



**Board of Commissioners
Agenda Packet**

November 20, 2017

Work Session - 4:30 PM

Moyock Park Site Plan Presentation

Historic Jarvisburg Colored School Operations Discussion

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Reverend Walter Gallop, Chaplain, U.S. Air Force, Retired

B) Approval of Agenda

Public Comment

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

Administrative Reports

A) 1000 Four Program Presentation-Hatch

Old Business

A) **An Ordinance of the Currituck County Board of Commissioners Amending Sections 10-57, 10-62, 10-63, 10-64 and 10-129 of the Currituck County Code of Ordinances Regulating Driving and Certain Uses on the County's Ocean Beach**

New Business

A) **Consideration and Action: PB 13-17 University Park - Planned Development: Norman Bibeau with Elan Vacations is requesting to amend the master plan and terms and conditions document for University Park located at 108 Amherst Drive, Tax Map 124J, Parcel OSP2, Poplar Branch Township. The request is to allow the maintenance of the 25' undisturbed vegetative buffer along the rear property line.**

B) **Consent Agenda**

1. Approval Of Minutes for November 6, 2017
2. Budget Amendments
3. Surplus Resolution-Cooperative Extension Vehicle and Printer
4. Job Description Revision-Customer Service Representative, Water & Wastewater Div.

C) **Commissioner's Report**

D) **County Manager's Report**

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney in order to preserve the Attorney-client privilege.

Adjourn



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2038)

Agenda Item Title

Moyock Park Site Plan Presentation

Brief Description of Agenda Item:

Board Action Requested

Discussion

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Laurie LoCicero



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2039)

Agenda Item Title

Historic Jarvisburg Colored School Operations Discussion

Brief Description of Agenda Item:

Board Action Requested

Discussion

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Daniel F. Scanlon



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2040)

Agenda Item Title

1000 Four Program Presentation-Hatch

Brief Description of Agenda Item:

Hatch will present information on the 1000 Four program which offers guidance and resources to those wanting to start and grow a small business.

Board Action Requested

Information

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2024)

Agenda Item Title

An Ordinance of the Currituck County Board of Commissioners Amending Sections 10-57, 10-62, 10-63, 10-64 and 10-129 of the Currituck County Code of Ordinances Regulating Driving and Certain Uses on the County's Ocean Beach

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Ike McRee

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF
COMMISSIONERS AMENDING SECTIONS 10-57, 10-62, 10-63, 10-64 AND
10-129 OF THE CURTITUCK COUNTY CODE OF ORDINANCES
REGULATING DRIVING AND CERTAIN USES ON THE COUNTY'S
OCEAN BEACH**

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

WHEREAS, pursuant to N.C. Gen. Stat. §153A-145.3 a county may, by ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the State's ocean beaches and prevent or abate any unreasonable restriction of the public's right to use the State's ocean beaches; may regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris upon the State's ocean beaches; and may otherwise enforce any ordinance adopted pursuant to this section or any other of provision of law upon the State's ocean beaches located within the county's jurisdictional boundaries; and

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

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

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-57 of the Code of Ordinances to read as follows:

Sec. 10-57. - Registration; plates; decal.

Any vehicles, motorcycles or motor vehicles operated on the Outer Banks shall be registered and have current license plates and an inspection decal for the state in which the vehicle is registered. This section shall be effective ~~for~~ from the Dare County line to the ~~southside North Beach Access Ramp at North Beach Access Road~~ Virginia state line.

PART II. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-62 of the Code of Ordinances to read as follows:

Sec. 10-62. - Blocking foreshore.

(a) No person shall block the foreshore in such a manner that would prohibit vehicular travel along the foreshore. This paragraph shall not apply between 9:00 a.m. and 5:00 p.m. from the Friday before Memorial Day to Labor Day in that area one and one-half miles north of the north beach access ramp to Mile Post 17.

(b) All vehicles parked on the beach strand shall be parked in the middle of the beach strand area east of the dune line and west of the hard packed sand strip adjacent to the water's edge such that vehicular traffic may pass without obstruction adjacent to the dune line and, except between 9:00 a.m. and 5:00 p.m. from the Friday before Memorial Day to Labor Day in the area extending one and one-half miles north of the north beach access ramp to Mile Post 17, adjacent to the water's edge. There shall be no lawn chairs, coolers, fishing lines or any other items allowed to block blocking the beach strand in any manner that would restrict vehicular movement in a north-south direction along the dune line, or There shall be no lawn chairs, coolers, fishing lines or any other items blocking the foreshore in any manner that restricts public safety and emergency response vehicular movement in a north-south direction along the water's edge.

(c) Notwithstanding paragraphs (a) and (b) of this section, no vehicle shall travel in the area extending one and one-half miles north of the north beach access ramp to Mile Post 17 in a north or south direction between 9:00 a.m. and 5:00 p.m. from the Friday before Memorial Day to Labor Day except in an area bounded on the west by the toe of the dune line and extending eastward to the middle of the beach strand. This section shall not apply to public safety and emergency response motor vehicles.

~~(e)~~ (d) No vehicle of any type shall be allowed to be parked on the beach strand in an area extending from the north beach access ramp northward for one-half mile. Violators shall be towed.

PART III. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-63 of the Code of Ordinances to read as follows:

Sec. 10-63. - Restricted areas.

(a) Where there is an improved all-weather road, dedicated to public use, and running generally north and south and parallel to the beach strand, all vehicles, mopeds, motorcycles or motor vehicles on the foreshore and beach strand are prohibited between May 1 and September 30. This section shall apply specifically to, but is not limited to, the foreshore and beach strand extending from the Dare

County line to the north side of the North Beach Access Ramp at North Beach Access Road.

(b) All commercial activities involving motor vehicles, mopeds and horses shall be prohibited from operating on the beach foreshore and the beach strand. This includes vehicles used to tow hang gliders.

(c) The provisions of subsections (a) and (b) of this section do not apply to the following:

~~(1) Delivery, placement and pickup of recreational equipment, umbrellas and chairs and collection of solid waste between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. by (i) commercial entities that are delivering, placing and picking up recreational equipment, umbrellas and chairs for customers renting such equipment prior to its delivery, placement and pickup and that maintain a base of operation within the county provided that each motor vehicle is permitted in the manner provided for by section 10-64 of this Code and (ii) management of planned unit development communities adjacent to the Atlantic Ocean or with ownership of the beach foreshore and beach strand, provided that each motor vehicle is permitted in the manner provided for by section 10-64 of this Code;~~

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

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

(4) (3) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern right-of-way line of Shad Street northward to the northern right-of-way line of Corolla Village Road (SR 1152) provided that a motor vehicle used pursuant to this subsection may travel across the Shad Street and Corolla Village Road rights-of-way onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code;

~~(5) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management of a planned unit development community within that area of the beach strand between the northern boundary line of Pine Island Planned Unit Development northward for a distance of 130 feet provided that a motor vehicle used as provided by this subsection may travel across the dune~~

~~line onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code;~~

(6) (4) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern boundary line of Pine Island Planned Unit Development as shown on that plat recorded in Plat Cabinet G, Page 111 of the Currituck County Registry and the northern boundary line of Pine Island Planned Unit Development as shown on that plat recorded in Plat Cabinet E, Page 96 of the Currituck County Registry provided that a motor vehicle used as provided by this subsection may travel across the dune line onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code;

(7) (5) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern boundary line of Villages at Ocean Hill Planned Unit Development as shown on that plat recorded in Plat Cabinet D, Page 357 of the Currituck County Registry and the northern boundary line of Villages at Ocean Hill Planned Unit Development as shown on that plat recorded in Plat Cabinet F, Page 1 of the Currituck County Registry provided that a motor vehicle used as provided by this subsection may travel across the dune line onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code; and

(8) (6) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern boundary line of Buck Island Planned Unit Development as shown on that plat recorded in Plat Cabinet G, Page 111 of the Currituck County Registry and the northern boundary line of Buck Island Planned Unit Development as shown on that plat recorded in Plat Cabinet D, Page 245 of the Currituck County Registry provided that a motor vehicle used as provided by this subsection may travel across the dune line onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code.

