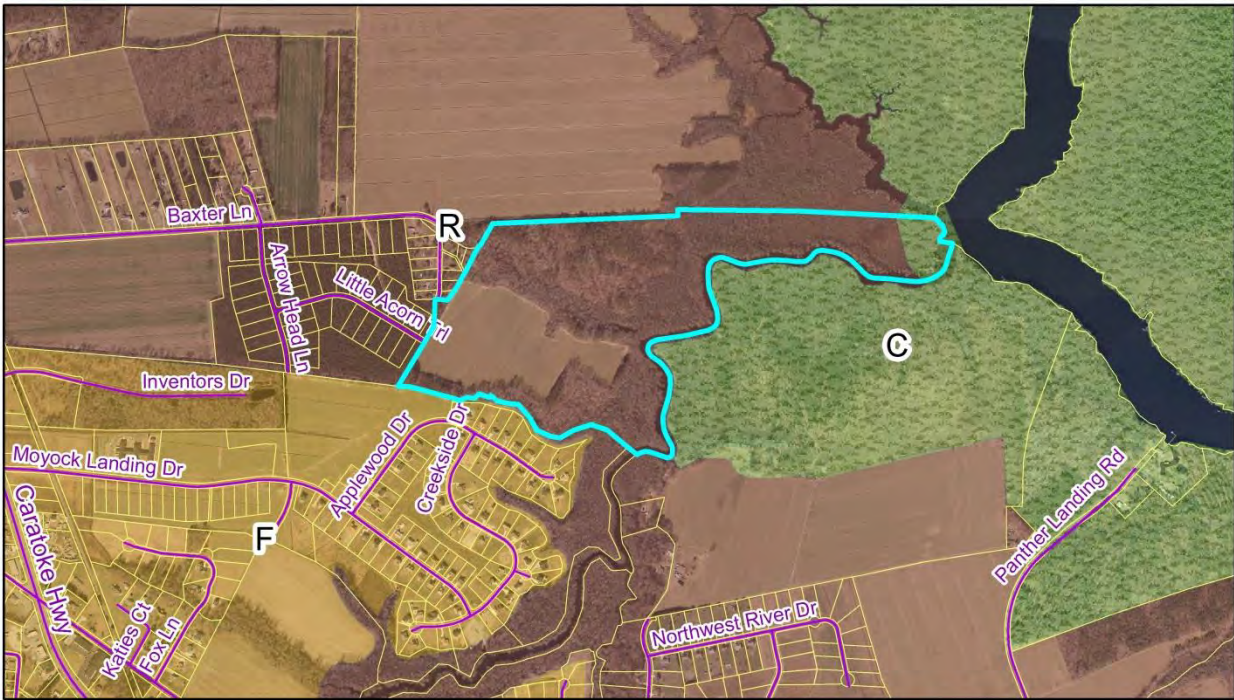
PB 15-10 The Landing  
Preliminary Plat - Use Permit  
Aerial



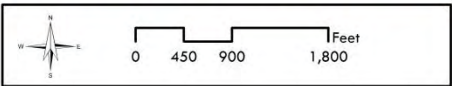
PB 15-10 The Landing  
Preliminary Plat - Use Permit  
Zoning Districts




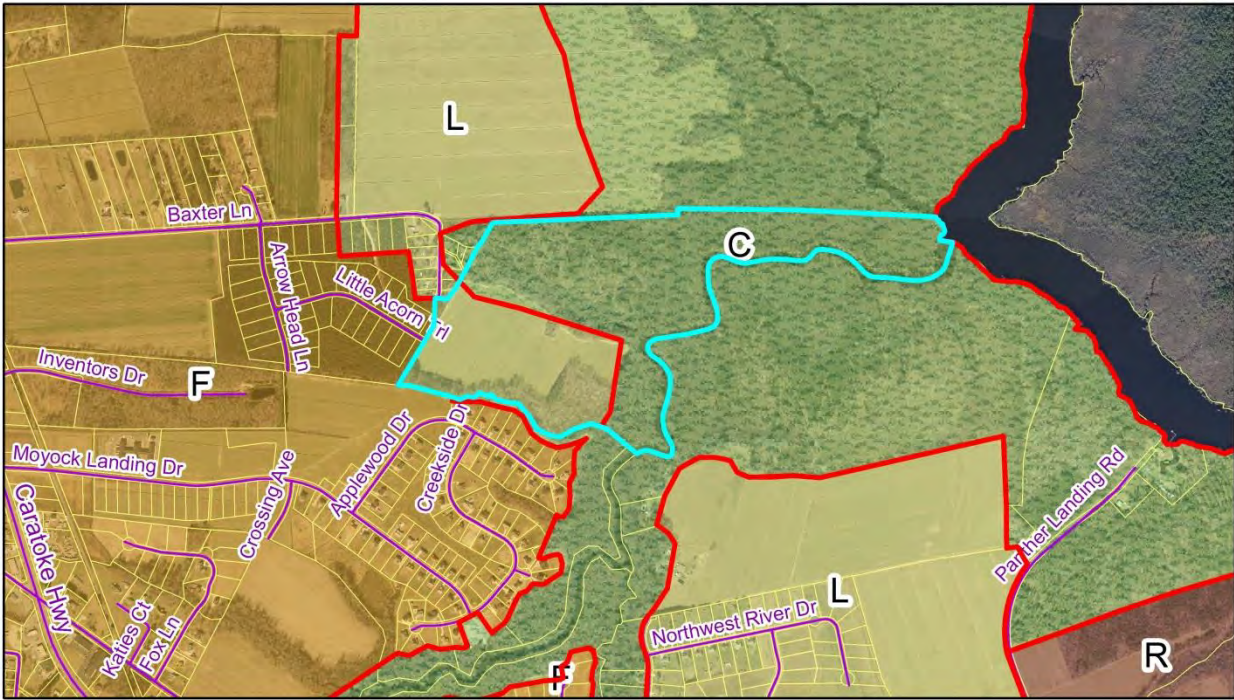




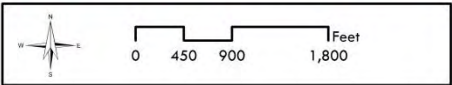
PB 15-10 The Landing  
Preliminary Plat - Use Permit  
Land Use Plan Classifications




 Currituck County  
Planning and  
Community Development



PB 15-10 The Landing  
Preliminary Plat - Use Permit  
Moyock SAP - Future Land Use



 Currituck County  
Planning and  
Community Development

Attachment: BOC Staff Report - The Landing PP UP (1558 : PB 15-10 The Landing)

**MEMORANDUM**

**To:** James & Catherine Jarvis  
Mark Bissell, Bissell Professional Group

**From:** Planning Staff

**Date:** June 9, 2016

**Re:** The Landing Preliminary Plat/UP, TRC Comments

The preliminary plat/use permit will require Board of Commissioner's action. The following comments have been received for the June 15, 2016 TRC meeting.

The application is incomplete. Submit ARHS suitable site evaluations for each individual lot.

The preliminary plat/use permit comments listed below must be addressed and resubmitted by June 20, 2016 to be placed on the agenda for the July 18, 2016 Board of Commissioners meeting.

Failure to submit suitable ARHS site evaluations for each individual lot by July 1st will result in required changes to the application based on a recent text amendment approved by the BOC on January 19, 2016.

**Planning, Jennie Turner 252-232-6031****Reviewed**

1. Submit ARHS suitable site evaluations for each individual lot.
2. Include proposed density per acre on plans. Max gross density for 72.66 acres is 29 lots with 50% open space.
3. The base flood elevation is 5.4' M.S.L. (Based on Flood Insurance Study).
4. Show zoning of adjacent properties and adjacent use types.
5. Update legend(s) to include all symbols, lines, etc. on all pages.
6. Is lighting proposed?
7. Provide total lot area.
8. Per UDO Section 10.3.3.B, Lots 9, 13, & 25 shall have a 5' non access easement along the lot line bordering the more heavily-traveled street.
9. Provide boundaries of any coastal (CAMA) wetlands. CAMA-designated wetlands may not be used to calculate density.
10. Revise C& D plan. All wetlands should be shown as primary conservation area.
11. Show riparian buffers along all wetlands/surface waters.
12. Riparian buffers located within individual platted lots shall include the restrictions of the buffer within the development's restrictive covenants and deed restrictions. Staff suggests that the 30' undisturbed riparian buffer be located on open space.
13. Per UDO Section 6.1.3, Subdivisions with 20+ lots abutting public trust waters shall provide water access. Historic public access to creeks shall not be usurped. Provide access to Shingle Landing Creek. Water access shall be a minimum of 100' wide and at least 20,000 square feet.  
What type of water access is proposed?
14. The County is interested in an easement on the open space wetland area adjacent to Shingle Landing Creek to construct camping platforms.



15. Record exempt division plat so that the application and area calculations are consistent with the 72.66 acre tract. The Fee-in-Lieu will be based on the updated plat.
16. Is it possible to provide Reserve Utility Open Space in the proposed parkland dedication area? The County may be interested in parkland dedication adjacent to the county-owned property to the south of the proposed Reserve Utility Open Space.
17. Provide species of street trees (at least 4 different species are required in roughly equal proportions).
18. Tree protection ordinance applies. (Heritage Trees)
19. Access streets shall meet NCDOT Construction standards.
20. UDO Section 6.2.1.C.4 requires connections to improved streets that have been accepted for maintenance by NCDOT. Where does NCDOT maintenance of Baxter Lane end? Connection to Baxter Lane may be required.
21. Provide an easement along the portion of path that crosses Lot 17.
22. Connect proposed sidewalk to existing sidewalk along Little Acorn Trail for consistency with Moyock Small Area Plan Policy TR2. Show crosswalks where appropriate.
23. Consider a walkway loop for consistency with Moyock Small Area Plan Policies R1 & TR2. (access to path for lots on South side of street)

**Currituck County Engineer & Soil & Water, Eric Weatherly, Michelle Perry & Will Creef**

Approved

**Currituck County Utilities, Pat Irwin**

Approval with corrections

Place two valves at every tee and tie in the 2" water line on existing Baxter Lane with the 8" water line on proposed Baxter Lane.

**Currituck County Fire and Emergency Management, James Mims 252-232-6641**

Reviewed

Note 9 indicates the available flow is 888. On page 1 of 8. On the inset of page 8 of 8 it indicates 10' (20') setbacks. For the flow the available flow you will need 10.5' (21'). If the flow is less than 1000 gpm then it is 750. There is no rounding of the available flow.

