



**Board of Commissioners
Agenda Packet**

November 7, 2016

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance-Reverend Bill Masciangelo, Moyock United Methodist Church
- B) Approval of Agenda

Public Hearings

- A) **PB 16-21 Corolla Light Town Center Miniature Golf** Request for a use permit to construct and operate a Miniature Golf Course. The property is owned by Golasa Holdings, LLC and located Corolla Light Village Shops, 1159 Austin Street, Tax Map 115B, Parcel 2P2B, Poplar Branch OBX Township.
- B) **PB 16-20 Paragon Beverage Company** Request for a text amendment to add Artisan Food and Beverage Producer, Large Brewery, Distillery, and Winery to the Summary use table in the appropriate zoning districts.
- C) **PB 16-23 OBX Waterpark Adventure:** Request to rezone .96 acres for an outdoor recreation facility (waterpark) from Heavy Industrial (HI) to Conditional - General Business (C-GB) located at 8504 Caratoke Highway, Tax Map 124, Parcel 137E, Poplar Branch Township.

Old Business

- A) **Public Hearing and Action: PB 16-16 E.T. Hyman Surveying (Aggregate Storage and Processing);** Request to amend the UDO to allow aggregate storage and processing in the Agriculture Zoning District on parcels with direct access to the railroad.

New Business

- A) **Consideration and Action: PB 14-26 Old Bay Ridge:** Request for a preliminary plat/use permit extension of one year for property located on Tax Map 49, Parcel 82C, Crawford Township. This is a 5 residential lot traditional subdivision.
- B) **Board Appointments**
 - 1. Economic Development Advisory
 - 2. ABC Board
- C) **Consent Agenda**
 - 1. Approval Of Minutes for October 3, 2016
 - 2. Budget Amendments
 - 3. Project Ordinances - Public Safety Building Design Project and Corolla Sidewalks Projects
 - 4. Resolution Supporting the Upgrading of US Highway 17 in Northeast North Carolina to Interstate Standards

5. Resolution Requesting Summer Traffic Control from the North Carolina Highway Patrol
6. Albemarle-Tideland OPEB Resolution & Trust Agreement
7. Surplus Resolution-Carrier Heat Pump
8. Crawford Fire Department Purchase-Turnout Gear
9. Moyock Volunteer Fire Department Purchase Request-Turnout Gear
10. Knotts Island Volunteer Dept. Purchase Request-Boat
11. Petition for Road Addition to State Maintenance-Corolla Bay
12. Petition for Road Addition to State Maintenance-Dustin Lane, Landmark Homes
13. 3rd Amendment to Tower Lease Agreement for 734 Ocean Trail, Verizon
14. Trillium Health Resources Annual ABC Report for Currituck County
15. Resolution-Dedication of Applicant's Agent-Amended Item added to Agenda

D) Commissioner's Report

E) County Manager's Report

Public Comment

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

Special Meeting

Tourism Development Authority-Budget Amendments

Closed Session

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

Adjourn



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1697)

Agenda Item Title

PB 16-21 Corolla Light Town Center Miniature Golf

Brief Description of Agenda Item:

Request for a use permit to construct and operate a Miniature Golf Course. The property is owned by Golasa Holdings, LLC and located Corolla Light Village Shops, 1159 Austin Street, Tax Map 115B, Parcel 2P2B, Poplar Branch OBX Township.

Board Action Requested

Action

Person Submitting Agenda Item

Cheri Elliott, Assistant

Presenter of Agenda Item

Ben Woody



STAFF REPORT
PB 16-21 COROLLA LIGHT TOWN CENTER
MINIATURE GOLF COURSE
BOARD OF COMMISSIONERS
NOVEMBER 7, 2016

APPLICATION SUMMARY

Property Owner: Golasa Holdings, LLC PO Box 120 Kitty Hawk, NC 27949	Applicant: John M. Delucia, P.E. PO Box 3989 Kill Devil Hills, NC 27948
Case Number: 16-21	Application Type: Use Permit
Parcel Identification Number: 115B-000-2P2B-0000	Existing Use: Shopping Center
2006 Land Use Plan Classification: Full Service in Corolla subarea	Parcel Size (Acres): 6.8 acres
Request: Use Permit for Miniature Golf Course	Zoning: SFO with PUD Overlay and GB Allocation

SURROUNDING PARCELS

	Land Use	Zoning
North	Warehouse and Wastewater Treatment Facility	SFO with PUD Overlay and GB Allocation
South	Open Space and Single Family Homes	SFO with PUD Overlay
East	Open Space, Single Family Homes and Historic Corolla Park	SFO with PUD Overlay
West	Open Space and Single Family Homes	SFO with PUD Overlay

STAFF ANALYSIS

The applicant is requesting a use permit to construct a Miniature Golf Course on the Corolla Light Town Center Property at 1159 Austin Street in Corolla. The proposed use is considered outdoor recreation and requires a use permit on properties located within a Planned Unit Development. The owners intend to remove the existing skateboard park located in the center of the shopping center and construct an 18-hole miniature golf course in the same location with some expansion to the east. The miniature golf facility will be shielded from NC12 mostly by existing shopping center buildings. The proposed golf course features and the ticket building will not exceed the height of existing shopping center buildings.

INFRASTRUCTURE	
Water	Public
Sewer	Private Centralized System
Stormwater/Drainage	The project will result in a decrease in impervious coverage. Stormwater is conveyed by sheet flow and/or a closed collection system to several infiltration basins and a pond.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

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

1. The application complies with all applicable review standards of the UDO provided the following outstanding items are addressed:
 - a. TRC approval of the Major Site Plan application is required.
2. A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the use permit review standards. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings. A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the use permit review standards. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.

USE PERMIT REVIEW STANDARDS

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

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. The proposed use is deemed to be safer for public use and is a more family oriented activity.
2. The new use will provide an outdoor recreational experience for a greater diversity of potential users and age groups.

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 use will replace an existing skateboard park and should have no discernable affect to adjacent properties or uses.
2. The golf course use will be more regulated and better staffed than the existing skate park.

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

Preliminary Staff Findings:

1. The 2006 Land Use Plan classifies this site as Full Service within the Corolla subarea. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY ED1: new and expanding industries and businesses should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

POLICY ED4: In addition to the recruitment and expansion of major new industries, the considerable value of SMALL BUSINESS START-UPS, EXPANSIONS AND SPIN-OFFS shall also be recognized.

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

2. The Corolla Village Small Area Plan classifies this site as Mixed Use. Areas designated as mixed use are characterized by a diverse mix of land uses. This includes human scale commercial, residential, governmental, recreational, and civic uses. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY LU1: Recognize the uniqueness of the area by maintaining desirable characteristics, such as building style, scale, and architectural features; and by supporting development concepts that foster and promote the character, culture, and history of Corolla Village.

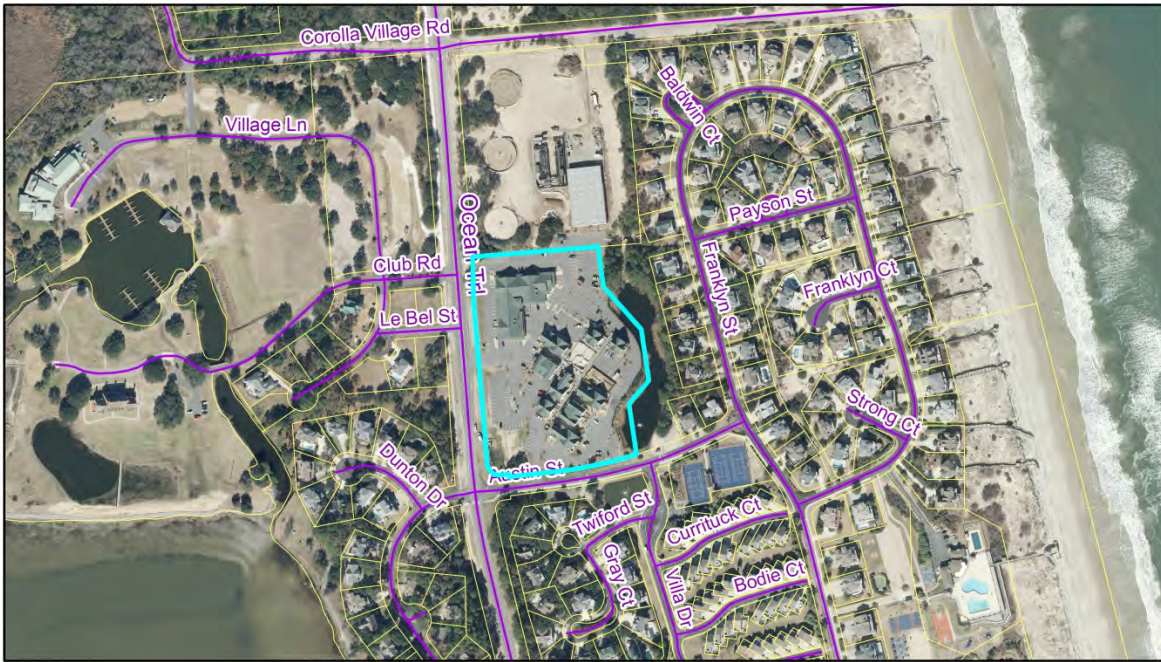
POLICY ED1: Promote the growth of existing businesses and the recruitment of new businesses that are compatible with the vision of the area.

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.

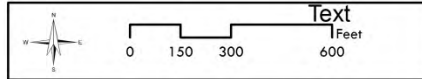
Preliminary Staff Findings:

1. The proposed use will have no impact on schools.
2. According to the applicant, the use will not require any additional services from County forces and will likely be a safer and more family oriented use than the skate park that it will replace.
3. Currituck County has adequate public facilities to serve the proposed development of a miniature golf course in the existing Corolla Light Town Center Shops.

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



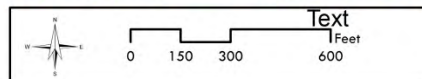
PB 16-21 Corolla Light Town Center
Use Permit - Miniature Golf
Aerial



Currituck County
Planning and
Community Development



PB 16-21 Corolla Light Town Center
Use Permit - Miniature Golf
LUP Classification



Currituck County
Planning and
Community Development



Use Permit Application

OFFICIAL USE ONLY:

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

Contact Information

APPLICANT:

Name: John M. DeLucia, PE
 Address: PO Box 3989
Kill Devil Hills, NC 279+48
 Telephone: 252 441-2113
 E-Mail Address: johnd@albemarelassociates.com

PROPERTY OWNER:

Name: Golasa Holding LLC
 Address: PO BOX 120
Kitty Hawk, NC 27949
 Telephone: 252 480-9998
 E-Mail Address: beachmartinc@gmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Engineer

Property Information

Physical Street Address: 1159 Austin Street, Corolla, NC
 Location: NE corner of Austin Street and NC 12 in Corolla
 Parcel Identification Number(s): 115B0002P2B0000 9936-39-8812
 Total Parcel(s) Acreage: 6.8 acres
 Existing Land Use of Property: Shopping Center

Request

Project Name: Corolla Light Town Center Miniature Golf Addition
 Proposed Use of the Property: Shopping Center
 Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 1370 PG 30
 Total square footage of land disturbance activity: 29,421 sf
 Total lot coverage: +/- 205,762 sf Total vehicular use area: +/- 124,693 sf
 Existing gross floor area: 38,371 sf shopping center
plus 22 dwelling units and 4 apartments Proposed gross floor area: 160 sf ticket booth

Community Meeting

Date Meeting Held: 8/19/16 Meeting Location: At Project Site

NOTES

1. OWNER: GOLASA HOLDINGS, LLC
PO BOX 120
KITTY HAWK, NC 27949
2. THE DEVELOPER INTENDS TO CONSTRUCT AN 18 HOLE MINIATURE GOLF COURSE AND A 5,000 SF RESTAURANT/RETAIL BUILDING AT THE COROLLA LIGHT TOWN CENTER. THE CONSTRUCTION WILL INCLUDE THE DEMOLITION OF THE EXISTING SKATE PARK AND SOME PARKING.
3. THE PROPERTY IS A PORTION OF THE COROLLA LIGHT P.U.D., RECORDED IN DEED BOOK 1370, PG. 30, CURRITUCK COUNTY PIN#: 115B0002P2B0000; GLOBAL PIN NO. 9936-39-8812 PROPERTY ADDRESS: 1159 AUSTIN STREET, COROLLA, NORTH CAROLINA 27927
4. BOUNDARY AND EXISTING IMPROVEMENTS SHOWN ON THIS PLAN IS BASED ON ALTA/ACSM LAND TITLE SURVEY BY BISSELL PROFESSIONAL GROUP TITLED "COROLLA LIGHT TOWN CENTER", DATED 7/25/2006 AND "AMENDED SITE PLAN" BY BISSELL PROFESSIONAL GROUP, DATED 2/26/2008. PARTIAL TOPOGRAPHY SURVEY PROVIDED BY BISSELL PROFESSIONAL GROUP TITLED "PARTIAL TOPOGRAPHIC SURVEY" FOR "COROLLA LIGHT VILLAGE" SIGNED BY MICHAEL D. BARR ON AUGUST 10, 2016 AND OTHER FIELD VERIFIED INFORMATION.
5. THE SITE IS LOCATED IN FIRM ZONE "SHADED X" FIRM MAP NUMBER 3720993600J, EFFECTIVE DATE: DECEMBER 16, 2005. (SUBJECT TO CHANGE BY FEMA)
6. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE SPECIFIED. ELEVATIONS SHOWN ARE HEREON PER NAVD88.
7. AREAS SHOWN ARE BY COORDINATE METHOD.
8. THERE ARE NO WETLANDS ON THIS SITE.
9. THE PROPERTY IS CURRENTLY ZONED SINGLE FAMILY RESIDENTIAL OUTER BANKS (SFO) / PLANNED UNIT DEVELOPMENT OVERLAY (PUD). RESTAURANTS AND RETAIL ARE PERMITTED USES. PUTT-PUTT COURSES ARE A CONDITIONAL USE. MINIMUM BUILDING SETBACKS:
FRONT: 20' REAR: 25' SIDE: 15' CORNER: 20'
10. PROPERTY AREA - 297,345 SF (6.83 ACRES)
NORTH EASEMENT - 11,811 SF (0.27 ACRES) (PARKING)
SITE COVERAGE REDUCTION
PREVIOUSLY APPROVED SITE PLAN ADDITIONAL COVERAGE:
BUILDING 12 3,744 SF
SIDEWALK 370 SF
BUILDING 4 2,800 SF
(INCLUDES REMOVAL OF 1600 SF PAVEMENT)
EXISTING TO BE REMOVED:
SKATE PARK AND SIDEWALK 4,928.6 SF
WOOD WALK 794.8 SF
PAVEMENT (LESS 1600 IN PREVIOUS APPROVAL) 5,102.2 SF
TOTAL 17,744.6 SF
PROPOSED IMPROVEMENTS:
NEW BUILDING 12 5,000.0 SF
SIDEWALKS 820.0 SF
MINIATURE GOLF COURSE AREA 7,428.6 SF
TICKET BOOTH 160.0 SF
WOOD WALKS, STEPS, RAMPS 923.5 SF
TOTAL NEW ADDITIONAL COVERAGE 14,382.1 SF
(3,382.5 SF REDUCTION)
(GOLF COURSE AREA COVERAGE INCLUDES HOLES, PATHS, PONDS, ROCKS AND OTHER IMPERVIOUS COURSE FEATURES)
11. STORMWATER MANAGEMENT ON THIS SITE IS CONVEYED BY SHEET FLOW AND/OR A CLOSED COLLECTION SYSTEM TO SEVERAL INFILTRATION BASINS AND A POND.
12. THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL BUFFERING (UNLESS OTHERWISE SPECIFIED TO BE REMOVED). ALL REQUIRED LANDSCAPING AND BUFFER AREAS SHALL BE MAINTAINED IN GOOD CONDITION SO AS TO PRESENT A HEALTHY AND ORDERLY APPEARANCE AND SHALL BE KEPT FREE FROM REFUSE AND DEBRIS. THIS INCLUDES, BUT IS NOT LIMITED TO, THE REPLACEMENT OF PLANTS DAMAGED BY INSECTS, DISEASE, VEHICULAR TRAFFIC, AND VANDALISM.
13. ALL SIGNS SHALL BE ERECTED, ALTERED AND MAINTAINED IN ACCORDANCE WITH THE PROVISIONS IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.
14. BUILDING HEIGHT SHALL NOT EXCEED 35'. THE BUILDING WILL COMPLY WITH VOL. 1C OF THE N.C. STATE BUILDING CODE AND CURRENT NFPA REQUIREMENTS.
15. SCREENED DUMPSTER PADS ARE PROVIDED ON THE SITE.
16. SUMMARY OF OCCUPANCY & PARKING

BLDG	TYPE	SQ. FT.	UPPER STORY DWELLING UNITS	APARTMENT
1	RETAIL/DWELLING	3,031	3	
2	RETAIL/DWELLING	3,051	3	
3	RETAIL/DWELLING	3,031	3	
5	APARTMENTS			4
6	RESTAURANT/DWELLING	1,486	2	
7	RETAIL/DWELLING	3,031	3	
9	RETAIL/DWELLING	1,483	2	
10	RESTAURANT/DWELLING	3,051	3	
11	RESTAURANT/RETAIL/DWELLING	3,031	3	
13	OFFICE/RETAIL & FOOD SERVICE KIOSK INFORMATION	17,044		
		132		

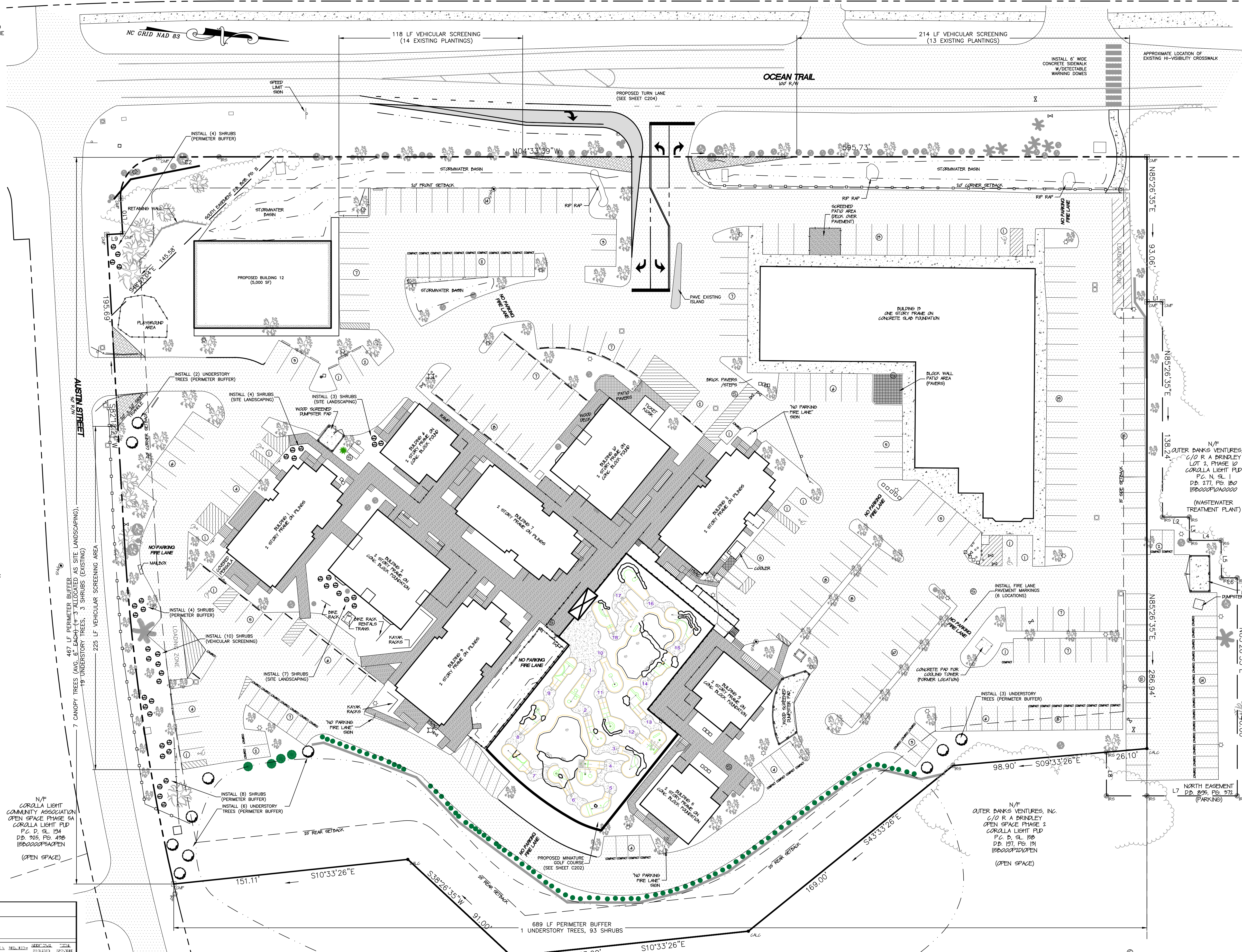
PROPOSED RESTAURANT/RETAIL/BOOTH 5,000
PROPOSED MINIATURE GOLF COURSE
PLAYING AREA 3,495
TICKET BOOTH 160

PARKING REQUIRED:
SHOPPING CENTER (OFFICE/RETAIL/RESTAURANT/KIOSK) (43,531 SF)
30,000 SF @ 1/200 SF = 150.0 SPACES
13,531 SF @ 1/300 SF = 45.1 SPACES
APARTMENTS 4 UNITS @ 1.8/UNIT = 7.2 SPACES
UPPER STORY DWELLING UNITS 22 UNITS @ 0.5/UNIT = 11.0 SPACES
MINIATURE GOLF 1/300 SF COURSE PLAYING AREA = 11.6 SPACES

TOTAL PARKING REQUIRED 224.9 SPACES
TOTAL PARKING PROVIDED 275 SPACES
STANDARD SPACES 214 SPACES
COMPACT SPACES 55 SPACES
STANDARD HANDICAPPED 2 SPACES
VAN ACCESSIBLE HANDICAPPED 5 SPACES

COROLLA VILLAGE TOWN CENTER REQUIRED LANDSCAPING CALCULATIONS											
EXISTING LANDSCAPING											
EXISTING CANOPY TREES	42	15,342									
EXISTING UNDERSTORY TREES	12	1,224									
EXISTING SHRUBS	1,100	1,100									
PROPOSED LANDSCAPING											
PROPOSED CANOPY TREES	1,100	1,100									
PROPOSED UNDERSTORY TREES	1,100	1,100									
PROPOSED SHRUBS	1,100	1,100									
TOTAL LANDSCAPING											
TOTAL CANOPY TREES	1,142	15,342									
TOTAL UNDERSTORY TREES	1,112	1,224									
TOTAL SHRUBS	1,100	1,100									

N/F COROLLA LIGHT COMMUNITY ASSOCIATION OPEN SPACE PHASE 5A COROLLA LIGHT PUD P.C.D. 5L 154 D.D. 275, PG. 429 115B0002P2B0000 (OPEN SPACE)



FINAL DRAWING
NOT FOR
CONSTRUCTION

TREE/SHRUB LEGEND

- EXISTING CANOPY TREES
- EXISTING UNDERSTORY TREES (CREPE MYRTLES)
- EXISTING SHRUBS
- PROPOSED UNDERSTORY TREES
- PROPOSED SHRUBS

NEW UNDERSTORY TREES SHALL BE CREPE MYRTLES, FLOWERING DOGWOODS, WASHINGTON HAWTHORN OR OTHER RECOMMENDED SPECIES (CURRITUCK COUNTY ADMINISTRATIVE MANUAL 3.4.6)
NEW SHRUBS SHALL BE BURFORD HOLLY, DWARF AZALEA, INDIAN HAWTHORN OR OTHER RECOMMENDED SPECIES (CURRITUCK ADMINISTRATIVE MANUAL 3.4.6)

Albemarle & Associates, Ltd.
Engineering - Environmental - Land Planning

Albemarle & Associates, Ltd.
100 S. Main Street
P.O. Box 100
Kitty Hawk, NC 27949
Phone: (252) 441-2113
www.albemarleassociates.com
Cmt. of Licensure No. C-1027
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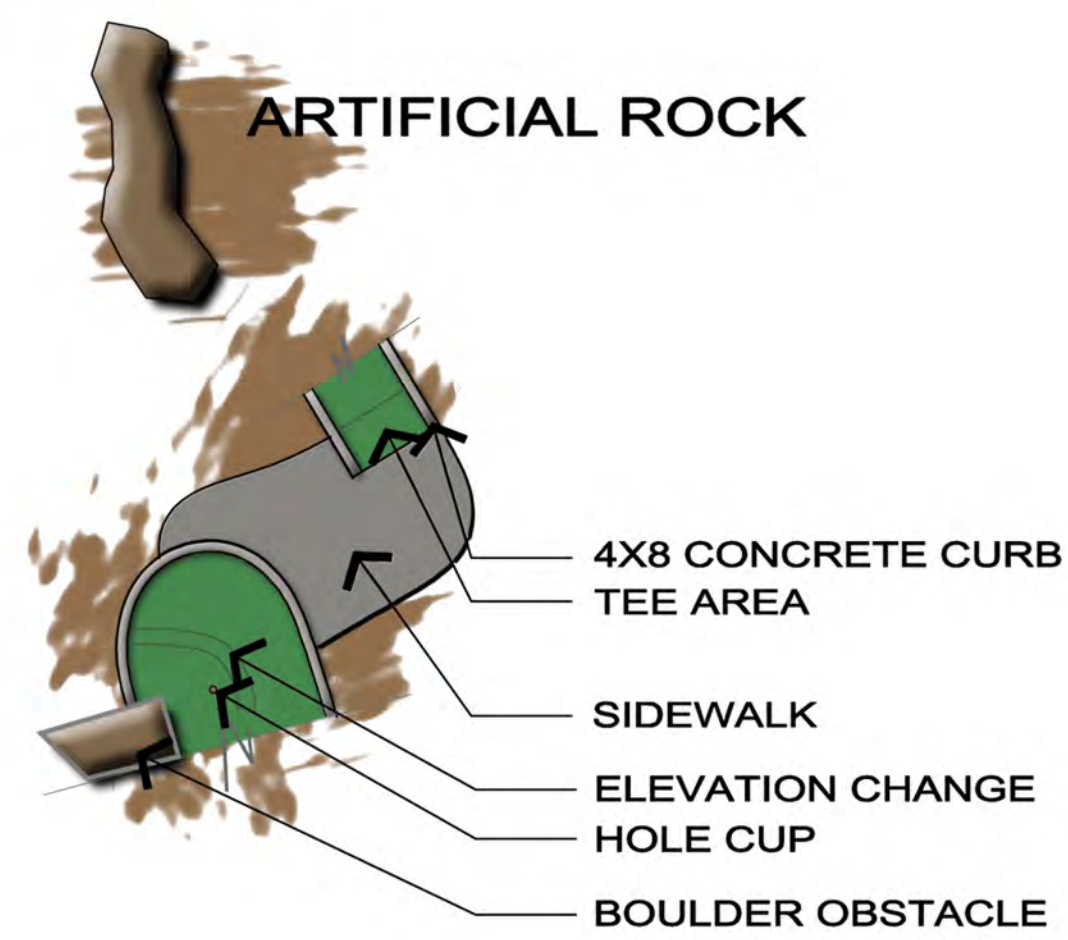


REVISIONS		
NO.	DATE	DESCRIPTION
1	09/24/2016	PRELIMINARY
2	09/24/2016	PRELIMINARY
3	09/24/2016	PRELIMINARY
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100	09/24/2016	PRELIMINARY

OVERALL SITE PLAN
GOLASA HOLDINGS, LLC
COROLLA LIGHT TOWN CENTER
COROLLA
POPLAR BRANCH TOWNSHIP
CURRITUCK
NORTH CAROLINA

DATE:	08/24/2016	SEE NOTES
SURVEYED:	AND	
DESIGNED:	AND	
DRAWN:	KCA	
CHECKED:	AND	
FILE:	08189A	
SCALE: 1" = 30'		
C201		
PROJ. NO. 08189A		

QUICK KEY



**WRECKED $\frac{1}{2}$ SHIP WITH
WATER POURING OUT
FOR FOUNTAIN**

P.O.S.

PATIO AREA

POND B

POND A

PIRATE SHIP RUIN (HOLE 17)

— **WATER SHOT HOLE**

TALL ROCK ARCH

POSSIBLE DROP HOLE WITH PIRATE SCENE

RETAINING WALL

POSSIBLE DROP HOLE
W/ PIRATE SCENE

**LARGE CAVE WITH WATER
FALLS**



FULL COURSE VIEW



SURVIVOR FORT VIEWS (HOLE 4)



POWDER KEG VIEWS (HOLE 12)

TOWN CENTER MINI-GOLF

PRELIMINARY GOLF COURSE LAYOUT

**COPYRIGHTED MATERIAL
PROPERTY OF CASTLE GOLF
NC. UNAUTHORIZED COPYING
OR REPRODUCTION IS
STRICTLY PROHIBITED.**



3033 N. NORFOLK ST.
MESA, ARIZONA, 85215
PHONE: 480-968-1955 FAX: 480-

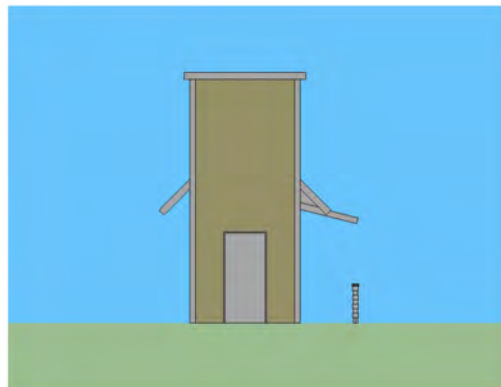
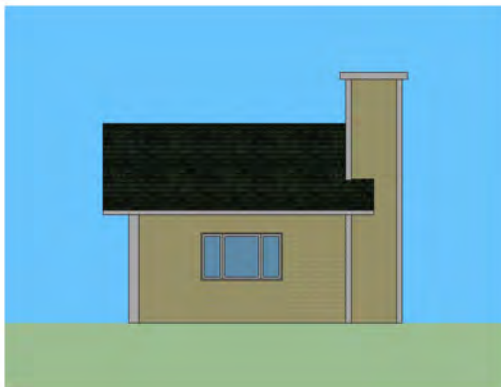
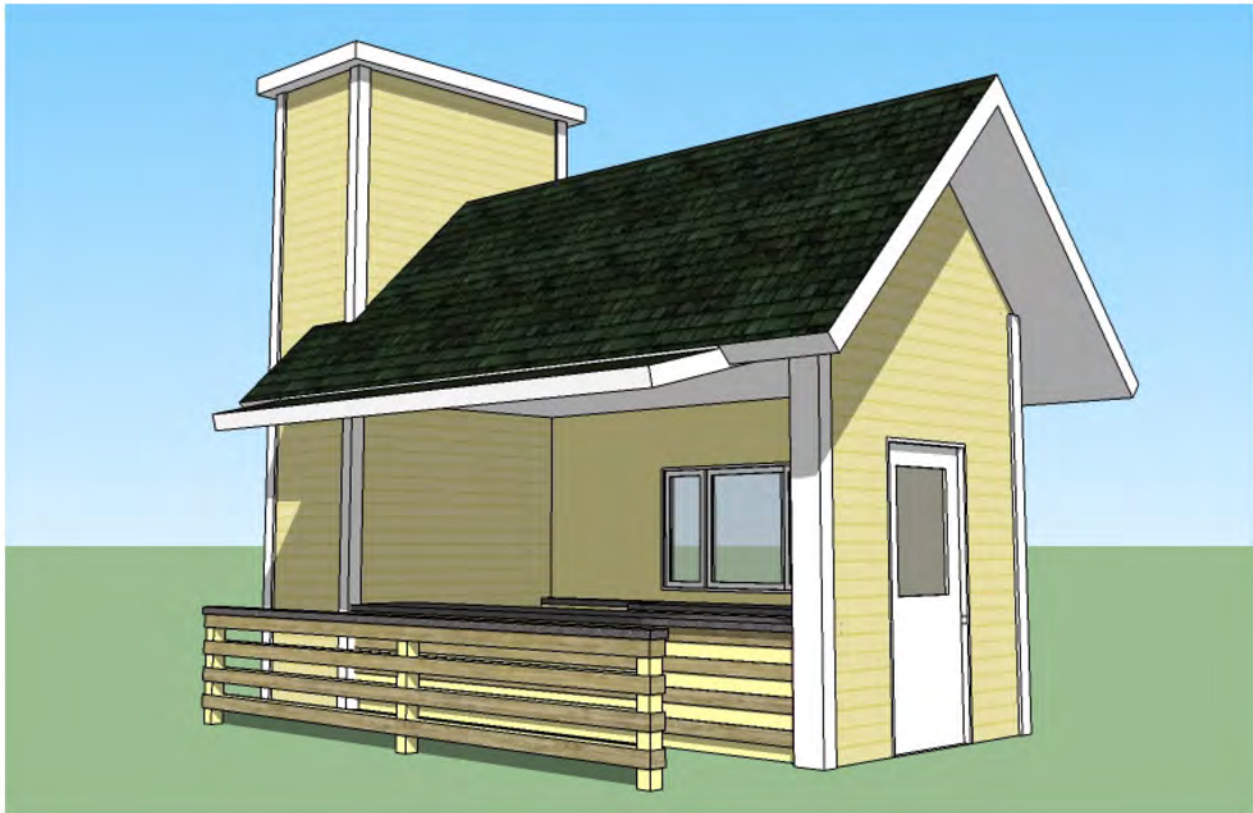
JOB NO. _____

DRAWN BY DHP

SCALE _____ N.T.S.

DATE 7-29-16

SHEET NO.




Currituck County
Department of Planning and Community Development

153 Courthouse Road, Suite 110

Currituck, North Carolina 27929

252-232-3055

FAX 252-232-3026

MEMORANDUM
To: John Delucia, Albemarle & Associates, Inc.

From: Jennie Turner, Planner II

Date: September 15, 2016

Re: Corolla Light Town Center – Miniature Golf
Use Permit/Major Site Plan

The following comments have been received for the September 21, 2016 TRC meeting. In order to be scheduled for the October 17, 2016 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by September 26, 2016. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031
Reviewed

1. Show sight distance triangles as 20' x 20' along Austin Street.
2. Show adjacent use types.
3. Provide NCDOT Encroachment agreement.
4. Is additional sewer allocation required?
5. Submit exterior lighting plan.
6. Provide height and material of proposed building(s) and proposed site features.
7. Is new signage proposed?
8. Remove bike rack from existing parking area.
9. Label existing ticket kiosk.
10. Fence Design Standards limit height to 10'; to exceed this height you may submit a Security Plan according to UDO Section 5.4.9.
11. Are there plans for the remaining residential density?
12. Proposed 5,000 square foot retail/restaurant building will require separate site plan approval prior to building permit application.
13. UDO Section 8.6 Additions or expansions of 50% of gross square footage or less require a corresponding percentage of: off-street parking, landscaping, perimeter buffer and screening standards.
 - a. Provide percentage calculations
 - b. Either show or propose that the site meets the requirements for landscaping, screening, and perimeter buffers along west and south property line.

Currituck County Engineer, Eric Weatherly

Approved

Currituck County Soil & Water Conservation, Will Creef

Attachment: Reduced 16-21 Staff Report for BOC 11.7.2016 (1697 : PB 16-21-Mini Golf-Corolla Light Town Center)

No Comment

Currituck County Utilities, Pat Irwin

Approved

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

Approved

No Comment

Currituck County GIS, Harry Lee

Reviewed

Address will be assigned by GIS when building permit applied for. A finalized site plan will be required at that time.

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

Reviewed

Currituck County Parks & Recreation, Jason Weeks, 252-232-3007

No comment

Currituck County Code Enforcement, Stacey Smith 252-232-6027

No comment

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

No comment

NCDOT, RW Midgett

Reviewed

An Encroachment Agreement with the Department will be required for construction of the right turn lane and any other facilities within the State Right of Way.

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

Reviewed

OK AS LONG AS DOES NOT CHANGE OR DISTURB EXISTING FOOTPRINTS OF RESTAURANTS LOCATED NEAR CONSTRUCTION AREA.

Corolla Fire & Rescue, Chief Rick Galganski

Approval with corrections

Need access to other structures in center of complex since the parking area that is being taken away was our access point. Designated fire lanes need to be properly marked to code.

The following items are necessary for resubmittal:

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



**Meeting Minutes from Public Meeting
for Corolla Light Village Center Miniature Golf SUP Amendment**

August 19, 2016 2:00 PM at the Project Site

Attendees:

Rick Yates	Corolla Light Board Member
Don & Rhonda Cheek,	Corolla Light Residents
Suzanne Serianni	Corolla Light Residents
Blake Buchart	
Nadya Williams	
Jennie Turner	Currituck County
Leeor Golasa	Owner's Representative
Yaniv Dresden	Owner's Representative
John M. DeLucia	Project Engineer

Several others that did not sign the attendee sheet, about 15 people total.

The meeting began at 2:10 pm on the patio at Cosmos's Pizza near the skate park. John DeLucia explained that the Owner intended to ask the Commissioners to amend their Special Use Permit to allow the existing skate park feature to be replaced with an 18-hole miniature golf course. The Owners feel that the existing use is somewhat of a liability to the shopping center and that a more family oriented outdoor recreational use would be more appropriate at this location. Several community members and one community Board member were present as well as several tenants of the facility. The new owners indicated their commitment to restoring this shopping center and to make improvements to the entire facility. All meeting attendees thought that the proposed miniature golf course would be an asset to the facility and to the community. Everyone attending expressed support of the project.

The owners provided light refreshments and the meeting eventually diverged from discussing the new golf use to other site related issues. The tenants and community members expressed the desire to reconfigure the entrance driveway to include a left and right turn lane. They also requested that we consider reconfiguring the entrance area driveway to make it less confusing and to include a sidewalk connection to the existing cross walk at the NW corner of the site.

The meeting concluded at approximately 2:45 pm.

Submitted by
John M. DeLucia, PE



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1694)

Agenda Item Title

PB 16-20 Paragon Beverage Company

Brief Description of Agenda Item:

Request for a text amendment to add Artisan Food and Beverage Producer, Large Brewery, Distillery, and Winery to the Summary use table in the appropriate zoning districts.

Board Action Requested

Action

Person Submitting Agenda Item

Jason Litteral,

Presenter of Agenda Item

Ben Woody



Currituck County

Planning and Community Development Department
 Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055 FAX 252-232-3026

To: Board of Commissioners

From: Planning Staff

Date: October 25, 2016

Subject: PB 16-20 Paragon Beverage Company

The enclosed text amendment submitted by Paragon Wholesale Beverage Company, Inc. proposes to add Artisan Food and Beverage Producer, Large Brewery, Distillery, and Winery to the Summary Use Table. The amendment also proposes to add several associated definitions to the ordinance in order to clarify the differences between uses. All of the proposed uses will allow production and distribution of products produced on site and will be required to obtain appropriate Federal, State, and local permits.

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

POLICY ED1: NEW AND EXPANDING INDUSTRIES AND BUSINESSES should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and (3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

POLICY ED4: In addition to the recruitment and expansion of major new industries, the considerable value of SMALL BUSINESS START-UPS, EXPANSIONS AND SPIN-OFFS shall also be recognized.

Recommendation:

Planning staff recommends **approval** of the text amendment with the proposed modifications because it is consistent with the goals, objectives, and policies of the Land Use Plan by promoting new businesses that diversify the economy, and that train and utilize a more highly skilled labor force. The proposal also promotes small business start-ups, expansions and spin-offs. It is reasonable and in the public interest because it provides an avenue by which Currituck County can enjoy economic benefits from one of the fastest growing industries in the Country.

Planning Board Discussion (10/11/2016)

Jason Litteral presented the staff report and stated the Technical Review Committee (TRC) had recommended approval for text amendment with proposed modifications for PB 16-20

PB 16-20 Pargon Beverage Company
 Text Amendment
 Page 1 of 5

Paragon Beverage Company because it is consistent with the goals, objectives, and policies of the Land Use Plan by promoting new businesses that diversity the economy, and because it would train and utilize a more highly skilled labor force.

Questions for Staff: Bobby Bell asked if this will affect the existing wineries and Jason said the UDO has a graduated approach if you do a certain percentage of improvements to the building you would have to come in compliance with the landscaping and parking, but as is, there is no affect. Mr. Craddock asked if we were creating a nonconforming and Jason said no since the wineries are already allowed in Knotts Island.

Michael Cherry appeared before the board and introduced him and Kathleen McCubbins. He said they have received their federal approval which took six months and now they are seeking the approval of the county.

Ms. Overstreet asked where the winery specifically would be and Mr. Cherry said on Old Stoney Road across the street from the welcome center and behind Tropical Smoothie Cafe.

With no further discussion, Mr. Craddock moved to approve the amendment and to also include the wineries in Knotts Island so they do not become nonconforming. Mr. Whiteman seconded the motion and the motion carried unanimously.

RESULT:	RECOMMENDED APPROVAL	Next: 11/7/2016
MOVER:	[UNANIMOUS]	
SECONDER:	Steven Craddock, Board	
AYES:	Carol Bell, Vice Chairman, Robert (Bobby) Bell, Board Member, Clay Cartwright, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member, Fred Whiteman, Board	

PB 16-20 Paragon Beverage Company

Amendment to the Unified Development Ordinance Chapter 4 Use Standards.

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 4. Use Standards is amended by adding the following underlined language. The addition of the following uses will require renumbering of the Additional Requirements column of the Summary Use Table, and correction of effected cross-references.

****NOTE: The text amendment as proposed does not allow wineries in the SFI district. This may cause existing Knotts Island wineries to become nonconforming uses. Currently wineries are permitted under the agribusiness use which allows agricultural products to be sold directly to consumers, but does not allow intermediate wholesalers or***

distributers. This could be problematic for current and future wineries. If wineries are added as an allowable use in the SFI district, staff suggests requiring compliance with the nonresidential design standards as is proposed in the AG district.

