



**Board of Commissioners
Agenda Packet**

July 18, 2016

5:00 Call to Order

- A) Invocation & Pledge of Allegiance-Reverend Susan Fitch-Slater, Sharon United Methodist Church
- B) Approval of Agenda

Public Hearings

- A) **Public Hearing and Action: PB 14-34 Currituck Reserve:** Request for a preliminary plat/use permit for a 103 lot conservation subdivision located at the terminus of Campus Drive, Tax Map 22, Parcel 78B, Moyock Township.

Old Business

- A) **Ordinance of the Currituck County Board of Commissioners Amending Section 2-56 of the Currituck County Code of Ordinances Modifying the Time for the Regular Meetings of the Currituck County Board of Commissioners**

New Business

- A) **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 9. Historic Preservation**
- B) **Consideration of an Ordinance of the Currituck County Board of Commissioners Amending Chapter 9 of the Code of Ordinances By Adding Article V Prohibiting Abandonment of Vessels Within Navigable Waters of the County**
- C) **Board Appointments**
 - 1. Appointment to the Fire and EMS Advisory Board
 - 2. Historic Boat & Building Advisory
 - 3. Library Board
- D) **Consent Agenda**
 - 1. Approval Of Minutes for June 20, 2016
 - 2. Budget Amendments
 - 3. Resolution to Surplus Jail equipment
 - 4. Report of Insolvents and Resolution Approving the Settlement with the Tax Collector for Insolvents
 - 5. Settlement for Delinquent Taxes-FY 2015-16
 - 6. Resolution appropriating funding for Airport Grant 36237.8.13.1 Corporate Area Apron Phase I (Design and Bidding)
 - 7. Project Ordinance - Airport Grant 36237.8.13.1 Corporate Area Apron Phase 1 (Design and Bidding)
 - 8. Lottery Applications

9. Project Ordinance for Lottery Funds
10. William Bradley - Grandy Convenience Center Lease renewal
11. Crawford VFD Purchasing Request-Chemguard Foam
12. Approval of Revised Salary Classification for Director of Elections
13. Approval of Job Descriptions-IT Support Tech (Sheriff's Dept) and Administrative Assistant (Planning Dept)

E) Commissioner's Report

F) County Manager's Report

Public Comment

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

Closed Session

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

Adjourn



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1597)

Agenda Item Title

Public Hearing and Action: PB 14-34 Currituck Reserve:

Brief Description of Agenda Item:

Request for a preliminary plat/use permit for a 103 lot conservation subdivision located at the terminus of Campus Drive, Tax Map 22, Parcel 78B, Moyock Township.

Board Action Requested

Action

Person Submitting Agenda Item

Susan Tanner, Administrative Assistant

Presenter of Agenda Item

Ben Woody



**STAFF REPORT
PB 14-34 CURRITUCK RESERVE
BOARD OF COMMISSIONERS
JULY 18, 2016**

APPLICATION SUMMARY

Property Owner: AH Currituck Reserve LLC 222 Central Park Ave Ste 2100 Va Beach VA 23462	Applicant: Land Planning Solutions 5857 Harbor View Blvd Ste 202 Suffolk VA 23435
Case Number: PB 14-34	Application Type: Preliminary Plat/Use Permit
Parcel Identification Number: 0022-000-078B-0000	Existing Use: Vacant
Moyock Small Area Plan Land Use Classification: Limited Service	Parcel Size (Acres): 112.08
Number of Units: 103	Project Density: .9 units/acre
Required Open Space: 45.12 acres	Provided Open Space: 52 acres

SURROUNDING PARCELS

	Land Use	Zoning
North	Residential	AG & SFM
South	Active Farmland	AG & SFM
East	Residential	AG & SFM
West	Active Farmland; Sand Mine	AG, SFM, HI

STAFF ANALYSIS

In 2008, the Board of Commissioners approved a 688 lot planned unit development (PUD) on 471 acres at a density of 1.47 units per acre that included this parcel. That development never came to fruition and this request is to subdivide one of those lots to stand on its own. This request is for a 103 lot conservation subdivision. The allowed density of one unit per acre for the proposed development is lower than that of the previously approved PUD.

There is a concern regarding the shared drainage infrastructure and easements between this subdivision and the proposed subdivisions on each side of this one. The applicant has submitted an outline of an agreement between the three subdivisions that addresses all shared drainage infrastructure, easements/right-of-way locations/relocations, etc. It is staff's opinion that collaboration between landowners to develop one drainage plan for the three subdivisions is an adequate solution and it will be made a condition of approval.

INFRASTRUCTURE	
Water	Public
Sewer	Septic
Transportation	A turn lane is required at Tulls Creek Road. Sidewalks are proposed throughout the development.
Stormwater/Drainage	The conceptual drainage plan has been reviewed by Engineering. The shared off-site drainage pond will be addressed by the property owners as the developments go through the construction drawing approval process.
Schools	Elementary Students Generated: 25 (159) Middle School Students Generate: 8 (251) High School Students Generated: 14 (89)
Compatibility	The use is compatible with the Moyock Small Area Plan.
Recreation and Park Area Dedication	The applicant has agreed to relocate the parkland dedication area to the rear of the Moyock Library. This will allow a future park to adjoin the library. The applicant will also provide an 8' wide multi-use path from the library to the eastern edge of their property.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

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

1. The application complies with all applicable review standards of the UDO provided the following items are addressed:
 - a. That fire marshal comments be adequately addressed.
 - b. That NCDOT comments be adequately addressed.
2. A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary staff findings.
3. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
 - a. That the agreed upon outline (attached) between AH Currituck Reserve and Allied Properties concerning the shared drainage infrastructure and easements/rights-of-way locations/relocations be followed to develop the three adjoining subdivisions under a single drainage plan. (Planning)

USE PERMIT REVIEW STANDARDS

The use will not endanger the public health or safety.

Preliminary Applicant Finding:

1. The subdivision will comply with all applicable standards of ARHS, NCDENR, and Currituck County for water distribution, sewage disposal, and stormwater management.

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

Preliminary Applicant Findings:

1. The proposed subdivision will have a density of .9 units per acre and preserve 51.65 acres of open space.
2. Reforestation of conservation areas and farm land buffers will be incorporated into the construction plans.

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

Preliminary Staff Findings:

1. The 2014 Moyock Small Area Plan classifies this site as Limited Service. The policy emphasis of this designation is more on residential development and densities. Limited service designations provide for limited availability to infrastructure and services and low to moderate residential densities. Residential densities in this designation range between 1-1.5 units per acre. Cluster residential is to provide for low density, scattered residential, institutional, agricultural, or other traditional rural uses such as small scale farm operations. The proposed use is in keeping with the policies of the Moyock Small Area Plan, some of which are:

POLICY TR 1: Design future transportation improvements that are consistent with Complete Streets Policy. Complete Streets Policy encourage design of transportation networks and facilities that safely accommodate pedestrians, bicyclists, rail, and vehicles.

POLICY CC 1: Encourage and foster development that is compatible with rural atmosphere, transitional areas, and a small town, main street feel consistent with the vision, policies, and future land use map of this plan.

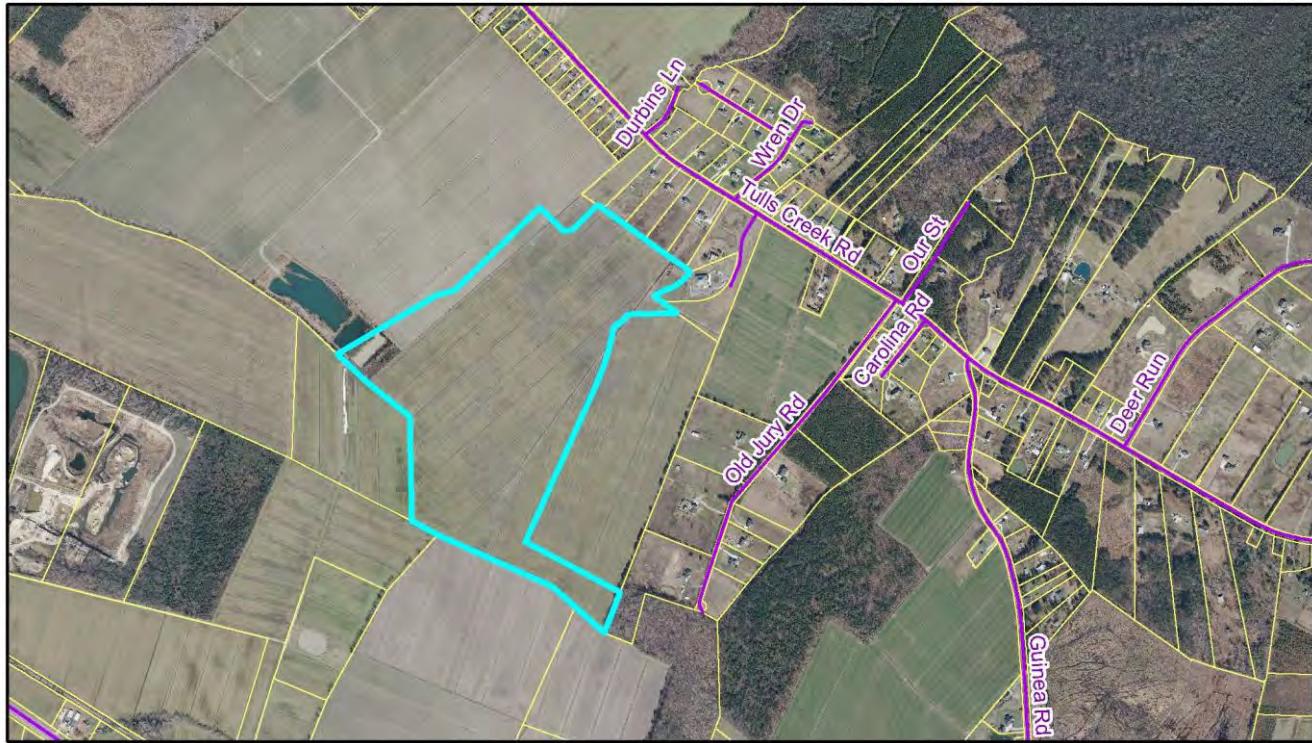
POLICY IS 4: Ensure that stormwater runoff, soil erosion, and sedimentation is properly managed to reduce nuisance flooding and pollution of sensitive environmental areas.

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

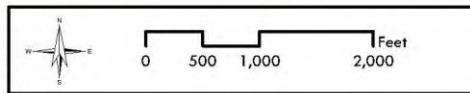
Preliminary Staff Findings:

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

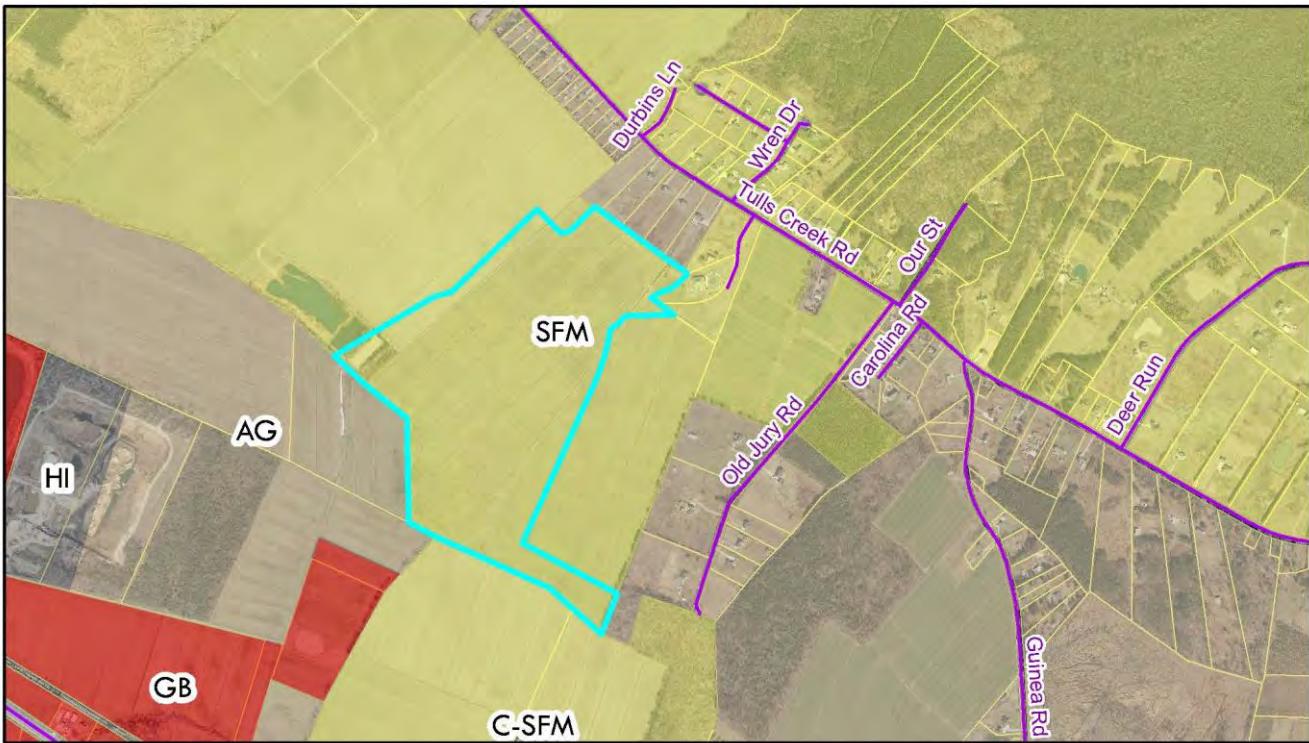
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
 Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm



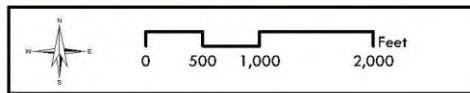
PB 14-34 Currituck Reserve
Preliminary Plat/Use Permit
Aerial Photography



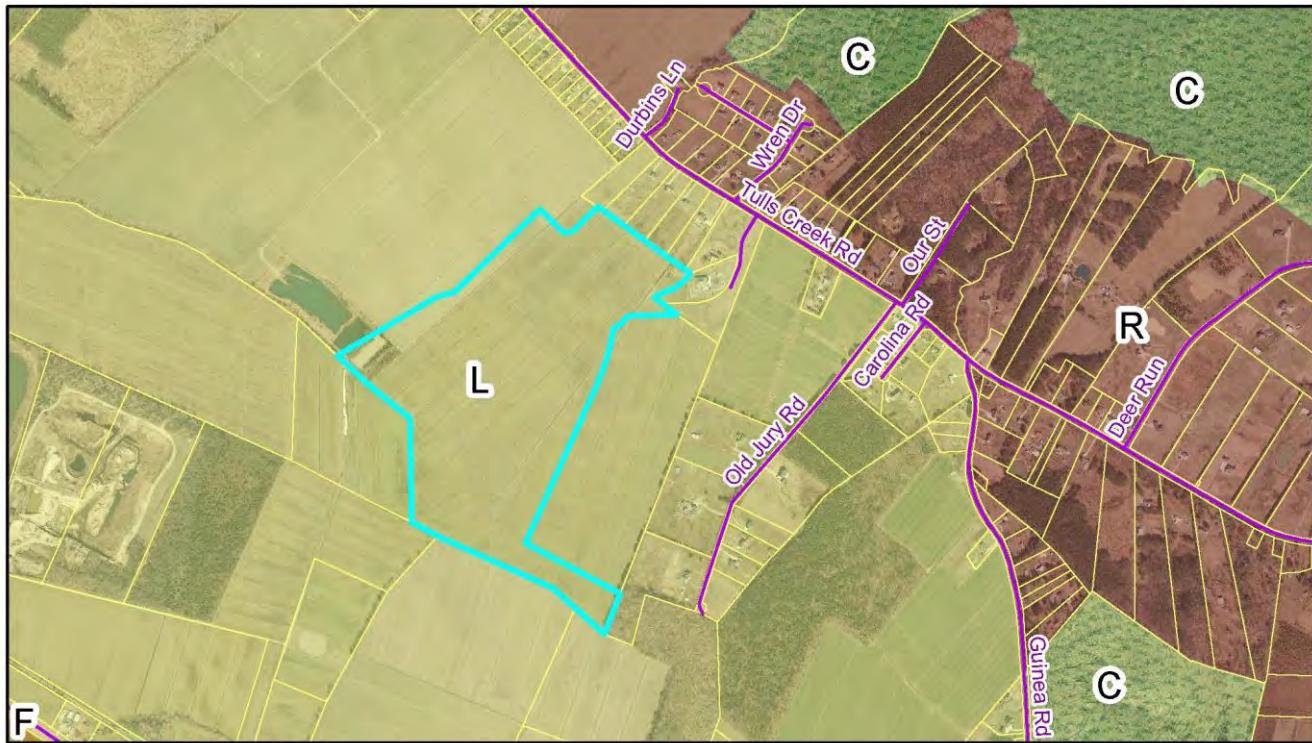
Currituck County
Planning and
Community Development



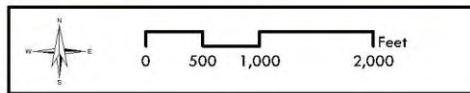
PB 14-34 Currituck Reserve
Preliminary Plat/Use Permit
Aerial Photography



Currituck County
Planning and
Community Development



PB 14-34 Currituck Reserve
Preliminary Plat/Use Permit
Moyock SAP Land Use



Currituck County
Planning and
Community Development



Major Subdivision Application

OFFICIAL USE ONLY:

Case Number:

Date Filed:

Gate Keeper:

Amount Paid:

14-34
2.25.16
SNT
—

Contact Information

APPLICANT:

Name: Land Planning Solutions
 Address: 5857 Harbour View Blvd, Suite 202
Suffolk, VA 23435
 Telephone: 757-935-9014
 E-Mail Address: sstamm@landplans.net

PROPERTY OWNER:

Name: AH Currituck Reserve, LLC
 Address: 222 Central Park Avenue, Suite 2100
Virginia Beach, VA 23462
 Telephone: 757-366-6633
 E-Mail Address: charvey@armadahoffler.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Engineering Consultant

Request

Physical Street Address: Campus Drive

Parcel Identification Number(s): 0022000078B0000

Subdivision Name: Currituck Reserve

Number of Lots or Units: 103

Phase: 1 & 2

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.


 Property Owner(s)/Applicant*

2/18/16

Date

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

Community Meeting, if applicable

Date Meeting Held: December 4, 2014

Meeting Location: Moyock Library

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):
 Development of a 103 lot Conservation Subdivision on 112.8 acres

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 subdivision will comply with all applicable standards of ARHS, NCDENR, and Currituck County for water distribution, sewage disposal and stormwater management.

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.

The proposed subdivision will have a density of 0.9 units per acre and preserve 51.65 acres of open space. Reforestation of conservation areas and farm land buffers will be incorporated into the construction plans.

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

The project will comply with the existing SFM zoning. The PUD Overlay will be removed by the County.

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 subdivision will comply with all applicable standards and guidelines for public facilities.

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.

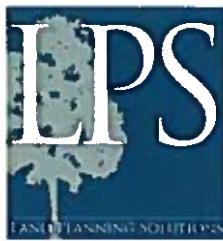


Property Owner(s)/Applicant*



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.



5857 Harbour View Boulevard, Suite 202
Suffolk, Virginia 23435
O. 757.935.9014 F. 757.935.9015
www.landplanningsolutions.com

December 11, 2014

Currituck County
Planning and Community Development
Currituck Historic Courthouse
153 Courthouse Road
Suite 110
Currituck, NC 27929

Dear Mr. Woody:

On December 4, 2014, per our posted notice and mailed notification, AH Currituck Reserve, LLC held a Community Meeting. The meeting was well attended, see attached sign in sheet with a list of many of the attendants.

The meeting began at 5:30pm. We opened the meeting by describing our intention to submit a Preliminary Plat for a Major Subdivision. We also clearly stated that the PUD for Currituck Reserve shall expire January, 2015 and that the underlying zoning for the property is SFM. It was clearly stated that our application is for a portion of what was originally the Currituck Reserve PUD and will only encompass 112.8+/- acres and not the original 447+/- acres referred to as Currituck Reserve.

The boundary of the application and proposed SFM, Conservation Subdivision Plan was in question and we spent a good amount of time reviewing the property boundary of the 112.8+/- acres.

Another inquiry was in regard to lot size. Many of the neighboring properties are on 1 acre lots and our submittal was for a minimum 20,000 sq.ft lot. To follow we had a discussion about the Conservation Subdivision requirements, percent of open space and percent of developable area.

It was asked if we were aware of Mr. Haywood Ward's intent (adjacent property owner) and we explained that we have communicated with him but were not aware of his intentions at this time.

Several of the attendees were relieved that the property boundary for our submittal was not within 200' of their property. Many of the attendees were within 200' of the original Currituck Reserve Property boundary.

Currituck Reserve Conservation Subdivision

December 11, 2014

To follow, there were several questions in regard to:

- Drainage and the new state requirements, current ditch conditions and capacity
- There was an expressed desire (by two individuals) for Commercial development
- There were questions about adequate capacity of the schools & other services
- Questions were asked about what the asking price would be for the new houses
- We were asked how many phases the development would incorporate. We answered that it would probably be constructed in multiple phases.

The meeting concluded around 6.30 pm.

If you have additional questions please feel free to contact me.

Sincerely,



Melissa Venable
Land Planning Solutions, LC

6/30/19
Tele

Outline of Proposed Agreement between AH Currituck Reserve and Allied Properties:

This brief outline and the attached exhibit provide the basis for an agreement between AH Currituck Reserve and Allied Properties concerning the shared access and impoundment easements that affect Parcels A, B and C of the Ward property.

Background:

AH Currituck Reserve has proposed to develop a residential subdivision on Parcel B, and has proposed the utilization of a significant portion of the Impoundment easement that is located primarily on Parcel C. AH Currituck Reserve has also proposed to vacate the 100' easement that was dedicated for the benefit of Parcels A, B and C.

Allied Properties has proposed to develop residential subdivisions on Parcels A and C, and intends to utilize a portion of the impoundment easement that is on parcel C for lot development, substituting additional impoundment easements for a portion of the platted impoundment easement. Allied Properties is also proposing an impoundment on Parcel A, which is expected to have excess capacity available for stormwater storage.

