



**Board of Commissioners
Agenda Packet**

January 4, 2016

5:00 Call to Order

- A) Invocation & Pledge of Allegiance-Reverend Walter Gallop, Air Force Chaplain, Retired
- B) Approval of Agenda

Administrative Reports

- A) **Resolution of the Albemarle Regional Solid Waste Authority Admitting Washington County as a Member of the Authority**
- B) **Release and Overview of Revised Flood Maps**

Public Hearings

- A) **Public Hearing & Action-PB 84-11 Corolla Light Phase 3:** Request to amend the approved sketch plan/master plan and use permit to allow construction of a stand-alone restaurant and six (6) two bedroom apartment units within the Corolla Light Phase 3 (Corolla Light Town Center). The property is located 1159 Austin Street, Corolla, Tax Map 115B, Parcel 2P2B, Poplar Branch OBX Township.
- B) **Public Hearing & Action-PB 15-20 Spruill Sand Mine:** Request a use permit for an extractive industry (sand mine) at an existing mine (replacing expired use permit) located in Moyock at 913 Caratoke Highway, Tax Map 15, Parcels 31 and 32B, Moyock Township.
- C) **Public Hearing & Action-PB 15-13 Currituck County Solar Arrays:** Request to amend Chapter 4: Use Standards to offer a setback reduction with additional landscape standards for solar arrays, require conditional zoning for the use, and only allow the use in the Agricultural (AG) zoning district.
- D) **Public Hearing and Action on Resolution Creating the Backwoods Reserve-Saddlebrook Water Service District**

New Business

- A) **Consideration and Action on Ordinance Amending Chapter 2, Article III of the Code of Ordinances to Establish the Animal Services and Control Advisory Board**
- B) **Board Appointments**
 - 1. Senior Citizens Advisory Board
 - 2. Library Board of Trustees
 - 3. Planning Board
 - 4. Economic Development
 - 5. Recreation Advisory Board
- C) **Consent Agenda**
 - 1. Approval Of Minutes-December 7, 2015

2. Petition for Road Addition-Shangrila Subdivision, Moyock
3. Certification of Review-Board of Education Facility Needs Survey

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

Ocean Sands Water and Sewer District Board

Closed Session

Closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney and to preserve the attorney-client privilege regarding the matter captioned Swan Beach Corolla, LLC v. Currituck County.

Adjourn



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1379)

Agenda Item Title

Resolution of the Albemarle Regional Solid Waste Authority Admitting Washington County as a Member of the Authority

Brief Description of Agenda Item:

Albemarle Regional Solid Waste Management Authority (ARSWMA) is a county-level legal entity serving the Counties of Perquimans, Chowan, Gates, Dare, Currituck, Hyde and Tyrrell in northeastern North Carolina. It also serves the towns within these counties with the exception of the Town of Duck.

The purpose of a regional solid waste management authority is to provide environmentally sound, cost effective management of solid waste, including storage, collection, transporting, separation, processing, recycling, and disposal of solid waste in order to protect the public health, safety, and welfare; enhance the environment for the people of the state; and recover resources and energy which have the potential for further use and to encourage, implement and promote the purposes set forth in Part 2A of Article 9 of Chapter 130A of the General Statutes (NCGA, 2012).

Washington County desires to become a member of the Authority.

Board Action Requested

Action

Person Submitting Agenda Item

Daniel Scanlon, County Manager

Presenter of Agenda Item

Daniel F. Scanlon

**RESOLUTION OF THE
ALBEMARLE REGIONAL SOLID WASTE MANAGEMENT AUTHORITY
ADMITTING WASHINGTON COUNTY AS A MEMBER OF THE AUTHORITY**

WHEREAS, Chowan, Currituck, Dare, Gates, Hyde, Perquimans and Tyrrell Counties (collectively, the "Member Units") agreed to take action pursuant to Chapter 153A, Article 22 of the General Statutes to create the Albemarle Regional Solid Waste Management Authority (the "Authority") by resolution dated September 21, 1992 ("Initial Resolution"); and

WHEREAS, the Member Units unanimously agreed, pursuant to Article XI of the Initial Resolution, to amend the Initial Resolution, and adopted the First Amendment to Resolution Establishing Albemarle Regional Solid Waste Management Authority on March 26, 2009; and

WHEREAS, Washington County desires to become a member of the Authority.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby admits Washington County as a member of the Authority, subject to the following terms, conditions and agreements:

1. Washington County shall pay to the Authority \$42,607.13 within thirty (30) days after the date of this Resolution.
2. Washington County shall approve and execute the Member Waste Management Agreement between Washington County and the Authority.
3. Washington County shall approve the First Amendment to Waste Supply and Disposal Agreement between the Authority and Republic Services of North Carolina, LLC.
4. Washington County shall approve and execute the Second Amendment to Resolution Establishing Albemarle Regional Solid Waste Management Authority.

If Washington County fails to take the actions set forth in Paragraphs 1-4 above within sixty (60) days from the date of this Resolution, Washington County's admission to the Authority shall be withdrawn and shall be null and void with no legal effect.

[SIGNATURE ON FOLLOWING PAGE]

FINAL



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1375)

Agenda Item Title

Release and Overview of Revised Flood Maps

Brief Description of Agenda Item:

Board Action Requested

Information

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Ben Woody



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1349)

Agenda Item Title

Public Hearing & Action-PB 84-11 Corolla Light Phase 3:

Brief Description of Agenda Item:

Request to amend the approved sketch plan/master plan and use permit to allow construction of a stand-alone restaurant and six (6) two bedroom apartment units within the Corolla Light Phase 3 (Corolla Light Town Center). The property is located 1159 Austin Street, Corolla, Tax Map 115B, Parcel 2P2B, Poplar Branch OBX Township.

Planning Board Recommendation:

Planning Board Recommendation:

Mr. Craddock moved to approve PB 84-11 as presented because it will not endanger the public health or safety, will not negatively affect the surrounding properties, and it is in conformity with the Land Use Plan. Mr. Bell seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Jason Litteral,

Presenter of Agenda Item

Ben Woody

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: January 4, 2016
PB 84-11 Corolla Light Phase 3 Amended Sketch/Use Permit

ITEM: PB 84-11 Corolla Light Phase 3 Amended Sketch/Use Permit

LOCATION: 1159 Austin Street, Corolla, Poplar Branch Township.

TAX ID: 115B0002P2B0000

ZONING DISTRICT: SFO (Single Family Outer Banks) with PUD Overlay and General Business Allocation.

PRESENT USE: Shopping Center/Apartments

OWNER: Corolla Light Town Center, LLC

APPLICANT: Corolla Light Town Center, LLC
c/o Pete Kuaffman, P.O. Box 190
Nags Head, NC 27959

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Wastewater Treatment/Laundry/Bath House	SFO/PUD/GB
SOUTH	Single Family Dwellings	SFO/PUD
EAST:	Single Family Dwellings	SFO/PUD
WEST:	Single Family Dwellings	SFO/PUD

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Corolla subarea.

SIZE OF SITE: 6.35 acres

NUMBER OF UNITS: Phase 3 (32 units)
Corolla Light Total (595)

PROJECT DENSITY: Phase 3 (5.04 units/acre)
Corolla Light Total (2.47 units/acre)

UTILITIES: Water will be provided by SOBWS and wastewater will be provided by Utilities Inc. (Carolina Water). Wastewater demands for the project are 8,485 gpd.

PUD ALLOCATION: Total Land Area (267.05 acres)
Total Open Space (128.51 acres)
Commercial Allocation (26.53 acres)

I. NARRATIVE OF REQUEST:

The applicant is requesting an amendment to the approved sketch plan/master plan to allow construction of a stand-alone restaurant and six (6) two bedroom apartment units within the Corolla Light Phase 3 (Corolla Light Town Center). These uses were previously approved within Phase 3 but the original approval has since expired. Both restaurants and apartments currently exist within the Town Center.

II. QUESTION(S) BEFORE THE BOARD:**Special Use Permit Criteria and Staff Findings:**

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

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

It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that the use will not endanger the public health or safety.

Preliminary Staff Findings:

- a. The proposal is for the addition of a restaurant and small apartments in an existing shopping center within the Corolla Light PUD which already contains these uses.
- b. Adequate wastewater, water, parking, and other infrastructure exists on-site to fully support the proposed addition.

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

It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that 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 Staff Findings:

- a. As noted above, the proposed additions will be contained entirely within an existing shopping center which already contains the proposed uses.
- b. By nature of the existing shopping center, the proposed additions are fully in harmony with the area in which they are located.

3. *The special use will be in conformity with the Land Use Plan or other officially adopted plan.*

It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that the use will be in conformity with the Land Use Plan and other officially adopted plans.

Preliminary Staff Findings:

The 2006 Land Use Plan classifies this site as **full service** within the **Corolla** subarea. Insert LUP classification narrative. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY OB2: So as to minimize COMMERCIAL STRIP DEVELOPMENT and maximize the traffic moving capability of NC 12, Currituck County shall encourage commercial development to cluster at appropriate locations rather than dispersing along NC 12.

POLICY CD3: LARGE COMMERCIAL CENTERS should be located adjacent to the intersections of major roadways; planned concentrations of employment and housing should be encouraged to locate convenient to these centers.

4. *The special 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. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).*

It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that 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.

Preliminary Staff Findings:

- a. The proposed use is minimal in nature and conforms to other typical commercial and residential demands.
- b. Adequate infrastructure exists for the purpose proposed additions
- c. The residential units are anticipated to be primarily employee housing and will therefore result in insignificant school demand.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval of the Amended Sketch Plan and Use Permit as submitted.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Craddock moved to approve PB 84-11 as presented because it will not endanger the public health or safety, will not negatively affect the surrounding properties, and it is in conformity with the Land Use Plan. Mr. Bell seconded the motion and motion carried unanimously.

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

PLANNING BOARD DISCUSSION: (12/8/15)

Andy Deel, Deel Engineering appeared before the board and was sworn in.

Jason Litteral presented the staff report.

Mr. Cooper asked if the proposed project in any way adversely affects previously approved drainage or lot coverage requirements.

Mr. Litteral said no.

Mr. Cooper opened the public hearing.

Mr. Deel said this application is for a previously approved, which expired, amendment to the PUD that wasn't constructed. Mr. Deel clarified it is for six apartments and not twelve apartments.

Ms. Overstreet asked how this project will affect the parking in the shopping center.

Mr. Deel said they already have adequate parking for these uses and it will be reviewed during site plan submittal.

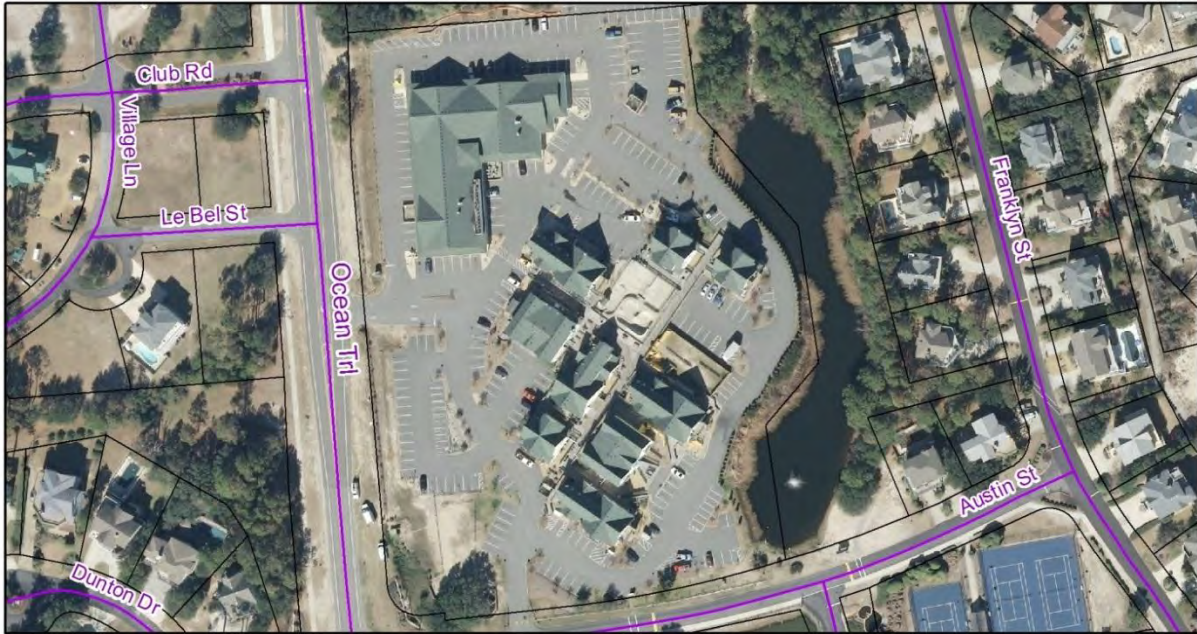
Mr. Wright asked if architecturally will it match the existing buildings.

Mr. Deel said yes.

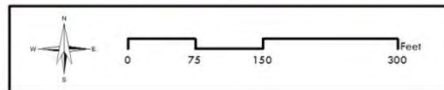
Mr. Cooper closed the public hearing.

Mr. Craddock moved to approve PB 84-11 as presented because it will not endanger the public health or safety, will not negatively affect the surrounding properties, and it is in conformity with the Land Use Plan. Mr. Bell seconded the motion and motion carried unanimously.

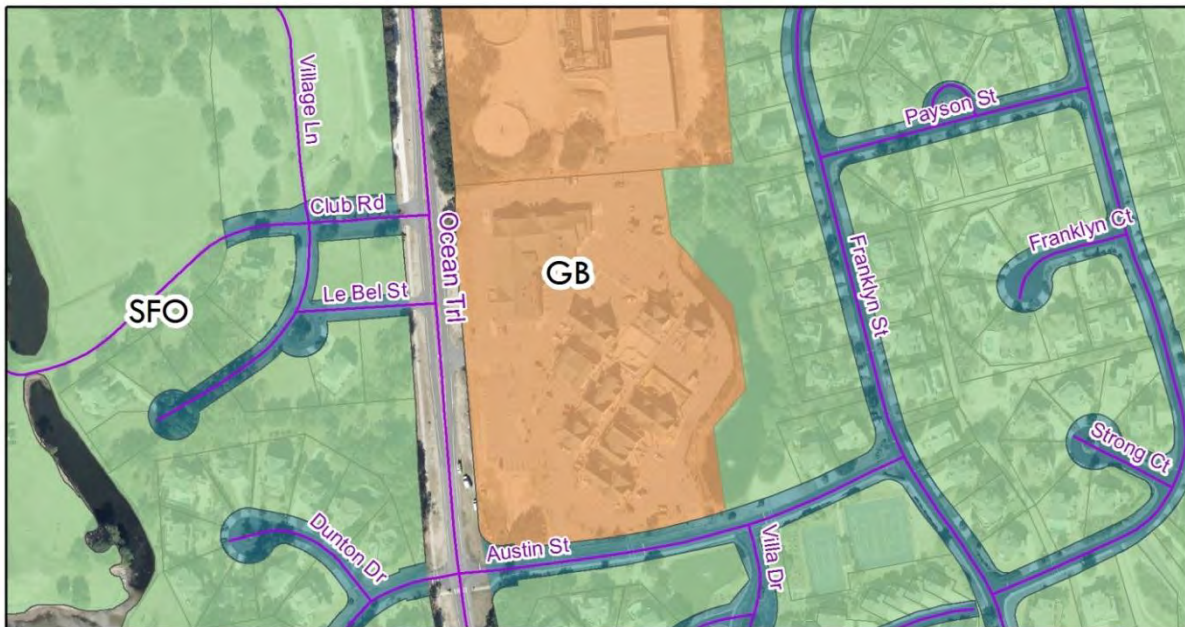
RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 1/4/2016 5:00 PM
MOVER:	Steven Craddock, Board Member	
SECONDER:	Bobby Bell, Board Member	
AYES:	John Cooper, Chairman, Carol Bell, Vice Chairman, Bobby Bell, Board Member, Clay Cartwright, Board Member, Mike Cason, Board Member, Steven Craddock, Board Member, Jane Overstreet, Board Member, John Wright, Board Member	
ABSENT:	Fred Whiteman, Board Member	



PB 84-11 Corolla Light PUD
Aerial Map



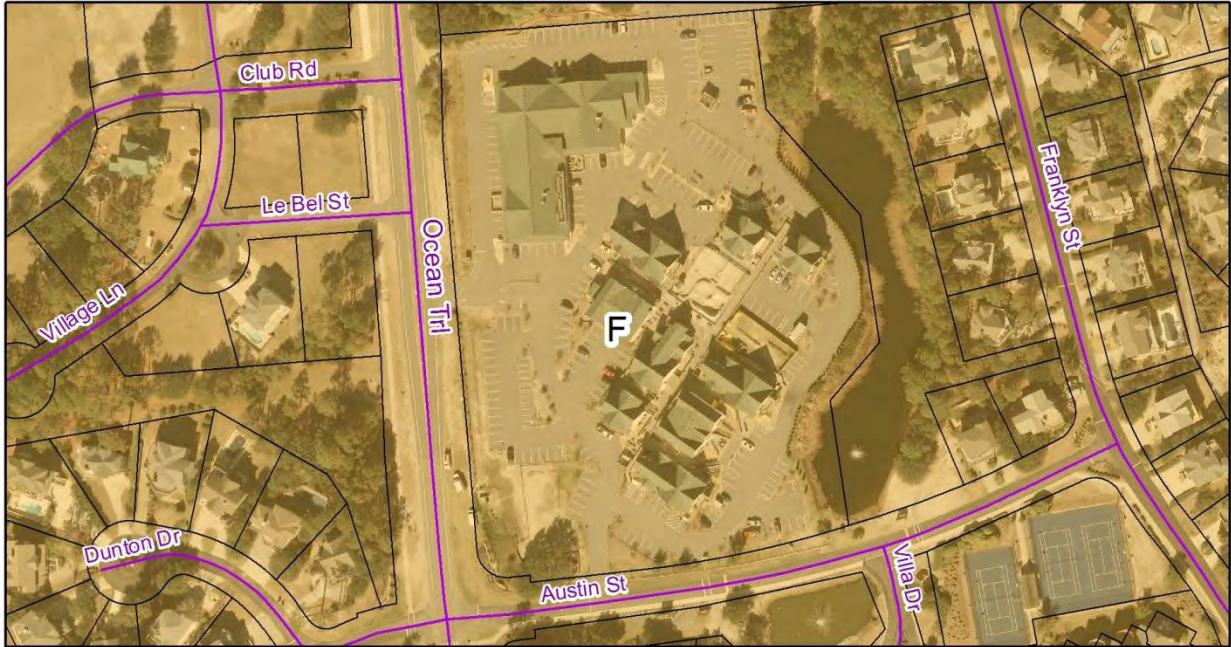
Currituck County
Planning & Community
Development



PB 84-11 Corolla Light PUD
Zoning Districts



Currituck County
Planning & Community
Development



PB 84-11 Corolla Light PUD
LUP Classifications



Currituck County
Planning & Community
Development

MEMORANDUM

To: Peter Kauffman, Corolla Light Town Center, LLC
David Deel, Deel Engineering, PLLC

From: Planning Staff

Date: December 11, 2014

Re: Corolla Light Amended Sketch Plan/Use Permit

The following comments have been received for the December 17, 2014 TRC meeting. In order to be scheduled for the January 13, 2014 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on December 22, 2014. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jason Litteral

Approved with comments

1. Please clarify the discrepancy between the total open space and the percent open space.
2. In the residential density table, please combine the existing apartments and future apartments lines to read (Existing and Future Apartments = 32).
3. Please be prepared to discuss options for preparing a cleaner sketch plan on which the open space shading, text, etc. is clearly visible.
4. This approval is for the amended sketch plan and use permit. Site plan approval is required prior to building permit issuance.

Engineering, Soil and Water: Mike, Michelle, Eric

Approval with corrections

1. Sewer Commitment Letter: Please confirm the 8,485gpd usage is referring to this proposed expansion.
2. This development will be reviewed for stormwater compliance at Major Site Plan submittal.

Currituck County Utilities, Pat Irwin

Approval with corrections:

Show water meter on plan. A master meter is required for the structure.

Currituck County Local Volunteer Fire Department

Approval with corrections:

Would like to see designated fire lanes, marked and signs, for the whole shopping area now that it's going to be fully developed.