(d) Overnight camping of any type is prohibited on the Currituck County Outer Banks, the beach foreshore and the beach strand.

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

Sec. 10-64. - Permit system (county residents and property owners only).

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

(b) County residents and property owners desiring to operate a moped, motorcycle or off-road vehicles, including but not limited to, all terrain vehicle ("ATV") , utility vehicle, recreational off-highway vehicle, multipurpose off-highway utility vehicle, or other off-road vehicle, ("ORV"), on the areas covered by this section shall obtain a permit from the county manager or his designated representative. Permits may be obtained at the satellite office in Corolla or at the county manager's office during normal business hours and at such other times and places as may be designated by the county manager.

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

(d) County residents and property owners, operating mopeds, motorcycles or ~~ATV's~~ ORV's shall ensure that these vehicles have a valid permit prominently displayed at all times while operating, or parked, ~~or being trailered~~ on the Currituck County banks, beach foreshore or beach strand.

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

(f) The county manager or county manager's designee shall refuse issuance of an permit under this section for a period of one year following seizure of a permit by a law enforcement officer pursuant to this section.

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

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

PART V. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-57 of the Code of Ordinances to read as follows:

Sec. 10-129. - Unattended property on beach.

(a) It shall be unlawful for any person to leave unattended between the hours of sunset and sunrise any property, including, but not limited to, volleyball, badminton and tennis nets, poles, tents, horseshoe stakes, croquet courses, grills, umbrellas and recreational equipment, cabanas, canopies, or any other personal property items on the beach. All property unattended and remaining on the beach strand between sunset and sunrise shall be considered litter and may be subject to removal and disposal.

(b) This section does not apply to life guard stands ~~and or accessory uses regulated by the Currituck County Unified Development Ordinance~~ containers for storage of rental items intended for use on the beach strand if the containers are:

(1) placed at the toe of the dune line;

(2) do not exceed four feet in height, four feet in width and eight feet in length;

(3) are approved annually by a property owners association of a planned unit development community adjacent to the Atlantic Ocean or that is the owner of a portion of the beach strand; and

(4) do not contain signage exceeding eight square feet in size.

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

PART VII. This ordinance is effective upon adoption.

ADOPTED this 20th day of November, 2017.

Bobby Hanig, Chairman

ATTEST:

Leeann Walton, Clerk to the Board

APPROVED AS TO FORM:

Donald I. McRee, Jr., County Attorney

Date adopted: _____

Motion to adopt by Commissioner _____

Second by Commissioner _____

Vote: _____ AYES _____ NAYS



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2036)

Agenda Item Title

Consideration and Action: PB 13-17 University Park - Planned Development: Norman Bibeau with Elan Vacations is requesting to amend the master plan and terms and conditions document for University Park located at 108 Amherst Drive, Tax Map 124J, Parcel OSP2, Poplar Branch Township. The request is to allow the maintenance of the 25' undisturbed vegetative buffer along the rear property line.

Brief Description of Agenda Item:

Norman Bibeau with Elan Vacations is requesting to amend the master plan and terms and conditions document for University Park located at 108 Amherst Drive, Tax Map 124J, Parcel OSP2, Poplar Branch Township. The request is to allow the maintenance of the 25' undisturbed vegetative buffer along the rear property line.

Board Action Requested

Action

Person Submitting Agenda Item

Cheri Elliott, Assistant

Presenter of Agenda Item

Laurie LoCicero



COUNTY OF CURRITUCK

Planning and Community Development Department
Planning and Zoning Division
 153 Courthouse Road, Suite 110
 Currituck, North Carolina 27929
 Telephone (252) 232-3055 / Fax (252) 232-3026

Memorandum

To: Board of Commissioners

From: Planning Staff

Date: November 13, 2017

Re: University Park – Amended Master Plan and Terms & Conditions Document

The applicant is requesting to amend the master plan and terms and conditions document for University Park regarding the 25' undisturbed vegetative buffer along the western property line. The applicant is asking to maintain the vegetative buffer by being allowed to remove fallen, dead, or diseased trees from the buffer.

Upon advice of the NC Forest Service (See Attached Memo), staff supports this request as it is consistent with other tree maintenance regulations in the UDO. For example, Section 7.2.3 Protection of Heritage Trees exempts the following activities:

- The removal of dead or naturally fallen trees;
- The removal of diseased trees posing a threat to adjacent trees;

Staff is requesting that the proposed language be amended by adding the following bold and underlined language to clarify that the tree experts would designate trees for removal and not county staff. Staff will still document the expert's findings with photos prior to removal:

“That the existing Master Plan and Plat Terms and Conditions be amended to allow for the removal of dead, dying, diseased, or naturally fallen trees within the 25' undisturbed buffer based on written recommendation **and delineation** by a certified Arborist or the NC Forrest Service and prior approval from the county.”

Finally, the board may also wish to consider replacement requirements for trees removed. For example, “Removed trees shall be replaced at a 1:1 ratio with trees recommended for use in Currituck County as called out in the Administrative Manual.”

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

Attachment: University Park Amended MP-TC Doc Memo to BOC (PB 13-17 University Park)

University Park, Phase 2 Approved Master Plan, Page C1

169.65'

CURRITUCK COUNTY, N.C.
FINAL PLAT
Master Plan

☒ SUBMITTED
☐ APPROVED AS IS
☐ APPROVED AS NOTED ON PLAT
☐ APPROVED AS NOTED IN ACCOMPANYING
LTR DATED _____
☐ RE-SUBMIT
7/15/13 *J. Lane*

DEVELOPMENT AS A WHOLE WHERE PRACTICAL, TO AVOID MINOR UTILITIES AND
INFRASTRUCTURE INDIVIDUALLY FOR EACH SEPARATE PHASE.

