



**Board of Commissioners
Agenda Packet**

December 3, 2018

Work Session

5:00 PM Historic Preservation Commission

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance-Reverend Walter Gallop, United States Air Force Chaplain, Retired
- B) Approval Of Minutes

Minutes for November 5, 2018
- C) Commissioner Presentations and Recognition of Service
- D) Oaths of Office for Newly Elected Commissioners
- E) Election of Chairman of the Board of Commissioners
- F) Election of Vice-Chairman of the Board of Commissioners

Recess**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.

Commissioner's Report**Administrative Reports**

- A) **Recognition and Presentation of Advanced Law Enforcement Certificates**

New Business

- A) **Consideration of Ocean Rescue Contract**
- B) **Board Appointments**
 - 1. Carova Beach Road Service District Advisory
 - 2. Amended Agenda Item-Planning Board
- C) **Consent Agenda**
 - 1. Budget Amendments
 - 2. Project Ordinance-School Lottery Funds Projects
 - 3. Amendment to Audit Contract
 - 4. Authorize Approval of Letter of Agreement with North Carolina Division of Aviation for Airport Safety/Maintenance Projects
 - 5. Acceptance of Sheriff's Bond

D) County Manager's Report

Adjourn

Special Meeting of the Tourism Development Authority

TDA Budget Amendments

Adjourn Meeting of the TDA

Special Meeting of the Ocean Sands Water & Sewer District Board

OSWSD Budget Amendments

Adjourn Meeting of the OSWSD Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2325)

Agenda Item Title

5:00 PM Historic Preservation Commission

Brief Description of Agenda Item:

Update to the Board of Commissioners from the Historic Preservation Commission

Board Action Requested

Information

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



CURRITUCK COUNTY NORTH CAROLINA

November 5, 2018

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

4:30 PM Historic Boat Building Update and Plans Review / Currituck County Airport

The Currituck County Board of Commissioners met at 4:30 PM in the Conference Room of the Historic Courthouse for a review of design plans for the Historic Boat Building Museum project planned for construction at Historic Corolla Park. Michelle Perry, County Engineer, and Tameron Kugler, Tourism Director, attended. Ms. Perry provided an update on the project's status and said site design and permitting were complete. She used the overhead projector to display construction drawings and artist renderings and reviewed recent modifications which added large, exterior doors to ensure boats could be easily moved in and out of the building. Commissioners asked Ms. Perry to explore using wood doors in lieu of metal as shown in the conceptual drawings. Ms. Perry reviewed the interior concept for displays and exhibits and associated cost estimates. During presentation, County Manager Dan Scanlon reviewed the project's current budget and suggested bid alternatives to break out costs for the wood doors and other added design features. After a review of the next steps, Commissioners authorized staff to begin the bid process. A classroom was to remain in the design and displays and exhibits should be completed when the museum opens so as not to look unfinished. Mr. Scanlon said the Board can be updated periodically with a progress and costs review. Commissioners suggested staff seek out grant opportunities to help with costs.

Immediately following the 4:30 PM work session the Board and staff discussed airport operations. Mr. Scanlon said the county has been approached by Fixed Base Operations (FBO) vendors interested in operating and possibly expanding current operations, which may include expanding corporate aircraft and charter flights, lessons, additional hangars, and runway extension. He provided a history of growth at the airport over the years and more recent statistics on airport activity. The Board discussed the airport's potential and directed staff to engage in conversation with FBO's to explore opportunities presented for enhanced operations at the facility.

The airport work session began with the Board viewing a raw footage video of activity at the airport, some of which will be included in a presentation for an upcoming meeting with County Commissioners, staff and Julie White, North Carolina Department of Transportation Deputy Secretary of Multi-modal Transportation.

The work sessions concluded at 5:33 PM.

6:00 PM CALL TO ORDER

Communication: Minutes for November 5, 2018 (Approval Of Minutes)

The Currituck County Board of Commissioners met in regular session at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 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 Kimberly Ferebee, St. Mark Church of Christ

Reverend Kimberly Ferebee attended to offer the Invocation and lead the Pledge of Allegiance.

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

4:30 PM Historic Boat Building Update and Plans Review / Currituck County Airport

6:00 PM Call to Order

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

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.

Commissioner's Report

Administrative Reports

A) School District Safety Upgrades Presentation-Mark

Stefanik, Superintendent**Public Hearings**

- A) PB 18-22 Allied Properties, LLC** Request for conditional rezoning of 66.8 acres from Conditional District - Mixed Residential (C-MXR) to Conditional District - Mixed Residential (C-MXR) to change the conceptual development plan and conditions on properties located in Moyock on the east side of Caratoke Highway, Tax Map 9, Parcels 11L and 6A, Tax Map 9H, Parcels OSA-OSC, Parcels 1-12, and Parcels 42-58, Moyock Township.
- B) Consideration and Action: PB 16-06 Windswept Pines:** Request for an amended preliminary plat/use permit to modify the development acreage and stormwater infrastructure for Phase 2 for properties located on the east side of Caratoke Highway, Tax Map 9, Parcels 11L and 6A, Tax Map 9H, Parcels OSA-OSC, Parcels 1-12, and Parcels 42-58, Moyock Township.
- C) PB 18-24 Currituck County Flood Maps and Ordinance:** Request to adopt the flood insurance rate maps, flood insurance study and amend sections of the Unified Development Ordinance for compliance with the model Coastal Flood Damage Prevention Ordinance.

Old Business

- A) PB 18-20 Ponderosa Enterprises Inc: Request for Conditional rezoning of 11.6 acres from General Business (GB) and Agriculture (AG) to Conditional General Business (C-GB) for property located in Maple, adjoining Ponderosa Mobile Home Park to the north, Parcel Identification Number 0052-000-022B-0000, Crawford Township.**

New Business**A) Board Appointments**

1. Consider Kelsey Hall for Appointment to the Joint Nursing/Domiciliary Community Advisory Committee
2. Library Board of Trustees
3. Planning Board
4. Senior Citizens Advisory

B) Consent Agenda

1. Approval Of Minutes for October 15, 2018
2. Budget Amendments
3. Surplus Resolution-2004 Ford Ambulance
4. Consideration for Funding the installation of an Instrument

- Landing System at Carova Beach Fire Station Helipad
5. 2018 Order of Collections-Tax Department
 6. Verizon Tower Equipment Amendment 1099 Ocean Trail
 7. Currituck County Finance Department Request for disposal of Finance Records per the Record Retention Schedule

C) County Manager's Report

Adjourn

Special Meeting of the Tourism Development Authority

TDA: Budget Amendments

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.

Dr. Robert Wynegar, President of College of the Albemarle (COA), provided an update for the Board of Commissioners on enrollment, programs and facilities. He reported enrollment estimates for the fall semester were up 6%, and he announced approval of a new Associates in Science degree program and expected approval of an Emergency Medical Services Associates degree program. He expressed gratitude for the support received from Currituck County and noted 240 students from JP Knapp Early College High School and Currituck County High School took advantage of dual enrollment, realizing savings of \$186,000 in tuition and fees. Dr. Wynegar said COA looks forward to meeting the demand for higher education in Currituck County.

Chairman Hanig praised a job well done and offered thanks to Dr. Wynegar on behalf of the Board of Commissioners. With no one else signed up nor wishing to speak the Public Comment period was closed.

COMMISSIONER'S REPORT

Chairman Hanig recognized the custodian at the Judicial Center for the great job he does, and he provided highlights of the 350th Anniversary Celebration events held over the weekend.

Commissioner Hall said he had a great time at the 350th Anniversary Celebration over the weekend. He discussed Veteran's Day coming up and asked that we remember our Veterans and encouraged folks to thank a Veteran for their service.

Commissioner White said he attended the North Carolina Travel Industry Association meeting and learned there are still struggles to overcome with tourism in the state and the industry is working hard to bring visitors to North Carolina. He announced the Halloween Trunk or Treat event in Corolla for a fun and safe place to bring kids to celebrate.

Commissioner Beaumont read a letter of appreciation sent by the City of New Bern to Currituck County Fire and Emergency Medical Service to express their gratitude for Currituck's sending support staff and apparatus to assist with response to Hurricane Florence.

Commissioner Etheridge provided Election Day poll hours and voting reminders. She stressed the importance of voting and encouraged all to exercise their privilege. She reviewed her duties on the Health and Human Services steering committee and reported on a recent meeting in Raleigh where legislative goal proposals were deliberated. Later this month she will participate in a meeting to further review and select the goals that will be forwarded for legislative consideration.

Commissioner Gilbert thanked all who participated in the weekend's Gobbler Jogger 5K race to benefit Currituck Kids. She announced Currituck Kids were also recipients of the People's Choice Award associated with the BBQ cookoff at the County's 350th celebration, which brought in over \$3,100.

Commissioner Payment congratulated the Lady Knights High School volleyball team for winning the state title. He announced the Currituck County High School Band also won an award at their competition and noted recent wins in Football and men's Soccer. He encouraged people to support their schools and get involved in school activities.

ADMINISTRATIVE REPORTS

A. School District Safety Upgrades Presentation-Mark Stefanik, Superintendent

Mark Stefanik, Currituck County Schools Superintendent, discussed school safety initiatives, three of which were either implemented or are in progress. Safety enhancements include door locking devices (Jenna Lock), door access controls for a keyless ID card system and installing a School Resource Officer (SRO) in each school. He said window safety film treatments and metal detectors are being researched for potential installation in the future. Mr. Stefanik provided information on three state safety grants received to assist with funding for an SRO, a Social Worker and safety equipment upgrades. He said a formal request to assist with funding for safety upgrades was sent to the County.

Mr. Stefanik responded to Board questions pertaining to the state grants awarded to the schools and the keyless access system, and he noted safety training is provided for staff. Commissioners asked Mr. Stefanik to discuss installing a Knox Box on each school building with the school board to allow quick access by firefighters when the buildings are unoccupied. Commissioner Etheridge suggested partnering with the

community to offer sponsorships to those who may wish to purchase a Jenna Lock for a classrooms, and Mr. Stefanik said he would reach out to parent and booster groups. During presentation, Mr. Stefanik also highlighted the Girls Volleyball team who went an impressive 18-0 to win the state tournament.

PUBLIC HEARINGS

A. PB 18-22 Allied Properties, LLC

APPLICATION SUMMARY		
Property Owner: Allied Properties, LLC 417 Caratoke Hwy, Unit D Moyock, NC 27958 QHOC of Windswept Pines LLC 417 Caratoke Hwy, Unit D Moyock, NC 27958	MCQ Builders, LLC-2 1060 Laskin Rd, Suite 15B Virginia Beach, VA 23454 Mark & Penny McCrary 131 Baxter Ln. Moyock, NC 27958	Applicant: Allied Properties, LLC 417 Caratoke Hwy, Unit D Moyock, NC 27958
Case Number: 18-22		Application Type: Conditional Rezoning
Parcel Identification Number: 0009000011L0000, 00090000006A0000, 009H00000SA-C0000, 009H0000001-120000, 009H0000042-580000		Existing Use: Residential Subdivision
Land Use Plan Classification: Rural		Parcel Size (Acres): 66.8 acres
Moyock Small Area Plan Classification: Full Service		Zoning History: A and GB (1989) C-MXR (2015)
Current Zoning: C-MXR		Proposed Zoning: C-MXR

REQUEST

The applicant originally requested, and was approved, for a Conditional C-MXR rezoning for these properties in 2015. The 2015 approved conditions and development plan indicated 59 total lots (including one existing parcel recombined to provide an entrance to Baxter Lane), commercial area, and a possible future development phase. The future development phase did not have a conceptual design layout, pedestrian and vehicular circulation plans, drainage facilities or patterns, additional open space, or approximate location of jurisdictional wetlands.

Since the 2015 conditional zoning approval, the applicant has designed and developed Windswept Pines. Windswept Pines Phase 1 is recorded and several homes are under construction. As part of the construction drawing application, the engineered stormwater plans were completed that resulted in additional stormwater retention area for Phase 2. The increased stormwater storage is proposed in the possible future development area of the 2015 conceptual development plan. The proposed changes are considered a material change and require a new conditional zoning application and conceptual development plan. The proposed plan identifies new stormwater facilities, slightly modifies the open space layout for the development, and recognizes shifts in open space and road layout for the subdivision.

The summary of the new conceptual development plan is as follows:

Total Area: 66.87 acre rezoning

59 residential lots (including the existing McCrary parcel)

Open Space - Required

15.39 acres required residential open space (51.32* acres x 30%)

0.148 acres required commercial open space (1.48 acres x 10%)

* 14.07 acres future development excluded from the open space calculation

Open Space - Provided

17.07* acres residential open space*
0.15 acres commercial open space

**14.07 acres future development not included in open space calculation*

A request to develop the area identified on the proposed plan as *Future Development Phase* will require an amendment to the conditional zoning plan and the preliminary plat.

EXISTING ZONING CONDITIONS

1. Proposed Use: Subdivision
2. All lots to be greater than or equal to 20,000 square feet.
3. Install a new culvert under Baxter's Lane to improve off-site drainage, size to be determined after engineering evaluation.
4. Perform an evaluation of existing main ditch along Truran/Ward property line from site to Baxter's Lane and if warranted, seek permission to improve ditch cross-section.
5. Explore the possibility of routing a portion of stormwater runoff to the northeast.
6. All residential development will be single family and will conform to sample building elevations provided.

The applicant proposes to remove condition 4.

COMMUNITY MEETING

A community meeting was held August 17, 2018 at the Moyock Library. Several comments were made regarding the existing drainage, road interconnectivity, and NCDOT road right of way and maintenance. A meeting summary is provided in the agenda packet.

THE TECHNICAL REVIEW COMMITTEE RECOMMENDS APPROVAL OF THE CONDITIONAL REZONING SUBJECT TO THE FOLLOWING CONCEPTUAL DEVELOPMENT PLAN CORRECTION:

1. THE AREA CALCULATIONS ON THE CONCEPTUAL DEVELOPMENT PLAN SHALL REFLECT THE MCCRARY PROPERTY IN THE REQUIRED OPEN SPACE CALCULATIONS AS PROVIDED IN THE CONCEPTUAL DEVELOPMENT PLAN SUMMARY ABOVE.