**Currituck County GIS, Harry Lee**

Reviewed

Comments      The Lot labeled as #30 on the plat should be labeled as #20

Address Assignment:

Lot 1 = 200 Little Acorn Trl  
 Lot 2 = 202 Little Acorn Trl  
 Lot 3 = 204 Little Acorn Trl  
 Lot 4 = 206 Little Acorn Trl  
 Lot 5 = 208 Little Acorn Trl  
 Lot 6 = 210 Little Acorn Trl  
 Lot 7 = 212 Little Acorn Trl  
 Lot 8 = 214 Little Acorn Trl  
 Lot 9 = 100 Evan Ct  
 Lot 10 = 102 Evan Ct  
 Lot 11 = 105 Evan Ct  
 Lot 12 = 103 Evan Ct  
 Lot 13 = 101 Evan Ct

Lot 14 = 220 Little Acorn Trl  
 Lot 15 = 222 Little Acorn Trl  
 Lot 16 = 219 Little Acorn Trl  
 Lot 17 = 217 Little Acorn Trl  
 Lot 18 = 215 Little Acorn Trl  
 Lot 19 = 100 Claire Ct or 213 Little Acorn Trl  
 Lot 20 = 102 Claire Ct  
 Lot 21 = 104 Claire Ct  
 Lot 22 = 106 Claire Ct  
 Lot 23 = 105 Claire Ct  
 Lot 24 = 103 Claire Ct  
 Lot 25 = 101 Claire Ct or 207 Little Acorn Trl  
 Lot 26 = 203 Little Acorn Trl  
 Lot 27 = 201 Little Acorn Trl  
 Lot 28 = 329 Baxter Ln  
 Lot 29 = 327 Baxter Ln

**Currituck County Building Inspections, Bill Newns 252-232-6023**

Reviewed

Soil engineering for footer will be required as determined by soil map.

**Currituck County Parks & Recreation, Jason Weeks**

No Comment

**NC Division of Coastal Management, Charlan Owens 252-264-3901**

Reviewed

- DCM has a 30 foot jurisdiction along the shoreline of Shingle Landing Creek. Land disturbance and development activities within the 30 foot buffer will require DCM review. Please contact Ron Renaldi, DCM Field Representative, at 264-3901 for additional information.
- Indicate any improvements to be provided for the "Community Water Access".
- Indicate the location of any Coastal Wetlands.

**NC State Archaeology, Lawrence Abbot**

No Comment

No previously recorded sites noted in the project area. An archaeological survey is not recommended.  
No Comment.

**Albemarle Regional Health Services, Joe Hobbs 252-232-6603**

Reviewed

\*NOTE: OWNER/DEVELOPER NEEDS TO CONSULT WITH KEVIN CARVER RS AT 252-232-6603 CONCERNING SEPTIC SYSTEM APPROVAL FOR EACH PROPOSED LOT THAT MAKES UP THIS PROPOSED SUB-DIVISION.  
THANK YOU.

**The following items are necessary for resubmittal:**

- 3 - full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.

Attachment: BOC Staff Report - The Landing PP UP (1558 : PB 15-10 The Landing)



## Major Subdivision Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Catherine Jarvis James M. Jarvis Jr.

Address: 241 Shingle Landing Rd. P.O. Box 609  
Moyock, NC 27958 Moyock, NC 27958

Telephone: (252) 435-6776 (757) 435-6645

E-Mail Address: cjarvis@embora.com jamesmjarvisjr@gmail.com

**PROPERTY OWNER:**

Name: Same

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_

**Request**

Physical Street Address: Baxter Lane, Moyock, NC

Parcel Identification Number(s): 001400000040000

Subdivision Name: The Landing

Number of Lots or Units: 29

Phase: \_\_\_\_\_

**TYPE OF SUBMITTAL**

- ☐ Conservation and Development Plan  
☐ Amended Sketch Plan/Use Permit  
☒ Preliminary Plat (or amended)  
     ☐ Type I OR ☒ Type II  
☐ Construction Drawings (or amended)  
☐ Final Plat (or amended)

**TYPE OF SUBDIVISION**

- ☐ Traditional Development  
☒ Conservation Subdivision  
☐ Planned Unit Development  
☐ Planned Development

I hereby authorize county officials to enter my property for purposes of determining compliance with all applicable standards. All information submitted and required as part of this process shall become public record.

Catherine Jarvis - James M. Jarvis Jr.  
 Property Owner(s)/Applicant\*

5/18/16

Date

\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

**Community Meeting, if applicable**

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_





## Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Catherine Jarvis James M. Jarvis Jr.

Address: 241 Shingle Landing Rd. P.O. Box 609  
Moyock, NC 27958 Moyock, NC 27958

Telephone: (252) 435-6776 (757) 435-6645

E-Mail Address: ccjarvis@embarqmail.com jamesmjarvisjr@gmail.com

**PROPERTY OWNER:**

Name: Same

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_

**Property Information**

Physical Street Address: Baxter Lane, Moyock, NC

Location: Moyock, NC

Parcel Identification Number(s): 001400000040000

Total Parcel(s) Acreage: 72.66 Ac (25.0 Ac Phase I)

Existing Land Use of Property: \_\_\_\_\_

**Request**

Project Name: The Landing

Proposed Use of the Property: Conservation Subdivision

Deed Book/Page Number and/or Plat Cabinet/Slide Number: 1294/536

Total square footage of land disturbance activity: \_\_\_\_\_

Total lot coverage: \_\_\_\_\_ Total vehicular use area: \_\_\_\_\_

Existing gross floor area: \_\_\_\_\_ Proposed gross floor area: \_\_\_\_\_

**Community Meeting**

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_



Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_\_

See Attachment

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

- A. The use will not endanger the public health or safety.

See Attachment

- B. 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.

See Attachment

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

See Attachment

- D. 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.

See Attachment

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

Catherine Jarvis - James M. Jarvis  
Property Owner(s)/Applicant\*

5/18/16

Date

\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Use Permit Application  
Page 6 of 8

Attachment: 5-26-16 Signed Use Permit Application (1558 : PB 15-10 The Landing)

Purpose:

The Landing project proposes the division of approximately 73 acres into a conservation subdivision of 29 single-family lots, along with a large expanse of open space. Open space set-asides meet or exceed the UDO requirements; stormwater management and erosion control will be provided in accordance with the new Currituck stormwater manual and the new UDO. Natural features will be presented to the greatest degree practicable. A community water access is proposed.

Suggested Findings:

- A. The use will adhere to County health and safety standards, including recommendations made by Albemarle Regional Health Services. The project should not adversely affect the public health or safety.
- B. Land to the east and south has been developed into single family homes; the developable portion of this tract will be developed similarly; over 50% of the land will be preserved. Lot sizes are similar to those in adjacent subdivisions. Wetlands will be preserved. The use will not injure the value of adjoining or abutting lands, and will be in harmony with the surrounding area.
- C. The Land Use Plan classifies this area as Rural within the Moyock subarea, and The Moyock Small Area Plan classifies it as Limited Service, with densities proposed between 1 and 1.5 units per acre. The proposed development density is only 0.4 unit per acre.

The following Land Use Plan policies are relevant to and support this request:

POLICY ES2: NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON-TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species.

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.

POLICY HN2: The County shall ... encourage alternatives to large lot developments through INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING techniques.

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.

POLICY TR12: New residential developments shall provide for the installation of PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE at the time of development.

POLICY WQ3: Currituck County supports policies, plans and actions that help protect the water quality of the county's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary.

POLICY WQ4: RUNOFF AND DRAINAGE from development, forestry and agricultural



activities shall be of a quality and quantity as near to natural conditions as possible. Post-development runoff shall not exceed pre-development volumes.

**POLICY WQ5:** Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. If COASTAL AND NON-COASTAL WETLANDS are considered part of a lot's acreage for the purpose of determining minimum lot size or development density, Low Impact Development techniques or appropriate buffers shall be integrated into the development.

The following policies from the Moyock Small Area Plan are also supported:

**Policy IS 4** Ensure that stormwater runoff, soil erosion, and sedimentation is properly managed to reduce nuisance flooding and pollution of sensitive environmental areas

**Policy CC 1** Encourage and foster development that is compatible with rural atmosphere

D. Currituck County has adequate public facilities to serve the proposed subdivision.







## Currituck County Agenda Item Summary Sheet

**Agenda ID Number – (ID # 1638)**

**Agenda Item Title**

ABC Board

**Brief Description of Agenda Item:**

The ABC Board has one vacancy. An appointment is needed to fill the unexpired term of Mr. Gary Barco.

**Board Action Requested**

Action

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**



**ABC BOARD  
3 Year Terms**

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
<i><b>Gary Barco</b></i>	Consensus			9/13	1st 9/1/2016
David Griggs*	Consensus			2/2013	1st 2/16/2016
				5/16/2016	2nd 2/16/2019
Harold Capps, Sr.	Consensus			9/21/2015	1st 9/1/2018
Joseph "Jerry" Malesky	Consensus			9/21/2015	1st 9/1/2018
Mike Payment	Consensus			5/16/2016	1st 2/16/2019

***Appointment is needed to fill unexpired term***

\*Chairman-David Griggs designated June 6, 2016



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1640)

**Agenda Item Title**

Historic Preservation Commission

**Brief Description of Agenda Item:**

Initial appointments to the Historic Preservation Commission.

**Board Action Requested**

Action

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**

HISTORIC PRESERVATION COMMISSION  
4 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
	Consensus				
	Consensus				
	Consensus				
	Consensus				
	Consensus				

Initial Terms: 1-Two Year 2-Three Year 2-Four Year





## CURRITUCK COUNTY NORTH CAROLINA

August 1, 2016

Minutes – Regular Meeting of the Board of Commissioners

### WORK SESSION

#### 1. 5:00 PM Substantial Damage and Disaster Assessment

The Currituck County Board of Commissioners met at 5 PM for a work session on Substantial Damage and Disaster Assessment. Planning and Community Development Director Ben Woody and Chief Building Inspector Bill Newns were in attendance. Mr. Newns began, defining substantial improvements and substantial damages and described the types and costs of the investments that may be necessary to repair or improve structures located within a flood zone that currently do not meet the minimum National Flood Insurance Program (NFIP) requirements. Using a powerpoint, Mr. Newns reviewed a compliance chart and provided illustrations to demonstrate the NFIP guidelines. He reviewed the Inspections department's disaster-related assessment procedures, including rapid evaluations, safety evaluations, on-site permit issuance and public education efforts. Mr. Woody noted Currituck County stands up well to storms due to good zoning regulations that were put in place early on, and contrasted Dare County's high number of repetitive claims. At the close of the presentation, Commissioner Gilbert suggested increasing public awareness by putting the information presented in writing or on video and posting to the county's website. Mr. Woody said he would consult with the Public Information Officer to develop outreach ideas.