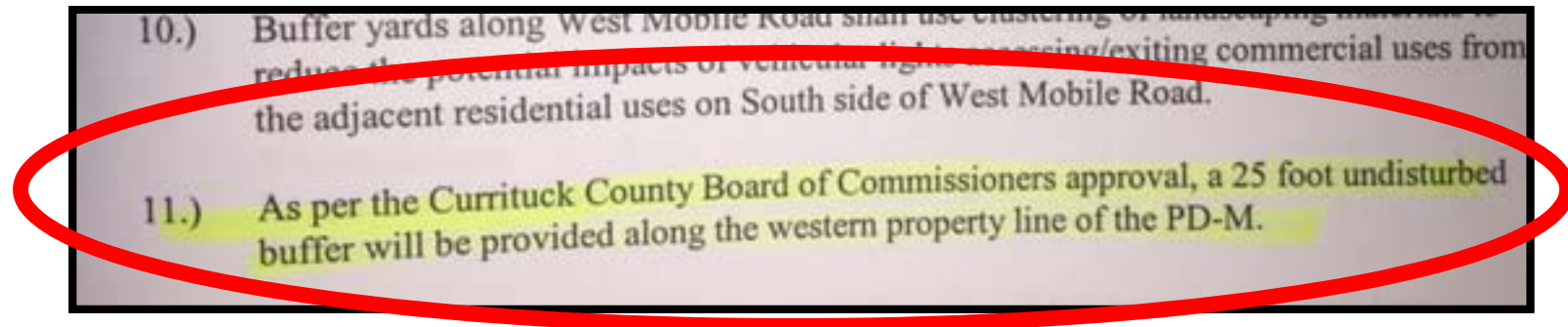
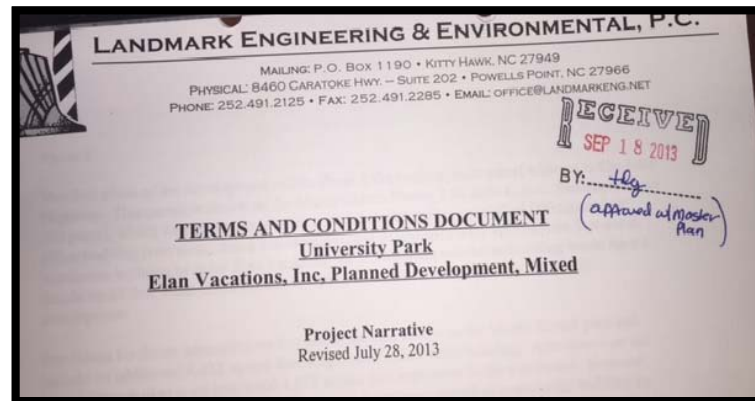
22) A 25 FOOT UNDISTURBED BUFFER SHALL BE PROVIDED ALONG THE WESTERN PROPERTY LINE.

DEVELOPMENT AS A WHOLE WHERE PRACTICAL, TO AVOID MINOR UTILITIES AND
INFRASTRUCTURE INDIVIDUALLY FOR EACH SEPARATE PHASE.

22) A 25 FOOT UNDISTURBED BUFFER SHALL BE PROVIDED ALONG THE WESTERN PROPERTY LINE.

Undisturbed 25' buffer noted on approved Master Plan

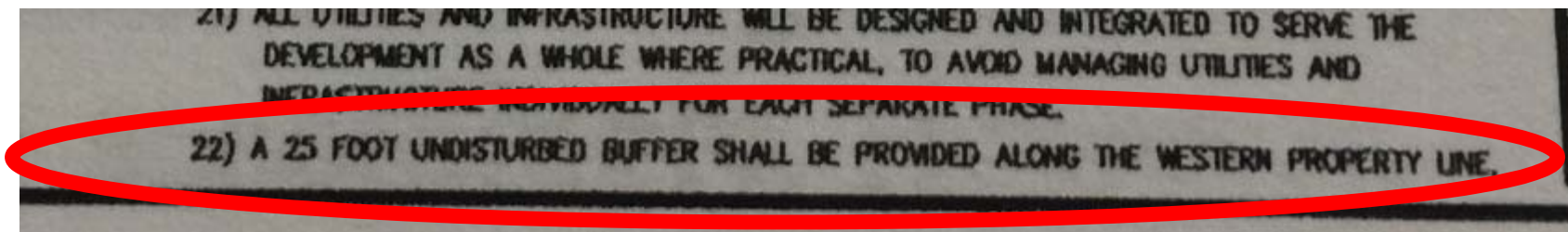
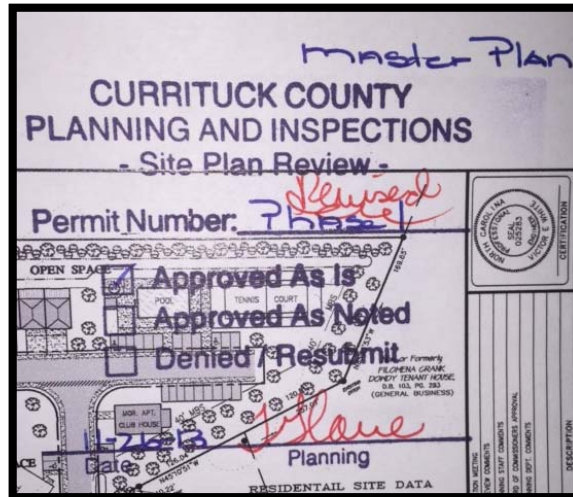
University Park, Phase 2 Master Plan - Approved Terms and Conditions Doc, Pages 1 and 8



Undisturbed 25' buffer noted on approved Terms
and Conditions Document

University Park, Phase 2

Approved Revised Master Plan, Page C1



Undisturbed 25' buffer noted on approved
Revised Master Plan



Planned Development Application

OFFICIAL USE ONLY:

Case Number: _____

Date Filed: _____

Gate Keeper: _____

Amount Paid: _____

Contact Information
APPLICANT:

Name: Norman T. Bibeau
 Address: 8624 Caratoke Hwy
Powells Point, NC 27966
 Telephone: 252-491-8787
 E-Mail Address: norman@elanvacations.com

PROPERTY OWNER:

Name: University Park, LLC
 Address: 8624 Caratoke Hwy
Powells Point, NC 27966
 Telephone: 252-491-8787
 E-Mail Address: norman@elanvacations.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Managing Member of University Park, LLC

Property Information

Physical Street Address: 108 Amherst Drive

Location: Powells Point, NC 27966

Parcel Identification Number(s): 124J-000-OSP2-000

Total Parcel(s) Acreage: .83

Existing Land Use of Property: PD-M

Request

Current Zoning of Property: PD-M

Proposed Zoning District

- ☐ Planned Development – Residential (PD-R)
☐ Planned Development – Mixed (PD-M)
☐ Planned Development – Outer Banks (PD-O)

Amendments

- ☒ Amended Master Plan
☒ Amended Terms and Conditions

See Exhibits A & B, attached

Community Meeting

Date Meeting Held: NA per Tammy Glave

Meeting Location: NA per Tammy Glave

Planned Development Request

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 master plan, terms and conditions document, 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 planned development so authorized and shall be submitted to the Technical Review Committee.

[Signature]
 Property Owner (s)

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.

10/24/2017

Date



That the existing Master Plan and the Plat Terms and Conditions be amended to allow for the removal of dead, dying, diseased, or naturally fallen trees within the 25' undisturbed buffer based on written recommendation by a certified Arborist or the NC Forrest Service and prior approval from the county.



Steven W. Troxler
Commissioner

**North Carolina Department of Agriculture
and Consumer Services**
N.C. Forest Service



Scott Blissette
Assistant Commissioner

941 South 343
Shiloh, NC 27974

July 7, 2017

D7- FM
Currituck County
University Park Townhomes

University Park Townhomes
C/O Norman Bibeau
PO Box 1989
Kitty Hawk, NC 27949

Dear Mr. Bibeau:

On June 20, 2017; Camden Assistant County Ranger Dillon Carraway and myself examined your buffer strip of standing timber located behind University Park Townhomes near Harbinger. The purpose of my examination is to determine the best management needs for your timber per your objectives; which is to manage healthy trees and safety for the residence in accordance to Currituck County's building permit buffer rules.