Currituck County GIS, Harry Lee

Reviewed:

GIS will assign building addresses when building permits are applied for. Building floor plans and elevations may be required (for GIS) at that time.

Currituck County Parks and Recreation, Jason Weeks

No Comment

NC Division of Coastal Management, Charlan Owens

No Comment

NC State Archaeology, Lawrence Abbot

No Comment:

Project area is an existing shopping center. An archaeological survey is not recommended.

Albemarle Regional Health Services, Joe Hobbs

Reviewed:

Consult with health dept. (Joe Hobbs RS) concerning proposed restaurant approval at 252-232-6603. Developer will need to fill out a food establishment plan review application from health dept. and submit to health dept. for review. Thank you.



Major Subdivision Application

OFFICIAL USE ONLY:

Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information
APPLICANT:

Name: Corolla Light Town Center, LLC
 Address: c/o Pete Kauffman, P.O. Box 190
Nags Head, NC 27959
 Telephone: 252-449-9300
 E-Mail Address: pkauffman@oceanbuilders.com

PROPERTY OWNER:

Name: Corolla Light Town Center, LLC
 Address: c/o Pete Kauffman, P.O. Box 190
Nags Head, NC 27959
 Telephone: 252-449-9300
 E-Mail Address: pkauffman@oceanbuilders.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: same

Request

Physical Street Address: NC 12, Corolla, NC

Parcel Identification Number(s): 115B0002P2B0000

Subdivision Name: Corolla Light PUD

Number of Lots or Units: See Am. Sketch Pln

Phase: 3

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.

[Signature]
 Property Owner(s)/Applicant*

11/20/14
 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: November 13, 2014

Meeting Location: Corolla Light Town Center

Use Permit Review Standards, if applicable

PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat

Purpose of Use Permit and Project Narrative (please provide on additional paper if needed):
 This application proposes the construction of a stand-alone restaurant and six (6) two-bedroom apartment units within Corolla Light Phase 3 (Corolla Light Town Center). These uses were previously approved within Phase 3 but the original approval has since expired.

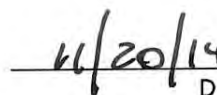
The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

- A. The use will not endanger the public health or safety.
 The proposal is for the addition of a restaurant and small aptmnts in an existing shopping center within the Corolla Light PUD which already contains these uses. Adequate wastewater, water, parking, and other infrastructure exists on-site to fully support the proposed addition.
- 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.
 As noted above, the proposed additions will be contained entirely within an existing shopping center which already contains the proposed uses. By nature of the existing shopping center, the proposed additions are fully in harmony with the area in which they are located.
- C. The use will be in conformity with the Land Use Plan or other officially adopted plan.
 The use is already approved and existing for this location via the Corolla Light PUD. This proposal simply adds a single restaurant and six apartment units to the existing mixed-use shopping center.
- 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.
 The proposed use is minimal in nature and conforms with other typical commercial and residential demands. As noted in Item A, adequate infrastructure exists for the proposed additions. The residential units are anticipated to be primarily employee housing and will therefore result in insignificant school demand.

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.



Property Owner(s)/Applicant*



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.

Major Subdivision Submittal Checklist – Preliminary Plat

Staff will use the following checklist to determine the completeness of your application for preliminary plat within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

Major Subdivision**Submittal Checklist – Preliminary Plat**

Date Received: _____

TRC Date: _____

Project Name: Amended Sketch Plan - Corolla Light PUDApplicant/Property Owner: Corolla Light Town Center, LLC**Major Subdivision – Preliminary Plat Submittal Checklist**

1	Complete Major Subdivision application	✓
2	Complete Use Permit Review Standards, if applicable	N/A
3	Application fee at Preliminary Plat (\$100 per lot) or \$250 for amended plats	✓
4	Community meeting written summary, if applicable	✓
5	Preliminary Plat with professional's seal	✓
6	Existing features plan	✓
7	Proposed landscape plan, including common areas, open space set-aside configuration and schedule, required buffers, fences and walls, and tree protection plan	SITE PLAN
8	Stormwater management narrative and preliminary grading plan	N/A
9	Completely executed street name approval form	N/A
10	Septic evaluations by ARHS for each individual lot or letter of commitment from centralized sewer service provider	✓
11	Letter of commitment from centralized water provider, if applicable	✓
12	Wetland certification letter and map, if applicable	N/A
13	Geological analysis for development or use of land containing a significant dune, if applicable	N/A
14	Economic and public facilities impact narrative, if required by administrator	N/A
15	Conservation Subdivision: Approved conservation and development plan	N/A
16	5 copies of plans	✓
17	1- 8.5" x 11" copy of plan	✓
18	5 hard copies of ALL documents	✓
19	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	✓

For Staff Only**Pre-application Conference**Pre-application Conference was held on November 13, 2014 and the following people were present:Please See Attached Sign-in Sheet**Comments**



September 14, 2015

Mr. Peter J. Pinto, Manager
Corolla Light Town Center, LLC
c/o Peter Kauffman,
Ocean Builders for Corolla Light Town Center

Re: April 23, 2009 Willingness to Serve / Capacity Confirmation Letter
Wastewater for Corolla Light Town Center
Corolla Light PUD, Currituck County, NC

Dear Mr. Pinto,

Per your request through Mr. Peter Kauffman, I am sending this confirmation that our April 23, 2009 letter (Signed by Martin Lashua) for Wastewater Service for the proposed additions is still in effect.

If you have any questions, please feel free to contact me at 252-240-1398 or by email at dwllassiter@uiwater.com.

Sincerely,

A handwritten signature in black ink that reads "Danny Lassiter". The signature is fluid and cursive, with the first name "Danny" being more prominent.

Danny Lassiter
Regional Manager

A Utilities, Inc. company Carolina Water Service, Inc. of North Carolina

P.O. Box 240908 • Charlotte, NC 28224 • P: 704-525-7990 • F: 704-525-8174
5701 Westpark Dr., Suite 101 • Charlotte, NC 28217 • www.uiwater.com

Attachment: supporting documents (1349 : PB 84-11 Corolla Light Phase 3)



April 23, 2009

Mr. Peter J. Pinto, Manager
Corolla Light Town Center, LLC
c/o Quible & Associates, P.C.
P.O. Drawer 870
Kitty Hawk, NC 27949

Re: Water & Wastewater Utility Service - Buildings 4 and 12
Willingness to Serve / Capacity Confirmation Letter
Corolla Light Town Center
Corolla Light, PUD, Currituck County, NC

Dear Mr. Pinto,

I am in receipt of an April 2, 2009 written request for commitment confirmation filed on your behalf by Quible & Associates, P.C.. Carolina Water Service, Inc of North Carolina (CWSNC) is a franchised and regulated public utility company in the State of North Carolina and is the provider of water and wastewater utility service to the Corolla Light Town Center development property. This letter is to confirm that:

1. The Corolla Light Town Center continues to have a total allocated daily water and wastewater capacity of 24,000 gallons per day (gpd) in the current Corolla Light utility system.
2. As of the date of this letter and as justified in the aforementioned letter, 12,002 gpd of the 24,000 gpd allocation is currently utilized to serve all existing users in the Corolla Light Town Center mixed-use development.
3. There is sufficient capacity remaining to accommodate the proposed new construction / inclusion of Building 4 (six two-bedroom employee housing apartments) and Building 12 (100 seat restaurant) and an addition of 42 seats to the existing Wild Horse Café restaurant and this letter confirms our commitment to the Center and for these proposed additions.

All uses and all facilities within the center must not exceed the total allocation of 24,000 gpd and flow allocation must be designed in accordance to applicable regulatory requirements.

Should you have any questions, please do not hesitate to contact me directly in our Charlotte Office at 704-525-7990 (ext. 216) or by email at mjlashua@uiwater.com.

Sincerely

Martin Lashua
Regional Director

A Utilities, Inc. company Carolina Water Service, Inc. of North Carolina

P.O. Box 240908 • Charlotte, NC 28224 • P: 704-525-7990 • F: 704-525-8174
5701 Westpark Dr., Suite 101 • Charlotte, NC 28217 • www.uiwater.com



Elaine F. Marshall
Secretary

North Carolina

DEPARTMENT OF THE
SECRETARY OF STATE

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

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Search For New Non-Profits
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Instructions for E-Mail Notification
Non-Profits by county

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Placing and Viewing Orders
PDF Submission Instructions
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LINKS & LEGISLATION

Business Scams
IRS Information
Entities at Risk of Losing
...their Tax Exempt Status
KBBE B2B Annual Reports
SOSID Number Correction
Legislative Updates
Dept. of Revenue
NC Consumer Protection
NC Center for Non Profits
Dept. of Commerce
...Business License
DNC Business License

Date: 11/17/2014

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Corporation Names

Name	Name Type
NC COROLLA LIGHT TOWN CENTER, LLC	LEGAL

Limited Liability Company Information

SOSID:	0743766
Status:	Current-Active
Effective Date:	9/16/2004
Citizenship:	DOMESTIC
State of Inc.:	NC
Duration:	PERPETUAL
Annual Report Status:	CURRENT

Registered Agent

Agent Name:	JONES, RANDY L.
Office Address:	2015 EDENTON ST KILL DEVIL HILLS NC 27948-9498

Mailing Address:	PO BOX 733 KITTY HAWK NC 27949-0733
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Principal Office

Office Address:	2015 EDENTON ST KILL DEVIL HILLS NC 27948-9498
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Mailing Address:	PO BOX 733 KITTY HAWK NC 27949-0733
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Officers/Company Officials

Title:	MANAGER
Name:	RANDY JONES
Business Address:	PO BOX 733 KITTY HAWK NC 27949

Title:	MANAGER
Name:	PETER E KAUFFMAN
Business Address:	PO BOX 190 NAGS HEAD NC 27959

Attachment: supporting documents (1349 : PB 84-11 Corolla Light Phase 3)

Community Meeting Notes

Amended Sketch Plan

Corolla Light PUD

Corolla Light Phase 3

Meeting Location: Corolla Catering in the Corolla Light Town Center

Meeting Time: 11:00 a.m. on Thursday, November 13th 2014

Attendees: See attached sign-in sheets

The meeting began at approximately 11:05 a.m. on Thursday November 13th. Presiding over the discussion was David A. Deel, P.E. of Deel Engineering, PLLC and on-hand to represent the owner and help answer questions was Peter Kauffman of Ocean Builders, Inc.

Mr. Deel opened the meeting with an introduction to the proposed Amended Sketch Plan and the Corolla Light PUD, explaining that the proposal was to add a stand-alone 100 seat (+/-) restaurant in the southwest corner of the Corolla Light Town Center and a new 6 unit apartment building (2BR units) in the rear of the Town Center Site. The floor was then immediately opened to questions.

The questions ranged from questions about the proposed use of the adjoining site to the north (we don't know – it is not our land), to questions about existing site infrastructure and when cosmetic maintenance might occur on the other buildings. Specific to the proposed expansion were the following:

- There is a “pinch-point” in the parking lot immediately northeast of the proposed restaurant site... can this be addressed with restaurant construction. We responded that we would explore that possibility when preparing construction plans for the restaurant.
- A concern that the rear pond not be taxed further than what it was designed for. Again, they were told that this was an item that would be addressed during the Construction Plans stage.
- Will we be adding or reconfiguring parking? We responded that, with the exception of 7 parking spaces to be removed at the proposed apartment building, the parking will remain the same. We also shared the revised parking calculation showing an excess of spaces. This seemed to satisfy the question.

No opposition was expressed from the attendees. A general consensus in the feedback was that any addition which may promote more customer traffic into the site would be a positive.

Sign-In Sheet

Community Meeting

Corolla Light Phase 3 - Amended Sketch Plan

NAME	COMPANY / PROPERTY	E-MAIL ADDRESS	PHONE #
MONROE BAIRDEN	RETIRED	ripandjiffy@live.com	252-453-8202
FRANK KARKUFF	RETIRED	fkarkuff@charter.net	252-207-701
Jeff O'Brien	O'Brien Beach Building	jeff@jobobx.com	(252) 207-1571
Don & Rhonda Cheek	Corolla Light Resort	Don@corollalight.com	252-453-2455
Judie Grabski		judith.grabski@gmail.com	703-946-6460
Bob Magee		robertmagee@franklinrealtyadviser.com	804-447-2683
Pete Hartmann	Ocean Bullheads	PICTUREMAN @OCEANBULLHEADS.COM	252-449 9300
Bonnie Langdale	CLC	bonnie.langdale@gmail.com	561-693 8564
Ericot Stork	FLYING SMILES KITES	CATH@FLYINGMILESKITES.COM	453-8442
DREW KILKENNY		DREW.KILKENNY@gmail.com	914 571 9174
MATHEW Broughton	Cosmos Pizza	COSMOSPIZZAS@gmail	252 599-1108
PAUL TIMBERLAKE	UNCLE IRIS	PTIMBER@HOTMAIL	252 2075660
Jason Litteral	Currituck County	jason.litteral@currituckcounty.gov	232-6052

Sign-In Sheet

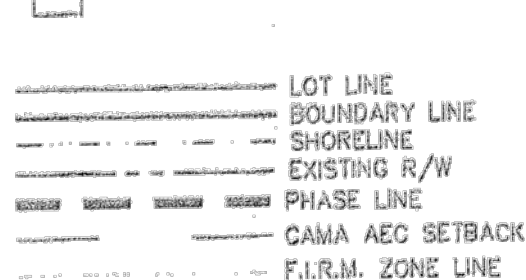
Community Meeting

Corolla Light Phase 3 - Amended Sketch Plan

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LEGEND:

OPEN SPACE



REFERENCES:

PHASE 1 - P.C. "B", SL 67-70
PHASE 1R - P.C. "B", SL 186-187
PHASE 1A - P.C. "B", SL 275
PHASE 2A - P.C. "B", SL 112-113
PHASE 2B - P.C. "B", SL 118
PHASE 2C - P.C. "B", SL 118
PHASE 2D - P.C. "B", SL 159
PHASE 2E - P.C. "B", SL 196-197
PHASE 2F - D.B. 325, PG. 438-442
PHASE 2G - P.C. "B", SL 323
PHASE 2H - P.C. "B", SL 323
PHASE 3 - D.B. 208, PG. 12-14
PHASE 4A - D.B. 352, PG. 410
PHASE 5A - P.C. "B", SL 194
PHASE 5B - P.C. "B", SL 200-201
PHASE 5C - P.C. "B", SL 306-307
PHASE 5D - P.C. "B", SL 313-314
PHASE 5E - P.C. "B", SL 393-399
PHASE 5F - P.C. "D", SL 49-51
PHASE 5H - P.C. "D", SL 37
PHASE 5J - P.C. "B", SL 160
PHASE 6A - P.C. "B", SL 288
PHASE 6B - P.C. "B", SL 338-339
PHASE 6C - P.C. "B", SL 338-339
PHASE 6D - P.C. "B", SL 338-339
PHASE 6E - P.C. "D", SL 48
PHASE 6F - P.C. "D", SL 210
PHASE 6G - P.C. "D", SL 48
PHASE 6K - P.C. "D", SL 210
PHASE 6M - P.C. "F", SL 61
PHASE 6P - P.C. "F", SL 61
PHASE 7A - CONDO BOOK 1 PG. 285
PHASE 7A - SEC. F - CONDO BOOK 1 PG. 29
PHASE 7A - SEC. G - CONDO BOOK 1 PG. 108-111
PHASE 7A - SEC. H - CONDO BOOK 1 PG. 23-28
PHASE 7B - P.C. "B", SL 533
PHASE 8 - P.C. "E", SL 144-145
PHASE 9A - P.C. "D", SL 66
PHASE 9A(R) - P.C. "F", SL 65
SOURCE DEED - D.B. 309, PG. 131-136
WHALEHEAD SECTION 3 - M.B. 3, PG 66
WHALEHEAD SECTION 4 - M.B. 3, PG 67
WHALEHEAD SECTION 5 - M.B. 3, PG 68
WHALEHEAD SECTION 6 - M.B. 3, PG 69

NOTES:

1. PROPERTY LOCATED IN FLOOD ZONES AS SHOWN PER FIRM MAP NO. 3720993600J, PANEL NO. 9936, DATED 12 16 05.

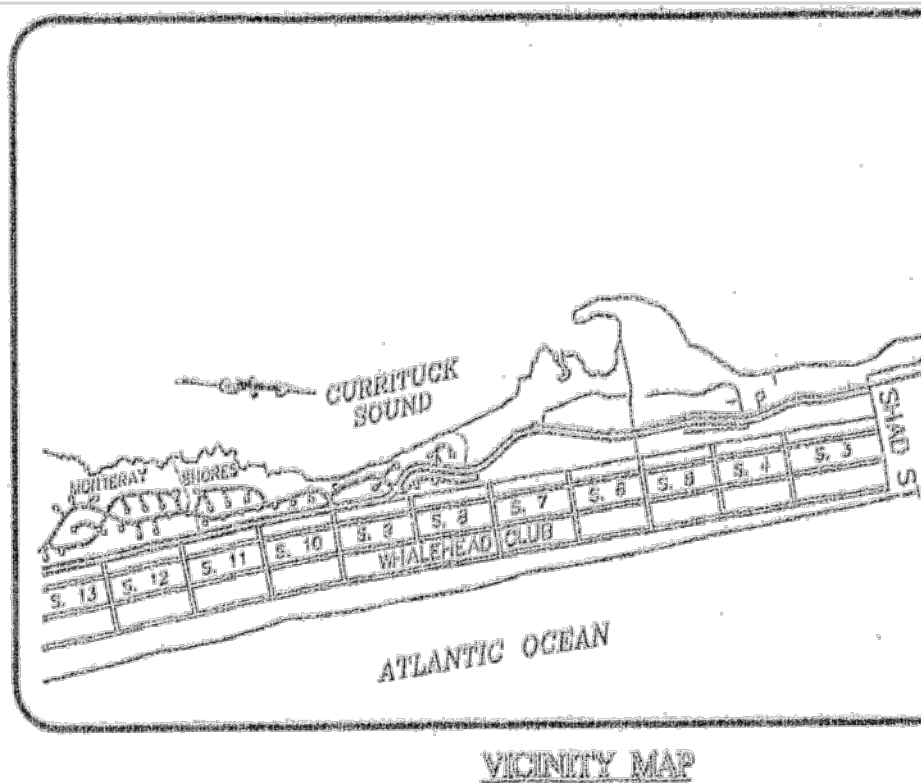
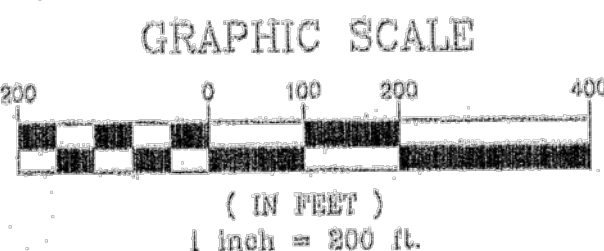
PRELIMINARY
FOR PERMITTING ONLY

LINE TABLE FOR PHASE 3 OPEN SPACE			
LINE	LENGTH	BEARING	
L1	64.68	N13°52'23"W	
L2	81.21	N15°52'22"W	
L3	29.56	N08°52'55"E	
L4	17.08	N86°05'55"E	
L5	59.68	N54°30'38"E	
L6	43.17	N12°25'23"W	
L7	55.78	S04°07'45"W	
L8	42.85	N19°34'33"E	
L9	29.90	N28°35'00"W	
L10	61.26	N40°27'35"W	
L11	45.93	N40°34'33"W	
L12	7.56	S22°30'33"E	
L13	30.82	N08°07'58"E	
L14	18.86	N32°42'03"W	
L15	18.00	S43°32'52"E	
L16	13.50	S10°32'52"E	
L17	91.00	S48°22'52"E	
L18	151.11	S103°32'28"E	

CURVE TABLE			
CURVE	LENGTH	RADIUS	BEARING
C1	120.00	50.00	N13°24'33"E

NOTE:

THE UNDERLYING GRAPHIC PLAN VIEW IS THE COROLLA LIGHT AMENDED SKETCH PLAN CURRENTLY ON RECORD AT CURRITUCK COUNTY AND PROVIDED FOR USE BY CURRITUCK COUNTY AS A PUBLIC DOCUMENT. THE ORIGINAL DOCUMENT WAS PREPARED BY COASTAL ENGINEERING & SURVEYING, INC. ON 6/7/87 AND SUBSEQUENTLY AMENDED BY THE SAME FIRM. THE LATEST AMENDMENT BEING DATED 12/22/13. THE UNDERLYING GRAPHIC IS SHOWN UNCHANGED AND IS PRESENTED AS A REFERENCE ONLY TO THE NEW SUMMARY DATA TABLE SHOWN IN THE LOWER LEFT CORNER OF THIS PLAN SHEET, WHICH CONTAINS THE AMENDMENTS REQUESTED WITH THIS AMENDED SKETCH PLAN. LOCATION FOR DETAILED GRAPHICAL INFORMATION ON THE AMENDED PLAN REQUESTED PLEASE SEE THE PHASE 3 AMENDED SITE PLAN ACCOMPANYING THIS REQUEST.