#### 6:00 CALL TO ORDER

The Currituck County Board of Commissioners met in regular session at 6 PM in the Historic Currituck Courthouse, 153 Courthouse Road, Currituck, North Carolina. Chairman Griggs called the meeting to order and announced the earlier work session on Damage and Disaster Assessment.

Attendee Name	Title	Status	Arrived
David L. Griggs	Board Chairman	Present	
O. Vance Aydlett	Vice Chairman	Present	
S. Paul O'Neal	Commissioner	Present	
Paul M. Beaumont	Commissioner	Present	
Marion Gilbert	Commissioner	Present	
Mike D. Hall	Commissioner	Present	
Mike H. Payment	Commissioner	Present	

Communication: Minutes for BOC-August 1, 2016 (Approval Of Minutes-August 1, 2016)

**A) Invocation & Pledge of Allegiance-Reverend Jerry Cribb, Pilmoor United Methodist Church**

Reverend Jerry Cribb of Pilmoor United Methodist Church gave the Invocation and Led the Pledge of Allegiance.

**B) Approval of Agenda**

Chairman Griggs amended the agenda by removing Item A under Public Hearings, PB 16-14: Large Residential Structures, and adding a Closed Session.

Commissioner Aydlett moved to approve as amended, seconded by Commissioner Gilbert.

Referring to PB 16-14, Large Residential Structures text amendment, Commissioner O'Neal questioned what steps would be taken next. He and other Commissioners stated they had discussions with members of the community on both sides of the issue. County Manager, Dan Scanlon, suggested a community meeting to vet the proposed text amendment to receive comments from the public and revisit the item at a future meeting. After discussion, the Board unanimously approved the agenda as amended.

Approved agenda:

**Work Session**

5:00 PM Substantial Damage and Disaster Assessment

**6:00 Call to Order**

A) Invocation & Pledge of Allegiance-Reverend Jerry Cribb,  
Pilmoor United Methodist Church

B) Approval of Agenda

**Administrative Reports**

A) **Animal Services and Control Departmental Report-**  
Gina Maurer, Director

**Public Hearings**

~~A) **Public Hearing and Action: PB 16-14 Currituck County Large Residential Structures:** Request to amend the Unified Development Ordinance Chapter 4 Use Standards, Chapter 5 Development Standards, and Chapter 10 Definitions and Measurements for single-family detached dwellings that exceed 5,000 square feet.~~  
***This item was removed from the agenda.***

- B) Public Hearing and Action: PB 16-10 Currituck County UDO Housekeeping 2016:** Request to amend the Unified Development Ordinance Chapter 2 Administration, Chapter 4 Use Standards, Chapter 5 Development Standards, Chapter 6 Subdivision and Infrastructure Standards, Chapter 7 Environmental Protection, and Chapter 10 Definitions and Measurement.

### **Old Business**

- A) Historic Preservation-Report from the County Attorney Regarding the process to remove designated landmark status of property under the Historic Preservation Ordinance.**

### **New Business**

- A) Consideration of An Ordinance of the Currituck County Board of Commissioners Amending Section 9-1 of the Currituck County Code of Ordinances Regarding the Discharge of Firearms and Section 1-8 of the Currituck County Code of Ordinances Providing That a Violator May Be Issued a Civil Citation**
- B) Board Appointments**
1. Historic Boat and Building Advisory
- C) Consent Agenda**
1. Approval Of Minutes
  2. Budget Amendments
  3. 2nd Amendment to Verizon Tower Lease
  4. Economic Improvement Council, Inc. Lease Agreement
  5. Corolla Greenway, Phase III-Change Order #1
  6. Termination of Program-Voluntary Removal of Dilapidated Structures
  7. Consideration and Approval of Application for Alcohol Use-Soundside Park
- D) Commissioner's Report**
- E) County Manager's Report**

### **Public Comment**

*Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 5 minutes.*

### **Special Meeting**

Travel & Tourism Departmental Report and Update-Tameron Kugler, Director

TDA-Budget Amendments

Motion to Adjourn Special Meeting of the Tourism Development Authority

### **Closed Session**

***Amended Agenda: Add Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney in order to preserve the attorney-client privilege and to receive advice from the County Attorney regarding a claim against the county and for the following pending lawsuit: Price Solar, LLC v. Currituck County***

### **Adjourn**

## **ADMINISTRATIVE REPORTS**

### **A. Animal Services and Control Departmental Report-Gina Maurer, Director**

Gina Maurer, Animal Services and Control Director, provided an update on the successes and accomplishments achieved during the first six months of operations of the Department of Animal Services and Control. She reported on the Department's first advisory board meeting, thanking the advisory members for their positive discussions and ideas and announced the next meeting on August 4th. Ms. Maurer said community outreach efforts via Facebook and the county's Focus newsletter created an uptick in donations and volunteers. She reported on upcoming events and those recently attended and discussed partnerships developed with other animal organizations and rescue agencies. She announced there are many cats and kittens available for adoption.

Donna Corbo, Chair of the Animal Services and Control Advisory Board, thanked Commissioners for her appointment. She said she is excited to move forward and announced the regular advisory meetings will be held on the first Thursday of each quarter beginning in September. She encouraged citizens to volunteer at the shelter.

Commissioner Payment applauded the Department, saying he has heard good things. Commissioner Griggs said his experience was outstanding when his family adopted a dog from the shelter a month ago. Commissioner Gilbert, who serves on the advisory board, applauded the great ideas and Board's focus on community education.

## **PUBLIC HEARINGS**

### **A. Public Hearing and Action: PB 16-14 Currituck County Large Residential Structures:**

This item was removed from the agenda.

### **B. Public Hearing and Action: PB 16-10 Currituck County UDO Housekeeping 2016:**

Ben Woody, Planning and Community Development Director, reviewed the Housekeeping text amendments for the Board of Commissioners.

During review, Mr. Woody specifically addressed Commissioner Payment's questions related to parking at a flea market located in Grandy. After review, Mr. Woody responded to questions and explained state requirements, inclusion of haul roads in mining calculations

and the impacts of the amendment on small commercial and residential ponds under one acre.

No one signed up nor wished to speak to the matter at Public Hearing.

Commissioner Aydlett moved to approve PB 16-10 changes to the Currituck County UDO, Housekeeping 2016. Commissioner Beaumont seconded and the motion carried unanimously.

Subject: PB 16-10 Currituck County Development - Housekeeping Amendment

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO). The revisions correct and clarify the identified sections in the new UDO as it relates to:

Item 1

Corrects Planning Board appointment terms.

Item 2

Corrects zoning district reference.

Item 3

Modifies the affected area of an accessory mining operation to be consistent with the state requirements.

Item 4

Corrects the requirement for HOA transfer of common features in subdivisions to be consistent with the remaining sections of the UDO.

Item 5

Modifies the installation of utilities within trenches specific to that utility.

Item 6

Corrects the street connectivity requirements for conservation subdivisions.

Item 7

Corrects the parking standard for flea markets (indoor and outdoor).

Item 8

Corrects the definition of heavy manufacturing.

Item 9

Updates the lighting references from wattage to lumens.

Item 10

Modifies the stormwater regulations.

**PB 16-10**

**CURRITUCK COUNTY**

Amendment to the Unified Development Ordinance Chapter 2 Administration, Chapter 4 Use Standards, Chapter 5 Development Standards, Chapter 6 Subdivision and Infrastructure Standards, Chapter 7 Environmental Protection, and Chapter 10 Definitions and Measurement.

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

**Item 1:** That Chapter 2. Administration is amended by adding the following underlined language and deleting the struck-through language:

**2.2.3. Planning Board****B. Membership, Appointment, and Terms of Office****(1) General**

- (a) The Planning Board shall consist of a total of nine regular members appointed by the Board of Commissioners. Each County Commissioner may appoint one member from any electoral district in the county. The remaining two members shall be designated as at-large appointees by the entire Board of Commissioners. One shall reside on the mainland. The other shall reside on the Outer Banks.
- (b) Planning Board members shall reside within the county. A change in residence to a location outside the county shall constitute a resignation from the Planning Board, effective upon the date a replacement is appointed.
- (c) Planning Board members shall be appointed for ~~three~~two-year staggered terms, and ~~shall~~ may continue to serve until their successors are appointed.
- (d) Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term only.

**Item 2:** That Chapter 4. Use Standards is amended by adding the following underlined language and deleting the struck-through language:

**4.2.5. Industrial Uses****B. Industrial Services****(1) Crabshedding****(a) Additional standards in the AG and ~~RMX~~ MXR Districts**

**Item 3:** That Chapter 4. Use Standards is amended by adding the following underlined language and deleting the struck-through language:

**4.3.3. Specific Standards for Certain Accessory Uses****I. Excavation**

Minor excavations for the purpose of establishing a pond or acquiring fill may be permitted as an accessory use, provided:

- (1) One acre or less is ~~disturbed~~ affected (excluding haul roads);
- (2) Excavation is setback at least 100 feet from all lot lines;
- (3) Slopes are maintained at no greater than 3:1 above the water, 2:1 below the water and an average depth of four feet is maintained; and
- (4) A performance guarantee of at least \$1,000 is posted with the Planning and Community Development Department to ensure adequate reclamation following excavation.

**Item 4:** That Chapter 6. Subdivision and Infrastructure Standards is amended by adding the following underlined language and deleting the struck-through language:

**6.1.4. Homeowners or Property Owners Association Requirements****C. Establishment of Association**

- (1) Documents for the creation of the association shall be submitted to the county for review and approval prior to approval of the final plat (see Section 2.4.8. Subdivisions). Documentation shall include, but not be limited to the information in Section 6.1.4.D. Documentation Requirements.
- (2) The association shall be established by the subdivider prior to the sale of the first lot in the subdivision.

- (3) The structure and operating provisions of the association shall be in accordance with the county-approved documentation (See Section 6.1.4.C) recorded prior to approval of the final plat.
- (4) The association documents shall establish that the subdivider shall maintain the common area, common facilities, and infrastructure until ~~5175~~ percent of the lots are sold; and
- (5) Responsibility for maintaining the subdivision's common areas, common facilities, and private infrastructure shall be transferred in accordance with the standards in Section 6.1.4.F, Transfer of Maintenance Responsibility.