TABLE 4.1.1: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;
CZ= Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O
COMMERCIAL USE CLASSIFICATION																	
Retail Sales & Services	<u>Artisan Food and Beverage Producer</u>								Z				Z		M P	M P	M P
	<u>Distillery</u>												Z				
	<u>Brewery, Large</u>												Z		M P	M P	M P
	<u>Winery</u>		Z						Z				Z		M P	M P	M P

Item 2: That Chapter 4. Use Standards is amended by adding the following underlined language. The addition of a use will require renumbering of section 4.3.3 Specific Standards for Certain Accessory Uses, and correction of effected cross-references.

4.2 USE-SPECIFIC STANDARDS

4.2.4 Commercial Uses

K. Winery

(1) Wineries located in the Agriculture District (AG) shall comply with Section 5.8 Nonresidential Design Standards.

Item 3: That Chapter 10. (Definitions) is amended by adding the following underlined language.

10.5 DEFINITIONS

ARTISAN FOOD AND BEVERAGE PRODUCER

An establishment that engages in onsite commercial production of food and/or beverage products to a final form employing batch-processing or hand crafting using traditional methods, and distributes to customers on-site via product tasting and direct sales and/or off-site to retailers and wholesalers. Typical products include coffee roasters, chocolatiers, confectioners, cideries, microbreweries, brewpubs, and craft distilleries.

BREWERY, LARGE

A brewery with an annual beer production over 15,000 barrels or more and may contain a tap room/tasting room.

BREW PUB

A restaurant with facilities for the manufacture of beer onsite for consumption and retail sale at the restaurant. Where allowed by law, brewpubs may often sell beer "to go" and/or distribute to off-site accounts.

CRAFT DISTILLERY

An establishment where spirituous liquor is produced on site, and which shall include a tasting room in which guests or customers may sample the products. The building in which the craft distillery operates shall not exceed 4,000 square feet.

DISTILLERY

An establishment where spirituous liquor is produced on-site, and which may include a tasting room in which guests or customers may sample the products.

MICROBREWERY

A brewery that produces less than 15,000 barrels and may contain a tap room/tasting room. Where allowed by law, microbreweries may often sell beer "to go" and/or distribute to off-site accounts.

TAP ROOM/TASTING ROOM

A room ancillary to an artisan food and beverage producer that is used for sampling by the public of products produced on site.

WINERY

A building or property at which wine is produced, and which may include a tasting room.

Item 4: 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 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2016.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES _____NAYS _____
.....

PLANNING BOARD DATE: 10/11/2016
PLANNING BOARD RECOMMENDATION: Approval
VOTE: 7 AYES 0 NAYS
ADVERTISEMENT DATE OF PUBLIC HEARING: 10/19/2016 and 10/30/2016
BOARD OF COMMISSIONERS PUBLIC HEARING: 11/07/2016
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____

OFFICIAL USE ONLY:

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

Contact Information

APPLICANT:

Name: Paragon Wholesale Beverage Company, Inc.

Address: 520 Old Stony Rd., Unit J
Corolla, NC 27927

Telephone: 252-207-1890

E-Mail Address: _____

Request

I, the undersigned, do hereby make application to change the Currituck County UDO as herein requested.

Amend Chapter(s) _____ Section(s) _____ as follows:

See Attached

*Request may be attached on separate paper if needed.

Kathleen McCubbin
Petitioner

8/24/16
Date

Added to Definitions

1. **Artisan Food and Beverage Producer:** An establishment that engages in onsite commercial production of food and/or beverage products to a final form employing batch-processing or hand crafting using traditional methods, and distributes to customers on-site via product tasting and direct sales and/or off-site to retailers and wholesalers. Typical products include coffee roasters, chocolatiers, confectioners, cideries, microbreweries, brewpubs, and craft distilleries.
2. **Brewery:** An establishment for the manufacture of beer.
3. **Brewpub:** A restaurant with facilities for the manufacture of beer onsite for consumption and retail sale at the restaurant. Where allowed by law, brewpubs may often sell beer “to go” and/or distribute to off-site accounts.
4. **Large Brewery:** A brewery with an annual beer production over 15,000 barrels and may contain a tap room/tasting room.
5. **Microbrewery:** A brewery that produces less than 15,000 barrels and may contain a tap room/tasting room. Where allowed by law, microbreweries may often sell beer “to go” and/or distribute to off-site accounts
6. **Craft Distillery:** An establishment where spirituous liquor is produced on site, and which shall include a tasting room in which guests or customers may sample the products. The building in which the craft distillery operates shall not exceed 4,000 square feet.
7. **Distillery:** An establishment where spirituous liquor is produced on-site, and which may include a tasting room in which guests or customers may sample the products.
8. **Tap Room/Tasting Room:** A room ancillary to an artisan food and beverage producer that is used for sampling by the public of products produced on site.
9. **Winery:** A building or property at which wine is produced, and which may include a tasting room.

Added to the Summary Use Table (GB, LI)

1. Artisan Food and Beverage Producer, "Z" (Zoning Permit)
By definition this will include Brewpub, Microbrewery, and Craft Distillery.

Added to the Summary Use Table (LI)

2. Large Brewery, "Z" (Zoning Permit)
3. Distillery, "Z" (Zoning Permit)

Added to the Summary Use Table (AG, GB, LI)

1. Winery "Z" (Zoning Permit)
Wineries located in the AG district shall meet the nonresidential design standards.

Text Amendment Submittal Checklist

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

Text Amendment Submittal Checklist

Date Received: _____

Project Name: _____

Applicant/Property Owner: _____

Text Amendment Submittal Checklist		
1	Complete Text Amendment application	
2	Application fee (\$150)	
3	3 hard copies of ALL documents	
4	1 PDF digital copy of all documents (ex. Compact Disk – e-mail not acceptable)	

For Staff Only

Pre-application Conference

Pre-application Conference was held on _____ and the following people were present:

Comments



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1691)

Agenda Item Title

PB 16-23 OBX Waterpark Adventure:

Brief Description of Agenda Item:

Request to rezone .96 acres for an outdoor recreation facility (waterpark) from Heavy Industrial (HI) to Conditional - General Business (C-GB) located at 8504 Caratoke Highway, Tax Map 124, Parcel 137E, Poplar Branch Township.

Planning Board Recommendation:

<Planning Board Recommendation, IF NOT A PLANNING BOARD ITEM ERASE COMPLETELY>

Board Action Requested

Action

Person Submitting Agenda Item

Tammy Glave,

Presenter of Agenda Item

Tammy Glave



STAFF REPORT PB 16-23 OBX WATERPARK ADVENTURE LLC BOARD OF COMMISSIONERS NOVEMBER 7, 2016

APPLICATION SUMMARY

Property Owner: Barnhill Contracting Company PO Box 7948 Rocky Mount NC 27804	Applicant: OBX Waterpark Adventure LLC 13 Green Mountain Dr Cohoes NY 12047
Case Number: PB 16-23	Application Type: Conditional Rezoning
Parcel Identification Number: 0124-000-137E-0000	Existing Use: Abandoned dwelling
Land Use Plan Classification: Full Service	Parcel Size (Acres): .96 acres
Zoning History: M (1975); HM (1989)	Plan Request: Water Park (Outdoor Recreation)
Current Zoning: HI	Proposed Zoning: C-GB

SURROUNDING PARCELS

	Land Use	Zoning
North	Proposed Waterpark, Commercial Park	C-GB & HI
South	Proposed Waterpark	C-GB
East	Residential, Vacant	GB & MXR
West	Proposed Waterpark	C-GB

STAFF ANALYSIS

This .96 acre parcel is part of the OBX Waterpark Adventure; however, this parcel was not acquired until recently, so it was not a part of the original rezoning request for the waterpark.

This conditional rezoning request for C-GB is reasonable because a water park will provide a new type of outdoor recreational opportunity in the county and will promote economic growth. The establishment of a destination oriented use in the Point Harbor area should be a catalyst for higher quality growth that will help the area transition from existing strip development patterns to compact nodal development. The close proximity of the subject parcel to The Pointe and Kilmarlic golf courses begins to create a critical mass of tourist oriented activities that would have an overall positive impact on the local economy of Lower Currituck.

The policy emphasis of the 2006 Land Use Plan is for this area of Point Harbor to continue to evolve as a full service community, but with better attention to the planning needed to protect residential areas and natural features that make the area so attractive. The subject parcel has very little existing residential development in close proximity and provides a substantial buffer between the proposed

development and Albemarle Sound. By clustering new uses in this area of Point Harbor, other more rural or residentially developed areas can remain relatively unaffected by intense commercial development patterns.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends approval of the conditional rezoning as presented.

CONSISTENCY STATEMENT

The conditional zoning request is consistent with the 2006 Land Use Plan because:

- It promotes a new and expanding industry that diversifies the local economy, trains and utilizes a more highly skilled labor force, and is compatible with the environmental quality of the county. (Policy ED1)
- County water is available to the site and the use will help grow the water system. The development will provide its own wastewater treatment plant. (Policy ES1)
- It is located in an area that is intended to continue to evolve as a Full Service community. (Point Harbor Policy Emphasis)
- With limited access from US158 and a focus on landscaping and appearance standards, the request can have a positive impact on the long-term economic prospects for residents and property owners (Policy ML4).

The request is reasonable and in the public interest because:

- It promotes economic growth.
- It will provide a new type of outdoor recreation in the county.
- It is in close proximity to other tourism related uses and has adequate separation from existing residential development and environmental resources.
- According to the Comprehensive Transportation Plan, US 158 has an existing capacity of 37,600 vehicles per day – the projected 2035 annual average daily traffic volume is 26,700.

CONDITIONS OF APPROVAL

Only conditions mutually agreed to by the owner(s) may be approved as part of a conditional zoning district. Conditions shall be limited to those that address conformance of development and use of the site with county regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use. No condition shall be less restrictive than the standards of the parallel general use zoning district.

Suggested conditions of approval:

1. None.

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

Planning Board Discussion (10/11/2016)

Tammy Graves presented the staff report and stated the Technical Review Committee (TRC) had recommended approval for PB 16-23 OBX Waterpark Adventure at their meeting on September 21, 2016. Also, the traffic study was reviewed and approved.

Jane Overstreet asked if the waterpark was only going to be available to rentals and Ms. Graves said it would also be available to Currituck County residents.

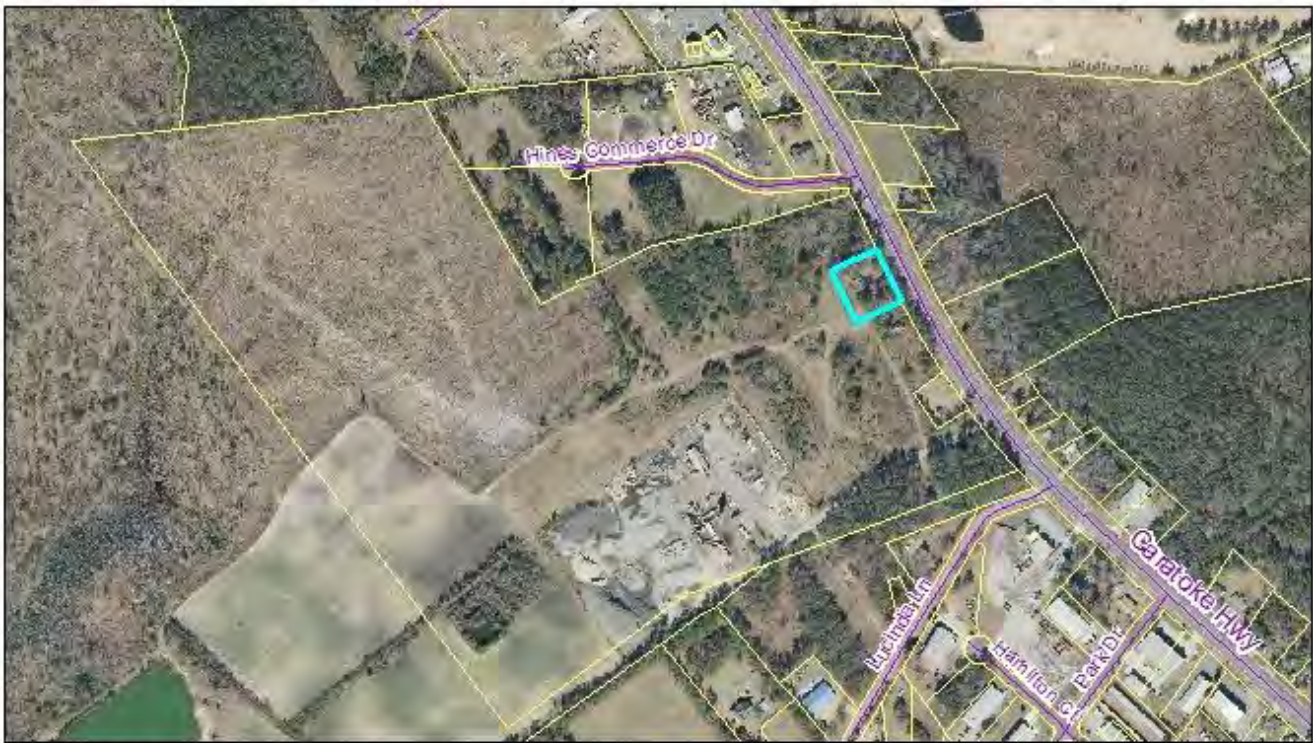
Warren Eadus from Quible & Associates, P.C., appeared before the board. Mr. Eadus stated Dare and Currituck residents will have the ability to buy tickets. The number will be limited in order to control the experience. Rentals will have a cap. The maximum capacity for parking is 1,800 and the maximum capacity of the park will be 4,000. The average person will stay 4-8 hours and the hours of operation will be from 8 am to 8 pm with tickets being available in advance. The park will employ approximately 150 seasonal employees. Phase II would include building living space for the seasonal workers and would be complete at the end of summer 2017.

Ben Woody explained to the board how the parking would accommodate the estimated 4,000 guests: Estimated 3.8 guests per car, requires 1,053 spaces to be built; 1,140 will actually be built for permanent parking spaces with an additional 550 in grass overflow

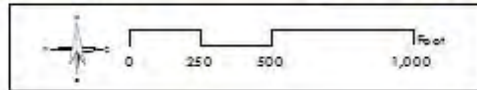
The board expressed interest in the benefit of hiring local people and if this could be accomplished, the need for living space would not be necessary. Mr. Eadus said this could be a possibility if they could pull in enough local employees to fill the positions.

Vice Chairman Bell requested a motion. Jane Overstreet motioned to approve as requested. Mr. Cartwright seconded the motion and the motion carried unanimously.

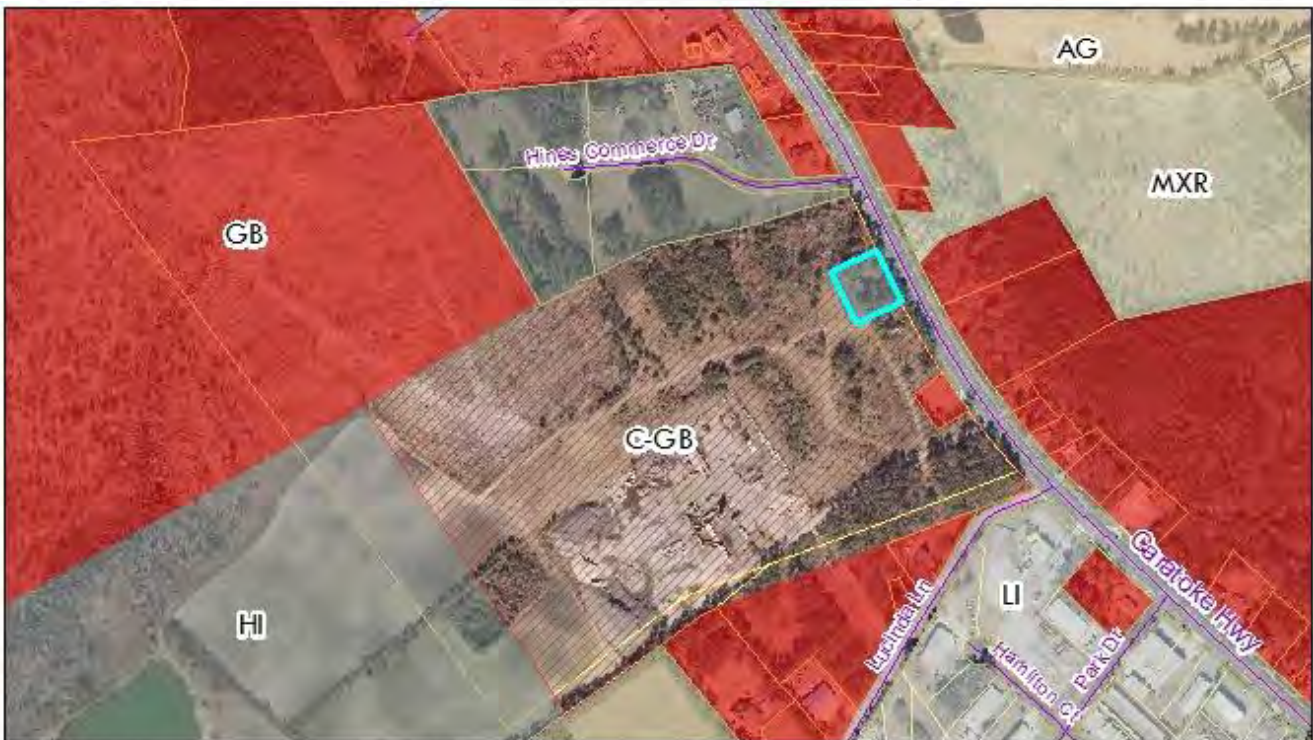
RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 11/7/2016
MOVER:	Jane Overstreet, Board Member	
SECONDER:	Clay Cartwright, Board Member	
AYES:	Carol Bell, Vice Chairman, Robert (Bobby) Bell, Board Member, Clay Cartwright, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member, Fred Whiteman, Board	



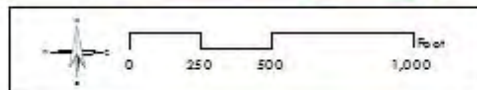
PB 16-23 OBX Waterpark Adventure
Conditional Rezoning
Aerial Photography



Currituck County
Planning and
Community Development



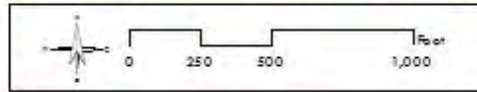
PB 16-23 OBX Waterpark Adventure
Conditional Rezoning
Zoning



Currituck County
Planning and
Community Development

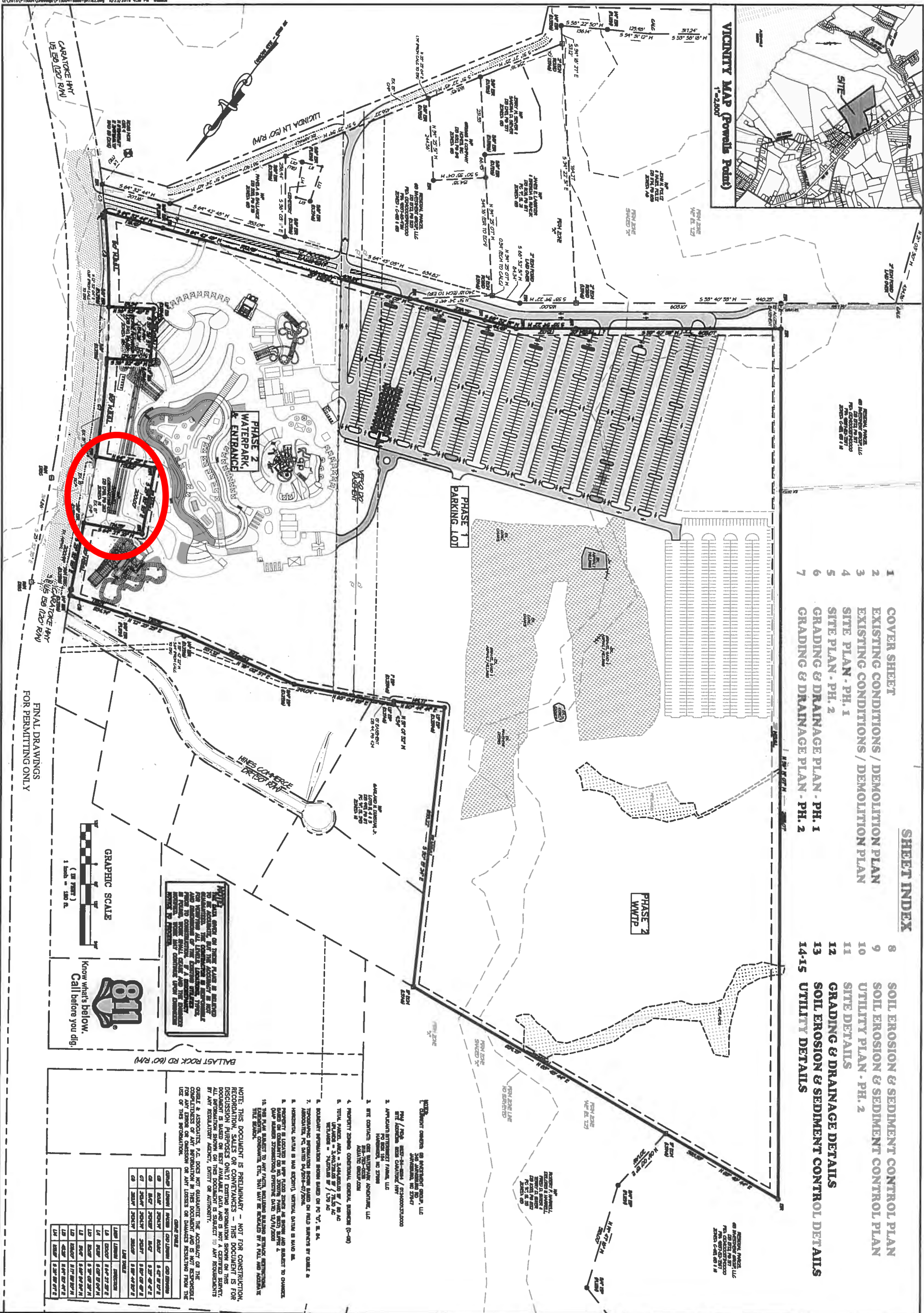


PB 16-23 OBX Waterpark Adventure
Conditional Rezoning
LUP Classification



Currituck County
Planning and
Community Development

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SHEET INDEX	
1	COVER SHEET
2	EXISTING CONDITIONS / DEMOLITION PLAN
3	EXISTING CONDITIONS / DEMOLITION PLAN
4	SITE PLAN - PH. 1
5	SITE PLAN - PH. 2
6	GRADING & DRAINAGE PLAN - PH. 1
7	GRADING & DRAINAGE PLAN - PH. 2
8	SOIL EROSION & SEDIMENT CONTROL PLAN
9	SOIL EROSION & SEDIMENT CONTROL PLAN
10	UTILITY PLAN - PH. 2
11	SITE DETAILS
12	GRADING & DRAINAGE DETAILS
13	SOIL EROSION & SEDIMENT CONTROL DETAILS
14-15	UTILITY DETAILS

811
Know what's below.
Call before you dig.

DATE	BY	REVISION
07/20/16	JMH/CMS	REVISIONS FOR MOVED EROSION CONTROL SUBMITTAL
07/22/16	JMH/CMS	REVISIONS FOR CLINTON COUNTY SUBMITTAL
08/04/16	JMH/CMS	REVISIONS AS PER MOVED EROSION CONTROL COMMENTS
08/23/16	JMH/CMS	ADDED PARK GRADING & UTILITIES FOR BID DOCUMENTS
08/23/16	JMH/CMS	REVISIONS FOR MOVED SUBMITTAL

COVER SHEET

OBX WATERPARK ADVENTURE
OBX WATERPARK ADVENTURE, LLC

POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

NO.	DATE	REVISIONS
1	07/20/16	REVISIONS FOR MOVED EROSION CONTROL SUBMITTAL
2	07/22/16	REVISIONS FOR CLINTON COUNTY SUBMITTAL
3	08/04/16	REVISIONS AS PER MOVED EROSION CONTROL COMMENTS
4	08/23/16	ADDED PARK GRADING & UTILITIES FOR BID DOCUMENTS
5	08/23/16	REVISIONS FOR MOVED SUBMITTAL

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Quible & Associates, P.C. SINCE 1899

ENGINEERING • CONSULTING • PLANNING
ENVIRONMENTAL SCIENCES • SURVEYING

NC License # C-02080

PO Drawer 870, Kitty Hawk, NC 27949
Phone (252) 481-8147 Fax (252) 481-8148
E-Mail: admin@quible.com

OF 15 SHEETS

SHEET NO. **1**

DESIGNED BY: JMH/CMS
CHECKED BY: JMH/CMS
DATE: 07/12/16



Conditional Rezoning Application

OFFICIAL USE ONLY:

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

Contact Information
APPLICANT:

Name: OBX Waterpark Adventure, LLC
 Address: 13 Green Mountain Drive
Cohoes, NY 12047
 Telephone: 518.573.0916
 E-Mail Address: chris.hewison@aquaticgroup.com

PROPERTY OWNER:

Name: Barnhill Contracting Co.
 Address: PO Box 7948
Rocky Mount NC 27804
 Telephone: 252.384.2122
 E-Mail Address: sdouglas@barnhillcontracting.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Potential Purchaser

Property Information

Physical Street Address: 8504 Caratoke Highway
 Location: Caratoke Highway Powells Point south of Hines Commerical Drive
 Parcel Identification Number(s): 9837-74-0821; 0124000137E0000
 Total Parcel(s) Acreage: 0.96
 Existing Land Use of Property: Heavy Industrial with Residence (Abandoned)

Request

Current Zoning of Property: HI Proposed Zoning District: C-GB

Community Meeting

Date Meeting Held: March 3 and 12, 2016 Meeting Location: Kilmarlic Clubhouse/Quib

Conditional Rezoning Request

To Chairman, Currituck County Board of Commissioners:

The undersigned respectfully requests that, pursuant to the Unified Development Ordinance, a conditional zoning district be approved for the following use(s) and subject to the following condition(s):

Proposed Use(s):

Development of an outdoor water park with ability to add additional outdoor entertainment features (adventure course etc...).

Associated infrastructure and amenities to include restaurants, water slides, restroom facilities, employee housing

stormwater management, on site sewer treatment and disposal, parking and all other required features as required

by County, State and Federal regulations.

Proposed Zoning Condition(s):

All proposed development will be consistent with and currently allowed within GB Zoning. No additional conditions

are requested.

An application has been duly filed requesting that the property involved with this application be rezoned from:
Heavy Industrial to: General Business

It is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the conceptual development plan, use(s) authorized, and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Currituck County Unified Development Ordinance. It is further understood and acknowledged that final plans for any development be made pursuant to any such conditional zoning district so authorized and shall be submitted to the Technical Review Committee.


Property Owner (s)

8.24.2016
Date

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

Conditional Rezoning Design Standards Checklist

The table below depicts the design standards of the conceptual development plan for a conditional rezoning application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

Conditional Rezoning

Conceptual Development Plan Design Standards Checklist

Date Received: _____

TRC Date: _____

Project Name: _____

Applicant/Property Owner: _____

Conditional Rezoning Design Standards Checklist		
1	Property owner name, address, phone number, and e-mail address.	
2	Site address and parcel identification number.	
3	A scaled drawing showing existing boundary lines, total acreage, adjacent use types, location of streets, rights-of-way, and easements.	
4	North arrow and scale to be 1" = 100' or larger.	
5	Vicinity map showing property's general location in relation to streets, railroads, and waterways.	
6	Existing zoning classification of the property and surrounding properties.	
7	Approximate location of the following existing items within the property to be rezoned and within 50' of the existing property lines: Pathways, structures, septic systems, wells, utility lines, water lines, culverts, storm drainage pipes, ditches, canals, streams, wooded areas, ponds, and cemeteries.	
8	Approximate Flood Zone line and Base Flood Elevation as delineated on the "Flood Insurance Rate Maps/Study Currituck County."	
9	Approximate location of all designated Areas of Environmental Concern or other such areas which are environmentally sensitive on the property, such as Maritime Forest, CAMA, 404, or 401 wetlands as defined by the appropriate agency.	
10	Proposed zoning classification and intended use of all land and structures, including the number of residential units and the total square footage of any non-residential development.	
11	Proposed building footprints and usages.	
12	Proposed traffic, parking, and circulation plans including streets, drives, loading and service areas, parking layout, and pedestrian circulation features.	
13	Approximate location of storm drainage patterns and facilities intended to serve the development.	
14	Proposed common areas, open space set-asides, anticipated landscape buffering, and fences or walls (if proposed).	
15	Architectural drawings and/or sketches illustrating the design and character of the proposed uses.	
16	Proposed development schedule.	

Conditional Rezoning Submittal Checklist

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

Conditional Rezoning Submittal Checklist

Date Received: _____

TRC Date: _____

Project Name: _____

Applicant/Property Owner: _____

Conditional Rezoning Submittal Checklist		
1	Complete Conditional Rezoning application	
2	Application fee (\$150 plus \$5 for each acre or part thereof)	
3	Community meeting written summary	
4	Conceptual development plan	
5	Architectural drawings and/or sketches of the proposed structures.	
6	5 copies of plans	
7	5 hard copies of ALL documents	
8	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	

For Staff Only

Pre-application Conference

Pre-application Conference was held on _____ and the following people were present:

Comments

Quible

Quible & Associates, P.C.

ENGINEERING • ENVIRONMENTAL SCIENCES • PLANNING • SURVEYING
SINCE 1959

P.O. Drawer 870
Kitty Hawk, NC 27949
Phone: 252-491-8147
Fax: 252-491-8146
web: quible.com

March 16, 2016

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

RE: **Community Meeting Report**
Conditional Rezoning Application – OBX Waterpark
Powells Point, Currituck County, NC
Parcel ID Nos: 012400001300000; 0124000137J0000; 0124000137D0000;
0124000137F0000; 0124000139N0000

Ms. Glave,

Community meetings for the proposed Conditional Rezoning of the above referenced parcels in Powells Point, Currituck County were held on March 3, 2016 and March 14, 2016 at 2:00 p.m. at the Kilmarlic Clubhouse located at 215 Westside Lane, Powells Point and the offices of Quible & Associates, P.C.; respectively. The meetings were conducted Quible on behalf of Aquatic Development Group (ADG).

Purpose

The purpose of the meeting was to inform the community in the vicinity of the subject parcels of the intent to rezone an approximately 80 acre parcel (made up of parcels as referenced above) from Heavy Industrial and General Business to Conditional District General Business for purposes of constructing an outdoor water park and associated amenities.

Meeting synopsis

At both meetings, proceedings began at 2:00 p.m. and Quible handed out an Agenda (attached), signed attendees in using a sign-up sheet (attached) and gave an overview of the rezoning request and County process. The conceptual development of the waterpark was depicted on an aerial photograph of the site and made available to the public.

During both meetings there was vocal support of the project. However, several adjacent residents voiced concerns about noise, security, traffic, views, lighting and etc... Attendees were encouraged to write down their comments and in some instances Quible wrote down concerns for attendees. Copies of the written comments are attached.

Upon conclusion of the discussion, attendees were again reminded that any further questions or comments not addressed at the meeting could be forwarded to Quible & Associates. The meetings lasted approximately one and a half hours each.

Community Meeting Report
Conditional Rezoning Application – OBX Waterpark
March 16, 2016

Copies of all handouts, exhibits, and other documents that were made available at the meeting are provided in attachments to this document.

Please do not hesitate to contact me by phone at (252) 491-8147 or via email at dtillet@quible.com should you have any questions and/or concerns.

Sincerely,
Quible & Associates, P.C.



Warren D. Eadus

cc ADG
 File



**Community Meeting for the Conditional Zoning – ADG Waterpark
 Bittersweet Farms and Griggs Investments Properties
 Powells Point, Currituck County, NC**

March 3, 2016

AGENDA

1. General Introduction

- a. Quible & Associates, P.C.
- b. Aquatic Development Group
- c. Currituck County

2. Property Location/Facts

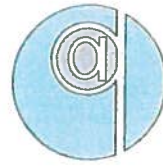
- a. PIN #s 0124000137J0000; 0124000139N0000
- b. Current Lot Size: 340 Acres, to be Subdivided to +/- 75 Acres
- c. Current Land Use: Heavy Industrial and GB—Site of Barnhill Contracting Storage Yard
- d. Site Zoning: HI and GB

3. Development Proposal

- a. Rezone portion of HI property to GB for development of waterpark

4. Questions & Comments

- a. Quible & Associates, Owner and County will be available to answer questions and comments
- b. Comments can be provided in writing on Comment Forms provided or they can be sent to Warren Eadus, Quible & Associates, P.C. by email at weadus@quible.com, phone at 252-491-8147 or by mail addressed to Quible & Associates, P.C. 8466 Caratoke Highway Powells Point NC 27966.



Quible SINCE 1959
& Associates, P.C.

ENGINEERING * CONSULTING * PLANNING
 ENVIRONMENTAL SCIENCES * SURVEYING

Phone: (252) 491-8147

Fax: (252) 491-8146

Web: www.quible.com

**Community Meeting for the Conditional Zoning – ADG Waterpark
 Bittersweet Farms and Griggs Investments Properties
 Powells Point, Currituck County, NC**

March 14, 2016

AGENDA

1. General Introduction

- a. Quible & Associates, P.C.
- b. Aquatic Development Group
- c. Currituck County

2. Property Location/Facts

- a. PIN 012400001300000
- b. PIN 0124000137J0000
- c. PIN 0124000137D0000
- d. PIN 0124000137F0000
- e. PIN 0124000139N0000

Current Lot Size: +/- 340 Acres, to be subdivided to +/- 80 Acres

- f. Current Land Use: Heavy Industrial and GB—Site of Barnhill Contracting Storage Yard
- g. Site Zoning: HI and GB

3. Development Proposal

- a. Rezone portion of HI property to GB for development of waterpark

4. Questions & Comments

- a. Quible & Associates, Owner and County will be available to answer questions and comments
- b. Comments can be provided in writing on Comment Forms provided or they can be sent to Warren Eadus, Quible & Associates, P.C. by email at weadus@quible.com, phone at 252-491-8147 or by mail addressed to Quible & Associates, P.C. 8466 Caratoke Highway Powells Point NC 27966.

P15004 -
200' Adjacent Property Owner List

Hall Family Partnership No. 2
PO Box 130
Portsmouth, VA 23705

Fortune Bay Golf Club LLC
PO Box 279
Harbinger, NC 27941

Hall Limited Partnership No. 3 LLP
PO Box 130
Portsmouth, VA 23705

AKE Properties LLC
Attn: Russ Kirk
222 Central Park Ave, STE 2100
Virginia Beach, VA 23462

Henry N. Griffin
223 Scuppernong Rd
Manteo, NC 27954

James E Lassiter
PO Box 93
Harbinger, NC 27941

Joaquin Hernandez-Salazar
PO Box 854
Carrboro, NC 27510

Wilhemeina Jordan
8541 Caratoke Highway
Powells point

Griggs Investments LLC
101 W Main St, Suite 500
Norfolk, VA 23510

Priscilla J. Herring, et al.
108 Trailwood Dr.
Dudley, NC 28333

SIEVER, JERRY W
SIEVER, SANDRA D
1502 NORTH MOUNTAIN RD
WARDENSVILLE WV 26851

Garland H. Dunstan Jr.
PO Box 402
Kitty Hawk, NC 27949

METCALF, VERN ARTHUR
4113 TARKLE RIDGE RD
KITTY HAWK NC 27949

Atlantic OBX INC
PO Box 2590
Kill Devil Hills, NC 27948

EMANUELSON, JEFFERSON K
4717 N CROATAN HWY
KITTY HAWK, NC

BRABBLE INSULATION INC
BRABBLE, PAT
PO BOX 725
AHOSKIE NC 27910

KITTY HAWK IRON AND STEEL
PO BOX 40
Harbinger NC 27941

SMALL GROUP PROPERTIES LLC
1112 KITTY HAWK RD
KITTY HAWK, NC 27949

SCHAUBACH RENTALS LLLP
2224 SPRINGFIELD AVE
NORFOLK, VA 23523

PINEY GROVE CHURCH
8482 CARATOKE HWY
POWELLS POINT, NC 27966

John H. Foltz
158 Lucinda Dr.
Powells Point, NC 27966

Southern Shores Realty Services Inc.
PO Box 150
Kitty Hawk, NC 27949

Pamela G. Balance
PO Box 134
Harbinger, NC 27941


Barnhill Contracting Co.
PO Box 7948
Rocky Mount, NC 27804

George Michael Farrow
PO Box 253
Grandy, NC 27939

Ernestine Brisbon
8537 Caratoke Hwy
Powells Point, NC 27966

Robert and Deloris Harrell
PO Box 756
Nags Head, NC 27959



PROJECT P15004	COPYRIGHT © 2015 QUIBLE & ASSOCIATES, P.C.	REZONING EXHIBIT		THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS	Quible <small>SINCE 1959</small> & Associates, P.C. ENGINEERING * CONSULTING * PLANNING ENVIRONMENTAL SCIENCES * SURVEYING NC License#: C-0208 PO Drawer 870, Kithy Hawk, NC 27949 Phone: (252) 491-8147 Fax: (252) 491-8146 E-Mail: admin@quible.com
DRAWN BY JMH	THIS DOCUMENT IS THE PROPERTY OF QUIBLE & ASSOCIATES, P.C. ANY ALTERATION OF THIS DOCUMENT IS PROHIBITED.	PROPERTY OWNERS WITHIN 200' OF REZONED PROPERTY			
CHECKED BY WDE	IF THIS DOCUMENT IS NOT SIGNED AND SEALED BY A LICENSED PROFESSIONAL THEN THIS DOCUMENT SHALL BE CONSIDERED PRELIMINARY, NOT A CERTIFIED DOCUMENT AND SHALL NOT BE USED FOR CONSTRUCTION, RECORDATION, SALES OR LAND CONVEYANCES, UNLESS OTHERWISE NOTED.	POPLAR BRNACH TOWNSHIP	CURRITUCKCOUNTY		
DATE 03/04/16		NORTH CAROLINA  GRAPHIC SCALE IN FEET 1"=300'			

Packet Pg. 43

Community Meeting for Conditional Zoning – ADG Waterpark

8528 Caratoke Highway-PIN#s 012400001300000; 0124000137J0000; 0124000137D0000;
0124000137F0000; 0124000139N0000

Powells Point, Currituck County, NC

Comments: Spoke w/ BOBBY HARRELL VIA
TELEPHONE ON 3/16/16. MR. HARRELL
SUPPORTS THE PROPOSED WATERPARK
DEVELOPMENT.

Contact Information:

W. Spade 3/16/16

SENT VIA EMAIL TO B. HARRELL ON 3/16/16
@ 1130 AM

Community Meeting for Conditional Zoning – ADG Waterpark

8528 Caratoke Highway-PIN#s 012400001300000; 0124000137J0000; 0124000137D0000;
0124000137F0000; 0124000139N0000

Powells Point, Currituck County, NC

Comments: CARRIE FOLTZ

CONCERNS/QUESTIONS:

① PRIVACY - CONCERNED ABOUT NOISE

② TRAFFIC

- INGRESS
- EGRESS
- BOTTLED UP

③ SECURITY

④ FUTURE EXPANSION

Contact Information:

Carrie Foltz

Community Meeting for Conditional Zoning – ADG Waterpark

8528 Caratoke Highway-PIN#s 012400001300000; 0124000137J0000; 0124000137D0000;
0124000137F0000; 0124000139N0000

Powells Point, Currituck County, NC

Comments:

George Farrow hatterasman1985@hotmail.
P.O. Box 253 252-202-2266
Grandy, NC 27939

I have thought for years that this would a great
Idea on the south end of the county.

I am willing to sell my parcel located at
8524 Caratoke Hwy.
Thank you!

Contact Information:

Community Meeting for Conditional Zoning – ADG Waterpark

8528 Caratoke Highway-PIN#s 0124000137J0000; 0124000139N0000

Powells Point, Currituck County, NC

Comments: WILHEMINA JORDAN:

EXPRESSED CONCERNS IN ORDER OF IMPORTANCE


① PROXIMITY TO HER RESIDENCE
"RIGHT ACROSS THE STREET"

② "WHAT WILL IT LOOK LIKE?"

③ HOW WILL IT BE SECURED
IN THE OFF SEASON

④ LIGHTING?

⑤ NOISE?

THESE COMMENTS ARE MY (WABREN D. BAUS)
RECOLLECTION OF MY CONVERSATIONS w/
MS. JORDAN.  3/3/16

Contact Information: _____

Quible

Quible & Associates, P.C.

ENGINEERING • ENVIRONMENTAL SCIENCES • PLANNING • SURVEYING
SINCE 1959

P.O. Drawer 870
Kitty Hawk, NC 27949
Phone: 252-491-8147
Fax: 252-491-8146
web: quible.com

February 22, 2016

Garland H. Dunstan Jr.
PO Box 402
Kitty Hawk, NC 27949

Re: Notice of Community Meeting
Conditional Rezoning-Bittersweet Farms, LLC Parcel
Powells Point, Currituck County, NC

Dear Property Owner(s),

Please be advised that Quible & Associates, P.C. and Aquatic Development Group (Applicant) will conduct a community meeting on March 3, 2016 at 2:00 p.m. at the Kilmarlic Golf Course Clubhouse facility located at 215 West Side Lane, Powells Point, North Carolina 27966.

The purpose of the meeting is to inform the community of Aquatic Development Groups intention to submit an application for a Conditional Rezoning of 60 acres of a +/- 540 acres property for development as an outdoor "Water Park" currently owned by Bittersweet Farms, LLC. The property is currently zoned Heavy Industrial and the proposal is to conditionally rezone the property as General Business. The subject parcel is identified as a 60 acre portion of Parcel Number 0124000137J0000 and is located on Highway 158 at 8528 Caratoke Highway in Powells Point, Currituck County.

The Applicant proposes to construct an outdoor water park and all associated infrastructure on a 60 acre tract of land. The expansion will consist of the water park, wastewater and stormwater facilities, employee housing, restaurants, water slides, wave pools and etc...

All persons having an interest in this matter are invited to attend the informational meeting. Further information regarding the proposed Conditional Rezoning may be obtained by contacting Warren Eadus of Quible & Associates, P.C. by phone at 252-491-8147 or by email at weadus@quible.com.

Sincerely,
Quible & Associates, P.C.