DEEL ENGINEERING, PLLC

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1	10/23/2014	ADDED 6 APARTMENT UNITS TO PHASE 3 (THIS IS THE FIFTH AMENDMENT TO THE ORIGINAL SKETCH PLAN. SEE AMENDED
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1	9/16/2015	CORRECT OPEN SPACE CALC PER CO. COMMENT
		CURRITUCK COUNTY PLANNING FOR AMENDMENTS 1 - 4)
		SKETCH PLAN BY COASTAL ENGINEERING ON RECORD AT

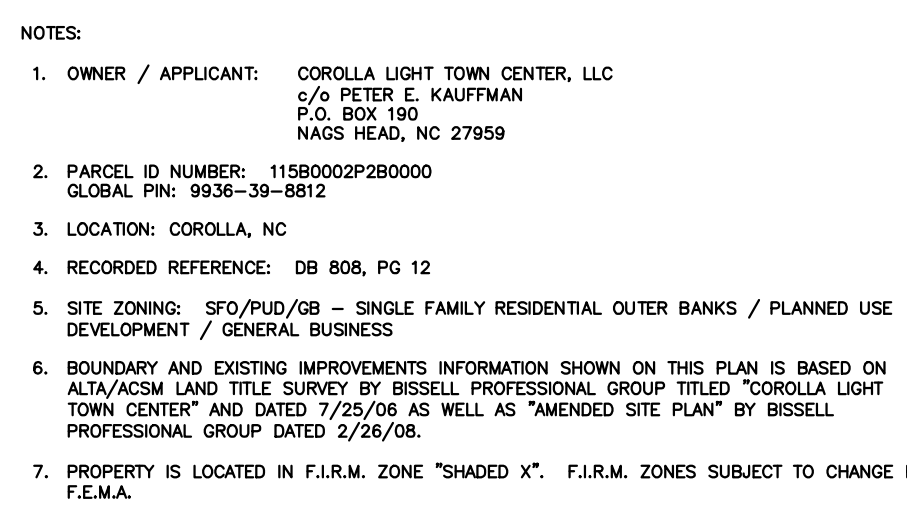
PRELIMINARY
FOR PLANNING
PURPOSES ONLY
NOT FOR CONSTRUCTION

ENDED SKETCH PLAN
COROLLA LIGHT P.U.D.

COMMISSION NO. _____
DESIGNED BY _____
DRAWN BY _____
CHECKED BY _____
ISSUE DATE _____
SHEET NO. _____

1
OF 1 SHEET

COROLLA LIGHT -
AMENDED SKETCH
~~PLAN.DWG 10/14/2014~~

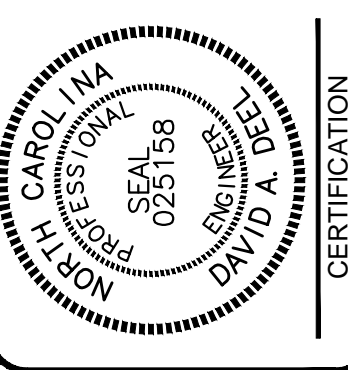


NOTE:
THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, ELEVATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEERS NOTICE TO PROCEED.



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AMENDED SITE PLAN
COROLLA LIGHT TOWN CENTER
(COROLLA LIGHT PH. 3)
COROLLA AP, BRANCH
CLINTON, NC
NORTH CAROLINA

COMMISSION NO.	P14003
DESIGNED BY	DAD
DRAWN BY	DAD
CHECKED BY	DAD
ISSUE DATE	10/23/14
SHEET NO.	

1
OF 1 SHEETS



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1362)

Agenda Item Title

Public Hearing & Action-PB 15-20 Spruill Sand Mine:

Brief Description of Agenda Item:

Request a use permit for an extractive industry (sand mine) at an existing mine (replacing expired use permit) located in Moyock at 913 Caratoke Highway, Tax Map 15, Parcels 31 and 32B, Moyock Township.

Planning Board Recommendation:

Planning Board Recommendation:

Mr. Cartwright moved to approve PB 15-20 with staff recommendations included in staff report. Mr. Bell seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Debra Embrey, Web/AV Specialist

Presenter of Agenda Item

Ben Woody

STAFF REPORT FOR THE
Board of Commissioners
DATE: January 4, 2016
PB 15-20 William Spruill Sand Mine

ITEM: PB 15-20 William Spruill Sand Mine request for a Use Permit to operate an extractive industry (sand mine).

LOCATION: Moyock: 913 Caratoke Highway

TAX ID: 0015-000-0031-0000
0015-000-032B-0000

ZONING DISTRICT: Agricultural (AG) and Heavy Industrial (HI)

PRESENT USE: Extractive Industry (sand mine)

OWNER: William Spruill
PO Box 146
Moyock NC 27958

APPLICANT: Wayne Leary
PO Box 86
Shawboro NC 27973

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Farmland	AG
SOUTH:	Farmland, Retail, Residential	GB
EAST:	Woodland, Farmland	AG
WEST:	Reclaimed Sand Mine	GB

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Moyock subarea. The 2014 Moyock Small Area Plan classifies the site as Limited Service.

SIZE OF SITE: 58.70 acres

COMMUNITY MEETING: A community meeting was held on October 2, 2015 at the Moyock Library. No one attended the meeting.

I. NARRATIVE OF REQUEST:

1. A special use permit was issued to William Spruill on October 18, 1999 to excavate a maximum 30% of the entire site. The permit was valid for ten years and with the vesting suspension provided by the North Carolina General Assembly, the special use permit expired January 1, 2013. A new use permit was issued by the Board of Commissioners on January 2015 that expired along with the state permit on October 14, 2015. This is a new use permit request to replace the expired use permit.

2. It was determined under the previous use permit that the mine had been over excavated by 5.65 acres. The owner is on schedule for refilling the over excavated area according to most recent quarterly fill report as required by the Board of Commissioners.
3. The application includes a request for a 50% setback reduction along all property lines where an existing vegetative visual screen is between the mining activity and the adjoining use/property lines. (See aerial photography for reference)
4. The site will be dewatered under a state permit approval.

II. USE PERMIT REVIEW STANDARDS:

Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and staff findings are outlined as follows:

1. The use will not endanger the public health or safety.
It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that the use will not endanger the public health or safety.

Staff Findings:

- a. The mine site is posted with No Trespassing signs 250 feet apart.
 - b. The owner will post a performance guarantee for any in use wells located within a 1,500 foot radius of the excavation area to be used in the event the dewatering diminishes the quantity or quality of the well water.
 - c. All trucks hauling mined materials shall be covered with a tarpaulin.
2. 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.
It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that 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.

Staff Findings:

- a. A special use permit was issued for the mining operation on October 18, 1999 and the mine has operated for 16 years with no registered complaints.
 - b. No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on the site.
3. The use will be in conformity with the Land Use Plan or other officially adopted plan.
It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that the use will be in conformity with the Land Use Plan and other officially adopted plans.

Staff Findings:

The 2006 Land Use Plan classifies this site as Full Service within the Moyock subarea. With respects to nonresidential uses, it is essential that the existing community character

be preserved in the Full Services area. The proposed use is in keeping with the policies of the plan, which include:

POLICY ID8: MINING ACTIVITIES, or secondary impacts of mining activities not subject to permit approval by the State of North Carolina, may be subject to review and management by Currituck County. Activities to be addressed may include, but not be limited to, the adequacy of roads serving the mine site, visual impacts during operation and after closing of the mine site, noise and dust considerations, etc.

Staff Findings:

The 2014 Moyock Small Area Plan classifies this site as Limited Service within the Moyock subarea. The proposed use is in keeping with the policies of the plan, which include:

POLICY BI4: Provide industrial development opportunities for cluster industries identified by Currituck Economic Development such as defense aero-aviation, port and maritime related industries, alternative energy, agriculture and food, and local existing business support.

4. 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. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the finding that 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.

Staff Findings:

- a. The proposed use will not produce additional burdens on schools, fire and rescue, or other public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following permit conditions:

1. The use permit shall expire upon expiration of the NC State Mining Permit, which is expected to be in five years. (Planning)
2. Provide the hydrogeological report, monitoring well plan, or performance guarantee as determined by the county engineer. (UDO Section 4.2.5.A.14) (Planning)
3. In accordance to Section 4.2.5, discharge waters shall not adversely affect downstream properties. It is unclear how discharge waters from the mine is prevented from sheet flowing from the "vegetative restraining area" onto neighboring properties. Please provide a channelized flow to prevent runoff onto neighboring properties or more detailed information regarding how runoff will not impact neighboring properties. (Engineering)
4. Section 4.2.5 requires mines with dewatering operations to perform a hydrogeological study, monitoring wells and or a performance guarantee if there are any wells or ponds within 1500' of the pit. Information provided addresses ponds but not wells. Please provide the location of all potable wells within 1500' of the pit. At a minimum, the

performance guarantee should be provided for each well in accordance to the UDO.
(Engineering)

Site Plan Corrections:

- a. Show all wells within 1,500 foot radius of the mine on the plat. (UDO Section 4.2.5.A.14)
- b. Show the flood zone lines on the plat. (UDO Section 4.2.5.A.14) Placing a copy of the Moyock area flood zones is not sufficient.
- c. Provide a copy of the approved state permit once issued.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Cartwright moved to approve PB 15-20 with staff recommendations included in the staff report. Mr. Bell seconded the motion and motion carried unanimously.

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

PLANNING BOARD DISCUSSION: (12/8/15)

Wayne Leary and William Spruill appeared before the board and were sworn in. Tammy Glave presented the staff report.

Mr. Cooper opened the public hearing.

Mr. Leary provided an overview of the request.

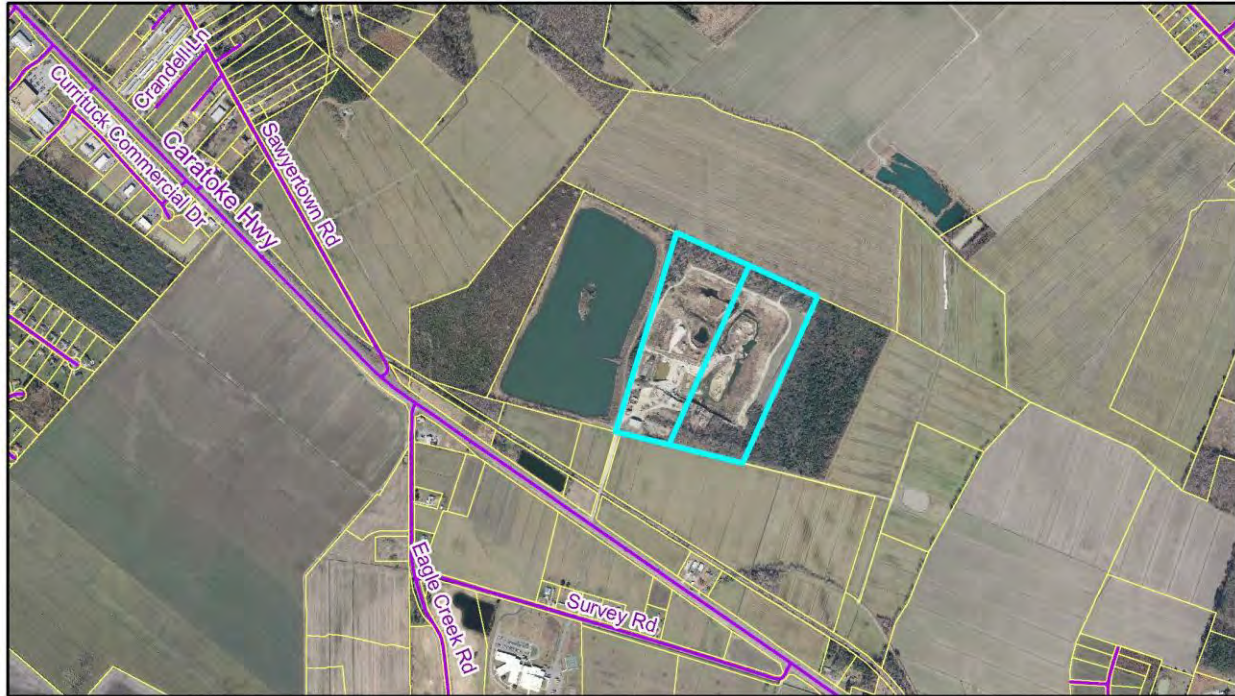
Mr. Cooper closed the public hearing.

Mr. Craddock asked if the use permit will expire upon expiration of the NC State Mining Permit.

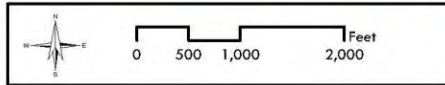
Ms. Glave said yes.

Mr. Cartwright moved to approve PB 15-20 with staff recommendations included in staff report. Mr. Bell seconded the motion and motion carried unanimously.

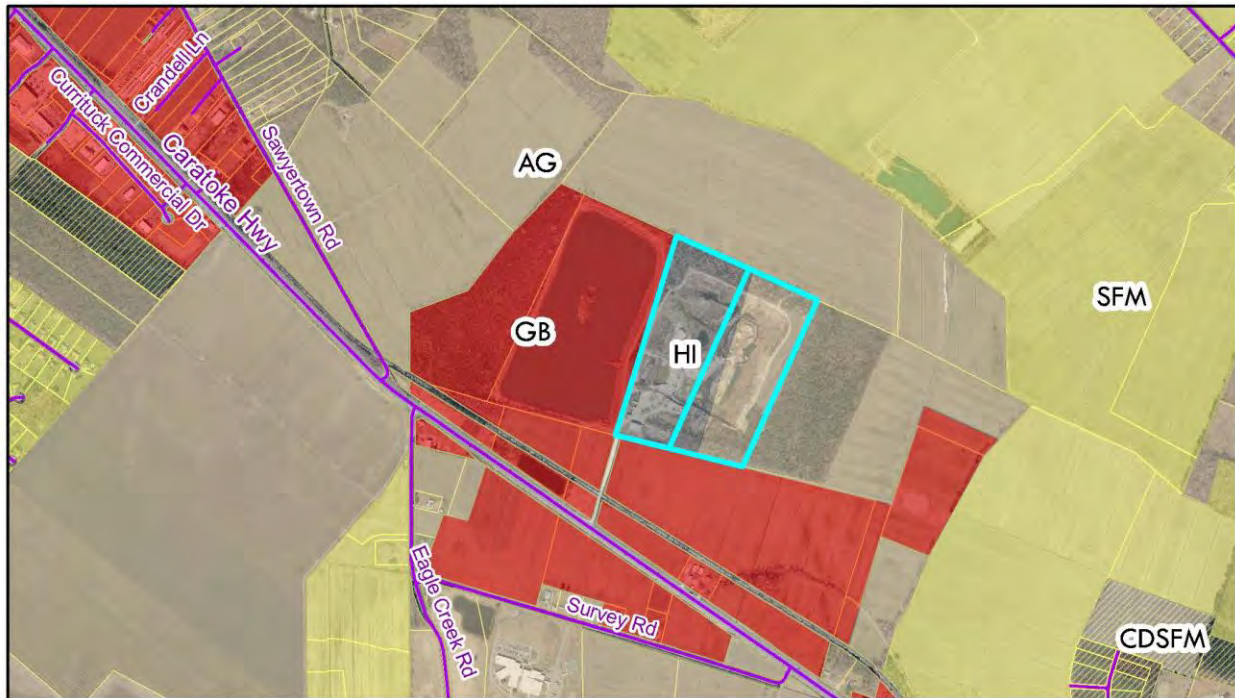
RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 1/4/2016 5:00 PM
MOVER:	Clay Cartwright, Board Member	
SECONDER:	Bobby Bell, Board Member	
AYES:	John Cooper, Chairman, Carol Bell, Vice Chairman, Bobby Bell, Board Member, Clay Cartwright, Board Member, Mike Cason, Board Member, Steven Craddock, Board Member, Jane Overstreet, Board Member, John Wright, Board Member	
ABSENT:	Fred Whiteman, Board Member	



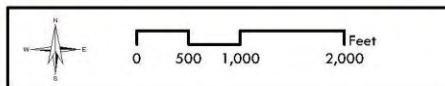
PB 15-20 Spruill Sand Mine
Use Permit
Aerial Photography



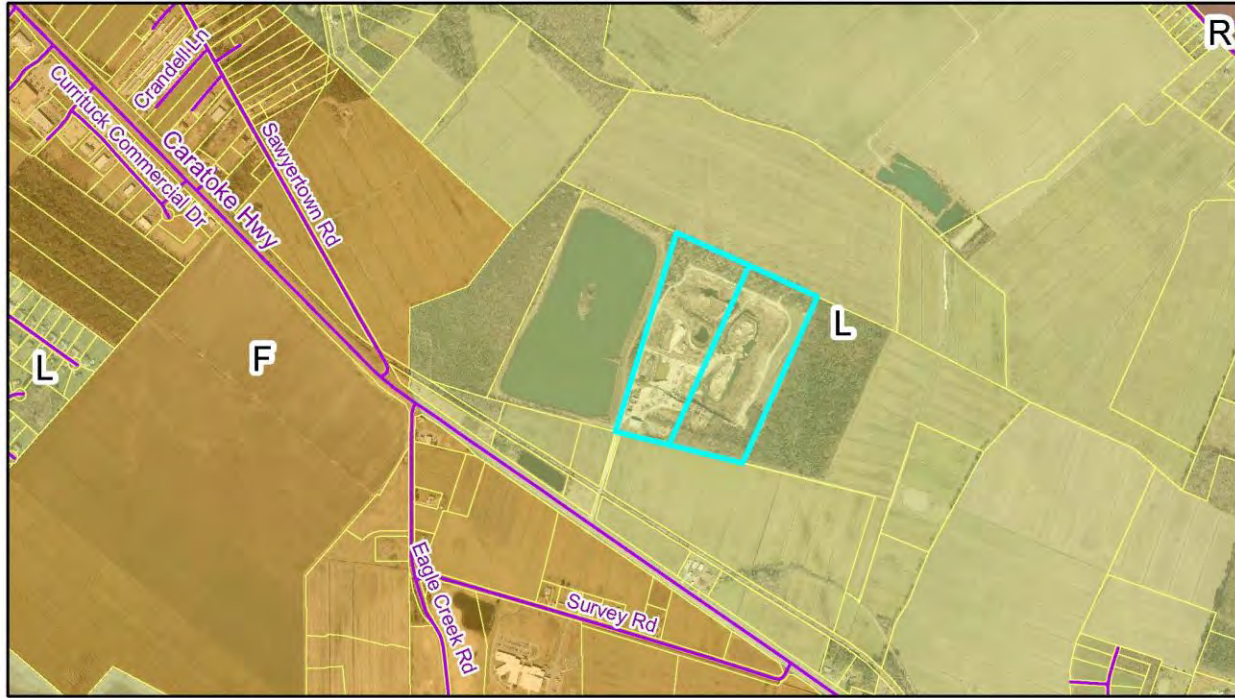
Currituck County
Planning and
Community Development



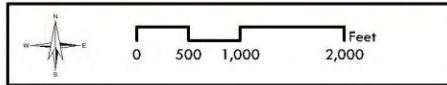
PB 15-20 Spruill Sand Mine
Use Permit
Zoning




Currituck County
Planning and
Community Development



PB 15-20 Spruill Sand Mine
Use Permit
Land Use Plan



 Currituck County
Planning and
Community Development

William H. Spruill, Owner/Operator
Proposed: Spruill Mine
Address: 913 Caratoke Highway, Moyock, NC 27958
Moyock Township
Parcel Nos. 001500000031000 & 00150000032B0000
Total Acreage: 58.68 Acres

Wayne Leary, B.A. – Consultant
PO Box 86
Shawboro, NC 27973
252-232-3330
wayne.leary@mchsi.com

4.2.5. Industrial Uses

A. Extractive Industry

Extractive industry uses shall receive and maintain a State of North Carolina mining permit and comply with the following standards:

(1) General

(a) Any mine activity affecting more than one acre (including excavation, reclamation where overburden is placed, area used processing or treatment and settling ponds, access roads, etc.) shall be subject to these

(b) All State permits and applications for State permits associated with the mining activity, including permit modifications, shall be filed with the Planning and Community Development Department by the applicant, regulations and require a use permit.