**Item 5:** That Chapter 6. Subdivision and Infrastructure Standards is amended by adding the following underlined language and deleting the struck-through language:

**6.2.3. Utility Standards**

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All utilities shall be installed in accordance with the following standards:

**A. General Standards**

- (1) All utilities (including but not limited to: electric power, telephone, gas distribution, cable television, potable water, sewer, etc.) located outside an existing street right-of-way and intended to serve new development shall be underground.
- (2) The requirement for underground electricity, telephone, or cable television utilities shall not be applied to lateral service lines intended to serve an individual single-family dwelling that must extend over 200 feet from an overhead source.
- (3) Unless attached to a bridge, no utilities may be installed over the waters of the Currituck Sound or over areas of environmental concern, and no utility poles shall be erected within the waters of Currituck Sound or areas of environmental concern.
- (4) All utility providers installing service lines for their respective utilities in the public right-of-way are required to separate utility lines in trenches specific to that utility. ~~maximize the potential for co-location in trenches and to standardize the design of utilities.~~
- (5) All utility facilities shall be constructed in such a manner as to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements or facilities located within the development.

**Item 6:** That Chapter 5. Development Standards is amended by adding the following underlined language and deleting the struck-through language:

**5.6 COMMUNITY FORM STANDARDS**

**5.6.2. Applicability**

**B. Exemptions**

- (1) Lots in the RC and SFR districts are exempted from the standards in this section.
- ~~(2) Conservation subdivisions and~~ Subdivisions of five or fewer lots shall be exempted from the following standards in this section:
  - (a) Section 5.6.4, Internal Street Connectivity;
  - (b) Section 5.6.5, External Street Connectivity; and
  - (c) Section 5.6.6, Development Entry Points.
- (3) Conservation subdivisions shall be exempted from the following standards in this section:
  - (a) Section 5.6.4, Internal Street Connectivity; and



(b) Section 5.6.6, Development Entry Points.

**Item 7:** That Chapter 4. Use Specific Standards is amended by adding the following underlined language and deleting the struck-through language:

4.2. USE-SPECIFIC STANDARDS4.2.4. **Commercial Uses****G. Retail Sales and Services****(2) Flea Market**

Flea markets shall comply with the following standards:

**(a) Hours of Operation**

- (i) Flea markets shall be open at least three days within any 90-day period.
- (ii) Hours of operation shall be limited to 7:00 AM to 7:00 PM.

**(b) Building Features**

- ~~(i) Off street parking shall be provided with a minimum of three spaces per stand or rented space.~~
- (ii) Sanitary facilities shall be provided for both men and women.
- (iii) Provisions shall be made for garbage or trash removal for each day the flea market is open to the public.

**(c) Location**

All rental spaces and buildings shall maintain a 50-foot setback from all residential development or residentially-zoned land.

**5.1.3. Off-Street Parking Standards****TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
Retail Sales & Service	Flea market	1 per every 200 sf of building use area + 3 per outdoor stand or rented space

**Item 8:** That Chapter 10. Definitions and Measurement is amended by deleting the following struck-through language:

10.5 DEFINITIONS  
MANUFACTURING, HEAVY

Manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, pulp and paper mills, and the manufacture of other wood products; and electric power generation plants. Specifically prohibited are rendering, petroleum refining, ~~asphalt/concrete~~ plants, and manufacture of chemicals, fertilizers, paint, and turpentine.

**Item 9:** That Chapter 5. Development Standards is amended by adding the following underlined language and deleting the struck-through language:

5.4. EXTERIOR LIGHTING5.4.2. **Applicability**



**A. General**

The provisions of this section shall apply to all development in the county unless exempted in accordance with Section 5.4.2.D, Exemptions.

**B. Time of Review**

Review for compliance with the standards of this section shall occur as part of the review of an application for a site plan (Section 2.4.7), planned development master plan (Section 2.4.5), or zoning compliance permit (Section 2.4.9), as appropriate.

**C. Existing Development**

Compliance with these standards, to the maximum extent practicable, shall also apply to redevelopment of an existing structure, building, or use when it is expanded, enlarged, or otherwise increased in intensity equivalent to or beyond 50 percent.

**D. Exemptions**

The following is exempted from the exterior lighting standards of this section:

- (1) FAA-mandated lighting associated with a utility tower or airport;
- (2) Lighting associated with navigational beacons, the United States flag, North Carolina flag, or Currituck County flag;
- (3) Holiday lighting during the months of November, December, and January, provided the lighting does not create unsafe glare on street rights-of-way;
- (4) battery-powered emergency lighting; and
- (5) Architectural lighting of ~~40-watts~~ 450 lumens or less.

**5.4.7. Design Standards for Specific Uses and Site Features****A. Awnings**

Awnings or canopies used for building accents over doors, windows, etc., shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque.

**B. Beachfront Lots**

For purposes of protecting wildlife habitat, the following standards shall apply to all development on lots adjacent to the beachfront:

- (1) The source of illumination (i.e., the bulb, or element) shall not be directly visible from the beach.
- (2) Lights may be mounted on poles with a maximum overall height of 12 feet. All lighting fixtures atop poles shall be fully shielded fixtures that are configured to minimize glare on off-site areas.

**C. Sports and Performance Venues**

Lighting of outdoor sports areas, athletic fields, and performance areas shall comply with the following standards:

**(1) Glare Control Package**

All lighting fixtures shall be equipped with an existing glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.

**(2) Hours of Operation**

The hours of operation for the lighting system for any game or event shall not continue more than one hour after the end of the game or event.

**D. Wall Pack Lights**

- (1) Wall packs on the exterior of the building shall be fully shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward and be of low ~~wattage~~ lumens (~~400 watts~~ 1,600 lumens or lower).
- (2) Wall pack light sources visible from any location off the site are prohibited.

**E. Canopies**

Areas under a canopy shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:

- (1) A recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy that provides a full cutoff or fully-shielded light distribution.
- (2) A surface mounted fixture incorporating a flat glass that provides a full cutoff or fully-shielded light distribution.

**Item 10:** That Chapter 7. Environmental Protection Standards is amended by adding the following underlined language and deleting the struck-through language:

**7.3** STORMWATER MANAGEMENT

**7.3.2.** Applicability

**E. Exemptions**

The standards in Section 7.3.4.B shall not apply to the following:

**(3) Mainland Stormwater Management Zone**

- (a) Minor site plans;
- (b) Minor subdivisions;
- (c) The division of five or fewer additional lots with an average lot size greater than three acres located within a single-family residential subdivision platted prior to January 1, 2013; ~~or~~
- (d) Development or expansion on a nonresidential, multi-family, or mixed-use lot by less than 5,000 square feet of impervious surface or resulting in less than 10 percent total lot coverage. This exemption does not include multiple, incremental expansions that result in a reduction of stormwater management standards or;
- (e) Major site plans on lots in subdivisions that have a state permitted and functional stormwater management system that specifies allowable lot coverage.

**(4) Outer Banks Stormwater Management Zone**

- (a) Minor site plans, excluding single-family detached dwellings on lots resulting in more than 10,000 square feet of total impervious surface; or
- (b) Development or expansion on a nonresidential, multi-family, or mixed-use lot by less than 5,000 square feet of impervious surface or resulting in less than 10 percent total lot coverage. This exemption does not include multiple, incremental expansions that result in a reduction of stormwater management standards.

**7.3.4 Stormwater Management Standards**

**A. Drainage Requirements**

- (1) To the maximum extent practicable, all development shall conform to the natural contours of the land and natural and pre-existing man-made

- drainage ways shall remain undisturbed.
- (2) To the maximum extent practicable, lot boundaries shall be made to coincide with natural and pre-existing man-made drainage ways within subdivisions to avoid the creation of lots that can be built upon only by altering such drainage ways.
  - (3) No surface water may be channeled or directed into a sanitary sewer.
  - (4) Whenever practicable, the drainage system of a development shall coordinate with and connect to the drainage systems or drainage ways on surrounding properties or streets.
  - (5) All developments shall be constructed and maintained so that adjacent lands are not unreasonably burdened with surface waters as a result of such developments. More specifically:
    - (a) No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties; and,
    - (b) No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.
  - (6) Existing ditches located totally or partially within a development and utilized for drainage or stormwater management shall be cleaned to remove drainage impediments.
  - (7) All subdivisions shall provide side lot line swales with a minimum average depth of 12 inches and side slopes not to exceed 3:1 (three feet horizontal run for every one foot vertical rise), unless the County Engineer approves an equivalent drainage alternative.
  - (8) Major subdivisions and major site plans shall provide minimum building pad elevations required to prevent flooding from the 24-hour storm event with a 10-year recurrence interval. The finished floor elevation for all principal structures shall be 18 inches above the ~~minimum building pad elevation 24-hour storm event with a 10-year recurrence interval or above the 100-year regulatory flood protection elevation, whichever is greater,~~ and shall be depicted on construction drawings and final plats.
  - (9) Finished floor elevations shall be at least six inches above septic system fill.
  - (10) Development subject to these standards shall provide maintenance access drainage easements in accordance with Section 6.2.3.B, Utility Easements and the following standards:
    - ~~(a) Twenty five foot wide easements measured from top of embankment~~ Easements shall be provided along both ~~at~~ least one sides of waterway conveyance systems that drain more than five acres. The easement shall include the conveyance and an additional twenty-five feet measured from the top of embankment.
    - ~~(b) Fifty foot wide easements measured from top of embankment~~ Easements shall be provided along both sides of the following waterway conveyance systems:
      - (i) Hog Bridge Ditch;
      - (ii) Guinea Mill;
      - (iii) Upper Guinea Mill;

- (iv) Lateral "A";
- (v) Lateral "B";
- (vi) Lateral "C";
- (vii) Haywood Ditch;
- (viii) Rowland Creek Canal;
- (ix) Eagle Creek Canal (also known as Western Canal); and
- (x) Shingle Landing Creek Canal.

The easement shall include the conveyance and an additional fifty feet measured from the top of each embankment.