Warren D. Eadus

cc file
ADG

*GREAT Project.
Best Possible use of That
Property!! Win-Win For
Everyone in Currituck
GARY*

Community Meeting for Conditional Zoning – ADG Waterpark

8528 Caratoke Highway-PIN#s 0124000137J0000; 0124000139N0000

Powells Point, Currituck County, NC

Comments: GARY Dunstan, ^{Adjoining} Property owner on North & East side of N. Port. GREAT PROJECT! Fabulous use for the property. Preferences

- ① One CURB cut serving this Project + Balance of Property
- ② Buffers to adjoining properties
- ③ Low impact lighting
- ④ Drainage plan to keep all stormwater on site if possible.

I Fully support this project and it is a win-win ~~project~~ development for Lower Currituck and for the tax payers.

Contact Information: GARLAND H. "Gary" Dunstan JR.

PO Box 4

HARDINGER, NC 27941

GARYDUNSTAN@CHARTER.NET

252-202-1100

Community Meeting for Conditional Zoning – ADG Waterpark

8528 Caratoke Highway-PIN#s 0124000137J0000; 0124000139N0000

Powells Point, Currituck County, NC

Comments:

This project is a great idea for lower
Currituck and has my full support.

Contact Information:

Bryan Sullivan
bryan@kilmarlic.com

Community Meeting for Conditional Zoning – ADG Waterpark

8528 Caratoke Highway-PIN#s 0124000137J0000; 0124000139N0000

Powells Point, Currituck County, NC

Comments:

IM IN FAVOR OF APPROVAL!

Keith Hall

KEITH HALL (POINTE GOLF CLUB)
Contact Information: 252-202-8732



Quible & Associates, P.C.
ENGINEERING • CONSULTING • PLANNING
ENVIRONMENTAL SCIENCES • SURVEYING
Phone: (252) 491-8147
Fax: (252) 491-8148
Web: www.quible.com

Conditional Zoning ADG Waterpark Community Meeting
Powells Point, Currituck County, North Carolina
Quible & Associates Project No. 15004
The Following Persons Were in Attendance of the Community Meeting on March 3, 2016

#	Name	Company / Organization / Address	Telephone No.	Fax No.	Email
1.	WREAR DROUS	QUIBLE & ASSOCIATES, P.C.	252 491 8147	252 491 8146	wrears@quible.com
2.	HANK GRIFFIN	HARBEL & ASSOCIATES	423-0248	441-8432	gsurfcast@aol.com
3.	Ken Griffiss	-	491-8460	-	
4.	Brad Gripps	-	-	-	Brad@griggsandco.ca
5.	Jeff Maloney	Tuddly	252-457-1177	-	pmeville.tuddly.com
6.	C. Shy Ballance	Bitterstreet Farms	252-207-8686	-	shyballance@bitterstreet.com
7.	T-Mike Morrison	OBX CLUB	252-307-9443	-	t-mike@obxclub.com
8.	Bryan Sullivan	Killmarlee Golf Club	252-491-4216	-	bryan@killmarlee.com
9.	Dedny Horard	-	952-491-8646	-	-
10.	KEITH HALL	POINTE GOLF CLUB	252-202-8732	-	khall@thepointegolfclub.com
1.	Rick House	HOUSE ENGINEERING, P.C.	(252) 202 8253	-	rick@houseengineering.com
2.	DAVID KLEFF	HOUSE ENGINEERING	-	-	david@houseengineering.net
3.	Gary Woodson	OBX CLUB	252 491-8765	-	gwoodson@obxclub.com
4.	Gary Durosto	ADJUTANT PROPERTY OWNER	252-202-1100	-	gdurosto@cwinter.net
5.	William Urdine	8541 Cana Lake Hwy Pow. Pt.	252 491 8272	-	-
6.					
7.					
8.					



**Conditional Zoning ADG Waterpark Community Meeting
Powells Point, Currituck County, North Carolina
Quible & Associates Project No. 15004
The Following Persons Were in Attendance of the Community Meeting on March 3, 2016**

#	Name	Company / Organization / Address	Telephone No.	Fax No.	Email
1.	George Faxon		252 282 1246		
2.	Cherie Focht				
3.	John Focht				
4.	Therrell Courtenay				
5.	Sally Brumby	Blithersweet Farms			
6.	Wadeen Evans				
7.					
8.					
9.					
0.					
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					



Currituck County

Department of Planning and Community Development
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055
 FAX 252-232-3026

MEMORANDUM

To: Warren Eadus, Quible
 Chris Hewison, Aquatic Development Group

From: Tammy Glave
 Senior Planner

Date: September 15, 2016

Re: OBX Waterpark Adventure, Conditional Rezoning from HI to C-GB, TRC Comments

The following comments have been received for the September 21, 2016 Technical Review Committee meeting. The conditional rezoning will require Planning Board recommendation and Board of Commission's action. The comments listed below must be addressed and resubmitted by September 26, 2016 in order to be placed on the October 11, 2016 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

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

Approved with comments:

1. Please provide detailed landscaping plan, including buffers. (Administrative Manual)
2. Please provide detailed exterior lighting plan. (Administrative Manual)
3. A demolition permit is required for removal of the abandoned dwelling on the property.

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

Reviewed without comment.

Currituck County Code Enforcement (Stacey Smith, 252-232-6027)

Reviewed without comment.

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

Approved without comment.

Currituck County Fire Marshal (James Mims, 252-232-6641)

Reviewed without comment.

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

Reviewed without comment.

Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)

Reviewed without comment.

Attachment: OBX Waterpark TRC Comments 9-21-16 (1691 : PB 16-23 OBX Waterpark Adventure)

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

Reviewed without comment.

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

Reviewed with comments:

1. CONTACT WESLEY NIXON AT 252-338-4490 CONCERNING WATER PARK APPROVAL (POOLS/WATER QUALITY PERMITTING).
2. CONTACT KEVIN CARVER AT 252-232-6603 CONCERNING WASTEWATER TREATMENT AND DISPOSAL APPROVAL AND PERMITTING.
3. CONTACT DAVID SWINNEY (252-338-4470) OR JOSEPH F. HOBBS(252-232-6603) CONCERNING PROPOSED RESTAURANTS OR OTHER FOOD ESTABLISHMENTS(PLAN REVIEW/PERMITTING).

NC DOT (Randy Midgett, 252-331-4737)

Reviewed without comment.

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

Reviewed without comment.

The following items are necessary for resubmittal:

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



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1654)

Agenda Item Title

Public Hearing and Action: PB 16-16 E.T. Hyman Surveying (Aggregate Storage and Processing); Request to amend the UDO to allow aggregate storage and processing in the Agriculture Zoning District on parcels with direct access to the railroad.

Brief Description of Agenda Item:

Request to amend the UDO to allow aggregate storage and processing in the Agriculture Zoning District on parcels with direct access to the railroad.

Planning Board Recommendation:

Mr. Craddock moved to approve PB 16-16 due to its consistency with Policy ED1: New and expanding industries and businesses and Policy ML4: Traffic function of the NC168/US 158 Corridor, it is consistent with the goals, objectives, policies of the Land Use Plan by promoting new businesses that diversify the economy, utilize the existing train system in the county with the following recommendation:

- Change 4.3.3 B (4) to say, "The use maintains a 1000 foot setback from a residential dwelling."
- Remove 4.3.3 B (8) "The scale of concrete production does not exceed that which is typical of residential and nonresidential construction."
- Add "Type D buffer required regardless of adjoining zoning district except Heavy Industrial (HI).

Mr. Bell seconded the motion and motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Jason Litteral,

Presenter of Agenda Item

Ben Woody



Currituck County

Planning and Community Development Department
 Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055 FAX 252-232-3026

To: Board of Commissioners

From: Planning Staff

Date: September 21, 2016

Subject: PB 16-16 E.T. Hyman Surveying

The enclosed text amendment submitted by E.T. Hyman Surveying proposes to allow outdoor storage of aggregate materials for properties in the Agriculture Zoning District (AG) with direct access to the railroad. This would be permitted as an accessory to an approved principle use in the AG district. The amendment will allow the production of concrete from materials extracted from or stored on the site, or from materials that have been delivered by rail. The proposed amendment includes standards that will address property size, location, and access along with buffering of the proposed use.

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

POLICY ED1: NEW AND EXPANDING INDUSTRIES AND BUSINESSES should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and (3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

POLICY ML4: Currituck County recognizes that the appearance and traffic moving function of the NC 168/ US 158 CORRIDOR is of exceptional importance to both the near term quality of life and long-term economic prospects for residents and property owners in the Mainland Area. The Transportation and Community Appearance policy sections of this plan shall be implemented to give priority to this issue.

Recommendation:

Planning staff recommends **approval** of the text amendment with the proposed modifications because it is consistent with the goals, objectives, and policies of the Land Use Plan by promoting new businesses that diversify the economy, and that train and utilize a more highly skilled labor force. The proposed amendment provides opportunities to reduce heavy truck traffic on the 158/168 corridor by allowing aggregate material to be delivered via rail, and by providing more localized production and delivery of finished products. It is reasonable and in

PB 16-16 E.T. Hyman Surveying (Aggregate Storage and Processing)

Text Amendment

Page 1 of 6

Attachment: 16-16 Staff Report (BOC 11.7.16) (1654 : PB 16-16 E.T. Hyman Surveying (Aggregate Storage and Processing))

the public interest because it moves toward a goal of increased utilization of the existing rail system, thereby reducing the burden on major roadways, and provides opportunities for economic development.

Mr. Craddock moved to approve PB 16-16 due to its consistency with Policy ED1: New and expanding industries and businesses and Policy ML4: Traffic function of the NC168/US 158 Corridor, it is consistent with the goals, objectives, policies of the Land Use Plan by promoting new businesses that diversify the economy, utilize the existing train system in the county with the following recommendation:

- Change 4.3.3 B (4) to say, "The use maintains a 1000 foot setback from a residential dwelling."
- Remove 4.3.3 B (8) "The scale of concrete production does not exceed that which is typical of residential and nonresidential construction."
- Add "Type D buffer required regardless of adjoining zoning district except Heavy Industrial (HI).

Mr. Bell seconded the motion and motion carried unanimously.

Planning Board Discussion (9/13/16)

Ms. Overstreet asked if the railroad goes from Moyock to Elizabeth City.

Mr. Litteral said no.

Chairman Cooper opened the public hearing.

Mr. Hyman stated he had several clients that would benefit from using the railroad instead of trucks to haul aggregate materials. It would also benefit the area farmers since they can haul grain one way and could haul stone back to their property to sell at a later date.

Chairman Cooper closed the public hearing.

The planning board discussed the requirements for a setback from residential uses, mining setback, buffering, processing aggregate material (what is allowed and not), noise, smell, and pollution (if any), storing of small fuel tanks on property, scale of concrete production, and hours of operation.

The board members discussed the location of the railroad from Moyock to Shawboro and how a track spur would be needed by customers to utilize the railroad. The track spur is a short track beside the main track to allow customers to load and unload rail cars.

Mr. Craddock asked about the type of stone to be moved and if fuel would be stored on site.

Mr. Hyman said any kind of aggregate would be moved and some fuel would be stored onsite.

Mr. Litteral said "Type D buffer required regardless of adjoining zoning district except Heavy Industrial," from Mr. Hyman's list had inadvertently left off the staff report.

Mr. Craddock moved to approve PB 16-16 due to its consistency with Policy ED1: New and expanding industries and businesses and Policy ML4: Traffic function of the NC168/US 158 Corridor, it is consistent with the goals, objectives, policies of the Land Use Plan by promoting new businesses that diversify the economy, utilize the existing train system in the county with the following recommendation:

- Change 4.3.3 B (4) to say, "The use maintains a 1000 foot setback from a residential dwelling."
- Remove 4.3.3 B (8) "The scale of concrete production does not exceed that which is typical of residential and nonresidential construction."
- Add "Type D buffer required regardless of adjoining zoning district except Heavy Industrial (HI).

Mr. Bell seconded the motion and motion carried unanimously.

RESULT:	RECOMMENDED APPROVAL [7 TO 0]	Next: 10/3/2016 6:00 PM
MOVER:	Steven Craddock, Board Member	
SECONDER:	Robert (Bobby) Bell, Board Member	
AYES:	John Cooper, Chairman, Carol Bell, Vice Chairman, Robert (Bobby) Bell, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member, Fred Whiteman, Board Member	
ABSENT:	Mike Cason, Board Member	
RECUSED:	Clay Cartwright, Board Member	

**PB 16-16
E.T. Hyman Surveying**

Amendment to the Unified Development Ordinance Chapter 4 Use Standards.

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 4. Use Standards is amended by adding the following underlined language. The addition of an accessory use will require renumbering of the Additional Requirements column of the Table of Common Accessory Uses, and correction of effected cross-references.

TABLE 4.3.2.E: TABLE OF COMMON ACCESSORY USES																	
P = Permitted by-right Z= Zoning Compliance Permit U = Use Permit MP = Allowed with master plan blank cell = Prohibited																	
ACCESSORY USE TYPE	ZONING DISTRICT																ADDITIONAL REQ. (4.3.____)
	RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O	
Accessory Dwelling Unit		Z	Z	Z	Z	Z	Z	Z	Z	P	P			MP	MP	MP	3.A
Aggregate Storage and Processing		<u>Z</u>															<u>3.B</u>

Item 2: That Chapter 4. Use Standards is amended by adding the following underlined language. The addition of an accessory use will require renumbering of section 4.3.3 Specific Standards for Certain Accessory Uses, and correction of effected cross-references.

4.3.3. Specific Standards for Certain Accessory Uses

B. Aggregate Storage and Processing

Storage of aggregate materials and production of concrete may be permitted as an accessory use, provided:

- (1) The use is located on a parcel greater than 20 acres.
- (2) The property maintains direct access to the rail system.
- (3) The property maintains access to a major arterial street without using local or collector streets that traverse residential neighborhoods.

- (4) The use maintains a 1000 foot setback from residential ~~uses~~ (structures). The setback may be reduced by 50 percent where existing, preserved vegetation meets the standards for Type D buffer in Section 5.2.6.
The applicant proposed, and the planning board agreed, that the 1000 foot setback would be measured to a house instead of a property line.
- (5) The use maintains a 100 foot setback from all property lines. The setback may be reduced by 50 percent where existing, preserved vegetation meets the standards for Type D buffer in Section 5.2.6.
- (6) Outdoor storage shall be screened in accordance with section 5.2.7 Screening
- (7) The use may include outdoor storage of aggregates and the production of concrete provided:
- (a) The use does not include processing of aggregates not produced on site (i.e. drying of cement or refining petroleum based products). Sifting or filtering of sand is permitted.
 - (b) A portion of the aggregate used in concrete production is produced on site.
- ~~(8) The scale of concrete production does not exceed that which is typical of residential and nonresidential construction.~~
This language was intended to limit the scale of concrete production to that which is typical of building structures as opposed to infrastructure such as roads and bridges. The planning board recommended removal of this condition since it is somewhat confusing and hard to quantify. It was decided the requirement to be an accessory use, and therefore subordinate and incidental to the principle use, would suffice.
- (9) The use may include storage of pre-casted concrete products typical of residential or nonresidential construction.
- (10) A Type D buffer is required along all property lines regardless of the adjoining zoning district, except where the use abuts Heavy Industrial.
Planning staff asked that this language be added since it was inadvertently omitted from the staff report. The planning board agreed.

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.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES _____NAYS _____
.....

PLANNING BOARD DATE: 09/13/2016
PLANNING BOARD RECOMMENDATION: Approval
VOTE: AYES 7 NAYS 0
ADVERTISEMENT DATE OF PUBLIC HEARING: 9/21/16, 10/02/16, 10/26/16, 10/30/16
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____



Currituck County

Planning and Community Development Department
 Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 252-232-3055 FAX 252-232-3026

DATE: November 1, 2016
 TO: Board of Commissioners
 FROM: Planning Staff
 SUBJ: Staff Report Addendum

Listed below, under **Item 1**, are questions asked by the Board and answers provided by Eddie Hyman and planning staff. **Item 2** includes correspondence with the state.

Item 1

1. Please explain deletion of 4.3.3B -8 and the new 4.3.3B-7 section (A) which is empty?
 4.3.3B-8 was deleted because there is no production standard or typical amount established for use as a guide so it was best to delete the unmeasurable standard. Notes from the Planning Board meeting better clarify this.
 4.3.3B7 A is not empty in my draft??
2. Set back is 1000 ft residential and can be 100 at AG for new policy, why?
 The use is compatible with other AG uses so the 100' set back is sufficient.
3. Concern over chemical mix of concrete mix(lye) and proximity to sand mine due to water tables for wells and water being contaminated during rain and storm runoff and being in a flood zone (see county map)
 When permits are submitted for local and State approval proper storage methods will be implemented, new flood maps when adopted will remove most of this site from the Flood hazard area. I have not reviewed other sites the text amendment may affect.
4. Wind spreading concrete mix into AG area, how to stop this
 Again proper storage methods consistent with Local and State permits will be implemented to deter wind erosion.
5. Noise from reclaiming used residential and commercial concrete, and the storage of metal from this until sent to offsite location or removed by rail?
 There are no intentions to crush concrete or recycle metal under this text amendment.
6. Will this be the only metal stored/recycled on site allowed by UDO or permit ?
 Same as above.
7. Screening may benefit AG fields for Environmental , site itself is well hidden from 168 and Snowden Rd for Cartwright piece
 This site is well buffered, as noted, other sites affected by this Text Amendment may need to provide adequate buffering.
8. Have Any/ all state and federal agency rules have been checked and requested as well as environmental ones? Have all responded to county inquirers?
 State Agencies will not offer comments until a site specific application comes to their office

Attachment: applicant response and state correspondence (1654 : PB 16-16 E.T. Hyman Surveying (Aggregate Storage and Processing))

9. How many other sites adjoin the rail areas in Currituck

There are approximately 15 total parcels in Currituck County with potential for meeting all requirements of the text amendment. This does not account for size and location of the required mine or the ability to obtain certain access easements.

Item 2

The air quality rules that apply to ready mix plants are.

1. Control particulates emissions (have adequate air filter on pneumatic cement transfer system)
2. Control of visible emissions (no visible dust coming from exhaust of the pneumatic cement transfer system)
3. Control of fugitive dust. (no dust getting off site)
4. They most likely won't need an Air Quality Permit (the permit rules changed this past summer) BUT I highly recommend the company supply me with the capacity of the plant – so that we can send them a letter letting them know if they need a permit.

Rob

Robert P. Fisher, CPM

Regional Supervisor
Division of Air Quality, Washington Regional Office
North Carolina Department of Environmental Quality

252 948 3834 office
252 975 3716 fax
robert.fisher@ncdenr.gov

943 Washington Sq. Mall
Washington, NC 27889



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: May, David

Sent: Monday, October 03, 2016 9:23 AM

To: Fisher, Robert <robert.fisher@ncdenr.gov>; Edgerton, Thom <thom.edgerton@ncdenr.gov>; Peed, Richard <richard.peed@ncdenr.gov>

Cc: Jason Litteral (<Jason.Litteral@CurrituckCountyNC.gov> <Jason.Litteral@CurrituckCountyNC.gov>; Dumpor, Samir <samir.dumpor@ncdenr.gov>; Tankard, Robert <robert.tankard@ncdenr.gov>

Subject: FW: OPEN STORAGE OF AGGREGATE MATERIALS RELATED TO CONCRETE PRODUCTION

FYI. Jason is trying to get a feel for what DEQ related interests may exist for a planned concrete plant (ready mix) at a mine site in Currituck County. Can we coordinate a group call for the different programs or either call Jason back separately. Jason would like to clear any questions up if possible ASAP in preparation of a County Commissioners meeting this evening.

Looks like there may be an Air Quality and Stormwater interest for the project. Feel free to call Jason back personally or let me know if you would like to coordinate a group response/call.

Thanks

David May

Regional Supervisor – Water Quality Regional Operations Section
Department of Environmental Quality – Division of Water Resources

252-948-3939 office
david.may@ncdenr.gov

943 Washington Square Mall
Washington, NC 27889



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Jason Litteral [<mailto:Jason.Litteral@CurrituckCountyNC.gov>]

Sent: Monday, October 03, 2016 9:07 AM

To: May, David <david.may@ncdenr.gov>

Subject: OPEN STORAGE OF AGGREGATE MATERIALS RELATED TO CONCRETE PRODUCTION

David,

I hope you are doing well. I am contacting you as part of my research for a text amendment to allow storage of aggregate materials and small scale production of concrete. The use will occur on the same property as an existing sand mine so the ground water will be exposed. One of our commissioners has questioned the environmental impacts of open storage of lime, and its potential to run into the sand pit and contaminate the groundwater. There may also be some processing of old concrete containing rebar which could be extracted by grinding. Are there any state permits required or regulations regarding this type of open storage? Any advice you can offer will be much appreciated.

Jason Litteral, CFM
Planner I
Currituck County
Planning and Community Development
Phone: 252-232-6052
Fax: 252-232-3026
Jason.litteral@currituckcountync.gov
www.currituckgovernment.com



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1698)

Agenda Item Title

Consideration and Action: PB 14-26 Old Bay Ridge: Request for a preliminary plat/use permit extension of one year for property located on Tax Map 49, Parcel 82C, Crawford Township. This is a 5 residential lot traditional subdivision.

Brief Description of Agenda Item:

Request for a preliminary plat/use permit extension of one year for property located on Tax Map 49, Parcel 82C, Crawford Township. This is a 5 residential lot traditional subdivision.

Board Action Requested

Action

Person Submitting Agenda Item

Cheri Elliott, Assistant

Presenter of Agenda Item

Ben Woody



Currituck County

Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055 FAX 252-232-3026

To: Board of Commissioners
From: Planning Staff
Date: October 24, 2016
Subject: Old Bay Ridge, Preliminary Plat Extension

On November 17, 2014, the Board of Commissioners voted to approve the preliminary plat/use permit for Old Bay Ridge. This is a traditional subdivision consisting of 5 residential lots located off of Tulls Creek Road in Currituck. The preliminary plat approval is due to expire on November 17, 2016.

On October 13, 2016 the engineer, Mark Bissell – Bissell Professional Group, submitted a request for preliminary plat extension of the subdivision indicating the applicant has proceeded with the preparation of construction drawings and specifications and is in the process of applying to the state agencies for construction permits.

In accordance with the UDO Section 2.4.8.E., the Board of Commissioners may grant a two year extension of the preliminary plat one time for good cause. The applicant is requesting a one year extension.

Attachment: Old Bay Ridge PP Extension 10242016 (1698 : PB 14-26 Old Bay Ridge)



October 13, 2016

Ms. Donna Voliva, Senior Planner
Department of Planning & Community Development
Currituck County
153 Courthouse Road, Suite 110
Currituck, NC 27929

Re: PB14-26 Old Bay Ridge – Request for Extension of Use Permit

Dear Donna:

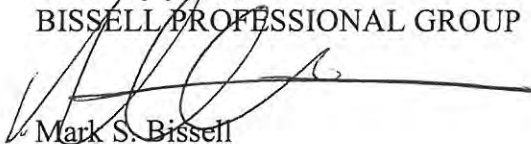
Kim Old is developing the subdivision known as Old Bay Ridge, which was approved under Permit No. PB14-26 on November 17, 2014, for property located on Tax Map 49, Parcel 82C, Crawford Township. This is a 5 residential lot traditional subdivision. We request approval of this request to extend the permit for the following reasons:

1. The Use Permit has not expired.
2. The permit recipient has proceeded with due diligence with the subject project.
3. The development would qualify for approval again under the current U.D.O. Standards.

The applicant has proceeded with the preparation of construction drawings and specifications and is in the process of applying to the various state agencies for construction permits. At least one of those approvals has been received, but there are other permits that must be obtained prior to commencing construction. Final plans and permits should be in place in the near future and the developer is ready to proceed with the infrastructure as soon as the construction authorization is received.

Thank you for your consideration of this request. Please let me know if we may provide any additional information at this time.

Sincerely yours,
BISSELL PROFESSIONAL GROUP



Mark S. Bissell

cc: H. Kim Old



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1711)

Agenda Item Title

Economic Development Advisory

Brief Description of Agenda Item:

Commissioner Aydlett has a vacancy on the Economic Development Advisory resulting from the resignation of Martha Burns. The new appointee, once approved, will fill an unexpired term ending March, 2018.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

ECONOMIC DEVELOPMENT ADVISORY BOARD
2 Year Terms

Incumbent	R or NR	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
<i>Martha Burns</i>		District 1		Vance Aydlett	3/21/2016 3/17/14	2nd March 2018
Ray Griggs		District 2		David Griggs	3/21/2016 3/17/14	2nd March 2018
Al Marzetti		District 3		Mike Payment	4/7/14 4/6/2016	1st March 2016 2nd March 2018
Greg Laput		District 4		Paul Beaumont	4/7/2014 3/21/2016	1st March 2016 2nd March 2018
Eldon Miller, III		District 5		Marion Gilbert	8/17/15	1st March 2017
Barbara Courtney		At-Large		Mike Hall	8/17/15	2nd March 2017
Sam Miller		At-Large		Paul O'Neal	10/5/15	2nd March 2017
Edward Ish		Consensus		Consensus	4/20/16	1st March 2018
John Harris		Consensus		Consensus	10/20/14 3/21/16	1st March 2016 2nd March 2018
Roger Lambertson		Consensus		Consensus	1/6/16	2nd March 2017
Keith Hall		Consensus		Consensus	10/5/15	2nd March 2017

Appointment needed to fill unexpired term.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1714)

Agenda Item Title

ABC Board

Brief Description of Agenda Item:

Planning Board Recommendation:

Consensus appointments are needed to fill two vacancies on the ABC Board. One appointment will fulfill an unexpired term ending September, 2018. The other will serve a full term ending September, 2019.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

**ABC BOARD
3 Year Terms**

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

****New Appointee will serve full, 3-year term***

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

*Chairman-David Griggs designated June 6, 2016

Attachment: ABC Board Appointment Form (1714 : ABC Board Appointments)



**CURRITUCK COUNTY
NORTH CAROLINA**

October 3, 2016

Minutes – Regular Meeting of the Board of Commissioners

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners met in regular session at 6 PM in the Historic Currituck Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
David L. Griggs	Board Chairman	Present	
O. Vance Aydtlett	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.

A) Invocation & Pledge of Allegiance-Reverend Kim Ferebee, St. Mark Church of Christ

Reverend Kim Ferebee gave the Invocation and led the Pledge of Allegiance.

B) Approval of Agenda

Chairman Griggs amended the agenda and added a Board Appointment to the Historic Boat and Building Advisory under New Business. Consent Agenda item 6, County Manager contract amendment, was removed from the agenda.

Commissioner O'Neal moved to approve. The motion was seconded by Commissioner Aydtlett and passed unanimously.

Approved Agenda:

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Reverend Kim Ferebee, St. Mark Church of Christ

B) Approval of Agenda

Communication: BOC Meeting Minutes for October 3, 2016 (Approval Of Minutes for October 3, 2016)

Administrative Reports

- A) Whalehead Dredging Presentation-Dan Scanlon, County Manager
- B) Large Residential Structures Presentation-Ben Woody, Director, Planning and Community Development

Public Hearings

- A) **Public Hearing and Action: PB 16-16 E.T. Hyman Surveying (Aggregate Storage and Processing);** Request to amend the UDO to allow aggregate storage and processing in the Agriculture Zoning District on parcels with direct access to the railroad.

Old Business

- A) **Discharge of Firearms Ordinance Discussion-Distance, Noise and Locations**

New Business

- A) **Consideration of Resolution Authorizing the County's Disposition of 95.61 Acres of Property on Knotts Island Known as a Portion of the Flyway Tract By Conveyance to the United States of America in Exchange for 719.65 Acres of Property Owned by the United States of America on the Currituck Outer Banks, Pursuant to N.C. Gen. Stat. §160A-279**
- B) **Board Appointments**
 - 1. Historic Boat and Building Advisory-**Amended Item Added to Agenda**
- C) **Consent Agenda**
 - 1. Approval Of Minutes-September 19, 2016
 - 2. Budget Amendments
 - 3. Resolution Authorizing the "Piggybacking" On a Purchase Agreement From Houston-Galveston Area Council of Governments for a 2017 IH 7400, 2 Door, OEM Cab, Pumper/Tanker with 51 foot Rear Mount Roadrunner and Associated Equipment from Rosesnbauer South Dakota, LLC and C.W. Williams and Co.,
 - 4. Knotts Island VFD-Payment Approval-Pump Module Replacement
 - 5. Consideration of County Personnel Policy
 - 6. ~~Amendment to County Manager Contract~~-**Agenda was**

Communication: BOC Meeting Minutes for October 3, 2016 (Approval Of Minutes for October 3, 2016)

amended and this item was removed from consideration at the October 3, 2016 meeting of the BOC.

7. Consideration of third amendment to agreement for the exchange of land between The Conservation Fund, County of Currituck, and the United States of America.
8. Order of Entry-R.F. London, Inc. (Mermaids)

D) Commissioner's Report

E) County Manager's Report

Public Comment

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

Adjourn

Special Meeting of the Tourism Development Authority

TDA Budget Amendments

Adjourn Special Meeting

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

ADMINISTRATIVE REPORTS

A. Whalehead Dredging Presentation-Dan Scanlon, County Manager

County Manager, Dan Scanlon, presented information on the permit application process and a history of the county's attempts to obtain dredging permits for the Whalehead boat basin channel at Historic Corolla Park. Using a powerpoint he reviewed both Environmental Assessment and Environmental Impact Statement procedures. He presented the Purpose and Need Statement prepared for the project and showed several photos of the channel over the years. He reviewed the county's applications, the first in 1996, and subsequent requests, all of which were denied by the state agencies responsible for review. A more recent pre-scoping meeting with these agencies confirmed a permit would not be issued. However, Mr. Scanlon suggested recent legislative changes may make the climate less onerous, streamlining the process and easing some of the obstacles. Mr. Scanlon said there is an application the county had begun to prepare but was not submitted and asked if the Board would like to move forward and submit a new application.

Mr. Scanlon answered questions and talked about maintenance requirements and the possible use of a consultant familiar with the procedure and who had informed him of the legislative changes.

Commissioner O'Neal said the channel was used in the 1970's and 1980's to carry mail and school children. He said it would be nice for residents to have this alternative to access the beach.

Commissioner Hall moved that the county move forward to pursue the option of opening the channel and contact the consultant. Commissioner O'Neal seconded and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike D. Hall, Commissioner
SECONDER:	S. Paul O'Neal, 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

B. Large Residential Structures Presentation-Ben Woody, Director, Planning and Community Development

Ben Woody, Planning and Community Development Director, presented a process overview and timeline of earlier meetings to gather information and Commissioner feedback to create the proposed text amendment for Large Residential Structures. He used a powerpoint to display photos of the kinds of structures affected, reviewed the revised language in the text amendment, and provided results and comments from community meetings held on the topic. He detailed the amendments proposed for houses over 5,000 square feet which include increased setbacks and buffer requirements and parking standards while showing an example of what the requirements would look like if imposed on a structure. Mr. Woody reviewed how the proportionality formula would work, with utilization of abutting lots. He reviewed the Use Standards in the off-road area, where CAMA setbacks and designated wetlands are in play. The Use Permit requirement for homes over 10,000 square feet was explained, and Mr. Woody reviewed the public's widely varied opinions on the issue.

Date: September 26, 2016

Subject: PB 16-14 Currituck County Large Residential Structures Administrative Report

At the August 1, 2016 Board of Commissioners meeting, the board directed planning staff to hold a community meeting to evaluate the proposed text amendment and to receive comments from the public.

The staff held a public meeting on August 12, 2016 at the Corolla Library. This meeting was well attended by citizens, property owners, and representatives of the building and real estate community. After a short presentation by staff, and a question and answer session, the staff solicited comments from the meeting attendees.

The enclosed meeting summary reflects the comments received.

The comments demonstrate a wide range of opinions on the topic of large residential structures. Many of the attendees did not agree on the extent to which these structures should be regulated, if at all. However, there were general areas of consensus from the meeting:

- Specifically address the ordinance impact on existing structures to avoid issues commonly associated with being designated as a nonconforming use.
- Make an allowance for areas that are already planned or platted for large residential structures (e.g., sections of Pine Island).
- The proposed minimum parking space size is too small and is not reflective of typical vehicle sizes.
- The infrastructure and level of county services necessitates differentiating between the off-road and paved road areas.

To: Board of Commissioners

From: Planning Staff

Date: July 20, 2016

Subject: PB 16-14 Currituck County Large Residential Structures Text Amendment

At the 2016 BOC Retreat in January, the board directed planning staff to develop recommendations to address the impact of large residential structures in the Currituck Outer Banks. Following the retreat, the staff conducted public outreach efforts and work sessions with citizens in Corolla. In April, the Board of Commissioners held a work session to review work and analysis completed by staff. Outcomes of the work session include:

- County attorney to submit special legislation to address life safety issues on residential structures greater than 5,000 sq. ft.
 - Commercial floor load and deck load standards
 - 13D sprinkler system (residential system)
 - Exit lighting
- Increased minimum off-street parking for all residential dwellings on the OBX
- Better signage prohibiting on-street parking
- Compatibility standards - a general consensus for **exploring this option**
 - Establish a “trigger size” to apply higher standards
 - Increased side setbacks
 - Larger lot size required in off-road beaches
 - Screening for outdoor use and refuse areas
 - Proportionality - new houses similar in scale or bulk of existing neighboring houses

The enclosed text amendment attempts to address the issues of compatibility and safety impacts of houses greater than 5,000 square feet. The draft language increases side setbacks to 25 feet, requires additional buffering for outdoor gathering spaces, and limits the number of parcels in the off-road area available for large house construction. Parking standards are increased for all residential structures. These additional rules are only triggered when a house is proposed to be larger than 5,000 square feet. Very large houses can negatively impact a neighborhood’s character and can potentially create safety issues, especially in areas where emergency response and infrastructure is limited.

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

LUP POLICY OB3: Currituck County recognizes that, on the Outer Banks in particular, “single family” homes are being built that accommodate 15, 20, 25 or more people. Thus, these LARGE RESIDENTIAL STRUCTURES are circumventing existing zoning laws that could not anticipate the advent of these building forms. Development regulations and project approvals shall therefore be based upon the actual nature of the structure rather than the label (e.g. single family) that may be attached to it.

LUP POLICY OB4: Currituck County supports policies and actions that require the square footage, number of bedrooms, and/or occupancy levels of RESIDENTIAL STRUCTURES to be determined in proportion to lot size, as well as public health and safety issues concerning water supply and sewage disposal, fire safety, emergency services, parking, traffic loads during evacuations, etc.

Staff Recommendation:

Planning staff recommends **approval** of the text amendment because it is consistent with the goals, objectives, and policies of the Land Use Plan because the proposed amendment addresses the actual nature of a large residential structure (POLICY OB3) and it addresses public health and safety issues (POLICY OB4). Further, the amendment is reasonable and in the public interest because it is required by changed conditions and results in a logical and orderly development pattern.

Planning Board Recommendation:

Mr. Cooper moved to approve PB 16-14 as presented due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development with the following conditions:

- Mainland will be exempt from text amendment.
- Corolla the text amendment will apply as written.
- Carova (Off-Road Area) the text amendment will apply as written with the condition a use permit is required of any home built over 10,000 sq. ft.

Mr. Whiteman seconded the motion and motion carried.

**PB 16-14
CURRITUCK COUNTY**

Amendment to the Unified Development Ordinance Chapter 4. Use Standards, Chapter 5. Development Standards, and Chapter 10 definitions and Measurements for single-family detached dwellings that exceed 5,000 square feet.

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 4. Use Standards is amended by adding the following underlined language and deleting the struck-through language:

4.1.1 Use Table

TABLE 4.1.1: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;
CZ = Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															ADDITIONAL REQ. (4.2.____)	
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M		PD-O
RESIDENTIAL USE CLASSIFICATION																		
Household Living	Dwelling, duplex			Z/U				Z			Z	Z			M P	M P	M P	2.A. 1
	Dwelling, live/work							Z	Z	Z	Z	Z			M P	M P	M P	2.A. 2
	Dwelling, mansion apartment							C Z			Z	Z			M P	M P	M P	2.A. 3
	Dwelling, manufactured home (class A)		Z	Z			Z	Z	Z									2.A. 4
	Dwelling, manufactured home (class B)		Z	Z			Z	Z	Z									2.A. 4
	Dwelling, multi-family							C Z			Z	Z			M P	M P	M P	2.A. 5
	Dwelling, single-family detached		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z			M	M	M	2.A.

TABLE 4.1.1: SUMMARY USE TABLE

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;
CZ = Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															ADDITIONAL REQ. (4.2.1)	
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M		PD-O
						U									P	P	P	6
	Dwelling, townhouse							CZ			Z	Z			MP	MP	MP	2.A.5
	Dwelling, upper story							Z	Z	Z	Z				MP	MP	MP	2.A.6 2.A.7
Group Living	Dormitory							Z	Z	U	Z	Z				MP		2.B.1
	Family care home			Z	Z	Z	Z	Z	Z	Z	Z	Z			MP	MP	MP	2.B.2
	Rooming or boarding house							Z	Z		Z	Z			MP	MP	MP	2.B.3

4.2.2 Residential Uses

Household Living

....

(5) Dwellings, Multi-Family and Townhouse

Multi-family and townhouse dwellings shall comply with the multi-family design standards in Section 5.7, the community compatibility standards in Section 5.10 (as appropriate), and the following standards:

- No accessory structure shall be less than ten feet from another structure.
- No improved recreation area shall be located within required exterior setbacks or within 20 feet of any dwelling unit.
- No individual building shall exceed a length of 250 feet.
- A townhouse building shall contain at least three but no more than six side-by-side dwelling units.

Dwelling, Single Family Detached

Single family detached dwellings in the SFO and SFR districts that exceed 5,000 square feet of living area shall comply with the following standards:

Side setbacks shall be a minimum of 25 feet

Storage areas for refuse containers in the SFO and SFR districts shall be screened in accordance with Section 5.2.7, Screening.

Ground-level outdoor gathering areas that exceed 1,000 square feet, including but not limited to decks, pool areas, fire pits, outdoor kitchens, and gazebos, shall be screened from abutting properties by a Type B buffer.

Total living area shall not exceed 150% of the average living area square footage of single family detached dwellings on abutting lots.

In the SFR district, may only be located on lots that exceed 120,000 square feet of lot area which excludes the following:

Required CAMA Ocean Hazard setback and Coastal Shoreline setback;

CAMA designated wetlands;

U.S. army Corps of Engineers designated 404 wetlands.

In the SFR district, single family detached dwellings that exceed 10,000 square feet are required to obtain a Use Permit.

Dwelling, Upper Story Residential

Upper story residential dwelling units shall occupy the second or higher floor of a building with a nonresidential use on the ground floor.

Item 2: That Chapter 5. Development Standards is amended by adding the following underlined language and deleting the struck-through language:

5.1.3 Off-Street Parking Standards

Parking Plan Required

The parking plan shall accurately designate the required parking spaces, access aisles, and driveways, and the relation of the off-street parking facilities to the development the facilities are designed to serve.

Minimum Number of Spaces Required

Unless otherwise expressly stated in this section or approved through an alternative parking plan, the minimum number of off-street parking spaces shall be provided in accordance with Table 5.1.3.C, Minimum Off-Street Parking Standards.

Maximum Number of Spaces Permitted

Provision up to 175 Percent of Minimum

- (e) Commercial and Industrial uses of 5,000 square feet in area or larger listed in Table 5.1.3.C, Minimum Off-Street Parking Standards, shall not exceed 125 percent of the minimum number of parking spaces required in the table.
- (f) Through approval of an alternative parking plan in accordance with Section 5.1.6.A, Provision Over the Maximum Allowed, commercial and industrial uses may provide up to a maximum of 175 percent of the minimum number of parking spaces required in the table.
- (g) Provision of more than 175 percent of the minimum number of parking spaces for uses subject to the standards of this section shall require approval of a use permit in accordance with Section 2.4.6, Use Permit.

TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL USE CLASSIFICATION		
Household Living	Dwelling, duplex	1.5 per DU
	Dwelling, live/work	1 per DU
	Dwelling, mansion apartment	1 per DU
	Dwelling, manufactured home (class A)	2 per DU
	Dwelling, manufactured home (class B)	2 per DU

TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
	Dwelling, multi-family	1.8 per DU
	Dwelling, single-family detached	0.5 per bedroom for 1-4 bedrooms
		1.0 per bedroom for 5-10 bedrooms
		0.5 per bedroom for 11+ bedrooms
	<i>Example: an 8 bedroom single family detached dwelling requires 6 parking spaces (2 for the first 4 bedrooms; 4 for bedrooms 5-8). A 15 bedroom single family detached dwelling requires 10-13 parking spaces (2 for the first 4 bedrooms; 6-11 for bedrooms 5-10; and 2 for bedrooms 11-15).</i>	
	Dwelling, townhouse	1.8 per DU
	Dwelling, upper story	0.5 per DU
Group Living	Dormitory	1 per every 2 resident beds
	Family care home	1 per every 3 resident beds
	Rooming or boarding house	1 + 1 per guest bedroom

5.1.4 Configuration of Vehicular Use Areas

General Standards for Off-Street Parking, Stacking, and Loading Areas

Use of Parking Area, Stacking Area, or Loading Space

All vehicular parking areas, stacking areas, internal aisles, and loading spaces required by this section may be referred to as "vehicular use area" and shall be used only for their intended purposes. Any other use, including, but not limited to, vehicular storage, vehicle sales, vehicular repair work, vehicle service, or display of any kind, shall constitute a separate business use of the space.

Identified as to Purpose and Location

Except for single-family detached and two-to-four family dwellings, off-street parking areas of three or more spaces and off-street loading spaces shall include painted lines, wheel stops, or other methods of identifying individual parking and loading spaces and loading areas and distinguishing such spaces from aisles or other vehicular use areas.

Location

Off-street surface parking shall be located in accordance with any applicable design standards in Section 5.7, Multi-Family Design Standards, Section 5.8, Nonresidential Design Standards, Section 5.9, Shopping Center Design Standards, or Section 5.10, Community Compatibility Standards, as appropriate.

Surfacing

- (h) Except for development within the SFR district, single-family dwellings on lots of three acres in area or larger, and as provided for in Section 5.1.6.F, Alternative Materials, all off-street parking, loading, and circulation areas shall be surfaced with asphalt, concrete, brick, crushed stone, pavers, aligned concrete strips, or an equivalent material. These materials shall be maintained in a smooth, well-graded condition.
- (i) Religious institutions, overflow parking, and parking for special events may take place on grass surfaces.