A copy of Mr. Spruill's renewal application for the State Mining Permit is attached, and a copy the permit will be provided once received.

(2) Size

No more than 30 percent of the total site shall be excavated at any given time during the mining operation and after completion except as otherwise provided in this section.

Mr. Spruill has submitted a renewal application with the state is for a 13.90 acre active mine area for five (5) years. The reclamation of the shorelines of this area of the pit have not been completed to be reclaimed as a lake. This county application is also for five (5) years to allow Mr. Spruill to continue his reclamation of the pit to a lake as well as reclaiming additional acreage to the original ground contour.

(3) Setbacks

(a) No activities associated with the mine, including but not limited to excavation activities, vehicular access (except for driveways providing access to the site) and detention ponds shall be located within 100 feet of any property line and 300 feet of any residence, school, religious institution, hospital, commercial or industrial building, vehicular right-of-way or easement, or cemetery.

None of these are applicable to the proposed Spruill Mine.

(b) Setbacks may be reduced by 50 percent when there is a complete visual screen at least six feet in height and an intermittent visual screen to a height of at least 20 feet between the mining activity and the adjoining use. Further, the Board of Commissioners may reduce non-modified setbacks by 50 percent when the mining activity adjoins a vacant parcel or farmland.

As the Spruill Mine mining activity is adjoined to the west by the Flora Pit (reclaimed as a lake) to the north farmland, to the east by a farmland tract of

(4) Height

Mined materials shall not be stored in excess of 25 feet in height.

Mr. Spruill usually digs the sand as it is sold, minimizing the need for stockpiles, and avoid handing the material more than once. At no time will there be a stockpile in excess of 25 feet in height from the original ground level.

(5) Access

(a) For operations that generate more than five trips per peak hour, at least 200 feet of continuous pavement shall be required onsite starting at the point the access road intersects with a public street or highway unless such public street is not paved. Acceleration and deceleration lanes shall be required by the county when it determines, subject to input from the North Carolina Department of Transportation, that such lanes will enhance public safety. All access roads should intersect with public streets at right angles, but in no case be less than 60 degrees. All streets and roads utilized to access the mining site shall be maintained free of dust and sediment and shall be properly graded and drained.

Mr. Spruill will use his deeded 60' access to NC as his has for the past 15 + years. Over 200' was paved with recycled asphalt some years ago at the access point with NC 168.

(b) Where two or more accesses to the mining operation exist, traffic shall be routed to the access having the least negative impact on adjoining properties.

6. Vehicles

All trucks hauling mined materials (i.e. sand, clay, topsoil) shall be covered with a tarpaulin.

All trucks hauling mined materials (i.e. sand, clay, topsoil) shall be covered

(7) Hours of operation

In no case shall the hours of operation be beyond sunrise to sunset. Mining activities shall not occur on Saturdays from Memorial Day through Labor Days or Sundays.

Mr. Spruill will adhere to the hours of operation.

(8) Refuse

No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on site.

No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on site.

(9) Mine Discharge Water

(a) Discharging of water from the mine site shall be permitted subject to obtaining a state permit. The county may require periodic testing of the mine discharge water for settleable solids, total suspended solids, chlorides, turbidity, and pH at the operators' expense. Such testing shall not exceed six tests per year. Discharging without proper state permits will result in initiating procedures to revoke the use permit.

The Spruill Mine operates under NPDES General Permit Number NCS 020508.

(b) Mine discharge water, including but not limited to discharge storm water, mine dewatering, and process wastewater, shall not adversely affect downstream properties. Drainage patterns shall not be altered so as to cause flooding off-site while the permit is valid and after reclamation. The county may require decreased discharge rates until the downstream impacts are resolved.

Mr. Spruill has used discharge systems designed to minimize the volume of discharge, limit sediments from leaving the site with later actually treated on site and off site. First, swales are constructed in the bottom of the sandpits for a place for water to drain to and for sediment to settle out, from a swale water is pumped from the top of the water to minimize the amount of sediment to be pumped into a forested retention/restraining area where it is directed into a drainage ditch which flows into the ditch that is on the southeastern perimeter of the property. From there it flows along a ditch easterly along the northern edge of the R. B. Flora Heirs property. Then it reaches the ditch at the western edge of Spruill Tract 2 property and flows south, to

10) Signage

No trespassing' signs indicating that a mining operation is being conducted on the site shall be spaced a minimum of 250 feet apart.

No trespassing are installed on the site spaced a minimum of 250 feet apart.

(11) Reclamation

Reclamation shall be conducted simultaneously with mining operations. Annual reclamation reports shall be submitted to the Planning and Community Development Department within ten days of being filed with the State.

Reclamation shall be conducted simultaneously with mining operations. Annual reclamation reports shall be submitted to the Planning and Community Development Department within ten days of being filed with the State.

(12) Overburden

Overburden to be used for future reclamation shall be placed where it will not be disturbed by normal mining activities and shall be stabilized to reduce wind and

water erosion. Use of overburden for earth berms is encouraged to reduce the impact of the mining operation on adjoining properties.

Mr. Spruill is planning use any on site overburden, transport the overburden from the nearby proposed Guinea Mine which is in the process of permitting, and from offsite construction sites to reclaim acreage at that mine back to the original ground contour.

(15) Groundwater Level Impacts

No mining activities shall adversely affect surrounding in use wells, ponds or increase chlorides in downstream water bodies. If a mine that requires off-site dewatering is located within a 1,500 foot radius of an in use well, pond, or a source of salt water intrusion, hydrogeological reports or performance guarantees with monitoring wells shall be required and the Board of Commissioners may consider adjusting setbacks or imposing other conditions on the applicant. Any person owning or operating a mining site in a manner that adversely affects an in use well through contamination or diminution of groundwater shall provide the well owner with a replacement water supply of equal quantity and quality. Any person owning or operating a mining site in a manner which creates lowering of pond levels below moderate drought levels or increases chloride levels downstream of dewatering operations shall decrease pumping rates until normal levels are reached. A rebuttal is permitted that contamination or diminution of water has been caused by the mining activity. Proposals for mining activities shall be accompanied by a hydrogeological report or performance guarantees with monitoring wells as provided in this section.

(a) Hydrogeological Report

A hydrogeological report may be required for mining activities with dewatering operations when an existing in use well is located within a 1,500 foot radius of the excavation area. The requirement to provide a hydrogeological report shall be determined by the County Engineer and shall be based on proximity, number and depth of existing in use wells. The report shall be prepared by a registered engineer, geologist, or other professional approved by the County Engineer.

The report shall include the following:

- (i) Location and description of all in use wells located within a 1,500 foot radius of the excavation area.
- (ii) Description of existing and proposed drainage patterns located within a 1,500 foot radius of the excavation area.
- (iii) Proposed mine construction and operation plan.
- (iv). Description of dewatering activities.
- (v) Field analysis to include aquifer tests using test well pumping to monitor water levels for a 24 hour period and appropriately located piezometers in a pattern to reflect the water table aquifer and drainage influences. Water level measurements shall be made in each piezometer to build and calibrate a model to analyze the hydrologic relationship between proposed mine operations and the surrounding environment.
- (vi). Hydrogeological model simulation demonstrating the effects of mine dewatering on the groundwater drawdown in a 1,500 foot radius of the excavation area.
- (vii) Description of the impacts on the quality and quantity of in use wells, lowering of ponds, and any potential salt water contamination sources and recommended mitigation action of any adverse impacts.

(b) Performance Guarantees and Monitoring Wells

The mine operator may offer a performance guarantee and monitoring wells, in lieu of hydrogeological reports, to replace any in use wells located within a 1,500 foot radius of the excavation area that have diminished in quantity or quality from the mines dewatering operation.

(i) Performance Guarantees

(A) The mine operator shall guarantee replacement of water supply to that of equal quantity and quality of owners in use well.

(B) A performance guarantee, in the form of a cash deposit, shall be established in the amount of \$3,000 per in use well to assure the operator has funds available should the need arise to replace any of the in use wells.

(ii) Monitoring Wells

Monitoring wells may be required for mining activities with dewatering operations when an existing in use well, pond, or a source of salt water intrusion is within a 1,500 foot radius of the excavation area. A plan shall be provided outlining groundwater monitoring strategies which demonstrates the effects of pumping. Monitoring well requirements shall include the following:

(A) Monitoring wells to assess hydrogeological conditions shall be constructed to comply with the provisions of NCDENR rule 15A NCAC 02C – Well Construction Standards.

(B) Install to a depth equal to the maximum depth of the mine dewatering operation

(C) Monitoring wells shall be located between the excavation area and the in use wells or pond and located as close as possible to the mine property line. In no instance shall the monitoring well be located closer than one-third the distance from the in use well to the mine. In some instances, it may be necessary to install the well on adjacent properties, in which case a well construction permit will be required through NCDENR.

(D) Monitoring wells shall be installed prior to dewatering operations and maintained throughout the duration of the mine permit period.

(E) Water levels shall be collected monthly and submitted quarterly to the Planning and Community Development Department.

(F) In the event an in use well or pond within a 1,500 foot radius of the excavation area has an issue with quality or quantity of water levels, the monitoring well(s) water level data will be used to assess changes in the water table levels over the period of time the mine was dewatering. Decreased water table levels below in use well depths or pond depths shall constitute the requirement to replace an in use well so as not to be affected by the mine dewatering operations or to modify dewatering rates so as to not lower water levels in adjacent ponds below their moderate drought levels.

For twenty-five years Mr. Spruill has been operating sandpit in the vicinity; first the Flora Pit which he operated some 10 more years without impacting the former pig lagoon – only 510' away. Once the mining was completed at the Flora Pit, Mr. Spruill permitted and started operating the Spruill Mine some 350 feet away. Since 1999 there has been not appearance of lower the Flora Pit Reclaimed Lake Water level. Finally, the Haywood Ward Pits are nearly 1800 feet way from the Spruill Mine. There has been no appearance of a negative impact on those pits.

Clearly Mr. Spruill's operations have not negatively impacted ground water levels in the sandpit pits named above or on the water level on the businesses located some 1,550 feet from the Spruill Mine or Flora Pit before.

In addition to reviewing the hydrological study of September 25, 2014 developed by Hyman and Robey stated the Spruill Mine "operation will not degrade or negatively impact any areas of environmental concern or wells within the area" and the Staff's findings that there had not been any complaints.

I evaluated the hydrological characteristics of soil at and surrounding the Spruill Mine and confirmed that it is classified Roanoke. Its characteristics are: poorly drained; slow to very slow permeability; slopes of 0 to 2 percent; and a slow to very slow runoff. All are factors indicating that the Spruill Mine operations will not degrade, negatively impact, or decrease water table levels below in use well depths or pond depths within a 1,500 foot radius of the excavation area.

(14) Plan Requirements

In addition to the site plan requirements

- (a) Name of mine;
- (b) Name and address of property owner and mine operator;
- (c) Existing and proposed mine boundaries, including acreages;
- (d) Location of existing and proposed vehicular access and haul road(s);
- (f) Location, acreage, and height of stockpile and overburden disposal areas;

Mr. Spruill is planning use any on site overburden, transport the overburden from the nearby proposed Guinea Mine which is in the process of permitting, and from offsite construction sites to reclaim acreage at that mine back to the original ground contour.

- (g) Location of 100-year floodplain and wetland boundaries;

See plat map.

- (h) Phasing of mining operations including reclamation;

The mining operations have essentially been completed at Spruill mine. This application is to allow Mr. Spruill to complete his reclamation of the remaining shorelines and to reclaim additional acreage to original ground contour prior to complete the reclamation process of turning the pit into a lake and receive clearance from the State.

(i) Estimated noise levels at exterior property lines;

(ji) Location of the excavation area, With much of the perimeter of this property being lined with trees and the operations occurring some 25' or more below ground level, the applicant expects the noise levels at the exterior property lines to be in compliance with county requirements.

(j) Location of existing and proposed drainage features within a 1,500 foot radius of the excavation area;

See plat map.

(k) Location of existing in use wells and ponds within a 1,500 foot radius of the excavation area if the mine will use dewatering operations; and

See plat map.

(l) Hydrogeological report, monitoring well plan, or performance guarantee as determined by the County Engineer addressing potential impacts to in use wells, ponds, or salt water intrusion sources within a 1,500 foot radius of the excavation area.

In addition to reviewing the hydrological study of September 25, 2014 developed by Hyman and Robey stated the Spruill Mine “operation will not degrade or negatively impact any areas of environmental concern or wells within the area” and the Staff’s findings that there had not been any complaints.

I evaluated the hydrological characteristics of soil at and surrounding the Spruill Mine and confirmed that it is classified Roanoke. Its characteristics are: poorly drained; slow to very slow permeability; slopes of 0 to 2 percent; and a slow to very slow runoff. All are factors indicating that the Spruill Mine operations will not degrade, negatively impact, or decrease water table levels below in use well depths or pond depths within a 1,500 foot radius of the excavation area.

(15) Expansion

An expansion of an existing mining operation shall comply with the following procedures and additional standards:

(a) Procedure

- (i) With the approval of the Planning Director, additional area within the site can be mined provided previously mined areas are reclaimed with non-contaminated soils to the original ground elevation in accordance with state standards. All reclaimed land shall be identified on a map recorded in the register of deeds.
- (ii) With the approval of the Planning Director, an expansion of an existing mine operation not to exceed 40 percent of the total site area can be mined.
- (iii) In accordance with Section 2.3.14, the Board of Commissioners can approve an expansion of an existing mine operation not to exceed 50 percent of the total site area

There will be no expansion at the Spruill Mine.

(b) Additional Standards

- (i) The existing mine has an active use permit and State permit.
- (II) The existing mine has been in operation for a period of no less than five years.
- (iii) The existing mine has maintained compliance with all applicable state and local permit regulations for the past five years of operation.

(IV) The cumulative total of the mine's excavation area, including the requested expansion, shall not exceed 50 percent of the total site area. All on-site CAMA and US Army Corps of Engineers designated wetlands and surface waters shall not be included in the total site area calculation.

(V) All state mining permit modifications shall be obtained prior to any expansion activities being performed.

A state mining permit renewal application has been filed NCDENR; copy provided.

(16) Expiration

The use permit shall be valid for the same permit period as the State of North Carolina mining permit not to exceed ten years from the date of issuance or for a shorter duration as deemed appropriate by the Board of Commissioners. In the event the property owner desires to continue the mining operation, thereafter, he shall again petition the Board of Commissioners for a new permit.

(17) Extension of Expiration Time Period

The Planning Director may, upon receiving a written request for extension, grant an extension not to exceed ten years provided the existing mine has maintained compliance with all applicable state and local regulations.

MEMORANDUM

To: Wayne Leary, Consultant
William Spruill

From: Tammy Glave, Senior Planner

Date: November 12, 2015

Re: Spruill Sand Mine Use Permit TRC Comments

The following comments have been received for the November 18, 2015 Technical Review Committee meeting. All revisions must be submitted by November 23, 2015 in order for your request to be scheduled for the December 8, 2015 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, (Tammy Glave, 252-232-6025)

Approved with corrections:

2. The use permit for this site expired on October 14, 2015.
3. This site is currently under violation for over excavation of the site by 5.65 acres. In January 2015, the Board of Commissioners granted the owner two years to fill the over excavated area. Quarterly reports are being provided by the owner to prove that the area is filled at a pro rata rate. The third quarterly report for 2015 is due at this time.
4. Provide the hydrogeological report, monitoring well plan, or performance guarantee as determined by the county engineer. (UDO Section 4.2.5.A.14)
5. Site Plan Corrections:
 - a. Show all wells within 1,500 foot radius of the mine on the plat. (UDO Section 4.2.5.A.14)
 - b. Show the flood zones on the plat. (UDO Section 4.2.5.A.14)
 - c. Show estimated noise levels at exterior property lines on the plat. A statement that "the applicant expects the noise levels at the exterior property line to be in compliance with county requirements" is not sufficient. (UDO Section 4.2.5.A.14)
 - d. Correct Note #3 to match the UDO. (UDO Section 4.2.5.A.7)
6. Provide a copy of the approved state permit once issued.

Currituck County Building Inspections (Bill Newns, 252-232-6023)

Reviewed without comment.

Currituck County Engineer [Eric Weatherly/Michelle Perry, 252-232-6035/Currituck Soil and Water (Will Creef, 252-232-3360)]

Reviewed with comments:

1. In accordance to Section 4.2.5, discharge waters shall not adversely affect downstream properties. It is unclear how discharge waters from the mine is prevented from sheet flowing from the "vegetative restraining area" onto neighboring properties. Please provide a channelized flow to prevent runoff onto neighboring properties or more detailed information regarding how runoff will not impact neighboring properties.
2. Section 4.2.5 requires mines with dewatering operations to perform a hydrogeological study, monitoring wells and or a performance guarantee if there are any wells or ponds within 1500' of the pit. Information provided addresses ponds but not wells. Please

provide the location of all potable wells within 1500' of the pit. At a minimum, the performance guarantee should be provided for each well in accordance to the UDO.

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

Reviewed without comment.

Currituck County GIS (Harry Lee, 252-232-4039)

Reviewed without comment.

Currituck County Utilities (Pat Irwin, 252-232-6061)

Reviewed without comment.

Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)

Reviewed without comment.

NCDOT (Randy Midgett, 252-331-4737)

Reviewed without comment.

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

Reviewed without comment.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1348)

Agenda Item Title

Public Hearing & Action-PB 15-13 Currituck County Solar Arrays:

Brief Description of Agenda Item:

Request to amend Chapter 4: Use Standards to offer a setback reduction with additional landscape standards for solar arrays, require conditional zoning for the use, and only allow the use in the Agricultural (AG) zoning district.

Planning Board Recommendation:

Planning Board Recommendation:

Mr. Cartwright moved to approve PB 15-13 due to its consistency with the Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Overstreet seconded the motion and motion carried unanimously

Board Action Requested

Action

Person Submitting Agenda Item

Tammy Glave,

Presenter of Agenda Item

Ben Woody



Currituck County

Planning and Community Development Department

Planning and Zoning Division

153 Courthouse Road, Suite 110

Currituck, North Carolina 27929

252-232-3055 FAX 252-232-3026

MEMORANDUM

To: Board of Commissioners

From: Planning Staff

Date: December 18, 2015

Subject: PB 15-13 Amended Solar Array Text Amendment

The Board of Commissioners has directed the Planning Board to rehear the solar array text amendment in order to provide an option for reducing the 300' setback. A conditional rezoning will also now be required for a solar array use. Finally, the use will only be allowed in the Agricultural (AG) zoning district.

Please let us know if you have any questions.

Planning Board Recommendation:

Mr. Cartwright moved to approve PB 15-13 due to its consistency with the Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Overstreet seconded the motion and motion carried unanimously.

PLANNING BOARD DISCUSSION: (12/8/15)

Tammy Glave presented the staff report.

Mr. Wright recuses himself from this item.

Mr. Cartwright asked what is the height of the vegetative buffer.

Ms. Glave said 8' in height regardless of caliper inches. The goal with the buffering is not to see the solar panels. The one in Moyock is proposing using wax myrtles.

Mr. Craddock asked what is the logic behind changing the permissible uses of solar arrays to only be in the Agricultural District and not the other district that existed previously.

Ms. Glave said the value of the land. Bringing an agriculturally use of the land to a solar array increases its taxed value.

Mr. Craddock said since solar arrays will only be in the agricultural district they will benefit by paying lower taxes as to being in a HI district.

Mr. Woody said solar arrays pay lower taxes because they are exempt from 80% of local property taxes.

Mr. Cooper asked if the only changes are reducing the 300' setback requirement to 100' by increasing buffer requirements and the zoning district.

Ms. Glave said yes.

Mr. Cooper asked what drove these proposed changes to the text amendment.

Mr. Woody said the Board of Commissioners are directing staff to make these changes.

Mr. Cartwright moved to approve PB 15-13 due to its consistency with the Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Overstreet seconded the motion and motion carried unanimously.