#### **B. Stormwater Detention Requirements**

- (1) In the Outer Banks Stormwater Management Zone, minor subdivisions or single-family detached dwellings on lots resulting in more than 10,000 square feet of total impervious surface shall implement adequate stormwater practices to capture and infiltrate stormwater runoff from all impervious surfaces from the first four inches of rain from any rainfall event.
- (2) Major subdivisions subject to these standards shall implement adequate stormwater practices to reduce the post-development peak discharge from the 24-hour storm event with a 10-year recurrence interval down to the pre-development discharge rate from the 24-hour storm event with a 2-year recurrence interval based on pre-development conditions from a wooded site.
- (3) All other development subject to these standards shall implement adequate stormwater practices to reduce the post-development peak discharge from the 24-hour storm event with a 5-year recurrence interval down to the pre-development discharge rate from the 24-hour storm event with a 2-year recurrence interval based on pre-development conditions from a wooded site.

#### **7.3.5. Alternative Stormwater Plans**

##### **B. General**

The County Engineer is authorized to approve an alternative stormwater plan for development that proposes to deviate from the standards of this section. The alternative plan shall certify that the proposed development provides equal or better performance as required by these standards and will not create flooding or nuisance conditions on adjacent lots. The Currituck County Stormwater Manual includes additional information and plan requirements for persons submitting alternative stormwater plans for review under the standards of this section.

##### **B. Allowable Deviations**

###### **(1) Increased Lot Coverage**

A maximum 15 percent increase in lot coverage may be allowed for single-family detached and duplex dwellings on lots in subdivisions that have a state permitted and functional stormwater management system that specifies allowable lot coverage, or for a single-family detached or duplex dwelling on an individual lot that implements adequate stormwater practices to capture and infiltrate stormwater runoff from all impervious surfaces from the first four inches of rain from any rainfall event.

###### **(2) Reduced Stormwater Detention Requirements**

Development subject to the standards in Section 7.3.34.B may reduce the design capacity of required stormwater management

devices provided:

- (a) An Alternative Stormwater Runoff Storage Analysis demonstrates the on-site soils have adequate storage capacity to capture and infiltrate stormwater runoff from all impervious surfaces; or
- (b) An Alternative Downstream Drainage Capacity Analysis demonstrates the downstream drainage capacity exceeds the pre-development discharge rate from the 24-hour storm event with a 2-year recurrence interval based on pre-development conditions from a wooded site.

**(3) Additional Fill or Land Disturbance Activities**

A lot may be filled or graded higher than the average adjacent grade of the first 30 feet of adjoining property or to improve drainage for performance of stormwater management devices, provided adequate stormwater practices are implemented to capture and infiltrate stormwater runoff from all impervious surfaces from the first four inches of rain from any rainfall event.

**(4) Low Impact Development**

The use of low impact development techniques, including but not limited to pervious pavements, cisterns, green roofs, and bio-retention islands may be used to reduce stormwater detention requirements or lower impervious surface percentages.

**Item 11:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 12:** This ordinance amendment shall be in effect from and after the \_\_\_\_\_ day of \_\_\_\_, 2016.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	O. Vance Aydlett, Vice Chairman
<b>SECONDER:</b>	Paul M. Beaumont, Commissioner
<b>AYES:</b>	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner

## OLD BUSINESS

### **A. Historic Preservation-Report from the County Attorney Regarding the process to remove designated landmark status of property under the Historic Preservation Ordinance.**

While considering the Historic Preservation Ordinance at its July 18, 2016 meeting, the Board of Commissioners asked for clarification as to what provisions were available to property owners who wished to remove an historic landmark designation from their home. County Attorney, Ike McRee, reported the question was posed to representatives from North Carolina's Historic Preservation office who said the Board of Commissioners can amend or repeal a designation by adopting an ordinance reversing the designation, upon the owner making application to the Board. The Board of Commissioners has the ultimate decision-

making power, although other agencies may review the owner's application for revocation and make recommendations.

Commissioners said they were satisfied with the provision and procedure for removal of the historic designation.

Mr. McRee offered a consequence for homes removed from an historic designation is that the county would collect the deferred property taxes for the prior three years. Mr. McRee and Mr. Woody then reviewed the process for historic designation and ordinance adoption.

Commissioner O'Neal asked for an update on the owner's plans for the historic Kite house adjacent to Currituck Reserve, also considered at the prior meeting.

## NEW BUSINESS

### **A. Consideration of An Ordinance of the Currituck County Board of Commissioners Amending Section 9-1 of the Currituck County Code of Ordinances Regarding the Discharge of Firearms and Section 1-8 of the Currituck County Code of Ordinances Providing That a Violator May Be Issued a Civil Citation**

County Attorney Ike McRee reviewed the proposed ordinance amendments to clarify confusing language and provide consistency within the ordinance. After review, Mr. McRee responded to questions about backdrop requirements and exceptions for school sanctioned programs. Mr. McRee said firearms education classes were not included in those exceptions but could be added if the Board desired. Discussing distance requirements, he said the 300 foot distance buffer was not revised, and noted one can target shoot within the 300 yard buffer with permission from the property owner. Mr. McRee did not know how the 300 yard requirement was determined. Chairman Griggs presented maps noting the minimal areas of the county where shooting would be permitted utilizing the 300 yard requirement. He provided statistics for concealed carry and gun permits issued and provided a report showing over 700 calls to law enforcement for shots fired since January of 2013. Commissioners discussed the ordinance's enforceability, and Commissioner Aydlett commented that calls don't necessarily mean a violation. Shooting on Knotts Island was discussed, and Mr. McRee affirmed the ordinance amendments being proposed do not change distances in any way. Commissioner Beaumont questioned whether the ordinance is enforceable with a 300 yard distance, and if it is not being enforced, should we be writing an ordinance that can be. Commissioner O'Neal said the setbacks do allow for enforcement and the ordinance being proposed is nothing new. He re-established the ordinance includes a provision that allows less than the 300 yards, you just need permission. The Board contrasted differences between public and private ranges and discussed repetitious shooting, noise and safety concerns, and which of those concerns prompt complaints. Commissioner Payment recalled a bullet coming through the wall of his home and stressed safety is his main concern. He suggested voting on the verbiage being presented and having a work session to discuss the distance requirements at another time. Commissioner Beaumont agreed and posed fact-finding to determine acceptable noise decibel levels.

Commissioner O'Neal moved to approve as written tonight, knowing the Board is going to discuss this again in the future. Commissioner Beaumont seconded and the motion carried unanimously.

**AN ORDINANCE AMENDING SECTION 9-1 OF THE CURRITUCK COUNTY CODE OF ORDINANCES REGARDING THE DISCHARGE OF FIREARMS AND SECTION 1-8 OF THE**



## CURRITUCK COUNTY CODE OF ORDINANCES PROVIDING THAT A VIOLATOR MAY BE ISSUED A CIVIL CITATION

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

WHEREAS, pursuant to N.C. Gen. Stat. §153A-129 a county may regulate the discharge of firearms at any time or place except when used to take birds or animals, when used in the defense of persons or property, or when used pursuant to the lawful directions of law enforcement officers.

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

**Part I. Section 9-1. Discharge of firearms prohibited.** of the Currituck County Code of Ordinances is amended to read as follows:

Sec. 9-1. - Discharge of firearms prohibited.

(a) Near residences. It is unlawful for any person to discharge a rifle, shotgun, handgun or any firearm within 100 yards of any regularly occupied residence not owned by them without written ~~permission~~ consent of the regular occupant and owner of such residence which the person shall carry at all times relevant to this section.

(b) On or across roadways. It is unlawful for any person to discharge a rifle, handgun, shotgun or any firearm on or across any public road, highway, or public vehicular area.

(c) Firing near school. ~~It shall be~~ is unlawful to discharge a center fire rifle within one-half mile of any school unless such discharge occurs with at least 200 yards of woodlands or forest intervening between such discharge and the school.

(d) Firing at targets. ~~It shall be~~ is unlawful for any person to discharge ~~any a~~ rifle, handgun, shotgun or other firearm into any a target which has a substantial backdrop within 100 yards of any subdivision- unless (i) the point of discharging the rifle, handgun, shotgun or other firearm and the target are located 300 yards or more from a regularly occupied residence; (ii) a backstop is located behind the target sufficient to stop all projectiles shot from the firing line to the target; and (iii) the person discharging the rifle, handgun, shotgun or other firearm into the target has on their person written consent for the activity from all persons who are the regular occupant of the residence and from the owner of the residence if a different person or persons from the regular occupant of the residence located within 300 yards of a firing line and target. that with or without permission. However, it shall be lawful to discharge any rifle, handgun, shotgun or other firearm into any target which has a substantial backdrop, so long as said discharge is 300 yards away from any regularly occupied residence, except by permission of the regular occupant and owner of such residence.

A person that was discharging firearms into targets on their property before April 16, 2007 is permitted to continue to discharge a firearm into targets on their property even if doing so at a later date does not conform to this section or amendment to this section, provided that there has been no substantial change in use of the person's property and the person documents the discharge of firearms into targets on their property before April 16, 2007.

(e) Firing when not in woodlands. When firing a center fire rifle into any area of Currituck County not forested or woodlands or without a backstop that keeps projectiles from leaving the property on which the center fire rifle is fired, it shall be unlawful for any person to discharge or fire said rifle unless the level of the rifle be at least ten feet off the ground, or in a stand which is at least eight feet high, or when standing on the top of a dog box situate in the bed of a truck when said dog box is at least two feet in height.

(f) Forest or woodlands. For purposes of this section forest or woodlands is defined as a large and thick collection of growing trees, preserving some or all of its primitive wildness and usually having game or wild animals in it.

(g) Impairing substances. ~~It shall be~~ is unlawful to discharge any rifle, handgun, shotgun or any other firearm while under the influence of any impairing substance.

(h) Exception. This section shall not apply to ~~the following: the use of firearms in defense of persons or property or the use of firearms by law enforcement officers in the performance of their duties, or in an indoor firing range.~~

(1) the use of firearms in the defense of persons or property;

(2) the use of firearms by law enforcement officers in the performance of their duties;

(3) the use of firearms in an indoor firing range;

(4) the use of a firearm for the purpose of shooting or killing any dangerous animal or reptile;

(5) the use of a firearm to take birds or animals pursuant to Chapter 113, Subchapter IV, of the General Statutes of North Carolina;

(6) the use of a firearm not involving the release of projectiles at a historical or ceremonial function; or

(7) the use of a firearm at school sanctioned instructional or recreational activities intended to further the use safe firearms practices.

(i) ~~Penalty. Any violation of this section shall be a misdemeanor and upon conviction shall be punishable by fine of not more than \$500.00 or by imprisonment for not more than 30 days.~~

**PART II. Section 1-8(i)(3)** is amended to read as follows:

(3) Chapter 9, section 9-1, section 9-4, section 9-7, section 9-33;

**PART II. Severability.** Should any section or provision of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared to be invalid or unconstitutional.