My understanding is, this buffer has a no cut zone policy to provide a natural screen for filtration and privacy. This natural mixed hardwood / pine has quite a few dead snags, leaning trees, and old rotten logs laying on the ground. These trees are a hazard for continual growth of the existing trees and safety to the townhomes and people that live there. There is also a lot of new natural regeneration of pines and hardwoods that are appearing on the ground floor, for them to be able to grow; the dead snags, leaners or down trees need to be removed. This will open the tree canopy to provide more sunlight and rain for the new seedlings. These seedlings are your future trees when the others die or get destroyed by the next Nor'easter or Hurricane. These weak, stressed or dead trees will also attract insects and diseases that will later prey on the other trees that occupy this buffer.

My recommendation is to remove any badly leaning or dead (standing or on the ground) trees to promote a healthier and safer buffer zone. If the zone is not properly taken care of then the original intent of the purpose of the zone will not be accomplished.

1616 Mail Service Center, Raleigh, North Carolina
27699-1616

Phone: (919) 857-4801 • FAX: (919) 857-4802 • www.ncforestservice.gov
An Equal Opportunity Employer

Attachment: Application with Exhibit A & B (PB 13-17 University Park)

Conclusion

Thank you for your interest in sound forestry practices. If you have any questions, feel free to give me a call (252) 336-4332 or contact me by e-mail: steve.sutton@ncar.gov

Sincerely,



Steve Sutton
Camden County Ranger



**CURRITUCK COUNTY
NORTH CAROLINA**

November 6, 2017

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 5:00 PM North Carolina Association of County Commissioners-Amy Bason, Executive Director and General Counsel

The Board of Commissioners attended a work session at 5:00 PM in the Historic Courthouse Conference Room for an informational presentation from Executive Director, Kevin Leonard, and Deputy Director, Amy Bason, of the North Carolina Association of County Commissioners (NCACC). Using a powerpoint, an overview of the association's leadership structure and services were reviewed. Roles of the Executive Board and committees, and Presidential initiatives were discussed. Mr. Leonard and Ms. Bason provided a history of the association which was established to advocate for the common needs of all counties in North Carolina. The legislative goals process, additional member services, and upcoming meetings, events and conferences were presented. Mr. Leonard and Ms. Bason responded to questions and thanked the Board of Commissioners for their membership, noting Currituck has been a member since 1998 and utilizes several services provided by the NCACC. The work session concluded at 5:50 PM.

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners held a regular meeting at 6:00 PM in the Historic Courthouse Board Meeting Room, 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	Present	
Paul M. Beaumont	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Marion Gilbert	Commissioner	Present	
Mike D. Hall	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Hanig called the meeting to order.

A) Invocation & Pledge of Allegiance-Reverend Ronnie Culley, Christian Home Baptist

Reverend Ronnie Culley was present to offer the Invocation and lead the Pledge of Allegiance.

Communication: Minutes for November 6, 2017 (Approval Of Minutes for November 6, 2017)

B) Approval of Agenda

Commissioner Gilbert moved to approve the agenda. The motion was seconded by Commissioner White and passed unanimously.

Approved agenda:

Work Session

5:00 PM North Carolina Association of County Commissioners-Amy Bason, Executive Director and General Counsel

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Reverend Ronnie Culley, Christian Home Baptist

B) Approval of Agenda

Public Comment

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

New Business

A) An Ordinance of the Currituck County Board of Commissioners Amending Sections 10-57, 10-62, 10-63, 10-64 and 10-129 of the Currituck County Code of Ordinances Regulating Driving and Certain Uses on the County's Ocean Beach

B) Amendment to the Wild Horse Management Agreement

C) Consent Agenda

1. Approval Of Minutes for October 16, 2017
2. Budget Amendments
3. Tax Resolution for 2017 Order of Collections
4. Consideration of School Board Request to Utilize Lottery Funds
5. Plan Sponsor Agreement approving Nationwide Investment Advisors, LLC to act as Advisors to County Employees Enrolled in Deferred Compensation Plans
6. Personnel Policy Revisions
7. Petition for Road Addition-Rosedale Court and Rosedale Drive, Rosewood Subdivision, Moyock

Communication: Minutes for November 6, 2017 (Approval Of Minutes for November 6, 2017)

D) Commissioner's Report**E) County Manager's Report****Adjourn****Special Meeting of the Tourism Development Authority**

TDA Budget Amendments

Consideration of Bid Award-Mobile Stage Unit

Adjourn Special Meeting

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Bob White, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

PUBLIC COMMENT

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

Chairman Hanig opened the Public Comment period.

Doris Flora, Moyock, discussed the County's pedestrian plan which suggests putting sidewalks along NC 168 in Moyock. Concerned with safety, she said traffic goes too fast and she has recently had three cars run off the road and into her yard. She said sidewalks on the highway would be dangerous.

Don Hufnagle, a Carova Beach resident, expressed concerns with changing the beach driving ordinance to require drivers on the four-wheel drive beach to travel in the soft sand during the summer. He asked that citizens be allowed to provide input prior to initiating changes and presented data gathered from an on-line petition. A copy of a letter, previously forwarded to the Board, was submitted to the clerk for the record.

John Howland, a Carova Beach property owner and President of the Northern Currituck Outer Banks Association, also voiced safety concerns with the proposed change. He talked about some of the other proposed changes and asked the Board to table the item to allow for more community input. He submitted a copy of a letter, previously forwarded to the Board, for the record.

Denise Khouri, North Swan Beach property owner, Vice President of the North Swan Beach Property Owners Association, and fire department volunteer, referred to a letter forwarded earlier to Commissioners. As a representative speaking for the Carova Beach Volunteer

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Fire & Rescue, she said they oppose the changes to the ordinance. She cited safety issues related to emergency response and submitted a copy of the letter for the record.

Jane Overstreet, a resident of the four-wheel drive beach, spoke on behalf of Rufus Baldwin, a milepost 17 property owner, stating he owns to the water mark and if the change is implemented it will require vehicles to drive over his property. She also expressed concerns with vehicular safety at the main access ramp to Swan Beach, which is located at milepost 17.

Debbie Davis, a resident of North Swan Beach and Lieutenant/Training Officer with the Carova Beach Volunteer Fire and Rescue, also had safety concerns and suggested traveling in the soft sand would increase car fires and result in additional wear and tear on vehicles. She said ambulances won't be able to go through the deep ruts. Ms. Davis discussed implementing a permit system to limit and control the number of people on the four-wheel drive beach.

Donnie Tadlock, Carova Beach Volunteer Fire and Rescue Assistant Fire Chief, agreed with prior comments and expressed his concerns with driving at the dune line. He also spoke in support of a permit system.

Gary Smith, Corolla Surf Shop and Corolla Surf School, also agreed with previous speakers related to four-wheel drive area. He discussed the proposed change to the commercial beach driving section of the ordinance and asked the Board to hold off on adoption, believing a better alternative could be worked out.

Michael Cherry, a Corolla resident, asked Board to reconsider the commercial beach driving and beach box ordinance sections being revised. He said the current ordinance is the most fair for all. He asked that a Planned Unit Development (PUD) who owns beachfront property be allowed to have beach storage boxes.

Casey Powell, Nags Head, agreed with prior speakers related to driving at the dune line and suggested there would be ecological impacts to doing so. She said she was confused as to why the change was proposed.

Glenda Howland pointed out driving at the dune line with the high volume of people like never before may result in catastrophe, citing dangerous conditions with vehicles and horses. She asked the Board to think about the change.

Sam Wise, owner of a wild horse tour company, supported earlier comments and asked that the Board allow business owners and citizens to become part of the conversation.

No one else was signed up nor wished to speak. Chairman Hanig closed the Public Comment period.