RESULT:	RECOMMENDED APPROVAL [7 TO 0]	Next: 1/4/2016 5:00 PM
MOVER:	Clay Cartwright, Board Member	
SECONDER:	Jane Overstreet, Board Member	
AYES:	John Cooper, Chairman, Carol Bell, Vice Chairman, Bobby Bell, Board Member, Clay Cartwright, Board Member, Mike Cason, Board Member, Steven Craddock, Board Member, Jane Overstreet, Board Member	
ABSENT:	Fred Whiteman, Board Member	
RECUSED:	John Wright, Board Member	

**PB 15-13
CURRITUCK COUNTY**

Amendment to the Unified Development Ordinance Chapter 4: Use Standards to offer a setback reduction with additional landscape standards for Solar Arrays, require conditional zoning for the use, and only allow the use in the Agricultural (AG) zoning district.

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 Section 4.1.2: Use Table is amended by adding the following bold and underlined language and deleting the struck-through language:

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															ADDITIONAL REQ. (4.2.____)	
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M		PD-O
Utilities	Solar array		<u>U</u> C						U	U			U	U		U	U	3.H.1

Item 2: That Section 4.2.3.H.1: Solar Array is amended by adding the following bold and underlined language and deleting the struck-through language:

4.2.3.H.

(1) Solar Array

- (a) Solar arrays shall be configured to avoid glare and heat transference to adjacent lands.
- (b) Appropriate ground cover/grass is required and shall be maintained as not to create a fire hazard.
- (c) The solar panels, equipment, and associated security fencing shall be **located at least 300 feet from any perimeter property line abutting a residential dwelling, residential zoning district, religious institution, public school, state licensed day care center, public playground, public swimming pool, or public park . The solar panels, equipment, and associated security fence shall be** screened from **those uses/zoning districts** by a Type ~~CD~~ buffer. **The buffer may be reduced to a Type C when abutting a right-of-way, use, or zoning district not listed above and the setback may be reduced to 100' in these instances.**
- (d) The total height of the solar energy system, including any mounts, shall not exceed 15 feet above the ground when orientated at maximum tilt.
- (e) The solar energy system owner shall have 12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period.
- (f) Operations, maintenance, and decommissioning plans are required.
- (g) Ground water monitoring wells shall be installed prior to construction of the solar energy system and testing data shall be submitted annually to the Planning and Community Development Department until decommissioning occurs. Monitoring wells shall be located near the center of the site and along each exterior property line at approximately the lowest ground elevation point of each property line. Testing data

shall be provided to the county indicating compliance with EPA National Primary Drinking Water Standards prior to construction and annually until decommissioning occurs.

- i. Should the initial ground water testing indicate that the site is not in compliance with the EPA National Primary Drinking Water Standards, subsequent annual reports shall indicate no increase in noncompliance with those standards.
- (h) Prior to the issuance of a building permit, the developer shall post a performance guarantee in the form of cash deposit with the county to ensure decommissioning funds are available in an amount equal to 115 percent of the estimated decommissioning costs minus salvageable value. Estimates for decommissioning the site and salvageable value shall be prepared and certified by a registered engineer or North Carolina licensed general contractor and submitted prior to building permit approval and verified by a registered engineer or North Carolina licensed general contractor and resubmitted every two years thereafter until decommissioning occurs.

Item 3: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 4: This ordinance amendment shall be in effect from and after the _____ day of _____, 2015.

Board of Commissioners' Chairman
Attest:

Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES_____NAYS_____

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: _____AYES_____NAYS_____
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____

Board of Commissioners (10/5/15)

Chairman O'Neal recalled the item had been before the Board several times and noted its continuation from prior meetings, asking if anyone was ready to make a motion on the item.

Commissioner Beaumont moved that the change to the UDO as provided by staff as written, with the exception of paragraph "g", changing the setback to 300 which would be in keeping with what was done in Moyock and would like the county to adopt the performance guarantee with the 2 year revaluation and signed off by engineer as stated.

Commissioner Gilbert seconded, and the motion carried with a vote of 4-3.

Board of Commissioners (9/21/15)

At the close of Mr. Woody's presentation, the Board discussed the issue of private property owners and how County involvement might come into play for decommissioning if a company abandoned the property or went bankrupt, leaving an owner with the burden. The removal of the tax credit by the state was discussed, and its possible impact on solar projects. Several possible scenarios were presented by the Board and which of those would best protect the County and taxpayers.

Chairman O'Neal asked the staff for direction as to what option would best protect the county. County Attorney Ike McRee believes a cash deposit requirement, as proposed, is a tried and true model, which has been used and works well, with Mr. Scanlon referring to the proposed ordinance language in the text amendment under section (l).

Chairman O'Neal opened the Public Hearing.

Nathan Rogers of San Francisco, California, and is the Project Manager for Ecoplexis, developer of the Shawboro solar farm. He recalled the discussion of the proposed 300 foot setbacks, believing them to be the most onerous he has ever seen, and if imposed may kill the proposed Goose Creek project. He addressed decommissioning and the viability of resale should a company go bankrupt due to the lucrative cash production of the facilities. He told the Board his company's lease agreement calls for specific decommissioning requirements, and includes default remedies for the landowner. Commissioner Beaumont and Commissioner Griggs each asked questions regarding decommissioning, future value of salvage materials and cost of disposal as well as Federal and State subsidies. Mr. Rogers explained solar energy and its production versus production of natural gas, nuclear, oil and coal. State spending dollars and return on that spending was discussed, with Mr. Rogers stating the need for industry subsidies initially to kick-start the market.

There was some discussion as to whether the 80 percent abatement was removed from the budget, and Chairman O'Neal asked for staff to verify if the county was still required to give the 80% tax credit.

Jim Wheeler, Moyock, believes the cleanup would be between the landowner and the company, not the County. He also believes a 100 foot setback is fine.

With no others wishing to speak, Chairman O'Neal closed the public hearing.

Commissioner Beaumont moved to approve the modification to the UDO as proposed by staff with edits to include an increase from 100 to 300 feet as demonstrated by SunEnergy and their plant in Moyock, edit paragraph (l) to read "prior to the issue of a building permit the

developer shall post a performance guarantee in the form of cash deposit with the county to ensure decommissioning funds are available in an amount equal to 115% of the estimated decommissioning costs period, deleting "salvage value". Estimates for decommissioning the sight and the salvagable value shall be prepared and certified by a registered engineer or North Carolina general contractor and costs are to be evaluated every 2 years and the performance guarantee adjusted accordingly not subject to decrease from the original estimate of decommissioning.

The motion died for lack of a second.

After the motion, the Board discussed the possibility of the county getting stuck with the burden of cleanup or having no place to dump the salvaged materials. A credit for the salvageable material built into the required cash deposit was discussed, and whether that deposit would be too onerous if the credit was omitted.

Commissioner Aydlett moved to continue to the next meeting to allow the Board time to think the item through for better understanding. Commissioner Griggs seconded and asked that staff bring the Board some numbers and make the process more simple. The motion carried unanimously.

Board of Commissioners (9/8/15)

After review, Mr. Woody answered Board questions regarding salvagable materials that may remain and our ability to liquidate should a contractor abandon a site. Surety bonds, notice of violations and performance guarantees were discussed relative to the possibility of companies going bankrupt. Mr. McRee, County Attorney, said there are many ways to address these issues. Concerns of what conditions may be in 20 or 30 years with regard to decommissioning and disposal were discussed. Considerations such as looking at other county's regulations, requirements for cash deposits and fees, manpower issues related to inspection teams and insurance bonds were also discussed as ways to remove any financial burden for the County. After discussion, Mr. Woody said he could put together information as to how other areas addressed the regulating and decommissioning of solar arrays for presentation at the next Board meeting. Mr. Woody answered some general questions about the proposed setbacks and water testing requirements.

Commissioner Gilbert moved to continue the item to the next meeting, with a second by Commissioner Aydlett.

Planning Board Recommendation: (8/11/15)

Mr. Craddock moved to approve PB 15-13 as presented due to its consistency with the Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development with the exception of (h) Ground water monitoring wells and subsection (i). Ms. Overstreet seconded the motion and motion carried unanimously.

Planning Board Discussion (8/11/15)

Mr. Craddock asked what was the logic behind moving all solar arrays and fencing back from property lines.

Ms. Glave said to give a larger visual buffer between the property lines and where the fence starts.

Mr. Cooper asked what was the previously equipment setbacks from property lines.

Ms. Glave said whatever the zoning district requires. Ms. Glave said this text amendment will not affect the approved solar farm going in Shawboro, but the applicant for the Moyock solar farm is choosing to apply this text amendment so they will be in compliance.

The Planning Board discussed ground water monitoring wells, testing data, cost of putting ground monitoring wells in and the cost of testing data annually, and the performance guarantee in the form of cash deposit.

Mr. Woody said the cost is approximately \$2,000-\$3,000 to install a well.

Mr. Cooper closed the public hearing.

Mr. Craddock moved to approve PB 15-13 as presented due to its consistency with the Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development with the exception of (h) Ground water monitoring wells and subsection (i). Ms. Overstreet seconded the motion and motion carried unanimously.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1374)

Agenda Item Title

Public Hearing and Action on Resolution Creating the Backwoods Reserve-Saddlebrook Water Service District

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Donald (Ike) I. McRee Jr

REPORT ON THE CREATION OF THE BACKWOODS RESERVE-SADDLEBROOK SERVICE DISTRICT FOR WATER

To establish an entity for the purpose of financing, maintaining and providing for water treatment and distribution there is proposed the creation of the Backwoods-Saddlebrook Service District for Water.

Identified Need for Service District

Located at the junction of South Mills Road and Northwest Backwoods Road in Moyock Township is the proposed 20 lot Backwoods Reserve and 24 lot Saddlebrook subdivisions. The two subdivisions will cover approximately 100 acres and will be served by a community water system. The community water system will be privately owned and operated.

Pursuant to Section 6.2.3 of the Currituck County Unified Development Ordinance, whenever a private water system is utilized to service a development a water service district shall be established encompassing the boundaries of the development. Further, the water service district shall be established prior to the final plat approval and structured in such a way that will assure the long term viability of the water system. The owner/developer of the subdivisions has requested the creation of the water service district.

Resident Population and Population Density

At this time, prior to recordation of the final plats, there is no resident population and density. Data from the 2010 Census shows that for the census tract in which the subdivisions are located an average household contains approximately three people. Using the average household population derived from 2010 Census data it is estimated that upon build out the subdivisions will be populated by 132 people.

Appraisal Value of Property Subject to Taxation in the Proposed Service District

The assessed valuation of property subject to taxation in the proposed service district is \$306,400. The assessed valuation on the date of this report is of undivided property and does not reflect the assessed valuation upon subdivision and development of lots. The current real property tax rate, which includes the proposed service district area, is 48 cents (\$0.48) per \$100.00 valuation. An existing Guinea Mill Watershed Improvement Service District for drainage services has assessed a tax rate in the amount of 1 cent (\$0.01) per \$100.00 valuation. There are no plans to assess a tax rate for the proposed service district at this time. A tax may be assessed should the private community water system owner/operator fail and the service district be required to operate and maintain the community water system.

Plan for Providing Water Service Within the Proposed Service District

The proposed service district will be dormant unless the private water system owner/operator is unable to maintain and operate the water system. In such event, the service district will assure the proper maintenance and operation of the water system.

MAP OF PROPOSED SERVICE DISTRICT

A map of the proposed district is attached to this report as Exhibit A. The district boundaries as shown on the attached map are based on the legal description attached to this report as Exhibit B.

REPORT ON THE CREATION OF THE BACKWOODS RESERVE- SADDLEBROOK SERVICE DISTRICT FOR WATER

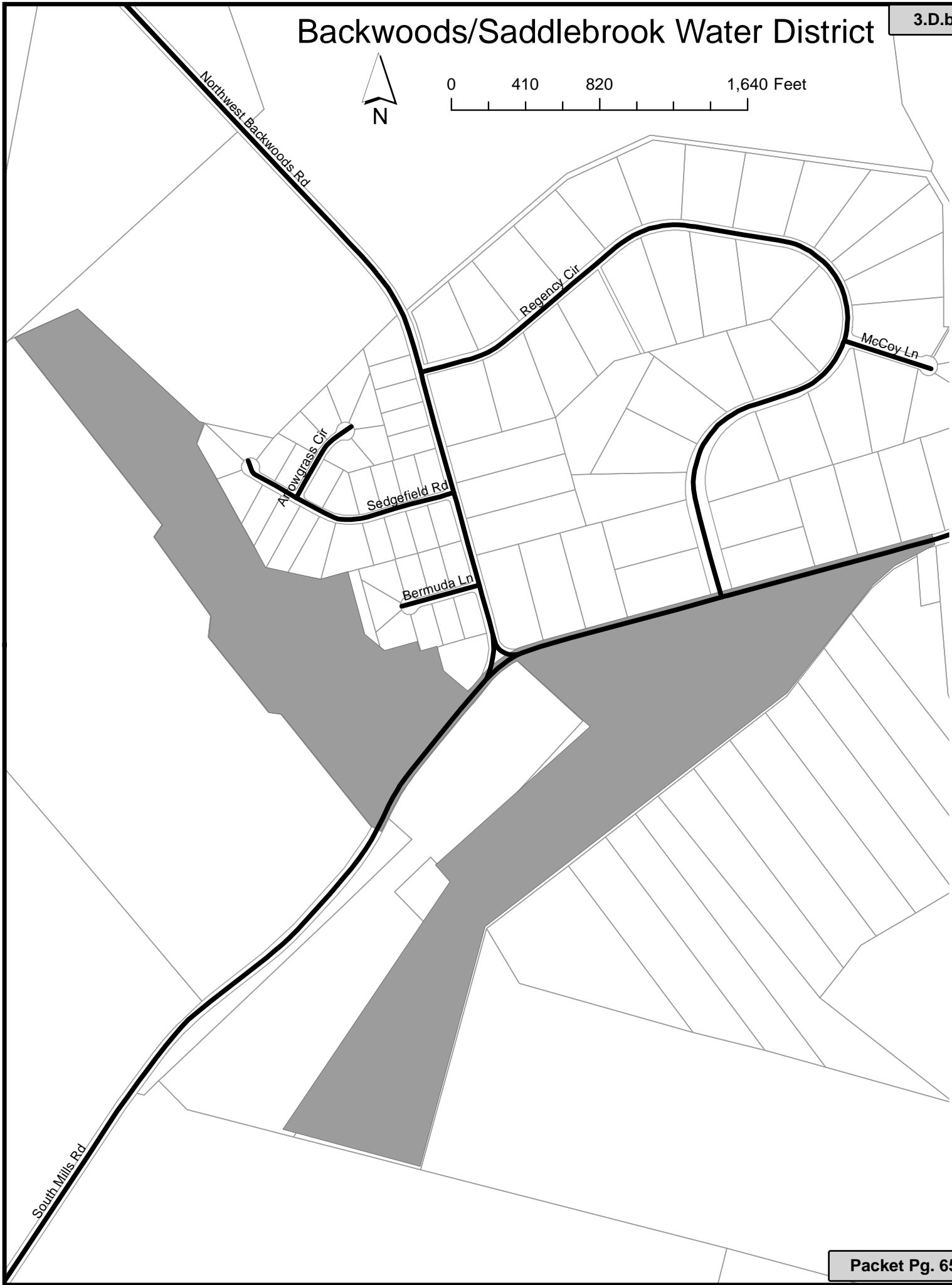
Filed with the Clerk to the Board of Commissioners on
December 3, 2015

Backwoods/Saddlebrook Water District

3.D.b



0 410 820 1,640 Feet



Attachment: backwoods_saddlebrook public notice map (1374 : Backwoods Reserve Water Service District)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1376)

Agenda Item Title

Consideration and Action on Ordinance Amending Chapter 2, Article III of the Code of Ordinances to Establish the Animal Services and Control Advisory Board

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Donald (Ike) I. McRee Jr

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS
AMENDING CHAPTER 2, ARTICLE III OF THE CURRITUCK COUNTY CODE OF
ORDINANCES BY ADDING A NEW DIVISION 7 ANIMAL SERVICES AND
CONTROL ADVISORY BOARD**

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

WHEREAS, pursuant to N.C. Gen. Stat. §153A-77 a Board of Commissioners may appoint advisory boards, committees, councils and agencies composed of qualified and interested county residents to study, interpret and develop community support and cooperation in activities conducted by or under the authority of the Board of Commissioners.

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

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by adding a new division to Chapter 2, Article III to read as follows:

DIVISION 7. ANIMAL SERVICES AND CONTROL ADVISORY BOARD

Sec. 2-129. - Created.

The Animal Services and Control Advisory Board is created pursuant to G.S. 153A-76.

Sec. 2-130. - Composition.

The Animal Services and Control Advisory Board shall be composed of seven members who are citizens of the county and meet the following requirements:

(1) One member shall be the county Animal Services and Control Director or director's designee;

(2) One member shall be a county Animal Control Officer;

(3) One member shall have demonstrated experience in animal care or administration in a veterinary hospital environment;

(4) One member shall be a professional animal handler or trainer with a recognized credential or certification or other equivalent experience in working with animals;

(5) One member shall have demonstrated experience researching and writing grants;

(6) Two members shall be from different commissioner electoral districts who are actively engaged in animal welfare and/or advocacy at the time of appointment.

One member of the Board of Commissioners shall be appointed by the Board of Commissioners to serve on the Animal Services and Control Advisory Board *ex officio* without a vote for a two year term.

Sec. 2-131. - Appointment and terms of members.

The Animal Services and Control Advisory Board shall be appointed by and serve at the pleasure of the Board of Commissioners in the manner set forth in sections 2-96 and 2-97. The initial Animal Services and Control Advisory Board is to consist of three appointees for a term of one year and four appointees for a term of two years. Thereafter, all appointments are to be for terms of two years.

Sec. 2-132. - Compensation of members.

The Animal Services and Control Advisory Board shall be paid the sum per meeting provided by the Board of Commissioners in the county fee schedule and shall be reimbursed for expenses incurred by them in the course of their duties upon the presentation of proper vouchers for those expenses.

Sec. 2-133. - Removal of members.

The Board of Commissioners shall have the right to remove any member appointed to the Animal Services and Control Advisory Board at will and appoint a replacement member.

Sec. 2-134. - Duties.

The Animal Services and Control Advisory Board is charged with the following duties:

(1) work with the Animal Services and Control Director to formulate and recommend to the Board of Commissioners projects and programs promoting and encouraging awareness of animal care services, responsibilities of pet ownership, and animal adoption programs;

(2) make recommendations to the Board of Commissioners pertaining to the prevention of injury to and the inhumane treatment of animals in the community that could be remedied by changes to existing ordinances or implementation of new ordinances.

(3) monitor trends involving changes in animal populations, demands for services and licensing activities and report findings to the Board of Commissioners as appropriate;

(4) in coordination with the county's public information officer prepare and coordinate a countywide public information program to inform county residents about services provided by the Animal Services and Control Department and promote the general safety and welfare of animals;

(5) research, identify, prepare and coordinate applications for grants, fundraising efforts and donations for the enhancement of services provided by the Department of Animal Services and Control, spay/neuter and rabies vaccination programs and the adoption and general welfare of animals in the county's custody; and

(6) perform such other duties as may be authorized or directed by resolution of the Board of Commissioners.

Sec. 2-135. - Function as advisory body.

The Animal Services and Control Advisory Board shall have no legislative powers of its own but shall simply be an advisory body to the Board of Commissioners concerning the matters

with which it is charged, and the Board of Commissioners will receive and consider the advisory board's recommendations.

Sec. 2-136. - Officers.

The Animal Services and Control Advisory Board shall appoint from its membership a chairman and any other officers as it may deem necessary for the orderly conduct of its business.

Sec. 2-137. - Meetings.

The Animal Services and Control Advisory Board shall hold meetings once quarterly and at hours as may be fixed by the board. Special meetings may be held on call of the chairman upon 48 hours' notice to all members of the board. A copy of the minutes of all meetings shall be submitted to the county manager. All meetings or other business of the board shall be conducted in accordance with the Open Meetings Law.

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

PART III. This ordinance is effective immediately upon adoption.

ADOPTED this ____ day of January, 2016.