**PART III. Effective date.** This ordinance shall be effective immediately upon its adoption.

ADOPTED the \_\_\_\_ day of August, 2016.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	S. Paul O'Neal, Commissioner
<b>SECONDER:</b>	Paul M. Beaumont, Commissioner
<b>AYES:</b>	David L. Griggs, Board Chairman, O. Vance Aydtlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner

## B) Board Appointments

### 1. Historic Boat and Building Advisory

Commissioner O'Neal nominated Wilson Snowden to serve on the Historic Boat and Building advisory. Commissioner Aydtlett seconded and the nominee was unanimously approved.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	S. Paul O'Neal, Commissioner
<b>SECONDER:</b>	O. Vance Aydtlett, Vice Chairman
<b>AYES:</b>	David L. Griggs, Board Chairman, O. Vance Aydtlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner

## C) Consent Agenda

The program for the voluntary removal of dilapidated structures was discussed. Mr. Woody said 26 structures were removed utilizing \$53,000 in vouchers.



Commissioner Aydlett moved to approve Consent Agenda. The motion was seconded by Commissioner Gilbert and passed unanimously.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** O. Vance Aydlett, Vice Chairman  
**SECONDER:** Marion Gilbert, Commissioner  
**AYES:** David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner

## 1) Approval Of Minutes

### 1. July 18, 2016 Board of Commissioner Regular Meeting Minutes

### 2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10650-561000	Professional Services	\$ 124,500	
10390-495015	T F - Occupancy Tax		\$ 124,500
		\$ 124,500	\$ 124,500
<b>Explanation:</b>	Economic Development (10650) - Increase appropriations for Moyock Megasite Masterplan.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$124,500.		

### 3. 2nd Amendment to Verizon Tower Lease

### 4. Economic Improvement Council, Inc. Lease Agreement

### 5. Corolla Greenway, Phase III-Change Order #1

#### CHANGE ORDER

Order No. 1 Original Agreement Date: 12/22/2015

NAME OF PROJECT: Corolla Greenway Phase III

OWNER: Currituck County

CONTRACTOR: Hatchell Concrete, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

- 1.
- 2.

Original BASE BID CONTRACT PRICE: \$1,335,061.00

ALTERNATES in addition to base bid contract price: \$246,596.00

TOTAL BASE BID CONTRACT PRICE WITH ALTERNATES: \$1,581,657.00

The CONTRACT PRICE due to this CHANGE ORDER will be decreased by: \$117,440.00

The new CONTRACT PRICE including this CHANGE ORDER will be: \$ 1,464,217.00

The CONTRACT TIME will not change.

ATTEST:

COUNTY OF CURRITUCK

By: \_\_\_\_\_  
Clerk to the Board of Commissioners

By: \_\_\_\_\_(SEAL)  
Daniel F. Scanlon, II, County Manager

HATCHELL CONCRETE, INC.

By: \_\_\_\_\_(SEAL)  
Derek Hatchell, President

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Sandra Hill, Finance Officer

## 6. Termination of Program-Voluntary Removal of Dilapidated Structures

### PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: Voluntary Removal of Dilapidated Structures.

EFFECTIVE DATE:

May 19, 2014

APPROVED BY:

Currituck County Board of Commissioners

EXPIRATION DATE: August 1, 2016

#### PURPOSE

To establish a policy for the waiving of tipping fees for identified dilapidated structures, when the property owners volunteer to remove the structure.

#### GENERAL

In an effort to rid the county of dilapidated structures and in recognition of the expense to the owners of such buildings, the County of Currituck will assist property owners by relieving a portion of the cost of tipping fees.

#### PROCEDURES

Communication: Minutes for BOC-August 1, 2016 (Approval Of Minutes-August 1, 2016)

1. A notice will be sent to those owners whose property has been identified as a possible condemnation.
2. In order to qualify for relief of tipping fees an application must be submitted to the office of the Chief Building Inspector. The structure must have either been identified as a possible condemnation or must qualify as such in the opinion of the Chief Building Inspector.
3. Once the application has been submitted and approved, the building inspector will measure the footprint of the structure(s) and calculate the square footage of the structure(s) (footprint only).
4. Tipping fees will be paid using the following formula: (Square foot of footprint x 50lbs / 2,000lbs x tipping fee = maximum fee amount waived). Example: (2,500 sf. x 50lbs = 125,000lbs) (125,000lbs / 2,000lbs = 62.5 tons) (62.5 tons x \$71 = \$4,437.50).
5. In the above example the county will pay up to \$4,437.50 in tipping fees for a 2,500 sf. house footprint. Tonnage over this amount will be the property owner's responsibility. This formula will be used on one and multi-story structures. All efforts to minimize the amount of debris carried to the landfill should be made. Examples include controlled burns by the local volunteer fire department or the recycling of materials from the demolished structure.
6. A voucher will be provided to the owner to be filled out by the landfill attendant and returned to the office of the Chief Building Inspector. Only debris from the approved site will be allowed to be included in the voucher.
7. The property owner must remove the structure(s) and clean the lot within the allotted time or no fees will be waived.
8. The owner is responsible for the hiring of contractors to demolish and remove the structure(s).
9. Proof of weight delivered to the landfill will be required by the returning of the voucher. If any material is found to have come from another site, tipping fees will not be paid and all fees will be the responsibility of the property owner.
10. Should the property owner fail to respond to this offer and the structure is condemned the property owner will be responsible for all fees.

## **7. Consideration and Approval of Application for Alcohol Use-Soundside Park**

### **D) Commissioner's Report**

Commissioner O'Neal was updated on the status of prior requests for no wake signage installation at the Coinjock Canal. He discussed the shortage of Highway Patrol officers in Currituck County and the number of traffic wrecks and fatalities that have occurred so far this year. He moved that a letter be sent from the Board to state representatives to lobby for a full staffing contingent of Highway Patrol troopers for Currituck County, with additional help in the summer. Commissioner Gilbert seconded and the motion carried unanimously.

Commissioner Payment also discussed Currituck's traffic accidents and noted the Sheriff's Deputies are responding first. He encouraged citizens to volunteer at their Fire Departments to help first responders, even if only to direct traffic. He highlighted girls softball and commended county recreation team coaches and athletes.

Commissioner Gilbert announced Currituck Kids first annual Scarecrow Fest fundraiser on October 15th and the Gobbler Jogger fun run November 5th. Activities and volunteer opportunities can be found at [www.currituckkids.com](http://www.currituckkids.com).

Commissioner Hall reminded everyone, with temperatures soaring, to take care of their pets and to call local law enforcement if you see children or pets left in hot vehicles.

Commissioner Aydlett asked for prayers for the family that lost their 5 year old child Sunday afternoon from a lightning strike on the beach in Carova.

### **E) County Manager's Report**

Mr. Scanlon announced the closure of Veteran's Park to expedite repairs on the bulkhead and boardwalk there, estimating a three-month time frame. He reported on the significant amount of opposition to plans for a park in Moyock, and in response to comments received at public meetings, a survey was put up on the home page of the county website for Currituck residents to provide their comments. He announced the JP Knapp Early College High School opens on August 8, and we will begin to see buses again.

### **PUBLIC COMMENT**

***Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 5 minutes.***

Chairman Griggs opened the public comment period.

Jim Wheeler, Beechwood Shores, Moyock, recalled a shooting incident on Tulls Creek, saying the offender was criminally charged by the county and state. He recalled Board discussion concerning the meeting time change and commented on a public meeting on the proposed Moyock park that Commissioner Gilbert did not attend. Commissioner Gilbert responded, saying she was at another Moyock public meeting scheduled for the same time.

With no one else signed up to speak, Chairman Griggs closed the Public Comment period.

Chairman Griggs recessed the regular meeting.

### **SPECIAL MEETING**

During its regular meeting held August 1, 2016, The Currituck County Board of Commissioners recessed its regular meeting and reconvened sitting as the Tourism Development Authority in the Historic Courthouse Board Meeting room, 153 Courthouse Road, Currituck, NC. Tourism Director Tameron Kugler, as a member of the Tourism Development Authority, was seated with the Board.

#### **1. Travel & Tourism Departmental Report and Update-Tameron Kugler, Director**

Tameron Kugler, Director of Travel & Tourism, used a powerpoint and presented the new tourism website homepage and reviewed departmental milestones reached over the past year. She reported on billboard and commercial marketing and partnerships with the Wildlife Resources Commission, the Lighthouse, and property management companies in an effort to expand programming and services. Financial data was reported for Historic Corolla Park, noting revenue generated was \$176,981.89. Mr. Scanlon reported on the operating cost and the reduced contribution to operations of almost \$300,000 less than the prior year, freeing up \$350,000 of occupancy tax to use elsewhere. A spreadsheet was distributed showing financial data for tours, events, retail sales, and rentals.

Commissioner Beaumont said vendors he spoke with touted the success of this year's Under the Oaks art festival. Ms. Kugler credited the success to the two event planners, Gina Martin and Kim Sawyer.

Ms. Kugler discussed the future restroom facility and other changes planned at the park. She updated the Board on the acquisitions and exhibits in Whalehead, announced upcoming events and showed pictures of the new signage at Historic Corolla Park.

Board members commended Ms. Kugler and her staff.

Commissioner Aydlett said he saw people in the park at 8 AM Saturday morning and said a function might be considered for those he believes are arriving early for check-in to their vacation rentals.

## 2. TDA-Budget Amendments

Mr. Scanlon reviewed the budget amendment with the Board. Commissioner Beaumont moved to approve the budget amendment. Chairman Griggs seconded and the motion carried unanimously.

With no further business Chairman Griggs closed the special meeting of the Tourism Development Authority and reconvened the regular meeting of the Board of Commissioners.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
15447-587010	T T - Operating Fund	\$ 124,500	
15320-415000	Occupancy Tax		\$ 124,500
		<u>\$ 124,500</u>	<u>\$ 124,500</u>
<b>Explanation:</b>	Occupancy Tax - Tourism Related Expenditures (15447) - Increase appropriations for Moyock Mega-site masterplan		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$124,500.		

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul M. Beaumont, Commissioner
<b>SECONDER:</b>	David L. Griggs, Board Chairman
<b>AYES:</b>	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner

## CLOSED SESSION

After closing the special meeting of the Tourism Development Authority, Chairman Griggs reconvened the regular meeting of the Board of Commissioners.