Mr. Ballance motioned to approve PB 18-22 Allied Properties, LLC for the requested conditional rezoning to allow for the two additional ponds because the request is in compliance with the 2006 Land Use Plan and it is in the public interest with the added agreed upon conditions of approval 1 through 5 as stated in the staff report:

1. Proposed Use: Subdivision
2. All lots to be greater than or equal to 20,000 square feet.
3. Install a new culvert under Baxter's Lane to improve off-site drainage, size to be determined after engineering evaluation.
4. Explore the possibility of routing a portion of stormwater runoff to the northeast.
5. All residential development will be single family and will conform to sample building elevations provided.

Also, the calculation correction shall be included.

Ms. Overstreet seconded the motion and the motion carried unanimously.

SURROUNDING PARCELS		
	LAND USE	ZONING
NORTH	RESIDENTIAL/WOODLAND/FARMLAND/ SAND MINE	GB/AG
SOUTH	RESIDENTIAL/BUSINESS	GB/AG
EAST	FARMLAND	AG
WEST	CEMETERY/FARMLAND	GB

ADOPTED PLANS

THE 2006 LAND USE PLAN CLASSIFIES THIS SITE AS RURAL WITHIN THE MOYOCK SUBAREA. THE POLICY EMPHASIS FOR THE MOYOCK SUBAREA IS MANAGING THE INCREASED URBAN LEVEL OF GROWTH THAT THIS AREA IS SURE TO

EXPERIENCE OVER THE NEXT DECADE AND BEYOND. IN AREAS WHERE ON-SITE WASTEWATER IS PROPOSED AND OTHER COUNTY SERVICES ARE LIMITED DEVELOPMENT DENSITY SHOULD BE LIMITED TO 1-2 UNITS PER ACRE. THE PROPOSED PLAN IS IN KEEPING WITH THE POLICIES OF THE PLAN, SOME OF WHICH ARE:	
POLICY HN1	CURRITUCK COUNTY SHALL ENCOURAGE DEVELOPMENT TO OCCUR AT DENSITIES APPROPRIATE FOR THE LOCATION. LOCATION AND DENSITY FACTORS SHALL INCLUDE WHETHER THE DEVELOPMENT IS WITHIN AN ENVIRONMENTALLY SUITABLE AREA, THE TYPE AND CAPACITY OF SEWAGE TREATMENT AVAILABLE TO THE SITE, THE ADEQUACY OF TRANSPORTATION FACILITIES PROVIDING ACCESS TO THE SITE, AND PROXIMITY OF THE SITE TO EXISTING AND PLANNED URBAN SERVICES. (SUMMARY)
THE MOYOCK SMALL AREA PLAN IDENTIFIES THIS THIS SITE AS FULL SERVICE. FULL SERVICE DESIGNATIONS ARE FOCAL POINTS IN THE COMMUNITY WHERE HIGH AMOUNTS OF ACTIVITY OCCUR. TYPICAL DENSITIES IN FULL SERVICE DESIGNATIONS RANGE FROM 1.5 - 3 UNITS PER ACRE DEPENDING ON SURROUND LAND USES. THE PROPOSED PLAN IS IN KEEPING WITH THE POLICIES OF THE PLAN, SOME OF WHICH ARE:	
POLICY FLU1	PROMOTE COMPATIBILITY BETWEEN NEW DEVELOPMENT AND EXISTING DEVELOPMENT TO AVOID ADVERSE IMPACTS TO THE EXISTING COMMUNITY. THIS IS ACHIEVED THROUGH DESIGN AND INCLUDE LARGER SETBACKS, LANDSCAPED OR FORESTED STRIPS, TRANSITION ZONES, FENCING, SCREENING, DENSITY AND/OR BULK SEPT DOWNS, OR OTHER ARCHITECTURAL AND SITE PLANNING MEASURES THAT ENCOURAGE HARMONY.

This conditional zoning request is consistent Moyock Small Area Plan in that it is compatible with the future land use map Full Service designation and densities (FLU1). In addition, the request is reasonable and in the public interest because the request is similar to the existing development plan and results in an orderly and logical development pattern.

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.

Agreed upon conditions of approval:

1. Proposed Use: Subdivision
2. All lots to be greater than or equal to 20,000 square feet.
3. Install a new culvert under Baxter's Lane to improve off-site drainage, size to be determined after engineering evaluation.
4. Explore the possibility of routing a portion of stormwater runoff to the northeast.
5. All residential development will be single family and will conform to sample building elevations provided.

Planning Board Discussion - 10/9/2018

Donna Voliva, Assistant Planning Director, presented the staff report. Since the original 2015 conditional zoning, the applicant has designed and developed Windswept Pines. Windswept Pines Phase 1 is recorded and homes are under construction. As part of the construction drawing application, the engineered stormwater plans were completed that resulted in additional stormwater retention area for Phase 2. The request for conditional rezoning would allow two ponds that are necessary for this stormwater retention.. A community meeting was held and several people attended with concerns about the existing drainage, road interconnectivity, NCDOT road right of way and maintenance.

Mr. Craddock asked Ms. Voliva why the open space was exceeded and she replied that it was a minor error.

Mr. Bissell with Bissell Professional Group came before the board to represent Allied Properties, LLC.

Mr. Bissell explained the calculations of water drainage in the ditches. Ditch F was the only one that carried a lot of water and was backing up in the ditch and on the site. The plan was to construct a new ditch along the west side and since the three existing ponds are insufficient, we will need to construct 2 additional ponds to allow for proper drainage. The storm water will be divided between the two new ponds.

Board members asked questions about the ditches locations, where the ditches drained to and if additional ponds beyond the two requested ones will be needed. Mr. Bissell said they plan on doing a Phase 3 and the ponds would then need to be enlarged.

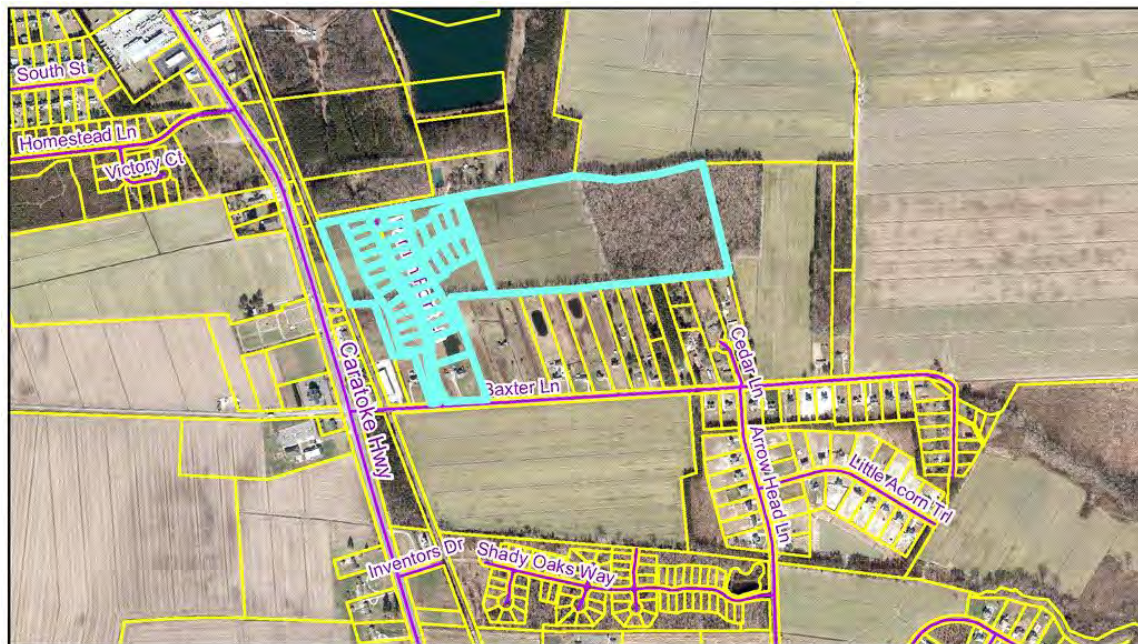
No other persons were signed up to speak. Chairman Whiteman asked for a motion.

Mr. Ballance motioned to approve PB 18-22 Allied Properties, LLC for the requested conditional rezoning to allow for the two additional ponds because the request is in compliance with the 2006 Land Use Plan and it is in the public interest with the added agreed upon conditions of approval 1 through 5 as stated in the staff report:

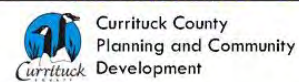
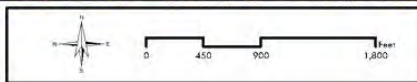
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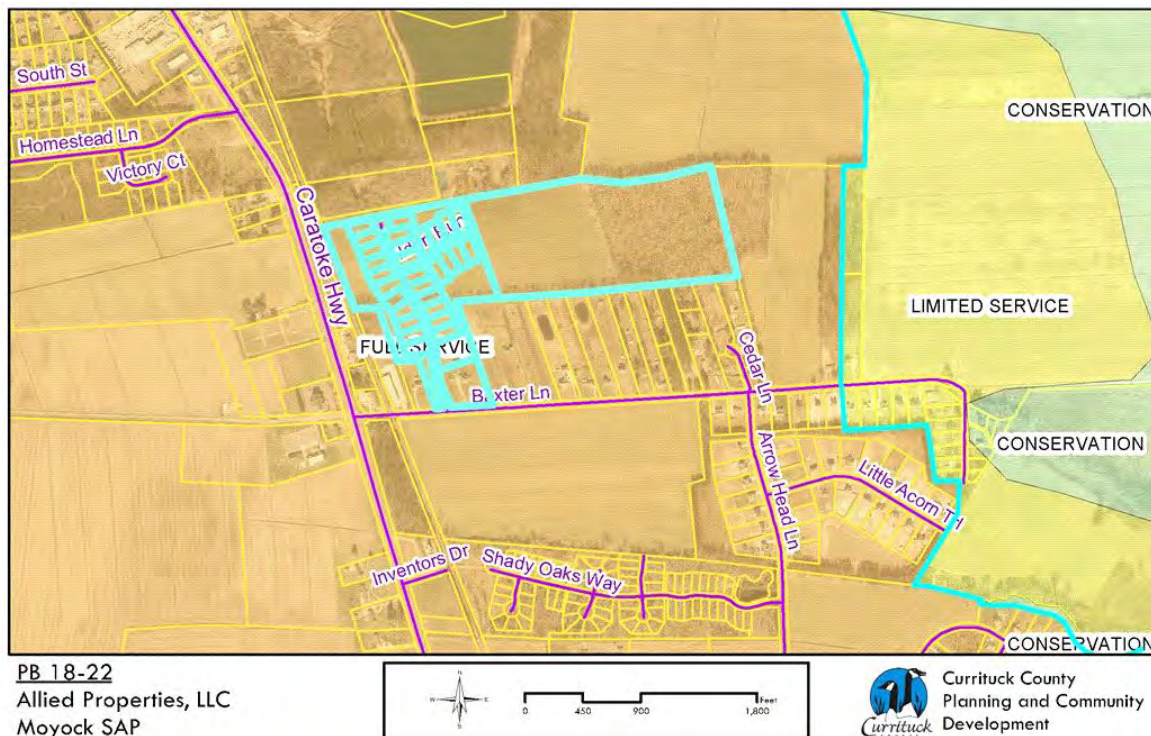
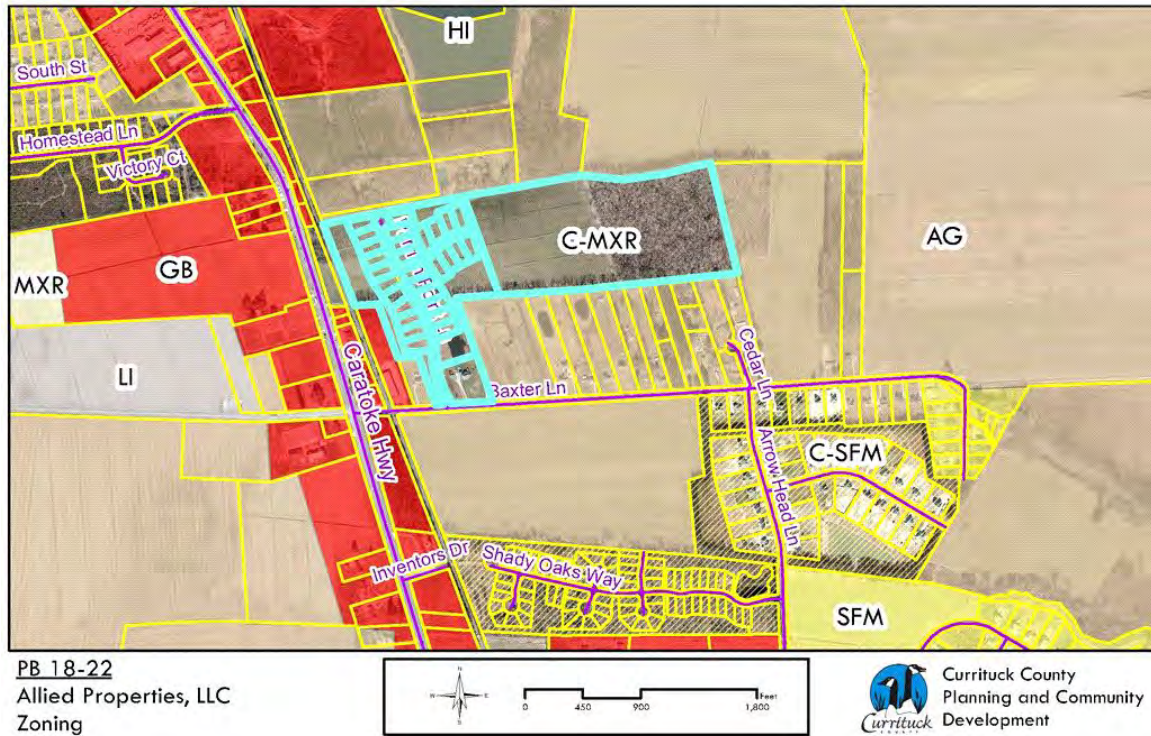
Also, the calculation correction shall be included.