NEW BUSINESS

- A. An Ordinance of the Currituck County Board of Commissioners Amending Sections 10-57, 10-62, 10-63, 10-64 and 10-129 of the Currituck County Code of Ordinances Regulating Driving and Certain Uses on the County's Ocean Beach**

County Attorney, Ike McRee, reviewed the revisions proposed within the Ordinance, affecting specific sections related to driving on the four-wheel drive beach, commercial beach driving and the all-terrain vehicle permit system. During review, Mr. McRee responded to some of the concerns raised by residents and property owners regarding public safety and emergency vehicle travel. He addressed a code enforcement sweep of the area that resulted in citations being issued for violations related to the junk car ordinance and parking of vehicles on unimproved lots. He said a text amendment would be presented to the Board which would allow the parking of motor vehicles that are properly registered and inspected as required by North Carolina law.

During discussion, Mr. McRee responded to Board questions and clarified some of the language in the ordinance. He said an earlier version of the ordinance was posted in the agenda packet but the document being reviewed included some minor revisions and had not been published. He reviewed the definition of a public trust area, and said driving on the dune line would not violate any personal property rights. Mr. McRee responded to additional questions related to vehicle registration requirements and definitions, and reviewed provisions related to the county's authority, as a public vehicular area, to regulate driving on the beach.

Commissioners said the driving revisions were to address public safety and would provide for emergency vehicle travel at the foreshore on the hard-packed sand. To address vehicles getting stuck at the dune, the Board suggested that education and proper airing down of tires will help to reduce that number. The Board stressed they can quickly repeal the ordinance if the changes cause too much difficulty. Enforcement, the possible institution of a permit system, and other safety measures such as signage and pedestrian dune walkovers were discussed.

Chairman Hanig said the county will have air-down and air-up locations and a parking permit system in place before next season. He said the Board will monitor the affects of the changes and will act accordingly if adjustments are needed. He confirmed the commercial beach driving provision allowing for beach equipment setup and drop off has been in place for two and a half years, before which items were carried over the dune line for the customer. Beach storage boxes were discussed.

Commissioner Gilbert moved to table to the next meeting so the ordinance can be publicized with the corrections in print. The motion was seconded by Commissioner Hall. The motion failed with a vote result of 3 in favor, 4 opposed. Commissioners Hall, Gilbert and Payment voted in favor and Chairman Hanig and Commissioners Beaumont, Etheridge, and White were opposed.

Commissioner White moved to approve with staff bringing the ordinance back to the Board with verbage as stated by Mr. McRee for Section 10-62(c) that this section shall not apply to public safety and emergency response vehicles; and a revised traffic pattern to shift at the beginning of the parking area located one and one half miles north of the North Beach Ramp.

The motion was seconded by Commissioner Beaumont. Voting in favor were Chairman Hanig and Commissioners Beaumont, Etheridge, Payment and White. Commissioners

Gilbert and Hall voted opposed.

The ordinance passed its first reading with a 5-2 vote and would return for its second reading at the next meeting, at which time the ordinance may pass by a simple majority vote.

After the vote, Chairman Hanig called a brief recess to allow time for several attendees to exit the Board room. The Chairman reconvened the meeting at 7:35 PM.

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING SECTIONS 10-57, 10-62, 10-63, 10-64 AND 10-129 OF THE CURTITUCK COUNTY CODE OF ORDINANCES REGULATING DRIVING AND CERTAIN USES ON THE COUNTY'S OCEAN BEACH

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

WHEREAS, pursuant to N.C. Gen. Stat. §153A-145.3 a county may, by ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the State's ocean beaches and prevent or abate any unreasonable restriction of the public's right to use the State's ocean beaches; may regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris upon the State's ocean beaches; and may otherwise enforce any ordinance adopted pursuant to this section or any other of provision of law upon the State's ocean beaches located within the county's jurisdictional boundaries; and

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

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

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-57 of the Code of Ordinances to read as follows:

Sec. 10-57. - Registration; plates; decal.

Any vehicles, motorcycles or motor vehicles operated on the Outer Banks shall be registered and have current license plates and an inspection decal for the state in which the vehicle is registered. This section shall be effective ~~for~~ from the Dare County line to the ~~southside North Beach Access Ramp at North Beach Access Road~~ Virginia state line.

PART II. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-62 of the Code of Ordinances to read as follows:

Sec. 10-62. - Blocking foreshore.

(a) No person shall block the foreshore in such a manner that would prohibit vehicular travel along the foreshore. This paragraph shall not apply between 9:00 a.m. and 5:00 p.m. from Memorial Day to Labor Day in that area between the North Beach Ramp and Mile Post 17.

(b) All vehicles parked on the beach strand shall be parked in the middle of the beach strand area east of the dune line and west of the hard packed sand strip adjacent to the water's edge such that vehicular traffic may pass without obstruction adjacent to the dune line and, except between 9:00 a.m. and 5:00 p.m. from Memorial Day to Labor Day in that area between the North Beach Ramp and Mile Post 17, adjacent to the water's edge. There shall be no lawn chairs, coolers, fishing lines or any other items allowed to block blocking the beach strand in any manner that would restrict vehicular movement in a north-south direction along the dune line. ~~or There shall be no lawn chairs, coolers, fishing lines or any other items blocking the foreshore in any manner that restricts public safety and emergency response vehicular movement in a north-south direction~~ along the water's edge.

(c) Notwithstanding paragraphs (a) and (b) of this section, no vehicle shall travel between the North Beach Ramp and Mile Post 17 in a north or south direction between 9:00 a.m. and 5:00 p.m. from Memorial Day to Labor Day except in an area bounded on the west by the toe of the dune line and extending eastward to the middle of the beach strand.

~~(e)~~ (d) No vehicle of any type shall be allowed to be parked on the beach strand in an area extending from the north beach access ramp northward for one-half mile. Violators shall be towed.

PART III. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-63 of the Code of Ordinances to read as follows:

Sec. 10-63. - Restricted areas.

(a) Where there is an improved all-weather road, dedicated to public use, and running generally north and south and parallel to the beach strand, all vehicles, mopeds, motorcycles or motor vehicles on the foreshore and beach strand are prohibited between May 1 and September 30. This section shall apply specifically to, but is not limited to, the foreshore and beach strand extending from the Dare County line to the north side of the North Beach Access Ramp at North Beach Access Road.

(b) All commercial activities involving motor vehicles, mopeds and horses shall be prohibited from operating on the beach foreshore and the beach strand. This includes vehicles used to tow hang gliders.