Refer to 5-12-16 Access and Impoundment Easement Exhibit, attached.

Proposal Outline:

AH Currituck agrees to the vacating of a portion of the proposed impoundment area located on Parcel B, as shown on the Exhibit. Allied agrees to dedicate other impoundment easement areas on Parcels A and C, approximately as shown on the Exhibit, for joint use by the parties to achieve their required stormwater management. Allied and AH both agree to dedicate drainage easements along all stormwater outlets, approximately where shown on the Exhibit.

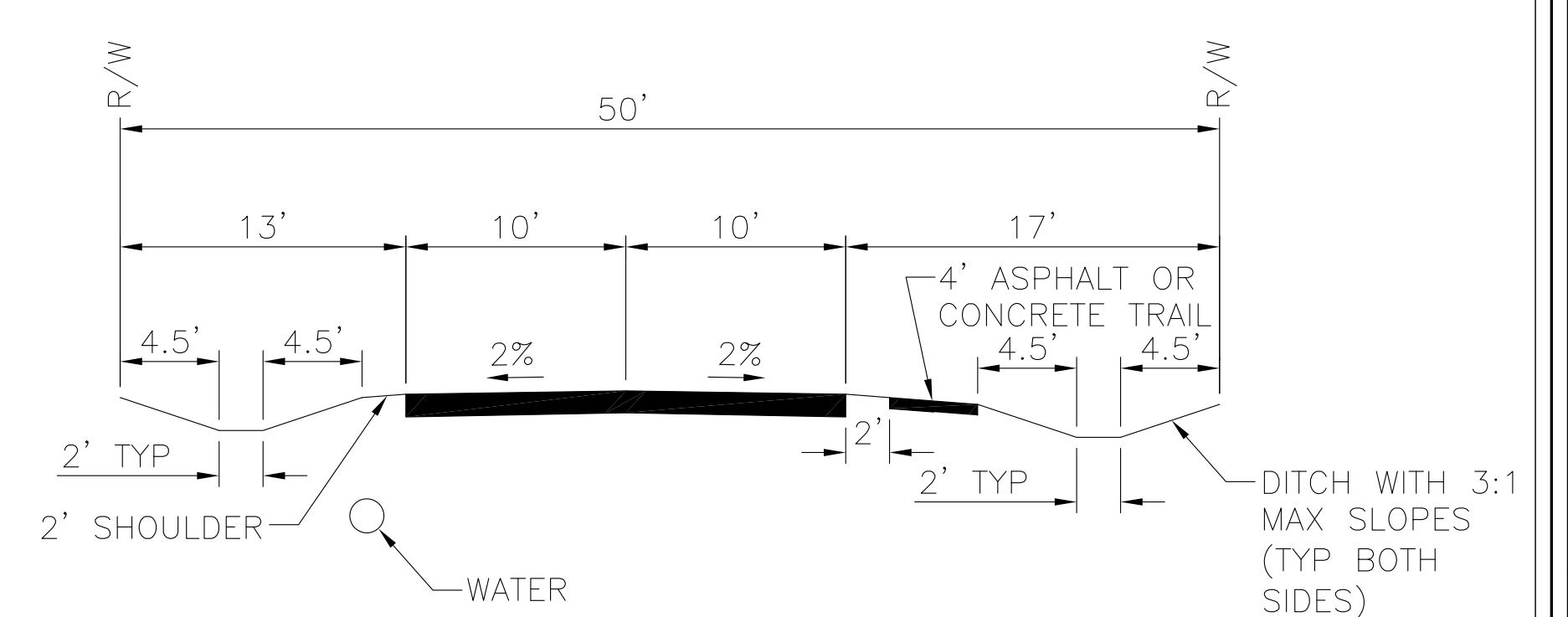
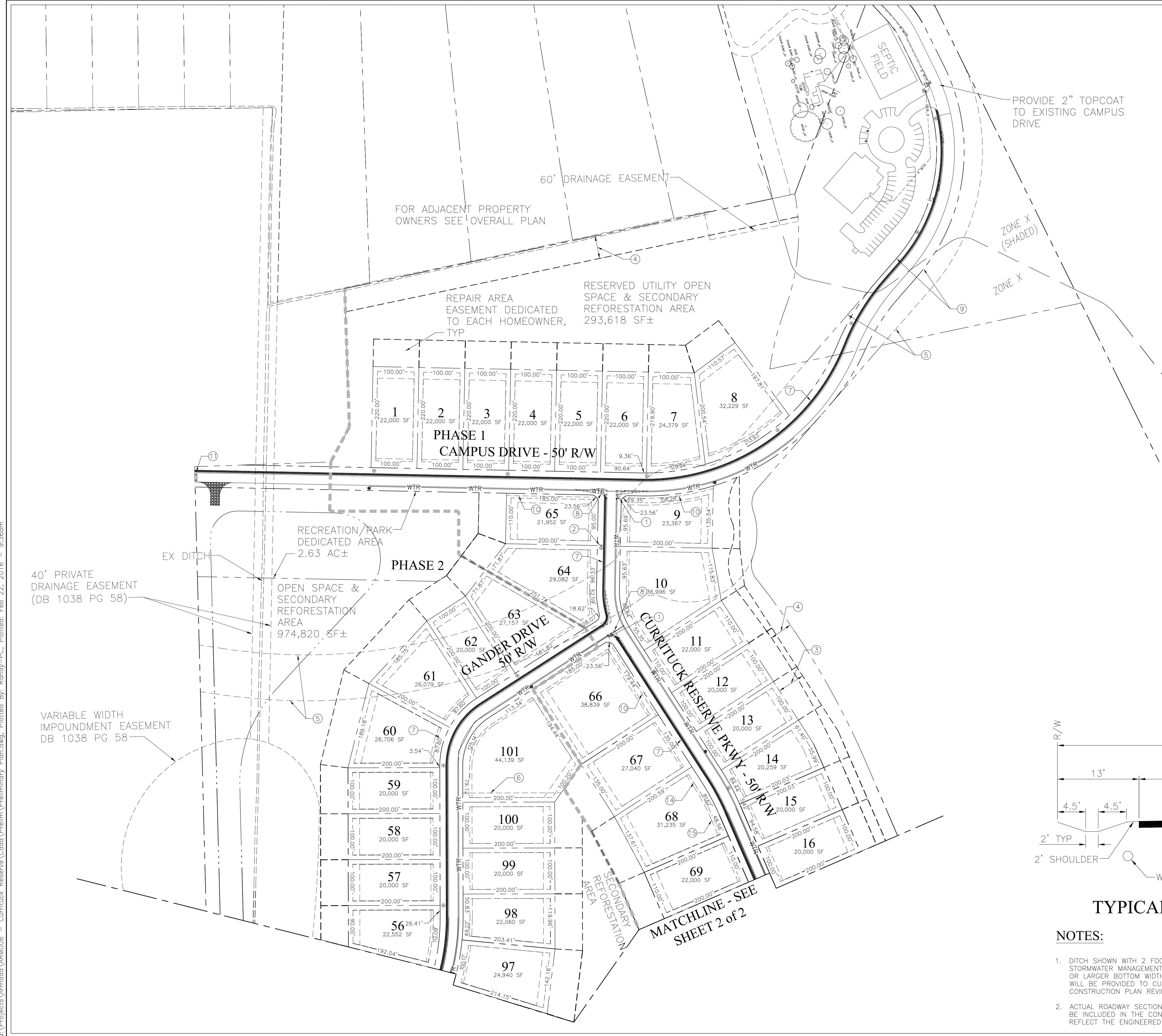
AH and Allied agree to share the cost of a joint stormwater modeling effort for all three tracts, and agree to cooperate with one another in the Currituck County review and approval process for these proposed developments. If the stormwater modeling results indicate the need to adjust the proposed impoundment boundaries, outlets, or easement locations, the parties to this agreement agree to cooperate with one another to make appropriate adjustments in the interest of a stormwater management plan that will benefit both developers and be advantageous to the three development plans for Parcels A, B and C.

Allied agrees to the vacating of the existing 100' access easement that abuts Parcel A and crosses Parcel B to access Parcel C.

AH Currituck agrees to allow Allied to plat and improve a 50' access road along and through the 100' easement from Tulls Creek Road to Parcel A, as shown on the Exhibit, should Allied be ready to proceed with the development of Parcel A before AH Currituck plats the proposed access road to Parcel B through this 100' easement.

HOA documents will provide for joint responsibility among all three subdivisions for ongoing operation and maintenance of the stormwater management facilities.





TYPICAL 50' R/W SECTION

NOT TO SCALE

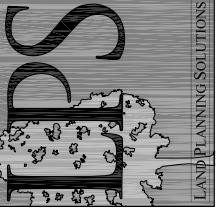
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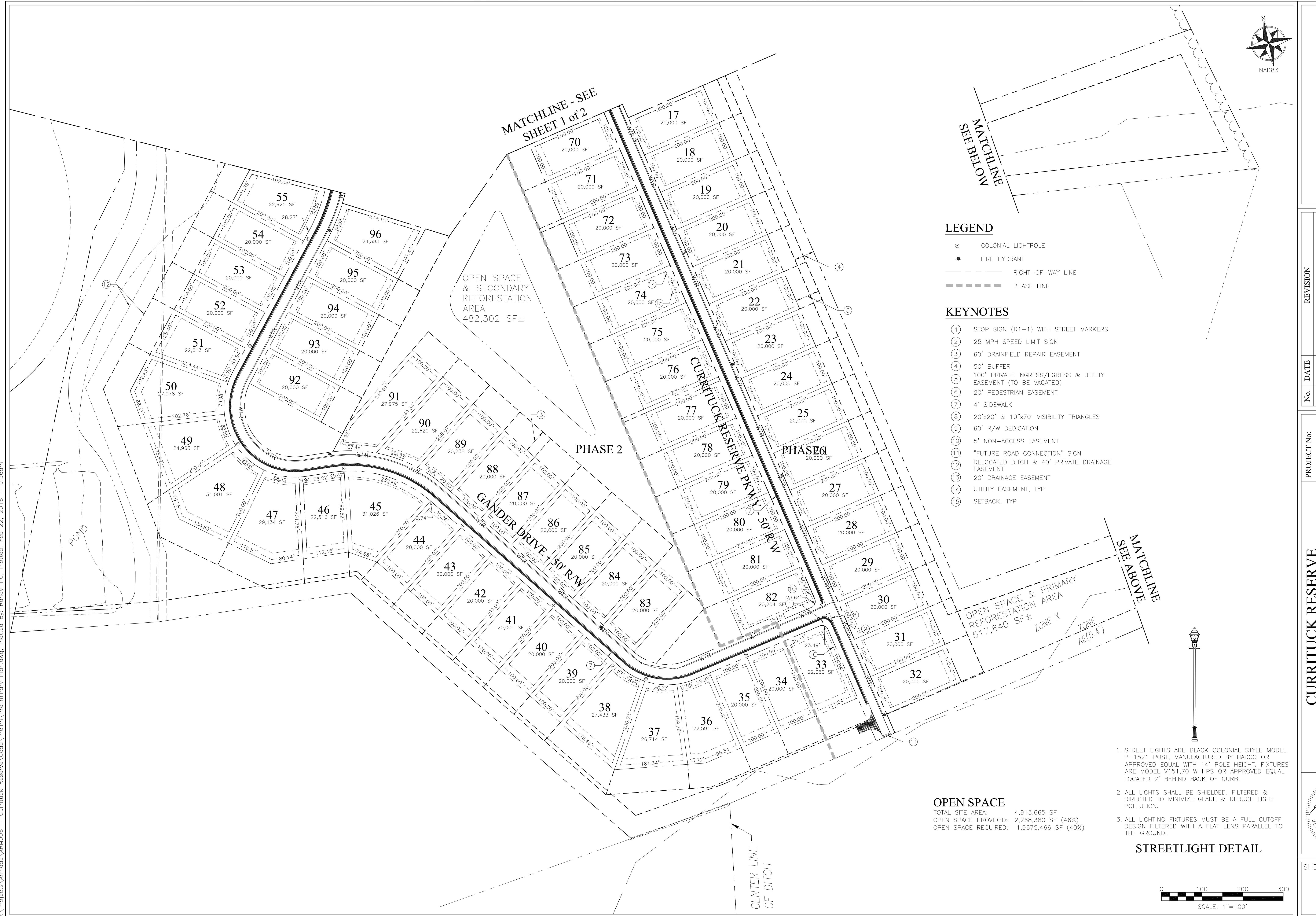
- DITCH SHOWN WITH 2 FOOT BOTTOM WIDTH. THE DETAILED STORMWATER MANAGEMENT DESIGN MAY dictate A SMALLER OR LARGER BOTTOM WIDTH. THE ACTUAL BOTTOM WIDTHS WILL BE PROVIDED TO CURRITUCK COUNTY IN THE CONSTRUCTION PLAN REVIEW.
- ACTUAL ROADWAY SECTION MAY VARY. ROADWAY DESIGN WILL BE INCLUDED IN THE CONSTRUCTION PLANS AND WILL REFLECT THE ENGINEERED DESIGN.

0 100 200 300

SCALE: 1"=100'

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8837 HARBOUR VIEW BLVD, STE. 202
SUFFOLK, VA 23435-9014 F 757.935.9015
www.landplanningsolutions.com





DR. RLR
CVD PDH

10 of 10

AND PLANNING SOLUTIONS
1857 HARBOUR VIEW BLVD. STE. 202
SUFFOLK VA. 23435-2657
O 757.935.9014 F 757.935.9015
www.landplanningsolutions.com

The logo for Land Planning Solutions (LPS) is a square graphic. It features the letters 'LPS' in a large, bold, black, sans-serif font. The 'L' is on the left, the 'P' is in the center, and the 'S' is on the right. Behind the letters is a stylized landscape graphic. The base of the letters is a dark, irregular shape representing a hill or mountain. Above the letters, the landscape continues with a lighter, textured area representing water or a clearing. The overall design is modern and professional.

ARM006	DATE 21JAN15
DES.	NWD
DR.	RLR
CKD.	JPH

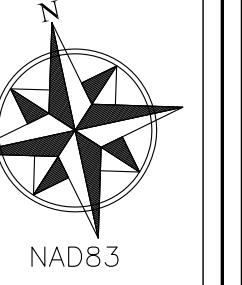
CONSERVATION SUBDIVISION
CURRITUCK COUNTY, NORTH CAROLINA
MOYOCK TOWNSHIP

PRELIMINARY PLAN

A circular seal for the North Carolina Professional Engineers. The outer ring contains the text "NORTH CAROLINA" at the top and "PROFESSIONAL ENGINEERS" at the bottom, separated by a wavy line. The inner circle contains the signature of Jeffrey P. Huentelman, the name "JEFFREY P. HUENTELMAN" in capital letters, and the date "03/04/14" and "1/21/15". The word "SEAL" is at the bottom right of the inner circle.

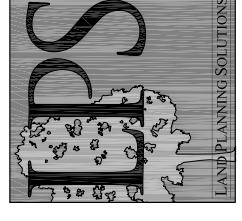
ET NO.

O:\Projects\Armada\ARM006 - Currituck Reserve\Cadd\Preliminary Plan.dwg, Plotted By: randy, Plotted: Jan 22, 2015 - 3:00pm



A graphic element consisting of a circle with a cross inside, divided into four quadrants by lines. The top-right quadrant is shaded black, while the other three are white.

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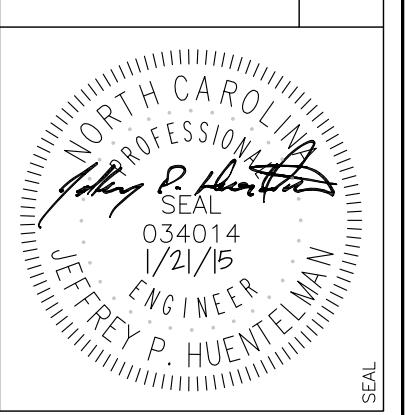
ARM006
DATE 21JAN15
DES. NWD
DR. RLR
CKD. JPH

CURRITUCK RESERVE CONSERVATION SUBDIVISION

CURRITUCK COUNTY, NORTH CAROLINA

MOYOCK TOWNSHIP

LANDSCAPE PLAN

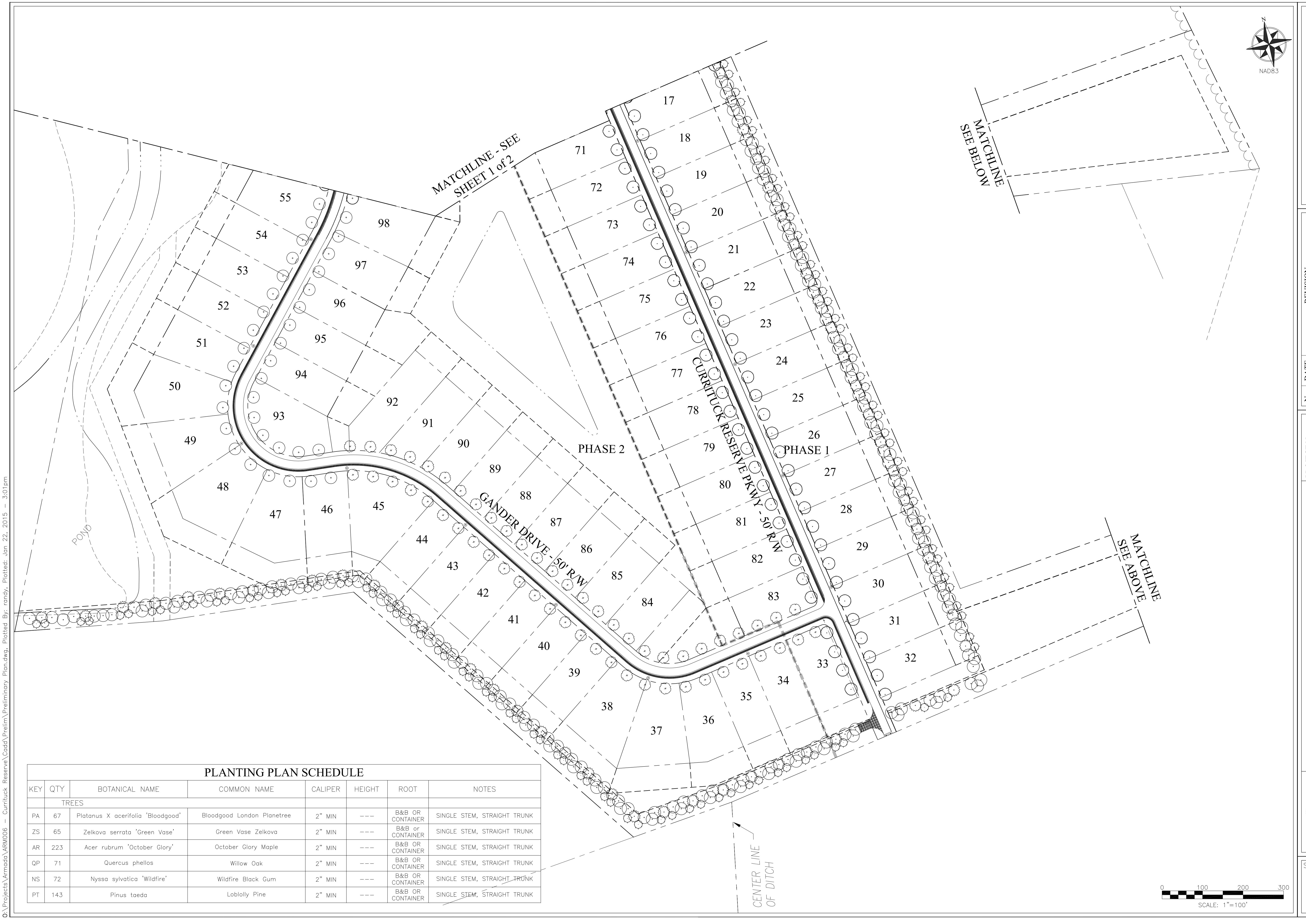


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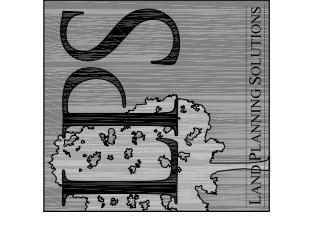
4 of 7