Ms. Overstreet seconded the motion and the motion carried unanimously.



PB 18-22
Allied Properties, LLC
Aerial





Planning and Community Development Director, Laurie LoCicero, reviewed the rezoning request with Commissioners and used a powerpoint to display maps of the location. Ms. LoCicero said both the Technical Review Committee and Planning Board recommended approval with the new zoning conditions, and she reviewed supporting Land Use Plan

policies. Ms. LoCicero responded to questions posed by the Board and summarized that the request was made because the applicant needed more capacity for stormwater.

Mark Bissell, Bissell Professional Group, spoke on behalf of the applicant and presented powerpoint slides to note the changes to the earlier stormwater plan. He reviewed the revisions and denoted additional stormwater ponds and modifications to ditching on the overhead. He responded to questions posed by Commissioners during presentation and said the change was necessary based on the actual stormwater modeling performed on the site.

Richard Truran and Nathan Morales, neighbors to the site, expressed concerns about water flows and ditching. Mr. Truran said there are flooding issues currently with water backing up on his land and Mr. Morales said he does not believe the pipes are sized properly to handle the water capacity. He described how the water backfeeds onto private property and infiltrates other ditches, preventing the water's ability to flow. He said he has begun to have septic issues that did not exist before.

Mr. Bissell responded, and said less water is being released than before because they are holding more water on the land. Mr. Morales again noted problems with his septic and toilets believing it is the result of overwhelming pressure on the water table through retention ponds. Mr. Bissell explained how the pond works and will maintain the water table and said a collapsed ditch could be the problem.

Eric Weatherly, County Engineer, came to the podium and said he believes the ditch downstream is too small and the water is backing up. He suggested cleaning the ditch but said the County is only able to address drainage through stormwater districts and cannot go onto private land. Mr. Weatherly said what the applicant proposed isn't going to worsen the situation.

Mr. Bissell said Mr. Truran's issues were taken into consideration during development of plan and he told Mr. Weatherly cleaning the ditching at the end of Baxter Lane would help.

Chairman Hanig opened the Public Hearing.

Rich Truran, 151 Baxter Lane, wanted to know where the overflow water from the pond is going to go and which direction. Mr. Bissell and Ms. LoCicero reviewed the flow of water using the overhead.

No one else wished to speak and Chairman Hanig closed the public hearing.

Commissioner Gilbert moved to approve PB 18-22, Allied Properties, LLC, since the request is consistent with the 2006 Land Use Plan and the Moyock Small Area Plan because:

- It is at a density appropriate for the location (LUP Policy HN1).
- It is located in the fastest growing areas of the county that continues to evolve as a full service community (Moyock Area Policy Emphasis)

And the request is reasonable and in the public interest because:

- It promotes compatibility between the proposed development and the existing development by providing perimeter open space and buffers (MSAP FLU1).
- It is located in an appropriate zoning district for the development.
- It is seeking a change to the plan to retain additional stormwater on-site in an effort to reduce the impacts to nearby lands.

In addition, the proposed use is a Subdivision; all lots are to be greater than or equal to 20,000 square feet; a new culvert under Baxter's Lane to improve off-site drainage, size to be determined after engineering evaluation; explore the possibility of routing a portion of stormwater runoff to the northeast; all residential development will be single family and will conform to sample building elevations provided.

The motion was seconded by Commissioner Etheridge. The motion passed unanimously.

Chairman Hanig assured speakers the county would follow up on their drainage concerns.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mary "Kitty" Etheridge, 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

B. Consideration and Action: PB 16-06 Windswept Pines:

Property Owner: Allied Properties, LLC 417 Caratoke Hwy, Unit D Moyock, NC 27958 QHOC of Windswept Pines LLC 417 Caratoke Hwy, Unit D Moyock, NC 27958	MCQ Builders, LLC-2 1060 Laskin Rd, Suite 15B Virginia Beach, VA 23454 Mark & Penny McCrary 131 Baxter Ln. Moyock, NC 27958	Applicant: Allied Properties, LLC 417 Caratoke Hwy, Unit D Moyock, NC 27958
Case Number: 16-06	Application Type: Major Subdivision, Amended Preliminary Plat/ Use Permit (Type II)	
Parcel Identification Number: 0009000011L0000, 0009000006A0000, 009H00000SA-C0000, 009H0000001-120000, 009H0000042-580000	Existing Use: Residential Subdivision	
Land Use Plan Classification: Rural and Full Service Moyock Small Area Plan: Full Service	Parcel Size (Acres): 66.87 acres (total) 15.55 acres (not a part of the development) 51.32 acres (development area)	
Number of Units: 59 residential lots (including one existing, developed lot)	Project Density: 1.15 units/acre (59 lots/51.32 acres)	
Required Open Space: 15.40 acres (30% residential development)	Provided Open Space: 17.07 acres (33%)	

SURROUNDING PARCELS

	Land Use	Zoning
North	Residential	AG and GB
South	Office/ Residential	GB and AG
East	Undeveloped/Residential	AG
West	Office/Undeveloped/Cemetery/Residential	AG/GB

STAFF ANALYSIS REQUEST

The applicant is requesting amended preliminary plat/use permit approval of a 59 lot residential subdivision (including one existing parcel recombined to provide an entrance to Baxter Lane). The proposed amendment includes a change in the zoning conditions and the development plan that will provide additional stormwater retention area (open space) for Phase 2. The stormwater retention ponds are planned in an area previously identified as future development. The proposed amendment will add 0.99 acres to the development area and, the area will be identified as open space. The proposed amendment **does not** include an increase in the total number of lots.

A community meeting was held August 17, 2018 at the Moyock Library. Several comments were made regarding the existing drainage, road interconnectivity, and NCDOT road right of way and maintenance.

The property is conditionally zoned C-MXR and the following zoning conditions apply to this development:

- Use: Subdivision
- All lots to be greater than or equal to 20,000 square feet.
- Install a new culvert under Baxter's Lane to improve off-site drainage, size to be determined after engineering evaluation.
- Perform an evaluation of existing main ditch along Truran/Ward property line from site to Baxter's Lane and if warranted, seek permission to improve ditch cross-section.
- Explore the possibility of routing a portion of stormwater runoff to the northeast.
- All Residential development will be single family and will conform to sample building elevations provided.

INFRASTRUCTURE	
Water	Public
Sewer	On-site septic
Transportation	Streets: Curb and gutter
	Pedestrian: 5' wide sidewalks installed along both sides of the streets
	Connectivity Score: 1.4
Stormwater/Drainage	Curb and gutter and ponds
Schools	Elementary Students Generated: 14 students (84% capacity)
	Middle School Students Generated: 4 students (80% capacity)
	High School Students Generated: 7 students (83% capacity)
Lighting	Street lights (full cut off)
Recreation and Park Area Dedication	1.48 acres - Payment in lieu of dedication will be accepted.
Riparian Buffers	30' riparian buffer is required adjacent to all 404 jurisdictional wetlands (excluding man-made ditches)

Schools - Adequate Public Facilities		
Actual Capacity - August 2018		Students Generated by this Development
Moyock Elementary Shawboro Elementary Central Elementary	84%	Elementary: 14 students Middle: 4 students High: 7 students
Moyock Middle Currituck Middle	80%	
Currituck High JP Knapp Early College	83%	

RECOMMENDATIONS**Technical Review Committee**

1. The Technical Review Committee recommends adoption of the use permit and approval of the preliminary plat.
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 applicant findings.

USE PERMIT REVIEW STANDARDS

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. Stormwater management will be provided in accordance with the current Currituck County stormwater manual and the UDO. Additional stormwater retention ponds will be constructed to manage and retain stormwater in excess of the referenced requirements.
2. Albemarle Regional Health Services evaluated the new lots for suitability for wastewater disposal and provisionally approved each lot as being capable of properly treating domestic wastewater with properly filled and drained lots.
3. The project is being designed in accordance with the NC Department of Energy, Mineral and Land Resources sedimentation and erosion control standards, and will therefore minimize erosion and will contain siltation onsite.
4. For safety reasons, all lots are being accessed from interior streets.

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

Preliminary Applicant Findings:

1. Land to the west has been developed into single family homes; the land to the north is farmland and residential; land to the south is farmland and single family lots. Land to the east is farmland and woodland. This tract will be developed similarly to the adjacent Phase 1 subdivision. Values will be similar to those in the adjacent subdivisions. The use will not injure the value of adjoining or abutting lands, and will be in harmony with the surrounding area.

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

Preliminary Staff Findings:

1. The Moyock Small Area plan classifies this area as Full Service. The proposed development density is only 1.15 units per acre, well below the densities of 1.5 to 3 units per acre envisioned in the Moyock Small Area Plan.

Relevant MSAP and 2006 LUP Policies:

1. 2006 LUP POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

2. 2006 LUP POLICY HN2: Currituck County recognizes that large-lot mini-estates (i.e. 5 to 10 acres) consume large amounts of land, often without economic purpose. Estate lots having no relationship to agriculture or other resource-based activities promote sprawl and make the provision of infrastructure and services very costly. The County shall therefore encourage alternatives to large lot developments through INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDENCING ZONING techniques.
3. 2006 LUP POLICY TR12: New residential developments shall provide for the installation of PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE at the time of development. This policy is intended to prevent the creation of substandard developments that must later correct for infrastructure problems that could have been avoided, had they been installed properly from the beginning. Family subdivisions and non-asphalt roads serving the northern beaches are the only exception to this policy.
4. 2006 LUP POLICY PR6: All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS including, as may be appropriate, funding in proportion to the demand created by the development. The amount of open space and improvements may be determined according to the number of dwelling units in the development and/or by a percentage of the total acreage in the development. Fees in lieu of land dedication shall be based on the inflation adjusted assessed value of the development or subdivision for property tax purposes.
5. 2006 LUP POLICY WQ3: Currituck County supports policies, plans, and actions that help protect the water quality of the county's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary.
6. MSAP POLICY IS4: Ensure that stormwater runoff, soil erosion, and sedimentation is properly managed to reduce nuisance flooding and pollution of sensitive environmental areas.
7. MSAP POLICY IS5: Encourage retrofitting of NCDOT drainage infrastructure to manage nuisance flooding.

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. Based on the average daily membership and school capacity, the Currituck County schools (northern mainland) at the following capacity:

Actual Capacity - August 2018	
Moyock Elementary Shawboro Elementary Central Elementary	84%
Moyock Middle Currituck Middle	80%
Currituck High JP Knapp Early College	83%

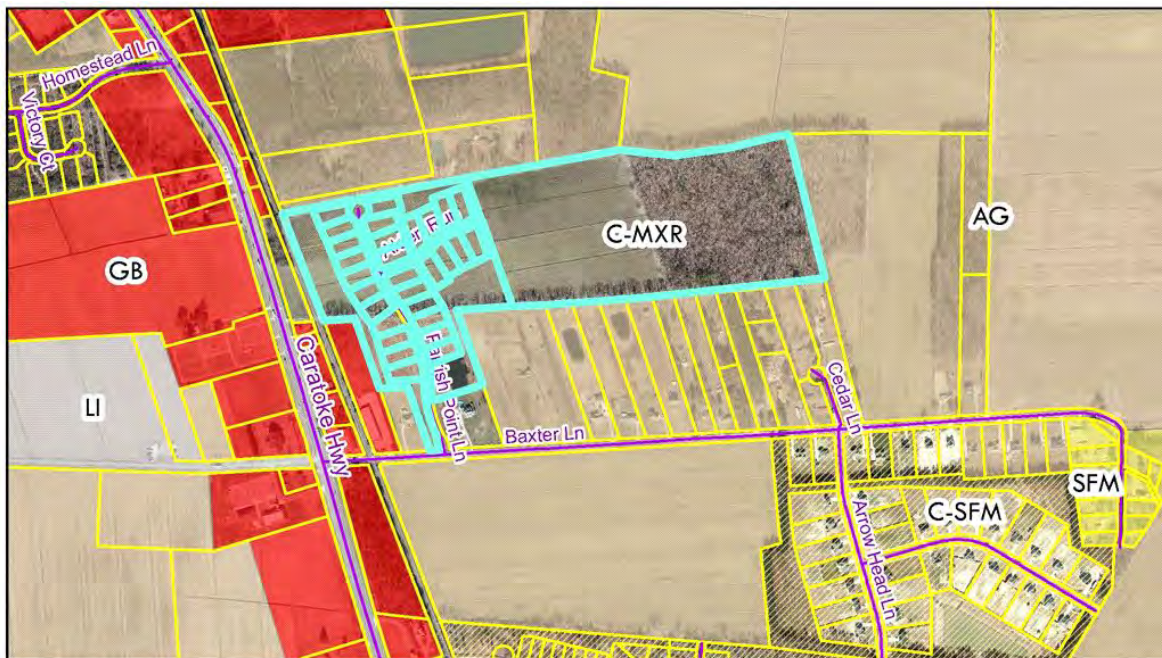
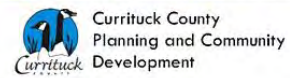
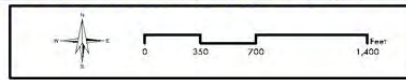
Source: Currituck County Schools

2. Based on the 2004 Tischler Student Generation Rate Study, the proposed subdivision is projected to generate the following students:

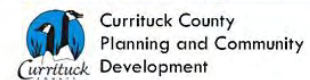
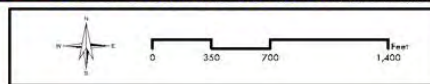
Students Generated by this Development	
Elementary	14 students
Middle	4 students
High	7 students