3. **Amended Agenda:** Add Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney in order to preserve the attorney-client privilege and to receive advice from the County Attorney regarding a claim against the county and for the following pending lawsuit: Price Solar, LLC v. Currituck County

Chairman Griggs entertained a motion to enter closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: Price Solar, LLC v. Currituck County.

Commissioner Aydlett moved to enter Closed Session, seconded by Commissioner Gilbert. The motion carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	O. Vance Aydlett, Vice Chairman
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner

## ADJOURN

### Motion to Adjourn Meeting

After returning from Closed Session, and with no further business, Commissioner Payment moved to adjourn. The motion was seconded by Commissioner Aydlett, carried unanimously, and the regular meeting of the Board of Commissioners was concluded.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike H. Payment, Commissioner
<b>SECONDER:</b>	O. Vance Aydlett, Vice Chairman
<b>AYES:</b>	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1636)

**Agenda Item Title**

Budget Amendments

**Brief Description of Agenda Item:**

**Board Action Requested**

Action

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**

number

2017006

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 15th day of August 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-561000	Professional Services	\$ 8,950	
10380-488400	ABC Profits		\$ 8,950
		<u>\$ 8,950</u>	<u>\$ 8,950</u>

**Explanation:** Sheriff (10510) - Increase appropriations for annual law enforcement policy review. This was previous paid by the State and has been passed to the County for this fiscal year.<sup>4</sup>

**Net Budget Effect:** Operating Fund (10) - Increased by \$8,950.

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

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

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

Attachment: Bud Amends\_Aug 15-BOC (1636 : Budget Amendments)

Number

2017007

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 15th day of August 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10330-432200	HCCBG In Home	\$ 25,082	
10752-519700	HCCBG In Home		\$ 6,227
10390-499900	Fund Appropriate Balance		\$ 18,855
		<u>\$ 25,082</u>	<u>\$ 25,082</u>

**Explanation:** *PUBLIC ASSISTANCE (10752)* - Decrease HCCBG In Home to reflect the actual amount of allocated funds of the County Funding Plan from Albemarle Commission.

**Net Budget Effect:** Operating Fund (10) -Decreased by \$25,082.

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

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

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

Attachment: Bud Amends\_Aug 15-BOC (1636 : Budget Amendments)



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1632)

**Agenda Item Title**

Resolution to Surplus Water Department Assets

**Brief Description of Agenda Item:**

**Board Action Requested**

Action

**Person Submitting Agenda Item**

Sandra Hill, Director

**Presenter of Agenda Item**

Daniel F. Scanlon



## R E S O L U T I O N

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on August 15, 2016, authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be disposed of by sale on GovDeals or transferred to another unit of Government or Volunteer Fire Department:

Asset	Description
6299	2007 Ford F150 4x4 1FTPX14V57FA61552
5881	2004 Ford F150 4x4 2FTRX18W64CA65533
5732	2004 Ford F150 4x4 1FDSF35L84EA26992
6011	2006 Ford F150 4x4 1FTPX14586NA13127
6569	2008 Ford F450 4x4 1FDXF47R48EC92965
6086	1990 Ford Bucket Truck 1FDNF60H9LVA16696
3390	Ditch Witch Trenching Machine

Following Items were Purchased with Carolina Water:

Two 20Hp Berkley Pumps  
90" by 20' 7800 gallon horizontal Steel Tank

**ADOPTED**, this 15th day of August, 2016.

\_\_\_\_\_  
David L. Griggs  
Currituck County Board of  
Commissioners

ATTEST:

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

Attachment: ML Water Aug 15 (1632 : Resolution to surplus Water Department Assets)



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1637)

**Agenda Item Title**

Job Description Revisions-Custodian & Maintenance Repair Worker-Electrician

**Brief Description of Agenda Item:**

Revisions to job descriptions/duties for Public Works Department positions-Custodian and Maintenance Repair Worker-Electrician.

**Board Action Requested**

Action

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**

## CURRITUCK COUNTY JOB DESCRIPTION

### CUSTODIAN

#### GENERAL STATEMENT OF JOB

Under general supervision, performs a variety of custodial work in the care and maintenance of County buildings and facilities. Work involves sweeping, mopping and using vacuum cleaners to clean floors; washing walls, woodwork and fixtures; and policing buildings to empty trash receptacles and pick up debris, etc. Reports to the Superintendent of Buildings.

#### Essential Job Functions

Dusts and cleans desks and other furniture.

Sweeps, mops, scrubs and vacuums floor surfaces; schedules floor work to ensure least possible disruption of work routines in buildings and offices.

Cleans and sanitizes restroom facilities and fixtures, and replenishes paper supplies and soap as necessary.

Cleans windows, walls, woodwork, blinds and light fixtures.

Empties trash receptacles and deposits collected refuse in proper receptacles; deposits recyclable material in proper receptacles.

Patrols buildings to inspect for safety or maintenance problems; addresses or reports problems as necessary; unlocks County buildings in the mornings.

Stocks supplies in central supply room as received.

Procures and maintains inventory of janitorial supplies (cleaning supplies and products, paper and soap supplies, trash can liners, etc.)

Polices the buildings and grounds daily looking for any abnormalities, picking up trash, litter or other debris; notifies Maintenance when there is an issue that needs to be addressed with buildings and grounds.

Maintains book of Safety Data Sheets (SDS) for all products used in the performance of duties.

#### Additional Job Functions

Emergency or accident cleanup on call for spills, messes, broken glass, etc.  
May supervise community service workers.

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

Performs other duties as assigned.

**Customer Service**

This is a front-line position for providing excellent customer service to members of the general public and other County employees through personal contact.

**Minimum Training and Experience**

Demonstrated ability to read and write, with graduation from high school preferred, and some experience in custodial work; or any equivalent combination of training and experience which provides the required knowledge, skills and abilities.

**Special Requirements**

Possession of a valid North Carolina driver's license.

**Minimum Qualifications or Standards Required to Perform Essential Job Functions**

**Physical Requirements:** Must be physically able to operate a variety of machinery and equipment, including vacuum cleaners, brooms, mops, etc. Must be able to exert up to 50 pounds of force occasionally, and/or up to 20 pounds of force frequently, and/or up to 10 pounds of force constantly to move objects. Physical demand requirements are for light to medium 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 simple correspondence and forms. Requires the ability to prepare time sheets and leave slips using prescribed format. 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 record and deliver information, to explain procedures, 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.

**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 janitorial equipment.

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

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

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

Physical Communication: Requires the ability to talk and hear: (Talking – expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.)

### **Knowledge, Skills and Abilities**

General knowledge of the standard methods, materials and equipment employed in janitorial work.

General knowledge of the physical layout of County buildings and facilities.

Some knowledge of cleaning procedures and the use of cleaning materials.

Ability to use common cleaning tools and equipment.

Ability to understand and follow oral and written instructions.

Ability to perform medium physical work.

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

ED: 8/15/2016 (REV: BOC)



## CURRITUCK COUNTY JOB DESCRIPTION

### JOB TITLE: MAINTENANCE/REPAIR WORKER - ELECTRICIAN PUBLIC WORKS DEPARTMENT

#### GENERAL STATEMENT OF JOB

Under general supervision, maintains County grounds and buildings by making electrical, mechanical, and plumbing repairs as needed. Work involves operating light machinery and equipment. Employee is responsible for servicing and maintaining tractors, mowers and other equipment. Reports to the Maintenance Supervisor.

#### SPECIFIC DUTIES AND RESPONSIBILITIES

##### ESSENTIAL JOB FUNCTIONS

Responds to all electrical installation and repair needs in/on County owned/leased buildings and grounds.

Carry out work order requests while coordinating duties to correspond with other workers, batching work orders in geographic locations to the greatest extent possible.

Mows and trims grass with power mowers and string trimmers; prunes shrubbery; edges curbs and walkways; weeds flower beds; polices grounds, picking up debris and depositing in proper receptacle.

Performs preventive maintenance and minor repairs on tractors, mowers, vehicles, system components in buildings and other County owned equipment.

Make electrical, mechanical, and plumbing repairs to keep County buildings in functional condition. Pressure washing buildings, carpentry work, painting and other trade work as necessary to keep County Buildings in top aesthetic condition.

Procures materials and supplies for building maintenance.

~~Empties trash containers at beach access locations, cleans beach access restroom facilities following in season and out of season schedules.~~

Supervision of community service workers as assigned.

Work involves use of ladders, aerial lift devices, tractors, loaders, backhoes, dump trucks and trailers, chain saws, power tools, solvents, paints, cleaning compounds, epoxies and petroleum products and personal safety equipment.

Emergency cleanup and/or repairs may extend after hours.

Must follow rules, methods and safe handling in connection with bloodborne pathogens.

## **MAINTENANCE/REPAIR WORKER ELECTRICIAN**

Stays informed of trends and legislation regarding energy saving equipment and fixtures.

Maintains current knowledge of electrical building code.

### **ADDITIONAL JOB FUNCTIONS**

Set up voting election poles polling sites and Christmas decorations..

Work with various community groups performing such tasks as unloading food commodities and delivering food to distribution points.

Assumes duties of Custodian, as necessary, ensuring adherence to established policies, procedures and standards.

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.

### **CUSTOMER SERVICE**

This is a front-line position for providing excellent customer service to members of the general public and other County employees. Personal contact occurs with the employees of the unit, employees of other departments in the County, citizens and customers of the department. Service is provided in person, by telephone contact and electronic means.

### **MINIMUM TRAINING AND EXPERIENCE**

Graduation from high school and demonstrated ability to perform electrical, mechanical, and plumbing work; or any equivalent combination of training and experience which provides the required knowledge, skills and abilities. Licensed electrician with five or more years of experience.

### **SPECIAL REQUIREMENT**

Possession of a valid North Carolina driver's license.

Possession and maintaining a valid NC Electrical Contractor License.

Certification in chain saw operation and maintenance ~~may be~~ is required within two years of employment date.

Public Health Pesticide Applicator's License (mosquito control) and Turf & Ornamental Pesticide/Herbicide Applicator's License ~~may be~~ is required within two years of employment date.

## MAINTENANCE/REPAIR WORKER ELECTRICIAN

North Carolina Commercial Drivers License ~~may~~ is be required.

Aerial Lift Certification is preferred.