Arrangement

Convenient Access

- (i) All off-street parking, loading, and circulation areas shall be arranged for the access and safety of pedestrians and vehicles.
- (ii) Except for single family detached and two to four family dwellings uses requiring less than six parking spaces, off-street parking areas with three or more spaces shall be arranged so that no parking or maneuvering incidental to parking shall occur on a public street or sidewalk, and so that an automobile may be parked and un-parked without moving another automobile (except as provided in Section 5.1.6.E, Valet and Tandem Parking).

TABLE 5.1.5: DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES

PARKING SPACE TYPE	MINIMUM WIDTH (FEET)	MINIMUM DEPTH (FEET)	MINIMUM AISLE WIDTH (FEET) [1]	
			ONE-WAY	TWO-WAY
NON-RESIDENTIAL PARKING				
Parallel (0°)	10	22	12	20
Angled (45°)		18	14	20
Angled (60°)			16	24
Perpendicular (90°)			24	24
RESIDENTIAL PARKING				
Parallel (0°)	8	20	15 [2]	
Angled /Perpendicular		15		

[1] Parking lot aisles not adjoining parking spaces shall have a minimum width of 10 feet for one-way traffic and 20 feet for two-way traffic

[2] Drive aisles are only required for single family dwellings when 6 or more parking spaces are required

Item 3: That Chapter 10. Definitions and Measurements is amended by adding the following underlined language:

10.3.5 Bulk**Definitions/Measurement****Building Size**

Building size is the total floor area located inside exterior walls and covered by a roof.

Density, Residential

The maximum number of residential dwelling units permitted per acre of land area. Density is determined by dividing the number of dwelling units by the total amount of land area within a particular lot or tract. For the purpose of determining maximum gross density, CAMA-designated wetlands shall not be included in calculating the total amount of land area.

District Size

The minimum size, in acres, of a base or overlay zoning district, including streets, rights-of-way, and open space areas, but excluding unbuildable lands.

Floor Area

The sum of the gross horizontal areas of the floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.\

Floor Area Ratio

The total floor area of all buildings or structures on a lot divided by the lot area.

Living Area

The total square footage of all floor areas which includes finished space that is heated (conditioned), excluding any heated garages or accessory structures, as calculated by the Currituck County Tax Office.

Item 4: 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 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2016.

During his presentation, Mr. Woody answered questions from the Board regarding noise and provided additional details on proportionality.

Mr. Woody said all municipalities on the Outer Banks, with the exception of Kill Devil Hills, have limitations on home sizes ranging from 3000 to 7000 square feet. He said most coastal communities to the south impose limitations, and Virginia's Sandbridge was addressing the use of property by limiting events.

The Board discussed property use versus size, personal homes versus rental, and life safety issues, including topography and dunes. Commissioner O'Neal said Homeowners Associations can address home size if they feel a problem exists in their community. He said the use of property should be addressed. Chairman Griggs suggested any homes being built as investments are commercial in nature. During discussion Mr. Woody confirmed a local act authorizing the county to address life safety would be submitted to the legislature. He said the amendment also includes language relative to signage, parking and education.

After discussion, Mr. Woody suggested options, such as presenting the text amendment as written for public hearing or to modify or seek additional input and bring a revised amendment back to the Board for review.

Commissioner Payment said more work is needed. He said the focus should be on use rather than size, the Homeowner Association piece addressed, and look at the Use Permits. Commissioner Hall suggested adding consideration of dune topography as it pertains to the setbacks to ensure emergency access and ability to vacate.

Commissioner Aydlett said the Board has admired this problem and talked for years and said when everyone makes up their mind, take the issue up again.

Chairman Griggs said he would like the Legal Department to provide an opinion as to whether to rely on the Homeowners or Property Owners Associations to provide and enforce restrictions.

Commissioner O'Neal said he has stated from the beginning he is not going to arbitrarily tell people how large their house should be. He would consider proportionality, but believes the Board should address parking, noise and events for example if they are the issues.

Commissioner Beaumont said use is the challenge and suggested applying standards to event homes. He questioned how to distinguish an event house from another, and agreed the issue has been circling.

Commissioner Payment moved to ask staff to continue to work on the ordinance focusing on use rather than size, address the Homeowner Association piece, and look at the Use Permits and topography as stated by Commissioner Hall. Commissioner Hall seconded and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike H. Payment, Commissioner
SECONDER:	Mike D. Hall, 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

RECESS

A brief recess was called at 7:29 PM by Chairman Griggs. He reconvened the meeting at 7:35 PM.

PUBLIC HEARINGS

A. Public Hearing and Action: PB 16-16 E.T. Hyman Surveying (Aggregate Storage and Processing);

Ben Woody, Planning and Community Development Director, reviewed the text amendment request with the Board. He noted the amendment would apply county-wide. The Technical Review Committee and Planning Board recommended approval.

To: Board of Commissioners

From: Planning Staff

Date: September 21, 2016

Subject: PB 16-16 E.T. Hyman Surveying

The enclosed text amendment submitted by E.T. Hyman Surveying proposes to allow outdoor storage of aggregate materials for properties in the Agriculture Zoning District (AG) with direct access to the railroad. This would be permitted as an accessory to an approved principle use in the AG district. The amendment will allow the production of concrete from materials extracted from or stored on the site, or from materials that have been

delivered by rail. The proposed amendment includes standards that will address property size, location, and access along with buffering of the proposed use.

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

POLICY ED1: NEW AND EXPANDING INDUSTRIES AND BUSINESSES should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and (3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

POLICY ML4: Currituck County recognizes that the appearance and traffic moving function of the NC 168/ US 158 CORRIDOR is of exceptional importance to both the near term quality of life and long-term economic prospects for residents and property owners in the Mainland Area. The Transportation and Community Appearance policy sections of this plan shall be implemented to give priority to this issue.

Recommendation:

Planning staff recommends **approval** of the text amendment with the proposed modifications because it is consistent with the goals, objectives, and policies of the Land Use Plan by promoting new businesses that diversify the economy, and that train and utilize a more highly skilled labor force. The proposed amendment provides opportunities to reduce heavy truck traffic on the 158/168 corridor by allowing aggregate material to be delivered via rail, and by providing more localized production and delivery of finished products. It is reasonable and in the public interest because it moves toward a goal of increased utilization of the existing rail system, thereby reducing the burden on major roadways, and provides opportunities for economic development.

Mr. Craddock moved to approve PB 16-16 due to its consistency with Policy ED1: New and expanding industries and businesses and Policy ML4: Traffic function of the NC168/US 158 Corridor, it is consistent with the goals, objectives, policies of the Land Use Plan by promoting new businesses that diversify the economy, utilize the existing train system in the county with the following recommendation:

- Change 4.3.3 B (4) to say, "The use maintains a 1000 foot setback from a residential dwelling."
- Remove 4.3.3 B (8) "The scale of concrete production does not exceed that which is typical of residential and nonresidential construction."
- Add "Type D buffer required regardless of adjoining zoning district except Heavy Industrial (HI).

Mr. Bell seconded the motion and motion carried unanimously.

Answering Board questions, Mr. Woody said the railroad access language limits the number of affected parcels and limitations are imposed because of the accessory use requirement.

Chairman Griggs opened the public hearing.

Eddie Hyman, Hyman Surveying, asked the item be tabled so the Board's concerns could be addressed in a work session.

Mr. Scanlon suggested Board members present questions before scheduling a work session to determine if one is needed, as the answers may be able to be sufficiently answered in open session.

Commissioner Gilbert moved to accept the continuance to the next meeting with Board members filtering any questions for the applicant through the Planning Department.

Commissioner Beaumont seconded and the motion passed unanimously. The item was continued to the meeting of October 17, 2016.

RESULT:	CONTINUED [UNANIMOUS]	Next: 11/7/2016 6:00 PM
MOVER:	Marion Gilbert, 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	

OLD BUSINESS

A. Discharge of Firearms Ordinance Discussion-Distance, Noise and Locations

Ike McRee, County Attorney, to answer questions raised at the August 1, 2016, Board of Commissioners meeting when the amendment to the Discharge of Firearms Ordinance was adopted, began by providing a history of the 300 yard distance requirement, and noted its inclusion in the original ordinance adopted January 5, 1976. The ordinance was amended in March of 1996, which altered distances based on the type of shooting and nearby locations, reducing the distance for hunting. An April 2007 amendment removed wording regarding hunting and mobile homes. Mr. McRee said the 300 yard distance and backdrop required for target shooting have not changed since 1996. Mr. McRee answered Board questions to confirm distance requirements for different types of shooting. He referred to the motion to adopt the ordinance amendment at the earlier meeting which required staff to return to the Board to make a report. Chairman Griggs noted distance, noise and locations were to be discussed.

Mr. Scanlon said the noise decibel test had to be rescheduled.

Mr. Woody showed a map that depicted the locations in the county which would prohibit target shooting based on proximity to residential structures and the 300 yard requirement. He showed representations of 100 and 200 yard distances. Mr. McRee and Mr. Woody responded to questions related to the map, wetlands and backdrop requirements. Mr. McRee said the purpose for the backdrop requirement is to keep projectiles from leaving a property.

Chairman Griggs summarized the requirement to discuss provisions in the ordinance amendment as stated during its adoption.

Commissioner Beaumont said the 300 yard requirement still does not address safety and the distance is not proven to be safer than 200 or 100 yards. He said he does not agree with the arbitrary 300 yard requirement.

Chairman Griggs provided statistics and talked of the scenarios which would pertain to a 300 yard requirement. With no substantive changes to the amendment as adopted on August 1, 2016, no action was taken by the Board.

AN ORDINANCE AMENDING SECTION 9-1 OF THE CURRITUCK COUNTY CODE OF ORDINANCES REGARDING THE DISCHARGE OF FIREARMS AND SECTION 1-8 OF THE CURRITUCK COUNTY CODE OF ORDINANCES PROVIDING THAT A VIOLATOR MAY BE ISSUED A CIVIL CITATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

or

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

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

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

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

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

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

NEW BUSINESS

A. Consideration of Resolution Authorizing the County's Disposition of 95.61 Acres of Property on Knotts Island Known as a Portion of the Flyway Tract By Conveyance to the United States of America in Exchange for 719.65 Acres of Property Owned by the United States of America on the Currituck Outer Banks, Pursuant to N.C. Gen. Stat. §160A-279

Ike McRee, County Attorney, reviewed the purchase and exchange of property agreement, which would ultimately result in the county's acquisition of 719 acres on the Currituck Outer Banks. Mr. McRee reviewed the criteria and the requirement that a resolution be adopted so the process can move forward. Mr. Scanlon explained the grant award of approximately \$490,000, the land swap with US Fish and Wildlife, and possible uses such as horse habitat, hiking and recreation, and perhaps a public restroom and beach access area on a small unrestricted piece.

Commissioner Aydlett moved to approve. Commissioner Gilbert seconded and the motion passed unanimously.

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR CURRITUCK COUNTY, NORTH CAROLINA AUTHORIZING CONVEYANCE OF 95.61 ACRES OF LAND TO BE ACQUIRED BY THE COUNTY IN KNOTTS ISLAND KNOWN AS THE "FLYWAY TRACT" TO THE UNITED STATES OF AMERICA IN EXCHANGE FOR 719.95 ACRES OF LAND OWNED BY THE UNITED STATES OF AMERICA ON THE CURRITUCK OUTER BANKS

WHEREAS, pursuant to a contract between the United States of America, The Conservation Fund, a nonprofit corporation, and Currituck County, the county will acquire a 95.61 acre tract of land located on Knotts Island the north side of Moyock more particularly described as "Parcel A" and "Parcel C" "Exempt Subdivision Plat for: The Conservation Fund, Ogden Reid Property (Flyway Farm)" recorded in Plat Cabinet O, Slide 113 of the Currituck County Registry; and

WHEREAS, the United States of America owns 719.95 acres of land located on the Currituck County Outer Banks, as more particularly described in deeds recorded in Deed Book 197, Page 327; Deed Book 200, Page 831; Deed Book 241, Page 323; and Deed Book 1112, Page 279 of the Currituck County Registry; and

WHEREAS, N.C. Gen. Stat. §160A-279 authorizes a county to convey real property by private sale, with or without consideration, to an entity the county is authorized by law to appropriate money to and the United States of America is such an entity; and

WHEREAS, the United States of America will use the property conveyed to it by the county for public recreation and the enhancement and protection of wildlife within the county and

WHEREAS, Currituck County has given the required public notice and the Board of Commissioners is considering this resolution while convened in a regular meeting.

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

Section 1. The Chairman of the Board of Commissioners and County Manager are authorized to execute all documents necessary to convey fee simple title to a 95.61 acre tract of land located on Knotts Island more particularly described as "Parcel A" and "Parcel C" "Exempt Subdivision Plat for: The Conservation Fund, Ogden Reid Property (Flyway Farm)" recorded in Plat Cabinet O, Slide 113 of the Currituck County Registry.

Section 2. The consideration for the conveyance is the use of the property by the United States of America for public recreation and the enhancement and protection of wildlife and the conveyance of 719.95 acres of land located on the Currituck County Outer Banks, as more particularly described in deeds recorded in Deed Book 197, Page 327; Deed Book 200, Page 831; Deed Book 241, Page 323; and Deed Book 1112, Page 279 of the Currituck County Registry.

Section 3. The Clerk to the Board of Commissioners shall publish a notice summarizing the contents of this resolution, and the property may be conveyed at any time after 10 days from the date the notice is published.

Section 4. This resolution shall take effect upon its adoption.

ADOPTED the 3rd day of October, 2016.

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

B) Board Appointments

1. Historic Boat and Building Advisory-Amended Item Added to Agenda

Commissioner O'Neal nominated Rodney Kite to the Historic Boat and Building Advisory. The nomination was seconded by Commissioner Aydlett and unanimously approved.

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

C) Consent Agenda

Commissioner Hall recognized those in attendance from the Carova Beach Volunteer Fire Department and thanked them for their service.

Commissioner Beaumont moved to approve the consent agenda. The motion was seconded by Commissioner Aydlett and passed unanimously.

Communication: BOC Meeting Minutes for October 3, 2016 (Approval Of Minutes for October 3, 2016)

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

1) Approval Of Minutes-September 19, 2016

1. BOC Minutes for September 19, 2016

2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10640-532004	FCS Supplies	\$ 1,709	
10330-449900	Miscellaneous Grants		\$ 1,709
		\$ 1,709	\$ 1,709
Explanation:	<i>Cooperative Extension (10640)</i> - Increase appropriations to record grant funding for Senior Health Insurance Information Program.		
Net Budget Effect:	Operating fund (10) - Increased by \$1,709.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
12548-590015	Capital Outlay	\$ 27,500	
12548-532115	Fire Supplies		\$ 27,500
		\$ 27,500	\$ 27,500
Explanation:	<i>Knotts Island Vol Fire Department (12548)</i> - Transfer budgeted funds for new pump for tanker rebuild. This will be funded through existing fire contract funds.		
Net Budget Effect:	Fire Services Fund (12) - No change.		

Communication: BOC Meeting Minutes for October 3, 2016 (Approval Of Minutes for October 3, 2016)

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
50550-592008	Corp Area Apron 36237.8.13.1	\$ 39,651	
50330-448000	State Aid to Airports		\$ 35,686
50380-481000	Investment Earnings		\$ 3,965
		<u>\$ 39,651</u>	<u>\$ 39,651</u>
Explanation:	County Governmental Construction (50550) - Increase appropriations for Corporate Aircraft Parking Apron and Southern Parallel Taxiway for additionally grant funding of \$35,686. There will also be an additional 10% County match of \$3,965.		
Net Budget Effect:	County Governmental Facilities (50) - Increased by \$39,651.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10445-545000	Contract Services	\$ 4,740	
10390-449900	Apropriated Fund Balance		\$ 4,740
		<u>\$ 4,740</u>	<u>\$ 4,740</u>
Explanation:	Human Resources (10445) - Carryforward MUNIS training from FY 2016.		
Net Budget Effect:	Operating Fund (10) - Increased by \$4,470.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
63838-590000	Capital Outlay	\$ 70,342	
63390-499900	Fund Balance Appropriated		\$ 70,342
		<u>\$ 70,342</u>	<u>\$ 70,342</u>
Explanation:	Solid Waste (63838) - Emergency electrical repairs at the transfer station.		
Net Budget Effect:	Solid Waste Fund (63) - Increased by \$70,342.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10541-516000	Maintenance & Repair	\$ 826	
10541-516200	Vehicle Maintenance		\$ 826
		\$ 826	\$ 826
Explanation: <i>Fire Services (10541) - Emergency repairs to the HVAC system at the Waterlilly Fire Station.</i>			
Net Budget Effect: Operating Fund (10) - No change.			

3. Resolution Authorizing the “Piggybacking” On a Purchase Agreement From Houston-Galveston Area Council of Governments for a 2017 IH 7400, 2 Door, OEM Cab, Pumper/Tanker with 51 foot Rear Mount Roadrunner and Associated Equipment from Rosenbauer South Dakota, LLC and C.W. Williams and Co., LLC

RESOLUTION AUTHORIZING THE “PIGGYBACKING” ON A PURCHASE AGREEMENT FROM HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS FOR 2017 IH 7400, 2 DOOR, OEM CAB, PUMPER/TANKER WITH 51 FOOT REAR MOUNT ROADRUNNER AND ASSOCIATED EQUIPMENT WITH ROSENBAUER SOUTH DAKOTA, LLC AND C.W. WILLIAMS AND CO., LLC

WHEREAS, the County of Currituck desires to “piggyback” on a purchase agreement by Houston-Galveston Area Council of Governments for a 2017 IH 7400, 2 Door, OEM Cab, Pumper/Tanker with 51 foot Rear Mount Roadrunner and associated equipment from Rosenbauer South Dakota, LLC and C.W. Williams and Co., LLC; and

WHEREAS, the conditions of “piggybacking” on the original contract have been met in accordance with N.C. Gen. Stat. §143-129; and

WHEREAS, public notice of purchase of the material and equipment set forth above was published in The Daily Advance, a newspaper with general circulation within the county, on September 23, 2016.

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

Section 1. The County of Currituck is authorized to “piggyback” on the Houston-Galveston Area Council of Governments contract for a 2017 IH 7400, 2 Door, OEM Cab, Pumper/Tanker with 51 foot Rear Mount Roadrunner and associated equipment from Rosenbauer South Dakota, LLC and C.W. Williams and Co., LLC.

Section 2. The County Manager is authorized to execute the contract and other required documents for purchase of the fire truck described in this resolution.

Section 3. This resolution shall be effective upon its adoption.

This the 3rd day of October, 2016.

4. Knotts Island VFD-Payment Approval-Pump Module Replacement

5. Consideration of County Personnel Policy

Communication: BOC Meeting Minutes for October 3, 2016 (Approval Of Minutes for October 3, 2016)

NORTH CAROLINA
CURRITUCK COUNTY

R E S O L U T I O N

WHEREAS, Article 5 of Chapter 153A of the North Carolina General Statutes authorizes a Board of Commissioners to establish a personnel system; and,

WHEREAS, it is the desire of the Currituck County Board of Commissioners to establish a personnel system policy that will promote a fair and effective means of employee recruitment and selection, develop and maintain an effective and responsible work force, and provide the means for rewarding meritorious employees and the removal of unsatisfactory employees,

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners that the policy entitled "County of Currituck Personnel Policy, Effective January 7, 2017", creating a personnel system is adopted by Resolution, and all prior resolutions or policies in any way effecting the organization of the personnel system of the County are hereby repealed.

This resolution shall take effect January 7, 2017.

ADOPTED this 3rd day of October, 2016.

6. Amendment to County Manager Contract-Agenda was amended and this item was removed from consideration at the October 3, 2016 meeting of the BOC.

This item was removed from consideration.

7. Consideration of third amendment to agreement for the exchange of land between The Conservation Fund, County of Currituck, and the United States of America.

**THIRD AMENDMENT TO THE
AGREEMENT FOR THE EXCHANGE OF LANDS**

THIS AGREEMENT is the third amendment to the Agreement for the Exchange of Lands entered into by **THE CONSERVATION FUND (TCF)**, a non-profit organization as defined under Section 501(c)(3), whose address is 1655 N. Fort Myer Drive, Suite 1300, Arlington, Virginia 22209, the **COUNTY OF CURRITUCK NORTH CAROLINA (the COUNTY)**, a body politic, whose address is 153 Courthouse Road, Suite 204, Currituck, North Carolina 27209, and the **UNITED STATES OF AMERICA (USA)**, acting by and through the Secretary of the Interior or her authorized representative, dated February 13, 2015 (the "Agreement"), and herein collectively known as the **PARTIES**;

WITNESSETH:

By this Amendment, the PARTIES hereto mutually agree as follows:

1. All parties agree to extend the existing agreement to protect the integrity of the appraised value of all properties included in this agreement. This Third Amendment will be extended on a month to month basis to allow for the completion of all due diligence required by Federal Land Acquisition Standards for Fee Purchase and Exchange.

2. We further agree that the closing between the USA and TCF may go forward as agreed for \$944,900.00, the full fair market value of the 287.64 acres (76b).

Communication: BOC Meeting Minutes for October 3, 2016 (Approval Of Minutes for October 3, 2016)

3. We further agree that this amendment will correct a typo in the second amendment which stated that the value of the 95.61 acres is \$988,900.00. This was in error so the parties hereby agree that TCF may proceed to convey to the County the remaining 95.61 acres for \$981,100.00 (76c,d). This is the full fair market value of the 95.61 acres.

4. We further agree that, as stipulated in the Second Amendment, upon completion of all required due diligence for federal land acquisition standards, and; a) the direct purchase of the 287.64 acres from TCF by the USA, and b) the direct purchase of 95.61 acres from TCF by the County, the County will exchange the 95.61 acres (76c,d) in an equal value for value exchange with the USA.

5. The Parties further agree that as stated in the Second Amendment, for the purpose of preserving the integrity of the appraised value, both tracts will ultimately be conveyed to the USA and as herein stated will be done so in two separate actions; a) direct purchase with TCF and b) exchange between the County and the USA. The total consideration paid to TCF will be \$1,926,000.00 (One Million Nine Hundred Twenty-Six Thousand and No/100) and will ultimately bring the entire 383.25 acres owned by TCF to the ownership of the USA.

6. The parties do hereby agree that all other terms and conditions as set forth in the before mentioned Agreement for the Exchange of Lands, dated February 13, 2015, and subsequent First and Second Amendments will remain the same.

IN WITNESS WHEREOF, the Vendors have hereunto signed their name(s) this _____ day of _____ 2016.

8. Order of Entry-R.F. London, Inc. (Mermaids)

D) Commissioner's Report

Commissioner Payment said he attended a function at Currituck High School where the Lower Currituck Volunteer Fire Department donated over \$50,000 of equipment to the school for use in the program to recruit volunteer fire fighters. He also attended a meeting with school officials in surrounding areas to discuss the need for vocational and technical education. Commissioner Payment cautioned residents to prepare for the upcoming storm.

Commissioner Gilbert congratulated volunteers recognized at the county's Volunteer Banquet. She announced Crawford Volunteer Fire Department's Fall Festival on October 14th and the Currituck Kids Scarecrow Fest at Currituck BBQ on October 15th.

Commissioner Hall reported his attendance at the volunteer banquet and acknowledged those who give their time to volunteer, specifically mentioning two individuals who each volunteered over 500 hours.

Commissioner Aydlett showed photographs of flooded roads in Carova after the recent storm which dropped two feet of rain. He commended horse tour operators who remained off of the roadways and asked that something be put in place so the county can control 4-wheel drive beach access during catastrophic flooding. Mr. McRee suggested seeking modification of the local act to allow the county to regulate road use behind the dunes. He said we could perhaps declare a state of emergency in specific areas of the county. Commissioner Aydlett thanked the folks from the north beach who were in attendance.

Chairman Griggs expressed concern over the coming storm. He thanked the Sheriff's Department for lending aid to those on the beach who were in need during the last weather event.

E) County Manager's Report

Mr. Scanlon reminded the Board members to complete their audit forms so the county audit could be finalized. He recognized Mary Beth Newns, Emergency Management Director, who was selected as Emergency Management Director of the Year for the state of North Carolina. He provided the latest update for Hurricane Matthew, saying it was a significant storm and that Currituck is the target for now.

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.

Don Hofnagle, Carova Beach, spoke of the flooding and dangerous road conditions in Carova, noting it took an emergency vehicle seven minutes to travel 400 yards. He thanked Bob White who suspended his wild horse tours and said we need to find a way to limit traffic.

Melinda Farmer, Carova Beach, thanked Commissioners for approving the purchase of their new fire engine and for their support. She also commended Bob White for revising his tour operation and agreed area traffic should be limited. She said a Jeep group was there now and tourists are driving on the side of the roads and getting stuck. She said a fire truck took a long time to get to a fire emergency.

Sam Miller, Oxford Road, addressed his concerns related to the discussion of Large Residential Structures. He believes the beach is an investment and most homes are rentals, cautioning against arbitrary restrictions. He suggested raising taxes on the area and discussed widening roads for parking.

Jane Overstreet, Swan Beach, said law enforcement doesn't enforce the rules and are inconsistent. She is concerned the community is not being heard. She said mud truckers and day trippers tear up the roads and make no contribution to road maintenance. Permit requests are hushed and she believes large homes are a problem, mentioning fire safety and concerns with wells in drought situations.

Clay Cartwright also talked about the roads in Carova and the maintenance that has been done in the past being undone. He questioned if the role of the Army Corp of Engineers and if pumping is allowed to relieve flooding.

Marie Long talked about large residential homes. She said she does not see the amendment as restricting home size, just adding requirements if you're building bigger, such as setbacks, proportionality and parking. She discussed safety, and believes there is a connection between size and use. Ms. Long said she has more questions than answers after the earlier discussion and urged the Board to do something.

ADJOURN**Motion to Adjourn Meeting**

With there being no further business Commissioner Aydlett moved to adjourn. The motion was seconded by Commissioner Gilbert and passed unanimously. The regular meeting of the Board of Commissioners was adjourned.

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

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners, sitting as the Tourism Development Authority, held a Special Meeting in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

1. TDA Budget Amendments

County Manager, Dan Scanlon, reviewed the four budget amendments with the Board. Commissioner O'Neal moved to approve, seconded by Commissioner Aydlett. The motion passed unanimously.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-545002	Historic Preservation	\$ 480,605	
15447-592001	Whalehead Projects	\$ 5,400	
15390-499900	Appropriated Fund Balance		\$ 486,005
		\$ 486,005	\$ 486,005
Explanation:	Tourism Related Expenditures (15447) - To carry-forward funds designated for historic preservation and for signage for Historic Corolla park.		
Net Budget Effect:	Occupancy Tax Fund (15) - Increased by \$486,005.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-587010	T T - Operating Fund	\$ 18,500	
15390-499900	Appropriated Fund Balance		\$ 18,500
		\$ 18,500	\$ 18,500

Explanation: Tourism Related Expenditures (15447) - To carry-forward funds for Lower Currituck Economic Development Assessment.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$18,500.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-590000	Capital Outlay	\$ 70,000	
15320-415000	Occupancy Tax		\$ 35,000
15330-449900	Miscellaneous Grants		\$ 35,000
		\$ 70,000	\$ 70,000

Explanation: Tourism Related Expenditures (15447) - Increase appropriations for cost share between SAGA Construction and the County for Perch Street walkway.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$70,000.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15442-554000	Insurance and Bonds	\$ 8,400	
15320-415000	Occupancy Tax		\$ 8,400
		\$ 8,400	\$ 8,400

Explanation: Tourism Promotion (15447) - Increase in insurance costs due to increase in activities for this fiscal year.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$8,400.

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

ADJOURN SPECIAL MEETING

2. Motion to adjourn Special Meeting

With no further business Commissioner Gilbert moved to adjourn, seconded by Commissioner O'Neal. The motion passed unanimously and the Special Meeting of the Tourism Development Authority was concluded.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	S. Paul O'Neal, 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 # 1709)

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

2017020

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
63838-590000	Capital Outlay	\$ 13,925	
63390-499900	Fund Balance Appropriated		\$ 13,925
		<u>\$ 13,925</u>	<u>\$ 13,925</u>

Explanation: Solid Waste (63838) - Change order for upgrade to electric at transfer station.

Net Budget Effect: Solid Waste Fund (63) - Increased by \$13,925.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number 2017021

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
66868-516200	Maintenance & Repairs Vechiles.	\$ 4,500	
66868-545000	Contracted Services		\$ 2,000
66868-590000	Capital Outlay		\$ 2,500
		<u>\$ 4,500</u>	<u>\$ 4,500</u>

Explanation: *Southern Outer Banks Water (66868) - Transfer funds for repairs to two 2006 trucks used for operations in the SOBWS.*

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017022

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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	\$ 373,617	
50795-590007	Moyock Park Shingle Landing	\$ 900	
50535-590001	800 MHz Project		\$ 26,186
50551-561000	Hangar 3 Prof Services (County Funds)		\$ 20,873
50551-590000	Hangar 3 Capital Outlay (County Funds)		\$ 20,713
50795-561000	Rec Bldg Professional Services		\$ 11,625
50795-590001	Maple Campus Signage		\$ 29,367
50650-590000	Roadway & Utilities		\$ 5,500
50650-594500	Maple Com Park Contract Services		\$ 54,265
50650-596100	Maple Com Park Professional Services		\$ 64,162
50650-597000	Maple Com Park Reimburseabl Exp		\$ 4,128
50795-590003	Maintenance Building		\$ 4,414
50795-594500	Soccer Fields		\$ 133,284
		<u>\$ 374,517</u>	<u>\$ 374,517</u>

Explanation: *Veteran's Park Dock Repairs (50795)* - Transfer residual funds from completed projects for change orders required to stabilize and reconstruct dock at Veteran's Park and for increase to Laughing Gull contract for the Moyock park.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017023

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
10795-545000	Contract Services	\$ 16,500	
10795-590000	Capital Outlay	\$ 14,500	
10380-484001	Insurance Recovery		\$ 9,500
10310-400100	Vehicle Tax Collected by DMV		\$ 21,500
		<u>\$ 31,000</u>	<u>\$ 31,000</u>

Explanation: *Parks and Recreation (10795)* - Increase appropriations to remove trees at the Maple Recreation Maintenance Building damaged in Hermine, Julia and Matthew. Also, increase to repair and replace sections of bulkhead and docks at Sound Park damaged in Hurricane Matthew.

Net Budget Effect: Operating Fund (10) - Increased by \$31,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017024

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
10541-532000	Supplies		\$ 300
10541-514600	Public Education	\$ 300	
10541-502100	Salaries-OT		\$ 2,320
10541-516000	Repairs & Maintenance	\$ 2,320	
		<u>\$ 2,620</u>	<u>\$ 2,620</u>

Explanation: *Fire Services (10541) - Transfer funds for recruitment costs and repairs to HVAC system at the Waterlilly Fire Station.*

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017025

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
10660-545000	Contracted Services	\$ 30	
10540-545000	Contracted Services	\$ 30	
10510-545000	Contract Services	\$ 435	
10790-545000	Contract Services		\$ 850
10390-499900	Appropriated Fund Balance	\$ 355	
		<u>\$ 850</u>	<u>\$ 850</u>

Explanation: Sheriff (10510); Inspections (10540); Planning (10660); Library (10790) - Reallocated funding for Eastern Data door locks at the Corolla Office.

Net Budget Effect: Operating Fund (10) - Decreased by \$355.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017026

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
10530-526000	Advertising	\$ 4,000	
10530-531000	Gas		\$ 4,000
		<u>\$ 4,000</u>	<u>\$ 4,000</u>

Explanation: *Emergency Medical Services (10530) - Transfer budgeted funds for advertising for recruitment and RFP for bids.*

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017027

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
10795-516001	Park Maintenance	\$ 1,500	
10380-482000	Miscellaneous Revenue		\$ 1,500
		<u>\$ 1,500</u>	<u>\$ 1,500</u>

Explanation: *Parks and Recreation (10795) - To record receipt of restitution for damages to property at Sound Park.*

Net Budget Effect: Operating Fund (10) - Increased by \$1,500.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017028

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
68888-545000	Contracted Services		\$ 5,000
68888-533200	Lab Test	\$ 5,000	
		<u>\$ 5,000</u>	<u>\$ 5,000</u>

Explanation: *Walnut Island Sewer (68888) - Transfer funds for additional lab testing.*

Net Budget Effect: Walnuts Island Sewer Fund (68) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017029

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
12544-5900004	Capital Outlay	\$ 11,166	
12544-545000	Contract Services		\$ 11,166
		<u>\$ 11,166</u>	<u>\$ 11,166</u>

Explanation: *Crawford Volunteer Fire Department (12544) - Transfer funds per request of Crawford VFD for turnout gear to be funded within the current budget.*

Net Budget Effect: Fire Services Fund (12) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)

Number

2017030

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November 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>
12548-590005	Capital Outlay	\$ 9,500	
12548-545000	Contract Services		\$ 9,500
		<u>\$ 9,500</u>	<u>\$ 9,500</u>

Explanation: *Knotts Island Volunteer Fire Department (12548) - Request by Knotts Island VFD to purchase a boat from their current budget.*

Net Budget Effect: Fire Services Fund (12) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Nov 7_BOC (1709 : Budget Amendments)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1689)

Agenda Item Title

Project Ordinances - Public Safety Building Design Project and Corolla Sidewalks Projects

Brief Description of Agenda Item:

Project ordinances for the design phase of Public Safety Facility for County offices/Emergency Operations Center and sidewalk construction projects for Corolla Village Road and Albacore (part of the Connecting Corolla plan).

Board Action Requested

Action

Person Submitting Agenda Item

Sandra Hill, Director

Presenter of Agenda Item

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 Public Safety facility for County personnel.

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

Public Safety Facility Design	\$ 250,000
	<u>\$ 250,000</u>

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

Transfer from Transfer Tax	\$ 250,000
	<u>\$ 250,000</u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

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

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

SECTION 7. USE OF BUDGET ORDINANCE

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

ADOPTED this 7th day of November 2016.

David L. Griggs, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board

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 and construction sidewalk additions at Albacore and Corolla Village Road for expansion of connecting Corolla.

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

Albacore Sidewalk	\$ 300,000
Corolla Village Road Sidewalk	\$ 300,000
	<u>\$ 600,000</u>

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

Transfer from Occupancy Tax	\$ 600,000
	<u>\$ 600,000</u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

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

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

SECTION 7. USE OF BUDGET ORDINANCE

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

ADOPTED this 7th day of November 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 # 1702)

Agenda Item Title

Resolution Supporting the Upgrading of US Highway 17 in Northeast North Carolina to Interstate Standards

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

**RESOLUTION BY THE CURRITUCK COUNTY BOARD OF
COMMISSIONERS SUPPORTING THE UPGRADING OF U.S. HIGHWAY 17
IN NORTHEAST NORTH CAROLINA TO INTERSTATE STANDARDS**

WHEREAS, US Highway 17, the Ocean Highway, was once the primary north-south transportation route in the coastal plain of eastern North Carolina; and,

WHEREAS, US Highway 17 continues to be the primary corridor of trade for northeastern North Carolina; and,

WHEREAS, there is a substantial amount of poverty, unemployment, underemployment, and economic distress in northeastern North Carolina due to the lack of economic opportunity that adequate highways can help to provide; and,

WHEREAS, US Highway 17 as part of the proposed I-87 Interstate Route will enable northeastern North Carolina to recruit and retain industrial jobs whose companies require access to interstate-quality highways to link products and services to eastern US markets; and,

WHEREAS, the Ports of Virginia are cooperating in the joint Virginia-North Carolina effort to expand Foreign Trade Zone #20 from southeastern Virginia into northeastern North Carolina including Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Gates, and Hertford Counties; and,

WHEREAS, waterborne foreign imports accessing the United States through Ports of Virginia and Ports of North Carolina via the emerging Piedmont Atlantic Megaregion will be transported along U.S. Highway 17 as identified within the North Carolina Maritime Strategy; and,

WHEREAS, the completion of the I-87 Interstate Route from the Ports of Virginia to Raleigh will require funding and work over many years; and,

WHEREAS, the upgrading of US Highway 17 to interstate standards can coincide with the expansion of Foreign Trade Zone #20 into the area, creating a synergy to ignite economic development in northeastern North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the Currituck County Board of Commissioners does hereby request the upgrading of US Highway 17 in Northeastern North Carolina to Interstate standards be funded immediately and the planning and completion of this portion of Interstate I-87 be undertaken as quickly as possible.

This the 7th day of November, 2016.

David L. Griggs, Chairman

Attest:

Leeann Walton, Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1703)

Agenda Item Title

Resolution Requesting Summer Traffic Control from the North Carolina Highway Patrol

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

RESOLUTION REQUESTING SUMMER TRAFFIC CONTROL FROM THE NC HIGHWAY PATROL

WHEREAS, an important part of the tourism dollars that are generated for the State of North Carolina derive from visitation to the Outer Banks that occurs on weekends from Memorial Day to Labor Day; and

WHEREAS, weekend visitation during the summer season creates congestion and traffic problems that cause gridlock conditions at the intersection of Highway 158 and NC 12 in front of the Aycock Brown Welcome Center in Kitty Hawk; and

WHEREAS, the conditions that exist during summer weekends pose a serious threat to public safety not only at the Welcome Center intersection, but extend for miles in each direction, which results in backups and gridlock that stretch out through much of Currituck County on Highway 158 and to Corolla on NC 12; and

WHEREAS, the weekend gridlock that occurs at the Highway 158 and NC 12 intersection not only causes extreme backups and delays for motorists in both Dare and Currituck counties, it impedes emergency access for ambulances and other public safety vehicles; and

WHEREAS, during the summer of 2016, law enforcement agencies collaborated to assist with traffic control at the intersection of Highway 158 and NC 12 which included the North Carolina Highway Patrol on two weekends. This joint effort resulted in dramatically improved conditions and reduced the gridlock that has endangered the visitor experience and jeopardized public safety; and

WHEREAS, the Currituck County Board of Commissioners believes that the presence of law enforcement at the intersection of Highway 158 and NC 12 during summer weekends has proven to be successful and should be continued; and

WHEREAS, Currituck County is not able to continually provide the total law enforcement resources that are required to provide weekend traffic control during summer weekends at the Welcome Center intersection without seriously jeopardizing our ability to respond to other emergencies that occur during the peak visitation season.

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners respectfully requests that the North Carolina Highway Patrol provide traffic control assistance during summer weekends at the intersection of Highway 158 and NC 12 and use its professional and highly trained personnel to assist the many motorists traveling to the Outer Banks of North Carolina as a matter of public safety and to help preserve the tourism revenue stream that is in the best economic interest of North Carolina.

This the 7th day of November, 2016.

David L. Griggs, Chairman

Attest:

Leeann Walton, Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1705)

Agenda Item Title

Albemarle-Tideland OPEB Resolution & Trust Agreement

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Currituck, North Carolina, was duly held on November 7, 2016 at 6:00 p.m. in the Board of Commissioners' Meeting Room, 153 Courthouse Road, Currituck, North Carolina, Chairman David L. Griggs presiding.

The following members were present:

The following members were absent:

Commissioner _____ moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
COUNTY OF CURRITUCK, NORTH CAROLINA, AUTHORIZING
AN OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST
FUND AND RELATED TRUST AGREEMENT; APPOINTMENT OF
TRUSTEE FOR AND A CONTRIBUTION TO OPEB TRUST FUND.**

WHEREAS, the County of Currituck, North Carolina (the "*County*") is a party to a Memorandum of Agreement for the Provision of Health Insurance for Qualified Retirees of Albemarle Mental Health and Tideland Mental Health, dated July 1, 2007, to provide certain benefits for eligible retirees of those former organizations that constitute what are known as other post-employment benefits (the "*OPEB obligation*");

WHEREAS, the counties which are parties to the above Memorandum of Agreement are Camden, Chowan, Currituck, Dare, Hyde, Martin, Pasquotank, Perquimans, Tyrrell and Washington (the "*Counties*");

WHEREAS, in furtherance of the Counties funding of the OPEB obligation, the Counties wish to participate in an investment trust fund set up by the North Carolina State Treasurer's office, the NC Long Term Non-Pension Program (the "*NC NPP Trust Fund*") in which the Counties will deposit funds currently held by Martin County for the OPEB obligation;

WHEREAS, the Counties desire to create a trust fund (the "*OPEB Trust Fund*") into which Martin County will transfer the money that has been on deposit at Martin County;

WHEREAS, such deposits into the OPEB Trust Fund will be irrevocable, not subject to the claims of creditors and may only be withdrawn by the administering County to provide other post-employment benefits to individuals who are former employees or beneficiaries of former employees covered by the Memorandum of Agreement and who are entitled to other post-employment benefits payable by the former Albemarle Mental Health and Tideland Mental Health;

WHEREAS, Martin County will continue to serve as the administrating county; and

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF CURRITUCK, NORTH CAROLINA DOES RESOLVE AS FOLLOWS:

Section 1. **Creation of OPEB Trust Fund; Execution of Trust Agreement.** The County Manager and the Finance Director of the County are each hereby authorized and directed to take such action as may be necessary to create an Other Post-Employment Benefits Trust Fund into which the money on deposit at Martin County will be transferred. The County Manager and the Finance Director of the County are each hereby authorized, empowered, and directed to execute and deliver a Trust Agreement substantially in the form attached hereto, but with such changes, modifications, additions or deletions as to them seem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein. The County Manager and the Finance Director of the County are each also hereby authorized to take any other actions deemed necessary or appropriate to consummate the transactions provided for in the Trust Agreement and to take all such other actions as they may deem necessary or appropriate to give effect to the Trust Agreement.

Section 2. **Transfer from Martin County to NC NPP Trust Fund.** The County Manager and the Finance Director of the County are each hereby authorized and directed to cause the money on deposit at Martin County to fund the Counties OPEB obligation to be transferred to the NC NPP Trust Fund.

Section 3. **Appointment of Trustees.** The Board of Commissioners hereby appoints the County Manager to serve as Currituck County's trustee of the OPEB Trust Fund and grants the authority necessary to perform all duties and obligations thereof.