ANSWER

Pg. 20



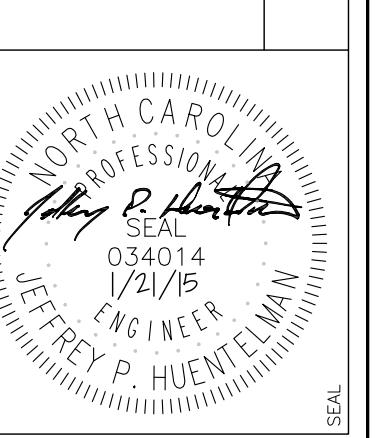
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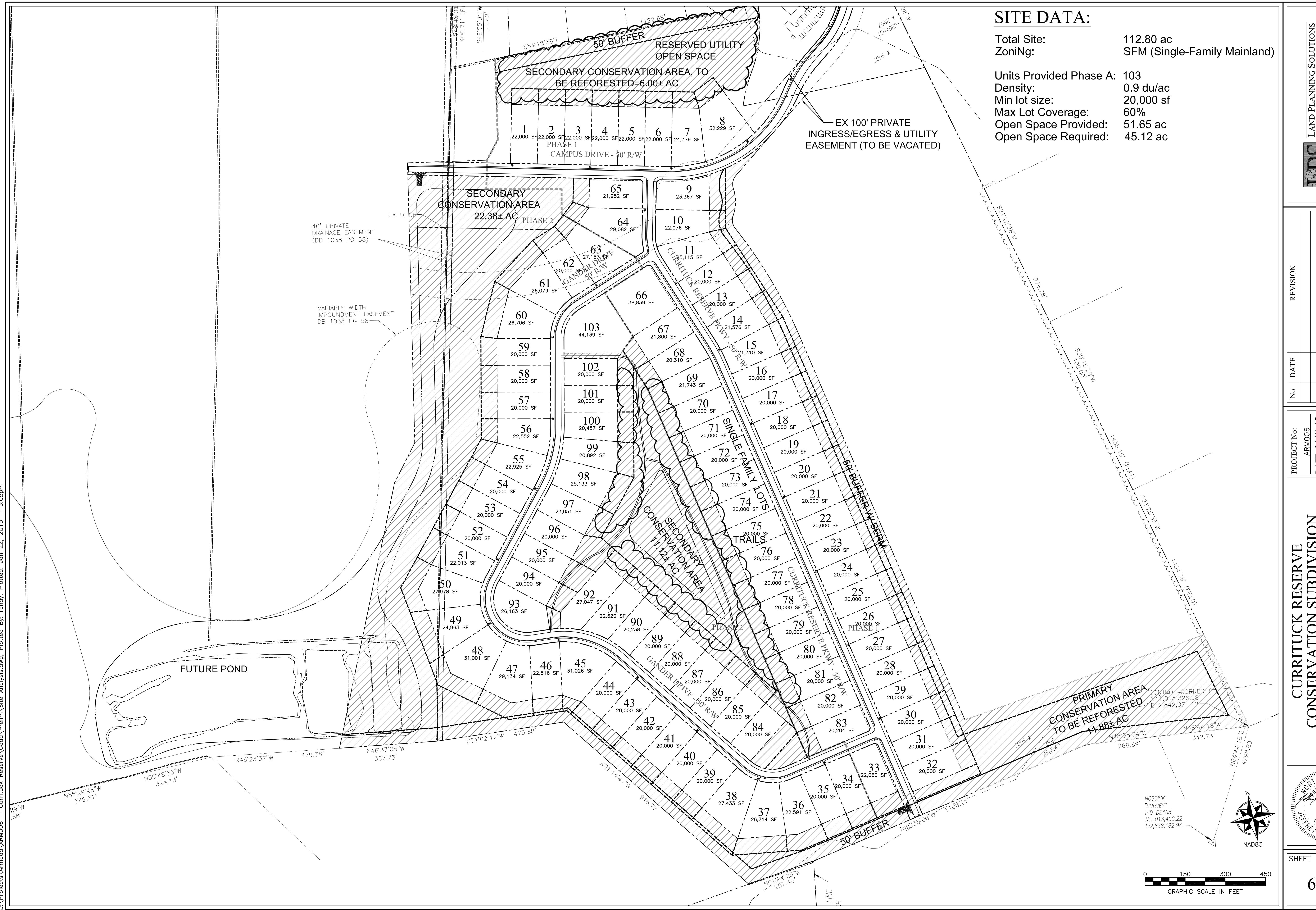
No.	Date	Revision
ARM006	DATE 21 JAN 15	
DES.	NWD	
DR.	RLR	
CKD.	JPH	

PROJECT No:	ARM006
DATE	21 JAN 15
DES.	NWD
DR.	RLR
CKD.	JPH

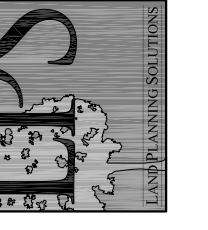
CURRITUCK RESERVE CONSERVATION SUBDIVISION	
CURRITUCK COUNTY, NORTH CAROLINA MOYOCK TOWNSHIP	
LANDSCAPE PLAN	

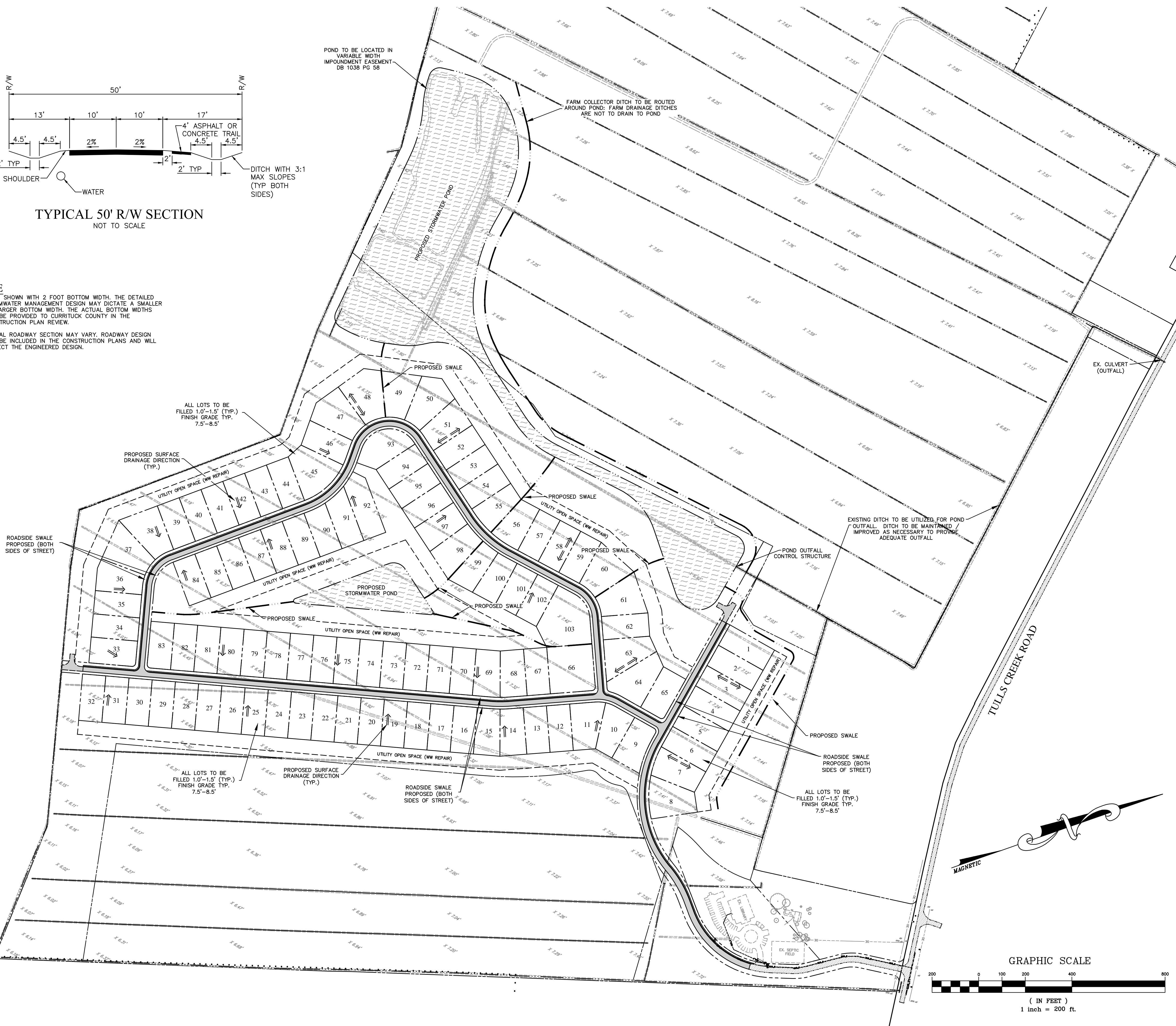


SHEET NO.
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NOTES:

1. OWNER / APPLICANT: AH CURRITUCK RESERVE, LLC
222 CENTRAL PARK AVENUE
SUITE 2100
VIRGINIA BEACH, VA 23462
(757) 366-6633
2. TAX MAP NO. 0022000078B0000
3. LOCATION: MOYOCK, NC
4. RECORDED REFERENCE: DB 1038, PG 55
5. SITE ZONING: SFM (PUD OVERLAY)
6. SCOPE OF PLAN: THIS PLAN SHEET IS INTENDED TO PRESENT THE GRADING & DRAINAGE CONCEPT FOR THE PROPOSED CURRITUCK RESERVE SUBDIVISION. IT IS CONCEPTUAL IN NATURE AND IS TO SERVE AS A GUIDE IN PREPARATION OF ENGINEERED CONSTRUCTION DRAWINGS. WHEREAS IT IS NOT ANTICIPATED THAT THE ENGINEERED DESIGN WILL VARY SIGNIFICANTLY FROM THIS CONCEPT, SUBSTANTIAL DEVIATIONS FROM THIS CONCEPT MAY BE REQUIRED AS A RESULT OF THE ENGINEERED DESIGN.
7. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN IS BASED ON SURVEY INFORMATION PROVIDED BY LAND PLANNING SOLUTIONS AND AH CURRITUCK RESERVE, LLC.
8. PROPERTY IS LOCATED IN F.I.R.M. ZONES "X" AND "SHADE X". F.I.R.M. ZONES SUBJECT TO CHANGE BY F.E.M.A.
9. THIS PROJECT WILL REQUIRE AN NCDENR LOW-DENSITY STORMWATER PERMIT.
10. NO WORK IS PROPOSED IN USACE JURISDICTIONAL WETLANDS.

CURRITUCK RESERVE

CONCEPTUAL DRAINAGE PLAN

AH CURRITUCK RESERVE, LLC

COMMISSION NO.	P14003
DESIGNED BY	DAD
DRAWN BY	DAD
CHECKED BY	DAD
ISSUE DATE	12/16/14
HEET NO.	

CG1

CIVIL ENGINEERING SERVICES
FIRM LICENSE P-1045
P.O. BOX 3901
KILL DEVIL HILLS, NC 27948
Phone: (252) 202-3803 E-Mail: dadeeleng@gmail.com

THIS DOCUMENT IS THE PROPERTY

CERTIFICATION

DRAINAGE PLAN BLACK RESERVE, LLC

CONCEPTUAL AH CURRIT

MISSION NO.	P14003
ENDED BY	DAD
EN BY	DAD
ENDED BY	DAD
DATE	12/16/14
NO.	

CG1

Conceptual Stormwater Management Narrative

Currituck Reserve

Moyock, NC
December 16, 2014

General

The Currituck Reserve Subdivision is a proposed 103 lot “Conservation Subdivision” located on a 112.8 acre parcel immediately northwest of the Moyock Library off of Tulls Creek Road in Moyock. Minimum lot sizes are 20,000 sf, but the significant common open space required yields less than 1 home per acre which will allow the subdivision to be processed with NCDENR under a Low Density Stormwater Permit.

Summary of Existing Conditions

The subject parcel currently consists entirely of farm fields which have been maintained in row crops. Per the soils report prepared by Barney Environmental, the soils in this area consist of a tight sandy loam soil layer (approx. +/-3' thick) with more permeable sandy soils underneath. These soil conditions do not lend themselves to the installation of infiltration systems. The existing farm field is relatively flat (existing surface elevations generally range from 6.0' to 7.5') and is drained via a network of intersecting farm ditches across the site. When the soil column is punctured, the seasonal high water table appears to regulate at the juncture of the soil layers (+/- 3' below grade).

There are currently three sand pits located on the adjoining property immediately west of the project which have been excavated below the normal groundwater elevation. A variable width impoundment easement has been granted to Currituck Reserve which incorporates these sand pits and a portion of the property that they occupy.

The subject property and the surrounding farmland drains to a single culvert under Tulls Creek Road approximately 1800 feet northwest of the property.

Summary of Proposed Conditions

As noted above, the in-situ soils do not readily support the installation of infiltration based stormwater management systems. Therefore, in order to meet Currituck County’s Stormwater Management Ordinance requirements, the existing sand pits are proposed to be expanded and converted into a significant stormwater wet pond which extends along the majority of the western property line of the Currituck Reserve property. This pond will be sized in accordance with Currituck County Stormwater Ordinance requirements to mitigate peak flows / mitigate increases in downstream water surface elevations associated with the proposed development. The pond will discharge via a control structure to an existing primary ditch which conveys runoff to the existing outfall culvert under Tulls Creek Road. This existing ditch will be analyzed and maintained/enhanced as needed.

A second, smaller pond will be located in the center of the subdivision and will be connected to the larger pond. This smaller pond will serve as a forebay for the large pond, accepting runoff directly from the development around it and providing pre-treatment of runoff prior to conveyance to the larger pond.

P.O. Box 3901

Deel Engineering, PLLC

Kill Devil Hills, NC 27948

(252)202-3803

In order to establish drainage within the subdivision, the lots will be filled (+/-) 1' to 1.5' above existing grade. This will allow surface runoff from the lots to readily flow overland into roadside swales for collection & conveyance to the stormwater management pond. Depending on their location, surface drainage from some lots will flow to a rear swale as well. Where needed, shallow lot-line swales will be installed to convey runoff to roadside swales. These lot-line swales will not extend beyond the drainfield locations at the rear of the lots. Generally, the lots will be graded such that the drainfields will occupy the highest part of the lot. The general grading profile is expected to be as follows: Lots are generally anticipated to be 1.0'-1.5' above existing grade, roads are anticipated to be at 0.0' to 1.0' above grade, unimproved open space will be at grade, and stormwater improvements will be below grade. The permanent pool within the pond is expected to be established at / normalize at an elevation of 4.0'.

Once runoff is collected in roadside swales and rear swales, it will be conveyed to the stormwater pond via a series of collector swales located at various locations throughout the subdivision (these are preliminarily shown on the Conceptual Drainage Plan, but their final locations will be dictated by the engineered stormwater drainage model).

Engineering Design

Once the Preliminary plat is approved, the Engineer will build a drainage model of the proposed subdivision and incorporate it into a model of the entire drainage basin draining to the outfall culvert under Tulls Creek Road. This culvert has been identified as the critical outfall juncture. The drainage model will demonstrate the interactions of the proposed system with the existing farm ditch systems and will provide the basis for the sizing of the pond, sizing and layout of conveyances, and establishment of final grades throughout the subdivision. This model / design will then be presented to Currituck County for review as is customary in the Construction Plans phase of the subdivision approval process.

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Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1584)

Agenda Item Title

Ordinance of the Currituck County Board of Commissioners Amending Section 2-56 of the Currituck County Code of Ordinances Modifying the Time for the Regular Meetings of the Currituck County Board of Commissioners

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

1 **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS**
2 **AMENDING SECTION 2-56 OF THE CURRITUCK COUNTY CODE OF**
3 **ORDINANCES MODIFYING THE TIME FOR REGULAR MEETINGS OF THE**
4 **CURRITUCK COUNTY BOARD OF COMMISSIONERS**

5 WHEREAS, pursuant to N.C. Gen. Stat. §153A-40 a board of commissioners may fix the
6 time for its meetings.

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

9 PART I. Section 2-56 of the Code of Ordinances, Currituck County, North Carolina is amended
10 to read as follows

11 **Sec. 2-56. - Regular and special meetings.**

12 (a) *Regular meetings.* The board shall hold a regular meeting on the first and third Mondays of
13 each month, except that if a regular meeting day is a legal holiday, the meeting shall be held
14 on the next business day. The meeting shall be held at the county courthouse and shall begin
15 on the first Monday and third Monday at 7:00 6:00 p.m.

16 (b) *Special meetings.* The chair or a majority of board members may at any time call a special
17 meeting of the board by signing a notice stating the time and place of the meeting and the
18 subjects to be considered. The person calling the meeting shall cause the notice to be
19 delivered to the chair and all other board members, or left at the usual dwelling place of each
20 member at least 48 hours before the meeting and shall cause a copy of the notice to be
21 posted on the courthouse bulletin board at least 48 hours before the meeting. Only those
22 items of business specified in the notice may be transacted at a special meeting, unless all
23 members are present or those who are not present have signed waivers.

24 (1) *Emergency meetings.* If a special meeting is called to deal with an unexpected
25 circumstance requiring immediate consideration, the notice requirements of this section
26 do not apply. However, the person calling an emergency meeting shall take reasonable
27 action to inform the other members and the public of the meeting. Local news
28 organizations having requested notice of special meetings as provided in subsection (c)
29 of this section shall be notified of such emergency meetings by the same method used to
30 notify board members. Only business connected with the emergency may be discussed
31 at the meeting.

32 (2) *Work sessions and informal meetings.* The board may schedule work sessions,
33 committee meetings, or other informal meetings of the board or of a majority of its
34 members at such times and concerning such subjects as may be established by
35 resolution or order of the board. A schedule of any such meetings held regularly shall be
36 filed in the same place and manner as the schedule of regular meetings. Work sessions
37 and other informal official meetings not held regularly are subject to the same notice
38 requirements as special board meetings.

39 (c) *Meeting Attendance.* A board member must be physically present at a regular or special
40 meeting to participate or vote in the meeting.

(d) *Sunshine list.* Any individual and any newspaper, wire service, radio station, and television station may file a written request with the clerk to the board of commissioners for notice of all regular and special meetings of the board. Requests by individuals must be renewed annually by December 31 and are subject to a nonrefundable annual fee for agendas and for agendas and minutes as established in the county's fee schedule. Requests by news organizations must be renewed annually by December 31 and are not subject to any fee.

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

10 PART III. This ordinance is effective August 1, 2016.

ADOPTED this _____ day of July, 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 # 1608)

Agenda Item Title

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 9. Historic Preservation

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

1 **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS**
 2 **AMENDING CHAPTER 2, ARTICLE III OF THE CURRITUCK COUNTY CODE OF**
 3 **ORDINANCES BY ADDING A NEW DIVISION 9. HISTORIC PRESERVATION**

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

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

12 WHEREAS, pursuant to Part 3C of Chapter 160A of the General Statutes of North
 13 Carolina a county may create a historic commission to safeguard a county's heritage by
 14 preserving districts of landmarks that embody important elements of the county's culture,
 15 history, architectural history or prehistory and promote the use and conservation of such district
 16 or landmark for the education, pleasure, enrichment of the county's residents.

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

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

21 **DIVISION 9. HISTORIC PRESERVATION COMMISSION**

22

23 **Sec. 2- 240. Title.**

24 This division is known and may be cited as the Currituck County Historic Preservation
 25 Ordinance.

26 **Sec. 2-241. Purpose.**

27 Whereas the historical heritage of Currituck County is a valued and important part of the
 28 general welfare; and whereas the conservation and preservation of the County's heritage, through
 29 the documentation and regulation of local historic districts or landmarks, or through the
 30 acquisition of historic properties, stabilizes and increases property values, and pursuant to G.S.
 31 160A-400.1 to 400.14 this ordinance is enacted in order to:

- 32 a. Safeguard the heritage of Currituck County by preserving local landmarks within the
 33 County that embody important elements county culture, history, architectural history, or
 34 prehistory; and
- 35 b. Promote the use and conservation of local landmarks for the education, pleasure and
 36 enrichment of the residents of Currituck County and the State of North Carolina.

38

1 **Sec. 2-242. Created.**

2 There is hereby established a historic preservation commission, (the
 3 “Commission”). The Commission will consist of five (5) members appointed by the Board of
 4 Commissioners. Members of the Commission must have demonstrated education, experience,
 5 special interest, or a combination thereof, in historic preservation, history, architecture,
 6 architectural history, archaeology, cultural anthropology, planning, or related field. One member
 7 will be appointed to serve for a term of two years, two members will be appointed to serve for a
 8 term of three years, and two members will be appointed to serve for a term of four years.
 9 Thereafter members shall be appointed for terms of four years. Commissioners shall serve until
 10 their successors are appointed and qualified. All commissioners must be residents of the county.

12 **Sec. 2-243. Officers.**

13 The Commission will appoint from its membership a chair and any other officers as it may
 14 deem necessary for the orderly conduct of its business.

16 **Sec. 2-244. Meetings.**

17 The Commission will meet at least quarterly. A copy of the minutes of all meetings must be
 18 sent to the county manager. All meetings must be conducted in accordance with the Open
 19 Meetings Law of the State of North Carolina. The Commission will annually present to the
 20 Board of Commissioners a report of its activities, budget, findings, recommendations, and
 21 actions, which will be made available to the public.

23 **Sec. 2-245. Powers and Duties.**

24 The Commission is empowered to undertake such actions as may be reasonably necessary to
 25 the discharge and conduct of its duties and responsibilities as set forth in this ordinance and in
 26 the North Carolina General Statutes, including, but not limited to:

- 27 a. Organizing and conducting its business;
- 28 b. Receiving and spending funds, if any, appropriated by the Board of Commissioners for
 operating and performing its duties;
- 30 c. Conducting an inventory of properties of historical, archaeological, architectural, and/or
 cultural interest;
- 32 d. Recommending to the Board of Commissioners that individual buildings, structures,
 sites, area, or object within its zoning jurisdiction be designated as “local historic landmarks;”
- 34 e. Recommending to the Board of Commissioners that designation of any building,
 structure, site area or object as a local historic landmark be revoked or removed for cause;
- 36 f. Reviewing and making recommendations on proposals for exterior alteration, relocation
 or demolition of designated local historic landmarks;

1 g. Negotiating with property owners who propose to demolish or relocate a designated local
 2 historic landmark, in an effort to find a means of preserving such properties, including consulting
 3 with private civic groups, interested private citizens, and other public boards or agencies;

4 h. Instituting action through the county planning and community development department
 5 to prevent, restrain, correct or otherwise abate violation of this ordinance or of an ordinance
 6 designating local historic landmarks;

7 i. Entering, at reasonable times and with the consent of the owner or occupant, upon private
 8 lands to make examinations, conduct surveys and inventories or other purposes in performance
 9 of its official duties. However, no member, employee or agent of the Commission shall enter
 10 any private building or structure without express consent of the owner or occupant thereof;

11 j. Reviewing and making recommendations on proposals for alterations of interior features
 12 of designated local historic landmarks, as specified, and for which owner consent was given, in
 13 the ordinance establishing designation;

14 k. Appointing advisory bodies or committees as appropriate;

15 l. Recommending to the Board of Commissioners negotiation with property owners for the
 16 acquisition or protection of significant historic properties;

17 m. Recommending to the Board of Commissioners acquisition by any lawful means, the
 18 purchase fee, or any lesser included interest, including options to purchase, properties designated
 19 as local landmarks, or land to which historic buildings or structures may be moved;
 20 recommending to the Board of Commissioners to hold, manage, preserve, and restore such a
 21 property and improving the interest; and to exchange or dispose of the interest through public or
 22 private sale, lease, or other lawful means, provided the property shall be subject to covenants or
 23 other legally binding restrictions which shall secure appropriate rights of public access and the
 24 preservation of the property. All lands, buildings, structures, sites, areas, or objects acquired by
 25 funds appropriated by the Board of Commissioners shall be acquired in the name of the county
 26 unless otherwise provided by the Board of Commissioners;

27 n. Accepting grants of funds from private individuals or organizations for preservation
 28 purposes;

29 o. Conducting educational programs pertaining to local historic landmarks and historic areas
 30 within its jurisdiction;

31 p. Publishing or otherwise informing the public about any matter related to its purview,
 32 duties, responsibilities, organization, procedures, functions or requirements;

33 q. Advising property owners about appropriate treatment for characteristics of local historic
 34 properties;

35 r. Cooperating with the State of North Carolina, the United States of America, local
 36 governments, public or private organizations, or their agencies, in pursuing the purposes of this
 37 ordinance;

38 s. Preparing and recommending adoption of a preservation element or elements as part of a
 39 county's comprehensive plan; and

1 t. Proposing to the Board of Commissioners amendment to this or to any other ordinance,
 2 and proposing new ordinance or laws relating to local historic landmarks or to the protection of
 3 the historic resources of the county and its environs.