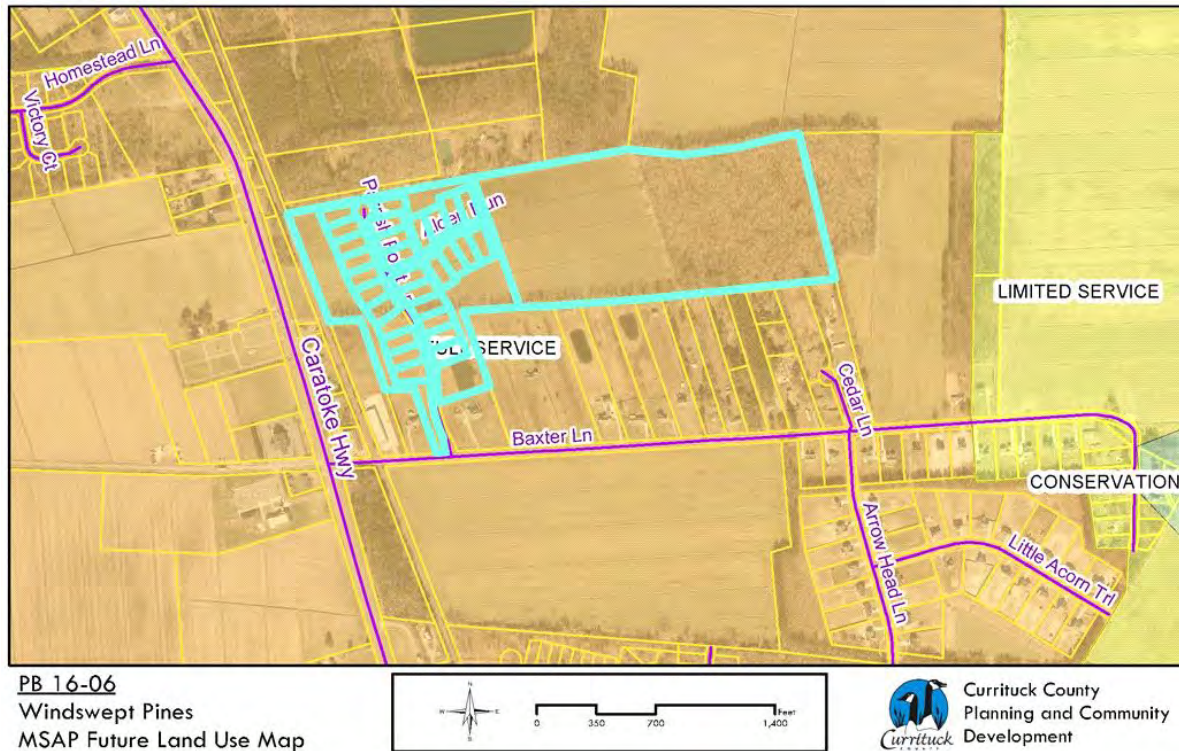


PB 16-06
Windswept Pines
Aerial



PB 16-06
Windswept Pines
Zoning





Parties were sworn in and Laurie LoCicero, Planning and Community Development Director, reviewed the application for an amended preliminary plat/use permit with the Board of Commissioners. Findings of fact were presented and the Board had no questions for Ms. LoCicero.

Testifying on behalf of the applicant, Engineer Mark Bissell spoke to the findings of fact to support approval of the request.

Chairman Hanig opened the Public Hearing. No one was signed up nor wished to speak and the Public Hearing was closed.

Commissioner Gilbert moved to approve PB 16-06 Windswept Pines amended preliminary plat/use permit because the applicant has demonstrated the proposed use meets the use permit review standards of the UDO:

1. The use will not endanger the public health or safety: Stormwater management will be provided in accordance with the current Currituck County stormwater manual and the UDO. Additional stormwater retention ponds will be constructed to manage and retain stormwater in excess of the referenced requirements. Albemarle Regional Health Services evaluated the new lots for suitability for wastewater disposal and provisionally approved each lot as being capable of properly treating domestic wastewater with properly filled and drained lots. The project is being designed in accordance with the NC Department of Energy, Mineral and Land Resources sedimentation and erosion control standards, and will therefore minimize erosion and will contain siltation onsite. For safety reasons, all lots are being accessed from interior streets.

2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located: Land to the west has been developed into single family homes; the land to the north is farmland and residential; land to the south is farmland and single family lots. Land to the east is farmland and woodland. This tract will be developed similarly to the adjacent Phase 1 subdivision. Values will be similar to those in the adjacent subdivisions. The use will not injure the value of adjoining or abutting lands, and will be in harmony with the surrounding area.
3. The use will be in conformity with the Land Use Plan or other officially adopted plans: The Moyock Small Area plan classifies this area as Full Service. The proposed development density is only 1.15 units per acre, well below the densities of 1.5 to 3 units per acre envisioned in the Moyock Small Area Plan. The 2006 Land Use Plan (LUP) Policy HN1 to be included, the 2006 LUP Policy HN2, the 2006 LUP Policy TR12, the 2006 LUP Policy PR6, the 2006 LUP Policy WQ3, the Moyock Small Area Policy IS4, The Moyock Small Area Policy IS5.
4. The use will not exceed the county's ability to provide adequate public facilities: 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. Ms. LoCicero pointed out the school numbers and they shall be included in the motion.

Actual Capacity - August 2018	
Moyock Elementary Shawboro Elementary Central Elementary	84%
Moyock Middle Currituck Middle	80%
Currituck High JP Knapp Early College	83%

Source: Currituck County Schools

Students Generated by this Development	
Elementary	14 students
Middle	4 students
High	7 students

The motion was seconded by Commissioner White. The motion passed unanimously.

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

C. PB 18-24 Currituck County Flood Maps and Ordinance:

Laurie LoCicero, Planning and Community Development Director, reviewed the National Flood Insurance Program and described it is the County's partnership with the Federal government program to protect lives and property. She explained the program is administered by the Federal Emergency Management Administration and used a powerpoint to review the program and the County's participation and presented the new flood maps to become effective December 21, 2018. Special flood hazard areas were reviewed and shifts in the level of protection in some areas were noted, showing a significant decrease in buildings located in flood hazard areas. Ms. LoCicero reviewed the changes to the flood damage prevention regulations in the Unified Development Ordinance, requiring higher levels of protection for properties in special flood hazard areas. Premium reductions were reviewed based on extra free-board construction requirements.

Chairman Hanig opened the Public Hearing. No one was signed up nor wished to speak and the Public Hearing was closed.

Commissioner Payment moved to approve PB 18-24 Currituck County since the request is consistent with the Land Use Plan because:

- It will conserve the floodplains and other coastal features for their natural storm protection functions and their natural resources giving recognition to public health, safety, and welfare issues.
- It includes requirements for development and redevelopment within special flood hazard areas to meet the standards of the NFIP and the flood damage prevention ordinance. (Land Use Plan (LUP) POLICY NH2)
- It recognizes the potential risks to life and properties within the special flood hazard areas and the implements measures to mitigate the risks. (LUP POLICY NH1)

And the request is reasonable and in the public interest because:

- It continues the county's participation in the National Flood Insurance Program that enables property owners in participating communities to purchase insurance protection against losses from flooding.
- Minimizes damage to public and private property due to flooding.

Include the following modifications to the Unified Development Ordinance Text Amendment: Include a regulatory effective date of the text amendment with an effective date to be November 6, 2018; remove Item 4, 9.6.2. Criminal Penalties from the text amendment. The enforcement of the ordinance will continue to be through the civil process; modify the following definitions to include the adoption date

of the initial flood plain management regulations and the effective date of the flood insurance rate maps:

EXISTING BUILDING

For the purposes of Section 7.4, Flood Damage Prevention, any building and/or structure for which the start of construction commenced before November 1, 1984.

NEW CONSTRUCTION

For the purposes of Section 7.4, Flood Damage Prevention, structures for which the “start of construction” commenced on or after July 18, 1984, the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

POST-FIRM

Construction or other development for which the “start of construction” occurred on or after November 1, 1984, the effective date of the initial Flood Insurance Rate Map

PRE-FIRM

Construction or other development for which the “start of construction” occurred before November 1, 1984, the effective date of the initial Flood Insurance Rate Map.

The motion was seconded by Commissioner White, who requested Commissioner Payment amend the effective date to November 15, 2018 to allow time for staff to confer with the state on some items. Commissioner Payment amended his motion setting an effective date of November 15, 2018. The motion passed unanimously.

After a brief recess, discussion continued at the request of Commissioner Hall who prompted Mr. Scanlon to encourage property owners to consult with their insurance providers, as property owners may want to continue insurance coverage even if the property is no longer in a flood hazard area and insurance may not be required.

To: Board of Commissioners
From: Planning Staff
Date: November 5, 2018
Subject: PB 18-24 Currituck County

Currituck County received modified flood hazard determinations on June 21, 2018; to remain in good standing with the National Flood Insurance Program (NFIP), the county is required to adopt the effective Flood Insurance Study (FIS) report and Flood Insurance Rate Maps (FIRM) prior to December 21, 2018. Additionally, the county is required to adopt floodplain management regulations that meet the standards of the NFIP.

The enclosed text amendment is intended to revise several chapters of the Unified Development Ordinance to incorporate revisions to the Flood Damage Prevention Ordinance. The changes are intended to ensure conformity with the North Carolina Department of Public Safety's most recently updated Coastal Model Flood Ordinance.

In addition to the enclosed text amendment, staff recommends an increase to our current regulatory

flood protection elevation (RFPE). The RFPE is the base flood elevation plus freeboard. Our current freeboard is one foot and staff suggests raising this requirement to two feet. This increase, in addition to providing greater protection for structures constructed within the special flood hazard area, will decrease flood insurance premiums for property within the special flood hazard area.

Planning Board Recommendation 10/9/2018: Approval (Unanimous)

Motion:

Mr. Craddock motioned to approve PB 18-24 Currituck County Flood Maps and Ordinance because the requested text amendment, adoption of the FIRM, and FIS are consistent with the goals, policies, and objectives of the 2006 Land Use Plan because:

- It will conserve the floodplains and other coastal features for their natural storm protection functions and their natural resources giving recognition to public health, safety, and welfare issues. (Natural Hazards Area CAMA Management Goal)
- It includes requirements for development and redevelopment within special flood hazard areas to meet the standards of the NFIP and the flood damage prevention ordinance. (LUP POLICY NH2)
- It recognizes the potential risks to life and properties within the special flood hazard areas and the implements measures to mitigate the risks. (LUP POLICY NH1)

The request is reasonable and in the public interest because:

- It continues the county's participation in the National Flood Insurance Program that enables property owners in participating communities to purchase insurance protection against losses from flooding.
- Minimizes damage to public and private property due to flooding.

And this will possibly be changed if the staff receives notice about criminal verses civil and the Planning Board recommends a freeboard of two feet.

Mr. O'Brien seconded the motion and the motion carried unanimously.

Planning Board Discussion

Donna Voliva, Assistant Planning Director, presented the staff report. Currituck County received modified flood hazard determinations on June 21, 2018; to remain in good standing with the National Flood Insurance Program (NFIP), the county is required to adopt the effective Flood Insurance Study (FIS) report and Flood Insurance Rate Maps (FIRM) prior to December 21, 2018. Also, the county is required to adopt floodplain management regulations that meet the standards of the NFIP. Within the floodplain management regulations, the state regulations use criminal for enforcement. We feel that civil citations works best for us and we are hoping the NFIP will accept our use of civil instead of criminal for enforcement.

Board members asked staff questions concerning the amount of properties in special flood zone areas and whether there was an increase or decrease in the amounts. Ms. LoCicero said there was a 90% decrease in our V zone properties with the new flood maps.

Mr. Craddock asked about the effective date of the changes in flood zones and Ms. LoCicero said December 21, 2018 for insurance purposes.

Ms. LoCicero stated along with this text amendment for changes in the flood maps, staff recommends an increase to our current regulatory flood protection elevation (RFPE). The current freeboard is one foot and staff suggests raising this requirement to two feet. This will give us added protection against structures flooding within the special flood hazard area and will also decrease flood insurance premiums for property within the special flood hazard area.

Ms. Voliva asked Ms. Turner to talk about bulkheads and staff's concerns over not limiting the height of bulkheads used for non-shoreline protection.

Discussion was held on bulkheads, FEMA technical bulletins, grade requirements for V zones in the ocean hazard areas verses the mainland and freeboard.

Chairman Whiteman asked for a motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike H. Payment, Vice Chairman
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

RECESS

A brief recess was called 8:05 PM. The meeting reconvened at 8:18 PM.

OLD BUSINESS

- A. PB 18-20 Ponderosa Enterprises Inc: Request for Conditional rezoning of 11.6 acres from General Business (GB) and Agriculture (AG) to Conditional General Business (C-GB) for property located in Maple, adjoining Ponderosa Mobile Home Park to the north, Parcel Identification Number 0052-000-022B-0000, Crawford Township.**

APPLICATION SUMMARY	
Property Owner: Ponderosa Enterprises Inc 613 Shortcut Road Barco NC 27917	Applicant: Ponderosa Enterprises Inc 613 Shortcut Road Barco NC 27917
Case Number: PB 18-20	Application Type: Conditional Rezoning
Parcel Identification Number: 0052000022B0000	Existing Use: Agricultural
Land Use Plan Classification: Full Service	Parcel Size (Acres): 11.6
Maple/Barco Small Area Plan Classification: Employment	Airport Compatibility Use Zone: 1, 2, and 3
Zoning History: A-40 (1974); A (1989)	
Current Zoning: GB and AG with Airport Overlay District (AO)	Proposed Zoning: C - GB

SURROUNDING PARCELS		
	LAND USE	ZONING
NORTH	AIRPORT/MAPLE CAMPUS	HI/GB
SOUTH	WOODLAND/CULTIVATED FARMLAND	HI
EAST	MOBILE HOME PARK/SELF-STORAGE	GB
WEST	CULTIVATED FARMLAND/WOODLAND	HI

Communication: Minutes for November 5, 2018 (Approval Of Minutes)

REQUEST

The property owner is requesting a conditional rezoning from AG (Agricultural) to C-GB (Conditional-General Business). At this time, there is not a specific user for the property. According to the applicant, the proposed uses include “only uses compatible with GB zoning, office, commercial, personal services, institutional, etc. Uses that provide Employment opportunities for county residential and goods and services to county residents and visitors.” The owner proposes the following zoning conditions:

- The property will not be used for ministorage.
- A Type A landscape buffer will be provided between the two GB uses.