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

**Physical Requirements:** Must be physically able to operate motor vehicles, including tractors and mowers. Must be able to exert up to 75 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 25 pounds of force constantly to move objects. Requires the ability to maintain body equilibrium when bending, stooping, crouching, climbing, reaching and/or stretching arms, legs or other part of body and to physically maneuver over and/or upon varying terrain, surfaces or physical structures. Physical demand requirements are those for Medium to Heavy 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 various landscape maintenance tools and equipment.

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

## MAINTENANCE/REPAIR WORKER ELECTRICIAN

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

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

**Physical Communication:** Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.)

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

Working knowledge of the standard methods, materials and equipment employed in electrical, mechanical, and plumbing operations.

Ability to operate and maintain motorized machinery and equipment used in grounds preparation and maintenance.

Ability to understand and learn the occupational hazards and proper safety precautions to be taken in maintenance/repair work.

Ability to perform strenuous work under varying weather conditions.

Ability to understand and follow oral and written instructions.

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

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

ED: 08/15/2016 (REV: BOC)



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1641)

**Agenda Item Title**

Amended Item-Consideration of Alcohol Use Application-Soundside Park

**Brief Description of Agenda Item:**

A revised application has been submitted changing the non-profit for the Rock the 252 event at Soundside Park. OBX FOOLS has replaced Beach Food Pantry as the applicant for the event.

**Board Action Requested**

Action

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**



## APPLICATION FOR ALCOHOL BEVERAGES AT SPECIAL EVENTS ON COUNTY-OWNED PROPERTY

Please complete form & return to County Manager's Office 153 Courthouse Road, Suite 204 Currituck, NC 27929  
Fax 252-232-3551 Email: leeann.walton@currituckcountync.gov

Contact Information					
Name of Applicant	WILLIE WIMMER				
Organization Name	NORTHERN NC FOOLS				
Address	PO BOX 1825				
City, State & Zip	KITTY HAWK, NC 27949				
Phone			Cell Number	(252) 489-9066	
Email	nencfools@gmail.com				
Event Information					
Name of Event	Rock the 252				
Date of Event	Weds 8/31/16				
Assembly Area (Please check one)	<input type="checkbox"/> Knotts Island Ruritan Park		Time Period:	4 pm	
	<input type="checkbox"/> Historic Corolla Park		Time Period:	11 pm	
	<input checked="" type="checkbox"/> Soundside Park				
	<input type="checkbox"/> Currituck County Rural Center (CCRC)				
Approximate # of persons	500	ABC Permit From NC State Liquor Board	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
<b>Attachments:</b>					
<input checked="" type="checkbox"/> Types of alcoholic beverages to be served (i.e. beer, malt beverages, wine, liquor, etc.) beer, wine					
<input type="checkbox"/> Copy of ABC Permit Food Bank providing					
<input checked="" type="checkbox"/> Copy of Insurance Certificate showing the County as additional named secured <del>to be provided by the applicant</del>					
<input checked="" type="checkbox"/> Drawing or map of reserved area where the alcohol will be served - will email					
<input checked="" type="checkbox"/> Description of proposed special event and reasons for its occurrence - will email					
<b>Policy:</b>					
<ul style="list-style-type: none"> <li>Alcohol may be sold and/or served providing all local, state and federal alcohol laws and policies are adhered to, and any permits conspicuously posted;</li> <li>The non-profit organization shall secure all proper North Carolina ABC permits for each event;</li> <li>An area shall be designated and clearly marked where the possession and consumption of alcohol may occur during the event. The non-profit organization shall post a responsible person at each point of ingress/egress to the designated area to ensure that persons do not leave the designated area with an alcoholic beverage;</li> <li>Provide food during the event consisting of heavy hors d'oeuvres or a small meal;</li> <li>The nonprofit organization shall verify the age of persons to whom alcoholic beverages are disbursed and provide patrons wristbands or another</li> </ul>					

Done

Attachment: Special Events Permit Signed (1641 : Amended-Revised Application for Alcohol Use-Soundside Park)


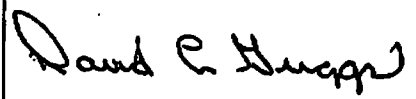


designating item to identify that they are of legal drinking age. The non-profit organization shall not serve alcohol to patrons that are intoxicated;

- Provide for clean-up of all debris/litter following the special event;
- Provide on-site signage for special event stating alcoholic beverages are prohibited beyond the approved permitted area and that underage drinking is prohibited;
- Furnish liability insurance in the amount of at least one million dollars with the County shown as the additional named insured;
- Non-alcoholic beverages must be available during the event;
- Patrons of the event may not bring alcoholic beverages into the event;
- Beverages may not be served in glass containers;
- The non-profit organization is responsible for the purchase and transportation of all alcoholic beverages;
- All event workers shall be provided with highly visible identification such as a button, badge, apron, uniform or other form of identification;
- A law enforcement officer must be retained by the non-profit organization and at the event from opening to closing of the event; and
- The non-profit organization shall comply with all county ordinances, rules and regulations.

If the event will be held at Historic Corolla Park the following additional rules will apply:

- The event planner must make application through the Travel and Tourism Department providing the same information as required for a non-profit organization special event permit;
- The event must be approved by the Travel and Tourism Director and a specific area of the grounds reserved for the private event;
- The event must take place and alcohol may be consumed only in the reserved area on the grounds;
- The private event must be catered and the event planner or caterer shall be responsible for any required North Carolina ABC permits;
- The event planner shall provide for cleanup of all debris/litter following the event;
- The event planner must furnish liability insurance in the amount of at least one million dollars with the County shown as the additional named insured;
- A law enforcement officer must be retained by the event planner and at the event from opening to closing of the event; and
- The event shall comply with all other Currituck County ordinances, rules and regulations.

Signature of Applicant:				Date:	8/15/16
<b>OFFICE USE ONLY</b>					
Date:	Approved:	Denied:	Chairman of Board of Commissioners:		
8/1/16	<input checked="" type="checkbox"/>				



# CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)  
 07/14/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Phone: 252-480-4600 Fax: 252-480-3377

 J. FLETCHER WILLEY AGENCY, INC.  
 P O BOX 848  
 103 W. WOOD HILL DRIVE, SUITE C  
 NAGS HEAD NC 27959

CONTACT NAME: J. Fletcher Willey Agency, Inc.

PHONE (A/C, No, Ext): 252-480-4600

FAX (A/C, No): 252-480-3377

E-MAIL:

ADDRESS:

PRODUCER:

CUSTOMER ID: 4332

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: United States Liability Insurance

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

WILLIE WINNER  
 C/O NORTHERN NC FOLDS  
 PO BOX 1825  
 KITHY HAWK, NC 27949

**COVERAGES**

CERTIFICATE NUMBER: 13492

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X		CL1762729	08/31/16	08/31/16	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED. EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY						
	<input type="checkbox"/> ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> NON-OWNED AUTOS						
	UMBRELLA LIAB						
	EXCESS LIAB						EACH OCCURRENCE \$
	DEDUCTIBLE						AGGREGATE \$
	RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						WC STATUTORY LIMITS \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						OTH \$
							E.L. EACH ACCIDENT \$
							E.L. DISEASE-EA EMPLOYEE \$
							E.L. DISEASE-POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

**CERTIFICATE HOLDER**
**CANCELLATION**

 County of Currituck  
 153 Courthouse Road  
 Currituck, NC 27929

Attention:

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Adriane Little*  
 Adriane Little

ACORD 25 (2009/09)

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Attachment: Special Events Permit Signed (1641 : Amended-Revised Application for Alcohol Use-Soundside Park)



# CURRITUCK PARKS AND RECREATION DEPARTMENT PARK FACILITY RENTAL AGREEMENT

## FEES:

PICNIC SHELTER - \$25 FOR 1/2 DAY, \$50 DAILY (MINIMUM \$25)

## PARKS -

KNOTTS ISLAND, VETERAN'S MEMORIAL, AND WALNUT ISLAND \$200/DAY  
MAPLE PARK \$300/DAY  
MAPLE GATE PARK \$200/DAY  
SOUND PARK \$500/DAY

(ENTIRE PARK MAY BE CLOSED TO THE PUBLIC A MAXIMUM OF 3 DAYS IN ONE MONTH)

DATE: 7/6/16

FACILITY: Sound Park (whole park) + (Stage + Canopy)

RENTAL DATE(S): Weds, August 31, 2016 HOURS 4pm - 10pm

RENTER: NORTHERN NC FOOLS / WILLIE WIMMER

ADDRESS: PO Box 1825

EMAIL ADDRESS: nencfools@gmail.com

CITY: Kitty Hawk STATE NC ZIP 27949

PHONE: H) (252) 489-9060

RENTAL FEE: \_\_\_\_\_ DATE REQUIRED \_\_\_\_\_

## RENTAL AGREEMENT

1. NO ALCOHOLIC BEVERAGES, FIREARMS, OR ILLEGAL SUBSTANCES ALLOWED ON PREMISES.
2. NO LIVE ENTERTAINMENT ALLOWED WITHOUT PRIOR APPROVAL.
3. RENTER IS RESPONSIBLE FOR ANY VANDALISM OR DAMAGES RESULTING FROM USE OF THE FACILITY.
4. THE RECREATION DEPARTMENT RESERVES THE RIGHT TO REVOKE THE USE PRIVILEGE DUE TO RENTERS FAILURE TO OBEY RULES AND REGULATIONS.
5. THE RECREATION DEPARTMENT RESERVES THE RIGHT TO REQUIRE STAFF, SECURITY, AND/OR PROOF OF LIABILITY INSURANCE.
6. RENTER AGREES TO PLACE ALL TRASH IN CANS AND DO GENERAL CLEAN UP.
7. RENTER MUST PROVIDE VALID DRIVERS LICENSE. PHOTOCOPY MUST BE ATTACHED TO RENTAL AGREEMENT.
8. RENTER IS RESPONSIBLE FOR OBEYING ALL RULES AND REGULATIONS AS SET OUT IN CHAPTER 10, ARTICLE III, OF THE CURRITUCK COUNTY CODE OF ORDINANCES.

RENTER: Willie Wimmer

PARKS REPRESENTATIVE: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 1642)

**Agenda Item Title**

Amended Item-Closed Session pursuant to G.S. 143.318.11(a)(3) to consult with the County Attorney in order to preserve attorney-client privilege and receive advice from the County Attorney and for the following pending lawsuits: Swan Beach Corolla, LLC v. Currituck County.

**Brief Description of Agenda Item:**

**Board Action Requested**

Discussion

**Person Submitting Agenda Item**

Leeann Walton, Clerk to the Board

**Presenter of Agenda Item**