(c) The provisions of subsections (a) and (b) of this section do not apply to the following:

~~(1) Delivery, placement and pickup of recreational equipment, umbrellas and chairs and collection of solid waste between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. by (i) commercial entities that are delivering, placing and picking up recreational equipment, umbrellas and chairs for customers renting such equipment prior to its delivery, placement and pickup and that maintain a base of operation within the county provided that each motor vehicle is permitted in the manner provided for by section 10-64 of this Code and (ii) management of planned unit development communities adjacent to the Atlantic Ocean or with ownership of the beach foreshore and beach strand, provided that each motor vehicle is permitted in the manner provided for by section 10-64 of this Code;~~

~~(2)~~ (1) Activity under a Coastal Area Management Act (CAMA) permit requiring access to the beach and authorized by the county local permitting officer;

~~(3)~~ (2) County employees, county contractors, county vehicles or emergency vehicles or the drivers thereof, which may be required to enter upon the beach in the performance of their duties or a governmental agency, its employees, agents, contractors and subcontractors and their vehicles when engaged in beach restoration or protection work or conducting scientific research or animal preservation studies or operations;

(4) (3) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern right-of-way line of Shad Street northward to the northern right-of-way line of Corolla Village Road (SR 1152) provided that a motor vehicle used pursuant to this subsection may travel across the Shad Street and Corolla Village Road rights-of-way onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code;

~~(5) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management of a planned unit development community within that area of the beach strand between the northern boundary line of Pine Island Planned Unit Development northward for a distance of 130 feet provided that a motor vehicle used as provided by this subsection may travel across the dune line onto the beach strand only between the hours of~~

~~6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code;~~

- ~~(6)~~ (4) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern boundary line of Pine Island Planned Unit Development as shown on that plat recorded in Plat Cabinet G, Page 111 of the Currituck County Registry and the northern boundary line of Pine Island Planned Unit Development as shown on that plat recorded in Plat Cabinet E, Page 96 of the Currituck County Registry provided that a motor vehicle used as provided by this subsection may travel across the dune line onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code;
- ~~(7)~~ (5) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern boundary line of Villages at Ocean Hill Planned Unit Development as shown on that plat recorded in Plat Cabinet D, Page 357 of the Currituck County Registry and the northern boundary line of Villages at Ocean Hill Planned Unit Development as shown on that plat recorded in Plat Cabinet F, Page 1 of the Currituck County Registry provided that a motor vehicle used as provided by this subsection may travel across the dune line onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code; and
- ~~(8)~~ (6) The use of a motor vehicle between the hours of 7:30 a.m. and 5:30 p.m. by management or contractor of a planned unit development community within that area of the beach strand between the southern boundary line of Buck Island Planned Unit Development as shown on that plat recorded in Plat Cabinet G, Page 111 of the Currituck County Registry and the northern boundary line of Buck Island Planned Unit Development as shown on that plat recorded in Plat Cabinet D, Page 245 of the Currituck County Registry provided that a motor vehicle used as provided by this subsection may travel across the dune line onto the beach strand only between the hours of 6:00 a.m. and 7:30 a.m. and 5:30 p.m. and 7:00 p.m. and the motor vehicle is permitted in the manner required by section 10-64 of this Code.

(d) Overnight camping of any type is prohibited on the Currituck County Outer Banks, the beach foreshore and the beach strand.

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

Sec. 10-64. - Permit system (county residents and property owners only).

- (a) This section shall be applicable for those areas of Currituck County, including, but not limited to, the beach strand and foreshore areas, located from the Dare/Currituck line to the North Carolina/Virginia line.
- (b) County residents and property owners desiring to operate a moped, motorcycle or off-road vehicles, including but not limited to, all terrain vehicle ("ATV"), utility vehicle, recreational off-highway vehicle, multipurpose off-highway utility vehicle, or other off-road vehicle, ("ORV"), on the areas covered by this section shall obtain a permit from the county manager or his designated representative. Permits may be obtained at the satellite office in Corolla or at the county manager's office during normal business hours and at such other times and places as may be designated by the county manager.
- (c) County residents may obtain at no fee a maximum of two annual permits for operation of a moped, motorcycle or ORV owned by them upon making application as provided in subsection (b) above and upon showing proof of liability insurance and ownership on for the ATV moped, motorcycle or ORV. Non-resident property owners may obtain at no fee a maximum of two annual permits for operation of a moped, motorcycle or ORV owned by them ~~per lot, tract or parcel of property~~ upon making application as provided in subsection (b) above and showing

proof of liability insurance ~~and ownership on~~ for the ATV moped, motorcycle or ORV. Liability insurance coverage on the ATV moped, motorcycle or ORV shall be maintained continuously throughout the term of the permit.

(d) County residents and property owners, operating mopeds, motorcycles or ~~ATV's~~ ORV's shall ensure that these vehicles have a valid permit prominently displayed at all times while operating, or parked, or being trailered on the Currituck County banks, beach foreshore or beach strand.

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

(f) The county manager or county manager's designee shall refuse issuance of an permit under this section for a period of one year following seizure of a permit by a law enforcement officer pursuant to this section.

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

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

PART V. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 10-57 of the Code of Ordinances to read as follows:

Sec. 10-129. - Unattended property on beach.

(a) It shall be unlawful for any person to leave unattended between the hours of sunset and sunrise any property, including, but not limited to, volleyball, badminton and tennis nets, poles, tents, horseshoe stakes, croquet courses, grills, umbrellas and recreational equipment, cabanas, canopies, or any other personal property items on the beach. All property unattended and remaining on the beach strand between sunset and sunrise shall be considered litter and may be subject to removal and disposal.

(b) This section does not apply to life guard stands ~~and or accessory uses regulated by the Currituck County Unified Development Ordinance~~ containers for storage of rental items intended for use on the beach strand if the containers are:

- (1) placed at the toe of the dune line;
- (2) do not exceed four feet in height, four feet in width and eight feet in length;
- (3) are approved annually by a property owners association of a planned unit development community adjacent to the Atlantic Ocean or that is the owner of a portion of the beach strand; and
- (4) do not contain signage exceeding eight square feet in size.

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

PART VII. This ordinance is effective upon adoption.

ADOPTED this 6th day of November, 2017.

Bobby Hanig, Chairman

ATTEST:

Leeann Walton, Clerk to the Board

RESULT:	ORDINANCE PASSED FIRST READING [5 TO 2] Next: 11/20/2017 6:00 PM
MOVER:	Bob White, Commissioner
SECONDER:	Paul M. Beaumont, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Bob White, Commissioner
NAYS:	Marion Gilbert, Commissioner, Mike D. Hall, Commissioner

B. Amendment to the Wild Horse Management Agreement

County Manager, Dan Scanlon, reviewed the change to the Wild Horse Management Agreement that provides for an increase in the herd size from 60 to 130 horses. He explained a comprehensive study to demonstrate the habitat could support the increased herd size would be performed, as required by United States Fish and Wildlife. The document would be submitted to all parties for signatures.

Mr. Scanlon responded to Board questions and Commissioner White moved to approve. Commissioner Beaumont seconded and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Commissioner
SECONDER:	Paul M. Beaumont, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

C) Consent Agenda

Commissioner Beaumont moved to approve the Consent Agenda. The motion was seconded by Commissioner Gilbert and passed 6-1, with Commissioner Hall voting against.

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RESULT: APPROVED [6 TO 1]
MOVER: Paul M. Beaumont, Commissioner
SECONDER: Marion Gilbert, Commissioner
AYES: Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Bob White, Commissioner
NAYS: Mike D. Hall, Commissioner

1) Approval Of Minutes for October 16, 2017

1. Minutes for October 16, 2017

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	\$ 1,256	
10330-449900	Miscellaneous Grants		\$ 1,256
		<u>\$ 1,256</u>	<u>\$ 1,256</u>
Explanation:	Cooperative Extension (10640) - To record Seniors' Health Insurance Information Program (SHIIP) grant funds.		
Net Budget Effect:	Operating Fund (10) - Increased by \$1,256.		

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		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10510-540000	Worker's Comp	\$ 10,340	
10530-540000	Worker's Comp	\$ 3,099	
10640-540000	Worker's Comp	\$ 1,904	
10795-540000	Worker's Comp	\$ 3,085	
10380-488400	ABC Profits		\$ 18,428
		\$ 18,428	\$ 18,428

Explanation: Sheriff (10510); Emergency Medical Services (10530); Cooperative Extensiion (10640); Recreation (10795) - Increase appropriations for acutal worker's compensation fee for FY 2017 after annual audit.