5 **Sec. 2-246. Inventory.**

6 The Commission will use as a guide to identification, assessment, and designation of local
 7 historic landmarks an inventory of buildings, structures, sites, areas, or objects which are of
 8 historic, prehistoric, architectural, archaeological, and/or cultural significance. The Commission
 9 will take steps as necessary to ensure that the inventory reflects information current to within
 10 twenty years.

12 **Sec. 2-247. Adoption of Local Historic Landmark Ordinance of Designation**

14 a. The Board of Commissioners may adopt and, from time to time, amend or repeal an
 15 ordinance designating one or more local historic landmarks. The ordinance will include the
 16 following:

- 17 1. the name or names of the owner or owners of the property;
- 18 2. description of each property designated by the ordinance, including the address, if
 19 applicable, the physical configuration and orientation of the property so
 20 designated;
- 21 3. description of those elements of the property which are integral to its historic,
 22 architectural, archaeological, and/or cultural significance;
- 23 4. provide for each designated local historic landmark a suitable sign or plaque
 24 indicating that the local landmark has been designated a local historic landmark;
 25 and
- 26 5. Any other information deemed necessary by the Board of Commissioners.

27 b. The local landmark designation process may be initiated by either the Commission or at
 28 the request of a property owner. No ordinance to designate a building, structure, site, area, or
 29 object will be adopted or amended until all of the requirements of this ordinance and its
 30 subsections are satisfied.

32 **Section 2-248. Criteria for Designation as a Historic Local Landmark.**

33 To be designated as a historic local landmark, a property, building, site, area, or object must
 34 be found by the Commission to possess special significance in terms of its history, prehistory,
 35 architecture, archaeology, or cultural importance, and to retain the integrity of its design, setting,
 36 workmanship, materials, feeling, and/or association.

1 **Sec. 2-249. Procedure for Designating a Local Historic Landmark.**

2 a. The Commission will make, or cause to be made, an investigation and designation report
 3 which includes the following:

- 4 1. the name of the property to be designated, including both common and historic
 5 names if they can be determined;
- 6 2. the name and address of the current owner or owners;
- 7 3. the location of the property proposed for designation, including the street address
 8 and county tax map parcel number or parcel identification;
- 9 4. the dates of original construction and of all later additions or alterations, if
 10 applicable and as can be determined;
- 11 5. an assessment of the significance of the building or site as prescribed by this
 12 ordinance;
- 13 6. an architectural or archaeological description of the area of the site or structure,
 14 including descriptions of all outbuildings and appurtenant features, proposed for
 15 designation;
- 16 7. a historical discussion of the site or structure within its type, period, and locality;
- 17 8. a photograph showing, to the fullest extent possible, the overall disposition of the
 18 property; one photograph of each façade or elevation and supplementary
 19 photographs as necessary to illustrate architectural details or ornamentation,
 20 siting, scale, proportion, and relationship of features or buildings, structures, or
 21 objects to each other; and
- 22 9. a map showing the location of the property, including all outbuildings and
 23 appurtenant features.

24

25 b. Pursuant to G. S. 160A-400.6, as amended, the designation report must be submitted to
 26 the North Carolina Department of Cultural Resources, Division of Archives and History, (the
 27 “Department”), or its successor agency, which, acting through the State Historic Preservation
 28 Officer, will review the designation report and provide written comment and recommendations
 29 to the Board of Commissioners regarding the substance and effect of the proposed designation.
 30 Failure of the Department to respond within thirty days following its receipt of the report will
 31 constitute approval of the report by the Department and relieve the board of commissioners of all
 32 responsibility to consider the Department’s comments of recommendations concerning the
 33 report.

34

35 c. At the expiration of the thirty day review period, the Commission will consider the report
 36 and any comments or recommendations from the State Historic Preservation Officer, and will
 37 accept it, amend it, reject it, or defer a decision until completion of a period of further study, not
 38 to exceed sixty (60) days. The Commission will forward to the Board of Commissioners a copy
 39 of the report, copies of written comments received from the Department, and a recommendation
 40 either to approve or disapprove designation of the property, stating in its recommendation the
 41 extent to which the property meets the criteria for designation as set forth in this ordinance. A

1 recommendation for approval must be accompanied by a proposed ordinance of designation. A
 2 recommendation for disapproval will not necessarily prevent any future consideration of a
 3 property for designation as a local historic landmark.

4 d. The Board of Commissioners will hold a public hearing, either jointly with the
 5 Commission, or separately, to consider the proposed ordinance. Reasonable notice of the time
 6 and place thereof shall be given.

7 e. Following the public hearing, the Board of Commissioners will consider the
 8 Commission's designation report, its recommendation, the Department's recommendation, and
 9 comments made at the public hearing, and may adopt the ordinance as proposed, adopt the
 10 ordinance with amendments, or reject the ordinance.

11 f. Upon adoption of the ordinance, the Commission staff will:

- 12 1. within thirty days of adoption, send the owner(s) of the landmark(s) notice of the
 13 designation, explaining the substance of the Commission's decision;
- 14 2. file one copy of the ordinance, and any subsequent amendments, in the office of
 15 the county's Register of Deeds, which will index local historic landmarks
 16 according to the name of the owner in the grantee and grantor indexes;
- 17 3. notify the county tax assessor's office of the landmark designation.

18 g. Upon notification of landmark designation from the Commission, the county tax assessor
 19 shall indicate the designation on all appropriate tax maps for as long as the designation remains
 20 in effect.

21 h. Upon disapproval of a designation report, a copy of the minutes of the meeting at which
 22 the decision to deny was made must be provided to the owner of the property proposed for
 23 designation, together with correspondence explaining the substance of the Commission's
 24 decision.

25 **Sec. 2-250. Certificate of Appropriateness Required**

26 a. From and after the designation of a local historic landmark, no construction, alteration,
 27 reparation, rehabilitation, relocation, or demolition of any building, structure, site, area, or object
 28 will be performed upon such landmark until a Certificate of Appropriateness, (the "Certificate"),
 29 is granted by the Commission. A Certificate will be required for any and all exterior work,
 30 including masonry walls, fences, light fixtures, steps and pavement, any other appurtenant
 31 features, any above ground utility structures, and any type of advertising sign.

32 b. A Certificate is required in order to obtain a building permit, or any other permit granted
 33 for the purposes of constructing, altering, moving, or demolishing structures, and is required
 34 whether a building permit or other permit is required. Any building permit or other permit not
 35 issued in conformity with this Section is invalid.

36 c. For the purposes of this ordinance, "exterior features" includes architectural style, general
 37 design, general arrangement, kind and texture of material, size and scale, and type and style of all
 38 windows, doors, light fixtures, signs, any other appurtenant features, historic signs, historic
 39 advertising, landscape, and archaeological or natural features.

1 d. A Certificate is required to specific interior features of architectural, artistic, or historical
 2 significance in publicly owned local landmarks and in privately owned local landmarks for
 3 which consent to review has been given in writing by the owner. Such consent shall be filed
 4 with the county's Register of Deeds and indexed according to the name of the property owner in
 5 the grantee and grantor indexes and binds future owners and/or successors in title. The
 6 ordinance establishing historic designation of the property will specify the interior features
 7 subject to review and the specific nature of the Commission's jurisdiction over those features .

8 e. When approving a Certificate, the Commission may attach reasonable conditions
 9 necessary to the proper execution of this ordinance.

10 f. Commission staff may issue a Certificate for "minor works" as defined by the
 11 Commission. "Minor works" include the ordinary maintenance or repair of any exterior feature
 12 of a local historic landmark, provided such maintenance or repair does not involve a change in
 13 design, material, or appearance thereof.

14 g. No application for a "minor works" Certificate will be denied without deliberation by the
 15 Commission.

16 h. Under this section, the Commission will institute action, through the county planning and
 17 community development department, to prevent, restrain, correct or otherwise abate the
 18 construction, reconstruction, alteration, restoration relocation or demolition of buildings
 19 structures, appurtenant features, or any other features which would be incongruous with the
 20 special character of the local landmark.

22 **Sec. 2-251. Review Guidelines.**

23 Prior to the designation of a historic local landmark, the Commission will prepare and adopt
 24 guidelines not inconsistent with G.S. 160A-400.1 – 400.14 for constructing, altering, restoring,
 25 rehabilitating, relocating, removing, or demolishing of property designated as historic, which
 26 guidelines will ensure, insofar as possible, that changes in designated local historic landmarks
 27 are in harmony with the reasons for designation.

29 **Sec. 2-252. Certain Changes not Prohibited.**

30 Nothing in this ordinance is to be construed to prevent:

31 a. the ordinary maintenance or repair of any exterior feature of a historic local landmark,
 32 provided such maintenance or repair does not involve a change in design, material, or appearance
 33 of the historic local landmark;

34 b. the construction, alteration, relocation, or demolition of any feature, building, or structure
 35 when the chief building inspector certifies to the Commission that action is necessary to the
 36 public health or safety because of an unsafe or dangerous conditions;

37 c. a property owner from making use of property not otherwise prohibited by statute,
 38 ordinance, or regulation; or

39 d. the maintenance of, or, in the event of an emergency, the immediate restoration of any
 40 existing above ground utility structure without approval by the Commission.

1

2 **Sec. 2-253. Delay of Demolition.**

3 a. Except as provided below, a Certificate authorizing the demolition of a designated local
 4 historic landmark may not be denied. However, the Commission may delay the effective date of
 5 a Certificate for a period of up to 365 calendar days from the date of approval. The Commission
 6 may reduce the period of delay where it finds that the owner would suffer extreme hardship or be
 7 deprived permanently of all beneficial use of such property as a result of the delay. During the
 8 delay period, the Commission will negotiate with the property owner and with any other party in
 9 an effort to find a means of preserving the property as provided in Section 2-245 of this
 10 ordinance.

11 b. The Commission may deny an application for a Certificate authorizing the demolition or
 12 destruction of any locally designated landmark, which the State Historic Preservation Office has
 13 determined to be of Statewide Significance, as defined by the criteria of the National Register of
 14 Historic Places, unless the Commission finds that the owner would suffer extreme hardship or be
 15 deprived permanently of all beneficial use of the property as a result of the denial.

16 c. In the event that the Commission has voted to recommend designation of a property as a
 17 local landmark and local landmark designation has not been made by the board of
 18 commissioners, the demolition of any building, site, object, area or structure located on the
 19 property of the proposed local landmark may be delayed by the Commission for a period of up to
 20 180 calendar days or until the Board of Commissioners takes final action on the proposed
 21 designation, whichever occurs first. If the Board of Commissioners approves the local landmark
 22 designation prior to the expiration of the 180-day delay period, an application for a Certificate of
 23 Appropriateness authorizing demolition must then be filed; however, the maximum delay period
 24 of 365 days shall be reduced by the number of days elapsed during the 180-day delay while
 25 designation was pending.

26

27 **Sec. 2-254. Demolition by Neglect.**

28 Failure of an owner to regularly, consistently, and fully maintain a designated local
 29 landmark constitutes demolition, through neglect, without a valid Certificate of Appropriateness
 30 and a violation of this ordinance. The Commission will institute action, through the county
 31 planning and community development department, to prevent, restrain, correct or otherwise
 32 abate such demolition, provided the action includes appropriate safeguards to protect property
 33 owners from undue economic hardship.

34

35 **Sec. 2-255. Application and Required Procedures.**

36 a. An application for a Certificate shall be obtained from the Commission staff. An
 37 application for a Certificate will be completed and submitted to the county planning director in
 38 the form established by the county planning director and will be reviewed by Commission staff
 39 to determine if the application is complete in accordance with the procedures and standards
 40 included in the Administrative Manual and Unified Development Ordinance.

1 b. The Commission has, as detailed in the Administrative Manual, power to require the
2 submittal, with the application, of pertinent information sufficient to determine an application's
3 completeness.

4 c. Incomplete applications are not accepted.

5 d. Before considering an application for a Certificate, the Commission will notify by mail
6 the owners of any adjacent property. Such notices are for the convenience of property owners
7 and occupants and no defect or omission therein impairs the validity of the issuing a Certificate
8 or of any subsequent action.

9 e. When considering an application for a Certificate, the Commission will give the applicant
10 and owners of any property likely to be materially affected by the application an opportunity to
11 be heard.

12 f. When considering an application for a Certificate, the Commission will apply the review
13 guidelines required by Section 2-251 of this ordinance and will, in approving with conditions,
14 disapproving or deferring an application, make findings of fact to be entered into the minutes of
15 its meetings. The minutes shall also contain a summary of any citation to evidence, testimony,
16 studies, or other authority upon which the Commission based its decision.

17 g. The Commission has sixty calendar days following submittal of a complete application
18 within which to act. Failure by the Commission to take final action within such period shall
19 constitute approval of the application as submitted. This period may be extended by mutual
20 agreement between the Commission and the applicant.

21 h. A Certificate is valid for 180 calendar days from the date of issuance, or, in the case of a
22 Certificate for demolition, from the effective date. If the authorized work is not commenced
23 within that period, or has been discontinued for more than 365 calendar days from the date of
24 issuance, the Certificate will immediately expire and the applicant required to reapply.

25 i. If the Commission denies a Certificate, a new application affecting the same property
26 may be submitted, provided a substantial change is proposed in the plans.

27 j. An appeal of a final action by the Commission may be made to the county board of
28 adjustment. Written notice of intent to appeal must be sent to the Commission, postmarked
29 within twenty (20) calendar days following the Commission's decision. Appeals must be filed
30 with the county board of adjustment within thirty calendar days following the Commission's
31 decision and is in the nature of certiorari. A decision by county board of adjustment may be
32 appealed to the Superior Court of Currituck County.

33 k. A Certificate is required for locally designated landmarks or buildings, structures, sites,
34 areas, which are owned by the State of North Carolina or any of its agencies, political
35 subdivisions, or instrumentalities, subject to the regulations of this ordinance and in accordance
36 with G.S. 160A-400.9(f).

37 l. In the case of a building, structure, site, area, or object designated as a local historic
38 landmark threatened with demolition, as the result of willful neglect or otherwise, material
39 alteration, rehabilitations or removal, except in compliance with this ordinance, the Commission,
40 the Board of Commissioners or any other party aggrieved by such action may institute any
41 appropriate action or proceeding to prevent, restrain, correct or otherwise abate such violation, or
42 to prevent any illegal act or conduct with respect to such property.

Sec. 2-256. Conflict with Other Laws

Whenever the provisions of this ordinance are in conflict with any other statute, charter provision, ordinance, or regulation of the Currituck County Board of Commissioners, the more restrictive ordinance or regulation shall govern.

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 July, 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 # 1612)

Agenda Item Title

Consideration of an Ordinance of the Currituck County Board of Commissioners Amending Chapter 9 of the Code of Ordinances By Adding Article V Prohibiting Abandonment of Vessels Within Navigable Waters of the County

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS
AMENDING CHAPTER 9 OF THE CURRITUCK COUNTY CODE OF ORDINANCES
BY ADDING ARTICLE V. ABANDONED VESSELS**

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

WHEREAS, pursuant to N.C. Gen. Stat. §153A-132 a county may by ordinance prohibit the abandonment of vessels in navigable waters within the county's ordinance-making jurisdiction.

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

PART I. Chapter 9 of The Code of Ordinances, Currituck County, North Carolina is amended by adding ARTICLE V. ABANDONED VESSELS to read as follows:

ARTICLE V. ABANDONED VESSELS

Sec. 9-94. Application of provisions.

The regulations set out in this article shall apply to navigable waters within the county.

Sec. 9-95. Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) *Abandoned vessel:* A vessel that is moored, anchored, or otherwise located for more than 30 consecutive days in any 180 consecutive-day period without permission of the dock owner, marina owner, boat slip owner, or property owner whereby the vessel is located or a vessel that is in danger of sinking, has sunk, is resting on the bottom, or is located such that it is a hazard to navigation or is in immediate danger to other vessels.

(2) Responsible party. A person, organization, or legal entity that is identified by county officials as the party responsible for an abandoned vessel.

Sec. 9-96. Prohibition.

The abandonment of vessels in navigable waters within the jurisdiction of the county is prohibited.

Sec. 9-97. Exceptions.

Shipwrecks, vessels, cargoes, tackle and other underwater archeological remains that have been in place for more than 10 years shall not be considered abandoned vessels and shall not be removed under the provisions of this section without the approval of the North Carolina

45 Department of Cultural Resources, which is the legal custodian of these properties pursuant to
46 G.S. §§ 121-22 and 121-23.

47

48 **Sec. 9-98. Removal of abandoned vessels.**

49 The county may remove and dispose of any abandoned vessel found to be in violation of this
50 article according to the procedures set forth in G.S. § 153A-132 and Article IV of this code.

51

52 **Sec. 9-99. Notice of removal.**

53 The county shall give notice to the responsible party as required by G.S. § 20-219.11(a) and
54 (b).

55

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

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

61

62 ADOPTED the 18th day of July, 2016.

63

64

65 David L. Griggs, Chairman

66

67 ATTEST:

68 _____
69 Leeann Walton
70 Clerk to the Board of Commissioners

71

72 APPROVED AS TO FORM:

73 _____
74 Donald I. McRee, Jr.
75 County Attorney

76

77 Date adopted: _____

78

79 Motion to adopt by Commissioner _____

80 Second by Commissioner _____

81 Vote: _____ AYES _____ NAYS



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1590)

Agenda Item Title

Appointment to the Fire and EMS Advisory Board

Brief Description of Agenda Item:

Forrest Midgette resigned his position as a member of the Fire and EMS Advisory Board. In lieu of a reappointment, an appointment is needed to serve a full term, as Mr. Midgette's initial term of one year expired as of May 31, 2016.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

FIRE AND EMS ADVISORY BOARD
2 Year Term

Incumbent	District Served	New Appointee	Nominated by	Date of Appointment	End of Term
Fire/EMS Chief Ralph "Chip" Melton			Consensus	5/18/2015	1st-2 Year Term 5/31/2017
Fire Services Representative Kevin Morgan			Consensus	5/18/2015	1st-2 Year Term 5/31/2017
Fire Services Representative Brooks Hart			Consensus	5/18/2015	1st-2 Year Term 5/31/2017
Citizen Representative Forest Midgett			Consensus	5/18/2015	1st-1 Year Term 5/31/2016
Commissioner* Paul Beaumont			Consensus	5/18/2015	1st-1 Year Term 12/15/2016

Resigned-Replacement needed to fill a full term to expire 5/31/18

*Commissioner term expiration extended to December to correlate with election cycles.

Commissioner Beaumont



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1610)

Agenda Item Title

Historic Boat & Building Advisory

Brief Description of Agenda Item:

Planning Board Recommendation:

A resolution establishing the Historic Boat and Building advisory board was adopted by the Board of Commissioners on June 6, 2016, and initial appointments were made on June 20, 2016. The appointees consisted of a committee that was derived from members of the former Whalehead Trust. Three additional members need to be appointed as was approved at the June 20, 2016 meeting of the Board of Commissioners.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

HISTORIC BOAT AND BUILDING ADVISORY BOARD
2 Year Terms

Incumbent	R or NR	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Mike Doxey				(Consensus)	6/20/2016	
Travis Morris				(Consensus)	6/20/2016	
Penny Leary-Smith				(Consensus)	6/20/2016	
Carl Ross				(Consensus)	6/20/2016	
				(Consensus)		
				(Consensus)		
				(Consensus)		
Tameron Kugler				(Consensus)	6/20/2016	
David Griggs				BOC Member		

Three additional consensus appointments are needed



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1609)

Agenda Item Title

Library Board

Brief Description of Agenda Item:

Planning Board Recommendation:

Commissioner Beaumont-Need a nominee to replace current member who has served two full, consecutive terms.

Commissioner O'Neal-Need reappointment or replacement of current member. Member is eligible to serve a second full term on the Board.

Terms for each appointee will expire June 30, 2018.

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
Stacy Vasquetellas	District 5		Marion Gilbert	1/4/2016	1st 6/30/2017
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-served 2 consecutive terms

**Can be reappointed



**CURRITUCK COUNTY
NORTH CAROLINA**

June 20, 2016
Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 4 PM: Fire & EMS-Volunteer Recruitment, Training and Retention

The Currituck County Board of Commissioners held a work session at 4 PM in the Conference Room of the Historic Courthouse to hear a presentation from the Fire and Emergency Medical Services (EMS) Department on efforts related to the recruitment, training and retention of volunteers and staff. Members present included Chairman Griggs and Commissioners Aydlett, Beaumont, Gilbert, O'Neal and Payment. Commissioner Hall did not attend the work session. Fire and EMS Chief Ralph Melton introduced EMS Training Officer April Elmore and Fire Training and Recruitment Officer Ray Irizarry. As relatively new employees, each relayed their experience, backgrounds and certifications for the Board and, using a powerpoint, described new programs and reviewed their goals and initiatives for future implementation. Training goals presented by Ms. Elmore for EMS staff included quarterly in-service and one-on-one skills programs, specialty and gap services training for EMS and Fire, and civilian education for government employees, volunteers, coaches and others who work with the public. Mr. Irizarry reviewed personnel and volunteer training needs for fire departments, presented his plans to continue participation in community events for recruitment purposes, and showed the Board a short training video which could be used as a recruitment tool. He stressed the need for young people to volunteer, highlighting Crawford Township's robust Junior Firefighter program. Mr. Irizarry said a committee comprised of members from all county volunteer fire organizations has been formed to help facilitate training standardization and consistency. Both presenters look forward to working together with the Sheriff and other departments, College of the Albemarle, and Currituck County High School, to expand recruitment and training opportunities. The Board thanked Ms. Elmore and Mr. Irizarry, praising their efforts and ideas. The Board asked, and Mr. Irizarry and Ms. Elmore agreed, to provide the Board with periodic progress updates.