Section 4. **Other Actions.** That all actions heretofore taken by the County Manager and the Finance Director of the County acting on behalf of the County with respect to the creation of the OPEB Trust Fund are hereby ratified, adopted, approved and confirmed in all respects. The County Manager and the Finance Director of the County are authorized to execute and deliver for and on behalf of the County any and all documents or other papers and perform all other acts as they may deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 5. **Effective Date.** This Resolution is effective on the date of its adoption.

On motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution titled "**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CURRITUCK, NORTH CAROLINA, AUTHORIZING AN OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND AND RELATED TRUST AGREEMENT; APPOINTMENT OF TRUSTEE FOR AND A CONTRIBUTION TO OPEB TRUST FUND**" was duly adopted by the following vote:

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 7th day of November, 2016.

STATE OF NORTH CAROLINA)
)
 COUNTY OF CURRITUCK) SS:

I, Leeann Walton, Clerk to the Board of Commissioners of the County of Currituck, North Carolina, *DO HEREBY CERTIFY*, as follows:

1. A regular meeting of the Board of Commissioners of the County of Currituck, a political subdivision of the State of North Carolina, was duly held on November 7, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 7th day of November, 2016.

(SEAL)

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

**COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, DARE, HYDE, MARTIN,
PASQUOTANK, PERQUIMANS, TYRRELL and WASHINGTON OTHER POST-
EMPLOYMENT BENEFITS TRUST AGREEMENT**

This **Trust Agreement** is entered into as of the ___ day of _____, 2016 (the “**Effective Date**”), by and between the counties of Camden, Chowan, Currituck, Dare, Hyde, Martin, Pasquotank, Perquimans, Tyrrell, and Washington North Carolina (the “**Counties**”) and the sitting County Manager of each county (the “**Trustee**”);

RECITALS:

WHEREAS, the former Albemarle Mental Health and the former Tideland Mental Health maintained certain post-employment benefits other than pensions for the benefit of their eligible retired employees (the “**Former Employers**”);

WHEREAS, the Counties wish to establish a trust pursuant to Section 159-30.1(b) of the North Carolina General Statutes, to be known as the “counties of Camden, Chowan, Currituck, Dare, Hyde, Martin, Pasquotank, Perquimans, Tyrrell, and Washington Other-Post Employment Benefits Trust Agreement” (hereinafter the “**Trust**”), for the purpose of holding existing funds to provide post-employment benefits other than pension benefits of the former Albemarle Mental Health and Tideland Mental Health;

WHEREAS, this Trust is established by the Counties with the intention that the Trust qualify as an irrevocable tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Code and the regulations issued thereunder and as a tax-exempt trust under the provisions of the applicable laws of the State of North Carolina; and

WHEREAS, the Counties have appointed each of their County Managers as Trustees of the Trust, and the Trustees have accepted such appointment pursuant to the terms and conditions set forth in this Trust Agreement; and

NOW THEREFORE, for good and valuable consideration, the parties hereto agree as follows:

**ARTICLE I
DEFINITIONS**

- 1.1 “**Administrator**” shall mean Martin County, North Carolina per the terms and conditions of a Memorandum of Agreement dated July 1, 2007 and attached as Exhibit A.
- 1.2 “**Assets**” shall mean all contributions and transfers of assets received into the Trust on behalf of the Counties, together with the income and earnings from such contributions and transfers and any increments accruing to them, net of any investment losses, benefits, expenses or other costs.
- 1.3 “**Code**” shall mean the Internal Revenue Code of 1986, as amended from time to time.
- 1.4 “**Eligible Participants**” shall mean collectively eligible retired employees of the former Albemarle Mental Health and Tideland Mental Health and their dependents and beneficiaries.

- 1.5 “**Counties**” shall mean the Counties of Camden, Chowan, Currituck, Dare, Hyde, Martin, Pasquotank, Perquimans, Tyrrell, and Washington North Carolina.
- 1.6 “**Former Employers**” shall mean the former Albemarle Mental Health and the former Tideland Mental Health organizations.
- 1.7 “**OPEB**” shall mean “other post-employment benefits,” such as medical, dental, vision, life insurance, long-term care and other similar benefits, provided to Eligible Employees, other than pension benefits.
- 1.8 “**OPEB Obligation**” shall mean, to the extent required by law, the Counties obligation to provide post-employment health care and welfare benefits to Eligible Participants to the extent of existing assets and future earnings from those assets, as specified in the Plan.
- 1.9 “**Plan**” shall mean the Former Employers OPEB obligations and the Counties satisfaction thereof to the extent of existing assets and future earnings from those assets.
- 1.10 “**Qualified Investments**” shall mean all investments authorized under Section 159-30.1(b) of the North Carolina General Statutes, including the following:
- (1) Obligations of the United States or obligations fully guaranteed both as to principal and interest by the United States.
 - (2) Obligations of the Federal Financing Bank, the Federal Farm Credit Bank, the Bank for Cooperatives, the Federal Intermediate Credit Bank, the Federal Land Banks, the Federal Home Loan Banks, the Federal Home Loan Mortgage Corporation, Fannie Mae, the Government National Mortgage Association, the Federal Housing Administration, the Farmers Home Administration, the United States Postal Service.
 - (3) Obligations of the State of North Carolina.
 - (4) Bonds and notes of any North Carolina local government or public authority, to the extent permitted in Section 159.30(c)(4) of the North Carolina General Statutes.
 - (5) Savings certificates issued by any savings and loan association organized under the laws of the State of North Carolina or by any federal savings and loan association having its principal office in North Carolina; provided, that any principal amount of such certificate in excess of the amount insured by the federal government or any agency thereof, or by a mutual deposit guaranty association authorized by the Commissioner of Banks of the Department of Commerce of the State of North Carolina, be fully collateralized.
 - (6) Prime quality commercial paper bearing the highest rating of at least one nationally recognized rating service and not bearing a rating below the highest by any nationally recognized rating service which rates of particular obligation.
 - (7) Bills of exchange or time drafts drawn on and accepted by a commercial bank and eligible for use as collateral by member banks in borrowing from a federal reserve bank, provided that the accepting bank or its holding company is either

- (i) incorporated in the State of North Carolina or (ii) has outstanding publicly held obligations bearing the highest rating of at least one nationally recognized rating service and not bearing a rating below the highest by any nationally recognized rating service which rates the particular obligations.
- (8) Participating shares in a mutual fund for local government investment; provided, that the investments of the fund are limited to Qualified Investments hereunder, and the fund is certified by the Local Government Commission. The Local Government Commission shall have the authority to issue rules and regulations concerning the establishment and qualifications of any mutual fund for local government investment.
 - (9) A commingled investment pool established and administered by the State Treasurer pursuant to Sections 147-69.2 and 147-69.3 of the North Carolina General Statutes.
 - (10) A commingled investment pool established by interlocal agreement by two or more units of local government pursuant to Sections 160A-460 through 160A-464 of the General Statutes of North Carolina, if the investments of the pool are limited to those qualifying for investment under Section 159.30(c)(4) of the North Carolina General Statutes.
 - (11) Evidences of ownership of, or fractional undivided interests in, future interest and principal payments on either direct obligations of the United States government or obligations the principal of and the interest on which are guaranteed by the United States, which obligations are held by a bank or trust company organized and existing under the laws of the United States or any state in the capacity of custodian.
 - (12) Repurchase agreements with respect to either direct obligations of the United States or obligations the principal of and the interest on which are guaranteed by the United States if entered into with a broker or dealer, as defined by the Securities Exchange Act of 1934, which is a dealer recognized as a primary dealer by a Federal Reserve Bank, or any commercial bank, trust company or national banking association, the deposits of which are insured by the Federal Deposit Insurance Corporation or any successor thereof if:
 - (a) Such obligations that are subject to such repurchase agreement are delivered (in physical or in book entry form) to the local government or public authority, or any financial institution serving either as trustee for the local government or public authority or as fiscal agent for the local government or public authority or are supported by a safekeeping receipt issued by a depository satisfactory to the local government or public authority, provided that such repurchase agreement must provide that the value of the underlying obligations shall be maintained at a current market value, calculated at least daily, of not less than one hundred percent (100%) of the repurchase price, and, provided further, that the financial institution serving either as trustee or as fiscal agent for the local government or public authority holding the obligations subject to the repurchase agreement hereunder or the depository issuing the

safekeeping receipt shall not be the provider of the repurchase agreement;

- (b) A valid and perfected first security interest in the obligations which are the subject of such repurchase agreement has been granted to the local government or public authority or its assignee or book entry procedures, conforming, to the extent practicable, with federal regulations and satisfactory to the local government or public authority have been established for the benefit of the local government or public authority or its assignee;
 - (c) Such securities are free and clear of any adverse third party claims; and
 - (d) Such repurchase agreement is in a form satisfactory to the local government or public authority.
- (13) In connection with funds subject to the arbitrage and rebate provisions of the Code, participating shares in tax-exempt mutual funds, to the extent such participation, in whole or in part, is not subject to such rebate provisions, and taxable mutual funds, to the extent such fund provides services in connection with the calculation of arbitrage rebate requirements under federal income tax law; provided, the investments of any such fund are limited to those bearing one of the two highest ratings of at least one nationally recognized rating service and not bearing a rating below one of the two highest ratings by any nationally recognized rating service which rates the particular fund.
- (14) Investments of the State Treasurer authorized pursuant to Section 147-69.2(b4) of the North Carolina General Statutes.

1.11 “Trustee” shall mean collectively the County Manager of each of the Counties.

ARTICLE II THE TRUST

2.1 Purpose

The purpose of the Trust is to hold assets from which to satisfy the commitment, if any, of the Former Employers to provide OPEB, as offered by the Former Employers to Eligible Participants in accordance with the Plan.

2.2 Trustee Accounting

The Trustee shall be responsible only for maintaining records and maintaining accounts for the Assets of the Trust. The Administrator, per a Memorandum of Agreement dated July 1, 2007, shall be responsible for Plan-level administration and accounting for OPEB benefit payments and related activity.

2.3 No Diversion of Assets

The Assets in the Trust shall be held in trust for the exclusive purpose of providing OPEB to Eligible Participants of the Former Employers and defraying the reasonable administrative and actuarial expenses of the Trust. The Assets in the Trust shall not be used for or diverted to any other purpose, except as expressly provided herein.

2.4 Type and Nature of Trust

Neither the full faith and credit nor the taxing power of the Counties is pledged to the distribution of benefits hereunder. Except for contributions and other amounts hereunder, no other amounts are pledged to the distribution of benefits hereunder. Distributions of benefits are neither general nor special obligations of the Counties, but are payable solely from the Assets of the Trust, as more fully described herein. No employee of the Former Employers may compel the exercise of the taxing power by the Counties.

Distributions of Assets under the Trust are not debts of the Counties within the meaning of any constitutional or statutory limitation or restriction. Such distributions are not legal or equitable pledges, charges, liens or encumbrances upon any of the Counties property, or upon any of their income, receipts, or revenues, except amounts in the accounts which are, under the terms of the Plan and Trust set aside for distributions. Neither the members of the governing body of the Counties nor their officers, employees, agents or volunteers are liable hereunder. In no event shall the liability of the Counties and the Trustee exceed the amounts contained in the Trust.

ARTICLE III ADMINISTRATIVE MATTERS

3.1 Certification to Trustee

The governing body of each of the Counties, or other duly authorized official, shall certify in writing to the Trustee the names and specimen signatures of the individuals authorized to act on behalf of the Counties, whose names and specimen signatures shall be kept accurate by the Counties acting through its governing body or a duly authorized official. The Trustee shall have no liability if it acts upon the direction of an individual who has been duly authorized hereunder, even if that individual is no longer authorized to act, unless the Employer has informed the Trustee of such change in writing.

3.2 Removal of Trustee

Each individual Trustee shall serve during his tenure in the applicable office of each of the Counties and shall immediately cease to serve, without the necessity for formal resignation, upon termination from such office for any reason. The successor to such office, including any interim successor, shall become a successor Trustee immediately upon the assumption of such office without the need for formal appointment. A successor Trustee shall not have any liability for any action or omission by the Trustee prior to the date of his assumption of such office.

3.3 Trustee Procedures

All official meeting of the Trustee, whether held in person or by electronic means, shall be open to the public and conducted in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes. The Trustee shall keep a record of all official meetings,

including those official meetings held in closed session under Section 143-318.11 of the North Carolina General Statutes, and shall forward all necessary communications to the Counties. Such official meeting records shall be public records within the meaning of Chapter 132 of the North Carolina General Statutes. The Trustee may adopt such by-laws and regulations as it deems desirable for the conduct of its affairs. All decisions by the Trustee shall be made by the vote of the majority of the Trustee members. The Trustee may authorize one or more of such members to act for the Trustee with respect to specified Trustee duties under this Trust Agreement. A dissenting Trustee member who, within a reasonable period of time after he has knowledge of any action or failure to act by the majority, delivers his written dissent to the other Trustee members and the Counties shall not be responsible for such action or failure to act.

3.4 Payments from the Trust

The Administrator shall from time to time, unless otherwise directed by the Trustee and only to the extent of Assets contained in the Trust, authorize payments out of the Assets of the Trust. Such payments may include, but are not limited to, benefit payments, insurance or stop-loss premiums, and the expenses of administering the Plan and Trust, as may be specified in the Trustee's direction.

ARTICLE IV THE TRUSTEE

4.1 Powers and Duties of the Trustee

Except as otherwise provided in Article V, and subject to the provisions of Article VI, the Trustee shall have full power and authority with respect to property held in the Trust to perform all acts, take all proceedings, and exercise all rights and privileges, whether specifically referred to or not in this document, as could be done, taken or exercised by the absolute owner, including, without limitation, the following:

- (a) To invest and reinvest the Assets or any part thereof in Qualified Investments pursuant to this Trust and applicable state law.
- (b) To place uninvested cash and cash awaiting distribution in any type of interest-bearing account including, without limitation, time certificates of deposit or interest-bearing accounts issued by a commercial bank or savings and loan association organized under the laws of the State of North Carolina or having its principal office in North Carolina;
- (c) To take all of the following actions: to vote proxies of any stocks, bonds or other securities; to give general or special proxies or powers of attorney with or without power of substitution; to exercise any conversion privileges, subscription rights or other options, and to make any payments incidental thereto; to consent to or otherwise participate in corporate reorganizations or other changes affecting corporate securities and to delegate discretionary powers and to pay any assessments or charges in connection therewith; and generally to exercise any of the powers of an owner with respect to stocks, bonds, securities or other property held in the Trust;

(d) To make, execute, acknowledge and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(e) To exercise all the further rights, powers, options and privileges granted, provided for, or vested in trustees generally under applicable federal or state laws as amended from time to time, it being intended that, except as herein otherwise provided, the powers conferred upon the Trustee herein shall not be construed as being in limitation of any authority conferred by law, but shall be construed as consistent or in addition thereto.

4.2 Additional Trustee Powers

In addition to the other powers enumerated above, the Trustee in any and all events is authorized and empowered:

(a) To invest funds pending required directions in a designated account as directed by the Counties or if there is no designated account, any type of interest-bearing account including without limitation, time certificates of deposit or interest-bearing accounts issued by a commercial bank or savings and loan association organized under the laws of the State of North Carolina or having its principal office in North Carolina Trustee or any affiliate thereof;

(b) To cause all or any part of the Trust to be held in the name of the Trustee (which in such instance need not disclose its fiduciary capacity) or, as permitted by law, in the name of any nominee, and to acquire for the Trust any investment in bearer form, but the books and records of the Trust shall at all times show that all such investments are a part of the Trust and the Trustee shall hold evidences of title to all such investments;

(c) To appoint a custodian with respect to the Trust Assets;

(d) To employ such agents and counsel as may be reasonably necessary in managing and protecting the Assets and to pay them reasonable compensation from the Trust; to employ any broker-dealer, including a broker-dealer affiliated with the Trustee, and pay to such broker-dealer at the expense of the Trust, its standard commissions; to settle, compromise or abandon all claims and demands in favor of or against the Trust; and to charge any premium on bonds purchased at par value to the principal of the Trust without amortization from the Trust, regardless of any law relating thereto;

(e) To abandon, compromise, contest, arbitrate or settle claims or demands; to prosecute, compromise and defend lawsuits, but without obligation to do so, all at the risk and expense of the Trust;

(f) To exercise and perform any and all of the other powers and duties specified in this Trust Agreement or the Plan;

(g) To permit such inspections of documents at the principal office of the Trustee as are required by law, subpoena or demand by a United States agency;

(h) To comply with all requirements imposed by applicable provisions of law;

(i) To seek written instructions from the Counties on any matter and await its written instructions without incurring any liability; provided, that if at any time the Counties should fail to give directions to the Trustee, the Trustee may act in the manner that in its discretion seems advisable under the circumstances for carrying out the purposes of the Trust;

(j) To compensate such executive, consultant, actuarial, accounting, investment, appraisal, administrative, clerical, secretarial, medical, custodial, depository and legal firms, personnel and other employees or assistants as are engaged by the Employer in connection with the administration of the Plan and to pay from the Trust the necessary expenses of such firms, personnel and assistants, to the extent not paid by the Counties;

(k) To act upon proper written directions of the Counties;

(l) To pay from the Trust the expenses reasonably incurred in the administration thereof, as provided in the Plan;

(m) To hold uninvested reasonable amounts of cash whenever it is deemed advisable to do so to facilitate disbursements or for other operational reasons;

(n) To seek and obtain a judicial settlement of the Trustee's accounts and a judicial determination of any question in connection with the Trustee's duties and obligations under this Trust Agreement; and

(o) To have and to exercise such other additional powers as may be advisable for the effective and economical administration of the Trust.

ARTICLE V INVESTMENTS

5.1 Trust Investments

The Trustee shall have the responsibility to select Qualified Investments for the Trust Assets and may appoint a registered investment advisor, as defined by regulations issued by the Securities and Exchange Commission, by executing a written consulting or management agreement with said registered investment advisor.

5.2 Trustee Fees

Any Trustee who is an employee of any of the Counties shall receive no fee for service as a Trustee hereunder.

5.3 Contributions to the Trust

The Counties may, but shall not be required, from time to time remit cash contributions and other payments under the Plan to the Trustee, which may include contributions by Eligible Participants. All contributions shall be paid to the Trustee for investment and reinvestment pursuant to the terms of this Trust Agreement. The Trustee shall not have any duty to determine or inquire whether any contributions to the Trust are in compliance with the Counties policies and/or the Plan, nor shall the Trustee have any duty or authority to compute any amount to be paid to the Trustee by the Counties, nor shall the

Trustee be responsible for the collection or adequacy of the contributions to meet the Former Employer's OPEB Obligation. The contributions received by the Trustee from the Counties, including any contributions by Eligible Participants, shall be held and administered pursuant to the terms hereof without distinction between income and principal.

5.4 Records

(a) The Trustee shall keep records of meetings and the Administrator shall maintain accurate records and detailed accounts of all investments, receipts, disbursements and other transactions hereunder. Such records shall be available at all reasonable times for inspection by the Counties.

(b) The Assets of the Trust shall be valued at their fair market value on the date of valuation, as determined by the Trustee based upon such sources of information as it may deem reliable; provided, that the Counties shall instruct the Trustee as to valuation of assets for which the value is not readily determinable on an established market. The Trustee may rely conclusively on such valuations provided by the Counties and shall be indemnified and held harmless by the Counties with respect to such reliance. If the Counties fails to provide such value, the Trustee may take whatever action it deems reasonable, including employment of attorneys, appraisers or other professionals, the expense of which will be an expense of administration of the Trust. Transactions in the account involving such hard to value assets may be postponed until appropriate valuations have been received and Trustee shall have no liability therefore.

5.5 Statements and Reports

(a) Periodically as requested by the Counties and within sixty (60) days after each June 30, the Trustee and the Administrator shall render to the Counties a written account showing in reasonable summary the investments, receipts, disbursements and other transactions engaged in by the Trustee during the preceding fiscal year or period with respect to the Trust. Such account shall set forth the assets and liabilities of the Trust valued as of the end of the accounting period.

(b) The Counties may approve such statements either by written notice or by failure to express objections to such statement by written notice delivered to the Trustee within ninety (90) days from the date the statement is delivered to the Counties. Upon approval, the Trustee shall be released and discharged as to all matters and items set forth in such statement as if such account had been settled and allowed by a decree from a court of competent jurisdiction.

(c) The Trustee and the Administrator shall hire a consultant to perform an actuarial valuation of the Albemarle-Tideland Retiree Liability for Healthcare benefits as of December 31, 2017 and every two years thereafter. The cost of the actuarial valuation is an eligible expense per section 3.4 of this document.

5.6 Exclusive Benefit

The Assets of the Trust shall be held in trust for the exclusive purpose of providing OPEB to the Eligible Participants pursuant to the Plan and defraying the reasonable

expenses associated with providing such benefits and shall not be used for or diverted to any other purpose.

ARTICLE VI FIDUCIARY RESPONSIBILITIES

6.1 More Than One Fiduciary Capacity

Any one or more of the fiduciaries with respect to the Trust Agreement or the Trust may, to the extent required thereby or as directed by the Counties and the Administrator pursuant to this Trust Agreement, serve in more than one fiduciary capacity with respect to the Trust Agreement and the Trust.

6.2 Fiduciary Discharge of Duties

Except as otherwise provided by applicable law, each fiduciary shall discharge such fiduciary's duties with respect to the Trust Agreement and the Trust:

- (a) Solely in the interest of the Eligible Participants and for the exclusive purpose of providing OPEB to Eligible Participants and defraying reasonable administrative and actuarial expenses associated with providing such benefits; and
- (b) With the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.

6.3 Limitations on Fiduciary Responsibility

To the extent allowed by the law of the State of North Carolina:

- (a) No fiduciary shall be liable with respect to a breach of fiduciary duty by any other fiduciary if such breach was committed before such party became a fiduciary or after such party ceased to be a fiduciary.
- (b) No fiduciary shall be liable for a breach by another fiduciary except as provided by law.
- (c) No fiduciary shall be liable for carrying out a proper direction from another fiduciary, including refraining from taking an action in the absence of a proper direction from the other fiduciary possessing the authority and responsibility to make such a direction, which direction the fiduciary in good faith believes to be authorized and appropriate.

6.4 Indemnification

The Trustee shall not be liable for, and the Counties shall indemnify, defend and hold the Trustee harmless from and against, any claims, demands, loss, costs, expense or liability in connection with this Trust Agreement, including reasonable attorneys' fees and costs incurred by the Trustee, arising as a result of Counties active or passive negligent act or omission or willful misconduct in the execution or performance of the Counties duties under this Trust Agreement.

In addition, the Trustee shall not be liable for, and Counties shall indemnify and hold the Trustee harmless from and against, any claims, demands, loss, costs, expense or liability arising out of or in connection with this Trust Agreement, including reasonable attorneys' fees and costs incurred by the Trustee, in the event that the Trust loses or fails to qualify for tax exempt status under Section 115 of the Code and the regulations issued thereunder or as a tax-exempt trust under the provisions of North Carolina law, unless such results directly or indirectly from the active or passive negligent act or omission of the Trustee or an employee or agent thereof.

This section shall survive the termination of this Trust Agreement.

ARTICLE VII AMENDMENT, TERMINATION AND MERGER

7.1 No Obligation to Continue Trust

Continuance of the Trust is not assumed as a contractual obligation of the Counties.

7.2 Amendments

(a) The Counties and the Trustee reserve the right to amend this Trust Agreement at any time by a written instrument executed by the Counties and the Trustee. The Trust Agreement may be amended or terminated only as provided herein.

(b) No amendment shall:

(1) Cause the Assets of the Trust to be used for or diverted to purposes other than for the exclusive benefit of Eligible Participants or for the purpose of defraying the reasonable expenses of administering the Trust; or

(2) Have any retroactive effect so as to reduce the benefits of any Eligible Participants as of the date the amendment is adopted, except that such changes may be made as may be required to permit this Trust Agreement to meet the requirements of applicable law.

7.3 Termination of the Plan

Upon any termination of the Former Employer's obligation, if any, to provide OPEB pursuant to the Plan, the Assets of the Trust shall be distributed by the Trustee as directed by the Counties. From and after the date of such termination and until final distribution of the Assets, the Trustee shall continue to have all the powers provided herein as are necessary or expedient for the orderly liquidation and distribution of such assets, and the Trust shall continue until the Assets have been completely distributed in accordance with the Plan.

7.4 Right to Terminate

The Counties and the Trustee may terminate this Trust by a written instrument executed by the Counties and the Trustee. Upon termination of this Trust, the Trustee shall pay all obligations of the Trust and shall apply the remaining Assets to purchase or continue OPEB for Eligible Participants to the extent possible. Notwithstanding the foregoing

provisions, the Trustee may, upon termination of the Trust and with the Counties consent, transfer any remaining Assets to the Counties or to any trust or trusts established for purposes substantially similar to those set forth herein. In no event will any remaining Assets be transferred to any entity that is not a state, political subdivision of a state, or entity the income of which is excluded from gross income under Section 115 of the Code.

7.5 Fund Recovery Based on Mistake of Fact

Except as provided above, the Assets of the Trust shall never inure to the benefit of the Counties. The Assets shall be held for the exclusive purposes of providing OPEB to Eligible Participants and defraying reasonable expenses of administering the Trust. However, in the case of a contribution which is made by the Counties because of a mistake of fact, that portion of the contribution relating to the mistake of fact (exclusive of any earnings or losses attributable thereto) may be returned to the Counties, provided such return occurs within two (2) years after discovery by the Counties of the mistake. If any repayment is payable to the Counties, then, as a condition precedent to such repayment, the Counties shall execute, acknowledge and deliver to the Trustee its written undertaking, in a form satisfactory to the Trustee, to indemnify, defend and hold the Trustee harmless from all claims, actions, demands or liabilities arising in connection with such repayment.

ARTICLE VIII MISCELLANEOUS PROVISIONS

8.1 Nonalienation

Eligible Participants do not have an interest in the Trust. Accordingly, the Trust shall not in any way be liable to attachment, garnishment, assignment or other process, or be seized, taken, appropriated or applied by any legal or equitable process, to pay any debt or liability of an Eligible Participants or any other party. Trust Assets shall not be subject to the claims of the Counties or the claims of its creditors.

8.2 Saving Clause

In the event any provision of this Trust Agreement is held illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining parts of the Trust Agreement, and this instrument shall be construed and enforced as if said provision had never been included.

8.3 Applicable Law

This Trust Agreement shall be construed, administered and governed under the Code and the laws of the State of North Carolina. To the extent any of the provisions of this Trust Agreement are inconsistent with the Code or applicable state law, the provisions of the Code or state law shall control. In the event, however, that any provision is susceptible to more than one interpretation, such interpretation shall be given thereto as is consistent with the Trust Agreement being a tax-exempt trust within the meaning of the Code.

8.4 Employment of Counsel

The Trustee may consult with legal counsel (who may be counsel for the Trustee or the Counties and charge the Trust) or other consultants. The Trustee shall be fully protected in relying on advice of such counsel.

8.5 Gender and Number

Words used in the masculine, feminine or neuter gender shall each be deemed to refer to the other whenever the context so requires; and words used in the singular or plural number shall each be deemed to refer to the other whenever the context so requires.

8.6 Headings

Headings used in this Trust Agreement are inserted for convenience of reference only and any conflict between such headings and the text shall be resolved in favor of the text.

8.7 Counterparts

This Trust Agreement may be executed in an original and any number of counterparts by the Counties and Trustee, each of which shall be deemed to be an original of the one and the same instrument.

AGREED TO AND ACCEPTED this ____ day of _____, 2016.

TRUSTEES

_____ County Manager Camden County

_____ County Manager Chowan County

_____ County Manager Currituck County

_____ County Manager Dare County

_____ County Manager Hyde County

_____ County Manager Martin County

_____ County Manager Pasquotank County

_____ County Manager Perquimans County

_____ County Manager Tyrrell County

_____ County Manager Washington County

COUNTIES

_____ Chairman Camden County

_____ Chairman Chowan County

_____ Chairman Currituck County

_____ Chairman Dare County

_____ Chairman Hyde County

_____ Chairman Martin County

_____ Chairman Pasquotank County

_____ Chairman Perquimans County

_____ Chairman Tyrrell County

_____ Chairman Washington County

EXHIBIT A

Attachment: Mental health employees OPEB trust 9.16.16 (1705 : Mental Health OPEB Resolution & Trust Agreement)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1704)

Agenda Item Title

Surplus Resolution-Carrier Heat Pump

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

RESOLUTION

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on November 7, 2016, authorized the following, pursuant to GS 160A and 270(b), that the following property is declared surplus and is to be disposed of as scrap metal:

CARRIER 25-ton Heat Pump Serial # 50TFQ012A5 (unit was removed from the roof of the Barco Library and replaced with a new unit)

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

THIS THE 7th day of November, 2016.

CURRITUCK COUNTY BOARD OF COMMISSIONERS

David Griggs, Chairman

ATTEST:

Leeann Walton
Clerk to the Board

Attachment: Resolution-25 ton Carrier Heat Pump Barco Library 10-25-2016 (1704 : Surplus Resolution-Heat Pump)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1712)

Agenda Item Title

Crawford Fire Department Purchase-Turnout Gear

Brief Description of Agenda Item:

Please see quote attached, to be paid out of existing funds.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Safe Industries
 116 Leader Drive
 Piedmont, SC 29673
 P. 864.845.7175
 www.SafeIndustries.com

**ESTIMATE****ESTIMATE # QLE002438**

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BILL TO:

CRAWFORDTWP001

Keith Storf, Captain, VP
 121 Shawboro Rd
 Moyock, NC 27958-9575
 United States
 P: (252) 435-4359

SHIP TO:

CRAWFORDTWP001

Keith Storf, Captain, VP
 121 Shawboro Rd
 Moyock, NC 27958-9575
 United States
 P: (252) 435-4359

Customer ID	Shipping Method	Sales Rep	Terms	Date
000011	Delivery Included	JASONRECTOR	NET 30	9/1/2016

Quantity	UOM	Item #	Description	Unit Price	Extended Price
5	EACH	GLOBE_JACKET_NO N_INVENTORY	Globe Jacket - Classic Metro <i>Millenia XT Gold outer shell</i> <i>Defender M SL2 thermal barrier</i> <i>Stedair 3000 Moisture Barrier</i> <i>Zipper in velcro out closure</i> <i>NYC style Brilliance trim w/stripe</i> <i>Standard dual action pockets</i> <i>Survivor flashlight holder on right chest</i> <i>Radio pocket and mic strap on left chest</i> <i>Dee-Ring on suede patch located left front behind pocket</i> <i>Grey nomex wristers with thumb loop</i> <i>self material cuffs</i> <i>"CRAWFORD"</i> <i>"VFD"</i> <i>in 3" L/Y Brilliance letters on back of jacket</i> <i>Velcro letter patch with firefightrrs name on bo</i>	\$1,225.00	\$6,125.00
5	EACH	GLOBE_PANT_NON_I NVENTORY	Globe Classix Pant <i>Millenia XT Gold outer shell</i> <i>Defender M SL2 thermal barrier</i> <i>Stedair 3000 Moisture Barrier</i> <i>3" Brilliance w/ stripe around cuff</i> <i>Escape Belt with wide belt loops</i> <i>2x10x10 expansion pockets w/ pocket divider 50/50 in right pocket</i> <i>Black Arashield Cuff reinforcement</i> <i>Black Arashield Knee reinforcement</i> <i>Silizone padded knees</i> <i>Padded deluxe rip-cord style suspenders</i>	\$867.00	\$4,335.00

Subtotal	\$10,460.00
Misc	\$0.00
Tax	\$706.05
Freight	\$0.00
Trade Discount	\$0.00
Total	\$11,166.05



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1708)

Agenda Item Title

Moyock Volunteer Fire Department Purchase Request-Turnout Gear

Brief Description of Agenda Item:

Below is an excerpt from the Fire and EMS Advisory Minutes of the meeting of Tuesday, October 25, 2016, where a request was recommended for approval to purchase turnout gear for the Moyock VFD. The matter is now being brought before the Board of Commissioners for approval:

Moyock Request to spend existing Funds

Chief Pervere provided a quote for the purchase of new turn out gear in the amount of \$9600 for six new sets. Moyock is requesting to spend the funds out of their current budget and will piggyback off of the recent purchase of turnout gear by EMS. Chief Melton made the motion to support the spending and to move forward with placing the request on the Commissioner's agenda. The motion was seconded by Commissioner Beaumont, which was then voted upon and passed.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1706)

Agenda Item Title

Knotts Island Volunteer Dept. Purchase Request-Boat

Brief Description of Agenda Item:

Planning Board Recommendation:

The following request was forwarded to the Finance Director via email from the Knotts Island Volunteer Fire Department Treasurer:

Please put a request from KIVFD on the Commissioner's Agenda for their next meeting for us to purchase a boat for \$9,500. Our old boat died and this is an emergency purchase for safe rescue.

Thank you.

Marion

KIVFD Treasurer

The KIVFD is requesting Board approval for the purchase from existing funds.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1700)

Agenda Item Title

Petition for Road Addition to State Maintenance-Corolla Bay

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: CURRITUCK Road Name: HERRING STREET
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: COROLLA BAY Length (miles): 0.165

Number of occupied homes having street frontage: 0 Located (miles): 1.0

miles N ☐ S ☒ E ☐ W ☐ of the intersection of Route NC12 and Route SR140 .
(Check one) (SR, NC, US) (SR, NC, US)

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

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

Name: J. LOUIS ROUSSOS Phone Number: 757 673 1593

Street Address: 6001 HARBOUR VIEW BLVD, SUFFOLK VA 23435

Mailing Address: SAME

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
-------------	------------------------	------------------

NORTHEASTERN NORTH CAROLINA PROPERTIES COROLLA SOUNDSIDE, LLC

6001 HARBOUR VIEW BOULEVARD, SUFFOLK, VA 23435

757 548 6043

INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach four (4) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

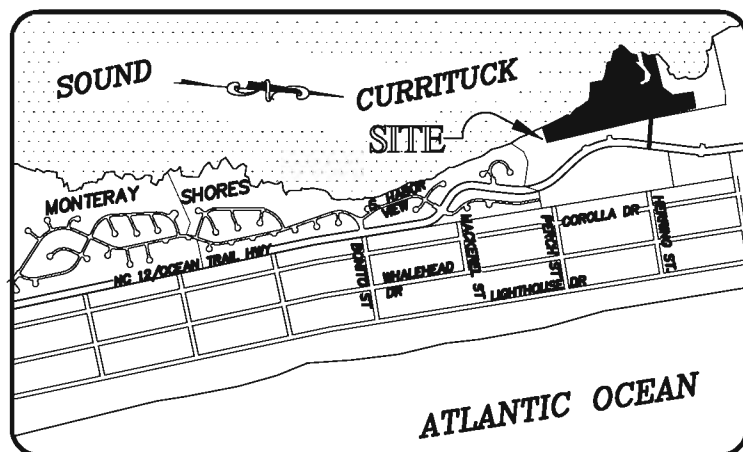
☐ Rural Road ☐ Subdivision platted prior to October 1, 1975 ☒ Subdivision platted after September 30, 1975

REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 (see page 29 for Statute) states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
HERRING STREET	0	.165 MI			
DEVILS BAY	0	.056 MI			
CRUZ BAY LANE	3	.165 MI			
CRUZ BAY COURT	1	.167 MI			



VICINITY MAP

CERTIFICATE OF SURVEY & ACCURACY

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, RECORDED IN D.B. 309, PG. 184 OF THE CURRITUCK COUNTY REGISTRY; THAT THE ERROR OF CLOSURE AS CALCULATED IS 1:10,000+, THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN EXISTING RECORDS AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I ALSO CERTIFY THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN CURRITUCK COUNTY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2007.

P.L.S. _____ L-3241

CERTIFICATION OF STORMWATER IMPROVEMENTS

IN THE SUBDIVISION ENTITLED COROLLA BAY SECTION 1, STORMWATER DRAINAGE IMPROVEMENTS HAVE BEEN INSTALLED ACCORDING TO PLANS AND SPECIFICATIONS PREPARED BY COASTAL ENGINEERING & SURVEYING, INC. CURRITUCK COUNTY ASSUMES NO RESPONSIBILITY FOR THE DESIGN, MAINTENANCE OR THE GUARANTEED PERFORMANCE OF THE STORMWATER IMPROVEMENTS AND THEIR EFFECTS.

LICENSED ENGINEER _____ DATE _____

CERTIFICATION FOR PRIVATE STREETS

I HEREBY CERTIFY THAT THE PRIVATE STREETS SHOWN ON THIS PLAT ARE INTENDED FOR PRIVATE USE AND WILL REMAIN UNDER THE CONTROL, MAINTENANCE AND RESPONSIBILITY OF THE DEVELOPER AND/OR A HOMEOWNER'S ASSOCIATION AND THAT THEY HAVE BEEN COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE STATE DEPARTMENT OF TRANSPORTATION.

LICENSED ENGINEER _____ DATE _____

NOTES

- OWNERS: COROLLA BAY, L.L.C.
821 OCEAN TRAIL, SUITE 4
COROLLA, NC 27927
(252) 453-3600
- PIN#: 0115-000-03XB-0000 - P.C. "I", SL. 33
0115-000-03XA-0000 - P.C. "I", SL. 32
0115-000-03XC-0000 - P.C. "I", SL. 34
0115-000-03XD-0000 - P.C. "I", SL. 35
- AREA OF SITE = 949,230 sf - 21.791 ac
AREA WITHIN RIGHT OF WAYS = 72,455 sf - 1.663 ac
AREA OF RESIDENTIAL LOTS (SECTION I) = 11.849 ac.
AREA OF WETLANDS W/IN LOTS 1 - 36 = 6.246 ac.
AREA OF WETLANDS (SECTION I) = 13.261 ac.
AREA OF TOTAL RIGHT OF WAY TO BE TEMPORARY = 0.121
OPEN SPACE INCLUDING 404 WETLANDS (SECTION I) = 9.004 ac.
NUMBER OF LOTS IN SECTION I: 36 LOTS
MINIMUM LOT SIZE: 7,500 sf (3,750 sf allowed to be wetlands)
AREAS CALCULATED BY COORDINATE METHOD.
- ZONING: MONTEREY SHORES P.U.D.
- LOT SUBJECT TO EASEMENTS & COVENANTS OF RECORD.
- THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE FOUND IN A FULL & ACCURATE TITLE SEARCH.
- PROPERTY IS LOCATED IN F.I.R.M. ZONES AS SHOWN.
MAP NO.3720993600J, DATED, 12-16-05.
USE OF LAND WITHIN THE FLOODWAY OR FLOODPLAIN AND FLOOD ZONES SUBJECT TO CHANGE BY FEMA.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- THERE IS A 10' DRAINAGE & UTILITY EASEMENT ON ALL SIDE & REAR PROPERTY LINES AND 15' EASEMENT ALONG THE FRONT.
- SETBACKS
FRONT = 20'
SIDE = 10'
REAR = 25'
CORNER SIDE = 20'
- 404 WETLANDS AS PER WETLAND DELINEATION MAP PREPARED BY COASTAL ENGINEERING & SURVEYING AND SIGNED BY U.S.A.C.E. REPRESENTATIVE T.A. STEFFANS AND DATED 12-28-05.
- PROPERTY RECOMBINED AS PER P.C. "J", SL. 126 & 128

LEGEND:

- - EXISTING CONCRETE MONUMENT
- - EXISTING IRON ROD
- - EXISTING IRON PIPE
- - SET IRON ROD
- △ - PK NAIL
- - CALCULATED POINT
- - TELEPHONE PEDESTAL
- (T) TOTAL DISTANCE
- (R) RADIAL DISTANCE
- (8,109s. f) NET USABLE AREA
- MIN. B.P.E. = 5.50' MINIMUM BUILDING PAD ELEVATION
- MAX. 3.75 SF. MAXIMUM IMPERVIOUS COVERAGE

- SECTION 3 (FUTURE)
- SECTION 2 (FUTURE)
- LOT LINE
- BOUNDARY LINE
- 404 WETLAND
- SHORELINE
- EXISTING R/W
- PROPOSED R/W
- TIE LINE
- EASEMENT LINE
- FUTURE LOT LINE
- CENTERLINE OF R/W
- CAMA LINE
- FLOODZONE



REVIEW OFFICERS CERTIFICATE

I, _____, REVIEW OFFICER OF CURRITUCK COUNTY, CERTIFY THAT THE PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THE PRIVATE ACCESS SUBDIVISION SHOWN ON THIS PLAT DOES INVOLVE THE CREATION OF NEW STREETS BUT NO CHANGE IN EXISTING STREETS, THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY ADMINISTRATOR SUBJECT TO ITS BEING RECORDED IN THE OFFICE OF THE CURRITUCK COUNTY REGISTER OF DEEDS WITHIN NINETY (90) DAYS OF THE DATE BELOW.

CHAIRMAN, BOARD OF COMMISSIONERS _____ DATE _____

FURTHER SUBDIVISION OF ANY LOT SHOWN ON THIS PLAT AS SERVED BY A PRIVATE STREET MAY BE PROHIBITED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE UNLESS THE STREETS SHOWN ON THIS PLAT ARE IMPROVED TO STATE STANDARDS. THESE STREETS DO NOT MEET STATE STANDARDS FOR ASSUMPTION OF MAINTENANCE DUE TO LACK OF PUBLIC DEDICATION. IT IS NOT THE FUNCTION OF COUNTY GOVERNMENT IN THE STATE OF N.C. TO CONSTRUCT OR MAINTAIN STREETS.