David L. Griggs, Chairman

ATTEST:

Leeann Walton
Clerk to the Board

APPROVED AS TO FORM:

Donald I. McRee, Jr.
County Attorney

Date adopted: _____

Motion to adopt by Commissioner _____

Second by Commissioner _____

Vote: _____ AYES _____ NAYS

S:\Legal\Ordinances\



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1386)

Agenda Item Title

Senior Citizens Advisory Board

Brief Description of Agenda Item:

Commissioner Gilbert needs to appoint a new member to the District 5 seat on the Senior Citizens Advisory due to the resignation of Mr. Rick Bell. This new appointee would initially serve to fill the unexpired term through February, 2016.

Commissioner O'Neal's at large appointee, Joanne DiBello, is eligible for reappointment or may be replaced. The appointee will serve a full two-year term expiring February, 2018.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

SENIOR CITIZEN ADVISORY BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Heidi Montalbine	District 1		Vance Aydlett	3/2/2015	2nd 2/1/2017
Edith Meekins	District 2		David Griggs	7/15/2013	1st 2/1/2016
Janet Lovell	District 3		Mike Payment	6/1/15	Unexpired Term 2/1/2017
Doris Ballance	District 4		Paul Beaumont	10/7/2013	2nd 2/1/2017
(VACANT as of Dec 7, 2015)	District 5		Marion Gilbert	3/17/14	1st 2/1/2016
Marcia Steele	At-Large		Mike Hall	1/24/14	1st 2/1/2016
Joanne DiBello*	At-Large		Paul O'Neal	6/2/14	1st 2/1/2016

Appointment needed to fill an unexpired term due to member resignation

Commissioner Hall Serves on this Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1385)

Agenda Item Title

Library Board of Trustees

Brief Description of Agenda Item:

Commissioner Gilbert has an appointment to the Library Board. Her appointee has served two full, consecutive terms and must be replaced.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

LIBRARY BOARD OF TRUSTEES
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Shelly Haskell	District 1		Vance Aydlett	6/17/2013	1st 6/30/2017
Deborah Mountain	District 2		David Griggs	10/5/2015	2nd 6/30/2017
Colleen Umphlett	District 3		Mike Payment	6/17/2013	1st 6/30/2017
Keith Dix	District 4		Paul Beaumont	10/6/2014	2nd 6/30/2016
Lisa Rose**	District 5		Marion Gilbert	6/17/2013	2nd 6/30/2015
George Gregory	At-Large		Mike Hall	6/17/2013	2nd 6/30/2017
Tom Oakes	At-Large		Paul O'Neal	8/2014	1st 6/30/2016

****Must be Replaced**



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1384)

Agenda Item Title

Planning Board

Brief Description of Agenda Item:

Commissioner O'Neal's appointee, John Wright, serving two consecutive terms on the Planning Board, needs to be replaced.

Commissioner Gilbert's appointee, Carol Bell, is eligible for reappointment or may be replaced.

Both appointees would serve full two-year terms, expiring December 2017.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

PLANNING BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Mike Cason	District 1		Vance Aydlett	January 5, 2014	1st Term 12/31/2016
Steven Craddock	District 2		David Griggs	January 2013	1st Term 12/31/2016
John Cooper	District 3		Mike Payment	January 2012	2nd Term 12/31/2016
Daniel Cartwright	District 4		Paul Beaumont	January 2012	2nd Term 12/31/2016
Carol Bell*	District 5		Marion Gilbert	January 2013	1st Term 12/31/2015
Fred Whiteman	At-Large		Mike Hall	January 2012	1st Term 12/31/2016
John Wright**	At-Large		Paul O'Neal	January 2013	2nd Term 12/31/2015
Jane Overstreet	Outer Banks		Consensus	December 2013	1st Term 12/31/2016
Robert Bell	Mainland		Consensus	January 5, 2015 January 2012	2nd Term 12/31/2016

*Can be reappointed or replaced

**Must be replaced



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1383)

Agenda Item Title

Economic Development

Brief Description of Agenda Item:

A consensus appointment is needed for Roger Lambertson, who had originally resigned from the Economic Development Advisory and subsequently rescinded his resignation. The Board approved allowing the rescinding of his resignation, but it is also necessary to approve Mr. Lambertson's reappointment for a second full term of two years, expiring March 2017.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

ECONOMIC DEVELOPMENT ADVISORY BOARD
2 Year Terms

Incumbent	R or NR	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Martha Burns		District 1		Vance Aydlett	3/17/14	1st March 2016
Ray Griggs		District 2		David Griggs	3/17/14	1st March 2016
Al Marzetti		District 3		Mike Payment	4/7/14	1st March 2016
Greg Laput		District 4		Paul Beaumont	4/7/14	1st March 2016
Eldon Miller, III		District 5		Marion Gilbert	8/17/15	1st March 2017
Barbara Courtney		At-Large		Mike Hall	8/17/15	2nd March 2017
Sam Miller		At-Large		Paul O'Neal	10/5/15	2nd March 2017
John Snowden	R	Consensus		Consensus	1/5/15	Unexpired Term 1st March 2016
John Harris		Consensus		Consensus	10/20/14	1st March 2016
Roger Lambertson**		Consensus		Consensus	10/20/14	1st March 2015
Keith Hall		Consensus		Consensus	10/5/15	2nd March 2017

**Reappointment needed-resignation was rescinded by member

R=Resident NR=Non-resident



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1382)

Agenda Item Title

Recreation Advisory Board

Brief Description of Agenda Item:

Commissioners Aydlett has an appointment to the Recreation Advisory. The current member, Ryan Hodges, was appointed to fill an unexpired term and is eligible for reappointment to serve a full 2-year term, expiring January 2018.

Commissioner Payment has an appointment to the Recreation Advisory. The current member, Robin Kane, was appointed to fill an unexpired term and is eligible for reappointment to serve a full 2-year term, expiring January 2018.

Commissioner Gilbert must replace the District 5 appointee, Charles Pickell, who has served two consecutive terms.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

RECREATION ADVISORY BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of 1st Appointment	End of Term
Ryan Hodges*	District 1		Vance Aydlett	2/17/2014	Unexpired Term January 2016
Neel Smith	District 2		David Griggs	1/17/2012	2nd Term January 2017
Robin Kane*	District 3		Mike Payment	1/22/2013	Unexpired Term January 2016
Janet Rose	District 4		Paul Beaumont	1/17/2012	2nd Term January 2017
Charles Pickell**	District 5		Marion Gilbert	1/22/2013	2nd Term January 2016
Bill Freethy**	At-Large		Mike Hall	1/22/2013	2nd Term January 2016
Ellen Owens	At-Large		Paul O'Neal	4/6/2015	1st Term January 2017

****Must be Replaced**

***May be reappointed or replaced**

Commissioner Beaumont Serves on this Board



**CURRITUCK COUNTY
NORTH CAROLINA**

December 7, 2015

Minutes – Regular Meeting of the Board of Commissioners

5:00 CALL TO ORDER

The Currituck County Board of Commissioners held a regular meeting at 5 PM in the Historic Courthouse. Chairman O'Neal called the meeting to order.

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

A) Invocation & Pledge of Allegiance

Retired Air Force Chaplain, Reverend Walter Gallop, gave the Invocation and led the Pledge of Allegiance. Prior to the Invocation, Chairman O'Neal asked that we remember Pearl Harbor and those we lost.

B) Election of the Chairman of the Board of Commissioners

The meeting was turned over to Dan Scanlon, County Manager, who explained the process followed for the election of new officers. He opened the floor for nominations for Chairman.

Commissioner Gilbert nominated David Griggs to serve as the new Chairman of the Board of Commissioners and was seconded by former Chairman, Paul O'Neal. The nomination was unanimously approved. Commissioner O'Neal thanked the Board of Commissioners and citizens for their support of his Chairmanship over the years and passed the gavel to Chairman Griggs.

C) Election of the Vice-Chairman of the Board of Commissioners

Newly-elected Chairman, David Griggs, thanked the Board and asked for nominations for the position of Vice-Chairman. Commissioner Gilbert nominated Commissioner Vance Aydlett for Vice-Chairman and the nomination was seconded by Commissioner Beaumont. Commissioner Aydlett's nomination was approved unanimously.

Vice-Chairman Aydlett thanked the Board for their support, promising to do his best to help move the County forward.

Communication: BOC Meeting Minutes for December 7, 2015 (Approval Of Minutes-December 7, 2015)

Commissioner Griggs said he looks forward to continuing to work toward bringing projects in progress to completion. He then called a brief recess to allow Commissioners time to re-organize and re-seat.

D) Approval of Agenda

After a brief recess the meeting was called back to order for approval of the agenda.

Commissioner Gilbert requested to add her appointment to the Game Board to Board Appointments in the New Business section.

Chairman Griggs amended the agenda to include a Recognition of the Outgoing Chairman as Item A in Administrative Reports, and added item B in Administrative Reports, a report and discussion of the Animal Shelter. The Chairman also added Item B in the Tourism Development Authority special meeting to include a discussion of hours of operation for Whalehead.

Commissioner Aydlett moved to approve the agenda as amended with a second by Commissioner Gilbert. The motion carried unanimously.

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

ADMINISTRATIVE REPORTS

1. Amended-Presentation to outgoing Chairman, Paul O'Neal

Chairman Griggs asked the Commissioners to join him on the floor to present a certificate to Paul O'Neal in recognition of his service to the County. He read the certificate, recognizing his service as Chairman over the past year. Commissioner O'Neal thanked everyone and praised the Currituck community.

2. Amended Item-Presentation and Discussion of Animal Shelter

Dan Scanlon, County Manager, recalled concerning commentary presented at the last meeting pertaining to operation of the county's animal shelter. He referred to misinformation being presented on several social media sites and had asked Gina Maurer, Director of Animal Services, and Melanie Bailey, Shelter Manager, to present information and answer questions the Board may have with regard to this information. Gina Maurer reported on current shelter operations, stating the Animal Services Department had a rewarding first month as a new department, and responded to many of the allegations and misinformation. Ms. Maurer recalled her conversations with Ginger Sikes of Animal Lovers Assistance League (ALAL), and offered her response to an email Ms. Sikes had sent regarding adopt-a-thons. Ms. Maurer said she had volunteered at ALAL's Bark in the Park event with Commissioner Hall, and felt she had a productive conversation recently at the shelter with Ms. Sikes regarding future programs, fund-raising, and what types of services ALAL was currently providing so she could forward citizens who needed those services to ALAL. She announced the other non-profit and rescue groups they currently work with. Melanie Bailey, who previously worked with ALAL and the Currituck SPCA, and stated the transition to

county operations was by far the easiest. She provided adoption statistics and reported on the recent vet visit. When asked, she reviewed the foster program, and Commissioners discussed the dog breeding problem in the County. Ike McRee, County Attorney, explained there would be amendments to the Animal Control Ordinance to address breeding. Volunteering for dog walking and fostering were discussed in detail with the Board, and Commissioner Aydlett thanked the staff for all they do, stating that there is a role for everyone. Ms. Bailey adamantly denied an accusation that they were euthanizing kittens, stating kittens are never euthanized unless they are seriously ill.

Commissioner Gilbert announced the shelter open house on December 19, 2015.

Lee Smith of Pasquotank County asked for an opportunity to speak, and Chairman Griggs approved. Mr. Smith commended the shelter staff, and said the other animal organizations should be helping if they care about the animals. He also said the facility needs a vehicle. He talked about the need for spay and neuter funds and euthanasia.

Ginger Sikes, of Animal Lovers Assistance League, also asked to speak. She said she had sent an email to the veterinarian contracted for providing veterinary care for the shelter animals to ask for recommendations to equip a spay and neuter clinic at the shelter. She explained funds had been donated by Mr. Bob Kohler in memory of his wife Phyllis. She also said ALAL is ready to help with adopt-a-thons.

Mr. Scanlon responded to the Board, advising he had spoken with Mr. Kohler about a year ago about the donation he had made. Mr. Scanlon said they spoke with the vet, Dr. Kronague, who suggested we have an exam space in lieu of a surgical space, preferring to perform surgical procedures in his office. Mr. Scanlon said he had spoken with Mr. Kohler a week ago who suggested other ideas as to how the donation could be spent.

PUBLIC HEARINGS

A. Public Hearing and Action: PB 15-16 Moyock Commons, Phase 2:

Planning and Community Development Director, Ben Woody, reviewed the Conditional Zoning request with the Board.

ITEM: PB 15-16 Moyock Commons, Phase 2: conditional rezoning of 50.65 acres from Agricultural (AG) to Conditional Single-Family Mainland (C-SFM).

LOCATION: At the westerly terminus of Moyock Commons Drive, behind the Food Lion Shopping Center, Moyock, Moyock Township.

TAX ID: 0015-000-0080-0000
0015-000-0081-0000

ZONING DISTRICT: Conditional Single-Family Residential Mainland (C-SFM)

PRESENT USE: Vacant farmland

OWNER: Anne J Saunders Rev Trust
4720 Bromley Ln
Richmond VA 23326

Luna J Cuttino Estate

435 Pine Hill Dr
Orangeburg SC 29115

APPLICANT: Moyock Commercial Properties LLC
c/o Moyock Land Company LLC
Attn: Charles Friedman
500 Pacific Ave #607
Virginia Beach VA 23451

ENGINEER: Youngblood, Tyler, & Assoc
Attn: Adam Werner
7309 Hanover Green Dr
Mechanicsville VA 23111

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential/CommercialC-SFM/GB/SFM	
SOUTH:	Residential/Active Farmland	AG/SFM
EAST:	Active Farmland	AG
WEST:	Residential	SFM

**LAND USE PLAN
CLASSIFICATION/
CONSISTENCY**

The 2006 Land Use Plan classifies the site as Full Service within the Moyock subarea. The policy emphasis for the Moyock area is on properly managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. Residential development densities should be medium to high depending upon available services. In areas where central sewer is proposed or existing, additional services are available, and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered though the use of overlay zones. The proposed plan 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. 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.
2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

Policy HN5: Currituck County recognizes that there are many types of

housing, in addition to manufactured housing that are often overlooked in meeting the affordable housing needs of young families, workers of modest income, senior citizens, and others.

POLICY ML1: Currituck County recognizes the particular interest of residents and property owners in the Mainland Area in PRESERVING FARMLAND AND OPEN SPACE. The County shall exercise diligence in applying policies, plans, and actions that will encourage compact growth and the preservation of farmland and open space in the Mainland Area.

MOYOCK SAP:

The Moyock Small Area Plan classifies the property as Full Service.

Full Service designations are focal points in the community where high amounts of activity occur. Mixed use development with both residential and commercial components will be present in these areas. Typical densities in full service designations range from 1.5 - 3 units per acre depending on surrounding land uses. All development should encourage human scale development and interconnected transportation systems that support both vehicles and pedestrians.

Policies supporting the request include:

Policy FLU 1 Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.

CURRENT ZONING: Agricultural (AG)

PROPOSED ZONING: Conditional - Single Family Mainland (C-SFM)

CURRENT USE: Undeveloped

SIZE OF SITE: 50.65 total acres

ZONING HISTORY: Agricultural (A40) - 1974 Zoning Map
Agricultural (A) - 1989

UTILITIES: County water and sewer are available to serve this development.

TRANSPORTATION: The proposed development has access to Caratoke Highway via Moyock Commons Drive. It also has access to Puddin Ridge Road and East White Pine Road.

FLOOD ZONE: The proposed development is located in an unnumbered A zone, Shaded X, and X flood zone.

WETLANDS: The county wetland inventory map indicates that the soils may have wetland characteristics. A wetland delineation will be required at subdivision submittal.

PLAN REQUEST: Residential Development

- 100 single family dwelling lots
- 50.65 Acres
- Density: 1.97

- Open Space
 - Required 40%: 20.26 ac
 - Proposed 40%: 20.30 ac

PROPOSED ZONING CONDITIONS:

1. A minimum of a 25' buffer will be provided along the shared property line with Quail Run subdivision.
2. Stormwater runoff will be detained on site below a pre-developed two year storm event. (Q10 post ≤ Q2 Pre)
3. All residential dwellings shall be constructed either with crawl space or on raised slabs with finished floor at least 16 inches above outside ground grade.

COMMUNITY MEETING:

Community meetings were held on July 20, 2015 and July 27, 2015 at the Moyock Library. Andrew Browning and Adam Werner, both of Youngblood, Tyler & Associates, presented a summary of the development proposal. Several questions and comments were addressed including some about drainage, connection to White Pine Road, urbanization of Moyock, quality of housing, and traffic.

NARRATIVE:

Quail Run Subdivision adjoins this project to the south. In order to mitigate impacts on Quail Run Subdivision, the developer is only placing 11 lots along the shared property line with an average lot size of these 11 lots of approximately 20,000 sf. The remaining portions of the shared property line contain open space. The developer is also proposing a 25' landscape buffer along the southern property line. The proposed development acts as a transition from Quail Run Subdivision to the commercial portion of Moyock Commons.

East White Pine Road in Quail Run was platted with a connection to the subject property at the time Quail Run was developed to provide interconnectivity between the two properties.

TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

The conditional zoning process provides an opportunity for an applicant to propose use limitations or development conditions that ensure development proposals are consistent with the policies set forth in adopted plans. The TRC **recommends approval** of the proposed request provided staff comments are addressed and zoning conditions can be agreed upon between the county and the applicant. The conditional rezoning request is consistent with the goals, objectives, and policies of the Land Use Plan, is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and use for the land.

Additional Staff Conditions:

1. That a preliminary drainage impact study be provided by the developer and approved by the county prior to submittal of the preliminary subdivision plat. (Engineering)
2. That the curbing at the roundabout be a low level rideable curbing. (Fire Marshal)

Plan corrections

1. Please call out the flood zone as an "Unnumbered A" zone. (Planning)

Note

At the TRC meeting, the applicant was made aware that at a Board of Commissioners' work session on September 8, 2015, the board directed staff to prepare a text amendment that will require a minimum lot size in a conservation subdivision to be approximately 15,000-20,000 square feet. This may directly impact the subdivision to be submitted after the rezoning is approved.

PLANNING BOARD RECOMMENDATION:

Mr. Craddock moved to approve PB 15-16 with staff recommendations #1 and #2, due to it is consistent with the goals, objectives, and policies of the Land Use Plan, is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and use for the land with the following condition:

- Make the open space remain in a wooded state and not cleared.

Mr. Cartwright seconded the motion. Since it was a tied vote the request moves forwards as denial per Planning Board Rules of Procedure.

Planning Board Discussion (10/13/15)

Adam Werner, Youngblood, Tyler, & Assoc., Mitch Armbruster, Wende Shannon, 204 Puddin Ridge Road, Peggy Lusk, 140 B Street, appeared before the board.

Ms. Glave presented the staff report.

Mr. Cooper asked staff if the East White Pine Road right-of-way goes all the way to the property line.

Ms. Glave said yes.

Mr. Cooper asked staff if the 25' buffer is not part of the 20,000 sf lots. Ms. Glave said it is part of the open space.

Mr. Cooper asked with the requirement of a preliminary impact drainage study, what type of information will it show.

Ms. Glave said it will show that the development will be controlling their stormwater runoff on their property.

Mr. Werner provided an overview of the project. Mr. Werner said they had two community meetings to get feedback from the community. The concerns were drainage and ditches. They have provided ample green space to alleviate some of the community concerns. Mr. Werner talked about drainage and how it will be controlled onsite.

Mr. Cooper asked if the large area of open space, which is adjacent to the residential area, will it be left natural.

Mr. Werner said yes other than the pond to be installed to control stormwater runoff.

Mr. Cooper asked if the impact drainage study will show the impact of drainage on the subdivision as designed.

Mr. Werner said three drainage studies have been done in this area, Northline Water Transportation, Quible Engineers, and Hassell & Folkes. The construction plans will show the design from these studies, but a new study will not be done.

Mr. Cooper asked if the three studies show onsite retention of stormwater runoff for this particular plan.

Mr. Werner said not for this site.

Mr. Armbruster, attorney for applicant, would be glad to answer any questions. Mr. Armbruster said the owners have signed off on the property.

Ms. Shannon said the county has two things going on, review of the UDO and a proposed expansion of the Moyock stormwater district to be a township wide district. These two items will have a substantial impact on what may or may not happen in Moyock. Ms. Shannon talked about retention ponds drying out because not properly maintained. Over half of this property is wooded which help absorb the water. Moyock Commons system is still in place and how will this be addressed. Ms. Shannon is concerned with drainage, ditches need to be cleaned out, types of homes, lot filling and runoff, alternatives put in place for East White Pine Road not be used as entrance or exit. What are other options for this conservation subdivision other than the cookie

cutter layout? Ms. Shannon said the Moyock Small Area Plan wanted rural, small town feel.