5:00 CALL TO ORDER

The Currituck County Board of Commissioners met for its regular meeting in the Board Meeting Room of the Historic Courthouse, located at 153 Courthouse Road, Currituck, North Carolina.

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

Chairman Griggs called the meeting to order and announced the earlier work session on Fire and EMS training, recruitment and retention.

A) Invocation & Pledge of Allegiance-Reverend Lewis Antonucci, Jarvisburg Church of Christ

Mr. Lewis Antonucci of the Jarvisburg Church of Christ gave the Invocation and led the Pledge of Allegiance.

B) Approval of Agenda

Chairman Griggs amended the agenda, adding Item 7 to Consent Agenda, a Resolution of the Currituck County Board of Commissioners supporting certain sections of HB 1030 2016 Appropriations Act related to modifications to the North Carolina Marine Fisheries Commission and its authority.

Commissioner O'Neal moved to approve with the addition. Commissioner Gilbert seconded and the motion carried unanimously.

Approved Agenda:

Work Session

4 PM: Fire & EMS-Volunteer Recruitment, Training and Retention

5:00 Call to Order

- A) Invocation & Pledge of Allegiance-Reverend Lewis Antonucci, Jarvisburg Church of Christ
- B) Approval of Agenda

Public Hearings

- A) **Public Hearing and Action: PB 16-09 Currituck County:** Request to amend the Unified Development Ordinance, Chapter 3. Zoning Districts and Chapter 6. Subdivision and Infrastructure Standards for lots that exceed the county water supply system connection distance formula.

New Business

- A) **Consideration of An Ordinance of the Currituck County Board of Commissioners Amending Section 8-98 of the Currituck County Code of Ordinances Regarding Traffic Regulations for Outdoor Tour Operator Vehicles and Section 8-100 to Provide for Appeal From Issuance of Civil Citations**

B) Ordinance of the Currituck County Board of Commissioners Amending Section 2- 56 of the Currituck County Code of Ordinances Modifying the Time for the Regular Meetings of the Currituck County Board of Commissioners

C) Board Appointments

1. Appointments to the Historic Boat and Building Advisory Board
2. Game Commission
3. Appointment to the Fire and EMS Advisory Board

D) Consent Agenda

1. Approval Of Minutes for June 6, 2016
2. JCPC Certification
3. Softball Fields, Currituck Community Park - Change Order #1
4. Approval of Application for Alcohol at Ruritan Park-Knotts Island Peach Festival
5. Petition for Road Addition-Lloyd's Lane, Aydlett
6. Consideration and Approval of Job Description Revisions
- 7. Amended Agenda Item**-Resolution of the Currituck County Board of Commissioners Supporting Certain Sections of HB 1030 2016 Appropriations Act Related to Modifications to the North Carolina Marine Fisheries Commission and its Authority.

E) Commissioner's Report

F) County Manager's Report

Public Comment

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

Closed Session

Closed Session Pursuant to G.S. 143-318.11(a)(3) to Preserve the Attorney-Client Privilege and to Consult With the County Attorney Regarding Matters Entitled Price Solar, LLC v. Currituck County; Wheeler v. Currituck County; Ecoplexus, Inc. v. Currituck County; Moyock Commercial Properties, LLC v. Currituck County and Swan Beach Commercial, LLC v. Currituck County.

Adjourn

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

PUBLIC HEARINGS

A. Public Hearing and Action: PB 16-09 Currituck County:

Planning and Community Development Director, Ben Woody, reviewed the text amendment, which derived from a request the Board of Commissioners made during their 2016 retreat as a way to address county water supply and extension standards. Mr. Woody compared the current ordinance with proposed changes, and noted effects resulting from changes within the North Carolina legislature, including a requirement that Counties must also accept letters of credit and bonds in addition to cash deposits to satisfy performance guarantees. The Planning Board recommended approval.

To: Board of Commissioners
 From: Planning Staff
 Date: May 20, 2016
 Subject: PB 16-09 Currituck County Development - Utilities Text Amendment

At the 2016 BOC Retreat in January, the board directed planning staff to prepare a text amendment that would address the county's water supply and extension standards in areas that are not currently served by the county water supply system and in a way that would preserve the full service development concept.

Specifically, the proposed amendment addresses areas not currently served by the county water supply system by allowing development in the Agricultural zoning district at a lower density and increased lot size. This will provide a development alternative without connecting to the county water supply system when properties are located beyond the formulated connection distance. In addition, the proposed amendment also removes the performance guarantee and supports installation of the infrastructure on properties located in non-exempt areas of the county. The connection distance formula would only apply to the Agricultural zoning district and provide an alternative when the distance does not financially support connection.

The purpose of this text amendment is to:

- Maintain the county water supply connection standards for development and continue to exempt family subdivisions, lots in the Fruitville Township, and lots in the Moyock-Gibbs Woods Township. This will ensure water main extensions occur in a manner that support sound fiscal management and economic growth.
- Remove the performance guarantee and connection distance formula for water infrastructure (except exemptions) and promote the installation of utilities in targeted growth areas. (WS3)
- Maintain the connection formula for properties in the Agricultural zoning district and, provide an exemption for lots in the Agricultural zoning district located beyond the formulated distance connection requirement. This will occur with a reduction in density allocation and an

increase in lots size in order to protect the county's rural character and allow development at densities consistent with available public utilities.

The 2006 Land Use Plan Policy statements that are relevant to the request are as follows:

POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development and (4) away from environmentally sensitive areas, such as areas with extensive wetlands or the northern beaches of the Outer Banks.

POLICY WS4: Currituck County endorses utilities extension policies that avoid those parts of the county best suited for agriculture and to PROTECT FARMLAND FROM DEVELOPMENT PRESSURES brought about by such utilities. Exceptions to this policy may include extensions for major economic development initiatives, and extensions to address imminent public health problems or related environmental hazards.

Recommendation:

Planning staff recommends **approval** of the text amendment because it is consistent with the goals, objectives, and policies of the Land Use Plan by continuing to focus water service in existing developed areas, in nearby targeted grown areas identified as full service and limited service, and results in a logical and orderly development pattern.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 16-09 as presented because it is consistent with the goals, objectives, and policies of the Land Use Plan; it endorses utilities extension policies that focus water and sewer services; and it protects farmland from development pressures brought about by such utilities. Mr. Whiteman seconded the motion and motion carried.

PB 16-09
CURRITUCK COUNTY

Amendment to the Unified Development Ordinance Chapter 3. Zoning Districts and Chapter 6. Subdivision and Infrastructure Standards, for lots that exceed the county water supply system connection distance formula.

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

Item 1: That Chapter 3. Zoning Districts is amended by adding the following underlined language and deleting the struck-through language:

3.3.3. Agriculture (AG) District

Agricultural District



A. DISTRICT PURPOSE

B. LOT PATTERNS

The Agricultural (AG) district is established to accommodate agriculture and agriculturally-related uses (including residential development) at very low densities in rural portions of the county. The district is intended to preserve and protect active agricultural uses, farmlands, and other open lands for current or future agricultural use. The district accommodates small-scale residential uses and allows farmers to capture a portion of the land's development potential through special provisions for conservation subdivisions that allow a portion of a tract or site to be developed with single-family homes while the balance of the site is left as open lands available for continued agricultural use. The district accommodates a wide range of agricultural and agricultural-related uses like "agri-business" and "agri-entertainment", but prohibits uses that are not directly related to or that do not provide direct support for agricultural activities.



C. LOT CONFIGURATION



F. DIMENSIONAL STANDARDS

TD = Traditional Development CS = Conservation Subdivision Development

	TD N/ A	CS		TD	CS N/ A
Max. Gross Density (du/ac)			Min. Front Setback (ft) [4]	20	3
With 50% Open Space (du/ac)					
<u>County Water Supply</u>	–	0.33	Min. Corner Side Setback (ft)	20	4
<u>No County Water Supply</u> [7]		0.15			
With 60% Open Space (du/ac)			Min. Major Arterial Street Setback (ft)	50	50
Max. FAR (%)	0. 40	N/A	Min. Side Setback (ft)	15	15
Min. Lot Area (acres) [1]	–		Min. Rear Setback (ft)	25	7
<u>County Water Supply (square feet)</u>		30,0 00	Min. Agriculture Setback (ft) [5]	N/ A	8
<u>No County Water Supply (acres)</u> [7]		2	Min. Accessory Use Setback (ft)	10	10
Max. Lot Area (acres)	N/ A	N/A	Min. Driveway/Parking Setback (ft)	10	N/ A
Min. Lot Width, Interior Lot (ft) [2]	12 5	N/A	1 Min. Fill Setback from all Lot Lines (ft)	10	10

Min. Lot Width, Corner Lot (ft)	13	N/A	2	Min. Wetland/Riparian Buffer (ft) [5]	50	50	
Max. Lot Depth	[3]	N/A		Max. Building Height (ft) [6]	35	35	-
Max. Lot Coverage (%)	30	30		Min. Spacing Between Principal Buildings (ft)	10	<u>31</u> 0	=

[1] Minor subdivision lots shall be at least 40,000 square feet in area on public water supply and, 3 acres in area when the proposed minor subdivision exceeds the county water supply connection distance formula

[2] All lots shall maintain a minimum street frontage of 35 feet

[3] Lot depth shall not exceed four times the lot width

[4] Front setbacks shall be measured from ultimate ROW line

[5] Applied to major subdivisions platted after January 1, 2013 and site plans on lots 10 acres in area and greater

[6] Not applied to farm structures meeting minimum setbacks plus an additional setback of one foot for each foot in height over 35 feet

[7] Applied to subdivisions that exceed the county water supply connection distance formula in Chapter 6

3.4.2. Single-Family Residential–Mainland (SFM) District

SINGLE- FAMILY RESIDENTIAL MAINLAND



A. DISTRICT PURPOSE

The Single-Family Residential–Mainland (SFM) district is established to accommodate low density residential neighborhoods and supporting uses on mainland Currituck County ~~outside of Full Service areas~~. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity, interrupt scenic vistas from the Caratoke Highway, or place undue stress on the county's educational infrastructure. A variety of residential use types are allowed in the district, including single-family detached homes, manufactured homes on their own lots, detached accessory dwelling units, as well as duplexes. The district accommodates agriculture, equestrian uses, minor utilities, as well as various neighborhood–supporting institutional uses such as parks, open space, religious institutions, schools, and similar uses. This district also includes the conservation subdivision option with the ability to accommodate up to one unit per acre in Full Service

B. LOT PATTERNS



areas designated on the future land use map of the Land Use Plan. Major utilities require approval of a use permit, while commercial, office, and industrial uses are prohibited.

F. DIMENSIONAL STANDARDS

TD = Traditional Development

CS = Conservation Subdivision Development

	TD	CS		T D	CS
Max. Gross Density – Traditional Dev. (du/ac)	N/A	–	Min. Front Setback (ft)	20	N/ A
Max. Gross Density – Conservation Subdivisions			Min. Corner Side Setback (ft) [4]	20	N/ A 3
In Rural/Conservation Areas (du/ac)	–	0.3 3	Min. Major Arterial Street Setback (ft)	50	50 4
In Limited Service Areas (du/ac)	–	0.7 5	Min. Side Setback (ft)	10	10 5
In Full Service Areas (du/ac)	–	1.0	Min. Rear Setback (ft)	25	N/ A 6
Max. FAR (%)	0.4 0	N/A	Min. Agriculture Setback (ft) [5]	50	50 7
Min. Lot Area (sq ft)	40, 000	25, 000	Min. Accessory Use Setback (ft)	10	10 8
Max. Lot Area (acres)	N/A	N/A	Min. Driveway/Parking Setback (ft)	10	N/ A 9
Min. Lot Width, Interior Lot (ft) [1]	125	N/A	Min. Fill Setback from all Lot Lines (ft)	10	10
Min. Lot Width, Corner Lot (ft)	135	N/A	Max. Building Height (ft)	35	35 0
Max. Lot Depth	[2]	N/A	Min. Wetland/Riparian Buffer (ft) [5]	50	50 –
Max. Lot Coverage (%)	30 [3]	30	Min. Spacing Between Principal Buildings (ft)	10	10 =
[1] All lots shall maintain a minimum street frontage of 35 feet					
[2] Lot depth shall not exceed four times the lot width			[5] Applied to major subdivisions platted after January 1, 2013 and site plans on lots 10 acres in area and greater		
[3] 35% for platted lots of 19,000 sf in area or less					
[4] Front setbacks shall be measured from ultimate ROW line					

Item 2: That Chapter 6. Subdivision and Infrastructure Standards is amended by adding the following underlined language and deleting the struck-through language:

6.2.3. Utility Standards

D. Water Supply Standards

(1) Water Supply System Required

- (a) Every principal use and every buildable lot in a subdivision shall be serviced by a means of water supply that is adequate to accommodate the reasonable needs of such use or lot and that complies with all applicable health regulations.
- (b) All buildable lots within a planned unit development, planned development, or multi-family development shall be connected and serviced by the county water supply system.
- (c) Except for family subdivisions, and lots in the Fruitville and Moyock-Gibbs Woods Townships, and lots located in the Agricultural (AG) zoning district, all new subdivisions and nonresidential development shall be connected and serviced by the county water supply system, if the distance between the closest existing county water main and the proposed development is within the following formula distance: 100 feet for each of the first ten units plus 20 feet for each additional unit.

*Example: a proposed subdivision with 30 single-family dwelling units located 1,400 feet or less from an existing water main shall connect (10 units * 100) / (20 units * 20).*

- (d) In determining the number of units proposed in a phased development, the number of units for water services relates to the total number of proposed units for the entire tract rather than a single phase of the proposed development.
- (ed) All new subdivisions located in the AG zoning district shall be connected and serviced by the county water system if the distance between the closest existing county water main and the proposed development is within the following formula distance: 100 feet for each of the first ten units plus 20 feet for each additional unit. In determining the number of units proposed in a phased development, the number of units for water services relates to the total number of proposed units for the entire tract rather than a single phase of the proposed development.

tract rather than a single phase of the proposed development.

Example: a proposed subdivision with 30 single-family dwelling units located 1,400 feet or less from an existing water main shall connect (10 units x 100) + (20 units x 20).

Where the distance to the closest existing county water main exceeds the formula in (e) above, the developer shall submit a performance guarantee in the form of a cash deposit for future water improvements in an amount equal to 115 percent of the estimated full cost of completing the required improvements, including the costs of materials and labor. Improvements include, but are not limited to, the water main (required extension distance), laterals, service lines, meter boxes, yokes, and fire hydrants, meet the minimum dimensional standards in Chapter 3 for lots not served by the county water supply system located in the AG zoning district.

(f) The maximum connection distance for nonresidential uses shall be determined by converting projected water demand from the development into an equivalent number of residential units and applying the formula in (cd) above. For the purposes of this section, an individual residential dwelling unit uses 250 gallons of water per day.

Example: a proposed nonresidential use is anticipated to use 7,500 gallons of water per day. This is equivalent to 30 residential units (7,500/250 = 30), and the use shall connect if it is located 1,400 feet or less from an existing water main (10 units x 100) + (20 units x 20).

(ge) Water lines owned by the Ocean Sands Water and Sewer District shall be considered part of the county's water supply system for the purposes of this section.

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 _____, 2016.

After review, Commissioner O'Neal asked about the many homes located on the outskirts of the county, specifically Backwoods and South Mills roads. Mr. Woody said two new communities in those locations provided their own, internal water systems. Commissioner O'Neal expressed concern that the county will be treating certain areas differently than other parts of the county. During discussion, Mr. Woody said the Board is considering how the county should grow, suggesting growth from the inside, nearer to services and expanding outward, is easier to manage. Chairman Griggs discussed the demand for services in the County and said encouraging development far from where infrastructure is available may create a burden as residents begin to require services. Types of service needs in these areas were discussed, and residential densities in the South Mills area were compared with those of Gibbs Woods and Knotts Island, also where water service is not present.

Chairman Griggs opened the Public Hearing. With no one signed up nor wishing to speak, the Public Hearing was closed.

Commissioner Beaumont moved to approve public hearing PB 16-09. The motion was seconded by Commissioner Hall and passed on a 5-2 vote, with Chairman Griggs and Commissioners Aydlett, Beaumont, Hall and Payment voting in favor. Commissioners Gilbert and O'Neal voted against.

RESULT:	APPROVED [5 TO 2]
MOVER:	Paul M. Beaumont, Commissioner
SECONDER:	Mike D. Hall, Commissioner
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, Paul M. Beaumont, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner
NAYS:	S. Paul O'Neal, Commissioner, Marion Gilbert, Commissioner

NEW BUSINESS

A. Consideration of An Ordinance of the Currituck County Board of Commissioners Amending Section 8-98 of the Currituck County Code of Ordinances Regarding Traffic Regulations for Outdoor Tour Operator Vehicles and Section 8-100 to Provide for Appeal From Issuance of Civil Citations

County Attorney, Ike McRee, reviewed the ordinance amendments with the Board, explaining the provisions of the two items relevant to tour operators; stopping in the roadway and a provision for the appeal of civil citations issued under the ordinance.

Mr. McRee explaining the changes then described the process for the issuance and collection of civil fines. Commissioner Aydlett suggested a process for appeals is already in place as part of the permitting process for tour operators. He and other Commissioners expressed concerns with allowing tour vehicles to stop in or along the side of roadways and in front of rental homes to view horses. When asked by Commissioner Payment, Mr. McRee said tour operators would be able to continue tours while an appeal was pending. Commissioner Beaumont said the ordinance change is not what he expected and, like Commissioner Aydlett, could not support it. Commissioner Hall also agreed with Commissioner Aydlett and said he believes the ordinance changes would prove to be unsafe.

Commissioner O'Neal moved to allow those who wanted to speak on the issue to do so

at this time. Commissioner Aydlett seconded and the motion carried unanimously.

Melinda Farmer-Holloman said she believes the ordinance should be amended through collaboration with area property owners. She discussed life-safety issues, and suggested the shoulders of the roadways may actually be someone's property. Wants to work with Board

Dorothy Messina of White Heron Drive, Corolla, said citizens should have input and invited the Board to come to the area to participate in a citizen meeting.

Commissioner Beaumont moved to disapprove agenda item A, Amending section 8-98 of the Currituck County Code of Ordinances regarding traffic regulations for Outdoor Tour Operator Vehicles and Section 8-100 to provide for appeal from issuance of civil citation. The motion was seconded by Commissioner Aydlett and carried unanimously.

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

B. Ordinance of the Currituck County Board of Commissioners Amending Section 2-56 of the Currituck County Code of Ordinances Modifying the Time for the Regular Meetings of the Currituck County Board of Commissioners

County Attorney, Ike McRee, reviewed the ordinance amending the start time for Board of Commissioner meetings to 6 PM.

Commissioner O'Neal moved to approve and was seconded by Commissioner Gilbert.

During discussion, Commissioner Hall said he believed 7 PM would be better. He also suggested moving the public comment item up on the agenda. Commissioner Aydlett said he had heard from residents who support the 5 PM meetings, but he is willing to compromise with a 6 PM start time. He, along with Commissioner Payment, said moving Public Comment can be discussed. Commissioner O'Neal noted the late nights with a 5 PM start time, and to consider the late hours should the meetings be pushed back two hours.

With no further discussion, the motion passed 6-1. Chairman Griggs and Commissioners Aydlett, Beaumont, Gilbert, O'Neal and Payment voted in favor. Commissioner Hall voted against. With the ordinance passing its first reading, but lacking the required unanimous vote, a second reading was scheduled for the next Board of Commissioner meeting.

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

C) Board Appointments

1. Appointments to the Historic Boat and Building Advisory Board

County Manager, Dan Scanlon, said the Boat and Building committee is already an active group and asked the Board officially recognize the committee as the advisory board. Chairman Griggs said the members were selected based on their expertise and interest in boat restoration and the building of the facility for display. Commissioner Gilbert nominated Travis Morris, Mike Doxey, Carl Ross, Penny Leary-Smith, and Tameron Kugler, with Commissioner Griggs serving ex-officio without voting rights. Tameron Kugler would also serve as ex-officio but with a vote, and Commissioners would add two more members.

After Board discussion, no one seconded the original motion. Commissioner O'Neal entered a substitute motion, nominating Travis Morris, Penny Leary-Smith, Mike Doxey, and Carl Ross, with three additional members to be appointed. Both Tameron Kugler and David Griggs would serve as ex-officio members with a vote.

The motion was seconded by Commissioner Aydlett. The motion passed 6-1, with Commissioner Hall opposed.

2. Game Commission

Commissioner Payment nominated Jeremy Evans to the Game Commission. Commissioner Gilbert seconded and the nomination was unanimously approved.

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

3. Appointment to the Fire and EMS Advisory Board

As Commissioner Beaumont is the Board representative serving on the Advisory, Commissioner O'Neal suggested he provide a recommendation for the rest of the Board to consider.

All agreed, and Commissioner Aydlett moved to table the item pending applicant review by Commissioner Beaumont. Commissioner Gilbert seconded and the motion carried unanimously.

RESULT:	CONTINUED [UNANIMOUS]	Next: 7/18/2016 5:00 PM
MOVER:	O. Vance Aydlett, Vice Chairman	
SECONDER:	Marion Gilbert, Commissioner	
AYES:	David L. Griggs, Board Chairman, O. Vance Aydlett, Vice Chairman, S. Paul O'Neal, Commissioner, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Mike H. Payment, Commissioner	

D) Consent Agenda

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

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

1) Approval Of Minutes for June 6, 2016

1. Minutes of June 6, 2016
2. JCPC Certification
3. Softball Fields, Currituck Community Park - Change Order #1
4. Approval of Application for Alcohol at Ruritan Park-Knotts Island Peach Festival
5. Petition for Road Addition-Lloyd's Lane, Aydlett
6. Consideration and Approval of Job Description Revisions

E) Commissioner's Report

Commissioner O'Neal asked Mr. Scanlon to provide an update on the status of the proposed county park in Moyock. Mr. Scanlon said Parks and Recreation held a community meeting that was not well attended and will hold a second meeting with additional advertising methods to gain better attendance. A design professional did put together a park rendering for review.