COROLLA BAY - SECTION I

POPLAR BRANCH TWSP

CURRITUCK COUNTY

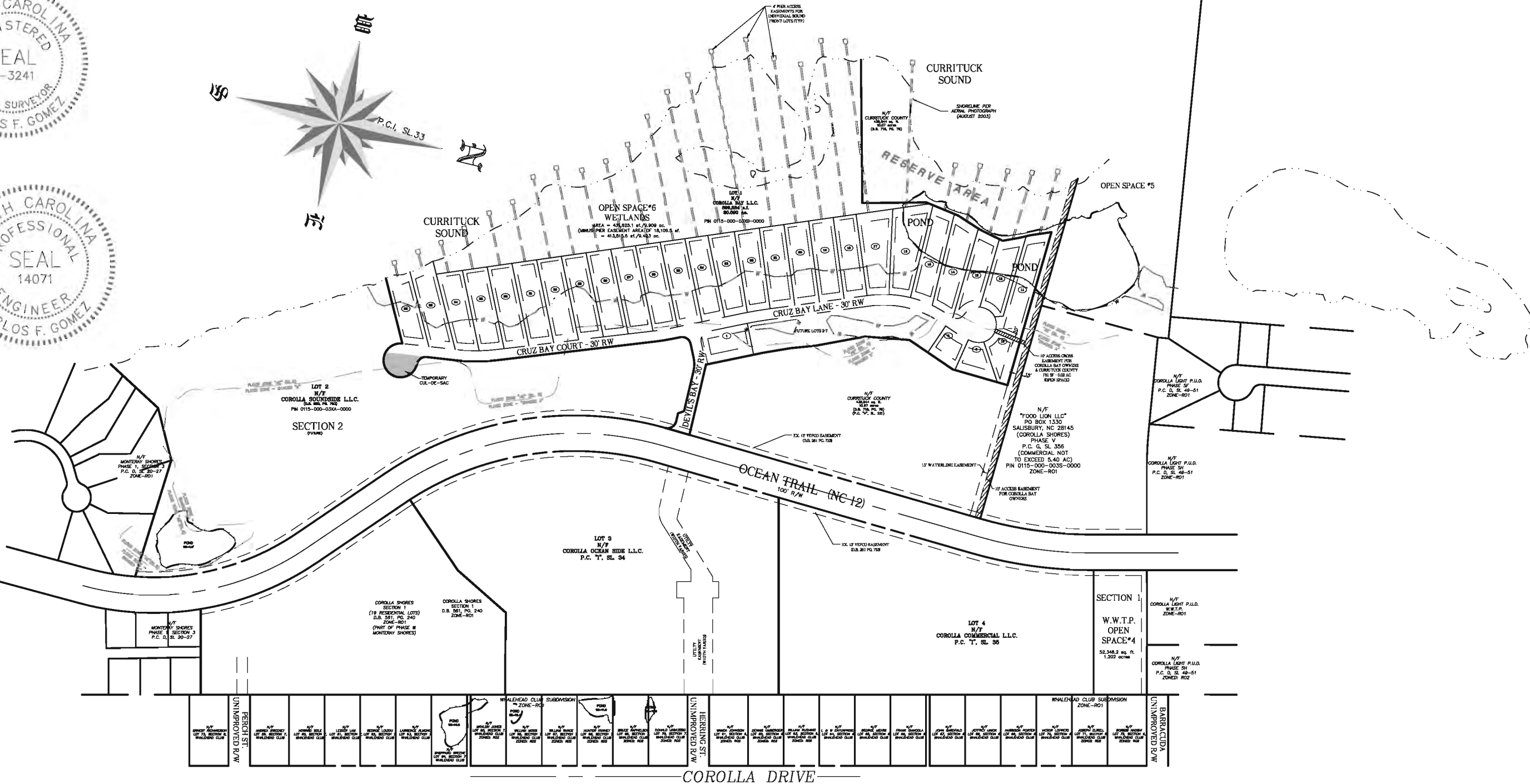
NORTH CAROLINA

OPEN SPACE, PONDS, DRAINAGE FACILITIES AND RESERVE UTILITY OPEN SPACE REQUIRED TO BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THIS ORDINANCE SHALL NOT BE DEDICATED TO THE PUBLIC EXCEPT UPON WRITTEN ACCEPTANCE BY THE COUNTY, BUT SHALL REMAIN UNDER THE OWNERSHIP AND CONTROL OF THE DEVELOPER (OR HIS SUCCESSOR) OR A HOMEOWNERS ASSOCIATION OR SIMILAR ORGANIZATION THAT SATISFIES THE CRITERIA ESTABLISHED IN SECTION 704 OF THE CURRITUCK COUNTY U.D.O..

A.E.C. CERTIFICATE

THIS SUBDIVISION (OR PORTIONS THEREOF) IS LOCATED WITHIN AN AREA OF ENVIRONMENTAL CONCERN.

LOCAL PERMIT OFFICER _____ DATE _____



CULVERT & SWALE NOTE

MINIMUM 12"x20 L.F. (R.C.P.) OR (H.D.P.E.) DRIVEWAY CULVERT SHALL BE PLACED IN STORM DRAINAGE SWALE ALONG RIGHT OF WAY OF CRUZ BAY LANE FOR THE SPECIFIED LOTS: 1 & 18-36. THE REMAINING LOTS (LOTS 8-17) SHALL CONSTRUCT DRIVEWAYS OVER STORMWATER CONVEYANCE SWALE WHICH FOLLOW DESIGN STORMWATER CONVEYANCE SWALE GRADE FROM THE APPROVED COROLLA BAY SECTION 1 CONSTRUCTION PLANS SUCH THAT THE INSTALLED DRIVEWAY INSURES PROPER STORMWATER CONVEYANCE AND DOES NOT OBSTRUCT ANY STORMWATER FLOW FROM UP AND DOWN SLOPE CULVERTS AND/OR SWALE STORMWATER DRAINAGE. ALL DRIVEWAY AND CULVERT INSTALLATION SHALL BE APPROVED BY COROLLA BAY HOMEOWNER'S ASSOCIATION ENGINEER PRIOR TO CONSTRUCTION.

GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.

NOTARY CERTIFICATE

STATE OF _____

COUNTY OF _____

I, _____ DO HEREBY CERTIFY THAT _____ PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2007.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES : _____

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	4/19/05	PER CURRITUCK COUNTY INC.	CLE
2	5/14/05	PER CURRITUCK COUNTY INC.	EST
3	5/16/05	PER CURRITUCK COUNTY INC.	HOD
4	5/25/05	PER CURRITUCK COUNTY PLANNING BOARD	JON
5	5/27/05	PER CURRITUCK COUNTY COMMENTS	MMH
6	5/27/05	LOT CHANGES / COROLLAR REQUEST	ALC
7	5/27/05	LOT CHANGES / COROLLAR REQUEST	ALC
8	5/27/05	TEC COMMENTS	ALC
9	4/19/07	ADDRESS COUNTY COMMENTS	ALC

MONTEREY SHORES P.U.D. PHASE III

COROLLA BAY

NORTH CAROLINA

CURRITUCK COUNTY

POPLAR BRANCH TWSP

FINAL PLAT - SECTION I - 30 LOTS

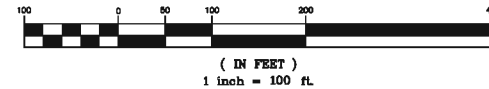
DATE: 03/24/05	SCALE: 1"=300'
CHECKED: CFG	DRAWN: MMH/ALC
PROJECT NO: P432	
CAD FILE: P432-FPLAT	
SHEET: 1 of 3	

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
1	10.11	S89°01'11"W	101	10.11	S89°01'11"W
2	10.11	S89°01'11"W	102	10.11	S89°01'11"W
3	10.11	S89°01'11"W	103	10.11	S89°01'11"W
4	10.11	S89°01'11"W	104	10.11	S89°01'11"W
5	10.11	S89°01'11"W	105	10.11	S89°01'11"W
6	10.11	S89°01'11"W	106	10.11	S89°01'11"W
7	10.11	S89°01'11"W	107	10.11	S89°01'11"W
8	10.11	S89°01'11"W	108	10.11	S89°01'11"W
9	10.11	S89°01'11"W	109	10.11	S89°01'11"W
10	10.11	S89°01'11"W	110	10.11	S89°01'11"W
11	10.11	S89°01'11"W	111	10.11	S89°01'11"W
12	10.11	S89°01'11"W	112	10.11	S89°01'11"W
13	10.11	S89°01'11"W	113	10.11	S89°01'11"W
14	10.11	S89°01'11"W	114	10.11	S89°01'11"W
15	10.11	S89°01'11"W	115	10.11	S89°01'11"W
16	10.11	S89°01'11"W	116	10.11	S89°01'11"W
17	10.11	S89°01'11"W	117	10.11	S89°01'11"W
18	10.11	S89°01'11"W	118	10.11	S89°01'11"W
19	10.11	S89°01'11"W	119	10.11	S89°01'11"W
20	10.11	S89°01'11"W	120	10.11	S89°01'11"W
21	10.11	S89°01'11"W	121	10.11	S89°01'11"W
22	10.11	S89°01'11"W	122	10.11	S89°01'11"W
23	10.11	S89°01'11"W	123	10.11	S89°01'11"W
24	10.11	S89°01'11"W	124	10.11	S89°01'11"W
25	10.11	S89°01'11"W	125	10.11	S89°01'11"W
26	10.11	S89°01'11"W	126	10.11	S89°01'11"W
27	10.11	S89°01'11"W	127	10.11	S89°01'11"W
28	10.11	S89°01'11"W	128	10.11	S89°01'11"W
29	10.11	S89°01'11"W	129	10.11	S89°01'11"W
30	10.11	S89°01'11"W	130	10.11	S89°01'11"W
31	10.11	S89°01'11"W	131	10.11	S89°01'11"W
32	10.11	S89°01'11"W	132	10.11	S89°01'11"W
33	10.11	S89°01'11"W	133	10.11	S89°01'11"W
34	10.11	S89°01'11"W	134	10.11	S89°01'11"W
35	10.11	S89°01'11"W	135	10.11	S89°01'11"W
36	10.11	S89°01'11"W	136	10.11	S89°01'11"W
37	10.11	S89°01'11"W	137	10.11	S89°01'11"W
38	10.11	S89°01'11"W	138	10.11	S89°01'11"W
39	10.11	S89°01'11"W	139	10.11	S89°01'11"W
40	10.11	S89°01'11"W	140	10.11	S89°01'11"W
41	10.11	S89°01'11"W	141	10.11	S89°01'11"W
42	10.11	S89°01'11"W	142	10.11	S89°01'11"W
43	10.11	S89°01'11"W	143	10.11	S89°01'11"W
44	10.11	S89°01'11"W	144	10.11	S89°01'11"W
45	10.11	S89°01'11"W	145	10.11	S89°01'11"W
46	10.11	S89°01'11"W	146	10.11	S89°01'11"W
47	10.11	S89°01'11"W	147	10.11	S89°01'11"W
48	10.11	S89°01'11"W	148	10.11	S89°01'11"W
49	10.11	S89°01'11"W	149	10.11	S89°01'11"W
50	10.11	S89°01'11"W	150	10.11	S89°01'11"W
51	10.11	S89°01'11"W	151	10.11	S89°01'11"W
52	10.11	S89°01'11"W	152	10.11	S89°01'11"W
53	10.11	S89°01'11"W	153	10.11	S89°01'11"W
54	10.11	S89°01'11"W	154	10.11	S89°01'11"W
55	10.11	S89°01'11"W	155	10.11	S89°01'11"W

LEGEND:

- EXISTING CONCRETE MONUMENT
- EXISTING IRON ROD
- EXISTING IRON PIPE
- SET IRON ROD
- PK NAIL
- CALCULATED POINT
- TELEPHONE PEDESTAL
- (T) TOTAL DISTANCE
- (R) RADIAL DISTANCE
- (8,109.5) NET USABLE AREA
- MINIMUM BUILDING PAD ELEVATION
- MAXIMUM IMPERVIOUS COVERAGE
- SECTION 3 (FUTURE)
- SECTION 2 (FUTURE)
- LOT LINE
- BOUNDARY LINE
- 404 WETLAND
- SHORELINE
- EXISTING R/W
- PROPOSED R/W
- TIE LINE
- EASEMENT LINE
- FUTURE LOT LINE
- CENTERLINE OF R/W
- CAMA LINE
- SECTION 1

GRAPHIC SCALE



4.C.11.b

Coastal
P.O. Box 11
934 W. Kitty Hawk
Kitty Hawk, NC
(252) 281-2611
www.coastalnc.com

NO.	DATE	DESCRIPTION	BY
1	03/24/05	PRELIMINARY	CFG
2	03/24/05	REVISED	CFG
3	03/24/05	REVISED	CFG
4	03/24/05	REVISED	CFG
5	03/24/05	REVISED	CFG

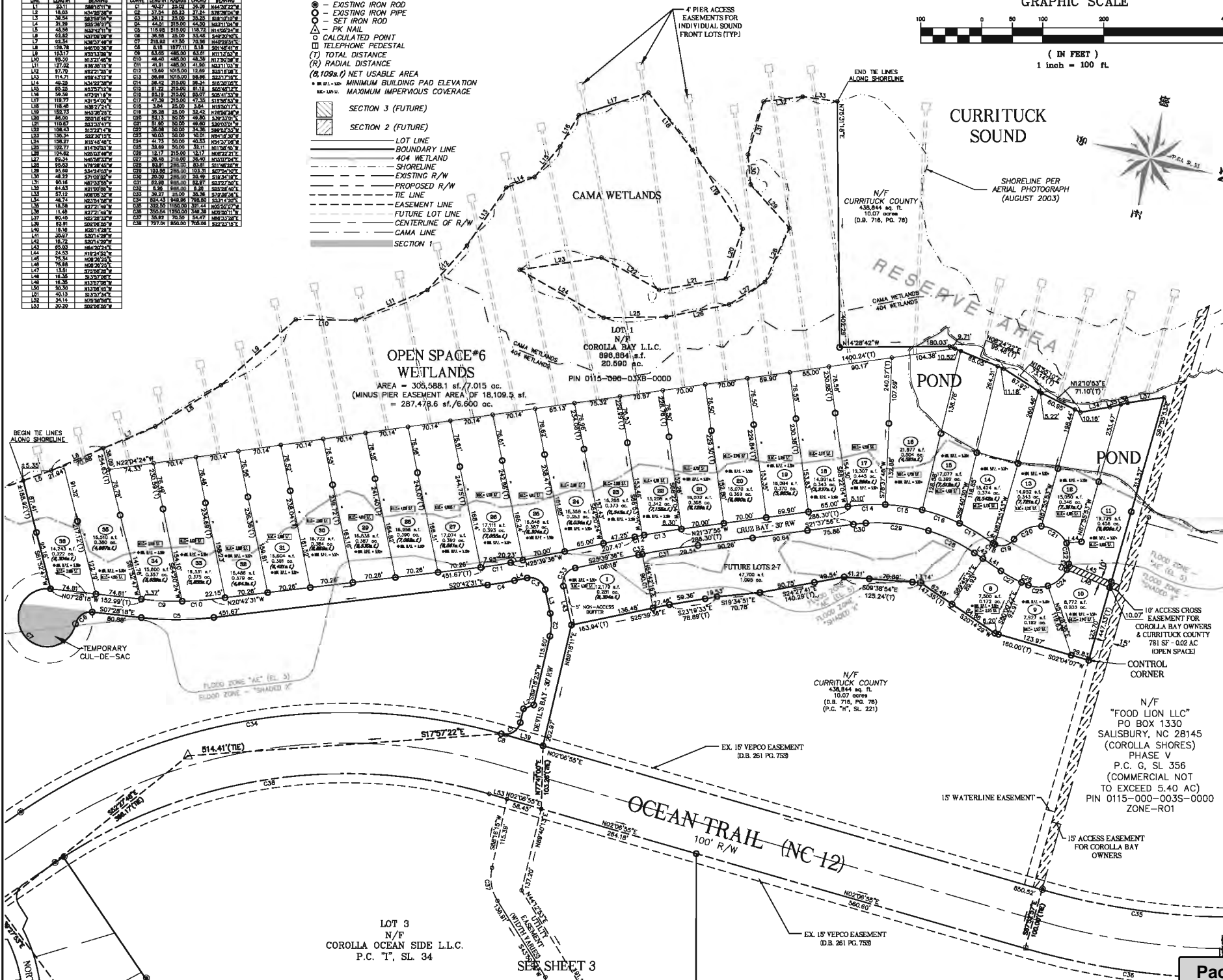
MONTEREY SHORES P.U.D. PHASE III

COROLLA BAY

Attachment: COROLLA BAY-Pet for Road Addition-FP SEC 1 (1700 : Petition for Road Addition-Corolla

DATE:	03/24/05	SC
CHECKED:	CFG	DR
PROJECT NO:	P432.00	
CAD FILE:	P432-FPLAT	

Packet Pg. 149

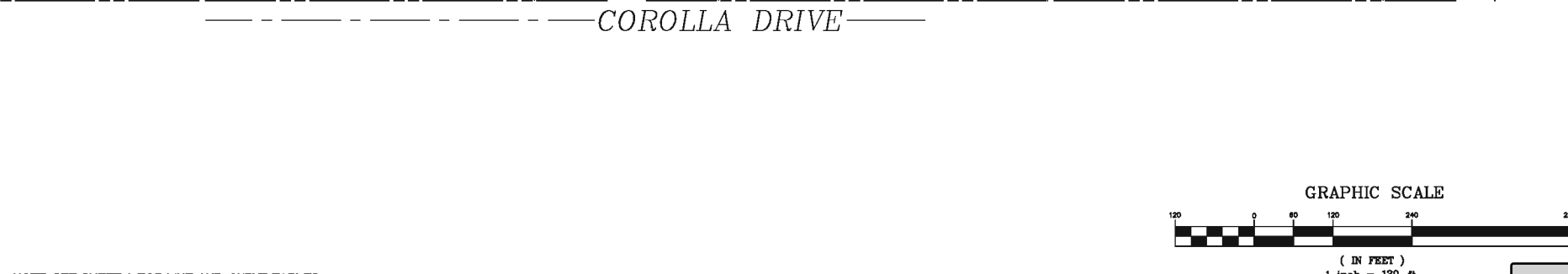
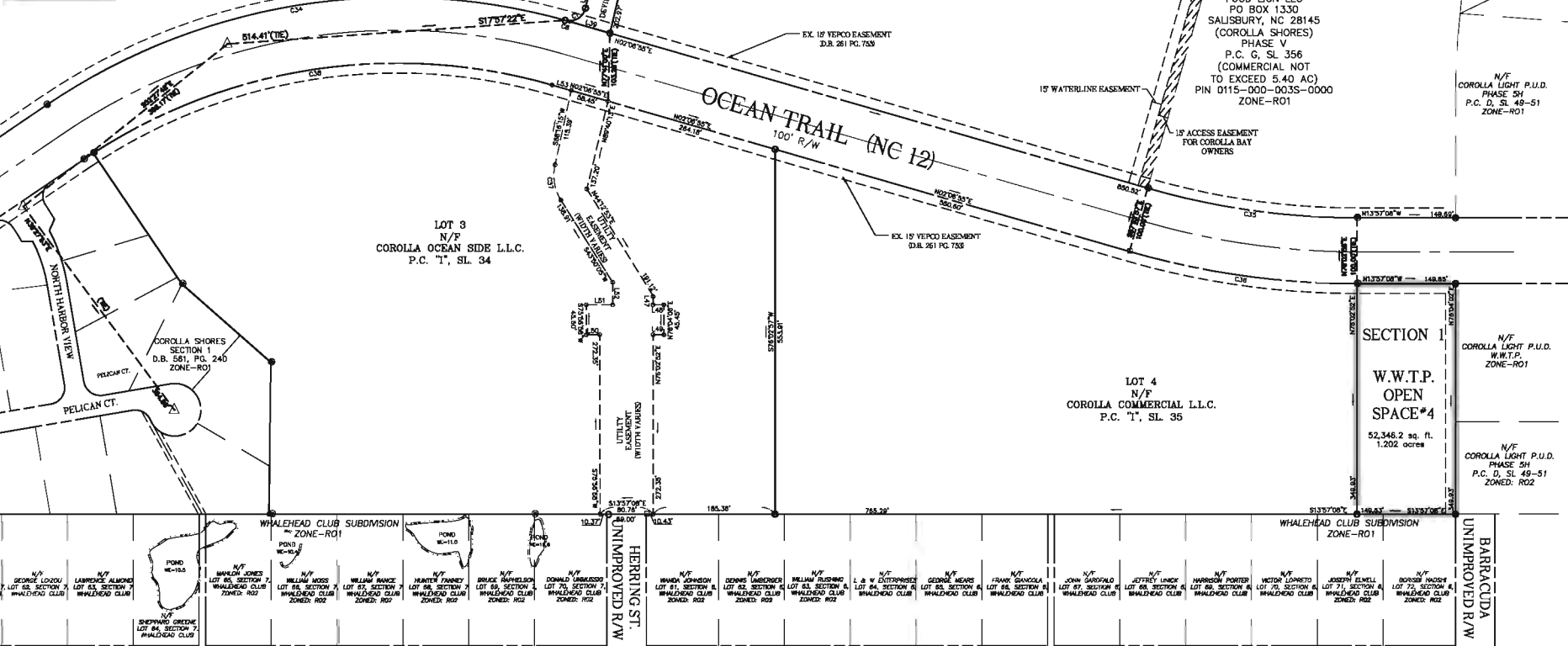


LOT 3
N/F
COROLLA OCEAN SIDE L.L.C.
P.C. T, SL. 34

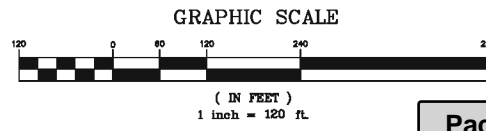
SEE SHEET 3

- LEGEND:**
- - EXISTING CONCRETE MONUMENT
 - - EXISTING IRON ROD
 - - EXISTING IRON PIPE
 - - SET IRON ROD
 - △ - P.K. NAIL
 - - CALCULATED POINT
 - - TELEPHONE PEDESTAL
 - (T) TOTAL DISTANCE
 - (R) RADIAL DISTANCE
 - (2,109±.1) NET USABLE AREA
 - MINIMUM BUILDING PAD ELEVATION
 - MAXIMUM IMPERVIOUS COVERAGE

- SECTION 3 (FUTURE)
- SECTION 2 (FUTURE)
- LOT LINE
- BOUNDARY LINE
- 404 WETLAND
- SHORELINE
- EXISTING R/W
- PROPOSED R/W
- TIE LINE
- EASEMENT LINE
- FUTURE LOT LINE
- CENTERLINE OF R/W
- CAMA LINE
- SECTION 1



NOTE: SEE SHEET 2 FOR LINE AND CURVE TABLES



4.C.11.b

Coastal

P.O. Box 11
934 W. Kitty Hawk
Kitty Hawk, N.C.
(252)-281-2611
- Struc Development

Attachment: COROLLA BAY-Pet for Road Addition-FP SEC 1 (1700 : Petition for Road Addition-Corolla

REVISIONS	
NO.	DATE
1	03/24/05
2	03/24/05
3	03/24/05
4	03/24/05
5	03/24/05

MONTEREY SHORES P.U.D. PHASE III

COROLLA BAY

SECTION 1

W.W.T.P. OPEN SPACE#4

52,346.2 sq. ft.
1.202 acres

DATE	CHECKED	PROJECT NO.	CAD FILE
03/24/05	CFG	P432	P432-FPLAT

Packet Pg. 150



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, RECORDED IN P.C. I, LS. 34 OF THE CURRITUCK COUNTY REGISTRY; THAT THE ERROR OF CLOSURE AS CALCULATED IS 1:10,000+, THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN EXISTING RECORDS AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

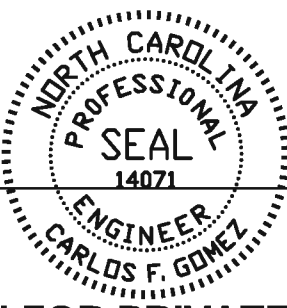
I ALSO CERTIFY THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN CURRITUCK COUNTY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2007.



P.L.S. L-3241

IN THE SUBDIVISION ENTITLED COROLLA BAY (SECTION III) TOWNE BAY, STORMWATER DRAINAGE IMPROVEMENTS HAVE BEEN INSTALLED ACCORDING TO PLANS AND SPECIFICATIONS PREPARED BY COASTAL ENGINEERING & SURVEYING, INC. CURRITUCK COUNTY ASSUMES NO RESPONSIBILITY FOR THE DESIGN, MAINTENANCE OR THE GUARANTEED PERFORMANCE OF THE STORMWATER IMPROVEMENTS AND THEIR EFFECTS.



LICENSED ENGINEER DATE

I HEREBY CERTIFY THAT THE PRIVATE STREETS SHOWN ON THIS PLAT ARE INTENDED FOR PRIVATE USE AND WILL REMAIN UNDER THE CONTROL, MAINTENANCE AND RESPONSIBILITY OF THE DEVELOPER AND/OR A HOMEOWNER'S ASSOCIATION AND THAT THEY HAVE BEEN COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE STATE DEPARTMENT OF TRANSPORTATION.



LICENSED ENGINEER FR DATE _____

1) OWNERS: COROLLA OCEAN SIDE, L.L.C - 821 OCEAN TRAIL, SUITE 4 -COROLLA, NC 27927
(252) 453-3600

2) P/O PIN# 0115-000-03XC-0000 - P.C. "I", SL 34
259,661.06 SF = 559,661.06 SF - 12.85 ACS.
P/O HERRING STREET R/W = 27,260.85 SF - 0.626 AC.
REMAINING PORTION OF LOT 3 = 130,996.11 SF - 3.007 ACS.
VILLAS AT COROLLA BAY = 401,404.10 sf = 9.215 acres
on-site Impervious coverage's: 259,479 sf = 5.967 acres = 64.6%
home site & side yard amenity area = 151,678 sf
home site driveway area = 26,190 sf
home site roadway & roadside sidewalk areas = 55,852.5 sf
recreation facilities = 16,271 sf
(pool house, pool, tennis court, concrete decks & cabanas)
concrete sidewalks in recreational areas = 7,361.3 sf
bath house = 754 sf
parking area on herring street = 1,372 sf
on-site pervious areas = 142,090 sf
total open space = 167,851.8 sf = 3.85 acres - (41.8%)
open space (pervious areas & recreation areas)= 159,736.5 sf
open space (recreation conveyance) sidewalks= 7,361.3 sf
open space (bath house)= 754 sf

- 4) AREAS CALCULATED BY COORDINATE METHOD.
- 5) ZONING: MONTEREY SHORES P.U.D. / ROI
- 6) LOT SUBJECT TO EASEMENTS & COVENANTS OF RECORD.
- 7) THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE FOUND IN A FULL & ACCURATE TITLE SEARCH.
- 8) PROPERTY IS LOCATED IN F.I.R.M. ZONE "SHADED X". THE FLOOD ZONE DOES NOT APPEAR ON THE MAP (SMA NO.3720993600, DATED, 12-16-05.)
- 9) ALL DISTANCES ARE HORIZONTAL. GROUND SURFACE CHANGES BY ELEVATION.
- 10) ALL DISTANCES ARE HORIZONTAL. GROUND SURFACE CHANGES BY ELEVATION.
- 11) THERE IS A 15' DRAINAGE & UTILITY EASEMENT ON REAR PROPERTY LINES AND 15' EASEMENT ALONG THE FRONT.
- 12) SETBACKS: FRONT 20', SIDE 15', REAR 25'
- 13) HOME SITES SHALL HAVE A MINIMUM SEPARATION OF 20'
- 14) QUAIL WETLANDS AS PER WETLAND DELINEATION MAP PREPARED BY GOBLE & ASSOCIATES. TOTAL DN-SITE WETLAND AREA = 9,741 SF - 0.224 AC
- 15) DISTURBED WETLANDS ARE LOCATED ON CROLLA BAY - SECTION 1
- 16) 30' LOT SUBDIVISION RECORDED IN S.L. 192-200 TO BE ABANDONED AND REPLACED WITH THE PROPOSED HERRING RIVER OF WAY DELINEATED HERE

PHASE I - LOT PADS 1-10 & 38-46
PHASE II - LOT PADS 11-25 & 47-54
PHASE III - LOT PADS 26-37 & 55-57

ITEMIZED AREA TALLY FOR
PHASED DEVELOPMENT ACTIVITY
PHASE I - LOT PADS 1-10 & 38-46
Site Drainage & Storm Water Improvements
Herring Street Improvement/s
Phased Infrastructure
Home site building pads & amenity areas
Bath house construction
Recreational Facilities - (pending Currinrutt Co. approval)
PHASE II - LOT PADS 11-25 & 47-54
Phased Infrastructure
Home site building pads & amenity areas
PHASE III - LOT PADS 26-37 & 55-57
Phased Infrastructure
Home site building pads & amenity areas

I, _____, REVIEW OFFICER OF CURRITUCK COUNTY,
CERTIFY THAT THE PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL
STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAN ARE WITHIN CURRITTUCK COUNTY, ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON THIS PLAN HAVE BEEN INSTALLED OR COMPLETED AND THAT THE SUBDIVISION SHOWN ON THIS PLAN IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITTUCK COUNTY UNIFIED DEVELOPMENT AND, THEREFORE, THIS PLAN HAS BEEN APPROVED BY THE CURRITTUCK COUNTY TECHNICAL REVIEW COMMITTEE AND SIGNED BY THE ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE CURRITTUCK COUNTY REGISTRY WITHIN NINETY (90) DAYS OF THE DATE BELOW.

ADMINISTRATOR _____ DATE _____

FURTHER SUBDIVISION OF ANY LOT SHOWN ON THIS PLAT AS SERVED BY A PRIVATE STREET MAY BE PROHIBITED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE UNLESS THE STREETS SHOWN ON THIS PLAT ARE IMPROVED TO STATE STANDARDS. THESE STREETS DO NOT MEET STATE STANDARDS FOR ASSUMPTION OF MAINTENANCE DUE TO LACK OF PUBLIC DEDICATION. IT IS NOT THE FUNCTION OF COUNTY GOVERNMENT IN THE STATE OF N.C. TO CONSTRUCT OR MAINTAIN STREETS.

LOT 2
N/F
COROLLA SOUNDSIDE L.L.C.
P.C. "I", SL. 32
SECTION II

COROLLA SHORES
SECTION 1
(19 RESIDENTIAL LOTS)
D.B. 561, PG. 240
ZONE-RO1
(PART OF PHASE III
MONTEREY SHORES)

SECTION III
(part of)
LOT 3
N/F
COROLLA OCEAN SIDE L.L.C.
P.C. "I", SL. 34
(SUBJECT SITE)

- 1) EACH HOME SITE PLAN SHALL PROVIDED AT LEAST TWO 10'X20' PARKING SPACES
- 2) IRON PINS SHALL BE SET AT ALL PROPERTY CORNERS AND HOME SITE CORNERS.
- 3) ALL OPEN SPACE AND INFRASTRUCTURE SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- 4) OPEN SPACE AREAS ARE THE AREAS OUTSIDE OF THE ALL THE CURRENT, PHASED AND FUTURE HOME SITES (LOTS), EXCLUDING STREETS.
- 5) HOME SITE LOTS ARE INCLUSIVE OF 29'X50' BUILDING ENVELOPE AND OUTDOOR PRIVATE AMENITY AREA. PRIVATE AMENITY AREA, FUTURE OPTION, MAY INCLUDE, PRIVATE POOL, AND OR OTHER OUTDOOR IMPROVEMENTS. PRIVATE AMENITY AREA MAY BE IMPERVIOUS; USED AS CONCRETE PATIOS. HOME SITE LOTS SIZES VARY.

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATIONS JURISDICTION OF CURRITUCK COUNTY, THAT I HEREBY FREELY ADOPIT THIS PLAT OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS STREETS, ALLEYS AND OPEN SPACES, AND I HEREBY AGREE TO HOLD THE PROPERTY SHOWN ON THIS PLAT AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR PUBLIC USE SHALL BE DEEMED TO BE DEDICATED TO THE PUBLIC AND ALL SUCH AREAS SHALL BE SUBJECT TO THE USE AS APPROVED BY THE APPROPRIATE PUBLIC AUTHORITY IN THE PUBLIC INTEREST.

OWNER _____ DATE _____

STATE OF _____

COUNTY OF _____

I, _____, A NOTARY PUBLIC OF _____ COUNTY,
NORTH CAROLINA, DO HEREBY CERTIFY THAT _____
PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE
EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2011.

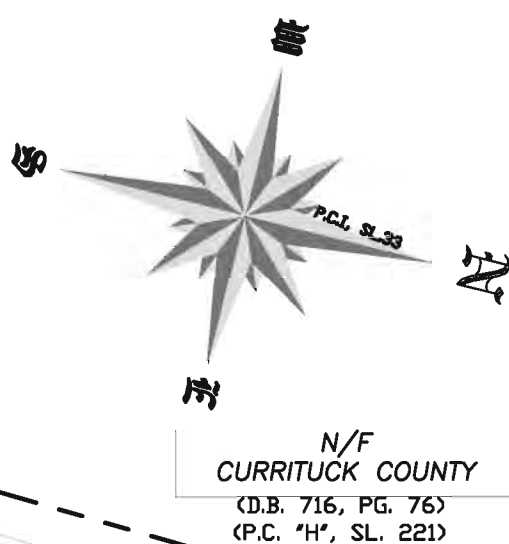
NOTARY PUBLIC

MY COMMISSION EXPIRES : _____

OPEN SPACE, PONDS, DRAINAGE FACILITIES AND RESERVE UTILITY OPEN SPACE REQUIRED TO BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THIS ORDINANCE SHALL NOT BE DEDICATED TO THE PUBLIC EXCEPT UPON WRITTEN ACCEPTANCE BY THE COUNTY, BUT SHALL REMAIN UNDER THE OWNERSHIP AND CONTROL OF THE DEVELOPER (OR HIS SUCCESSOR) OR A HOMEOWNERS ASSOCIATION OR SIMILAR ORGANIZATION THAT SATISFIES THE CRITERIA ESTABLISHED IN SECTION 704 OF THE CURRITUCK COUNTY U.D.C.

LEGEND:

- - EXISTING CONCRETE MONUMENT
- - EXISTING IRON ROD
- ⊙ - EXISTING IRON PIPE
- - SET IRON ROD
- △ - PK NAIL
- - CALCULATED POINT
- - TELEPHONE PEDESTAL
- (T) TOTAL DISTANCE
- (R) RADIAL DISTANCE



LOT 4
N/F
COROLLA COMMERCIAL L.L.C.
P.C. 7. SL 35

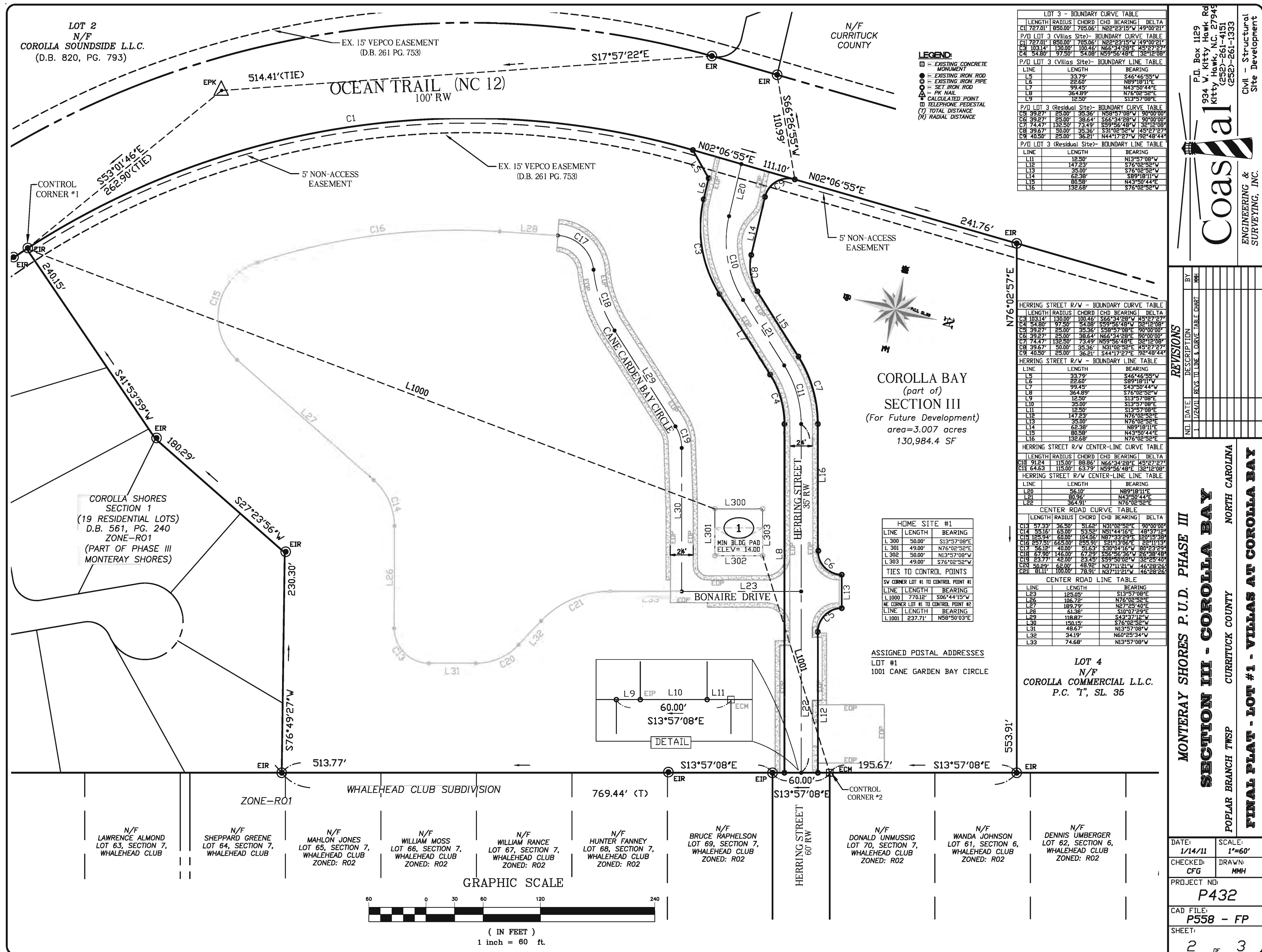
HERRING STREET
60' R/W

COROLLA DRIVE

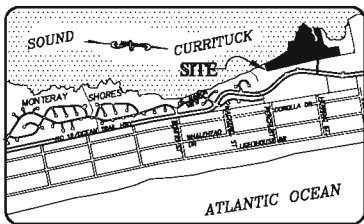
(IN FEET)

1 inch = 100 ft.

[illegible]







VICINITY MAP

CERTIFICATE OF SURVEY & ACCURACY

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, RECORDED IN D.B. 309, PG. 184 OF THE CURRITUCK COUNTY REGISTRY; THAT THE ERROR OF CLOSURE AS CALCULATED IS 1:10,000; THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN EXISTING RECORDS AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I ALSO CERTIFY THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN CURRITUCK COUNTY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2007.

P.L.S. L-3241

CERTIFICATION OF STORMWATER IMPROVEMENTS

IN THE SUBDIVISION ENTITLED COROLLA BAY SECTION 1, STORMWATER DRAINAGE IMPROVEMENTS HAVE BEEN INSTALLED ACCORDING TO PLANS AND SPECIFICATIONS PREPARED BY COASTAL ENGINEERING & SURVEYING, INC. CURRITUCK COUNTY ASSUMES NO RESPONSIBILITY FOR THE DESIGN, MAINTENANCE OR THE GUARANTEED PERFORMANCE OF THE STORMWATER IMPROVEMENTS AND THEIR EFFECTS.

LICENSED ENGINEER DATE

CERTIFICATION FOR PRIVATE STREETS

I HEREBY CERTIFY THAT THE PRIVATE STREETS SHOWN ON THIS PLAT ARE INTENDED FOR PRIVATE USE AND WILL REMAIN UNDER THE CONTROL, MAINTENANCE AND RESPONSIBILITY OF THE DEVELOPER AND/OR A HOMEOWNERS ASSOCIATION AND THAT THEY HAVE BEEN COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE STATE DEPARTMENT OF TRANSPORTATION.

LICENSED ENGINEER DATE

NOTES

- OWNERS: COROLLA BAY, L.L.C.
821 OCEAN TRAIL, SUITE 4
COROLLA, NC 27927
(252) 453-3600
- PIN#: 0115-000-03XB-0000 - P.C. "I", SL. 33
0115-000-03XA-0000 - P.C. "I", SL. 32
0115-000-03XC-0000 - P.C. "I", SL. 34
0115-000-03XD-0000 - P.C. "I", SL. 35
- AREA OF SITE = 949,230 sf = 21,791 ac
AREA WITHIN RIGHT OF WAYS = 72,455 sf = 1.663 ac
AREA OF RESIDENTIAL LOTS (SECTION 1) = 11,849 ac.
AREA OF WETLANDS W/IN LOTS 1 - 36 = 6,246 ac.
AREA OF WETLANDS (SECTION 1) = 13,261 ac.
AREA OF TOTAL RIGHT OF WAY TO BE TEMPORARY = 0.121
OPEN SPACE INCLUDING 404 WETLANDS (SECTION 1) = 9,004 ac.
NUMBER OF LOTS IN SECTION 1: 36 LOTS
MINIMUM LOT SIZE: 7,500 sf (3,750 sf allowed to be wetlands)
AREAS CALCULATED BY COORDINATE METHOD.
- ZONING: MONTEREY SHORES P.U.D.
- LOT SUBJECT TO EASEMENTS & COVENANTS OF RECORD.
- THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE FOUND IN A FULL & ACCURATE TITLE SEARCH.
- PROPERTY IS LOCATED IN F.I.R.M. ZONES AS SHOWN.
MAP NO. 372093600J, DATED, 12-16-05.
USE OF LAND WITHIN THE FLOODWAY OR FLOODPLAIN AND FLOOD ZONES SUBJECT TO CHANGE BY FEMA.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- THERE IS A 10' DRAINAGE & UTILITY EASEMENT ON ALL SIDE & REAR PROPERTY LINES AND 15' EASEMENT ALONG THE FRONT.
- SETBACKS
FRONT = 20'
SIDE = 10'
REAR = 25'
CORNER SIDE = 20'
- 404 WETLANDS AS PER WETLAND DELINEATION MAP PREPARED BY COASTAL ENGINEERING & SURVEYING AND SIGNED BY U.S.A.C.E. REPRESENTATIVE T.A. STEFFANS AND DATED 12-28-05.
- PROPERTY RECOMBINED AS PER P.C. "J", SL. 126 & 128

LEGEND:
□ - EXISTING CONCRETE MONUMENT
○ - EXISTING IRON ROD
○ - EXISTING IRON PIPE
△ - SET IRON ROD
△ - PK NAIL
○ CALCULATED POINT
□ TELEPHONE PEDESTAL
(T) TOTAL DISTANCE
(R) RADIAL DISTANCE
(B.1096.1) NET USABLE AREA
● MIN. 312'-135' MINIMUM BUILDING PAD ELEVATION
● MIN. 120'-125' MAXIMUM IMPERVIOUS COVERAGE

SECTION 3 (FUTURE)
SECTION 2 (FUTURE)
LOT LINE
BOUNDARY LINE
404 WETLAND
SHORELINE
EXISTING R/W
PROPOSED R/W
TIE LINE
EASEMENT LINE
FUTURE LOT LINE
CENTERLINE OF R/W
CAMA LINE
SECTION 1



REVIEW OFFICERS CERTIFICATE

I, _____ REVIEW OFFICER OF CURRITUCK COUNTY, CERTIFY THAT THE PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THE PRIVATE ACCESS SUBDIVISION SHOWN ON THIS PLAT DOES INVOLVE THE CREATION OF NEW STREETS BUT NO CHANGE IN EXISTING STREETS, THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE OFFICE OF THE CURRITUCK COUNTY REGISTER OF DEEDS WITHIN NINETY (90) DAYS OF THE DATE BELOW.

