



**Board of Commissioners
Agenda Packet**

February 19, 2018

Work Session

5:00 PM Outer Banks Chamber of Commerce-Community Housing Initiative

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance-Reverend Dan Bergey, New Life Church
- 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.

Public Hearings

- A) **Public Hearing and Action: PB 18-01 Foxglove Acres - Preliminary Plat/Use Permit:** Request for a preliminary plat/use permit for a 13 lot residential subdivision, Type I Traditional, for properties located at Tulls Creek Road, Tax Map 14, Parcel 18D & Parcel 18E, Moyock Township.
- B) **PB 16-17 SB&K Investments LLC:** Amended Conditional Rezoning (C-MXR) for 4.01 acres located on Moyock Landing Drive adjacent to the assisted living facility to the east, PIN 0009-000-029T-0000. The request is for a redesign of the multi-family development by deleting the detached garages, adding attached garages for each unit, and reorienting the buildings and infrastructure.

New Business

- A) **Resolution of the Currituck County Board of Commissioners Requesting Funding by the North Carolina Department of Transportation High Impact/Low Cost Road Program for Knotts Island Causeway/North Carolina Highway 615 Stabilization**
- B) **Consideration of an Amendment to Chapter 10 of the Currituck County Code of Ordinances Establishing a Permitting System for Beach Parking**
- C) **Board Appointments**
 - 1. Carova Beach Road Service District Committee
- D) **Consent Agenda**
 - 1. Approval Of Minutes for February 5, 2018
 - 2. Budget Amendments
 - 3. Report of Unpaid 2017 Real Estate Taxes & Order of Tax Lien Advertisement
 - 4. Trillium Fiscal Monitoring Report/Persons Served Data Report
 - 5. Verizon Tower Lease Agreement Amendment-734 Ocean Trail
 - 6. Moyock High School Reunion Committee-Fee Waiver Request

E) **Commissioner's Report**

F) **County Manager's Report**

Adjourn

Special Meeting of the Ocean Sands Water & Sewer District Board

Budget Amendments

Adjourn Special Meeting



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2096)

Agenda Item Title

5:00 PM Outer Banks Chamber of Commerce-Community Housing Initiative

Brief Description of Agenda Item:

Board Action Requested

Information

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2095)

Agenda Item Title

Public Hearing and Action: PB 18-01 Foxglove Acres - Preliminary Plat/Use Permit:

Brief Description of Agenda Item:

Request for a preliminary plat/use permit for a 13 lot residential subdivision, Type I Traditional, for properties located at Tulls Creek Road, Tax Map 14, Parcel 18D & Parcel 18E, Moyock Township.

Board Action Requested

Action

Person Submitting Agenda Item

Cheri Elliott, Assistant

Presenter of Agenda Item

Laurie LoCicero



**STAFF REPORT
PB 18-01
BOARD OF COMMISSIONERS
FEBRUARY 19, 2018**

APPLICATION SUMMARY

Property Owner: Mainstay Construction	Applicant: Mainstay Construction
Case Number: PB18-01	Application Type: Preliminary Plat/Use Permit
Parcel Identification Number: 0014000018D0000 & 0014000018E0000	Existing Use: Vacant/Farmland
Land Use Plan Classification: Rural	Parcel Size (Acres): 20.01
Number of Units: 13	Project Density: 1.5 units per acre
Required Open Space: 30 percent	Provided Open Space: 30 percent
Moyock Small Area Plan: Limited Services	

SURROUNDING PARCELS

	Land Use	Zoning
North	Undeveloped/Residential	SFM
South	Undeveloped/Farmland (proposed subdivision)	SFM
East	Undeveloped/Residential	SFM / AG
West	Residential Subdivision (Dustin Acres)	C-SFM

STAFF ANALYSIS

The applicant is requesting approval of a preliminary plat and use permit for a 13 lot traditional subdivision along Tulls Creek Rd. Normally subdivisions of 20 lots or less do not require use permits. At the time of application the high school had reached 85 percent capacity which requires all major subdivisions to obtain a use permit.

The subdivision consists of 20.01 acres and proposes approximately 1 acre lots with the remaining 6 acres reserved for open space. The open space will contain the stormwater control features for the subdivision. The site lies adjacent to Dustin Acres subdivision which received conditional rezoning (C-SFM) for a similar subdivision layout but did not require a use permit due to available capacity in the schools. Waterleigh subdivision is adjacent to the rear boundary of Foxglove and has received preliminary plat approval for 275 lots. The 2006 Land Use Plan classifies the site as Rural. The Moyock Small Area Plan's Future Land Use Map shows the site as Limited Service which allows for the proposed density of 1.5 units per acre.

At its January 2, 2018 meeting, the Board of Commissioners approved a conditional rezoning of the subject property from Agriculture (AG) to Conditional-Single Family Mainland (C-SFM).

Due to the narrow configuration of the subject properties there is space for only one street that terminates in a cull de sac. The lot configuration in Dustin Acres is not conducive to interconnectivity with Foxglove. These factors produced a connectivity score of 1 which does not comply with the minimum score of 1.2 required by the UDO. The UDO allows flexibility with regard to connectivity scores when it is not possible to achieve the require score due to existing road configurations, or adjacent existing development patterns.