Commissioner O'Neal discussed a proposed power rate increase by Dominion and asked the Board to adopt a resolution or compose a letter to vehemently oppose the request. He said someone should attend and represent the county at the public

comment meeting and speak for the citizens on this issue. He also wants to request a hearing in Currituck County.

Commissioner O'Neal asked Mr. McRee to review legislation moving through the General Assembly. Mr. McRee provided a brief synopsis on pending legislation, much of which would affect planning and development. He noted proposed changes to bond requirements for performance guarantees for construction of streets and roads, explained modifications to NCDOT requirements for acceptance of streets for inclusion in the state system, and changes that would allow developers to file a plat and sell lots without requiring infrastructure to be in place.

Commissioner Payment commented on the earlier work session with Fire and EMS and encouraged citizens to become volunteer firefighters.

Commissioner Beaumont announced his attendance at the Arreva Tennessee casting facility ribbon cutting in Moyock, passing on positive comments from company representatives who said Currituck was an easy locale to work with and strived to ensure their facility would be completed on schedule or before. He said the company is already looking to expand the line and employ an additional fifteen people. Commissioner Beaumont said it is a testimony to Currituck County and staff's ability to work with others who want to work with us and applauded Ben Woody, the planning staff and Economic Development Director Peter Bishop. He also encouraged folks to check out the high ropes course being constructed at the YMCA.

Commissioner Hall was welcomed back by the other members and had nothing to report.

Commissioner Aydlett asked about working with professional associations to address the proposed planning changes moving through the legislature. Mr. Woody said he has sent comments to his planning association and the North Carolina Association of County Commissioners. Commissioner Aydlett moved to submit a resolution to oppose the bills and Commissioners unanimously supported the request.

He said he had been made aware of a rodent problem at the Knotts Island ferry sight and reported, after several calls, the grounds clean up had begun.

Chairman Griggs announced a survey is available to Currituck residents who wish to provide input into the County's Land Use Plan update. The survey can be found online at www.imaginecurrituck.com and paper copies are available at county libraries and Senior Centers.

Chairman Griggs discussed the lack of items tracking to the next Board of Commissioners meeting. With only one item that was not time sensitive, the Board chose to cancel the July 5, 2016, regular meeting of the Board of Commissioners, and hold the next regular meeting as scheduled on July 18, 2016.

F) County Manager's Report

The County Manager had nothing to 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.

Speakers signed up had been permitted to speak during the discussion and consideration of Item A under New Business. No additional speakers were signed up nor wished to speak at Public Comment.

CLOSED SESSION

1. **Closed Session Pursuant to G.S. 143-318.11(a)(3) to Preserve the Attorney-Client Privilege and to Consult With the County Attorney Regarding Matters Entitled Price Solar, LLC v. Currituck County; Wheeler v. Currituck County; Ecoplexus, Inc. v. Currituck County; Moyock Commercial Properties, LLC v. Currituck County and Swan Beach Commercial, LLC v. Currituck County.**

Commissioner Aydlett moved to enter closed session pursuant to G.S. 143-318.11(a)(3) to preserve the Attorney-Client privilege and to consult with the County Attorney regarding matters entitled Price Solar, LLC v. Currituck County; Wheeler v. Currituck County; Ecoplexus, Inc. v. Currituck County; Moyock Commercial Properties, LLC v. Currituck County; and Swan Beach Commercial, LLC v. Currituck County.

Commissioner Beaumont seconded and the motion carried unanimously. The Board of Commissioners entered closed session.

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

ADJOURN**Motion to Adjourn Meeting**

The Board of Commissioners returned from Closed Session at 9:30 PM, and with no further business, Commissioner Payment moved to adjourn. Commissioner Beaumont seconded, the motion carried unanimously, and the June 20, 2016, meeting of the Board of Commissioners was concluded.

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



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1616)

Agenda Item Title

Budget Amendments

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Number

2017001

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of July 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense			Increase Revenue or Decrease Expense
10530-545000	Contract Services	\$	43,200		
10530-590000	Capital Outlay	\$	94,255		
10330-449900	Miscellaneous Grants			\$	137,455
		<u>\$</u>	<u>137,455</u>	<u>\$</u>	<u>137,455</u>

Explanation: Emergency Medical Services (10530) - Increase appropriations to record approval of FEMA Homeland Security Grant EMW-2015-FO-05643. This will purchase LUCAS CPR devices for the County ambulances and 5 year maintenance agreements.

Net Budget Effect: Operating Fund - Increased by \$137,455.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

per

2017002

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of July 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10795-590000	Captial Outlay	\$ 7,535	\$ -
10795-516001	Repairs & Maint- Maple Park		\$ 7,535
		<hr/> <u>\$ 7,535</u>	<hr/> <u>\$ 7,535</u>

Explanation: Parks & Recreation (10795) - Transfer funds for roof replacement of two picnic shelters at Sound Park.

Net Budget Effect: Operating Fund - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

per

2017003

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of July 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50795-590005	Veteran's Park Dock Improvement	\$ 137,000	
50390-495015	T F - Occupancy Tax		\$ 137,000
		<u><u>\$ 137,000</u></u>	<u><u>\$ 137,000</u></u>

Explanation: County Governmental Construction (50795) - Increase multi-year construction fund for repairs to the dock at Veteran's Park in Coinjock. Funding was appropriated in the current budget Occupancy Tax budget.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$137,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

per

2017004

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of July 2016, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10541-532000	Supplies	\$ 5,460	
10380-488400	ABC Profits Distribution		\$ 5,460
		<hr/> \$ 5,460	<hr/> \$ 5,460

Explanation: Fire Services (10541) - Increase appropriations for 220 gallons of foam for airport crash truck requested by Crawford Volunteer Fire Department.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1593)

Agenda Item Title

Resolution to Surplus Jail equipment

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Sandra Hill, Director

Presenter of Agenda Item

Daniel F. Scanlon

RESOLUTION

WHEREAS, THE Board of Commissioners of the County of Currituck, North Carolina during its regularly scheduled meeting authorized the following, pursuant to G.S. 160A and 270(b) that the property listed below will be sold at auction, negotiated sale or will be disposed of if not sellable.

<u>County Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
N/A	Cleveland Industrial Food Steamer Model 42CKGN200	WC99412-06L-01
6176	Touch Print Fingerpirnt Machine/Cabinet	AV248000310

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

ADOPTED, this _____ day of _____, 2016.

David L. Griggs, Chairman
County of Currituck, Board of Commissioners

LeeAnn Walton
Clerk to the Board (Seal)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1596)

Agenda Item Title

Report of Insolvents and Resolution Approving the Settlement with the Tax Collector for Insolvents

Brief Description of Agenda Item:

Tax Department requests Board review and acceptance of the list of Insolvents and approval of the Resolution for the Settlement with the Tax Collector for Insolvents

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Phone: (252) 232-3005
Fax: (252) 232-3568

Tracy Sample
Tax Administrator

COUNTY OF CURRITUCK

Tax Department
P.O. Box 9
Currituck, North Carolina 27929

Reports of Insolvents

TO: Currituck County Board of County Commissioner

The following list contain delinquent personal property taxes that have been due for over 5 (five) years and are owed by **deceased taxpayers** and/or **businesses that are no longer in business.**

The undersigned Tax Collector respectfully reports that certain **personal property taxes** levied for the years shown below, remain uncollected, such uncollected being set out below. Said taxes are not liens upon liens upon real estate. The undersigned Tax Collector has made diligent efforts to collect said taxes by use of remedies against personal property as provided by law but has been unable to locate sufficient property belonging to delinquent taxpayers out of which the taxes might be collected. In every instance in which the existence of property belonging to delinquent taxpayers within other taxing units in North Carolina, the undersigned has proceeded under the provisions of G.S. 105-364.

Tax Year	Bill Number	Name 1	Principal Amount	Remarks
2006	1650	CLARK, DAVID L (DECEASED)	32.66	Deceased
2008	1314	CLARK, DAVID L (DECEASED)	31.03	Deceased
2010	419	CLARK, DAVID L (DECEASED)	29.48	Deceased
2009	381	CLARK, DAVID L (DECEASED)	31.03	Deceased
2007	1251	CLARK, DAVID L (DECEASED)	31.03	Deceased
2010	721	FREDERICK, JERRY GLYNN - DECEASED	12.21	Deceased
2010	801	GRIFFIN, HAZEL ODESSA (DECEASED)	29.80	Deceased
2009	730	GRIFFIN, HAZEL ODESSA (DECEASED)	29.80	Deceased
2008	407	NEWBERN, WILLIAM NORMAN III (DECEASED)	5.13	Deceased
2009	1096	NEWBERN, WILLIAM NORMAN III (DECEASED)	5.13	Deceased
2010	40	ALL ABOUT BROTHERS SEAFOOD	30.43	Out of Business
2009	123	ALL N C REAL ESTATE	33.32	Out of Business
2010	155	ANCHOR CONTRACTING	61.57	Out of Business
2010	12697	BANK OF CURRITUCK	1.59	Out of Business
2010	19	COASTLINE CONTRACTORS INC, ORPORATED	1,430.99	Out of Business
2010	871	CORNERSTONE VIDEOS	169.46	Out of Business
2010	514	CURRITUCK CHIROPRACTIC	374.19	Out of Business

2010	677	FARR DEVELOPING LLC	225.28	Out of Business
2009	616	FARR DEVELOPING LLC	225.28	Out of Business
2006	1578	GAZELLAS	171.92	Out of Business
2007	1176	GAZELLAS	171.91	Out of Business
2010	911	THE INDEPENDENT	10.91	Out of Business
2009	3583	JACOBS WELL CHRISTIAN SUP, PLY INC	45.82	Out of Business
2010	1172	MR MUNCHIES INC	59.84	Out of Business
2010	18675	NC GOLF GROUP LLC,	73.31	Out of Business
2008	9510	OUTER BANKS POWER SPORTS, INC	6.50	Out of Business
2010	1265	OUTER BANKS POWER SPORTS, INC	210.96	Out of Business
2010	1279	PARADOCKS FOUR LLC (DBA)	278.42	Out of Business
2010	1408	RIP TIDE ASSOCIATES LLC	561.44	Out of Business
2008	10019	THE CONCRETE GUYS INC	39.45	Out of Business
2010	37	UNCLES IKE'S CAFE	140.80	Out of Business

Respectfully Submitted and Sworn to this the 29th day of June 2015

Tracy Sample

Tracy Sample, Tax Collector

Resolution Approving the Settlement with the Tax Collector for Insolvents

WHEREAS, N.C.G.S. 105-373 requires that settlement be made with the Tax Collector for taxes charged to the Tax Collector; and

WHEREAS, N.C.G.S. 105-373(a2) allows for the designating of persons owing taxes (but who own no real property) that are found to be insolvent; and

WHEREAS, N.C.G.S. 105-373(g) provides for the governing body of any taxing unit may, in its discretion, relieve the tax collector of the charge of taxes owed by persons on the insolvent list that are over five or years past due when it appears to the governing body that such taxes are uncollectible;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Those persons and entities identified in the Report of Insolvents submitted by the Tax Collector are found to be insolvent.
2. The insolvents list shall be credited to the Tax Collector as part of his settlement.
3. The Tax Collector is relieved of the charge of taxes owned by persons and entities on the insolvents list that are five or more years past due.

THIS the _____ day of _____, 20____.

THE CURRITUCK COUNTY BOARD OF COMMISSIONERS

BY: _____ (SEAL)
Chairman – Board of County Commissioners

Attest:

Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1598)

Agenda Item Title

Settlement for Delinquent Taxes-FY 2015-16

Brief Description of Agenda Item:

Approval of Settlement of Delinquent Taxes; and Recharge the Delinquent Taxes to the Tax Collector pursuant to N.C.G.S. 105-373.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

FY 15-16 SETTLEMENT FOR DELINQUENT TAXES FOR TAX YEARS 2006-2015 (G.S. 105-373)

COLLECTION TOTALS FOR THE YEARS 2006 -2015*							
YEARS	Levy All Charge Codes	Adjustments Releases/Writeoffs	Net Levy	Interest Collected	Tax Payments*	Unpaid Balance*	% COLL
2015	31,145,963.52	30,121.11	31,115,842.41	69,478.89	30,731,975.41	383,867.00	98.77%
2014	30,605,976.75	13,313.07	30,592,663.68	79,599.28	30,454,554.90	138,108.78	99.55%
2013	30,944,481.92	73,253.17	30,871,228.75	106,527.07	30,813,703.72	57,525.03	99.81%
2012	30,147,370.90	85,390.89	30,061,980.01	110,843.01	30,035,015.80	26,964.21	99.91%
2011	29,924,866.17	39,803.44	29,885,062.73	131,606.62	29,863,321.85	21,740.88	99.93%
2010	28,910,455.72	64,907.56	28,845,548.16	142,051.70	28,827,990.68	17,557.48	99.94%
2009	28,841,143.22	91,742.68	28,749,400.54	167,755.12	28,740,354.10	9,046.44	99.97%
2008	28,689,650.38	81,446.13	28,608,204.25	191,941.97	28,600,052.00	8,152.25	99.97%
2007	28,106,610.32	226,315.34	27,880,294.98	132,731.08	27,873,493.10	6,801.88	99.98%
2006	27,466,765.65	129,748.94	27,337,016.71	111,445.83	27,331,865.15	5,151.56	99.98%
TOTALS	294,783,284.55	836,042.33	293,947,242.22	1,243,980.57	293,272,326.71	674,915.51	

*Collections through June 30, 2016

Respectfully Submitted

and Sworn to this the 1st day of July 2016



Tracy Sample, Tax Collector



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1606)

Agenda Item Title

Resolution appropriating funding for Airport Grant 36237.8.13.1 Corporate Area Apron Phase I (Design and Bidding)

Brief Description of Agenda Item:

Resolution required by NC Division of Aviation

Board Action Requested

Action

Person Submitting Agenda Item

Sandra Hill, Director

Presenter of Agenda Item

Daniel F. Scanlon

BLOCK GRANT/NON PRIMARY ENTITLEMENT AGREEMENT

STATE AID TO AIRPORTS BLOCK GRANT
BETWEEN

THE N. C. DEPARTMENT OF TRANSPORTATION,
AN AGENCY OF THE STATE OF NORTH CAROLINA

AND

AIRPORT: **CURRITUCK COUNTY
REGIONAL**

PROJECT NO: **36237.8.13.1**

CURRITUCK COUNTY AIRPORT AUTHORITY

THIS AGREEMENT made and entered into this the _____ day of _____, 20_____, by and between the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (hereinafter referred to as "Department") and **CURRITUCK COUNTY AIRPORT AUTHORITY**, the owner of **CURRITUCK COUNTY REGIONAL** (hereinafter referred to as "Sponsor").

W I T N E S S E T H

WHEREAS, Chapter 63 of the North Carolina General Statutes authorizes the Department to administer a program of State Aid to Airports, subject to the limitations stated in that Chapter; and

WHEREAS, the Department has received the approval of the Federal Aviation Administration to administer certain Airport Improvement Program Funds in North Carolina under the provisions of the State Block Grant Program in accordance with Chapter 63-71; and the FAA Modernization and Reform Act of 2012; and

WHEREAS, the Department has approved a grant of funds to the Sponsor for State Block Grant and *Non Primary Entitlement* Program funds.

NOW THEREFORE, the Department and the Sponsor do hereby mutually agree as follows:

- 1) That the approved scope of this project shall consist of:

CORPORATE AREA APRON PHASE 1 (DESIGN AND BIDDING)

- 2) That the Grant of funds shall include maximum funding obligations for federal funds which shall be:

State Block Grant Program: **\$60,916** (not to exceed **90%** of the final total costs)

- 3) That the funding obligations referenced in (2) above shall be the maximum obligations based on the final cost of eligible work items in the approved project, as certified by the Sponsor

- 4) That the Sponsor shall promptly undertake the Project and complete all work on the Project no later than the **1st** day of **JANUARY 2017**, unless a written extension of time is granted by the Department.

- 5) That all work performed on the Project shall conform to the approved scope of work referenced in this Agreement. Any amendments or modifications to the approved scope of work, approved grant amounts, or this Agreement shall not be authorized by the Department unless they are contained in a written modification to this Agreement and fully executed by both the Sponsor and the Department.
- 6) Debarment and Suspension: The Grantee agrees to comply, and assures the compliance by each of its third party contractors and subrecipients at any tier, with the provisions of Executive Orders Nos. 12549 and 12689, "Debarment and Suspension," 31 U.S.C. § 6101 note, and U.S. DOT regulations on Debarment and Suspension at 49 C.F.R. Part 29.
- 7) The Sponsor certifies that it has adhered to all applicable laws, regulations, and procedures in the application for and Sponsor's approval of this Grant.
- 8) For a material breach of this Agreement or the Sponsor's Assurances, the Sponsor shall be liable to the Department for the return of all grant monies received.
- 9) The Sponsor agrees to adhere to the standards and procedures contained in the State Aid to Airports Program Guidance Handbook (third edition, dated January 1997), unless the Department issues a written waiver to the contrary.
- 10) The Sponsor agrees to adhere to and be bound by the Grant Assurances of the Federal Aviation Administration, said Grant Assurances contained in Appendix I of this Grant Agreement. Further, the Sponsor agrees that it shall be responsible to the Federal Aviation Administration, or its designated agent, for enforcement of such Grant Assurances including any penalties, sanctions, or other actions which may be legally enforceable for lack of compliance with said Grant Assurances.
- 11) The Sponsor agrees to comply with the "Sponsor Assurances" contained as part of this Agreement.
- 12) N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this grant agreement, you attest, for your entire organization and its employees or agents that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

IN WITNESS WHEREOF, THE PARTIES HERETO EXECUTED THIS GRANT AGREEMENT THE DAY AND YEAR FIRST WRITTEN ABOVE:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION:

NCDOT SEAL

BY: _____

Deputy Secretary for Transit

ATTEST: _____

SPONSOR:

Signed: _____

Title: _____

SPONSOR SEAL

Attest: _____

STATE OF NORTH CAROLINA, COUNTY OF _____

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____ personally came before me this day and acknowledged that he is _____ of the _____

(Title)

(Sponsor)

(hereinafter referred to as "Sponsor" and by authority duly given and as an act of said Sponsor, the foregoing instrument was signed by him, attested by _____ of the Sponsor, and

(Name and Title)

Seal of the Sponsor affixed hereto.

WITNESS my hand and Notarial Seal, this the _____ day of _____ 20____

Notary Public (Signature)

My Commission expires: _____

SEAL

DOA FORM (12/10)

RESOLUTION

A motion was made by _____ and seconded by _____
 (Name and Title)
 _____ for the adoption of the following resolution, and upon being put to a
 (Name and Title)
 vote was duly accepted:

WHEREAS, a Grant in the amount of \$60,916 has been approved by the Department based on total estimated cost of \$67,685; and

WHEREAS, an amount equal to or greater than ten percent (10%) of the total estimated project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT THE _____
 (Title)

of the Sponsor be and he hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

I _____ of the
 (Name and Title)

_____ do hereby certify that
 (Sponsor)

the above is a true and correct copy of an excerpt from the minutes of the

_____ of a meeting
 (Sponsor)

duly and regularly held on the _____ day of _____, 20_____.

This, the _____ day of _____, 20_____.

SPONSOR SEAL

Signed: _____

Title: _____

Of The: _____

SECTION A: SPONSOR'S ASSURANCES: GENERAL CONDITIONS

A-1. The Sponsor certifies that it holds fee simple title to the property on which this project is to be constructed. In the event any work is proposed on property which has an easement or lease in the Sponsor's name, the Sponsor agrees that it will comply with the Department's conditions and receive written approval prior to any construction on such lease or easements. This condition does not apply to planning projects.

A-2. The Sponsor agrees to operate the Airport for the use and benefit of the general public and shall not deny reasonable access to public facilities by the general public.

A-3. The Sponsor agrees to operate, maintain, and control the Airport in a safe and serviceable condition for a minimum of twenty (20) years following the date of this Agreement and shall immediately undertake, or cause to be undertaken, such action to correct safety deficiencies as may be brought to its attention by the Department.

A-4. The Sponsor agrees that any land purchased, facilities constructed, or equipment acquired under this Agreement shall not be sold, swapped, leased or otherwise transferred from the control of the Sponsor without written concurrence of the Department.

A-5. The Sponsor agrees that the state share of any land purchased, facilities constructed, or equipment acquired under this Agreement shall be credited to the Department in a manner acceptable to the Department in the event such land, facilities or equipment are subsequently disposed of through sale or lease.

A-6. Insofar as it is within its power and reasonable, the Sponsor shall, either by the acquisition and retention of property interest, in fee or easement, or by appropriate local zoning action, prevent the construction of any object which may constitute an obstruction to air navigation under the appropriate category of Federal Air Regulation Part 77, 14 CFR 77.

A-7. Insofar as it is within its power and reasonable, the Sponsor shall, restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and taking off of aircraft and the noise produced by such operations by adoption of zoning laws, by acquisition and the retention of property interest, in fee or easement.

A-8. Terminal building spaces constructed under this Grant Agreement shall be for the use of the general public. The Sponsor agrees that it will not use any space so constructed for private use, or charge fees for the use of such space, without the written approval of the Department.

SECTION B: SPONSOR'S ASSURANCES: PROJECT ADMINISTRATION

B-1. The Airport shall comply with all requirements of the State Aid to Airports Program Guidance Handbook (third edition, January 1997).

B-2. It is the policy of this State, to encourage and promote participation by disadvantaged minority owned and women owned businesses (MBE and WBE) in contracts let by the Department pursuant to GS 136-28.4 for the planning, design, preconstruction, construction, alteration, or maintenance of State transportation infrastructure construction, and in the procurement of materials for these projects. All State agencies, institutions, and political subdivisions shall cooperate with the Department of Transportation and among themselves in all efforts to conduct outreach and to encourage and promote the use of disadvantaged minority owned and women owned businesses in these contracts. This is designed to ensure minority MBEs and WBEs have maximum opportunity to participate in performance of NCDOT contracts let using state funding. The sponsor assures and certifies with respect to this grant that they will pursue these requirements as stipulated by the Department in the advertising, award and administration of all contracts, and require the same for all contractors, sub recipient or subcontractors.