Ms. Lusk talked about drainage, ditches, and the problems she and residents have in Moyock. Ms. Lusk has concerns with increased traffic, traffic pattern, noise, soil types, flooding, drainage, ditches, and safety. Ms. Lusk said residents in Moyock do not want to see it urbanized. Ms. Lusk would like to see existing problems be taken care of before you go forward with the higher density in Moyock.

Mr. Werner said he met with the Department of Transportation (DOT) and the county engineer to discuss the study that Quible did in 2009. From this study, DOT improved the culverts on Puddin Ridge Road in 2013. Mr. Werner said if lots are graded up there will be swales to prevent stormwater runoff on adjoining properties. Mr. Werner said they want this development to look nice and will design so the retention ponds will not dry out.

Mr. Cooper closed the public hearing.

Mr. Cooper said there is some discussion about changes to the UDO; however, as a planning board we are obligated to review these cases and pass recommendations onto the Board of Commissioners based on the present rules. Retention ponds are a regular part of subdivision drainage. The drainage requirements will follow the rules of the new stormwater manual, which is very restrictive. Mr. Cooper talked about sewage capacity, large part of the open space to remain wooded, and density.

Ms. Bell said she lives on Puddin Ridge Road and traffic is bad. Ms. Bell is concerned with traffic on Moyock Commons Drive during the summer since traffic lights are longer. She also concerned with drainage and traffic issues. Ms. Bell said if you don't live in Moyock, you don't understand how drainage and traffic impact your life.

Ms. Overstreet asked how many lots are in Phase 1.

Ms. Glave said it was approved for 55 lots.

Ms. Overstreet said you are now looking at a potential of 150 lots which will contribute to the drainage and traffic issues.

Mr. Whiteman is concerned with drainage.

Ms. Lusk said the clay soil contents of the retention ponds will cause the sides to start filling back in. Who will maintain these retention ponds?

Mr. Cooper said that state permitted retention ponds will be inspected by the state every 10 years and the county's new stormwater manual has a requirement for maintenance.

Mr. Cooper said he does agree with the public that there are drainage and traffic issues in Moyock. In regards to East White Pine Road the county is going in the direction that all new subdivisions have interconnectivity. With the new stormwater manual it is designed to make existing drainage problems better.

The planning board talked about traffic and drainage issues, soil types, Moyock by-pass, open space wooded area, homeowner's association, and flood zones.

Mr. Craddock asked the developer what they are proposing to ensure stormwater will remain on the property. Leaving the open space wooded is helping out with the drainage.

Mr. Werner said they will do a calculation to make sure the retention ponds are at the correct depth to retain water in the ponds year round.

Mr. Craddock thanked Ms. Shannon and Ms. Lusk for coming before the board.

Mr. Craddock moved to approve PB 15-16 with staff recommendations #1 and #2, due to it is consistent with the goals, objectives, and policies of the Land Use Plan, is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and use for the land with the following condition:

- Make the open space remain in a wooded state and not cleared.

Mr. Cartwright seconded the motion. Since it was a tied vote the request moves forwards as denial per Planning Board Rules of Procedure.

At the close of review, Mr. Woody asked Mr. Andy Deel with Deel Engineering, to review findings of a stormwater drainage study he had performed previously on the property when working with Quible. He showed maps on the overhead monitor and explained problem flood areas on and around the proposed site, reviewed challenges with drainage using the current ditching, made suggestions as to what requirements may be imposed to help drainage and answered questions raised by the Board. Wind and water levels in the sound were discussed and how they affect the flooding situation at the site. Mr. Deel said the stormwater challenges can be addressed, but effects from sound levels was an elevation problem. Proposed improvements made by the developer to ditch 4 were discussed, with Mr. Deel believing that water can be retained and released at a slower rate into ditch 4, with proper engineering, thereby reducing flooding. Stormwater ordinance requirements were discussed.

Chairman Griggs asked the applicant to come forward, opening the Public Hearing.

Andrew Browning of Youngblood, Tyler & Associates, introduced both himself and colleague Adam Werner, representatives for the applicant, Moyock Commercial Properties. Mr. Browning reviewed the application process and recalled the flooding concerns raised by residents at the community meetings, which prompted them to engineer a new plan for development. He reviewed those changes with the Board, that included a reduction of total units and a transition with Quail Run utilizing open space. He talked of revisions to ingress and egress, showing how safety concerns of residents were addressed. A photo board of home elevations was shown. Mr. Browning acknowledged the drainage problems, believing all of the problems would be addressed with the on-site ponds, and that utilization of ditch 4 is the proper way to go. He said they will not make the problem worse.

Adam Werner discussed drainage and reviewed proposed improvements for the Board, including cleaning, widening, supplying additional easements with additional piping to divert and reroute stormwater. Mr. Browning requested zoning approval tonight, stating they meet the requirements of the Land Use Plan.

Commissioner O'Neal questioned Mr. Woody about access, concerns with the narrowness of Puddin' Ridge Road, and if there were plans for the North Carolina Department of Transportation (NCDOT) to upgrade culverts and perform paving or a widening of Puddin' Ridge Road. Mr. Woody said he is not aware of any work that has yet progressed, and he said he believes the plan was to resurface the road, with no widening, and the Board discussed NCDOT's role with regard to ditching and road improvements. The Board clarified aspects of the plan with the engineers for the applicant.

Chairman Griggs asked the applicants if they agreed to all of the conditions proposed by

staff for approval, to which they replied they did.

Mr. Woody explained that although Mr. Deel suggested that both conditions be required by the Board, but it was possibly in conflict with our current ordinance, saying he would have to analyze the ordinance to make that determination.

Chairman Griggs asked for the public to

George Winslow, Virginia, owns the property south of the proposed development, and talked about ditching for his farm. Specifically referring to the Lindsay Ditch, or Ditch #1, Mr. Winslow said this needs to be expanded but it cannot due to the pipe under NC 158 needing replacement. He expressed his frustration, stating there is a serious drainage problem and he has not heard anything to resolve it tonight.

Paul Garrett, Moyock, believes the proposed neighborhood would help businesses and said the applicant has met all of the requirements. He asked for approval.

Judy Pinney, Moyock, said she met with County Engineer, Eric Weatherly, to learn about the ditching and stormwater. She believes more studies need to be done before approval. She stated other engineering firms have surveyed the area and they have told her that the ditching in the area is at capacity. She believes the county should provide adequate funding for proper ditching maintenance and engineering before any rezonings are approved. She asked that the Moyock Stormwater District be given an opportunity to meet to address current issues before new ones are created.

Ann Edge Dale, Moyock, has lived on Puddin Ridge Road since the 1950's, and said her property will be adversely expressing concerns about the destruction of the buffer between her and Food Lion and the increase in traffic. She asked who would benefit from the project, believing developers are outsiders who don't listen to the concerns of neighboring owners. She asked the Board to not cede control to those with little interest in the desires of the community.

Wende Shannon, Moyock, resides across from the easement on Puddin Ridge Road, and stated she was pleased to have the flooding issue covered by Mr. Deel. She said the flooding is not just a large storm issue, but is caused by regular rain events. She passed out a group of photos showing flooding in the area, and believes we are trying to redirect water where it doesn't want to go. As a member of the Moyock Stormwater District Board, she wants to see the issue addressed. She talked of safety on Puddin Ridge Road, believing the increased traffic will be more dangerous. She wants the Board to deny and gave Mr. Woody a map and claims it denotes the development area includes wetlands.

Chip Friedman, the applicant, addressed the comments made by Mr. Winslow, and stated that much of his property is not in the drainage district but it all drains into ditch #1. He also addressed the fact they can meet Mr. Deel's and/or condition, and can be part of the drainage solution, not the problem. Mr. Friedman discussed helping Quail Run by donating the open space within the subdivision to the Stormwater District. The wooded buffer area identified as Rattlesnake Woods was discussed, with Mr. Friedman stating that area would be left wooded. Ingress, egress and traffic in the commercial area were discussed.

Sherry Paine, Brookdale Court, Moyock, is concerned with flooding and the limited access, stating residents will not be able to get out on Saturday.

David Palmer, Caratoke Highway, Barco, worked on the Land Use Plan that was adopted in 2006, and said this project is compliant with it and the Moyock Small Area Plan. He believes the developer will bring improvements to the area, stating we need to pay attention to the plans and be fair and equitable to all.

With no one else wishing to speak, Chairman Griggs closed the Public Hearing. Chairman Griggs acknowledged that Moyock does have serious flooding problems.

Mr. Scanlon discussed how the County engaged the community in an effort to address stormwater issues in Moyock. Mr. Woody addressed some culvert cleaning performed by NCDOT and confirmed, after review, that Mr. Deel's suggestion that the applicant meet additional conditions would be allowable pursuant to the ordinance. Full service designations and soil were discussed.

Commissioner Hall, considering the statements and concerns raised by residents, having walked the property, and with studies not yet completed, and the stormwater advisory not having had the opportunity to meet, moved to table the item, believing there is not enough information at this time to move either forward or backward.

A time frame for completion of the study was discussed, as well as allowing time for the stormwater advisory board to meet. The applicant, when asked, agreed to meet the conditions and complete the study prior to zoning approval, giving a ninety day time frame for completion. Commissioner Griggs questioned whether the tabling would be encompassing enough to address the issues.

Commissioner Hall suggested tabling for 90 days and the motion was seconded by Commissioner O'Neal.

Commissioner Beaumont believed the issue was not going to be resolved in ninety days, and had doubts that anything significant would be decided by then. His sentiments were echoed by Chairman Griggs.

The motion failed, with Commissioners Gilbert, Payment, Beaumont and Chairman Griggs voting against.

Commissioner Beaumont moved to deny PB 15-16, Moyock Commons, Phase 2, conditional rezoning of 50.65 acres from Agriculture to Conditional Single Family Mainland, C-SFM, because it is inconsistent with the following policies in county adopted plans: The 2006 Land Use Plan Agriculture Policy #4 states "county growth management tools, including particularly zoning, should provide protection to agriculture and other resource based activities from incompatible land uses, such as residential subdivision in the midst of generally uninterrupted farm land; the Moyock Small Area Plan Community Character Policy #1 wants to encourage and foster development that is compatible with rural atmosphere, transitional area and a small town, main street feel consistent with the visions, policies and future land use map of this plan. The rezoning is not reasonable and not in the public interest because it will detract from the rural atmosphere of the Moyock area by converting 50.65 acres of existing farm land and wood land to residential development of single family homes, it will create adverse impacts to the existing community by putting stress on the

existing infrastructure, such as roads and drainage systems, and finally it will not protect the agriculture and other resource based activities in the Moyock area by promoting the development of a residential subdivision of single family homes in the midst of generally uninterrupted farm land.

The motion was seconded by Commissioner Gilbert and carried with a vote of 6-1, with Commissioner Hall voting against.

Chairman O'Neal said we have been discussing drainage forever, and talked about the need for NCDOT to get involved with the drainage issue. Commissioners talked about the need for decisions to be made so the problem can be addressed and fixed before adding more people into it.

John Flora, a Moyock resident for 80 years, stated they have had the problem for that many years.

After a bit more discussion, Chairman Griggs called for a brief recess.

RESULT:	APPROVED [6 TO 1]
MOVER:	Paul M. Beaumont, Commissioner
SECONDER:	Marion Gilbert, Commissioner
AYES:	S. Paul O'Neal, Commissioner, David L. Griggs, Board Chairman, O. Vance Aydlett, Vice-Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike H. Payment, Commissioner
NAYS:	Mike D. Hall, Commissioner

B. Public Hearing Pursuant to G.S. 158-7.1 on a Performance Agreement between the Currituck Chamber of Commerce and Currituck County

The meeting was called back to order and County Attorney Ike McRee reviewed the change in the General Statutes, adopted and signed by the Governor this year, which requires a Public Hearing be held for appropriations for an Economic Development purpose. Mr. Scanlon reviewed the performance agreement between the Chamber of Commerce and Currituck County and the deliverables the Chamber will be required to perform per the agreement. The Board clarified the purpose and provisions of the agreement as well as its compliance with other statutes related to the expenditure of public funds.

Chairman Griggs opened the Public Hearing.

Josh Bass, Moyock resident and President of the Currituck Chamber of Commerce, answered questions posed in earlier discussion by the Board, specifically about the most recent payment received by the Chamber and the Buy Local campaign. Mr. Bass claimed he had not seen the contract and only had a couple of hours to review it, and also said he has been working on Buy Local in good faith, and therefore requested the following be amended:

1. The full amount of \$40,000 be allocated instead of the prorated amount of \$34,500.
2. Educational classes be advertised for free in the Focus county newsletter
3. Flexibility in item 1 in Buy Local to streamline the website or move in another direction.
4. He expressed concern that the financial reporting requirements were too onerous.

Mr. Scanlon noted the Chamber had concurred with the \$34,500 amount as proposed and the Board talked about how to move forward with approval of the contract as well as had some discussion about the new regulations. Mr. Scanlon explained how the prorated amount was determined, with Mr. Bass' agreement that he had not performed a portion of the Buy Local in order to earn the funding. When asked, Mr. Bass said the agreed upon figure was discussed, but the Chamber Board approves the contract. Mr. Scanlon stated the two staffs had agreed on the figure.

Commissioner Gilbert moved to adopt the agreement as written, with the added piece of advertising in the FOCUS, effective immediately. The motion was seconded by Commissioner Aydllett. The motion failed, with Commissioners O'Neal, Beaumont, Payment, and Hall voting against.

Commissioner O'Neal proposed a substitute motion to recognize the first six months of work and fund at the full amount with a second from Commissioner Beaumont. The motion carried with a vote of 6-1, with Chairman Griggs voting against.

RESULT:	APPROVED [6 TO 1]
MOVER:	S. Paul O'Neal, Commissioner
SECONDER:	Paul M. Beaumont, Commissioner
AYES:	S. Paul O'Neal, Commissioner, O. Vance Aydllett, Vice-Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner
NAYS:	David L. Griggs, Board Chairman

NEW BUSINESS

A. Appointments to the Land Use Planning Committee

Ben Woody reviewed the advertising to enlist those citizens interested in serving on the Land Use Plan Steering Committee. He explained the impact and importance of the Land Use Plan and the duties of the steering committee. He said the individuals were selected by the Board of Commissioners and staff based on a review of applications received and was being presented for Board approval.

Commissioner O'Neal asked for approval, with the addition of people to balance representation of both Corolla and the off-road area. Commissioner Hall seconded.

Commissioner Aydllett said he would like to add a Knotts Island applicant as well. The motion was amended to add two people additional people to the committee, one from Knotts Island and another from Corolla to bring the number of members to thirteen. Mr. Woody explained the Board is able to add or remove people as needed, and said there would be attendance expectations for members.

The motion carried unanimously.

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

B. Corolla Greenway Construction Project-Recommendation of Award

County Manager, Dan Scanlon, reviewed the construction plans for the current section of the Corolla Greenway Multi-Use path. He announced the low bidder was Hatchell Concrete, Inc., with a bid of \$1,581,657. He reviewed and clarified the bid amounts and noted the bids had come in under estimates by about \$275,000, which would allow for the alternates to be included.

Commissioner Payment moved to approve with a second by Commissioner Gilbert. The motion carried unanimously.

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

C. Recommendation of Award for the Softball Fields at Currituck Community Park

Mr. Scanlon reviewed the project to construct three baseball and softball fields, concession stands, parking area, paths, a skateboard park and other amenities. He announced AR Chesson as low bidder at \$4,906,342. He explained money savings by removing lighting fixtures from the general contractor's agreement and purchasing them directly.

Commissioner Aydlett moved to approve, with a second by Commissioner Gilbert. The motion carried unanimously.

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

D. Resolution Authorizing Sole Source Purchase of Ambulance Chassis Remounts

County Attorney, Ike McRee, reviewed the sole source purchase, explaining its use in lieu of a formal bid if it is determined that the sole source purchase vendor can provide compatible equipment or provide greater efficiency. He reviewed the contract with the Board for the remount of ambulance chassis.

Commissioner Payment moved to approve with a second from Commissioner Hall. The motion carried unanimously.

E) Board Appointments

1. Reappointments to Joint Nursing Domicilliary Community Advisory Committee

Commissioner O'Neal moved to reappoint all members, Diane Bray, Barbara Courtney, Florence Scaff, Rosalie Rose and Lynda Daniels, to the Joint Nursing Domicilliary Community Advisory Committee. Commissioner Aydlett seconded and all members were unanimously approved.

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

2. Amended-Appointment to Game Commission

Mr. Rick Bell was appointed to the Game Board by Commissioner Gilbert. Commissioner Aydlett seconded and the nomination was approved unanimously.

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

F) Consent Agenda

Commissioner Aydlett asked about the Waterlily Road abandonment, and Mr. McRee reviewed the location and petition. Commissioner O'Neal believed the road had been abandoned previously. Believing the Abandonment Petition had already been done, Commissioner Aydlett moved to approve with the removal of the Abandonment Petition item.

Commissioner Gilbert seconded and the motion carried unanimously.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
42450-587061	T T - Mainland Water	\$ 62,000	
42320-414000	Land Transfer Tax		\$ 62,000
61818-590002	Water Line Expansion	\$ 62,000	
61390-495042	T F - Transfer Tax Capital Fund		\$ 62,000
		<u>\$ 124,000</u>	<u>\$ 124,000</u>
Explanation:	Transfer Tax (42450); Mainland Water (61818) - Increase appropriations for the Giese Lane water line expansion project.		
Net Budget Effect:	Transfer Tax Capital Fund (42) - Increased by \$62,000.		
	Mainland Water Fund (61) - Increased by \$62,000.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
50330-448000	State Aide to Airports	\$ 1,303	
50380-481000	Investment Earnings	\$ 144	
50550-592015	S Parallel Taxiway Admin 36237.8.9.1		\$ 1,447
		<u>\$ 1,447</u>	<u>\$ 1,447</u>
Explanation:	County Governmental Construction - Airport (50550) - Adjust appropriations to actual final allocations and to close out Southern Parallel Taxiway Administration Grant 36237.8.9.1.		
Net Budget Effect:	County Governmental Construction (50) - Reduced by \$1,447.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
66868-516200	Vehicle Maintenance	\$ 3,000	
66868-531000	Gas, Oil, etc		\$ 1,500
66868-513000	Utilities		\$ 1,500
66868-587056	T T - SOBWS Contruction	\$ 122,156	
66390-499900	Retained earnings appropriated		\$ 122,156
		<u>\$ 125,156</u>	<u>\$ 125,156</u>
Explanation:	Southern Outer Banks Water (66868) - Transfer funds for emergency vehicle repairs and carry forward transfer to construction from prior year.		
Net Budget Effect:	Southern Outer Banks Water (66) - Increased by \$122,156.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
61818-516400	Equipment Maintenance		\$ 3,500
61818-533200	Lab Test		\$ 520
61818-514500	Training and Education	\$ 3,500	
61818-516200	Vehicle Maintenance	\$ 500	
61818-536000	Uniforms	\$ 20	
68888-516000	Repairs and Maintenance		\$ 1,001
68888-533800	Chemicals	\$ 1,000	
68888-557100	Sotware License Fee	\$ 1	
		<u>\$ 5,021</u>	<u>\$ 5,021</u>
Explanation:	Mainland Water (61818); Walnut Island Sewer (68888) - Transfer funds for operations.		
Net Budget Effect:	Mainland Water Fund (61) - No change.		
	Walnut Island Sewer Fund (68) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
42450-587067	T T - Moyock Central Sewer	\$ 261,043	
42320-414000	Land Transfer Tax		\$ 261,043
62828-587067	T T - Moyock Central Sewer	\$ 51,464	
62390-499900	Appropriated Retained Earnings		\$ 51,464
65858-587067	T T - Moyock Central Sewer	\$ 9,082	
65390-499900	Appropriated Retained Earnings		\$ 9,082
62390-495042	T F - Land Transfer Tax		\$ 261,043
67390-495062	T F - Newtown Road Sewer		\$ 51,464
67390-495065	T F - Moyock Commons Sewer		\$ 9,082
67390-499900	Fund Balance Appropriated	\$ 19,357	
67360-470000	Utilities	\$ 20,000	
67878-532000	Supplies		\$ 6,000
67878-533200	Lab Tests	\$ 2,500	
67878-533800	Chemicals	\$ 3,000	
67878-545000	Contracted Services	\$ 3,000	
67878-545100	Credit Card Fees	\$ 3,000	
67878-590000	Capital Outlay	\$ 15,689	
		<u>\$ 388,135</u>	<u>\$ 388,135</u>
Explanation:	Land Transfer Tax (42450); Newtown Road Sewer (62828); Moyock Commons Sewer (65858); Moyock Central Sewer (67878) - To increase appropriations in the Moyock Central Sewer Fund to provide funding for current year debt payments and emergency equipment replacement; to close out the fiscal year 2015 balances in the Moyock Commons Sewer District and the Newtown Road Sewer District to merge with the Moyock Central Sewer; and for operating transfers in the Moyock Central Sewer		
Net Budget Effect:	Land Transfer Tax Fund (42) - Increased by \$261,043.		
	Newtown Road Sewer Fund (62) - Increased by \$51,464.		
	Moyock Commons Sewer Fund (65) - Increased by \$9,082.		
	Moyock Regional Sewer Fund (67) - Increased by \$302,232.		