A community meeting was held at Ponderosa Enterprises, Inc. on July 23, 2017 with no one in attendance.

The conceptual plan for the property includes a fuel and convenience store and four multipurpose buildings (office, mixed use residential/commercial, and commercial). The buildings range in size from approximately 7,000 sf to 10,000 sf. The plan indicates green spaces and a sidewalk connecting the buildings. There is one entrance to the development off of Shortcut Road.

The applicant previously submitted a straight rezoning from AG to GB for the property, but withdrew that application and submitted this conditional rezoning from AG to C-GB request.

UDO

The applicant owns a neighboring 30 acre tract zoned GB and contains Ponderosa Mobile Home Park. On the north side of Shortcut Road is the county airport and community center in Maple. The airport is zoned HI and the community center is zoned GB.

The area of the request is also located within the Airport Overlay District (AO) and Compatibility Use Zones 1, 2, and 3.

- Compatible Use Zone 1 limits uses to single-family detached dwellings, aviation related uses, nonresidential uses that do not exceed an occupancy of ten people per acre, or conservation.
- Compatible Use Zone 2 limits uses to single-family detached dwellings, agricultural, agriculture support and services uses, nonresidential uses that do not exceed an occupancy of 40 people per acre, or conservation.
- Compatible Use Zone 3 limits uses to those permitted in the base zoning district.

The ability to increase residential density within the GB zoning district is limited by Airport Overlay District (AO) that will remain on the property.

2006 Land Use Plan

The proposed rezoning to C-GB appears to be consistent with the Full Service designation identified in the 2006 LUP. The listed uses include retail (fuel and convenience), mixed use retail/commercial, and multipurpose business spaces. With agreed upon assurances applied through the conditional zoning district demonstrating general land uses, architectural design, and site features, it is possible to determine consistency with the policies identified in the plans approved by the county such as the Land Use Plan. The proposed architectural renderings are compatible with the county complex across Shortcut Road.

The Maple-Barco Small Area Plan

The Future Land Use Map identifies the property as Employment, which anticipates land uses that will generate economic activity or job growth. The proposed rezoning to C-GB appears to be consistent with the Employment land use designation. The MBSAP suggests areas should be encouraged to develop in mixed use or campus like settings with generous, linked open space to maximize value, promote visual quality, and encourage pedestrian activity between employment areas and areas of supporting uses such as retail, restaurants, and residential. The proposed development plan and site design are consistent with the desired density, character of growth, and level of services appropriate for the study area.

TECHNICAL REVIEW COMMITTEE

THE TECHNICAL REVIEW COMMITTEE RECOMMENDS APPROVAL OF THE CONDITIONAL REZONING.

ADOPTED PLANS

THE 2006 LAND USE PLAN CLASSIFIES THIS SITE AS FULL SERVICE WITHIN THE BARCO-COINJOCK-AIRPORT SUBAREA. THE POLICY EMPHASIS FOR THE BARCO-COINJOCK-AIRPORT SUBAREA IS FOR THE AREA TO EMERGE AS THE PRINCIPLE COMMUNITY CENTER SERVING THE CENTRAL AREAS OF THE MAINLAND. THE PROPOSED PLAN IS IN KEEPING WITH THE POLICIES OF THE PLAN, SOME OF WHICH ARE:

POLICY CD1	NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS SHALL BE ENCOURAGED. APPROPRIATELY DESIGNED, SMALL-SCALE BUSINESS SHOULD LOCATE NEAR NEIGHBORHOOD SERVING FACILITIES SUCH AS SCHOOLS AND PARKS.
POLICY CD2	COMMERCIAL OR MIXED USE CENTERS SHOULD BE CLUSTERED TO PREVENT STRIP DEVELOPMENT AND MINIMIZE TRAFFIC GENERATION.
POLICY CD4	HIGHWAY ORIENTED COMMERCIAL USES SHOULD BE CLUSTERED ALONG THE HIGHWAY TO MINIMIZE SIGNAGE, ACCESS POINTS, AND PREVENT STRIP DEVELOPMENT.
POLICY CD9	BUSINESSES MUST COORDINATE THEIR SITE DESIGN WITH OTHER NEARBY USES.
POLICY ED1	NEW AND EXPANDING BUSINESS ARE ENCOURAGED THAT DIVERSIFY THE LOCAL ECONOMY, TRAIN AND USE A MORE HIGHLY SKILLED LABOR FORCE, AND ARE COMPATIBLE WITH THE ENVIRONMENTAL QUALITY AND NATURAL AMENITY-BASED ECONOMY OF CURRITUCK COUNTY.

THE MAPLE-BARCO SMALL AREA PLAN CLASSIFIES THIS SITE AS EMPLOYMENT. THE PLAN STATES THAT THE AREA SHOULD BE DEVELOPED IN MIXED USE OR CAMPUS LIKE SETTING WITH GENEROUS, LINKED OPEN SPACE TO MAXIMIZE VALUE, PROMOTE VISUAL QUALITY, AND ENCOURAGE PEDESTRIAN ACTIVITY BETWEEN EMPLOYMENT AREAS AND AREAS OF SUPPORTING USES SUCH AS RETAIL, RESTAURANTS, AND RESIDENTIAL. THE PROPOSED PLAN IS IN KEEPING WITH THE POLICIES OF THE PLAN, SOME OF WHICH ARE:

POLICY LU4	ENCOURAGE AND ALLOW SMALL, LOCALLY OWNED BUSINESSES TO LOCATE IN THE AREA.
POLICY LU9	THE DENSITY, CHARACTER OF GROWN, AND LEVEL OF SERVICE MUST BE APPROPRIATE FOR THE STUDY AREA.
POLICY TR4	INFRASTRUCTURE MUST BE INTEGRATED INTO NEW DEVELOPMENTS THAT PROMOTE MULTIMODAL TRANSPORTATION, INTERCONNECTING EMPLOYMENT CENTERS, BUSINESS, AND NEIGHBORHOODS.

THE CONNECT CURRITUCK PEDESTRIAN MASTER PLAN CALLS FOR A MULTI-MODAL SIDE-PATH/TRAIL ALONG SHORTCUT ROAD. NCDOT'S ROAD WIDENING PROJECT PLACES THE MULTI-MODAL SIDE-PATH/TRAIL ON NORTHERN SIDE OF SHORTCUT ROAD, OPPOSITE THIS PROJECT.

THIS CONDITIONAL ZONING REQUEST IS CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE LAND USE PLAN AND MAPLE-BARCO SMALL AREA PLAN AND IS COMPATIBLE WITH EXISTING AND PROPOSED USES SURROUNDING THE LAND SUBJECT TO THE APPLICATION, AND IT IS AN APPROPRIATE ZONING DISTRICT AND USE FOR THE LAND.

Communication: Minutes for November 5, 2018 (Approval Of Minutes)

CONDITIONS OF APPROVAL

ONLY CONDITIONS MUTUALLY AGREED TO BY THE OWNER 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.

Agreed upon conditions of approval:

1. THE PROPERTY WILL NOT BE USED FOR MINISTORAGE.
2. A TYPE A LANDSCAPE BUFFER WILL BE PROVIDED BETWEEN THE TWO GB USES.

Suggested conditions of approval that must be agreed to by the owner:

1. BUILDING ARCHITECTURE AND DESIGN FEATURES SHALL BE CONSISTENT WITH THE PHOTOGRAPHS SUBMITTED WITH THE APPLICATION TO PROVIDE CONSISTENCY AND COMPATIBILITY WITH THE NEARBY COUNTY COMPLEX. (SEE ATTACHED)
2. RESIDENTIAL USES SHALL ONLY BE ALLOWED THROUGH A MIXED USE BUILDING TO LIMIT THE DENSITY ALLOWED IN THE AIRPORT APPROACH ZONE TO AN APPROPRIATE LEVEL.
3. PLACE THE FUELING STATION/CANOPY TO THE SIDE AND/OR REAR OF THE FUEL AND CONVENIENCE CENTER BUILDING AND MOVE THE BUILDING CLOSER TO SHORTCUT ROAD. THIS BUILDING FRONT WILL BE THE MOST VISIBLE IN THE COMPLEX AND SHOULD SET THE ARCHITECTURAL TONE AND CAMPUS LIKE SETTING OF THE PROPOSED DEVELOPMENT ALONG SHORTCUT ROAD, A MAJOR ARTERIAL STREET.
4. PROVIDE A CENTRAL COURTYARD WITH PEDESTRIAN FEATURES (I.E. BENCHES, WATER FEATURE) WITH BUILDINGS ORIENTED INWARD TOWARDS THE CENTRAL COURTYARD TO MIMIC THE CAMPUS LIKE FEEL AND PEDESTRIAN ACTIVITY BETWEEN EMPLOYMENT AREAS AND THE OTHER USES AS REQUIRED BY THE MAPLE BARCO SMALL AREA PLAN.
5. PROVIDE A HANDICAP ACCESSIBLE PEDESTRIAN CONNECTION TO THE MOBILE HOME PARK TO ENCOURAGE PEDESTRIAN ACTIVITY BETWEEN THE USES.
6. PROVIDE A MINIMUM AND MAXIMUM BUILDING SQUARE FOOTAGE TO ENSURE COMPATIBILITY WITH THE AREA.
7. IMPOSE THE SUGGESTED TWO STORY LIMIT ON ALL BUILDINGS BECAUSE OF THE PROJECT'S LOCATION IN THE AIRPORT APPROACH ZONE.

PLANNING BOARD RECOMMENDATION

The Planning Board recommended approval of this request subject to the consistency statement and the following conditions:

Agreed upon conditions of approval:

1. THE PROPERTY WILL NOT BE USED FOR MINISTORAGE.
2. A TYPE A LANDSCAPE BUFFER WILL BE PROVIDED BETWEEN THE TWO GB USES.

Suggested conditions of approval that must be agreed to by the owner:

3. BUILDING ARCHITECTURE AND DESIGN FEATURES SHALL BE CONSISTENT WITH THE PHOTOGRAPHS SUBMITTED WITH THE APPLICATION TO PROVIDE CONSISTENCY AND COMPATIBILITY WITH THE NEARBY COUNTY COMPLEX. (SEE ATTACHED)
4. RESIDENTIAL USES SHALL ONLY BE ALLOWED THROUGH A MIXED USE BUILDING TO LIMIT THE DENSITY ALLOWED IN THE AIRPORT APPROACH ZONE TO AN APPROPRIATE LEVEL.
5. PLACE THE FUELING STATION/CANOPY TO THE SIDE AND/OR REAR OF THE FUEL AND CONVENIENCE CENTER BUILDING AND MOVE THE BUILDING CLOSER TO SHORTCUT ROAD. THIS BUILDING FRONT WILL BE THE MOST VISIBLE IN THE COMPLEX AND SHOULD SET THE ARCHITECTURAL TONE AND CAMPUS LIKE SETTING OF THE PROPOSED DEVELOPMENT ALONG SHORTCUT ROAD, A MAJOR ARTERIAL STREET.

6. PROVIDE A CENTRAL COURTYARD WITH PEDESTRIAN FEATURES (I.E. BENCHES, WATER FEATURE) WITH BUILDINGS ORIENTED INWARD TOWARDS THE CENTRAL COURTYARD TO MIMIC THE CAMPUS LIKE FEEL AND PEDESTRIAN ACTIVITY BETWEEN EMPLOYMENT AREAS AND THE OTHER USES AS REQUIRED BY THE MAPLE BARCO SMALL AREA PLAN.
7. PROVIDE A HANDICAP ACCESSIBLE PEDESTRIAN CONNECTION TO THE MOBILE HOME PARK TO ENCOURAGE PEDESTRIAN ACTIVITY BETWEEN THE USES.
8. PROVIDE A MINIMUM AND MAXIMUM BUILDING SQUARE FOOTAGE TO ENSURE COMPATIBILITY WITH THE AREA.
9. IMPOSE THE SUGGESTED TWO STORY LIMIT ON ALL BUILDINGS BECAUSE OF THE PROJECT'S LOCATION IN THE AIRPORT APPROACH ZONE.

Planning Board Discussion 10/9/2018

Tammy Glave, Senior Planner, presented the staff report and showed the proposed plans, current zoning map, explaining the proposed changes. Ms. Glave also showed examples of design features for the building's architectural design elements. The canopy for the gas station will be to the side and facing to the back of the building. Also a sidewalk will be made from the mobile home park to the building. The owner will not use the property for ministorage and a Type A landscape buffer will be provided between the two General Business uses (the proposed building and the existing mobile home park). Staff recommends approval of the conditional rezoning since it is consistent with the Full Service Plan of the 2006 Land Use Plan and the Maple/Barco Small Area Plan. The Technical Review Committee recommends approval with the suggested conditions listed in the staff report.

Board discussion was held over item #6 in the suggested conditions and what the minimum and maximum building square footage would be.

Chairman Whiteman asked for a motion.

Mr. Craddock motioned to approve PB 18-20 Ponderosa Enterprises Inc. requested Conditional Rezoning since it is consistent with the adopted plans of the Land Use Plan policies CD1, CD2, CD4, CD9, ED1 and the Maple-Barco Small Area Plan policies LU4, LU9 and TR4. This conditional zoning request is consistent with the goals, objectives, and policies of the Land Use Plan and Maple-Barco Small Area Plan and is compatible with existing and proposed uses surrounding the land subject to the application, and it is an appropriate zoning district and use for the land. The conditions of approval shall be:

1. The property will not be used for ministorage.
2. A Type A landscape buffer will be provided between the two GB uses.

And also conditions:

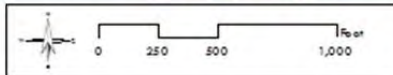
1. Building architecture and design features shall be consistent with the photographs submitted with the application to provide consistency and compatibility with the nearby county complex. (See Attached)
2. Residential uses shall only be allowed through a mixed use building to limit the density allowed in the airport approach zone to an appropriate level.
3. Place the fueling station/canopy to the side and/or rear of the fuel and convenience center building and move the building closer to Shortcut Road. This building front will be the most visible in the complex and should set the architectural tone and campus like setting of the proposed development along Shortcut Road, a major arterial street.
4. Provide a central courtyard with pedestrian features (i.e. benches, water feature) with buildings oriented inward towards the central courtyard to mimic the campus like feel and pedestrian activity between employment areas and the other uses as required by the Maple Barco Small Area Plan.
5. Provide a handicap accessible pedestrian connection to the mobile home park to encourage pedestrian activity between the uses.
6. Provide a minimum and maximum building square footage to ensure compatibility with the area.