MBE\WBE program is governed by G.S. 136-28.4 and administered in accordance with Title 19A Chapter 02 SubChapter D Section .1101 - .1112 of North Carolina Administrative Code (19A NCAC 02D.1101).

B-3. The Sponsor shall submit draft plans and specifications, or approved alternate, for the project for review by the Department prior to advertising for bids on the Project. Should bids not be required on the project, the Sponsor shall submit a detailed scope of work and estimated costs prior to requesting "Project Concurrence and Notice to Proceed" form (AV-CONCUR/AV-503) for undertaking the project. All plans (and alternate) shall be supported by engineer's report. A list of deliverable(s) from the Sponsor to the Department is as follows:

Planning Projects

1. Interim Planning Submittals – All Airport Layout Plan Sheets, Reports, Projections, Construction Cost Estimate, drawings, sketches and all other pertinent information – electronic copy: PDF format. Paper copy, if requested: bond copy – true half-size.
2. Final Submittal - All Airport Layout Plan Sheets, Reports, Projections, Construction Cost Estimate, drawings, sketches and all other pertinent information – electronic copies: PDF format and AutoCAD or MicroStation format - Paper copy: bond– true half-size for plan sheets / sketches
 - a. All reports, projections – PDF Format. Any element of the documents shall be delivered in its original electronic format (i.e. MSWord, Excel, AutoCAD...) if requested by the Department
 - b. Sketches and drawings – electronic copies: PDF format and AutoCAD or MicroStation format - Paper copy: bond – true half-size for plan sheets / sketches.

Construction Projects

1. Interim Design Submittals (i.e. 30%, 60%, 90%....) – Plan Sheets, Technical Specifications, Itemized Construction Cost Estimate and Engineers Report – electronic copy: PDF format. Paper copy, if requested: bond true half-size for plan sheets.
2. 100% Design and Issue for Bid Submittals – Plan Sheets, Technical Specifications, Itemized Construction Cost Estimate, Engineer's Report, and Bid Tab – Any element of the documents shall be delivered in electronic format (i.e. MS Excel and PDF format) and AutoCAD or MicroStation format and Paper copy: bond– true half-size for plan sheets.
3. As-built / Record Drawings
 - a. Contract Documents (Plan and Detail Sheets, Technical Specifications) – electronic copies: PDF format and AutoCAD or MicroStation format and Paper copy: bond– true half-size for plan sheets.
 - b. Technical Specifications – electronic copies: MS Word File and PDF format
 - c. Final Engineers Report – electronic copies: PDF format unless otherwise requested.

B-4. Bids will be taken in accordance with N. C. General Statute 143-129. Following bid opening or final contract negotiations, the Sponsor shall submit the "Project Concurrence and Notice to Proceed" (AV-CONCUR/AV-503) request along with the bid tabulations to the Department for review. The Department will take action on the request including the approval or disapproval of the Sponsor's Employment of specific contractors within ten (10) days of receipt. Approval will be communicated via a Contract Goal Requirements Letter sent directly to the Sponsor.

B-5. All contractor(s) who bid or submit proposals for contracts in connection with this project must submit a statement of non-collusion to the Sponsor.

B-6. The Sponsor shall not commence construction or award construction contracts on the project until a written "Project Concurrence and Notice to Proceed" (AV-CONCUR/AV-503) is co-signed by the Sponsor's Representative and the Department or alternate written approval is provided by the Department.

B-7. The Sponsor shall submit quarterly status reports (AV-STATUS/AV-502) to the Department, unless otherwise instructed, and will immediately notify the Department of any significant problems which are encountered in the completion of the project.

B-8. The Sponsor shall notify the Department of any significant meetings or inspections involving the Sponsor, his contractor(s), consultant(s), and/or federal funding agencies concerning Project.

B-9. The Sponsor shall notify the Department within thirty (30) days of completion of all work performed under this agreement for the purpose of final acceptance inspection and completion of audit requirements by the Department.

B-10. The Sponsor has full responsibility for assuring the completed Project meets the requirements of the Department and appropriate federal funding agencies. The Sponsor further certifies that all local, state, and federal requirements for the conduct of this Project shall be met.

B-11. It is the policy of the Department not to award contracts to contractors who have been removed from the Department's list of pre-qualified bidders without subsequent reinstatement. Therefore, no State funds will be provided for any work performed by the contractor(s), or sub-contractor(s) which had been removed from the Department's list of pre-qualified bidders without subsequent reinstatement as of the date of the signing of the construction contract. It shall be the responsibility of Sponsor to insure that only properly qualified contractors are given construction contracts for work.

SECTION C: SPONSOR'S ASSURANCES: PROJECT ACCOUNTING AND PAYMENT

C-1. The Sponsor shall record all funds received under this Agreement and shall keep the same in an identifiable Project account. The Sponsor, and his contractor(s) and/or consultant(s), shall maintain adequate records and documentation to support all Project costs incurred under this Grant. All records and documentation in support of the Project costs must be identifiable as relating to the Project and must be acceptable costs only. Acceptable costs are defined as those costs which are acceptable under "Federal Acquisition Regulations 1-31.6, 48 CFR (OMC Circular A-87)". Acceptable items of work are those referenced in the State Aid to Airports Program Guidance Handbook and North Carolina General Statutes. The Sponsor's accounting procedures which were established for work as set out in this Agreement must be reviewed and accepted by the Department prior to the final execution of this Agreement and payment of State funds, except for Sponsor reporting under OMB Circular A-133.

C-2. The Sponsor and his contractor(s) and/or consultant(s) shall permit free access to its accounts and records by official representatives of the State of North Carolina. Furthermore, the Sponsor and contractor(s) and/or consultant(s) shall maintain all pertinent records and documentation for a period of not less than five (5) years from the date of final payment.

C-3. In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" (www.whitehouse.gov/wh/eop/omb), the Airport shall arrange for an independent financial and compliance audit of its fiscal operations. The Airport shall furnish the Department with a copy of the independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Airports fiscal year ends.

The Airport shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Airport shall make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of final payment under this agreement, for inspection and audit by the Department's Fiscal Section

C-4. Payment of the funds obligated under this Grant Agreement shall be made in accordance with the following schedule, unless otherwise authorized by the Department:

A. Payments from NCDOT to the Sponsor are made on a reimbursement basis. The Sponsor must pay all contractors/vendors prior to or within 3 business days of receipt of the Department's reimbursement.

B. Payments will be made on the basis of progress payments which may be requested by the Sponsor as costs are incurred, but not more frequently than monthly. Progress payments will be made provided the following requirements have been met.:

- (1) The Grant Agreement has been executed and a Project Concurrence (AV-CONCUR/AV-503) issued.
- (2) The Project has received an appropriate environmental finding.
- (3) The Sponsor has submitted a Proposed Project Budget (AV-BUDGET/AV-504) accurately reflecting costs to date. The initial and revised AV-BUDGET/AV-504 shall be approved by the Department. With each AV-BUDGET/AV-504, the Sponsor shall provide the following documentation:
 - a) Scope of Services for the project, Consultant Fee - Man-hours Breakdown by task with hourly rates, Breakdown of Sub-consultant and / or Vendor Cost, Schedule of Deliverables, Estimated Construction Cost, Plan Sheet List
 - b) Actual Bidding Cost (once a project is bid) – Bid Tabulation / Bid Schedule, Recommendation for Award.
- (4) Additional information shall be provided as requested.
- (5) The Sponsor has submitted an executed Interim Payment Request (AV-PAY/AV-505) accurately reflecting costs incurred to date.
- (6) The Sponsor has complied with all applicable conditions of the State Aid to Airports Program Guidance Handbook

C. The submission of progress payments is expected to parallel the value of work actually completed and costs incurred. At such point the Sponsor has requested payments equaling 100% of the State Grant, it is expected that the approved Project will be 100% complete.

D. Upon receipt of 100% of the State Grant, the Sponsor will promptly complete Project acceptance and submit the Project Completion and Final Payment Request (AV-FINAL/AV-506).

C-5. If after the acceptance of the Project by the Department, the final State share of approved eligible items is less than the amount of State funds actually disbursed for the Project, the Sponsor shall reimburse the Department in an amount equal to the difference between the amount of State funds actually disbursed and the final State share of the final, audited, approved eligible Project costs within thirty (30) days of notification by the Department of the amount due.

C-6. If after the acceptance of the Project by the Department, the final State share of approved eligible Project costs shall be more than the amount of State funds obligated for the Project, the Sponsor may make application to the Department for a corresponding increase which will be considered for funding in accordance with their relative priority versus other applications for available State funds.

C-7. Under certain conditions, projects originally involving only state and local funds may subsequently be eligible for reimbursement from federal funding agencies. In such cases, the Sponsor shall notify the Department of its intent to apply for federal reimbursement and shall keep the Department informed of the status of such application. In the event federal funds are obtained for all or a portion of the Project, the Sponsor shall refund to the Department an amount equal to the difference between State funds originally disbursed for the work item(s) subsequently receiving federal funds and the final State share of the costs of the affected item(s) of work. Reimbursement will be made within ninety (90) days of the date of the final execution of the FAA Grant Agreement affecting the work elements in the approved Project.

C-8. For the purpose of calculating the State share of the Project, federal funds are defined as funds provided by an agency of the federal government for the specific purpose of undertaking the Project, including Block Grant funds administered by the Department.

SECTION D: SPONSOR'S ASSURANCES: REAL PROPERTY ACQUISITION

D-1. The acquisition of land, buildings, and other real property involving the use of State Airport Aid funds shall be in compliance with the provisions of this Section.

D-2. The Sponsor shall depict each parcel to be acquired on an airport property map containing the identity of the parcel and its metes and bounds.

D-3. The acquisition cost of each parcel, building, or other real property acquired with State financial assistance shall be based on the fair market value of the property as determined by an appraisal process acceptable to the Department.

D-4. For each parcel or building with an estimated cost of \$100,000 or less, fair market value shall be established by a single original appraisal and a review appraisal. For complex acquisitions, fair market value shall be established by two original appraisals and one review appraisal.

D-5. All original and review appraisals shall be conducted by qualified appraisers who have no financial or other interest in the property to be acquired.

D-6. The fair market value of a parcel will be established by the review appraiser based upon the information contained in the original appraisal or appraisals.

D-7. No negotiation for property acquisition shall be commenced between the Sponsor and the property owner until the fair market value of the property has been established. Initial negotiations shall be based upon the fair market value.

D-8. Negotiated values above the fair market value shall not be eligible for State funds unless, prior to the final agreement for acquisition, the Sponsor has received the concurrence of the Department for paying such negotiated values in lieu of the appraised fair market value.

D-9. Sponsors who adhere to the federal "Uniform Guidelines for the Acquisition of Property" shall be deemed to have conformed to the Department's guidelines, except that Paragraph 8 above shall also be applicable under such acquisitions.

D-10. In the event the Project is a low value, non-complex acquisition, the Department, at its option, may accept the original appraisal without the review appraisal. In such cases, all other provisions of this Section shall apply.

D-11. Failure to follow the requirements of this Section shall disqualify the property from State participation for any parcel which has not been acquired in accordance with such standards.

SECTION E: Sponsor's Acknowledgement of Executive Order 24, issued by Governor Perdue, and N.C. G.S.§ 133-32

E-1 Sponsor acknowledges and agrees that it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor). This prohibition covers those vendors and contractors who:

- (1) have a contract with a governmental agency; or
- (2) have performed under such a contract within the past year; or
- (3) anticipate bidding on such a contract in the future.

For additional information regarding the specific requirements and exemptions, vendors and contractors are encouraged to review Executive Order 24 and G.S. Sec. 133-32.

Revised 1/2/13



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1607)

Agenda Item Title

Project Ordinance - Airport Grant 36237.8.13.1 Corporate Area Apron Phase 1 (Design and Bidding)

Brief Description of Agenda Item:

County was approved in June 2016, no additional funding is necessary. This will record the incoming grant funds and set up the project.

Board Action Requested

Action

Person Submitting Agenda Item

Sandra Hill, Director

Presenter of Agenda Item

Daniel F. Scanlon

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

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

SECTION 1. The project authorized is to design a Corporate Area Apron (Phase I Design & Bidding)

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

Corporate Area Apron Design	\$ 67,685
<hr/>	

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

Transfer from Occupancy Tax	\$ 6,769
State Aid to Airports	\$ 60,916
	<hr/>
	\$ 67,685

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

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

materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.

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

SECTION 7. USE OF BUDGET ORDINANCE

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

ADOPTED this 18th day of July 2016.

David L. Griggs, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1604)

Agenda Item Title

Lottery Applications

Brief Description of Agenda Item:

The Board of Education requests approval of three applications for Lottery funds to upgrade energy management systems at MMS (\$65,000), CCHS (\$65,000) and Griggs (\$90,000)

Board Action Requested

Action

Person Submitting Agenda Item

Sandra Hill, Director

Presenter of Agenda Item

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

County: Currituck
LEA: Currituck County Schools
Address: 2958 Caratoke Highway

Approved: _____
Date: _____
Contact Person: Laurie Trussell
Title: Finance Officer
Phone: 252-232-2223 ext. 1010

Project Title: Dr. W.T. Griggs Elementary Energy Management Upgrade

Location: Dr. W.T. Griggs Elementary School

Type of Facility: Elementary School (Grades K-5)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: To upgrade the energy management system (HVAC equip.) at Dr. W.T. Griggs Elementary School.

Estimated Costs:

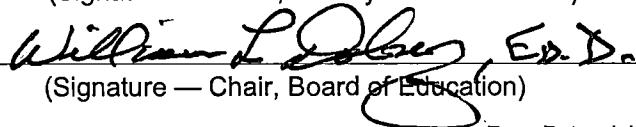
Purchase of Land	\$	
Planning and Design Services		
New Construction		
Additions / Renovations		90,000.00
Repair		
Debt Payment / Bond Payment		
TOTAL	\$	90,000.00

Estimated Project Beginning Date: December 2016 Est. Project Completion Date: December 2016

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 90,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)


(Signature — Chair, Board of Education)

(Date)

6/30/16
(Date)

APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY

County: Currituck
 LEA: Currituck County Schools
 Address: 2958 Caratoke Highway

Approved: _____
 Date: _____
 Contact Person: Laurie Trussell
 Title: Finance Officer
 Phone: 252-232-2223 ext. 1010

Project Title: Moyock Middle School Energy Management Upgrade

Location: Moyock Middle School

Type of Facility: Middle School (Grades 6-8)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: To upgrade the energy management system at Moyock Middle School.

Estimated Costs:

Purchase of Land	\$	
Planning and Design Services	\$	
New Construction	\$	
Additions / Renovations	\$	65,000.00
Repair	\$	
Debt Payment / Bond Payment	\$	
TOTAL	\$	65,000.00

Estimated Project Beginning Date: June 2017 Est. Project Completion Date: August 2017

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 65,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)


 (Signature — Chair, Board of Education)

(Date)

6/30/16
 (Date)

APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY

Approved: _____

Date: _____

County: Currituck
 LEA: Currituck County Schools
 Address: 2958 Caratoke Highway

Contact Person: Laurie Trussell
 Title: Finance Officer
 Phone: 252-232-2223 ext. 1010

Project Title: Currituck County High School Energy Management Upgrade

Location: Currituck County High School

Type of Facility: High School (Grades 9-12)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: To upgrade energy management (HVAC equipment) at Currituck County High School.

Estimated Costs:

Purchase of Land	\$	
Planning and Design Services		
New Construction		
Additions / Renovations		65,000.00
Repair		
Debt Payment / Bond Payment		
TOTAL	\$	65,000.00

Estimated Project Beginning Date: June 2017 Est. Project Completion Date: August 2017

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

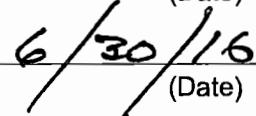
The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 65,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)



(Signature — Chair, Board of Education)

(Date)



(Date)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1605)

Agenda Item Title

Project Ordinance for Lottery Funds

Brief Description of Agenda Item:

This is the project ordinance for the lottery applications for Energy Management Upgrades at MMS, CCHS and Griggs.

Board Action Requested

Action

Person Submitting Agenda Item

Sandra Hill, Director

Presenter of Agenda Item

Daniel F. Scanlon

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

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

SECTION 1. The project authorized is to renovate HVAC/Energy Management systems at various schools.

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

Griggs Elementary - Upgrade Energy Mgmt System	\$ 90,000
CCHS -Upgrade Energy Management System	\$ 65,000
Moyock Middle - Upgrade Energy Mgmt System	\$ 65,000
	<u><u>\$ 220,000</u></u>

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

Lottery Funds	\$ 220,000
	<u><u>\$ 220,000</u></u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.

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

SECTION 7. USE OF BUDGET ORDINANCE

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

ADOPTED this 18th day of July 2016.

David L. Griggs, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1594)

Agenda Item Title

William Bradley - Grandy Convenience Center Lease renewal

Brief Description of Agenda Item:

Mr. Bradley would like to increase the monthly amount he receives from \$500/month to \$600/month. Mr. Bradley stated he has not had an increase since 2006. He is also agreeable to a 2 year lease.

Board Action Requested

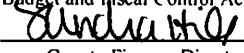
Action

Person Submitting Agenda Item

Sandee Salimbene, Assistant

Presenter of Agenda Item

Donald (Ike) I. McRee Jr

This instrument has been Pre
audited in the manner required
by The Local Government
Budget and Fiscal Control Act

County Finance Director



Doc No: 316608
Recorded: 07/29/2015 09:56:46 AM
Fee Amt: \$26.00 Page 1 of 3

Currituck County North Carolina
Denise A. Hall, Register of Deeds
BK 1335 PG 613 - 615 (3)

NORTH CAROLINA

LEASE AGREEMENT

CURRITUCK COUNTY

THIS LEASE AGREEMENT, which supersedes any prior lease agreements between the parties, made and entered into this 15 day of June, 2015, by and between THE COUNTY OF CURRITUCK, NORTH CAROLINA, a body corporate and politic existing under the laws of the State of North Carolina, (the "Lessee"), and WILLIAM E. BRADLEY (the "Lessor".

WITNESSETH:

THERE WHEREAS, North Carolina General Statutes 153A-121, 153A-132.1, and 153A-136, provide that a county may regulate the storage, collection and disposal of solid waste; and

WHEREAS, North Carolina General Statute 153A-165 provides that a county may lease as lessee any real property for any authorized public purpose; and

WHEREAS, the County, in order to provide the public with a convenient method for the disposal of solid waste desires to enter into this lease for the siting and placement of a convenience center for use by the public for the disposal of solid waste;

NOW, THEREFORE, for and in consideration of the rental, specified below, and of the stipulated covenants, the Lessor and Lessee agree as follows:

1. Lessor agrees to lease to Lessee 1.1 acres, more or less, of the premises situated at 6815 Caratoke Highway, Poplar Branch Township, Grandy, North Carolina which area includes access road from Caratoke Highway.

2. The lease of the above-described premises shall be for a term of one (1) year commencing on the 1st day of July, 2015, and ending on the 30th day of June 2016.

3. The rent for the term of this lease is \$6,000.00 per year or \$500.00 per month, payable in advance without demand or notice.

4. It is understood by the parties that the leased premises will be improved for Lessee's use as a solid waste disposal center. It is mutually agreed between Lessor and Lessee that any costs incurred and all improvements made to the leased premises shall be at the expense of the Lessee.

TRANSFER TAX AMOUNT None
DATE/COLLECTOR 7-29-2015

5. Lessee agrees to keep the leased premises neat in appearance.

6. Lessee agrees to indemnify and hold Lessor harmless from any liability of any nature, which may arise in connection with Lessee's use of the leased premises, and Lessor shall indemnify and hold Lessee harmless from any liability due to conditions existing to or on the leased premises prior to the date of this lease agreement.

7. Lessee may not assign, transfer, sublease, pledge or otherwise encumber or dispose of this lease without the written consent of the Lessor, except as described in paragraph 4 of this lease agreement.

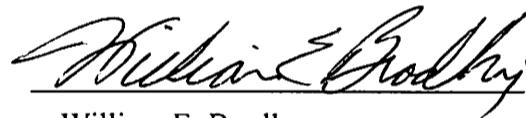
8. Upon termination of this lease agreement, any rental paid by Lessee in advance shall be returned to Lessee on a pro-rata basis.

9. Upon Termination or expiration of this lease, Lessee agrees to remove all fixtures, personal property and other improvements from the leased premises and to return the leased premises to Lessor in substantially the same condition as on the date Lessor takes possession of the premises.

10. Lessee shall have peaceful and quiet enjoyment of the premises for the term of this lease provided that Lessee pays the rent as agreed to in this lease agreement and otherwise performs all of the conditions and covenants set forth in this lease agreement.

IN WITNESS WHEREOF, Lessor and Lessee have executed this lease the day and year first written above.

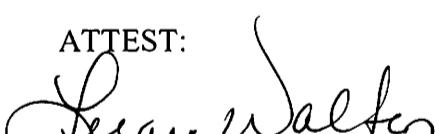
LESSOR

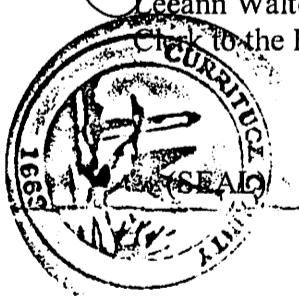

(SEAL)
William E. Bradley

LESSEE

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

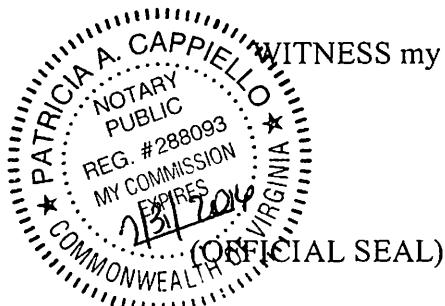
ATTEST:


Leeanne Walton
Chair to the Board



STATE OF Virginia
 CITY/COUNTY OF Newport News

I, Patricia A. Cappiello, the undersigned Notary Public, certify that William E. Bradley personally came before me this day and acknowledged the due execution of the foregoing instrument.



WITNESS my hand and official seal this 15th day of June, 2015.