CHAIRMAN, BOARD OF COMMISSIONERS

DATE

FURTHER SUBDIVISION OF ANY LOT SHOWN ON THIS PLAT AS SERVED BY A PRIVATE STREET MAY BE PROHIBITED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE UNLESS THE STREETS SHOWN ON THIS PLAT ARE IMPROVED TO STATE STANDARDS. THESE STREETS DO NOT MEET STATE STANDARDS FOR ASSUMPTION OF MAINTENANCE DUE TO LACK OF PUBLIC DEDICATION. IT IS NOT THE FUNCTION OF COUNTY GOVERNMENT IN THE STATE OF N.C. TO CONSTRUCT OR MAINTAIN STREETS.

COROLLA BAY - SECTION I

POPULAR BRANCH TWP

CURRITUCK COUNTY

NORTH CAROLINA

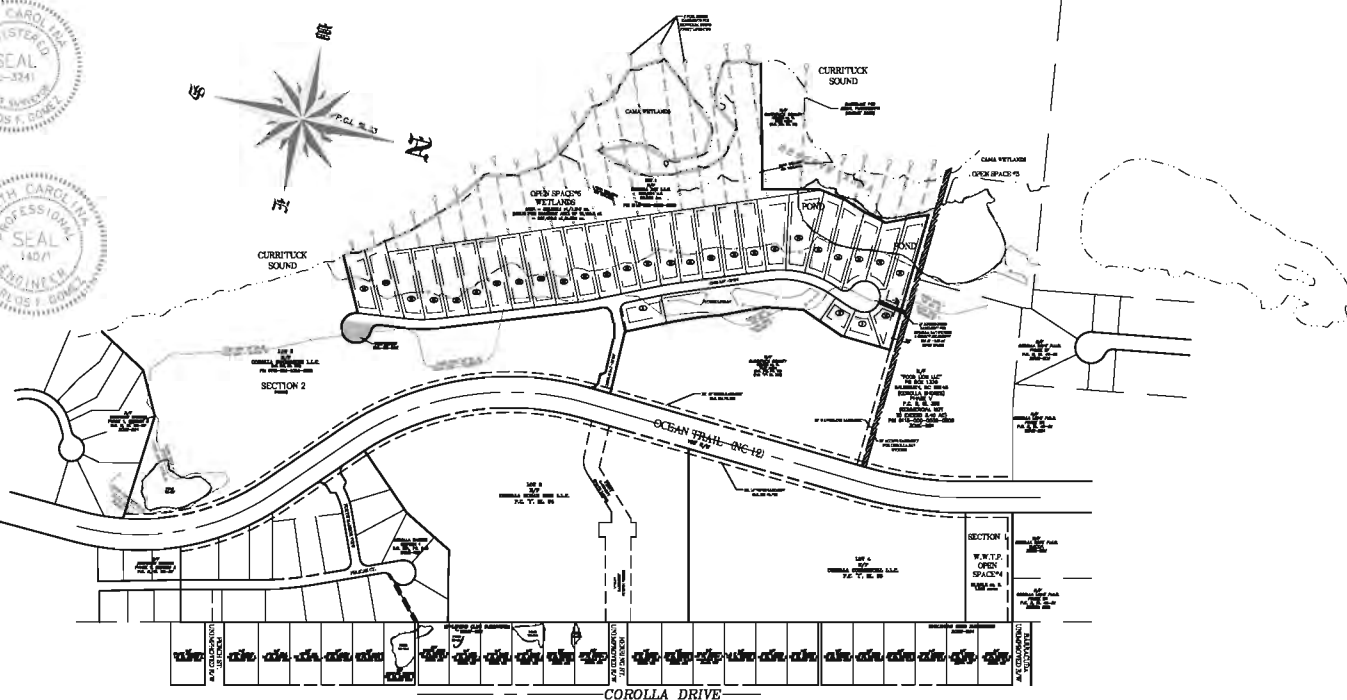
OPEN SPACE, PONDS, DRAINAGE FACILITIES AND RESERVE UTILITY OPEN SPACE REQUIRED TO BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THIS ORDINANCE SHALL NOT BE DEDICATED TO THE PUBLIC EXCEPT UPON WRITTEN ACCEPTANCE BY THE COUNTY, BUT SHALL REMAIN UNDER THE OWNERSHIP AND CONTROL OF THE DEVELOPER (OR HIS SUCCESSOR) OR A HOMEOWNERS ASSOCIATION OR SIMILAR ORGANIZATION THAT SATISFIES THE CRITERIA ESTABLISHED IN SECTION 704 OF THE CURRITUCK COUNTY U.D.O..

A.E.C. CERTIFICATE

THIS SUBDIVISION (OR PORTIONS THEREOF) IS LOCATED WITHIN AN AREA OF ENVIRONMENTAL CONCERN.

LOCAL PERMIT OFFICER

DATE



CULVERT & SWALE NOTE

MINIMUM 12"x20 L.F. (R.C.P.) OR (H.D.P.E.) DRIVEWAY CULVERT SHALL BE PLACED IN STORM DRAINAGE SWALE ALONG RIGHT OF WAY OF CRUZ BAY LANE FOR THE SPECIFIED LOTS: 1 & 18-36. THE REMAINING LOTS (LOTS 8-17) SHALL CONSTRUCT DRIVEWAYS OVER STORMWATER CONVEYANCE SWALE WHICH FOLLOW DESIGN STORMWATER CONVEYANCE SWALE GRADE FROM THE APPROVED COROLLA BAY SECTION 1 CONSTRUCTION PLANS SUCH THAT THE INSTALLED DRIVEWAY INSURES PROPER STORMWATER CONVEYANCE AND DOES NOT OBSTRUCT ANY STORMWATER FLOW FROM UP AND DOWN SLOPE CULVERTS AND/OR SWALE STORMWATER DRAINAGE. ALL DRIVEWAY AND CULVERT INSTALLATION SHALL BE APPROVED BY COROLLA BAY HOMEOWNER'S ASSOCIATION ENGINEER PRIOR TO CONSTRUCTION.

NOTARY CERTIFICATE

STATE OF _____

COUNTY OF _____

I, _____ DO HEREBY CERTIFY THAT PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2007.

NOTARY PUBLIC

MY COMMISSION EXPIRES : _____

GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.

4.C.11.d

P.O. Box 11
934 W. Kitty Hawk
Kitty Hawk, N.C.
(252) 281-1261
Coastal
Sfruc
Javelin

REVISIONS	
NO.	DATE
1	1/1/07
2	1/1/07
3	1/1/07
4	1/1/07
5	1/1/07

MONTEREY SHORES P.U.D. PHASE III

COROLLA BAY

DATE: 03/24/05
CHECKED: CFG
PROJECT NO: P432
CAD FILE: P432-FPLAT

Packet Pg. 154

Attachment: Corolla Bay-Road Addition Petition-P432-FPLAT PAGE 1 OF 3 (1) (1700 : Petition for Road



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1701)

Agenda Item Title

Petition for Road Addition to State Maintenance-Dustin Lane, Landmark Homes

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Dustin Lane
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Dustin Acres Length (miles): 933FT (.177 Mi)

Number of occupied homes having street frontage: 6 Located (miles): .1

miles N ☐ S ☐ E ☐ W ☒ of the intersection of Route TULLS and Route CREEK.
(Check one) (SR, NC, US) (SR, NC, US)

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

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

Name: BRAD SMITH Phone Number: 757-286-9990

Street Address: 112 BUNCH RD AYDLETT NC 27916

Mailing Address: SAME

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
-------------	------------------------	------------------

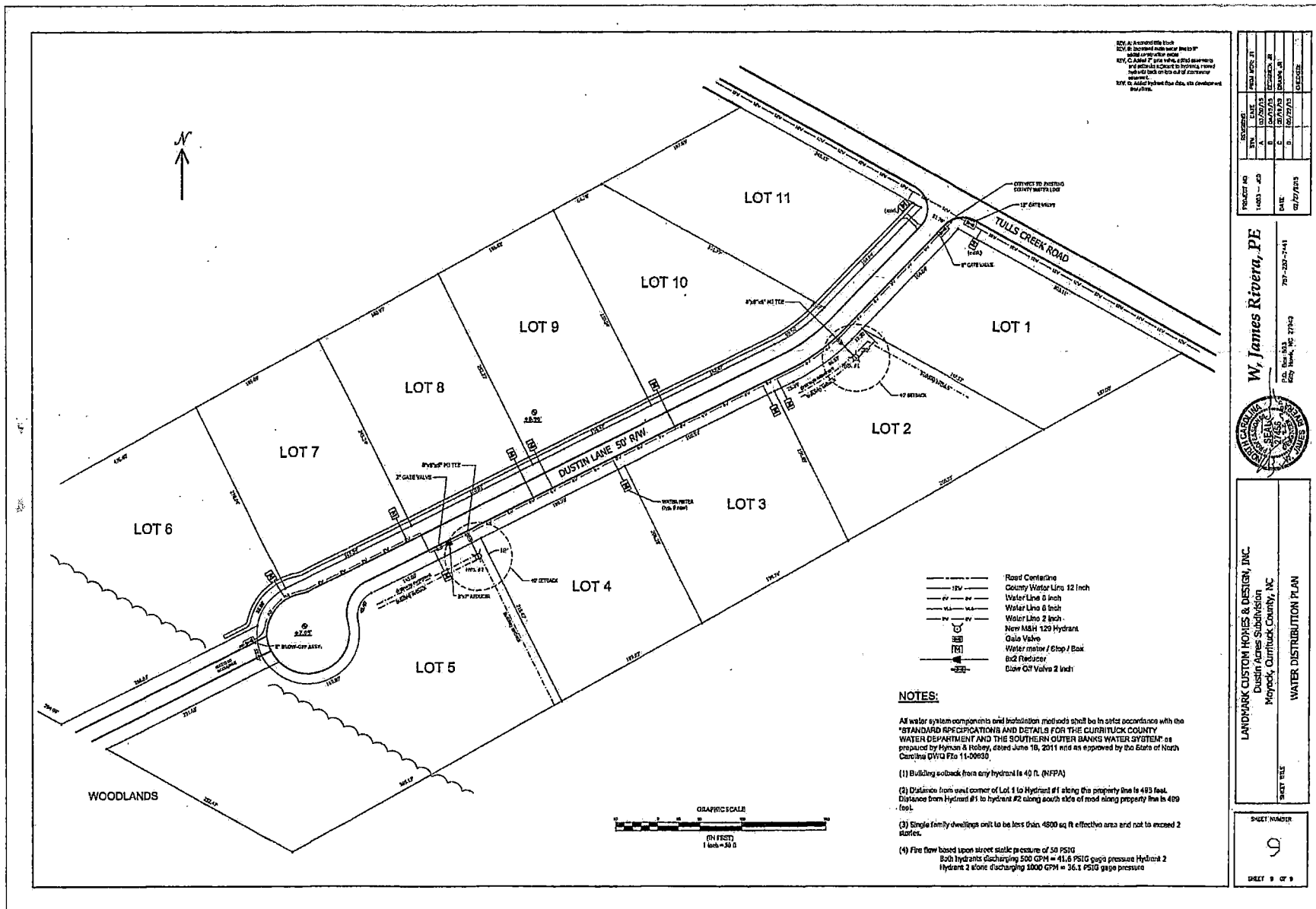
CONTACT PERSON IS DEVELOPER

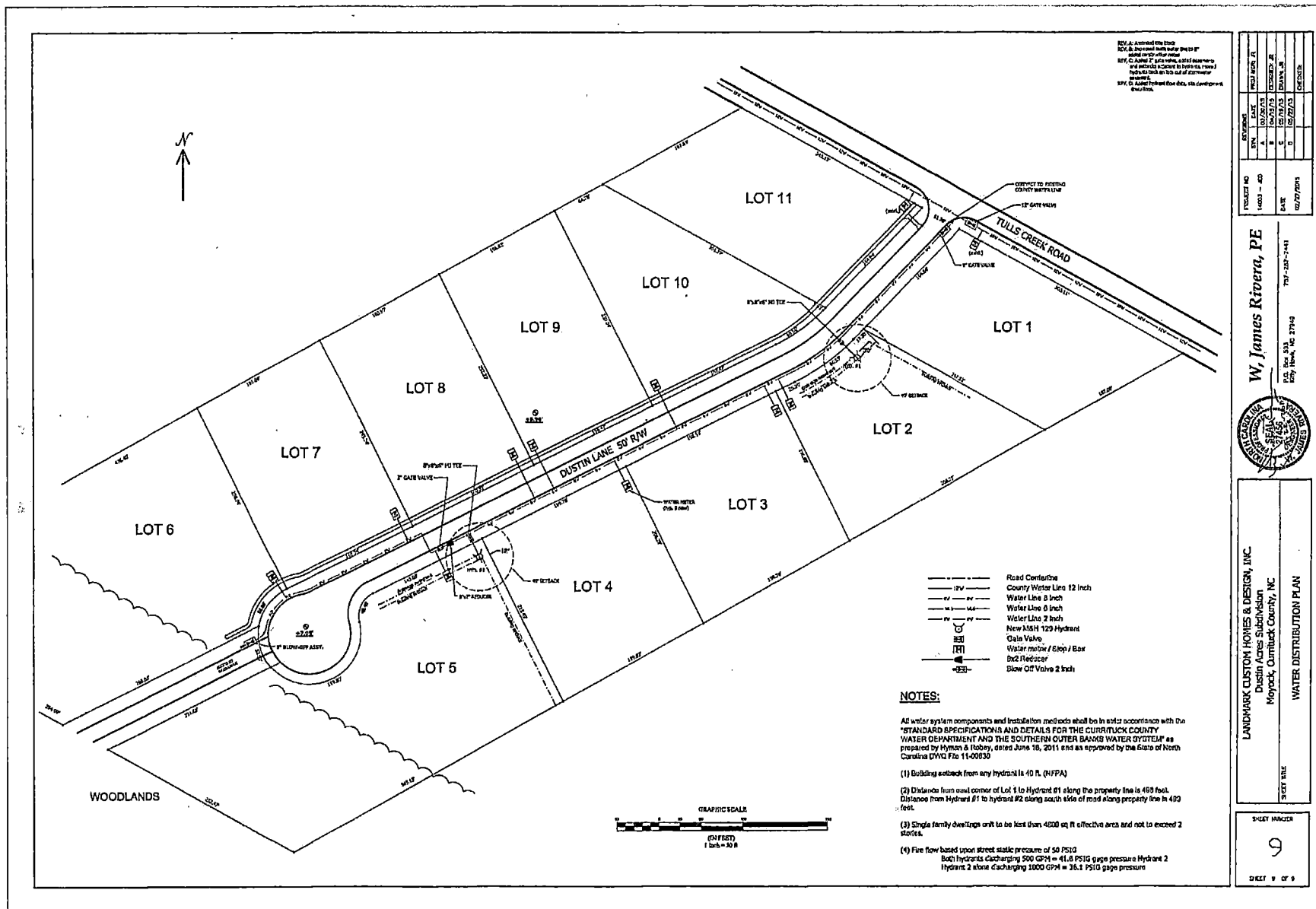
1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

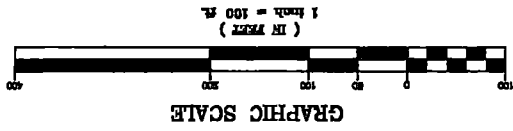
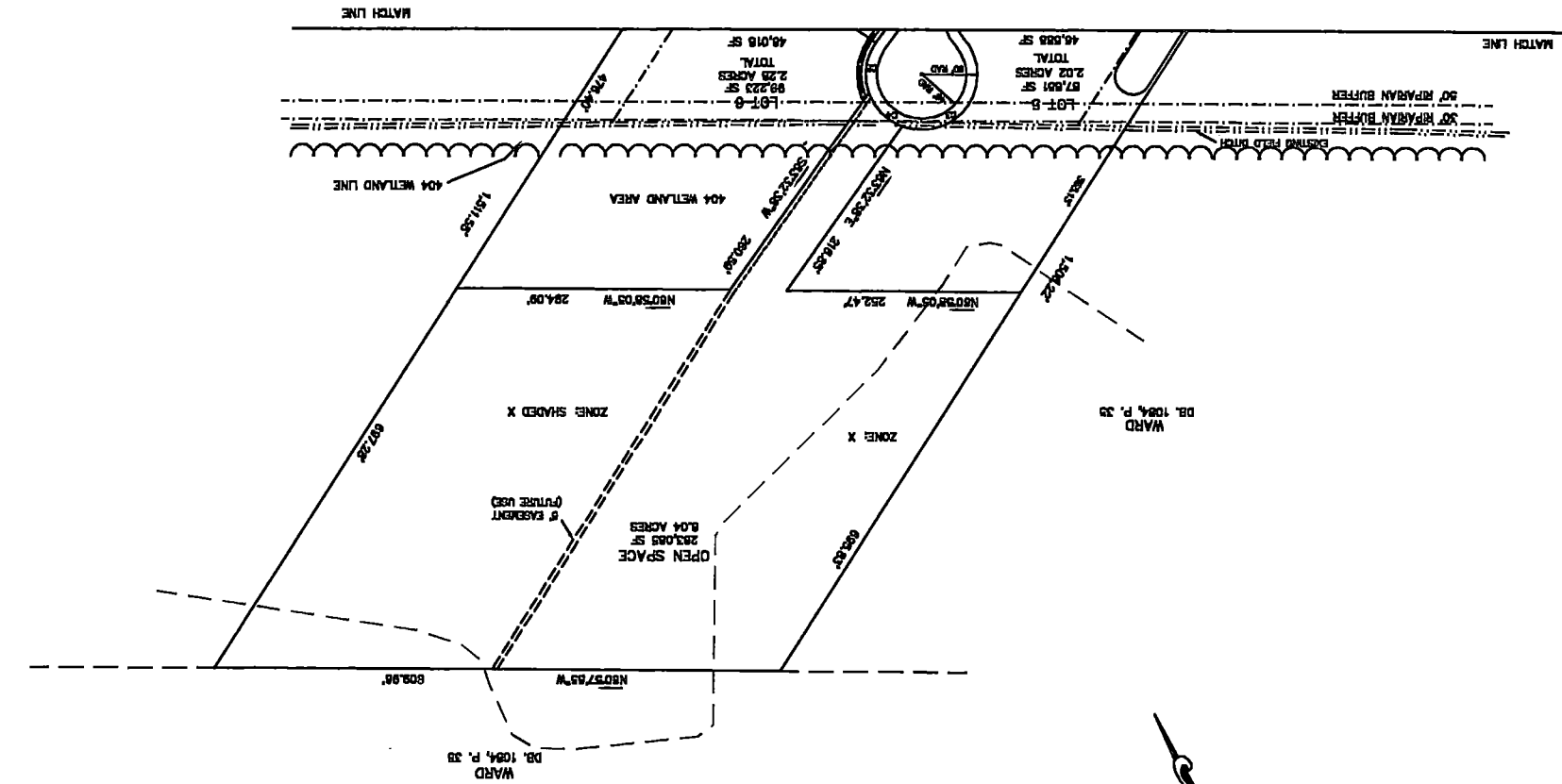
☐ Rural Road ☐ Subdivision platted prior to October 1, 1975 ☐ Subdivision platted after September 30, 1975

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

[illegible]







- LEGEND
- FOUND MONUMENTATION
 - 1/2" REBAR
 - DITCH
 - RIGHT-OF-WAY
 - PROPERTY LINE
 - DRAINAGE PROPERTY LINES
 - BENCH MARK
 - FIRE HYDRANT
 - CONTROL CORNER
 - GRAPE WHITILE

SHEET 3 OF 3		NORTH CAROLINA	
DRAWN BY SLC		CURRITUCK COUNTY	
FILE # 140257NL		MOTORCK TOWNSHIP	
REVISIONS		FINAL PLAT FOR DUSTIN ACRES	

G. L. CARDELL SURVEYING
108 MARLBOROUGH WAY
CAMDEN, NC 27824
252.580.6827
SURVEYING • ENGINEERING • EROSION CONTROL



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1692)

Agenda Item Title

3rd Amendment to Tower Lease Agreement for 734 Ocean Trail, Verizon

Brief Description of Agenda Item:

3rd Amendment to Tower Lease Agreement for 734 Ocean Trail, Verizon

Board Action Requested

Action

Person Submitting Agenda Item

Sandee Salimbene, Assistant

Presenter of Agenda Item

Donald (Ike) I. McRee Jr

THIRD AMENDMENT TO TOWER LEASE AGREEMENT

THIS THIRD AMENDMENT TO TOWER LEASE AGREEMENT (the “Third Amendment”) is made and entered into this ____ day of _____ 201_, by and between **CURRITUCK COUNTY** (“Lessor”) and **CELLCO PARTNERSHIP** d/b/a Verizon Wireless (“Lessee”). Lessor and Lessee are at times collectively referred to hereinafter as the “Parties” or individually as the “Party”.

WITNESSETH:

WHEREAS, Lessor and Lessee entered into a Tower Lease Agreement on January 20, 2006, as amended by that First Amendment to Tower Lease Agreement on March 6, 2012 and Second Amendment to Tower Lease Agreement on September 9, 2014 (collectively, the “Agreement”), whereby Lessee leased from Lessor certain ground space and space on the Lessor’s Tower located at 734 Ocean Trail, Corolla, Currituck County, North Carolina, and as further described in the Agreement (the “Premises”);

WHEREAS, the Parties desire to amend the Agreement to modify Lessee’s equipment;

NOW THEREFORE, in consideration of the premises and the mutual undertakings herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Exhibit “B-2” of the Agreement is hereby replaced and superseded in its entirety by the attached Exhibit “B-3”. In the event of any discrepancies between Exhibit “B-2 and Exhibit “B-3”, Exhibit “B-3” shall control.
2. Lessor and Lessee each hereby warrant to the other that the person executing this Third Amendment on behalf of the warranting party has the full right, power and authority to enter into, and execute, this Third Amendment on that party’s behalf, and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Third Amendment.
3. The Agreement and Third Amendment contain all agreements, promises or understandings between Lessor and Lessee and no verbal or oral agreements, promises or understandings shall be binding upon either the Lessor or Lessee in any dispute, controversy or proceeding at law, and any addition, variation or modification to the Agreement and Third Amendment shall be void and ineffective unless made in writing and signed by the parties. In the event any provision of the Agreement and Third Amendment is found to be invalid or unenforceable, such a finding shall not affect the validity and enforceability of the remaining provisions of the Agreement and Third Amendment.

4. Except as expressly set forth herein, all other terms, covenants and conditions of the Agreement shall remain unmodified and in full force and effect, and the Parties hereby confirm and ratify such terms and conditions and agree to perform and comply with the same. In the event of a conflict between the terms of the Agreement and the terms of this Third Amendment, the terms of this Third Amendment shall be controlling.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, Lessor and Lessee have executed this Third Amendment effective as of the day and year first above written.

LESSOR:

CURRITUCK COUNTY

WITNESS

By: _____
Name: _____
Title: _____
Date: _____

LESSEE:

CELLCO PARTNERSHIP

d/b/a Verizon Wireless

WITNESS

By: _____
Name: Carrie Spencer
Title: Director –Network Field Engineering
Date: _____

Attachment: 734 Ocean Trail (Corolla) - 3rd Amendment - Draft (1692 : 3rd Amendment to Tower Lease Agreement)

EXHIBIT "B-3"

Lessee is authorized to install and maintain the following equipment:

ANTENNAS:	(4) SBNHH-1D65C (2) BXA-70063/8CF
RAD CENTER:	194'
REMOTE RADIO HEADS:	(2) B13 RRH4x30-4R (2) B25 RRH4x30W
TMAS:	(2) ATMAWSD-1A20
DISTRIBUTION BOXES:	(2) RHSDC-3315-PF-48
DIPLEXERS:	(4) FD9R6004/2C-3L
LINES:	(6) 1-5/8" coax cables (2) 1-5/8" fiber lines



1831 Rady Court
Richmond, VA 23222



STRUCTURAL REPORT COROLLA PCS Analysis of an Existing 245'-0" Self-Support Tower

**734 Ocean Trail
Corolla, NC 27927
Currituck County**

Clark Nexsen Commission # 5833-154-PCS

July 22, 2015

July 28, 2015: Revised Loading

July 30, 2015: Revised Loading

August 3, 2015: Revised Loading

April 8, 2016: Revised Loading

September 28: Revised Loading with Augmentation

Engineer(s): Janet L. Webster, P.E.
Kathy Henderson



4525 Main Street, Suite 1400
Virginia Beach, VA 23462
clarknexsen.com

CLARK NEXSEN

Attachment: Corolla - Structural Analysis Report with Augmentation - 20160928 (1692 : 3rd Amendment to Tower Lease Agreement)

Analysis Summary

Clark Nexsen has completed a structural analysis of the existing 245'-0" tall self-support tower at the referenced site. Verizon Wireless requested an analysis of the tower with existing and proposed appurtenances. The purpose of our analysis was to determine if the existing tower has sufficient capacity to support the final appurtenance configuration proposed. The analysis was based on information provided by Verizon Wireless which included antenna data, the original tower manufacturer drawings prepared by Valmont Structures, dated April 27, 2006 and a previous structural analysis report prepared by AW Solutions, Inc., dated February 11, 2014. In addition, a previous structural analysis prepared by Clark Nexsen, dated May 1, 2014, a field mapping report prepared by Hightower Services, Inc., dated February 20, 2014 and the assumptions indicated in this report were used to complete the structural analysis. This report stands alone as a rigorous structural analysis of the existing 245'-0" self-support tower based on the information available at the time.

The final configuration of Verizon Wireless appurtenances at elevation +194'-0" will include:

- ♦ (2) BXA-70063-8CF panel antennas
- ♦ (4) SBNHH-1D65C panel antennas
- ♦ (2) B13 RRH4x30-4R remote radio heads
- ♦ (2) B25 RRH4x30W remote radio heads
- ♦ (2) RHSDC-3315-PF-48 distribution boxes
- ♦ (2) ATMAWSD-1A20 tower mounted amplifiers
- ♦ (4) FD9R6004/2C-3L diplexers
- ♦ (6) 1-5/8" diameter coaxial cables
- ♦ (2) 1-5/8" diameter fiber lines

The analysis indicates the existing tower and foundation cannot safely support the existing and proposed appurtenances listed in this report. Structural Augmentation Drawings have been included in order for this tower to safely support the existing and proposed appurtenances. The structural rating of the foundation is overstressed using direct comparison of the analysis reactions to the original foundation design reactions. The original drawings indicated a tension capacity of 50 kips and a compression capacity of 100 kips. However, we had an opportunity to review the geotechnical report for the original construction that was prepared by Schnabel Engineering and dated April 6, 2006. The report contains a WEAP Analysis of the piles and indicating the piles have a tensile capacity of 74 kips and a compression capacity of 125 kips. We also reviewed the Dynamic Pile Testing and Production Report prepared by Schnabel Engineering dated May 5, 2006 which confirms these assumptions. Based on these reports, structural calculations indicate that the piles have adequate capacity to support the revised loads. Finally, the baseplate and anchor connection were analyzed by Valmont, the original designers of the tower. Calculations indicate that these elements are acceptable to support the new loads.



Therefore, following the augmentation of the tower superstructure designed and included with this report, the tower and its supporting structure can safely support the existing and proposed appurtenances listed in this report.

Analysis Criteria

2012 North Carolina Building Code

TIA-222-G-2005, *Telecommunications Industry Association (TIA) Standard*

- ♦ 3-second gust wind speed of 120 MPH without ice
- ♦ 3-second gust wind speed of 30 MPH with 1/2" nominal ice accumulation
- ♦ Structure Classification III

A nonlinear (P-Delta) analysis of the self-support tower was performed using the tnxTower analysis software package, version 6.1.2.0.

Existing Tower Description

The existing tower is located within Currituck County on Ocean Trail in Corolla, NC and is a three sided, 245'-0" tall, self-support tower manufactured by Valmont Structures. According to the manufacturer drawings, the tower consists of (11) 20'-0" long tapered sections, one 15'-0" long straight section, and one 10'-0" long straight section. The face width of the existing self-support tower is 26'-0" at base, tapers to 4'-0" at elevation +220'-0" and remains 4'-0" to the top of the tower. The tower sections from the base to the elevation +245'-0" consist of X-braced diagonals on all three-sides and a truss leg system that terminates at elevation +220'-0". A photo of the existing self-support tower is included in Appendix A.

The top of the existing foundation appears to resemble the three, square, cast-in-place concrete pile caps indicated in the manufacturer drawings. Clark Nexsen was not contracted to conduct a subsurface geotechnical investigation and did not confirm whether the foundation was installed as intended. According to the tower manufacturer drawings, the total design base shear is 104 kips and the maximum design base reactions per leg are 636 kips of compression and 577 kips of uplift. Foundation reactions indicated are service-level forces. Photos of the existing foundation above finished grade are included in Appendix A.



Existing Appurtenances

Rad Center (ft)	Total Number of Appurtenances	Appurtenance Type	Mount Type	Coax Line Diameter	Total Number of Lines	Carrier
124'-0"	1	Beacon	Standoff	0.62"	1	-
130'-0"	1	VHLP6-6W-RR1B (Reserved)	Pipe	1/2"	1	County
131'-6"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County
155'-0"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County
174'-0"	26	3 - SBNHH-1D65B 3 - UMWD-06516A 3 - EPBQ-652L8H8 6 - ETW190VS12UB 3 - RRUS-12 + RRUS-A2 3 - RRUS-32 3 - RRUS-11 2 - DC6-48-60-18-8F	T-Frame	1-5/8" 7/8" DC 3/8" Fiber	12 4 2	AT&T
185'-0"	21	3- APXVSPP18-C 3- RRUS-11 800MHz 6- RRUS-11 1900MHz 3- Sprint NMP_Combiner 3- APXVTM14-C120 3- RRUS-11	T-Frame	1-5/8" 1-5/8" 1-5/8" 1-1/4"	3 6 6 1	Sprint
194'-0"	14	2- BXA-70080-8CF 4- BXA-171063/12CF 2- BXA-70063/8CF 2- ATMAWSD-1A20 (TMA)	T-Frame	1-5/8"	12	Verizon Wireless
198'-0"	1	18' Omni	Standoff	1-5/8"	1	County
210'-0"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County
214'-6"	1	20' Dipole	Standoff	7/8"	1	County
228'-6"	2	15' Omni w/ TMA	Standoff	7/8"	1	County
235'-0"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County
243'-0"	1	20' Dipole	Standoff	7/8"	1	County
243'-3"	1	4' Lightning Rod	Pipe	-	-	-
245'-0"	1	Beacon	Flat	0.62"	1	-

Appurtenances to be Removed

Rad Center (ft)	Total Number of Appurtenances	Appurtenance Type	Mount Type	Coax Line Diameter	Total Number of Lines	Carrier
194'-0"	10	2- BXA-70080-8CF 4- BXA-171063/12CF	-	1-5/8"	6	Verizon Wireless



Proposed Appurtenances

Rad Center (ft)	Total Number of Appurtenances	Appurtenance Type	Mount Type	Coax Line Diameter	Total Number of Lines	Carrier
194'-0"	14	4- SBNHH-1D65C 2- B13 RRH4x30-4R (RRH) 2- B25 RRH4x30W (RRH) 4- FD9R6004/2C-3L (Diplexer) 2- RHSDC-3315-PF-48 (OVP)	-	1-5/8" Fiber	2	Verizon Wireless

Final Appurtenance Configuration

The tower was analyzed with the following appurtenances:

Rad Center (ft)	Total Number of Appurtenances	Appurtenance Type	Mount Type	Coax Line Diameter	Total Number of Lines	Carrier
124'-0"	1	Beacon	Standoff	0.62"	1	-
130'-0"	1	VHLP6-6W-RR1B (Reserved)	Pipe	1/2"	1	County
131'-6"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County
155'-0"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County
174'-0"	26	3 - SBNHH-1D65B 3 - UMWD-06516A 3 - EPBQ-652L8H8 6 - ETW190VS12UB 3 - RRUS-12 + RRUS-A2 3 - RRUS-32 3 - RRUS-11 2 - DC6-48-60-18-8F	T-Frame	1-5/8" 7/8" DC 3/8" Fiber	12 4 2	AT&T
185'-0"	21	3- APXVSP18-C 3- RRUS-11 800MHz 6- RRUS-11 1900MHz 3- Sprint NMP_Combiner 3- APXVTM14-C120 3- RRUS-11	T-Frame	1-5/8" 1-5/8" 1-5/8" 1-1/4"	3 6 6 1	Sprint
194'-0"	18	2- BXA-70063/8CF 4- SBNHH-1D65C 2- ATMAWSD-1A20 (TMA) 2- B13 RRH4x30-4R (RRH) 2- B25 RRH4x30W (RRH) 4- FD9R6004/2C-3L (Diplexer) 2- RHSDC-3315-PF-48 (OVP)	T-Frame	1-5/8" 1-5/8" Fiber	6 2	Verizon Wireless
198'-0"	1	18' Omni	Standoff	1-5/8"	1	County
210'-0"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County
214'-6"	1	20' Dipole	Standoff	7/8"	1	County
228'-6"	2	15' Omni w/ TMA	Standoff	7/8"	1	County
235'-0"	1	VHLP6-6W-RR1B	Pipe	1/2"	1	County

243'-0"	1	20' Dipole	Standoff	7/8"	1	County
243'-3"	1	4' Lightning Rod	Pipe	-	-	-
245'-0"	1	Beacon	Flat	0.62"	1	-

*Refer to the Coaxial Configuration Plan in Appendix C

Assumptions and Limitations

- The field mapping report was conducted in order to determine the configuration of existing appurtenances only. The report shall not imply qualified personnel assessed the physical condition of the tower. Clark Nexsen personnel did not perform a tower inspection in order to complete this report.
- Structural analyses of appurtenance mounts are not included in the scope of work. Adequacy of existing or purposed appurtenance mounts to safely support imposed loads shall be verified by others.
- Information provided by HighTower Solutions, Inc. is true and accurate.
- Information provided by Verizon Wireless is true and accurate.
- Information contained in the original design documents is true and accurate.
- The existing tower has been properly installed and maintained, is damage-free, and is plumb.
- Existing and proposed feed lines are installed as specified in the coaxial cable configuration in Appendix C.
- Verizon Wireless mount is a 15'-0" wide T-Frame and weighs 500 lbs without ice.
- Sprint and AT&T mounts are 12'-0" wide T-Frames and weigh 360 lbs without ice.
- The original design reactions are based upon an Allowable Stress Design procedure.

Results and Conclusions

The structural analysis indicates the capacity of the existing self-support tower with necessary augmentation is adequate to support the existing and proposed appurtenances. A maximum horizontal deflection at the top of the self-support tower is not expected to exceed 5" under service-level wind loads. The maximum tower rating is 95.0%.

Anticipated maximum tower base reactions per leg are 812 kips of compression, 91 kips of shear and 732 kips of uplift. Base reactions reported above are strength-level forces in accordance with TIA-222-G-2005. Foundation reactions under service-level forces reveal a total base shear of 116 kips and maximum base reactions, per leg, of 664 kips of compression and 594 kips of uplift.

Calculations of the concrete pile foundation by our engineers were completed and the existing piles were found to be acceptable (see appendix E). The calculations were completed using actual foundation installation reactions.

Calculations of the base plat and anchor rods were completed by Valmont Engineers, the original design engineers (see Appendix F). The calculations found the anchor rods to be acceptable for the proposed loading.



Corolla PCS Analysis
Clark Nexsen Commission #5833-154-PCS

7 | Page

The analysis results include both the existing and proposed appurtenances. Equipment not listed in this report should not be placed on the existing tower without the approval of a licensed Professional Engineer registered in the State of North Carolina.

A complete copy of the tnxTower analysis and other calculations can be provided upon request.