Net Budget Effect: Operating Fund (10) - Increased by \$18,428.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
12546-590006	Capital Outlay	\$ 9,554	
12546-561006	Professional Services		\$ 9,554
		\$ 9,554	\$ 9,554

Explanation: Corolla VFD (12546) - Transfer budgeted contract funds from professional services to capital outlay for modifications to Engine 65. Specifically, addition of a "Tornado Monitor" to the front bumper to better facilitate pump-and-roll applications.

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

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		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
51848-594002	MMS Energy Mgmt Sept 2016	\$ 7,415	
51848-594001	MMS - Upgrade Energy Mgmt		\$ 7,415
51848-595006	CCHS - Energy Mgmt Sept 2016	\$ 6,412	
51848-597005	MES - Kitchen Roof HVAC		\$ 6,412
		\$ 13,827	\$ 13,827
Explanation: School Governmental Construction (51848) - Transfer unspent funds from prior lottery projects to MMS and CCHS Energy Management projects that were approved in FY 2017.			
Net Budget Effect: School Governmental Construction Fund (51) - No change.			

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
51848-592004	Griggs Elem HVAC Jun 2018	\$ 112,000	
51848-592005	Griggs Elem Chiller Dec 2017	\$ 40,000	
51848-595007	CCHS HVAC Dec 2017	\$ 30,500	
51848-595008	CCHS Energy Mgmt Ph III Jun 2018	\$ 40,000	
51848-594003	MMS Energy Mgmt Ph III Jun 2018	\$ 40,000	
51848-593005	KI Elem HVAC Jun 2018	\$ 20,000	
51380-425001	State Lottery Proceeds		\$ 282,500
		\$ 282,500	\$ 282,500
Explanation: School Governmental Construction (51848) - Increase appropriations for school construction projects to be funded through lottery proceeds.			
Net Budget Effect: School Governmental Construction Fund (51) - Increased by \$282,500.			

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		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10960-531000	Fuel	\$ 20,000	
10380-488400	ABC Profits		\$ 20,000
		\$ 20,000	\$ 20,000
Explanation: Central Services (10960) - Increase appropriation for fuel due to increased fuel costs.			
Net Budget Effect: Operating Fund (10) - Increased by \$20,000.			

3. Tax Resolution for 2017 Order of Collections

STATE OF NORTH CAROLINA
COUNTY OF CURRITUCK
ORDER OF COLLECTIONS

TO THE TAX COLLECTOR OF THE COUNTY OF CURRITUCK:

You are hereby authorized, empowered, and commanded to collect the taxes due, for the current year and the nine prior years, set forth in the tax records filed in the office of the Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Currituck, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this _____ day of _____, 20_____.

4. Consideration of School Board Request to Utilize Lottery Funds

5. Plan Sponsor Agreement approving Nationwide Investment Advisors, LLC to act as Advisors to County Employees Enrolled in Deferred Compensation Plans

6. Personnel Policy Revisions

7. Petition for Road Addition-Rosedale Court and Rosedale Drive, Rosewood Subdivision, Moyock

Communication: Minutes for November 6, 2017 (Approval Of Minutes for November 6, 2017)

D) Commissioner's Report

Commissioner Beaumont discussed the recent shooting tragedy in Texas. The Board held moment of silence in remembrance of those lost.

Commissioner Etheridge announced the Senior Center annual craft fair taking place Saturday, November 18, 2017, beginning at 11 AM. Admission is free and the booth rental fees benefit the county's Backpacks for Kids program.

Commissioner Gilbert reported on last month's Albemarle Commission meeting and said a new report would be distributed highlighting programs and services. She announced the Moyock Womens Club annual bazaar from 10 AM till 3 PM, also November 18th. Admission is \$3, or \$2 with a donation to the food pantry. She said this year's Gobbler Jogger raised almost \$15,000 for Currituck Kids, and thanked all of the sponsors and participants.

Commissioner Payment asked that citizens support their local Fire Departments by volunteering or participating in fundraisers. He announced the Lower Currituck Volunteer Fire Department's annual Turkey Shoot would take place Saturday beginning at 1 PM.

Commissioner Hall announced an American Legion Veteran's Day event, beginning at 11 AM Saturday at Veterans Park, Coinjock.

Chairman Hanig reported on the Land Use Plan work session the Board recently attended. He thanked county staff and the Steering Committee, and specifically acknowledged their time and extraordinary effort dedicated to development of the plan. He announced his participation in the annual toy run last Saturday which raised \$7,200.00. He thanked OBX Harley and OBX HOG Chapter and Sheriff Johnson and her staff for their support. He congratulated Rachel Raper, Director of Elections, on being selected as a fellow and completing intensive coursework through the UNC School of Government.

E) County Manager's Report

No report.

ADJOURN**Motion to Adjourn Meeting**

Business was concluded and Commissioner Gilbert moved to adjourn. The motion was seconded by Commissioner Hall and passed unanimously. The regular meeting of the Board of Commissioners concluded at 7:53 PM.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mike D. Hall, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners, after adjournment of its regular meeting held on November 6, 2017, at 6 PM, held a special meeting sitting as the Tourism Development Authority in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Tameron Kugler, Currituck County's Director of Travel and Tourism, was seated with the Board.

TDA Budget Amendments

County Manager, Dan Scanlon, described the budget amendments under consideration and responded to Board questions. Commissioner Gilbert made a motion for approval. The motion was seconded by Commissioner White and passed unanimously.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15442-526200	Promotions		\$ 7,600
15442-532000	Supplies	\$ 2,150	
15442-590000	Capital Outlay	\$ 5,450	
		\$ 7,600	\$ 7,600
Explanation:	Occupancy Tax - Promotion (15442) - Transfer funds for camera equipment for videographer.		
Net Budget Effect:	Occupancy Tax Fund (15) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15442-540000	Worker's Comp	\$ 1,878	
15447-540000	Worker's Comp	\$ 2,100	
15448-540000	Worker's Comp	\$ 1,679	
15320-415000	Occupancy Tax		\$ 5,657
		\$ 5,657	\$ 5,657

Explanation: Occupancy Tax - Promotion (15442); Occupancy Tax - Tourism Related (15447); Occupancy Tax - Tourism Related/Whalehead (15448) - Increase appropriations for additional worker's comp after FY 2017 annual audit.

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

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15448-554000	Insurance & Bonds	\$ 2,300	
15320-415000	Occupancy Tax		\$ 2,300
		\$ 2,300	\$ 2,300

Explanation: Occupancy Tax - Tourism Related/Whalehead (15448) - Increase appropriations for flood insurance for the new restroom facility at the Corolla Historic Park.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$2,300

RESULT: APPROVED [UNANIMOUS]
MOVER: Marion Gilbert, Commissioner
SECONDER: Bob White, Commissioner
AYES: Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

Consideration of Bid Award-Mobile Stage Unit

Ms. Kugler reviewed the bidding procedure and bid documents and recommended the bid be awarded to Century Industries. After review, Commissioner Etheridge moved to

Communication: Minutes for November 6, 2017 (Approval Of Minutes for November 6, 2017)

approve the bid award. The motion was seconded by Commissioner White and passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Bob White, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

ADJOURN SPECIAL MEETING

Business was concluded and Commissioner Gilbert moved to adjourn. The motion was seconded by Commissioner White. The motion passed unanimously and the Special Meeting of the Tourism Development Authority adjourned at 7:57 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Bob White, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2042)

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

20180035

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 20th day of November 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10660-561000	Professional Services	\$ 21,000	
10320-411000	Article 39 Sales Tax		\$ 21,000
		<u>\$ 21,000</u>	<u>\$ 21,000</u>

Explanation: Planning (10660) - Increase appropriations for Kimly-Horn Contract for the Currituck Station Project.