7. Impose the suggested two story limit on all buildings because of the project's location in the airport approach zone.

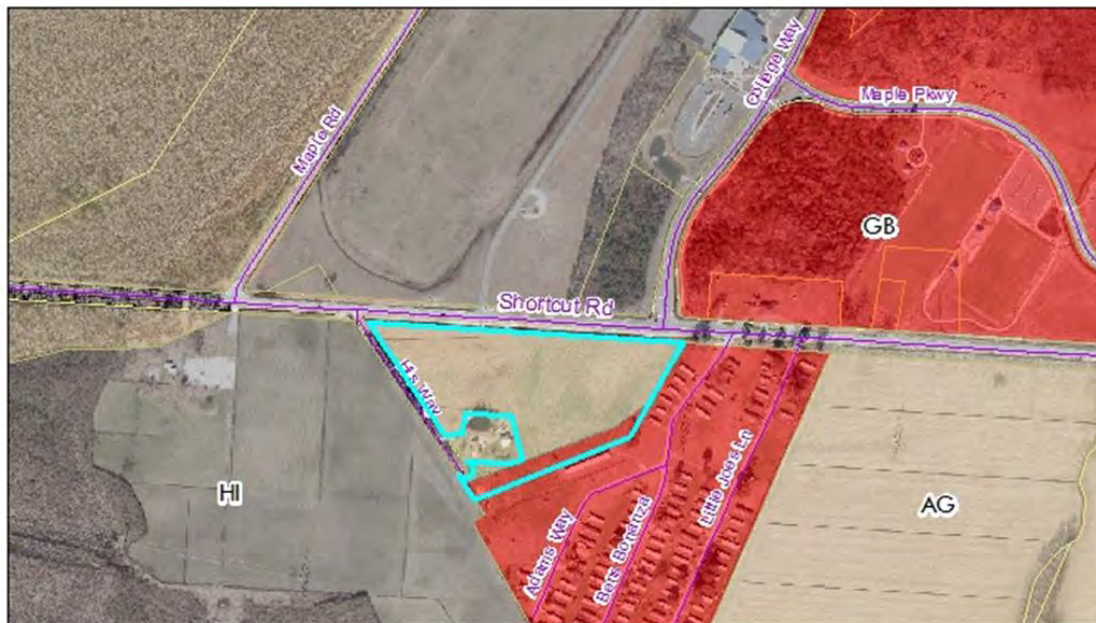
Mr. Thomas seconded the motion and the motion carried unanimously.



PB 18-20 Ponderosa Enterprises Inc
Conditional Rezoning
2016 Aerial Photography



Currituck County
Planning and
Community Development



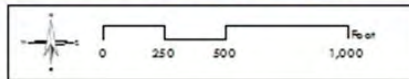
PB 18-20 Ponderosa Enterprises Inc
Conditional Rezoning
Zoning



Currituck County
Planning and
Community Development



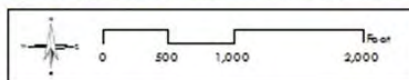
PB 18-20 Ponderosa Enterprises Inc
Conditional Rezoning
LUP Classification



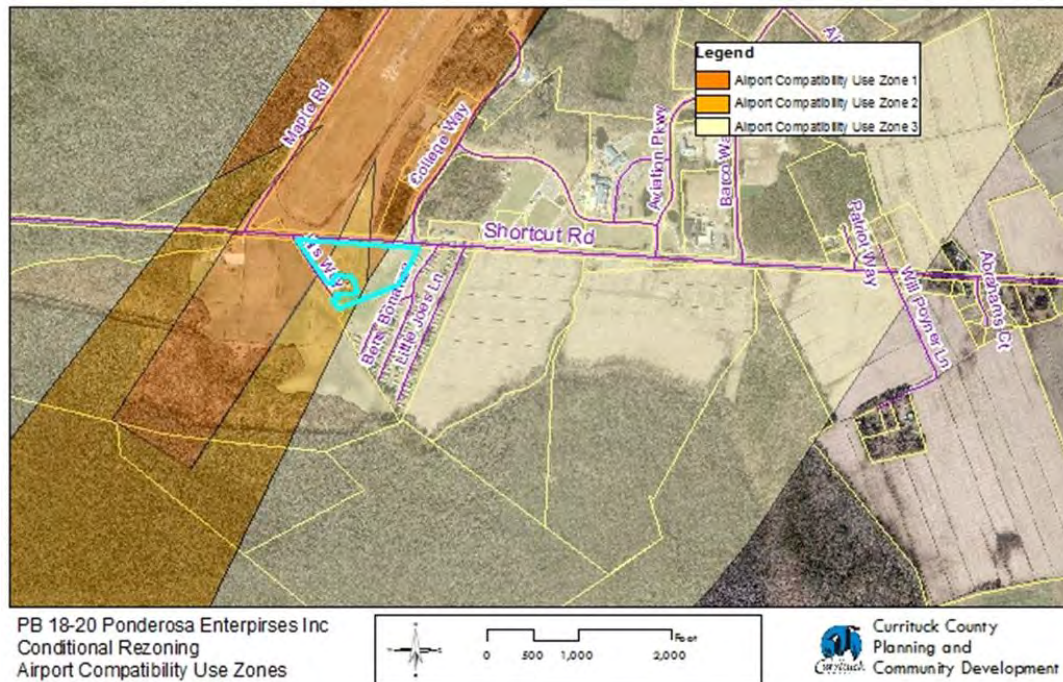
Currituck County
Planning and
Community Development



PB 18-20 Ponderosa Enterprises Inc
Conditional Rezoning
Maple-Barco SAP Classification



Currituck County
Planning and
Community Development



Laurie LoCicero reviewed the request for conditional rezoning and recalled the last meeting when the Board initially considered the application and voiced concerns regarding possible uses in the General Business (GB) zone and the proximity of the proposed gas station to the airport. The Board had asked staff to work with the applicant to develop a list of allowable uses in the GB zone, and Ms. LoCicero said a list of uses developed were agreed to by the applicant. As there is no user for the property at this time, the uses listed were general in nature. Ms. LoCicero reviewed the uses with the Board.

Commissioner White noted prior concern with the proposed gas station location and Commissioners discussed potential growth of the airport. The Board discussed how enhancements to the airport might affect the overlay zone and whether approval could inhibit growth at the airport. Mr. Scanlon confirmed that a runway expansion would move it closer to the highway, as wetlands are located at the other end. As discussion concluded, Commissioner White expressed the importance of finding out the effects of the property's rezoning on the airport.

Eddie Hyman, speaking on behalf of the applicant, said a list was developed with staff as directed by the Board, and he believes the development plan would be a good fit and a valid use of the property. He addressed Board concerns with the airport overlay. He said the Board would have the opportunity to control what happens on the property should someone come forward with a site plan and asked the Board to consider approval. Mr. Hyman responded to Board questions relative to the conceptual design. He said no one is currently interested in the property. Commissioner Hall asked Mr. McRee if the Board could change the zoning again based on future airport activity or other circumstances going forward if the rezoning were approved. Mr. McRee was unsure if the Board has the unilateral ability to modify Conditional zoning as they do with General zoning.

Commissioner Beaumont said he believes maintaining safe traffic in and out of the airport enhances the county's appeal and its ability to secure grants for potential expansion. He said the county has other GB zones, and said he is not sure this rezoning is in the best interest of the airport.

Commissioner Beaumont moved to deny PB 18-20 because the request is not consistent with the LUP because due to its close proximity to the Currituck County's runway and airfield operations in and out and the expected growth of the airport will pose a public safety threat or issue. The request is not reasonable and not in the best interest because of the potential safety issues; furthermore, there may be impact with the ability to apply and receive grants to expand the airport and increase our operations.

Commissioner Payment seconded the motion. The motion passed 6-1, with Chairman Hanig opposed.

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

NEW BUSINESS

A) Board Appointments

1. Consider Kelsey Hall for Appointment to the Joint Nursing/Domiciliary Community Advisory Committee

Commissioner Hall requested recusal due to the nominee being a family member. Commissioner Gilbert made a motion to allow recusal and Commissioner White seconded. The motion passed unanimously and Commissioner Hall exited the meeting room.

Commissioner Gilbert moved for the appointment of Kelsey Hall to the Joint Nursing Community Advisory Committee. Commissioner Etheridge seconded the motion. The appointment was approved, 6-0. Commissioner Hall returned to the meeting room and rejoined the Board.

RESULT:	APPROVED [6 TO 0]
MOVER:	Marion Gilbert, Commissioner
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Bob White, Commissioner
RECUSED:	Mike D. Hall, Commissioner

2. Library Board of Trustees

Commissioner Etheridge moved to nominate Mike Fost to the Library Board of Trustees. Commissioner White seconded and the nominee was unanimously approved.

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

Reappointment-Library Board of Trustees

Commissioner Beaumont moved to nominate Leigh Dix for reappointment to the Library Board of Trustees. Commissioner White seconded the motion and the nominee was approved unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, 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

3. Planning Board

Commissioner Etheridge nominated Joanne DiBello to serve on the Planning Board, replacing John McColley. Commissioner Payment seconded and the nominee was unanimously approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Mike H. Payment, Vice Chairman
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

4. Senior Citizens Advisory

Commissioner Beaumont nominated Mike Williams for appointment to the Senior Citizens Advisory. Commissioner Etheridge seconded and the nominee was unanimously approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Commissioner
SECONDER:	Mary "Kitty" Etheridge, 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

B) Consent Agenda

Commissioner White moved for approval of the Consent Agenda. Commissioner Gilbert seconded and the motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, 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, Mike D. Hall, Commissioner, Bob White, Commissioner

1) Approval Of Minutes for October 15, 2018

1. Minutes for October 15, 2018

2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10794-545000	PASS	\$ 2,000	
10794-545005	JCPC Council		\$ 2,000
		\$ 2,000	\$ 2,000

Explanation: Juvenile Crime Prevention Control (10794) - To transfer budgeted funds from the JCPC certification budget to the PASS/Teen Court program to enable Currituck County Schools to employ a full-time position in that program. The 30% match will be from in-kind services matched through the Currituck County Schools. This recommendation has been approved by the JCPC Council.

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

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
61818-516000	Repairs and maintenance		\$ 1,000
61818-553000	Dues and subscriptions	\$ 1,000	
		\$ 1,000	\$ 1,000

Explanation: Mainland Water (61818) - Transfer budgeted funds for annual payment for water lines under the railroad.

Net Budget Effect: Mainland Water Fund (61) - No change.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10460-502000	Salaries		\$ 650
10460-511010	Data Transmission	\$ 650	
		\$ 650	\$ 650

Explanation: Public Works (10460) - Transfer budgeted funds for two air cards to access County server while out in the field.

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

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10410-557100	Software License Fee	\$ 117	
10531-557100	Software License Fee	20	
10535-557100	Software License Fee	4,182	
10540-561000	Professional Services	100	
10410-506000	Insurance Expense		117
10531-532000	Supplies		20
10535-506000	Insurance Expense		4,182
10540-506000	Insurance Expense		100
		<u>\$ 4,419</u>	<u>\$ 4,419</u>

Explanation: Administration (10410); Emergency Management (10531); Communications (10535); Inspections (10540) - Transfer budgeted funds for increases in software license fees and pre-employment screening.

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

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
50511-590001	Detention Sewer to MCP Sewer	\$ 375,000	
50390-495042	T F - Transfer Tax Capital Fund		375,000
		<u>\$ 375,000</u>	<u>\$ 375,000</u>

Explanation: County Government Facilities (50511) - Increase appropriations in the multi-year construction fund for connection of sewer from Maple Commerce Park to the detention facility. Funding was appropriated in the Transfer Tax Capital fund, which is annually budgeted.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$375,000.

3. Surplus Resolution-2004 Ford Ambulance

Communication: Minutes for November 5, 2018 (Approval Of Minutes)

2018 REAL & PERSONAL PROPERTY TAX LEVY* \$ 35,470,016.42

PRIOR YEARS TAXES \$ 399,188.50**

TOTAL TAXES \$ 35,869,204.92

*The Current Year levy includes all penalties, solid waste fees, special district and animal taxes; does not include taxes levied on registered motor vehicles which are collected by DMV, nor for tax discoveries, adjustments, releases, and deferred taxes. These are reported to the Finance Director as required throughout the year.

** Prior Year Taxes as of **OCTOBER 16, 2018**

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____.

_____(SEAL)

Chairman, Board of Commissioners of

Currituck County

ATTEST:

Clerk

6. Verizon Tower Equipment Amendment 1099 Ocean Trail

7. Currituck County Finance Department Request for disposal of Finance Records per the Record Retention Schedule

C) County Manager's Report

No report.

ADJOURN

Motion to Adjourn Meeting

There was no further business and Commissioner Etheridge moved for adjournment. Commissioner Beaumont seconded and the motion passed unanimously. The meeting of the Board of Commissioners adjourned at 8:42 PM.

Communication: Minutes for November 5, 2018 (Approval Of Minutes)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, 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

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners sat as the Tourism Development Authority in a Special Meeting on November 5, 2018, immediately following adjournment of the 6:00 PM regular meeting of the Board. The purpose of the meeting was to consider budget amendments.

D. TDA: Budget Amendments

County Manager, Dan Scanlon, reviewed the budget amendments with the Board. After review, Commissioner Gilbert moved for approval and the motion was seconded by Commissioner Etheridge. The motion passed unanimously.