Patricia A. Cappiello
 Notary Public

Patricia A. Cappiello
 Printed Name

My Commission Expires: July 31, 2016

NORTH CAROLINA

COUNTY OF Currituck

I, Eileen M. Wirth a Notary Public of the County and State aforesaid, certify that Leeann Walton personally came before me this day and acknowledged that she is the Clerk of the Currituck County Board of Commissioners for the County of Currituck, a politic body and political subdivision of the State of North Carolina, and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by its County Manager, sealed with its County seal and attested by her as its Clerk to the Board.

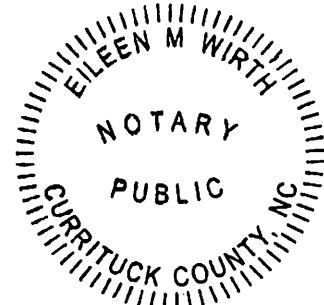
WITNESS my hand and official seal this 25th day of June, 2015.

Eileen M. Wirth
 Notary Public

Eileen M. Wirth
 Printed Name

(OFFICIAL SEAL)

My Commission Expires: 3.15.2019



I WILL BE 77 THIS MONTH AND ALTHOUGH I DO NOT PLAN TO SELL THE FARM AT THIS TIME. I COULD AGREE TO A TWO YEAR LEASE.

SINCERELY YOURS,
WILLIAM E. BRADLEY

wbrad59990@aol.com
wbrad59990@aol.com

-----Original Message-----

From: Sandee Salimbene <Sandee.Salimbene@CurrituckCountyNC.gov>
 To: wbrad59990@aol.com <wbrad59990@aol.com>
 Sent: Wed, Jun 8, 2016 8:06 am
 Subject: RE: Lease Agreement-6815 Caratoke Highway, Grandy, North Carolina

-----Original Message-----

From: wbrad59990@aol.com <wbrad59990@aol.com>
 To: sandy.salimbene <sandy.salimbene@currituckcountync.gov>
 Sent: Tue, Jun 7, 2016 4:55 pm
 Subject: Lease Agreement-6815 Caratoke Highway, Grandy, North Carolina
 County Manager
 Currituck County
 North Carolina

RE: Lease Agreement-^815 Caratoke Highway, Grandy, North Carolina

Dear Sir:

The reference lease which is due to expire on June 30, 2016. The last time the rent on the property was increased was 2006. I request the new rent to be \$600.00 per month.(\$7200.00 per year)

Sincerely yours,
 William E. Bradley
 7505 River RD. 8-G
 Newport News ,VA 32607
 757-595-1530
wbrad59990@aol.com
wbrad59990@aol.com



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1600)

Agenda Item Title

Crawford VFD Purchasing Request-Chemguard Foam

Brief Description of Agenda Item:

Letter and quote attached, Crawford Volunteer Fire Department is requesting approval for the purchase of foam to refill Airport crash apparatus.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Crawford Township Volunteer Fire Dept
121 Shawboro Road
Moyock, NC 27958

June 29, 2016

Currituck County Board of Commissioners
153 Courthouse Road
Currituck, NC 27929

Dear Sir/Madam:

Crawford Township Volunteer Fire Department respectfully asks that you add to your next meeting and agenda our request to fund \$5460.00 for 220 gallons of foam to fill the airport crash truck apparatus. The tank is currently empty and the foam is used for oversized aircraft fires. This foam is needed to maintain the required level of service for the Currituck County Regional Airport. This request was presented at the Fire Advisory Board meeting on June 28th. During the FAB meeting, a motion was made, voted on and approved to ask the Currituck County Board of Commissioners to consider this funding. This funding is in addition to our annual budget that was previously accepted and approved by the County. Please accept this correspondence as our official request for this funding.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Charlton".

Christopher P. Charlton
Board President, Crawford Township Volunteer Fire Department



12351 Randolph Ridge Lane
Manassas, VA 20109

(703) 393-9911 main office

Quotation

Bill To	Ship To
Crawford Township VFD 121 Shawboro Rd Moyock, NC 27958	Same Attn: Brandon Whitlow

Date: 5/30/16

Quote: Foam

Terms	Delivery	Shipping
NET 30	2 Weeks	FOB-Destination

Quoted By: Tom Harp

Phone: (757) 288-3398



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1599)

Agenda Item Title

Approval of Revised Salary Classification for Director of Elections

Brief Description of Agenda Item:

Approval of new salary classification chart for a revision to the Director of Elections position, effective 7/1/2016, changing classification from hourly to exempt status.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

**CURRITUCK COUNTY
CLASSIFICATION BY SALARY GRADE
FOR THE FISCAL YEAR ENDING JUNE 30, 2017**

4.D.12.a

SALARY GRADE	SALARY RANGE	CLASSIFICATION
50	\$23,813-\$32,640	Custodian
50.5	\$25,163-\$35,129	Senior Center Assistant Coordinator
51	\$25,746-\$35,347	Maintenance Helper Park Attendant Rural Attendant
52	\$27,678-\$38,090	Accounting Clerk I Administrative Support Assistant Animal Care Technician Community Social Services Assistant DSS DCI CP/Clerk Deputy Register of Deeds Library Assistant I Meter Reader Permit Officer I Processing Assistant IV Public Information Assistant IV Recreation Assistant Secretary I Tax Clerk I Visitor Relations Coordinator

53	\$29,612-\$40,760	Line Maintenance Mechanic Helper Library Assistant II Maintenance/Repair Worker EMT Basic/Firefighter Lineman - Airport Tax Clerk II Utilities Customer Service Representative	4.D.12.a
53.5	\$30,170-\$41,779	Detention Officer	
54	\$31,544-\$43,464	4H Program Associate Animal Control Officer Assistant Register of Deeds Deputy Director of Elections District Administrator F&C Sciences Associate Income Maintenance Caseworker I Library Associate I Permit Officer II Public Information Assistant V Accounting Clerk II Rural Center Manager Shelter Manager Telecommunicator Trainee	
54.5	\$32,140-\$44,551	Intake Officer	

55	\$33,478-\$46,173	Accounting Clerk III Administrative Assistant I Athletic Grounds Manager Deputy Tax Collector Library Associate II Line Maintenance Mechanic Maintenance/Repair Worker Electrician Park Superintendent Public Relations Coordinator Recreation Specialist Sales & Marketing Associate Supervisor Visitor Center Telecommunicator I Tourism Promo & Event Coordinator Utilities Customer Service Supervisor	4.D.12.a
55.5	\$34,113-\$47,327	EMT Intermediate/Firefighter	
56	\$35,412-\$48,881	Deputy Trainee Income Maintenance Caseworker II Permit Officer III Social Worker I Support Technician Telecommunicator II Wastewater ORC Trainee Water Plant Operator Trainee	
56.5	\$36,771-\$51,613	Sergeant Detention Officer	

57	\$37,344-\$51,585	Administrative Assistant II Building Inspector I Deputy Sheriff I Development Code Enforcement Officer Human Resources Assistant Maintenance Supervisor Rural Center Director Wastewater ORC Water Plant Operator Water Plant Operator/Lab Technician	4.D.12.a
58	\$39,277-\$54,293	Deputy Sheriff II Income Maintenance Caseworker III Income Maintenance Investigator II Training Officer	
59	\$41,210-\$56,999	Accounting Technician Building Inspector II probationary/ FQ Inspect I Deputy Sheriff III Deputy Emergency Management Coordinator Development Technician Detective I EMT Paramedic/Firefighter Planner I Tax Appraiser	

60	\$43,144-\$59,707	<ul style="list-style-type: none"> *Administrative Officer I *Communications Supervisor EMS Training Officer Fire Training Officer/Recruitment Coordinator *Income Maintenance Supervisor II *Lieutenant Detention Officer Fire Marshal Lieutenant - EMS *Operations Director Risk Manager Social Worker II Soil & Stormwater Technician Water Distribution Supervisor Trainee Web/AV Specialist 	4.D.12.a
60.5	\$43,971-\$61,199	<ul style="list-style-type: none"> *Senior Center Coordinator 	
61	\$45,077-\$62,414	<ul style="list-style-type: none"> Building Inspector III probationary/FQ BI II Creative Director Detective II GIS Specialist GIS Coordinator Paralegal Planner II Marketing Director Public Information Officer Water Distribution Supervisor 	
62	\$47,009-\$65,120	<ul style="list-style-type: none"> *Building Superintendent Fiscal and Budget Assistant Sergeant Site Manager/Curator Social Worker III Social Worker Invest/Assess Treatment 	
63	\$48,941-\$67,826	<ul style="list-style-type: none"> Building Inspector III FQ *Director of Elections *Social Work Supervisor II *Water Treatment Plant Supervisor 	8-4.5

64	\$50,875-\$70,533	Senior Planner * Jail Superintendent * Recreation Director	4.D.12.a
65	\$53,222-\$73,820	*Administrative Assistant/Clerk to Board *Captain - EMS *Manager Business Development/Airport Oper. *Project Coordinator	
66	\$54,742-\$75,948	*Chief Building Inspector *Public Utilities Superintendent *Social Worker Supervisor III	
67	\$56,673-\$78,651	*Emergency Management Director *Lieutenant - Sheriff *Social Work Program Manager	
68	\$58,606-\$81,357	*Human Resources Director *IT Director *Project Engineer *Tax Administrator	
69	\$60,539-\$84,605		
70	\$62,530-\$86,853		

71	\$64,404-\$89,477	*Captain- Sheriff *Chief Deputy - Fire/EMS *Tourism Director	
72	\$66,339-\$92,186	*Assistant Planning Director	
73	\$68,270-\$94,890	*Chief Deputy - Sheriff *Economic Development Director	
74	\$70,204-\$97,598		
75	\$72,136-\$100,304	*Chief of EMS	
76	\$74,070-\$103,011	*Director of Social Services *Finance Director *Public Utilities Director	
77	\$76,002-\$105,716		
78	\$77,936-\$108,425		
79	\$79,869-\$111,131		
80	\$81,565-\$113,505		
81	\$83,604-\$126,609		
82	\$85,694-\$129,774		
83	\$87,836-\$133,019		
84	\$90,032-\$136,344		
85	\$92,283-\$139,753		8-4.6
86	\$94,590-\$143,246		Packet Pg. 114

87	\$96,814-\$146,614	4.D.12.a
88	\$97,774-\$148,068	*Planning Director
89	\$100,218-\$151,769	
90	\$102,723-\$155,564	*County Manager
91	\$105,292-\$159,453	
92	\$107,523-\$162,831	*Engineer
93	\$110,211-\$166,902	
94	\$112,966-\$171,075	
95	\$115,790-\$175,352	

96	\$118,685-\$179,735	
97	\$121,652-\$184,229	
98	\$124,693-\$188,834	
99	\$127,811-\$193,555	
100	\$131,006-\$198,394	
101	\$134,281-\$203,354	
102	\$137,638-\$208,438	
103	\$141,079-\$213,649	
104	\$144,606-\$218,990	
105	\$148,221-\$224,465	
106	\$151,927-\$230,076	
107	\$155,725-\$235,828	
108	\$159,618-\$241,724	
109	\$163,608-\$247,767	
110	\$167,699-\$253,961	
111	\$171,881-\$260,295	*Attorney

* indicates exempt status

Board determined	*County Manager's salary
Board determined	*Sheriff's salary
Board determined	*Register of Deeds' salary
Board determined	*Attorney's salary



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1611)

Agenda Item Title

Approval of Job Descriptions-IT Support Tech (Sheriff's Dept) and Administrative Assistant (Planning Dept)

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

CURRITUCK COUNTY JOB DESCRIPTION

JOB TITLE: IT SUPPORT TECHNICIAN CURRITUCK COUNTY SHERIFF'S OFFICE

GENERAL STATEMENT OF JOB

Under supervision of the Sheriff and working within Sheriff's Office IT guidelines, performs technical work in the Sheriff's Office and Detention Center to provide support for all items related radios, computers, video surveillance, hardware, software, networks, telephone systems, alarms and any other technology related equipment to include hardware and software maintenance.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

Installs, maintains, troubleshoots, and repairs servers, computers, laptops, printers, network equipment, modems, scanners, digital cameras, in car video systems, body worn video systems, PDAs, and other related hardware.

Installs, maintains, programs, trains and troubleshoots the VIPER/800Mhz Radio System. Acts as Encryption Key Manager, APX and XTS radio programming technician and 2FA two factor authentication Administrator

Installs, maintains, programs, trains and troubleshoots all Software to include Records, Mobile and Jail software. eCitation training and administration of program software and hardware.

Administers, trains and maintains NC SAVAN/VINE, NCAWARE, CJLEADS, NCLINX, NCID, NCAFIS, NdEx, prepares audits as required or acts as point of contact. Acts as FBI/SBI CJIS security officer and point of contact for FBI-LEO. Prepares audits as required.

Maintains Message Switch, Property and Evidence Administrator, Automatic Vehicle Locator Management, Net-Motion Administrator, In-car and Officer worn camera Administrator and Support, RAIDS Online Administrator, Crime Reports Online Administrator, Tip 411 Administrator, Currituck Crime Line

Maintains and trains the Project Lifesaver Program and Digital Kid ID system and must obtain certification as an instructor in Project Lifesaver.

Installs, updates, and troubleshoots various software; trains end users in various software applications as needed. Compiles various reports and presentations as required by the Sheriff.

Responds to end user reports concerning hardware or software problems.

Responds to after hour calls as necessary.

Relocates computer related hardware and personal information for equipment replacement and organizational moves.

Assists in the back up of servers on a daily basis; moves back-up data to off-site locations for storage. Restores backed up files as needed by users.

SUPPORT TECHNICIAN

Enforces the County's Technology Appropriate Use Policy as it relates to the Sheriff's policy.

Establishes and maintains back-up procedures for computers and assists users with housekeeping functions.

Establishes and maintains a user reference library.

Assists in telephone related problems as requested.

Maintains inventory of computer equipment.

Prepares yearly equipment and software quotes for budgetary purposes.

Maintains list of surplus equipment and prepares surplus equipment for disposal or resale.

Assists in the administration of VOIP phone and voicemail systems to include county jail inmate and visitation phone systems.

Assists in the administration of domain accounts using Active Directory, Group Policy, etc.

Provides and recommends specifications for new hardware and software.

ADDITIONAL JOB FUNCTIONS

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

Performs other related work as required.

MINIMUM TRAINING AND EXPERIENCE

Graduation from a two-year technical school, trade school, or industrial school with degree related to computer or electronics technology, and three years experience in the installation, maintenance and repair of computer/electronic equipment or an equivalent combination of educational and experience in the field of information technology and computer and software maintenance. Experience in communications and networking environments is desired. Possession of a valid NC driver's license. Must be able to pass a DCI certification course to act as DCI Terminal Agency Coordinator with one year.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of computers and their peripheral equipment; hand tools, such as screwdrivers, pliers, soldering irons, and electronic test instruments; as well as common office machines such as typewriters, telephones, etc. Must be able to exert up to 50 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects. Physical demands are in excess of those for sedentary work. Light Work usually involves walking or standing for periods of time.

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

SUPPORT TECHNICIAN

Interpersonal Communication: Requires the ability of speaking and/or signaling people to convey or exchange information. Includes giving instructions, assignments and/or directions to subordinates or assistants.

Language Ability: Requires the ability to read a variety of reports and records, invoices, purchase orders, budgets, blue prints and engineering schematics, etc. Requires the ability to prepare a variety of correspondence, reports, forms, charts, requests for bids and bid specifications, purchase orders, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction and style. Requires the ability to speak to people with poise, voice control and confidence.

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

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

Numerical Aptitude: Requires the ability to utilize mathematical formulas; to add and subtract totals; to multiply and divide; and to determine percentages and decimals; understand and apply the theories of algebra.

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

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

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

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

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

Physical Communication: Requires the ability to talk and/or hear: (talking: expressing or exchanging ideas by means of spoken words; hearing: perceiving nature of sounds by ear).

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of the installation, maintenance, and repair of computer hardware and related equipment.

Knowledge of various operating systems including Windows Server, Windows XP/2000, Windows 7, Windows 10, Sql Server and Windows command line.

SUPPORT TECHNICIAN

Knowledge of various software packages, languages and tools including Sunguard/OSSI Public Safety Software, Microsoft Office, Microsoft Exchange/Outlook, SQL, FoxPro, .NET, HTML, Windows Remote Desktop Connection tool, VNC, Motorola CPS and various network testing software tools.

Knowledge of patch panels, telco blocks, electronic testing equipment, PC's and working knowledge of network and systems control and applications programs.

Skill in troubleshooting, diagnosing, and repairing hardware and software problems.

Skill in the installation and maintenance of computer hardware and software.

Skill in installation and programing of 2-way radio equipment.

Skill in the installation, repair, and maintenance of information technology systems.

Skill in planning, organization, and decision making.

Skill in the training of end users in various software operations.

Skill in oral and written communication.

Ability to explain computer program functions and operating procedures.

Ability to troubleshoot and make repairs on a variety of electronic equipment.

Ability to work under time constraints and other demands.

Ability to establish and maintain effective working relationships with private and public officials, and other employees. Must have excellent communication skills, be polite, professional, courteous, and helpful to staff at all times.

Ability to perform the duties in a proficient and professional manner.

Ability to organize work, and work efficiently.

Ability to work with minimal supervision.

ED: 07/01/2016 (BOC)

CURRITUCK COUNTY JOB DESCRIPTION

JOB TITLE: ADMINISTRATIVE ASSISTANT II PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL STATEMENT OF JOB

Under general supervision, performs a variety of clerical-administrative ~~and secretarial~~ work in support of the Planning & Community Development Department. Work involves preparing a variety of correspondence, reports, invoices and other material; preparing agenda packets for ~~the Planning Board~~ ~~advisory boards and committees~~; receiving, recording and reporting various fees for County services; and maintaining supply inventories. Employee is also responsible for a variety of routine clerical tasks, such as processing mail, answering telephones and responding to inquiries, maintaining files, etc. Reports to the Planning & CD Director or their designee.

SPECIFIC DUTIES AND RESPONSIBILITIES

ESSENTIAL JOB FUNCTIONS

~~Serves as Clerk to the Planning Board; prepares agenda packets; prepares case updates; notifies adjacent property owners for cases; prepares site maps; prepares power point presentations for meetings. Acts as clerk to advisory boards and committees, including but not limited to, preparing agenda packets, typing minutes, and attending regularly scheduled meetings.~~

~~Prepares public notices, correspondence, reports, maps, presentations, and diagrams as required.~~

~~Performs routine administrative tasks including file maintenance, typing letters and reports, maintaining department records, and responding to customer inquiries.~~

Types material from typed or handwritten copy or machine dictation, which requires use of a variety of complicated formats for preparing correspondence, reports, meeting agendas, forms, organizational charts, etc.; assumes responsibility for correctness of spelling, punctuation, format and grammar; distributes correspondence to appropriate parties.

Utilizes computerized data entry equipment and various word processing, spreadsheet and/or file maintenance programs to enter, store and/or retrieve information as requested or otherwise necessary;

Maintains and regularly updates the Planning & Community Development Department website.

~~Prepares maps for Planning Board and Board of Commissioners meetings using ArcMap GIS software.~~

~~Compiles reports based on Planning Board and Board of Commissioners actions.~~

Maintains office supply inventory, preparing requisitions and/or purchase orders as appropriate; oversees daily budget for department; ~~assists Planning & CD Director with preparation of annual budget.~~

Answers telephones, receiving inquiries and providing information or referring callers to appropriate personnel; records and relays messages, as appropriate.

ADMINISTRATIVE ASSISTANT II

Establishes and maintains a variety of tangible and electronic files, filing and retrieving materials as requested or as otherwise necessary.

Sorts and distributes incoming mail; signs for deliveries; processes outgoing mail.

Trains employees on administrative processes and oversees and supervises temporary clerical help.

Maintains Planning library.

~~Prints Planning Board and Board of Commissioners minutes for permanent record; copy and forward to be indexed and archived.~~

~~Assists Planning Director with preparation of annual budget.~~

~~Coordinates, makes arrangements for, and advertises special meetings and workshops.~~

Assists planning professional staff in preparing for special meetings or planning efforts.

~~Maintains and updates the Unified Development Ordinance and other adopted plans.~~

ADDITIONAL JOB FUNCTIONS

Attends occasional public meetings, including evenings, as required by the Planning & CD Director.

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

Performs other related work as required.

MINIMUM TRAINING AND EXPERIENCE

Associates degree in secretarial sciences, and two to three years of experience in secretarial or clerical work; or any equivalent combination of training and experience that provides the required knowledge, skills and abilities.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

Physical Requirements: Must be physically able to operate a variety of machinery and equipment, including computers, typewriters, calculators, copiers, scanners, plotters, facsimile machines, dictation recorders, etc. Requires the ability to exert up to 50 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are in excess of those for sedentary work. Light Work usually requires walking or standing to a significant degree. However, if the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

ADMINISTRATIVE ASSISTANT II

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

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

Language Ability: Requires the ability to read a variety of reports, correspondence, invoices, checks, forms, procedural manuals, etc. Requires the ability to prepare a variety of correspondence, reports, forms, charts, etc. Must be able to speak to people with poise, voice control and confidence.

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

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

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

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

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

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

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

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

Physical Communication: Requires the ability to talk and/or hear: (talking - expressing or exchanging ideas by means of spoken words; hearing - perceiving nature of sounds by ear). Requires the ability to communicate via telephone.

KNOWLEDGE, SKILLS AND ABILITIES

| Considerable knowledge of Planning local government operations, programs and policies.

Considerable knowledge of modern office practices and procedures.

Considerable knowledge of arithmetic, grammar, spelling, and vocabulary.

ADMINISTRATIVE ASSISTANT II

Skill in the operation of common office machines, including popular computer-driven word processing, spreadsheet and file maintenance programs.

Ability to use software programs such as Microsoft Office suite, Laserfische, Agenda Manager, ArcMap GIS technologies, Adobe products, Internet based applications, and Munis.

Ability to make routine administrative decisions independently in accordance with laws, regulations, and County policies and procedures, and to solve problems and answer questions.

Ability to develop and modify work procedures, methods and processes to improve efficiency.

Ability to communicate effectively orally and in writing.

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

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



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1614)

Agenda Item Title

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