Appendices

APPENDIX A - Existing Tower and Foundation Photos

APPENDIX B - tnxTower Drawing E-1

APPENDIX C - Coaxial Cable Configuration

APPENDIX D - Augmentation Drawing

APPENDIX E - Foundation Calculations

APPENDIX F - Anchor Bolt Calculations



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APPENDIX A



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Existing Self-Support Tower



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Existing Foundation



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APPENDIX B



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CLARKNEXSEN

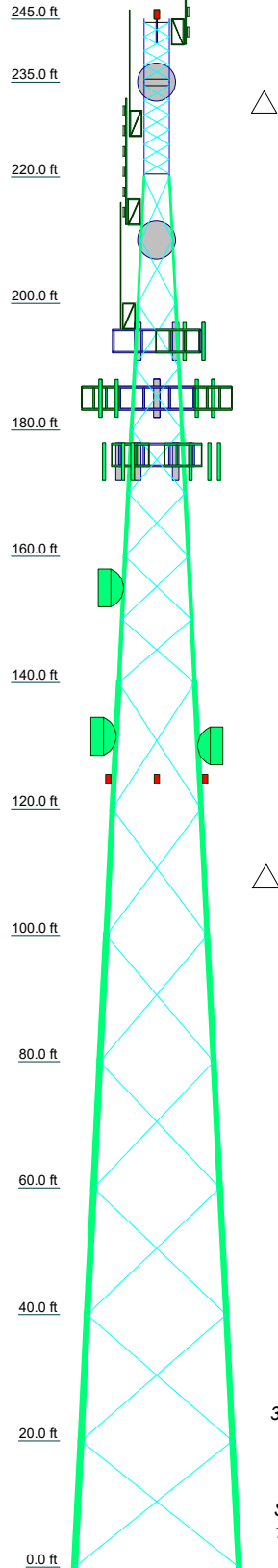


SYMBOL LIST

MARK	SIZE	MARK	SIZE
A	Valmont 195555 GSF	D	Valmont 195560 GSF
B	Valmont 195557 GSF	E	Valmont 114740 GSF
C	Valmont 195559 GSF		

TOWER DESIGN NOTES

1. Tower is located in Currituck County, North Carolina.
2. Tower designed for Exposure C to the TIA-222-G Standard.
3. Tower designed for a 120 mph basic wind in accordance with the TIA-222-G Standard.
4. Tower is also designed for a 30 mph basic wind with 0.50 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60 mph wind.
6. Tower Structure Class III.
7. Topographic Category 1 with Crest Height of 0.00 ft
8. Maximum Leg Rating: 10.5% (Section T11)
9. Maximum Diagonal Rating: 123.8% (Section T11)
10. Maximum Bolt Rating: 86.2%
11. TOWER RATING: 123.8%

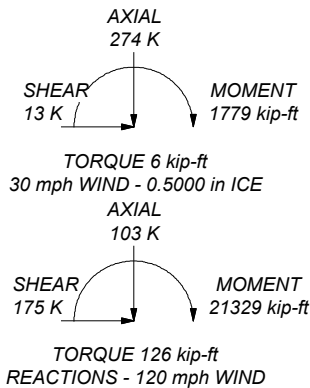


ALL REACTIONS
ARE FACTORED

MAX. CORNER REACTIONS AT BASE:

DOWN: 982 K
SHEAR: 111 K

UPLIFT: -902 K
SHEAR: 104 K



Attachment: Corolla - Structural Analysis Report with Augmentation - 20160928 (1692 : 3rd Amendment to Tower Lease Agreement)

Clark Nexsen
4525 Main Street, Suite 1400
Virginia Beach, VA 23462
Phone: (757) 455-5800
FAX:

Job: **Corolla Self-Support Tower - PCS - no Augm**
Project: **5833-154-PCS**
Client: Verizon Wireless
Code: TIA-222-G
Path:
Drawn by: KHenderson
Date: 06/11/16
App'd:
Scale: ITS
E-1

DESIGNED APPURTENANCE LOADING

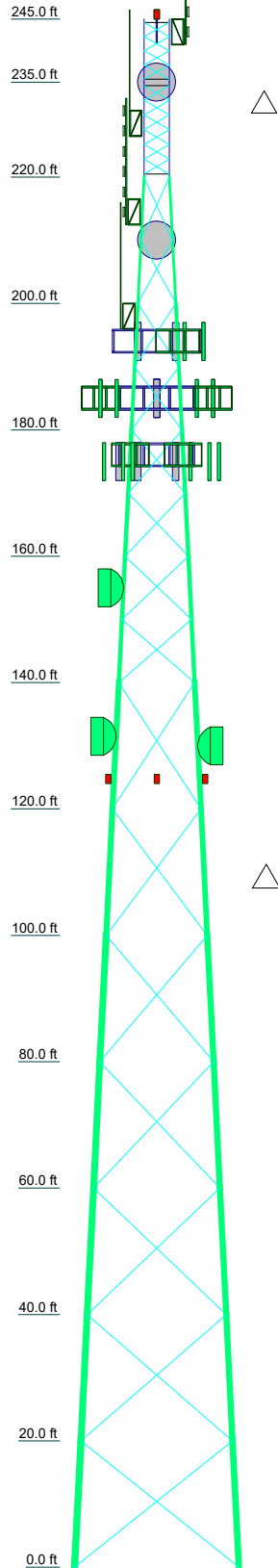
TYPE	ELEVATION	TYPE	ELEVAT
Beacon	245	APXVSPP18-C w/ Mount Pipe (Sprint)	185
Lightning Rod 4'	243.25	APXVSPP18-C w/ Mount Pipe (Sprint)	185
20' Dipole (Currituck County)	243	APXVSPP18-C w/ Mount Pipe (Sprint)	185
Standoff Mount (Currituck County)	243	RRUS-11 800MHz (Sprint)	185
VHLP6-6W-RR1B (Currituck County)	235	RRUS-11 800MHz (Sprint)	185
DB810E-PS (15' Omni /700, 800) (Currituck County)	228.5	RRUS-11 800MHz (Sprint)	185
Standoff Mount (Currituck County)	228.5	PIROD 12' T-Frame (Sprint)	185
20' Dipole (Currituck County)	214.5	PIROD 12' T-Frame (Sprint)	185
Standoff Mount (Currituck County)	214.5	(2) RRUS-11 1900MHz (Sprint)	185
VHLP6-6W-RR1B (Currituck County)	210	(2) RRUS-11 1900MHz (Sprint)	185
18 Omni (Currituck County)	198	(2) RRUS-11 1900MHz (Sprint)	185
Standoff Mount (Currituck County)	198	SPRINT NMP_COMBINER (Sprint)	185
BXA-70063/8CF w/ Mount Pipe (Verizon Wireless)	194	SPRINT NMP_COMBINER (Sprint)	185
RFS FD9R6004/2C-3L (Verizon Wireless)	194	RRUS-11 (ATI)	185
RFS FD9R6004/2C-3L (Verizon Wireless)	194	RRUS-11 (ATI)	185
RFS FD9R6004/2C-3L (Verizon Wireless)	194	SPRINT NMP_COMBINER (Sprint)	185
ATMAWSD-1A20 (Verizon Wireless)	194	APXVTM14-C-120 w/ Mount Pipe (Sprint)	185
BXA-70063/8CF w/ Mount Pipe (Verizon Wireless)	194	12.5' T-Frame (ATI)	176
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	12.5' T-Frame (ATI)	176
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	12.5' T-Frame (ATI)	176
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	SBNHH-1D65C w/ Mount Pipe (ATI)	175
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	RRUS-12 + RRUS -A2 (ATI)	175
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	RRUS-12 + RRUS -A2 (ATI)	175
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	RRUS-12 + RRUS -A2 (ATI)	175
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	RRUS-11 (ATI)	175
SBNHH-1D65C w/ pipe mount (Verizon Wireless)	194	RRUS-11 (ATI)	175
PIROD 15' T-Frame (Verizon Wireless)	194	RRUS-11 (ATI)	175
PIROD 15' T-Frame (Verizon Wireless)	194	DC6-48-60-18-8F (ATI)	175
RHSDC-3315-PF-48 (Verizon Wireless)	194	DC6-48-60-18-8F (ATI)	175
RHSDC-3315-PF-48 (Verizon Wireless)	194	UMWD-06516-XD w/ Mount Pipe (ATI)	175
B13 RRH4X30-4R (Verizon Wireless)	194	UMWD-06516-XD w/ Mount Pipe (ATI)	175
B13 RRH4X30-4R (Verizon Wireless)	194	UMWD-06516-XD w/ Mount Pipe (ATI)	175
B25 RRH4x30-4R (Verizon Wireless)	194	EPBQ-652L8H8 w/ Mount Pipe (ATI)	175
B25 RRH4x30-4R (Verizon Wireless)	194	EPBQ-652L8H8 w/ Mount Pipe (ATI)	175
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RRUS-11 1900MHz (Sprint)	185	SBNHH-1D65C w/ Mount Pipe (ATI)	175
RRUS-11 1900MHz (Sprint)	185	SBNHH-1D65C w/ Mount Pipe (ATI)	175
RRUS-11 1900MHz (Sprint)	185	VHLP6-6W-RR1B (Currituck County)	155
		VHLP6-6W-RR1B (Currituck County)	131.5
		VHLP6-6W-RR1B (Currituck County)	130
		Beacon	124
		Beacon	124
		Beacon	124

SYMBOL LIST

MARK	SIZE	MARK	SIZE
A	Valmont 195555 GSF	D	Valmont 195560 GSF
B	Valmont 195557 GSF	E	Valmont 114740 GSF
C	Valmont 195559 GSF		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi

**Clark Nexsen**

4525 Main Street, Suite 1400

Virginia Beach, VA 23462

Phone: (757) 455-5800

FAX:

Job: **Corolla Self-Support Tower - PCS - no Augm**Project: **5833-154-PCS**Client: **Verizon Wireless**Drawn by: **KHenderson**

App'd:

Code: **TIA-222-G**Date: **06/**

Scale:

Path:

Packet Pg. 179

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ITS

E-1

SYMBOL LIST

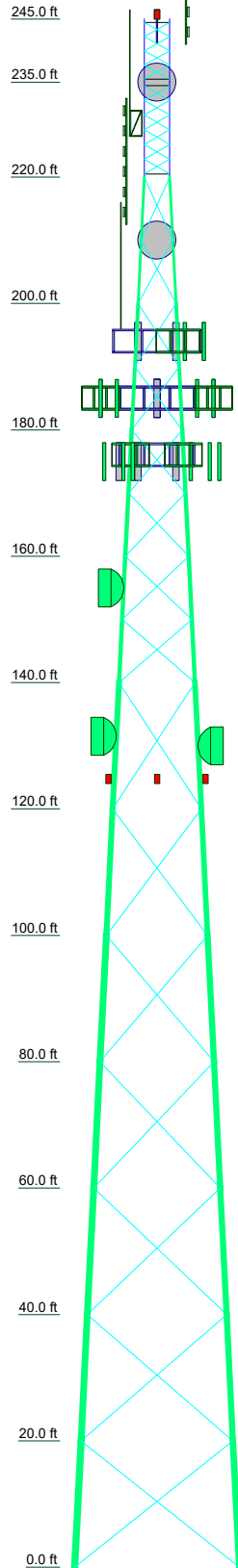
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TOWER DESIGN NOTES

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2. Tower designed for Exposure C to the TIA-222-G Standard.
3. Tower designed for a 120 mph basic wind in accordance with the TIA-222-G Standard.
4. Tower is also designed for a 30 mph basic wind with 0.50 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60 mph wind.
6. Tower Structure Class III.
7. Topographic Category 1 with Crest Height of 0.00 ft
8. Maximum Leg Rating: 95.2% (Section T11)
9. Maximum Diagonal Rating: 94.2% (Section T11)
10. Maximum Bolt Rating: 80.4%
11. TOWER RATING: 95%

Attachment: Corolla - Structural Analysis Report with Augmentation - 20160928 (1692 : 3rd Amendment to Tower Lease Agreement)

Section	L1	L2	T1	T2	T3	T4	T5	T6	T7	T8	T9	T10	T11	
Legs	SR 1 3/4	SR 2	A	B	C	D	Valmont 139283 GSF	Valmont 139284 GSF	Valmont 139285 GSF	Valmont 139286 GSF	Valmont 139287 GSF	Valmont 139288 GSF	Valmont 139289 GSF	
Leg Grade	SR 7/8	SR 1	L3x3x3/16	L3x3x5/16	L3x3x1/2	A572-50	A36	N.A.	N.A.					
Diagonals	A572-50	SR 1	L3x3x3/16	L3x3x5/16	L3x3x1/2	A572-50	A36	N.A.	N.A.					
Diagonal Grade	A572-50	SR 1	L3x3x3/16	L3x3x5/16	L3x3x1/2	A572-50	A36	N.A.	N.A.					
Top Girts	SR 7/8	SR 1	L3x3x3/16	L3x3x5/16	L3x3x1/2	A572-50	A36	N.A.	N.A.					
Bottom Girts	SR 7/8	SR 1	L3x3x3/16	L3x3x5/16	L3x3x1/2	A572-50	A36	N.A.	N.A.					
Face Width (ft)	4	4	6	8	10	12	14	16	18	20	22	24	26	
# Panels @ (ft)	6 @ 2.33333	4 @ 2.25	8 @ 10	3.5	4.2	6.1	6.2	7.7	7.8	8.0	8.1	10.1	67.2	
Weight (K)	1.0	1.7	2.2	3.5	4.2	6.1	6.2	7.7	7.8	8.0	8.1	10.1	67.2	

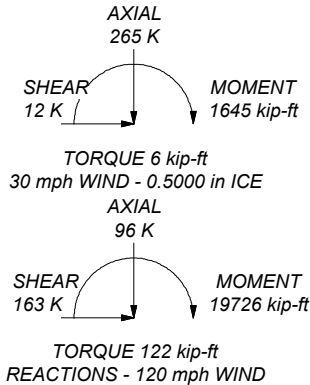


ALL REACTIONS
ARE FACTORED

MAX. CORNER REACTIONS AT BASE:

DOWN: 889 K
SHEAR: 103 K

UPLIFT: -843 K
SHEAR: 99 K



Clark Nexsen
4525 Main Street, Suite 1400
Virginia Beach, VA 23462
Phone: (757) 455-5800
FAX:

Job: **Corolla Self-Support Tower - PCS - Augme**
Project: **5833-154-PCS**
Client: **Verizon Wireless**
Code: **TIA-222-G**
Path:
Drawn by: **KHenderson**
Date: **08/08/2016**
App'd: **NTS**
Scale: **E-1**

DESIGNED APPURTENANCE LOADING

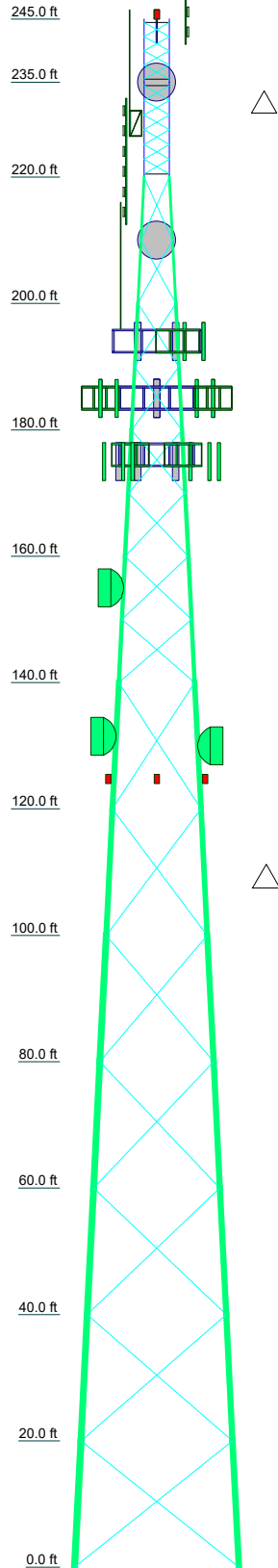
TYPE	ELEVATION	TYPE	ELEVAT
Beacon	245	RRUS-11 800MHz (Sprint)	185
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20' Dipole (Currituck County)	243	PIROD 12' T-Frame (Sprint)	185
VHLP6-6W-RR1B (Currituck County)	235	PIROD 12' T-Frame (Sprint)	185
15' Omni /700, 800 (Currituck County)	228.5	PIROD 12' T-Frame (Sprint)	185
20' Dipole (Currituck County)	214.5	(2) RRUS-11 1900MHz (Sprint)	185
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BXA-70063/8CF w/ Mount Pipe (Verizon Wireless)	194	RRUS-11 (Sprint)	185
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RHSDC-3315-PF-48 (Verizon Wireless)	194	RRUS-11 (ATI)	175
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APXVTM14-C-120 w/ Mount Pipe (Sprint)	185	ETW190VS12UB w/ Mount Pipe (ATI)	175
APXVSPP18-C w/ Mount Pipe (Sprint)	185	DC2-48-60-0-9E (ATI)	175
APXVSPP18-C w/ Mount Pipe (Sprint)	185	DC2-48-60-0-9E (ATI)	175
APXVSPP18-C w/ Mount Pipe (Sprint)	185	VHLP6-6W-RR1B (Currituck County)	155
RRUS-11 800MHz (Sprint)	185	VHLP6-6W-RR1B (Currituck County)	131.5
		VHLP6-6W-RR1B (Currituck County)	130
		Beacon	124
		Beacon	124
		Beacon	124

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MARK	SIZE	MARK	SIZE
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C	Valmont 195559 GSF		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi



Clark Nexsen

4525 Main Street, Suite 1400

Virginia Beach, VA 23462

Phone: (757) 455-5800

FAX:

Job: Corolla Self-Support Tower - PCS - Augme

Project: 5833-154-PCS

Client: Verizon Wireless

Code: TIA-222-G

Path:

Drawn by: KHenderson

Date: 08/08/2016

App'd:

Scale:

NTS

Packet Pg. 181

E-1

APPENDIX C



4525 Main Street, Suite 1400
Virginia Beach, VA 23462
clarknexsen.com

CLARKNEXSEN



(12) EXISTING
1-5/8"Ø COAX TO
ELEVATION +174'-0"

(4) EXISTING 7/8"Ø
DC CABLES TO
ELEVATION +174'-0"

(2) EXISTING 3/8"Ø
FIBER LINES TO
ELEVATION +174'-0"

(1) EXISTING
1-1/4"Ø COAX TO
ELEVATION +185'-0"

(2) PROPOSED
1-5/8"Ø FIBER TO
ELEVATION +194'-0"

(6) EXISTING
1-5/8"Ø COAX TO
ELEVATION +194'-0"

(1) EXISTING 0.62"Ø
COAX TO ELEVATION
+245'-0"

(1) EXISTING 0.62"Ø
COAX TO ELEVATION
+124'-0"

(15) EXISTING
1-5/8"Ø COAX TO
ELEVATION +185'-0"

(3) EXISTING
1-1/4"Ø COAX TO
ELEVATION +185'-0"

(1) EXISTING 7/8"Ø
COAX TO ELEVATION
+228'-6"

(1) EXISTING 7/8"Ø
COAX TO ELEVATION
+214'-6"

(1) EXISTING 1/2"Ø
COAX TO ELEVATION
+235'-0"

(1) EXISTING 1/2"Ø
COAX TO ELEVATION
+210'-0"

(1) RESERVED
1/2"Ø COAX
TO ELEVATION
+130'-0"

(1) EXISTING 7/8"Ø
COAX TO ELEVATION
+243'-0"

(1) EXISTING
1-5/8"Ø COAX TO
ELEVATION +198'-0"

(1) EXISTING 1/2"Ø
COAX TO ELEVATION
+154'-0"

(1) EXISTING 1/2"Ø
COAX TO ELEVATION
+131'-6"

COAXIAL CABLE CONFIGURATION

NOT TO SCALE

CLARK NEXSEN

4525 Main Street
Suite 1400
Virginia Beach, Virginia 23462
757.455.5800

COROLLA PCS

CURRITUCK, VA
CURRITUCK, COUNTY



verizon wireless

1831 RADY COURT
RICHMOND, VA 23222

DWG. NO.	DESIGNED: KWH	DATE: 07/30/15
T-1	DRAWN: WMD	JOB NO.: 5833-154-PCS
SHT. 1 OF 1	CHECKED: ECW	SCALE: AS NOTED

APPENDIX D

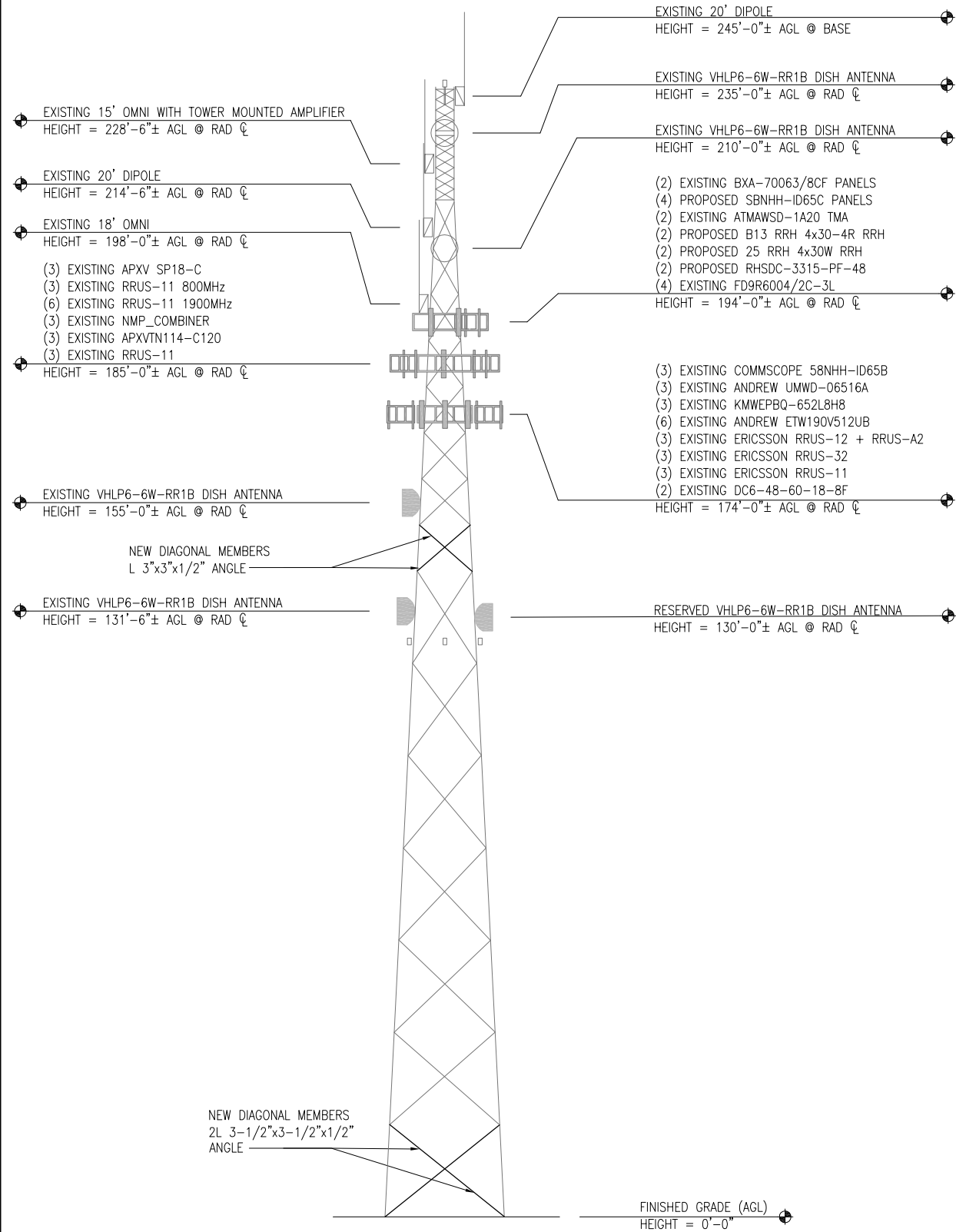


4525 Main Street, Suite 1400
Virginia Beach, VA 23462
clarknexsen.com

CLARKNEXSEN



I:\Projects\5500\5833-VZW_MSA\Projects\5833-154-PCS-VZW_Corolla - PCS\CAD\Sheets\STA1.dwg Mon, 13 Jun 2016 - 2:40pm waudley



TOWER ELEVATION

NOT TO SCALE

STRUCTURAL STEEL NOTES:

- STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH THE FOLLOWING UNLESS OTHERWISE NOTED:
 - STEEL ANGLE ASTM A36
- ALL STRUCTURAL STEEL WORK SHALL BE HOT DIPPED GALVANIZED AFTER FABRICATION. REPAIR DAMAGED AND UNCOATED AREAS OF HOT DIPPED GALVANIZED COATINGS IN ACCORDANCE WITH ASTM A780.
- ALL STRUCTURAL STEEL WORK SHALL BE IN ACCORDANCE WITH THE AISC "SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS" DATED MARCH 9, 2005 AND THE AISC "CODE OF STANDARD PRACTICE FOR STEEL BUILDINGS AND BRIDGES" DATED MARCH 18, 2005.

GENERAL NOTES:

- THE AUGMENTATIONS SHOWN ARE DESIGNED TO ALLOW THE TOWER TO RESIST THE LOADS REQUIRED BY THE 2012 NORTH CAROLINA BUILDING CODE WITH THE EXISTING AND PROPOSED APPURTENANCES INDICATED IN THE REVISED COROLLA STRUCTURAL ANALYSIS REPORT PREPARED BY CLARK NEXSEN ON JUNE 2, 2016.
- ALL NEW WORK SHALL BE PERFORMED IN ACCORDANCE WITH TIA-222-G, "STRUCTURAL STANDARD FOR ANTENNA SUPPORTING STRUCTURES AND ANTENNAS".
- THE CONTRACTOR IS RESPONSIBLE FOR ALL TEMPORARY BRACING REQUIRED TO PERFORM THE WORK.
- ONE FACE OF TOWER SHOWN FOR CLARITY. AUGMENTATIONS TO TOWER MEMBERS SHALL BE CARRIED OUT ON ALL THREE TOWER FACES.
- MEMBER LENGTHS ARE APPROXIMATE AND ARE FOR BIDDING PURPOSES ONLY. EXACT MEMBER LENGTHS, BOLT HOLE LOCATIONS AND BOLT HOLE SIZES SHALL BE DETERMINED IN THE FIELD BY THE CONTRACTOR.
- BEFORE PROCEEDING WITH ANY WORK WITHIN THE EXISTING STRUCTURE, THE CONTRACTOR SHALL BE FAMILIAR WITH THE STRUCTURAL CONDITIONS OF THE EXISTING STRUCTURE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ALL NECESSARY SAFEGUARDS, TO MAINTAIN ALL PARTS OF THE STRUCTURE IN A SAFE CONDITION AT ALL TIMES DURING THE PROCESS OF CONSTRUCTION AND TO PROTECT THOSE PORTIONS OF THE STRUCTURE WHICH ARE TO REMAIN.
- ALL NEW MEMBERS SHALL BE INSTALLED IN THE SAME WAY AS THE EXISTING MEMBERS THEY ARE REPLACING, INCLUDING CONNECTIONS.
- WHERE EXISTING CONSTRUCTION THAT IS TO REMAIN IN PLACE, BE RE-USED, OR REMAIN THE PROPERTY OF THE OWNER IS DAMAGED DURING CONSTRUCTION, REPLACE WITH NEW OR REPAIR TO ITS ORIGINAL CONDITION. COST ASSOCIATED WITH SUCH REPAIR AND REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

THE EXISTING SELF-SUPPORT TOWER IS CONSIDERED A SST TOWER MANUFACTURED BY VALMONT STRUCTURES. (DRAWING NO. 197630)

NOTE:
ALL EXISTING TOWER MEMBERS AND ACCESSORIES ARE TO REMAIN EXCEPT AT NEW MEMBER LOCATIONS. NEW MEMBERS ARE:

(6) 2L 3-1/2"x3-1/2"x1/2" ANGLES
(6) L 3"x3"x1/2" ANGLES

ALL BOLTS SHALL BE INSTALLED WITH LOCKING DEVICES

CLARK NEXSEN

1331 L Street, NW
Suite 600
Washington, DC 20005
202.461.3260



1831 RADY COURT
RICHMOND, VA 23222

SITE INFO:

COROLLA
SELF-SUPPORT
TOWER

734 OCEAN TRAIL
COROLLA, NC
27927

CURRITUCK COUNTY

DESIGN: KTH
DRAWN: WMD
REVIEW: JLW
TTV DATE:
COMM. NO. 5833-154-PCS

SUBMITTALS		
SYM.	DESCRIPTION	DATE
△		
△		
△		
△		
△		
△		
△		

SHEET NAME:

TOWER
AUGMENTATION
DRAWING

SHEET NO.:

TA-1

APPENDIX E



4525 Main Street, Suite 1400
Virginia Beach, VA 23462
clarknexsen.com

CLARKNEXSEN





Title PILE CHECK
 Date 8.11.16 Computed By JLW
 Comm. No. 5833-154 RS Checked By _____
 Project COROLLA Sheet No. 1 of _____ sheets

REACTIONS AT BASE FROM TNX TOWER OUTPUT.
 REPORTED REACTIONS ARE FACTORED THUS A
 REDUCTION FACTOR OF 1.5 WILL BE APPLIED
 TO CHECK AGAINST ALLOWABLE CAPACITIES

$$P_{\downarrow} = 889^k$$

$$V_{\rightarrow} = 103^k$$

$$P_{\uparrow} = 843^k$$

EACH PILE CAP CONSISTS OF 8 PILES. THE
 CONSTRUCTION DRAWINGS REPORT ALLOWABLE
 CAPACITIES OF

$$P_{\downarrow} = 100^k$$

$$P_{\uparrow} = 50^k$$

A WELP ANALYSIS PROVIDED BY THE OWNER SHOWS
 THAT THE PILES ALLOWABLE CAPACITY BASED
 ON THE ACTUAL PILES AND DRIVING HAMMER
 SELECTED IS

$$P_{\downarrow} = 125^k$$

$$P_{\uparrow} = 74^k$$



Title PILE CHECK
 Date 8.11.16 Computed By JLW
 Comm. No. 5833-154 PCS Checked By _____
 Project COROLLA Sheet No. 2 of _____ sheets

THESE VALUES ARE USED AS THE BASIS
 OF THIS ANALYSIS

COMPRESSION

$$\frac{889^k}{1.5 \text{ FACTOR}} = 593^k \text{ UNFACTORED}$$

PILE CAP WEIGHT:

$$4.5' \times 15.5' \times 15.5' \times 150 \text{ PCF} = 162^k$$

$$\frac{755^k}{8 \text{ PILES}} = 94^k < 125^k \quad \underline{\underline{OK}}$$

TENSION

$$\frac{843^k}{1.5 \text{ FACTOR}} = 562^k$$

TAKE OFF WT OF PILECAP

$$562^k - 162^k = 400^k$$

$$\frac{400^k}{8 \text{ PILES}} = 50^k < 74^k \quad \underline{\underline{OK}}$$

APPENDIX F



4525 Main Street, Suite 1400
Virginia Beach, VA 23462
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CLARKNEXSEN



ANCHOR BOLT CAPACITY

Per ACI 318, Appendix "D" & ANSI/TIA-222-G, Section 4.9.9

valmont
STRUCTURES

Applied Loads: (per tower leg)

$P_u := 843 \cdot \text{kips}$ max. tension force per leg
 $V_u := 103 \cdot \text{kips}$ max. shear force per leg

Section Information

$T_{\text{block}} := 4.50 \cdot \text{ft}$ foundation block thickness
 $W_{\text{block}} := 15.50 \cdot \text{ft}$ foundation block width
 $cc := 3.00 \cdot \text{in}$ concrete clear cover
 $N_{\text{bolt}} := 6$ bolt quantity
 $dia_{\text{bolt}} := 2.00 \cdot \text{in}$ bolt diameter
 $n_{\text{thr}} := 4.50$ threads per inch
 $nut_{\text{ht}} := 1.96875 \cdot \text{in}$ height of anchor bolt nut
 $nut_{\text{od}} := 3.125 \cdot \text{in}$ width of nut across flats
 $L_{\text{as}} := 42 \cdot \text{in}$ A/S length
 $sp_{\text{as}} := 10 \cdot \text{in}$ A/S spacing (per footpad)
 $e_{\text{ext}} := 12.5 \cdot \text{in}$ A/S extension above concrete

Concrete Reinforcement Information

$s_{\text{bar}} := 9$ rebar diameter
 $d_{\text{bar}} := 1.128 \cdot \text{in}$ rebar diameter
 $A_{\text{bar}} := 1.00 \cdot \text{in}^2$ rebar area
 $N_{\text{bar}} := 16$ quantity

Manufacturing & Installation Information

oversize := 3

Bolt Hole Sizing

- (1) - oversized by 1/32"
- (2) - oversized by 1/16"
- (3) - oversized by 1/8"

threads := 1

Threads Included/Excluded

- (1) - included in shear plane
- (2) - excluded from shear plane

detail := "c"

Anchor Rod Detail Type

- (a) - base plate cast into concrete
- (b) - base plate flush with concrete
- (c) - base plate grouted above concrete
- (d) - base plate above concrete (no grout)

Material Properties

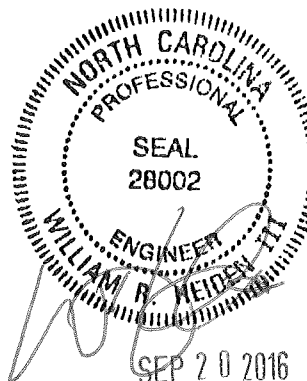
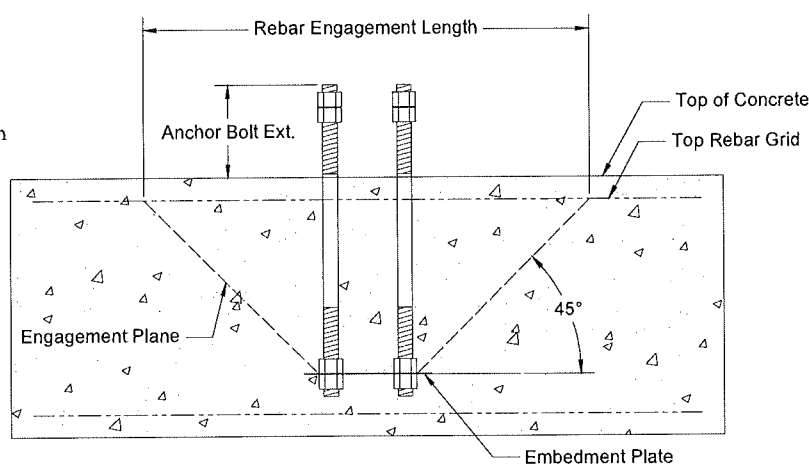
$F_{y\text{bolt}} := 105000 \cdot \text{psi}$ bolt yield strength
 $F_{u\text{bolt}} := 125000 \cdot \text{psi}$ bolt tensile strength
 $F_{y,\text{rebar}} := 60000 \cdot \text{psi}$ rebar yield strength
 $F_{u,\text{rebar}} := 90000 \cdot \text{psi}$ rebar tensile strength
 $f'_c := 4000 \text{ psi}$ concrete strength

LRFD Resistance Factors

$\phi_{ty} := 0.90$ tension yielding resistance factor
 $\phi_{tu} := 0.75$ tension rupture resistance factor
 $\phi_{bv} := 0.75$ shear resistance factor
 $\eta := \begin{cases} 0.90 & \text{if detail} = "a" \\ 0.70 & \text{if detail} = "b" \\ 0.55 & \text{if detail} = "c" \\ 0.40 & \text{otherwise} \end{cases}$ $\eta = 0.55$

Bolt Nominal Strength

$F_v := \begin{cases} 0.40 \cdot F_{u\text{bolt}} & \text{if threads} = 1 \\ 0.50 \cdot F_{u\text{bolt}} & \text{otherwise} \end{cases}$
 $F_t := \min(F_{u\text{bolt}}, 1.9 \cdot F_{y\text{bolt}}, 125 \cdot \text{ksi})$



$F_v = 50000.0 \cdot \text{psi}$

$F_t = 125000.0 \cdot \text{psi}$

ANCHOR BOLT CAPACITY

Per ACI 318, Appendix "D" & ANSI/TIA-222-G, Section 4.9.9



Bolt Area & Hole Diameter

$$A_b := \frac{\pi \cdot \text{dia}_{\text{bolt}}^2}{4} \quad \left| \begin{array}{l} \text{dia}_{\text{bolt}} + 0.125 \cdot \text{in} \quad \text{if } \text{oversize} = 1 \\ \text{dia}_{\text{bolt}} + 0.03125 \cdot \text{in} \quad \text{otherwise} \end{array} \right.$$

$$A_b = 3.14 \cdot \text{in}^2$$

$$A_n := \left| \begin{array}{l} \frac{\pi}{4} \cdot \left(\text{dia}_{\text{bolt}} - \frac{0.9743 \cdot \text{in}}{n_{\text{thr}}} \right)^2 \quad \text{if } \text{threads} = 1 \\ A_b \quad \text{otherwise} \end{array} \right.$$

$$A_n = 2.50 \cdot \text{in}^2$$

$$\text{dia}_{\text{hole}} := \left| \begin{array}{l} \text{dia}_{\text{bolt}} + 0.03125 \cdot \text{in} \quad \text{if } \text{oversize} = 1 \\ \text{dia}_{\text{bolt}} + 0.0625 \cdot \text{in} \quad \text{if } \text{oversize} = 2 \\ \text{dia}_{\text{bolt}} + 0.125 \cdot \text{in} \quad \text{otherwise} \end{array} \right.$$

$$\text{dia}_{\text{hole}} = 2.125 \cdot \text{in}$$

Bolt Capacity - Tension

$$\phi T_n := (\phi_{t_u} \cdot F_t \cdot A_n) \quad \text{bolt - design tensile capacity (per bolt)}$$

$$\phi T_n = 234.208 \cdot \text{kips}$$

$$\phi T_n \cdot (N_{\text{bolt}}) = 1405.2 \cdot \text{kips} \geq P_u = 843.0 \cdot \text{kips}$$

$$CHECK_T = \text{"OK"}$$

Bolt Capacity - Shear

$$\phi V_n := \phi_{b_v} \cdot \min(F_v \cdot A_b, F_t \cdot A_n) \quad \text{bolt - design shear capacity (per bolt)}$$

$$\phi V_n = 117.810 \cdot \text{kips}$$

$$\phi V_n \cdot (N_{\text{bolt}}) = 706.9 \cdot \text{kips} \geq V_u = 103.0 \cdot \text{kips}$$

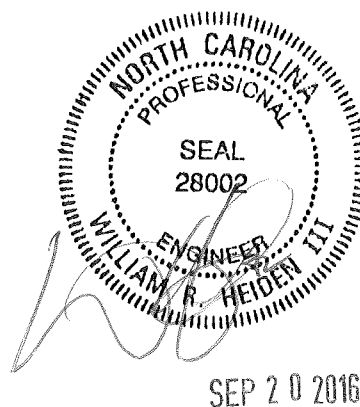
$$CHECK_V = \text{"OK"}$$

Anchor Bolt - Shear & Tension Interaction

$$\sigma_{\text{anchorbolt}} := \frac{\left(P_u + \frac{V_u}{\eta} \right)}{\phi T_n \cdot (N_{\text{bolt}})}$$

$$\sigma_{\text{anchorbolt}} = 0.733$$

$$CHECK_{\text{anchorbolt}} = \text{"OK"}$$



ANCHOR BOLT CAPACITY

Per ACI 318, Appendix "D" & ANSI/TIA-222-G, Section 4.9.9



Reinforcement Capacity

$$\phi F_{t, \text{rebar}} := N_{\text{bar}} \cdot (\phi_{t_u} \cdot F_{u, \text{rebar}} \cdot A_{\text{bar}})$$

$$\alpha_{\text{excess}} := \frac{P_u}{\phi F_{t, \text{rebar}}}$$

$$\phi F_{t, \text{rebar}} = 1080.0 \cdot \text{kips}$$

$$\alpha_{\text{excess}} = 0.781$$

Pad Reinforcement Development Length: (rebar installed both ways in block - top & bottom)

Development length: (ACI 12.2.3 & 12.2.4)

$$\alpha := \text{if}[T_{\text{block}} > 12 \cdot \text{in} + 2 \cdot (cc + d_{\text{bar}}), 1.3, 1.0]$$

$$\beta := 1.0$$

$$\gamma := \text{if}(s_{\text{bar}} > 6, 1.0, 0.8)$$

$$\lambda := 1.0$$

$$k := 0 \cdot \text{in}$$

$$B_s := \left(\frac{W_{\text{block}} - 2 \cdot cc - d_{\text{bar}}}{N_{\text{bar}} - 1} \right) - d_{\text{bar}}$$

$$c := \min \left(\frac{B_s}{2} + d_{\text{bar}}, cc + \frac{d_{\text{bar}}}{2} \right)$$

$$c' := \min \left(2.5, \frac{c + k}{d_{\text{bar}}} \right)$$

$$L_d := \frac{3 \cdot F_{y, \text{rebar}}}{40 \cdot \sqrt{f'_c \cdot \text{psi}}} \cdot \frac{\alpha \cdot \beta \cdot \gamma \cdot \lambda}{c'} \cdot d_{\text{bar}}$$

$$L_{d, \text{min}} := \text{if}(L_d < 12 \cdot \text{in}, 12 \cdot \text{in}, L_d)$$

minimum development length: (ACI 12.2.1)

$$\alpha = 1.3$$

$$\beta = 1$$

$$\gamma = 1$$

$$\lambda = 1$$

$$k = 0 \cdot \text{in}$$

$$B_s = 10.80 \cdot \text{in}$$

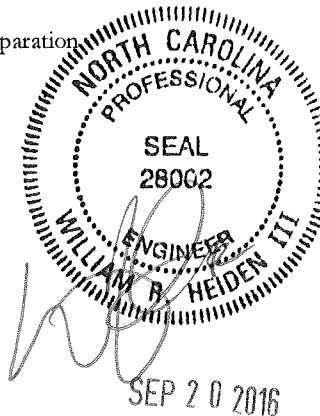
$$c = 3.564 \cdot \text{in}$$

$$c' = 2.5$$

$$L_d = 41.73 \cdot \text{in}$$

$$L_d = 41.734 \cdot \text{in}$$

rebar separation



Anchor Steel Embedment & Rebar Engagement

$$L_{\text{as, embed}} := L_{\text{as}} - e_{\text{ext}} - \text{nut}_{\text{ht}} - 1 \cdot \text{in}$$

embedded anchor steel length
(top of bottom nut to top of concrete)

$$L_{\text{as, embed}} = 26.5 \cdot \text{in}$$

$$L_{d, \text{engaged}} := 2 \cdot (L_{\text{as, embed}} - 2 \cdot d_{\text{bar}} - cc) + sp_{\text{as}} + \text{nut}_{\text{od}}$$

$$L_{d, \text{engaged}} = 55.68 \cdot \text{in}$$

$$L_{d, \text{engaged}} = 55.68 \cdot \text{in} > L_d = 41.73 \cdot \text{in}$$

$$CHECK_{\text{anchor}} = \text{"OK"}$$

1. Anchor steel embedment is checked to ensure that the theoretical failure plane between the anchor steel and the vertical rebar intercepts the rebar at a depth that is equal to or greater than the required development length of the vertical rebar.
2. The anchor steel embedment verification above accounts for the embedment plate width.
3. This assumes the theoretical failure plane extends from the anchor steel at a 45° angle from horizontal (conservative vs. 35° per ACI). This approach is used due to the fact that ACI 318 is based on data for anchors embedded 25" or less.
4. The actual installation assembly includes an embedment plate, therefore ACI 318 Appendix D does not directly apply.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1713)

Agenda Item Title

Trillium Health Resources Annual ABC Report for Currituck County

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Annual County ABC Report for Currituck County

Per GS 18B-805(h) since Trillium Health Resources (Trillium) received Alcoholism (ABC) Funds from your county, we are required to provide an annual report to the board of county commissioners describing how the funds were spent. Listed below please find the annual contribution from your county in addition to a brief description of the expenditures that were paid from July 1, 2015 to June 30, 2016.

ABC Revenue Received FY 15-16: \$ 12,327

*Expenditures related to the above revenue FY 15-16: \$ 187,319

Unduplicated Number of Consumers in your county who received these SA services: 369

Description of ABC expenditures: County ABC funds were spent for the treatment of alcoholism or substance abuse. These funds were paid to providers who contracted with Trillium to provide substance abuse treatment to consumers with an address in your county. Services provided include but are not limited to the below:

- Assessment/evaluation
- Outpatient treatment and counseling, including face to face and telepsychiatry and both individual and group
- Mobile Crisis
- Substance Abuse Intensive Outpatient Therapy
- Facility Based Crisis
- Opioid Treatment

*Denotes ABC and State funds paid for services for consumers residing in Currituck County with substance abuse diagnosis. This does NOT include Medicaid funds paid for the same.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1715)

Agenda Item Title

Resolution-Dedication of Applicant's Agent-Amended Item added to Agenda

Brief Description of Agenda Item:

Resolution for adoption by Board of Commissioners, required by FEMA to commence funding assistance related to Hurricane Matthew.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

RESOLUTION DESIGNATION OF APPLICANT'S AGENT

North Carolina Division of Emergency Management

Organization Name (hereafter named Organization)

County of Currituck

Disaster Number:

FEMA 4285 DR NC

Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):

Applicant's Fiscal Year (FY) Start

Month: JUNE Day: 30

Applicant's Federal Employer's Identification Number

56-6000292

Applicant's Federal Information Processing Standards (FIPS) Number

0053-99053-00 or 3753

PRIMARY AGENT

SECONDARY AGENT

Agent's Name

Sandra L Hill

Agent's Name

Mary Beth Newns

Organization

County of Currituck - Finance Department

Organization

County of Currituck - Emergency Management

Official Position

Finance Director

Official Position

Emergency Management Director

Mailing Address

153 Courthouse Rd, Ste 102

Mailing Address

153 Courthouse Rd

City, State, Zip

Currituck, NC 27929

City, State, Zip

Currituck, NC 27929

Daytime Telephone

(252) 232-2381

Daytime Telephone

(252) 232-2115

Facsimile Number

(252) 232-2141

Facsimile Number

(252) 232-2750

Pager or Cellular Number

Pager or Cellular Number

(252) 202-7130

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20____.

GOVERNING BODY

David Griggs, Chairman Board of Commissioners

CERTIFYING OFFICIAL

Leeann Walton

Name and Title

Vance Aydlett, Vice Chairman Board of Commissioners

Name

Clerk to the Board

Name and Title

Official Position

(252) 232-2075

Name and Title

Daytime Telephone

CERTIFICATION

I, Leeann Walton, (Name) duly appointed and Clerk to the Board (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of County of Currituck (Organization) on the 7th day of November, 2016

Date: Nov. 7, 2016

Signature: Leeann Walton

Rev. 06/02

Attachment: Resolution-FEMA Designation of Applicant's Agent-Hurr. Matthew (1715 : Resolution-FEMA Dedication of Applicant's Agent)

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1710)

Agenda Item Title

Tourism Development Authority-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

umber

TDA2017006

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 7th day of November 2016 , passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15448-590000	Capital Outlay	\$ 5,001	
15448-516000	Building Maintenance		\$ 5,001
		<u>\$ 5,001</u>	<u>\$ 5,001</u>

Explanation: Occupancy Tax - Tourism Related/Whalehead (15448) - Transfer funds from maintenance to capital outlay to replace HVAC systems at Whalehead Club.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: TDA_BudAmends_Nov 7 (1710 : TDA-Budget Amendments)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 1707)

Agenda Item Title

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

Brief Description of Agenda Item:

Board Action Requested

Information

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Donald (Ike) I. McRee Jr