Net Budget Effect: Operating Fund (10) - Increased by \$21,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmend-Nov 20, 2017 _BOC_ (Budget Amendments)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2037)

Agenda Item Title

Surplus Resolution-Cooperative Extension Vehicle and Printer

Brief Description of Agenda Item:

Consideration and action to surplus an old 15 passenger van and non-working printer.

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

County		
<u>Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
5424	2001 Ford 15 passenger van	1FBSS31L21HB41561
6100	HP Color Laserjet Printer 4650N	JPKAD53350

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

ADOPTED, this 20th day of November, 2017.

 Bobby Hanig
 County of Currituck, Board of Commissioners

 Leeann Walton
 Clerk to the Board

(Seal)

Attachment: Surplus-Extension-Vehicle & Printer (Surplus Resolution-Extension Vehicle & Printer)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2041)

Agenda Item Title

Job Description Revision-Customer Service Representative, Water & Wastewater Div.

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

CURRITUCK COUNTY JOB DESCRIPTION

JOB TITLE: CUSTOMER SERVICE REPRESENTATIVE

WATER AND WASTEWATER DIVISIONS

PUBLIC SERVICES DEPARTMENT

GENERAL STATEMENT OF DUTIES

Performs ~~difficult~~ administrative and clerical work in support of the utilities utility billing, collections, cashiering and customer service functions.

DISTINGUISHING FEATURES OF THE CLASS

An employee in this class is responsible for the activities which involve the generation and mailing of the utility bills; handling customer inquiries relating to utility billings and general customer services; preparing and verifying a variety of reports and records; collecting utility bills and other revenues, and coordinating with the utility field staff. Work requires multiple detailed procedural steps and knowledge of the utility billing process and computer application. Work involves public contact functions, coordination with other departments within the County, insuring timely and accurate billing of utility fees, creating invoices for bulk billings and reports, and requires considerable tact and courtesy. Work is performed under general supervision of the ~~Water Superintendent~~ Finance Director and may perform work for the Water and/or Wastewater Superintendents and is evaluated through observation and conferences, by accuracy and timeliness of customer service records and bills, customer feedback and thoroughness of assigned responsibilities.

DUTIES AND RESPONSIBILITIES

ESSENTIAL DUTIES AND TASKS

Uploads hand held meter reading computers with customer accounts for use in the field; downloads readings into billing system; manually keys in readings as needed.

Enters meter readings and meter numbers into accounts as they change.

Enters customer deposits into system; calculates ~~interest on deposits to refund and/or apply to~~ final bill for customers closing their accounts.

Prints edit list and reviews after initial meter readings are entered; identifies potential mis-reads and other potential problems; determines which meters require re-reading.

Answers incoming phone calls and walk-in customer inquiries regarding utility services, billing, meter issues and consumer disputes by researching and applying county regulations and policies.

Collects current and delinquent utility payments, interest and other fees.

Receives and posts payments to data base for water and wastewater bills, deposits, lab fees, impact and installation fees, ~~etc and all other funds received.~~; ~~receives payments through mail, drop box, and customer visits.~~

Contacts delinquent utility customers by mail and phone to facilitate collection of utility bills.

Prints, bursts, and prepares bills for mailing.

Coordinates the activities of the office with field personnel; coordinates with utility personnel the meter reading functions and the cutting on and off of services to customers.

Answers ~~complaints~~ inquiries from citizens, researches problems, and provides answers to their questions; adjusts bills for leaks, incorrect meter readings, etc.

Establishes new customer accounts; insures proper initial readings are entered; establishes, updates, and deletes accounts for multiple temporary development needs.

Monitors the billing cycle and assures that all records are prepared on a timely basis in order that established deadlines will be met.

Provides general office and administrative support, reception, office management and records management for the water and wastewater divisions.

Prepares daily deposits and performs daily reconciliation of cash drawer.

Takes daily deposit to Finance Department or bank according to current procedures.

Creates electronic files to send to the Finance Department that are then uploaded to the bank to draft customer accounts for monthly utility payments.

Assists customers with water tap applications, prepares work orders on various service needs for field staff, takes deposits for new service.

Updates changes of accounts in the data base such as transfers of ownership, meter change outs, etc.

Picks up mail from the US Postal Service daily.

Processes mail that is returned by contacting customers.

Processes returned checks by sending letter to customers and following up through collection of lost revenue.

Documents customer interactions – phone, mail or in person – in customer account.

Serves as Debt Setoff Officer. Chooses delinquent accounts to submit to the debt setoff clearinghouse and sends all required notices to utility customers prior to submitting such debts; responds to utility customers concerns and explains why their income tax refund or lottery winnings have been intercepted and remitted to the County.

ADDITIONAL JOB DUTIES

Completes assigned work by the Water Superintendent or their designee. Performs duties as assigned by the County Manager, supervisor or their designee during a State of Emergency or other disaster.

Performs related duties as required.

RECRUITMENT AND SELECTION GUIDELINES

KNOWLEDGES, SKILLS, AND ABILITIES

Considerable knowledge of local policy, billing and customer service cycle regarding water and wastewater systems.

Considerable knowledge of the utility billing software application and ability to operate hardware to produce

accurate, timely bills.

Considerable knowledge of the principles and practices of office and general administrative support.

Working knowledge of the organization's purchasing procedures.

Working knowledge of State statutes related to utility billing and customer service.

Working knowledge of standard operating practices involved in modern office operation and serving the public.

Working knowledge of water meter operations.

Some knowledge of accounting principles and practices.

Skill in collaborative conflict resolution.

Ability to deal effectively with the public in a tactful and effective manner.

Ability to create and maintain accurate records, reports, and files in support of a cash receipt and customer oriented operation.

Ability to operate calculator, computer terminal, download and upload information from handheld meter readers and automatic meter readers, and related office equipment at the desired level of speed and accuracy.

Ability to communicate effectively in oral and written forms.

Ability to establish and maintain effective working relationships with coworkers, public officials, and customers.

PHYSICAL REQUIREMENTS

Must be able to physically perform the basic life operational functions of fingering, reaching, lifting, grasping, talking, hearing, and repetitive motions.

Must be able to perform sedentary work exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects.

Must possess the visual acuity to prepare and use figures and statistics, operate a computer terminal, read maps and written material extensively.

DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school, supplemented by courses in business or accounting, and considerable experience in a billing operation involving multiple step tasks and use of billing software; or an equivalent combination of education and experience.

~~Special Note: This generic class description gives an overview of the job class, its essential job functions, and recommended job requirements. However, for each individual position assigned to this class, there is available a complete job questionnaire with a physical abilities checklist which can give further details about that one specific position. Those documents should be reviewed before initiating a selection process. They can provide additional detailed information on which to base various personnel actions and can assist management in making legal and defensible personnel decisions.~~

ED: 11/20/2017 (REV BOC)

ED: 08/21/2017 (REV BOC)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2043)

Agenda Item Title

Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney in order to preserve the Attorney-client privilege.

Brief Description of Agenda Item:

Board Action Requested

Discussion

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item