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 5th day of November 2018 , passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.						
			Debit		Credit	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>					
15442-590460	Capital Facility Projects	\$	25,000			
15447-590460	Capital Facility Projects	\$	10,000			
15320-415000	Occupancy Tax			\$	35,000	
			\$	35,000	\$	35,000
Explanation:		Occupancy Tax - Promotion (15442); Occupancy Tax - Tourism Related (15447) - Increase appropriations for emergency replacement of HVAC equipment at the Moyock Welcome Center and contingency for additional emergency repairs on aging systems.				
Net Budget Effect:		Occupancy Tax Fund (15) -Increased by \$35,000.				

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 5th day of November 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-516200	Vehicle Maintenance	\$ 1,500	
15447-516000	Repairs & Maintenance		\$ 1,500
		\$ 1,500	\$ 1,500
Explanation: Occupancy Tax - Tourism Related (15447) - Transfer budgeted funds for vehicle repairs for staff that maintain facilities on the Currituck Outer Banks.			
Net Budget Effect: Occupancy Tax Fund (15) -No change.			

RESULT: APPROVED [UNANIMOUS]
MOVER: Marion Gilbert, Commissioner
SECONDER: Mary "Kitty" Etheridge, 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

There was no further business and Commissioner Gilbert moved to adjourn. The motion was seconded by Commissioner White. The motion passed unanimously and the meeting of the Tourism Development Authority concluded at 8:43 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 # 2290)

Agenda Item Title

Recognition and Presentation of Advanced Law Enforcement Certificates

Brief Description of Agenda Item:

The Board of Commissioners along with Sheriff Beichert will recognize and present certificates to deputies who have earned their Advanced Law Enforcement certification:

An officer can qualify for the Advanced Certificate if he or she:

- meets the requirements for the Intermediate Certificate, and
- has accumulated at least forty-eight (48) education and/or training points and at least twelve (12) years' experience, or
- has accumulated at least sixty (60) education and/or training points and at least nine (9) years' experience, or
- has an Associate Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least thirty-six (36) training points and at least nine (9) years' experience, or
- has a Baccalaureate Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least twenty-four (24) training points and at least six (6) years' experience, or
- has a Graduate or Professional Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least sixteen (16) training points and at least four (4) years' experience.

Board Action Requested

Discussion

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2326)

Agenda Item Title

Consideration of Ocean Rescue Contract

Brief Description of Agenda Item:

The Ocean Rescue contract bid selection will be presented to the Board of Commissioners for consideration and possible action.

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 # 2334)

Agenda Item Title

Carova Beach Road Service District Advisory

Brief Description of Agenda Item:

Commissioner Etheridge requests Board consideration of applicant Kevin Riggs for consensus appointment to the Carova Beach Road Service Maintenance District Advisory Board. If approved, Mr. Riggs will replace Len Alphin to fill the non-resident owner seat on the Advisory for an unexpired term through August, 2019.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Carova Beach Road Service District Advisory Board Residents or Property Owners of Carova

Member: Carova Resident**Kimberlee Hoey****Appt: 2-19-2018****1st Term****Exp: 8-18-2019**

2245 Sandfiddler Road

Corolla, NC 27927

252-457-0925 (H)

kkimbrulea@embarqmail.com**Member: Carova Resident****Chuck Maguire (Chairman) Term Expires: 8-18-2017**

822 Grebe Pt.

Corolla, NC 27927

252-453-2696

dmaguire@embarqmail.com**Member: Carova Resident****Woody Dreher****Appt: 1-16-18****1st Term****Exp: 8-18-2019**

2272 E. Swordfish Crescent

Corolla, NC 27927

757-667-1357

WoodyOBX@Yahoo.com**Member: Absentee Owner, Carova Beach****Len Alphin Term Expires: 8-18-2017**

43 East Windsor Blvd 2320 Sandfiddler Road

Windsor, Va 23487 Corolla, NC 27927

453-3195 cell 757-544-1437

lenalphin@gmail.com**Member: Carova Beach VFD****Appt: 2-19-2018****1st Term****Exp: 8-18-2019****Jay Laughmiller, Chief**

2169 Ocean Pearl Road

Corolla, NC 27927

252-267-1949 (c)

jay.laughmiller@currituckcountync.gov**Member: Currituck County EMS****Chief Ralph "Chip" Melton**

Currituck County Fire & EMS

2793 Caratoke Highway

Currituck, NC 27929

252-232-7746 ext. 4029

Cell: 757-350-9321

Ralph.Melton@CurrituckCountyNC.gov**Member: Currituck Sheriff's Department****Lieutenant Jason Banks**

407 Maple Road

Maple, NC 27956

252-453-8204 ext. 4100

Jason.Banks@CurrituckCountyNC.gov



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2338)

Agenda Item Title

Amended Agenda Item-Planning Board

Brief Description of Agenda Item:

The agenda was amended and an appointment to the Planning Board was added to New Business, Board Appointments.

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 # 2328)

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 20190043

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
61818-533800	Chemicals		\$ 2,490
61818-553000	Dues and subscriptions	\$ 2,490	
		<u>\$ 2,490</u>	<u>\$ 2,490</u>

Explanation: Mainland Water (61818) - Transfer budgeted line items for personnel licensing.

Net Budget Effect: Mainland Water (61) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _ General Meeting (Budget Amendments)

Number 20190044

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<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 590000	Capital Outlay	\$ 16,000	
10530 561000	Professional services		\$ 16,000
		<u>\$ 16,000</u>	<u>\$ 16,000</u>

Explanation: Emergency Medical Services (10530) - Transfer budgeted funds to capital outlay for 2 additional sets of turn-out gear and tax and tags for three ambulances that were rechassised.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190045

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
210541-514000	Travel		\$ 3,000
210541-516000	Repair and Maintenance		\$ 6,700
210541-531000	Gas and Oil	\$ 6,500	
210541-545000	Contracts	\$ 1,084	
210541-554006	Insurance	\$ 116	
210541-561000	Professional Services	\$ 500	
210541-536000	Uniforms	\$ 1,500	
		<u>\$ 9,700</u>	<u>\$ 9,700</u>

Explanation: Corolla Fire Services (210541) - Transfer budgeted line items for travel for training and unanticipated equipment maintenance.

Net Budget Effect: Corolla Fire Services Fund (210) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190046

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
61818-590002	Line Expansion	\$ 52,073	
61360-471000	Tap & Connection Fees		\$ 24,673
61380-449900	Miscellaneous Grants		27,400
		<u>\$ 52,073</u>	<u>\$ 52,073</u>

Explanation: Mainland Water (61818) - Increase appropriations for betterment costs for 8" waterline extension along Barnard Road in Grandy, NC at a cost of \$24,673 and to move the waterline on North Gregory Road for road improvements. NC Department of Transportation will provide a grant in the amount of \$27,400 to cover the cost of the North Gregory Road project.

Net Budget Effect: Mainland Water Fund (61) - Increased by \$52,073.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190047

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10430-503000	Salaries - Part-time	\$ 2,500	
10430-503430	Poll Workers	200	
10430-502000	Salaries - Regular		\$ 1,500
10430-506000	Health Insurance		\$ 1,200
		<u>\$ 2,700</u>	<u>\$ 2,700</u>

Explanation: Elections (10430) - Transfer budgeted funds for Part-time staff that covered for vacant position and additional costs of poll workers for the November 2018 election.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190048

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10750-516000	Repairs & Maintenance	\$ 2,000	
10460-516000	Repairs & Maintenance		\$ 1,417
10750-506000	Health Insurance		\$ 583
		<u>\$ 2,000</u>	<u>\$ 2,000</u>

Explanation: Social Services Administration (10750) - Transfer budgeted funds for HVAC maintenance in Social Services.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190049

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
66868-511000	Telephone & Postage	\$ 3,500	
66868-531400	Equipment Fuel		\$ 1,000
66868-588000	Contingency		\$ 2,500
		<u>\$ 3,500</u>	<u>\$ 3,500</u>

Explanation: Southern Outer Banks Water (66868) - Transfer budgeted funds for increases in postage.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190050

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
67878-502000	Salaries - Regular	\$ 9,400	
67878-505000	FICA	720	
67878-507000	Retirement	1,270	
67878-513000	Utilities	14,100	
67878-531000	Fuel	5,250	
67878-532000	Supplies	8,000	
67878-545000	Contract Services	136,000	
67878-553000	Dues & subscriptions	4,750	
67878-590000	Capital Outlay	5,027	
67360-470000	Utilities charges		50,000
67360-471000	Tap & connection fees		16,417
67390-495042	T F - Transfer tax		118,100
42450-587067	T T - Mainland Central Sewer	118,100	
42320-414000	Land Transfer Tax		118,100
		<u>\$ 302,617</u>	<u>\$ 302,617</u>

Explanation: Land Transfer Tax (42450); Mainland Central Sewer (67878) - Increase appropriations to pay out accumulated compensatory and holiday leave; for increases in operating costs; and for additional costs incurred to get the Moyock sewer plant in compliance. Transfer funds in from transfer tax for debt service payments.

Net Budget Effect: Land Transfer Tax (42) - Increased by \$118,100.
Moyock Central Sewer Fund (67) - Increased by \$184,517.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190051

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10795-590000	Capital Outlay	\$ 5,518	
10795-576001	Youth Baseball/Softball		\$ 5,000
10380-484001	Insurance Recovery		\$ 518
		<u>\$ 5,518</u>	<u>\$ 5,518</u>

Explanation: Parks & Recreation (10795) - Transfer funds and increase appropriations for insurance payment to replace a light pole at Sound Park damaged in Hurricane Michael.

Net Budget Effect: Operating Fund (10) - Increased by \$518.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)

Number 20190052

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
12547-590007	Capital Outlay	\$ 5,393	
12547-545000	Contract Services		\$ 5,393
		<u>\$ 5,393</u>	<u>\$ 5,393</u>

Explanation: Carova Beach Volunteer Fire Department (12547) - Transfer funds for additional costs for HVAC replacement.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Dec 3 _General Meeting (Budget Amendments)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2333)

Agenda Item Title

Project Ordinance-School Lottery Funds Projects

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

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 projects authorized are Griggs Elementary roof replacement for A wing North, A wing South and Center roof.

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

Griggs Elementary - Roof Replacement A wing North	\$	80,000
Griggs Elementary - Roof Replacement A wing South	\$	80,000
Griggs Elementary - Roof Replacement Center Wing	\$	113,250
	\$	<u>273,250</u>

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

MMS - Roof Replacement A wing North	\$	80,000
MMS - Roof Replacement A wing South	\$	80,000
MMS - Roof Replacement Center Wing	\$	113,250
	\$	<u>273,250</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 3rd day of December 2018.

Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2332)

Agenda Item Title

Amendment to Audit Contract

Brief Description of Agenda Item:

Extends contract term to December 31, 2018.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

LGC-205 Amended **AMENDMENT TO CONTRACT TO AUDIT ACCOUNTS**

Rev. 10/2018

Whereas	Primary Government Unit Currituck County
and	Discretely Presented Component Unit (DPCU) (if applicable)
and	Auditor Carr, Riggs & Ingram LLC

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/18	and originally due on	Audit Report Due Date 10/31/18
-----	--------------------------------	-----------------------	-----------------------------------

hereby agree that it is now necessary that the contract be modified as follows.

☒ Modification to due date:

☐ Modification to fee:

Original due date 10/31/18	Modified due date 12/31/18
Original fee	Modified fee

EXPLANATION OF MODIFIED CONTRACT TERMS


Please provide an explanation for the modification of terms. If the amendment is submitted to extend the due date, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years.

The auditor was impacted by Hurricane Florence that hit the New Bern, NC area on September 13, 2018 and led to slight delays in starting the scheduled field work. In addition, the County finance officer has a family medical issue and is expected to be out of work for a short period in the coming weeks. The County finance office has been short staffed due to employees being out on extended medical leave. As all of these circumstances were unforeseen, we do not expect this to be a continuing issue to complete the audit timely in future years.

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm Carr, Riggs & Ingram LLC	
Authorized Firm Representative (typed or printed) Chris Burton, CPA	Signature 
Date 11/21/18	Email Address cburton@cricpa.com

GOVERNMENTAL UNIT

Governmental Unit Currituck County	
Date Primary Government Unit Governing Board Approved Audit Contract (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
Mayor/Chairperson (typed or printed)	Signature
Date	Email Address

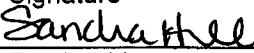
Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address N/A

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT*(Pre-audit certificate not required for charter schools or hospitals)*

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer Sandra Hill	Signature 
Date of Pre-Audit Certificate 11-26-18	Email Address sandra.hill@currituckcountync.gov



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2331)

Agenda Item Title

Authorize Approval of Letter of Agreement with North Carolina Division of Aviation for Airport Safety/Maintenance Projects

Brief Description of Agenda Item:

NCDOT Division of Aviation requires an updated Letter of Agreement for continuation of the Safety Preservation and Maintenance (SPAM) Program which will allow continued funding and authorize maintenance services to be performed at Currituck County Airport.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Michelle Perry

From: Arnold, Jonathan L <jonarnold@ncdot.gov>
Sent: Friday, October 19, 2018 4:31 PM
To: Walston, Bobby L; Bingham, Rachel S; Mccollum, Ron; Penny, Jared J; Clowes, Ashley E; Finger, Randy; Meyer, Todd
Cc: Arnold, Jonathan L; Cusyck, Eileen M
Subject: FW: NCDOT Division of Aviation Airport Safety/Maintenance Program
Attachments: 2018 SPAM Agreement Cover Letter - 10-12-2018- signed.pdf; 2018 Letter of Agreement Airport Maintenance Services - 10-12-2018.pdf

Dear Airport Sponsor:

Some years ago, the Division of Aviation (DOA) created the Safety Preservation and Maintenance (SPAM) Program to apply available state funds to assist publicly owned and operated airports with airfield safety and preservation projects. This program has been a huge success and has been well received by many airports across our state. The purpose of this email is to briefly update Sponsors on program abilities and to request completion of the attached updated Agreement letter that legally allows NCDOT to provide safety/maintenance services on your specific airport.