			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
50795-594600	Baseball/Softball Fields		\$ 5,536,663	
50795-590003	Maintenance Building			\$ 42,531
50795-590004	Alpine Tower			\$ 75,000
50795-590002	Lawn/Field Maintenance Equipment			\$ 6,233
50650-588000	Contingency			\$ 14,692
50650-590000	Roadway & Utilities			\$ 187,607
50650-594500	Contract Services			\$ 37,427
50390-495015	T F - Occupancy Tax			\$ 5,173,173
			<u>\$ 5,536,663</u>	<u>\$ 5,536,663</u>
Explanation:	<i>Baseball/Softball Fields (50795)</i> - To appropriate funding in the multi-year County Governmental Facilities Fund for Softball/Baseball. Funding for this project will come from previously budgeted funds and unspent funds from closed out projects.			
Net Budget Effect:	County Governmental Facilities Fund (50) - Increased by \$5,173,173.			

RESOLUTION REQUESTING THE ALBEMARLE RURAL PLANNING ORGANIZATION TO DELAY CONSIDERATION OF TOLLING FERRY ROUTES

WHEREAS, the North Carolina General Assembly adopted the Strategic Transportation Investment (STI) law in 2013; and,

WHEREAS, the STI law, also established a method for prioritizing transportation projects, the Strategic Mobility Formula, which is a new way of allocating available revenues based on data-driven scoring and local input.

WHEREAS, the Strategic Mobility Formula funds projects in three categories: Statewide Mobility, Regional Impacts and Division Needs; and,

WHEREAS, the Strategic Mobility Formula dictates that new and replacement ferry vessels and ferry support vessels can only be considered under the Division Needs category; and,

WHEREAS, the Albemarle Rural Planning Organization is within the North Carolina Department of Transportation (NCDOT) Division One and NCDOT Division One hosts more North Carolina ferry routes and vessels than any other Division along the coast; and,

WHEREAS, the North Carolina Ferry Division has determined the costs of ferry vessel replacements for Division One to be \$192,000,000; and,

WHEREAS, NCDOT Division One is scheduled to receive roughly \$30,000,000, in the Division Needs Category, per year in Strategic Transportation Investment funding to fund Highway, Bicycle and Pedestrian, Aviation, and Ferry projects within its fourteen County region; and,

WHEREAS, inclusion of new and replacement ferry vessels and ferry support vessels in the Division Needs category will place an undue financial burden on all NCDOT Division One transportation projects; and,

WHEREAS, tolling the ferry routes does not generate the necessary funding to acquire new and replacement ferry vessels and ferry support vessels and will still require consideration under the STI.

NOW THEREFORE BE IT RESOLVED that Currituck County Board of Commissioners request that the Albemarle Rural Planning Organization refrain from considering tolling ferry routes until the 2016 session of the North Carolina General Assembly has an opportunity to explore and consider alternate funding sources for new and replacement ferry vessel and ferry support vessels.

BE IT FURTHER RESOLVED that the Currituck County Board of Commissioners are requesting that all the members of the Albemarle Rural Planning Organization support this endeavor.

ADOPTED this 7th day of December, 2015.

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

- 1) **Approval Of Minutes from November 16, 2015**
2. **Budget Amendments**
3. **Resolution Requesting the Albemarle Rural Planning Organization to Delay Consideration of Tolling Ferry Routes**
4. **Nationwide Insurance - Amendment to Voluntary Payroll Deduction contract**
5. **Road Abandonment Petition-Secondary Road 1405 (Waterlily)**

G) Commissioner's Report

Commissioner Hall reported on the success of both the Senior Center craft show and Coinjock Ruritan craft fair. He reminded everyone, as a member of the College of the Albemarle Board of Trustees who works hand in hand with JP Knapp, that our kids are the most important thing this holiday season. He wished all a Merry Christmas and Happy Holidays.

Commissioner Aydlett reported on his attendance at the Whalehead Club Saturday evening to hear caroling. He asked that everyone remember the reason for the season and wished all a wonderful Christmas and New Year.

Commissioner O'Neal encouraged all of us to think about those less fortunate and wished all a blessed and Merry Christmas.

Commissioner Payment complimented those who were responsible for organizing the Christmas Parade, noting it was a big success. A lot to be thankful for, keep people in thoughts and prayers, and remember our troops overseas. He wished all a Merry Christmas and Happy New Year.

Commissioner Gilbert thanked everyone who participated in Gobbler Jogger, which netted over \$18,000. She noted all of those funds stay in Currituck County for Scholarships and the Currituck Kids program. She wished all a merry Christmas and Happy New Year.

Chairman Griggs wished everyone a safe and Merry Christmas.

H) County Manager's Report

No 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.

Chairman Griggs opened the Public Comment period.

Mary Etheridge, Shawboro, spoke of December 2011 when Commissioners went against their own staff and governing principals and voted to put a junkyard behind her home. She talked of her time in the Elections Department and the start of her attending and speaking at Commissioner meetings. She talked of the republican party and fair treatment of citizens. She believes local government does not treat all citizens equally encouraging all to be involved and informed.

Wende Shannon, Moyock, asked the Board to reconsider the change of meeting time, perhaps to consider six o'clock. She suggested a remote video feed be available for citizens.

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

ADJOURN

Motion to Adjourn Meeting

With there being no further regular business, Commissioner Gilbert moved to adjourn and was seconded by Commissioner O'Neal. The motion carried unanimously and the regular meeting was adjourned.

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

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

Chairman Griggs opened the Special Meeting with the Board of Commissioners convened as the Tourism Development Authority.

1. Budget Amendments

County Manager, Dan Scanlon, reviewed the budget amendments. With no questions, Commissioner Gilbert moved to approve the budget amendments and was seconded by

Commissioner Beaumont. The motion carried unanimously.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15442-557100	Software License Fee	\$ 255	
15442-553000	Dues & Subscriptions		\$ 255
15447-516200	Vehicle Maintenance	\$ 500	
15447-532160	Bldg Maintenance Supplies		\$ 500
15447-561000	Professional Services	\$ 20,000	
15448-513000	Utilities	\$ 20,000	
15320-415000	Occupancy Tax		\$ 40,000
15447-590000	Capital Outlay	\$ 47,303	
15447-592001	Whalehead Construction	\$ 171,810	
15390-499900	Fund Balance Appropriated		\$ 219,113
		\$ 259,868	\$ 259,868
Explanation:	Tourism Promotions (15442); Tourism Related (15447); Whalehead (15448) - Transfer and increase appropriations for unanticipated cost increases and to carry forward capital projects in process at the end of the prior fiscal year.		
Net Budget Effect:	Occupancy Tax Fund (15) - Increased by \$259,868.		

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

2. Amended-Discussion of Hours of Operation for Whalehead

Tameron Kugler, Director of Travel & Tourism, proposed to close the Whalehead Club in January and first two weeks of February, based on last year's attendance at the park. She said during closure the staff will work on the retail area and set up areas for kids activities and crafts. She also requested that Whalehead remain open on Sundays from June through September, which was traditionally closed on Sunday.

Commissioner Aydlett moved to approve the request as presented with a second by Gilbert. The motion carried unanimously.

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

ADJOURN SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

With there being no further business, Commissioner O'Neal moved to adjourn the special meeting of the Tourism Development Authority, seconded by Commissioner Gilbert. The motion carried unanimously and the meeting was adjourned.

Communication: BOC Meeting Minutes for December 7, 2015 (Approval Of Minutes-December 7, 2015)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1389)

Agenda Item Title

Petition for Road Addition-Shangrila Subdivision, Moyock

Brief Description of Agenda Item:

The homeowners of Shangrila subdivision, Moyock, Currituck County, wish to make application for the transfer of road maintenance responsibilities for Penland Drive and Dana Street to the North Carolina Department of Transportation. This process requires Board approval, after which the application and adopted resolution are forwarded to NCDOT for review.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Penland Dr
Dana St
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Shangrila Length (miles): Penland 760' (.14 mi.)
Dana 510' (.10 miles)

Number of occupied homes having street frontage: P-11 Located (miles): 45
0.5

est miles N ☒ S ☐ E ☐ W ☐ of the intersection of Route 1263 and Route 1318
(Check one) (SR NC, US) (SR NC, US)

We, the undersigned, being property owners and/or developers of _____ in _____ County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: DAVID J. CHAPPELLE SR. Phone Number: 252-232-2429

Street Address: 106 DANA STREET Moyock N.C. 27958

Mailing Address: 106 DANA STREET Moyock N.C. 27958

PROPERTY OWNERS

Name Mailing Address Telephone

Merrell A. Chappelle 100 PENLAND DR MOYOCK NC 27958 619-592-9043

Harry D. Johnson Jr. 101 Dana St. Moyock NC 27958 (252-232-2429)

Ann Piotrowski 104 Dana St Moyock NC 27958 (252-232-2429)

Zair Odom 103 DANA ST. MOYOCK NC 27958 757-618-0637

David J. Chappelle 106 DANA ST. MOYOCK N.C. 27958 252-232-2429

John S. S. S. 102 Dana St Moyock N.C. 27958 757-407-1443

Garland Bunch 102 PENLAND DR MOYOCK NC 27958 252-232-2429

Rhonda A. Beens on 100 Dana St 252-232-2429

Daniel Crawford 106 Penland 27958 252-232-2429

Chloe W. White 104 Penland Dr 27958 252-564-2029

Miriam Estelle Vaughan-Slick 109 Penland Drive 27958 757-536-3333

Walt Ellecto 105 DANA ST 27958 252-455-2197

Rose 110 Penland Dr. 27958 252-232-2429



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1381)

Agenda Item Title

Certification of Review-Board of Education Facility Needs Survey

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



2015-16 DPI Facility Needs Survey

Administrative Unit: Currituck County Schools (Unit 270)

I. Certification of Board of Education

The Currituck County Schools Board of Education hereby submits its Facility Needs Survey dated 12/8/2015 listing all improvements and additional facilities needed to accomodate projected enrollments through the 2020-21 school year and improvements to existing facilities to provide safe, comfortable environments that support the educational programs.

We do hereby certify that the needs identified herein are a true representation of our situation. Alternatives were considered and this plan provides the best balance between cost and benefit to our students. We understand that costs have been standardized to statewide averages to provide uniform comparisons.

Signed: William P. DeLong, S.D., Chairman
SM. [Signature], Secretary, Ex-officio

12/10/15 Date
 12/10/15 Date

2. Certification of Board of County Commissioners

The Currituck County Board of Commissioners has received and reviewed a copy of this survey prior to submission to the State Board of Education. This does not necessarily constitute endorsement of or committment to fund the Facility Needs Survey.

_____, Chairman _____ Date
 _____, County Manager or Clerk _____ Date



2015-16 DPI Facility Needs Survey

Capacity Summary 0 to 5 Years

UNIT: 270

	ADM 2014/15	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
		Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
270 304 Central Elementary	170	54	294	0	0	294	0	0	Renovations	54	294	0	0	294
270 306 Currituck County High	932	0	0	0	1,144	1,144	3	9	Renovations	0	0	0	1,144	1,144
270 308 Currituck County Middle	346	0	0	478	0	478	2	2	Renovations	0	0	478	0	478
270 309 Jarvisburg Elementary	251	18	294	0	0	294	0	0	Renovations	0	294	0	0	294
270 310 Shawboro Elementary	538	0	640	0	0	640	0	0	Renovations	0	640	0	0	640
270 311 The JP Knapp ECH (I)S	248	0	0	0	426	426	0	0	Renovations	0	0	0	426	426
270 312 Knotts Island Elementar	81	0	196	0	0	196	0	0	Renovations	0	196	0	0	196
270 316 Moyock Elementary	483	0	498	0	0	498	4	4	Renovations	0	498	0	0	498
270 318 Moyock Middle	561	0	0	686	0	686	2	2		0	0	686	0	686
270 320 W T Griggs Elementary	232	0	462	0	0	462	0	0	Renovations	0	462	0	0	462
Totals:	3,842	72	2,384	1,164	1,570	5,118	11	17		54	2,384	1,164	1,570	5,118

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Current Capacity:	2,384	1,164	1,570	5,118
ADM 2014/15:	1,755	907	1,180	3,842
Difference:	629	257	390	1,276

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Total Capacity:	2,384	1,164	1,570	5,118
Proj Enrollment 2020/21:	1,696	862	1,183	3,741
Difference:	688	302	387	1,377



2015-16 DPI Facility Needs Survey

ADM

Currituck County Schools

Average Daily Membership

UNIT: 270

Name		2014-15 Average Daily Membership *			
		Elem	Middle	High	Total
304	Central Elementary	170	0	0	170
306	Currituck County High	0	0	932	932
308	Currituck County Middle	0	346	0	346
309	Jarvisburg Elementary	251	0	0	251
310	Shawboro Elementary School	538	0	0	538
311	The JP Knapp ECH (I) School	0	0	248	248
312	Knotts Island Elementary	81	0	0	81
316	Moyock Elementary	483	0	0	483
318	Moyock Middle	0	561	0	561
320	W T Griggs Elementary	232	0	0	232
Total:		1,755	907	1,180	3,842
2019-20 Projected:		1,696	862	1,183	3,741



2015-16 DPI Facility Needs Survey

Projected ADM
by Year and Grade

4.C.3.a

Arkansas County Schools

Average Daily Membership

unit	year	K	1	2	3	4	5	6	7	8	9	10	11	12
270	2015-2016	284	274	281	301	311	306	307	282	304	353	329	314	252
270	2016-2017	254	296	275	280	303	319	318	299	289	340	331	297	285
270	2017-2018	256	265	297	274	282	311	331	310	306	323	319	299	270
270	2018-2019	269	267	266	296	276	289	323	323	317	342	303	288	272
270	2019-2020	256	281	268	265	298	283	300	315	331	354	321	274	262
270	2020-2021	251	267	282	267	267	306	294	293	322	370	332	290	249
270	2021-2022	343	262	268	281	269	274	318	287	300	360	347	300	263
270	2022-2023	343	358	263	267	283	276	284	310	294	335	338	314	273
270	2023-2024	343	358	359	262	269	290	286	277	317	328	314	306	285
270	2024-2025	343	358	359	357	264	276	301	279	284	354	308	284	278



2015-16 DPI Facility Needs Survey

Capacity Summary 6 to 10 Years

Currituck County Schools

Capacity Summary & Plan (6 to 10 years)

UNIT: 270			ADM 2014/15	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
270	304	Central Elementary	170	54	294	0	0	294	0	0	Renovations	54	294	0	0	294
270	306	Currituck County High	932	0	0	0	1,144	1,144	3	9	Renovations	0	0	0	1,144	1,144
270	308	Currituck County Middle	346	0	0	478	0	478	2	2	Renovations	0	0	478	0	478
270	309	Jarvisburg Elementary	251	18	294	0	0	294	0	0	Renovations	0	294	0	0	294
270	310	Shawboro Elementary S	538	0	640	0	0	640	0	0	Renovations	0	640	0	0	640
270	311	The JP Knapp ECH (i)S	248	0	0	0	426	426	0	0	Renovations	0	0	0	426	426
270	312	Knotts Island Elementar	81	0	196	0	0	196	0	0	Renovations	0	196	0	0	196
270	316	Moyock Elementary	483	0	498	0	0	498	4	4	Renovations	0	498	0	0	498
270	318	Moyock Middle	561	0	0	686	0	686	2	2	Renovations	0	0	686	0	686
270	320	W T Griggs Elementary	232	0	462	0	0	462	0	0	Renovations	0	462	0	0	462
Totals:			3,842	72	2,384	1,164	1,570	5,118	11	17		54	2,384	1,164	1,570	5,118

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Current Capacity:	2,384	1,164	1,570	5,118
ADM 2014/15:	1,755	907	1,180	3,842
Difference:	629	257	390	1,276

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Total Capacity:	2,384	1,164	1,570	5,118
Proj Enrollment 2025/26:	1,957	864	1,224	4,045
Difference:	427	300	346	1,073



2015-16 DPI Facility Needs Survey

Cost Summary
0 to 5 Years

Currituck County Schools

Cost Summary (0 to 5 years)

Unit: 270		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
304	Central Elementary	2	0	0	1,202,377	0	0	\$1,202,377
306	Currituck County High	1	0	0	3,665,474	0	0	\$3,665,474
308	Currituck County Middle	2	0	0	2,329,449	0	0	\$2,329,449
309	Jarvisburg Elementary	2	0	0	326,792	0	0	\$326,792
310	Shawboro Elementary Sc	2	0	0	104,848	0	0	\$104,848
311	The JP Knapp ECH (i)Sch	1	0	0	902,283	0	0	\$902,283
312	Knotts Island Elementary	2	0	0	520,002	0	0	\$520,002
316	Moyock Elementary	2	0	0	1,350,534	65,400	0	\$1,415,934
320	W T Griggs Elementary	2	0	0	529,608	0	0	\$529,608
Totals:			0	0	10,931,367	65,400	0	\$10,996,767



2015-16 DPI Facility Needs Survey

Cost Summary
6 to 10 Years

Currituck County Schools Cost Summary (6 - 10 years)

Unit: 270		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
304	Central Elementary	3	0	0	2,368,877	0	0	\$2,368,877
306	Currituck County High	4	0	0	389,458	0	0	\$389,458
308	Currituck County Middle	4	0	0	843,805	0	0	\$843,805
309	Jarvisburg Elementary	4	0	0	109,007	0	0	\$109,007
310	Shawboro Elementary Sc	4	0	0	466,629	0	0	\$466,629
311	The JP Knapp ECH (i)Sch	4	0	0	2,951,226	0	0	\$2,951,226
312	Knotts Island Elementary	4	0	0	526,834	0	0	\$526,834
316	Moyock Elementary	4	0	0	2,997,041	0	0	\$2,997,041
318	Moyock Middle	4	0	0	1,474,899	0	0	\$1,474,899
320	W T Griggs Elementary	4	0	0	1,715,154	0	0	\$1,715,154
Totals:			0	0	13,842,930	0	0	\$13,842,930

Attachment: 2015-16 Board of Education-Facility Needs Survey (1381 : Board of Education-Facility Needs Survey)



2015-16 DPI Facility Needs Survey

Projected ADM
by Year and Grade

4.C.3.a

2015-16 Facility Needs Survey - Average D-10 Watership

unit	year	K	1	2	3	4	5	6	7	8	9	10	11	12
270	2015-2016	284	274	281	301	311	306	307	282	304	353	329	314	252
270	2016-2017	254	296	275	280	303	319	318	299	289	340	331	297	285
270	2017-2018	256	265	297	274	282	311	331	310	306	323	319	299	270
270	2018-2019	269	267	266	296	276	289	323	323	317	342	303	288	272
270	2019-2020	256	281	268	265	298	283	300	315	331	354	321	274	262
270	2020-2021	251	267	282	267	267	306	294	293	322	370	332	290	249
270	2021-2022	343	262	268	281	269	274	318	287	300	360	347	300	263
270	2022-2023	343	358	263	267	283	276	284	310	294	335	338	314	273
270	2023-2024	343	358	359	262	269	290	286	277	317	328	314	306	285
270	2024-2025	343	358	359	357	264	276	301	279	284	354	308	284	278



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1387)

Agenda Item Title

Ocean Sands Water and Sewer District Board

Brief Description of Agenda Item:

The Currituck County Board of Commissioners will hold a Special Meeting sitting as the Ocean Sands Water and Sewer District Board.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1388)

Agenda Item Title

Closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney and to preserve the attorney-client privilege regarding the matter captioned 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

Donald (Ike) I. McRee Jr