Work that our Division typically undertakes at NC Airports under the SPAM program includes classic airfield pavement maintenance tasks such as crack sealing, surface treatments, and pavement markings. In addition, our current airfield maintenance contracts allow us to also make many other types of repairs to airfield infrastructure including painting and repairs of beacons and airfield drainage assessments and repairs to name a few more .

If your airport would like to be considered for continued SPAM projects by DOA, then NCDOT requires an on-file copy of a sponsor's Letter of Agreement. Receipt of the Agreement must be received before any NCDOT work can commence. Please note that the term of this agreement ends on December 31, 2023 and can be terminated at any time by the airport. This Agreement does not obligate the Division of Aviation to a particular project, but it does allow us to expeditiously start a project once it has been identified and selected for funding.

Attached you will find a signed copy of the Agreement letter as well as the Letter of Agreement for Airport Maintenance Services that you will need to sign and return an electronic scan (.pdf format) of the adopted, notarized form, to Randy Finger (afinger@ncdot.gov) and your appropriate Airport Project Manager.

Thank you for your cooperation in this process. Please contact me, your Airport Project Manager or Randy Finger if you have any questions or comments regarding the SPAM program.

Sincerely,

Jon

Jonathan L. Arnold, P.E., MPA
 Deputy Director/Airport Development Manager
 Division of Aviation
 North Carolina Department of Transportation

919 814 0550 office
 919 818 8132 mobile
jonarnold@ncdot.gov

1050 Meridian Drive

Attachment: 2018-12-03_Agenda Docs-NC Div of Aviation-SPAM Program Docs & Resolution (Letter of Agreement-Airport Safety/Maintenance

LETTER OF AGREEMENT FOR AIRPORT SAFETY/MAINTENANCE PROJECTS

THIS AGREEMENT is made, this _____ day of _____, 20____ by the
(Airport Owner) _____
as owner and operator (hereinafter referred to as "Sponsor") of the
(Official Airport Name) _____
(hereinafter referred to as "Airport,") and the North Carolina Department of Transportation (Division
of Aviation), an agency of the State of North Carolina (hereinafter referred to as "Department"), for
the purposes of future and as-yet unspecified safety or maintenance services to be performed by said
Department in accordance with the terms, conditions and provisions hereof.

WITNESSETH

WHEREAS, the Sponsor is primarily responsible for maintaining the facilities of the Airport to
protect and preserve the safety of flight operations at, from and to the Airport; and

WHEREAS, and the Department shares the interest of the Sponsor in the prompt and adequate
maintenance and repair of the paved surfaces of the Airport which support aircraft movements on the
Airport; and

WHEREAS, the Sponsor and the Department may, from time to time, mutually determine that
certain paved surfaces and adjacent areas on the airport have aged and deteriorated and/or that other
infrastructure is in need of maintenance or repair, and that the Sponsor could benefit from the
assistance of the Department in accomplishing such maintenance and repair; and

WHEREAS, pursuant to Article 7 of North Carolina General Statute 63, the Department is
authorized to undertake safety improvements of aircraft movement areas, on publicly owned and
operated airports in North Carolina; and

WHEREAS, the Sponsor and the Department agree that upon the request by the sponsor and the
acceptance by the Department, certain needed improvements at the Airport may be undertaken by the
Department in conformance with the provision of North Carolina General Statute 63; and

WHEREAS, the Department requires a Commitment and Release of Liability statement to be on file
in its offices, in order to be able provide and oversee such maintenance and repair at the Airport;

NOW THEREFORE, the Sponsor does hereby commit to the following measures:

1. This Letter of Agreement supersedes all prior agreements between the Department and Sponsor
with respect to the subject matter of this Letter of Agreement.

2. Upon the Sponsor's approval, the Department, using NCDOT state forces and/or private contractor(s) under a Purchase Order Contract, may perform the requested maintenance and repair to the Airport. This work may include, but not be limited to; Joint and Crack Sealing, Pavement Repairs and Patching, Surface Treatments, Maintenance Overlays, Electrical, Grading, Drainage Improvements, Pavement Markings, or other infrastructure maintenance.
3. The Sponsor will receive notification from the Department of the Department's willingness to perform (or pay to have performed) any item or items of work approved by the Sponsor and a proposed schedule for performing the work and the force or contractor the Department proposes to perform the work.
4. If the schedule and the force or contractor proposed by the Department for performing the work is acceptable to the Sponsor, the Sponsor shall authorize the Department (or its contractors) to enter upon the property of the Airport during the scheduled time to perform the work.
5. If the schedule and the force or contractor proposed by the Department for performing the work is unacceptable to the Sponsor, the Sponsor shall inform the Department of the reasons for its objections and the Sponsor and the Department will engage in dialogue with the intent of determining if an alternative schedule or force or contractor is acceptable to both the Sponsor and the Department. If the Sponsor and the Department cannot reach agreement through the process described in paragraph 4 then the Department will withdraw its offer to perform the requested work.
6. The Sponsor hereby represents to the Department that the title to the pavement and adjacent areas of the Airport is vested in the Sponsor.
7. The Sponsor agrees to provide a duly authorized representative who will be present and/or available at all times the work is in progress (including nights and weekends, as applicable) to monitor project operations and assist the Department's representative.
8. The Sponsor agrees to provide a duly qualified operator who will monitor the airport's UNICOM radio transceiver at all times the work is in progress (including nights and weekends, as applicable) and will issue airport advisories as necessary on the UNICOM radio transceiver.
9. The Sponsor agrees, when needed, to formally close any runway, taxiway, or apron at all times when the work is in progress on that pavement area and to take appropriate steps to prohibit use of such areas by aircraft and/or ground vehicles while the work is being performed or the subject pavement areas are in an unsafe or uncured condition due to the conduct of the work.
10. The Sponsor agrees to issue and keep current the necessary Notices to Airmen (NOTAMS) through the Federal Aviation Administration (FAA) until all work is completed and the Department's representative notifies the Sponsor's representative that the affected areas may be returned to service.

11. The Sponsor agrees that the Department may, in its sole discretion, determine the design, scope of work, materials to be used, and methods of accomplishing the authorized work. The Department covenants that any and all such work as it performs or has performed at the Airport pursuant to this agreement will meet or exceed all relevant State of North Carolina and Federal Aviation Administration specifications for the type of pavement concerned and the type of maintenance or repair that is being performed.

12. To the maximum extent allowed by law, the Sponsor shall indemnify and hold harmless the Department and its officers and employees from all suits, actions, or claims of any character because of injury or damage received or sustained by any person, persons, or property resulting from work performed under this Commitment. This indemnity does not extend to causes of action arising from the negligence of the Department, its officers and employees or any of Department's contractors who performed the work.

13. Should Sponsor fail to comply with any material duty required of it under this Agreement the Department shall give written notice to the sponsor of the details of its non-compliance and provide a reasonable period in which the Sponsor can cure its non-compliance. Upon the expiration of said cure period without the Sponsor having come into compliance, the Sponsor agrees that, at its sole and unlimited discretion, the Department shall have the right to immediately stop all work being performed at the Airport and release the work area to the jurisdiction of the Sponsor.

14. The Sponsor understands that for the Department to perform maintenance or safety services, the Airport and Sponsor must be in good standing on all State and Federal Grant Requirements and Assurances before any project shall be performed under this Commitment.

15. Subject to the provisions of paragraph 13 above, this Commitment will expire on December 31, 2023. Subject to the provisions of paragraph 13 above, this Commitment may be terminated by either the Department or the Sponsor by providing written notification of termination. The effective date of termination pursuant to this paragraph shall be the date of receipt of the notice of written termination by the non-terminating party.

NC Division of Aviation

BY: _____

DATE: _____

Bobby Walston, P.E.
Aviation Director

WITNESS WHEREOF, the Sponsor has executed this Commitment on the date first written on Page 1 of this document.

FOR THE LOCAL AIRPORT SPONSORING AGENCY

Signed: _____

Title: _____

Official Sponsor: _____

Attest: _____

SEAL OF THE SPONSOR

A digital copy of this LETTER OF AGREEMENT in adopted form should be emailed to the Statewide Program Manager and your Airport Project Manager. General telephone number is: (919) 814-0550.

Statewide Program Manager - Randy Finger, P.E. afinger@ncdot.gov

Airport Project Manager (NW) - Rachel Bingham, P.E. rsbingham@ncdot.gov

Airport Project Manager (NE) – Ron McCollum, P.E. remccollum@ncdot.gov

Airport Project Manager (SW) – Jared Penny jjpenny@ncdot.gov

Airport Project Manager (SE) – Ashley Clowes, P.E. aeclowes@ncdot.gov

Airport Project Manager (Commercial Service) – Todd Meyer, P.E. tmeyer@ncdot.gov

Resolution of the Sponsor

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

THAT WHEREAS (Airport Owner) _____
 (hereinafter referred to as "Sponsor") the North Carolina Department of Transportation (hereinafter referred to as "Department") requires a Commitment and Release of Liability statement to be on file, in order to provide and oversee maintenance and safety improvements on the operational surfaces of the (Official Airport Name) _____ ;
 in accordance with the provisions of North Carolina General Statute 63.

NOW THEREFORE, BE IT AND IS HEREBY RESOLVED, that the
 (Title of Airport Official) _____
 of the Sponsor be and is hereby authorized and empowered to enter into a Commitment and Release of Liability with the Department, thereby binding the Sponsor to fulfillment of its obligation as incurred under this resolution and its commitment to the Department.

I, (Name and title of Public Notary) _____ ,
 of the (Name of Sponsoring Agency) _____ ,
 do hereby certify that the above is a true and correct copy of the minutes of
 (Name of Authorizing Board of the Sponsoring Agency) _____ ,
 held on (Date of Meeting) _____ .

WITNESS my hand and the official seal of the Sponsor.

This the day of (month, day, year) _____ .

Signed: _____

NOTARY SEAL



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2327)

Agenda Item Title

Acceptance of Sheriff's Bond

Brief Description of Agenda Item:

With the election of a new Sheriff, a new bond is submitted to the Board of Commissioners who shall accept the Sheriff's Bond at their first meeting in December.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

North Carolina



Western Surety Company

OFFICIAL BOND

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No. 63665046

That we, Matthew Beickert
of Shawboro, North Carolina, as Principal, and WESTERN SURETY
COMPANY, a corporation duly licensed to do business in the State of North Carolina, as Surety, are held
and firmly bound unto County of Currituck
in the sum of Twenty Five Thousand and 00/100 DOLLARS (\$25,000.00),
for the payment of which well and truly to be made, we bind ourselves and our legal representatives, jointly
and severally by these presents.

Dated this 25th day of May, 2018.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said Principal has been
☐ appointed ☒ elected to the office of Sheriff,
for the term beginning the 1st day of June, 2018, and ending the
1st day of June, 2022.

NOW THEREFORE, if the said Principal shall in all things faithfully perform the duties of his office and
shall honestly account for all moneys and effects that may come into his hands in his official capacity during
the said term, then this obligation to be void, otherwise to remain in full force and effect.

This bond is executed by the Surety upon the following express conditions, which shall be conditions
precedent to the right of recovery hereunder:

FIRST: The Surety shall not be liable for the loss of any public moneys or funds resulting from the
failure of or default in payment by any Banks or Depositories in which any public moneys or funds have been
deposited.

SECOND: This bond may be cancelled by the Surety as to future liability by giving written notice, by
certified mail, addressed to each, the Principal and the Obligor at County of Currituck,
and thirty (30) days after the mailing of said notices by certified mail, this bond shall be cancelled and null
and void as to any liability thereafter arising, the Surety remaining liable, however, subject to all the terms
and conditions of this bond for any and all acts covered by this bond up to the date of such cancellation.

Witness to Principal

Susan S. Johnson
Kim Leese

Matthew Beickert

Principal

Witness to Surety

J. Nelson
A. Vixen

WESTERN SURETY COMPANY

By

Paul T. Bruflat

Paul T. Bruflat, Senior Vice President

Countersigned

North Carolina Resident Agent

Approved this _____ day of _____, _____.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2329)

Agenda Item Title

TDA 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

TDA2019016

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15448-590000	Capital Outlay	\$ 6,324	
15330-449000	Whalehead Grants		\$ 6,324
		<u>\$ 6,324</u>	<u>\$ 6,324</u>

Explanation: Occupancy Tax - Whalehead (15448) - Increase budgeted funds to record Outer Banks Community Foundation Inc grant to replace rocking chairs on the Whalehead porch.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$6,324.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 3_TDA (TDA Budget Amendments)

Number

TDA2019017

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15448-545000	Contract Services	\$ 1,500	
15448-502100	Salaries - OT	\$ 200	
15448-513000	Utilities		\$ 1,700
		<u>\$ 1,700</u>	<u>\$ 1,700</u>

Explanation: Occupancy Tax - Whalehead (15448) - Transfer budgeted funds to clean up marsh grass and for overtime for temporary workers during events.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 3_TDA (TDA Budget Amendments)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2330)

Agenda Item Title

OSWSD 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 OS2019003

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
60808-545001	Contracted Services - Sewer	\$ 58,000	
60808-545000	Contracted Services - Water		\$ 58,000
		<u>\$ 58,000</u>	<u>\$ 58,000</u>

Explanation: Ocean Sands Water and Sewer (60808) - Reallocate budgeted funds for pump and haul associated with the July rain events.

Net Budget Effect: Ocean Sands Water and Sewer Fund (60) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 3_Ocean Sands (OSWSD-Budget Amendments)

Number OS2019004

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of December 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
60808-590001	Capital Outlay - Sewer	\$ 20,000	
60360-473000	Reconnection Fees		\$ 5,000
60380-481000	Investment earnings		\$ 3,000
60360-480701	Penalties & Interest - Sewer		\$ 3,500
60310-403018	District Taxes - 2018 Levy		\$ 8,500
		<u>\$ 20,000</u>	<u>\$ 20,000</u>

Explanation: Ocean Sands Water and Sewer (60808) - Increase appropriations for portable pumps and sewer pump replacements.

Net Budget Effect: Ocean Sands Water and Sewer Fund (60) - Increased by \$20,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 3_Ocean Sands (OSWSD-Budget Amendments)