There are no wetlands on the site and the adjacent farmland is no longer active. Therefore, buffering is not required.

Staff proposes the following conditions of approval for the use permit:

1. Minimum building size of 1,800 square feet.
2. Wood frame construction only.
3. Farm animals are prohibited

INFRASTRUCTURE	
Water	Public
Sewer	Septic
Transportation	Pedestrian: Sidewalks on both sides of street
	Connectivity Score: 1
Stormwater/Drainage	Stormwater Basin / Lot line and roadside swales
Schools	Elementary Students Generated: 3.25
	Middle School Students Generate: 1.04
	High School Students Generated: 1.82
Compatibility	Similar use and lot size to surrounding areas
Recreation and Park Area Dedication	Payment-in-Lieu of Dedication (0.33 acres) = \$4,215.29

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

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

1. The application complies with all applicable review standards of the UDO.
2. The applicant demonstrates the proposed use will meet the use permit review standards of the UDO.
3. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
 - a. NA

USE PERMIT REVIEW STANDARDS

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

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

4. The proposed use will not endanger the public health or safety. The use is proposed to be single family residential dwellings with no commercial or industrial uses.

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

Preliminary Applicant Findings:

1. The proposed subdivision will not injure the value of adjoining or abutting lands. The proposed subdivision will be in harmony with the area in which it is located, is consistent with surrounding uses, and will not adversely impact adjacent properties.

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

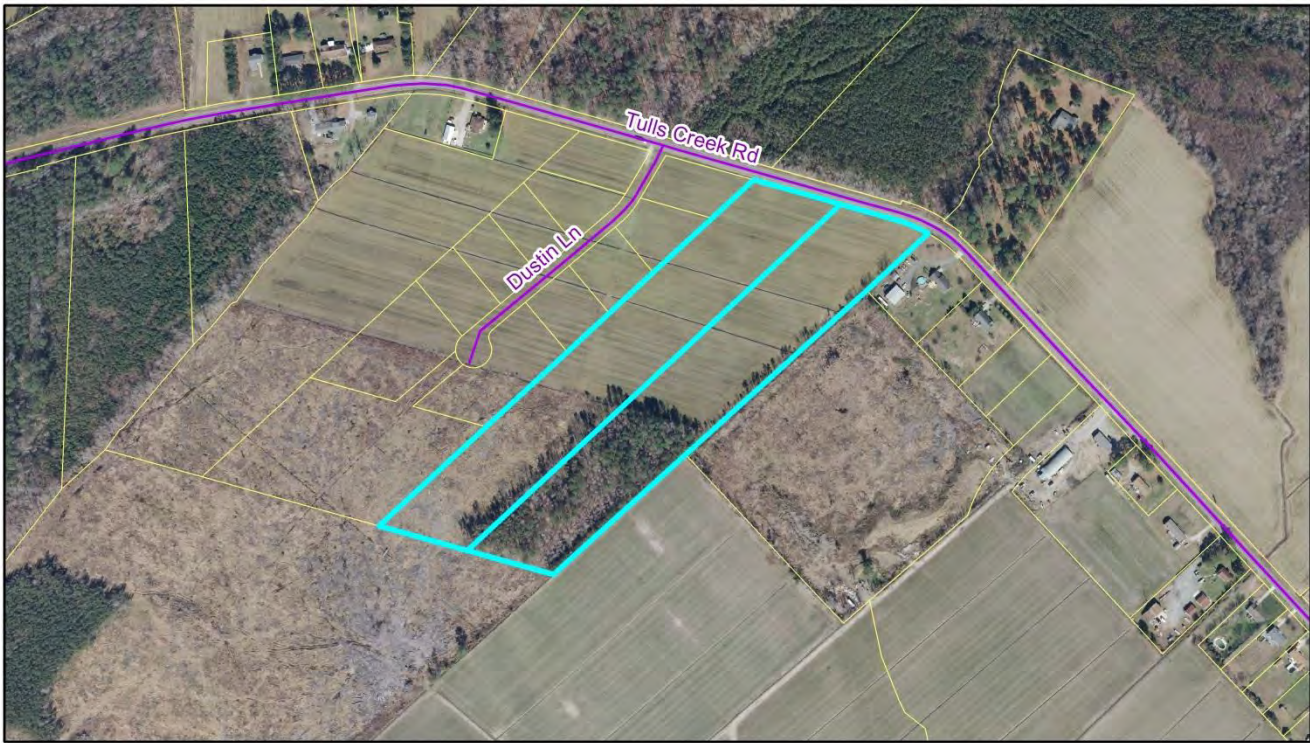
Preliminary Staff Findings:

1. The proposed subdivision is in general conformance with the County's Land Use Plan and current UDO. The proposed subdivision will be held to the UDO standards for layout, screening, and other requirements. The Moyock Small Area Plan classifies the site as limited service on the future land use map.

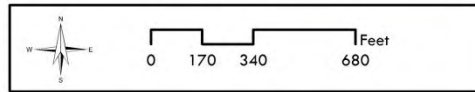
The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.


Preliminary Staff Findings:

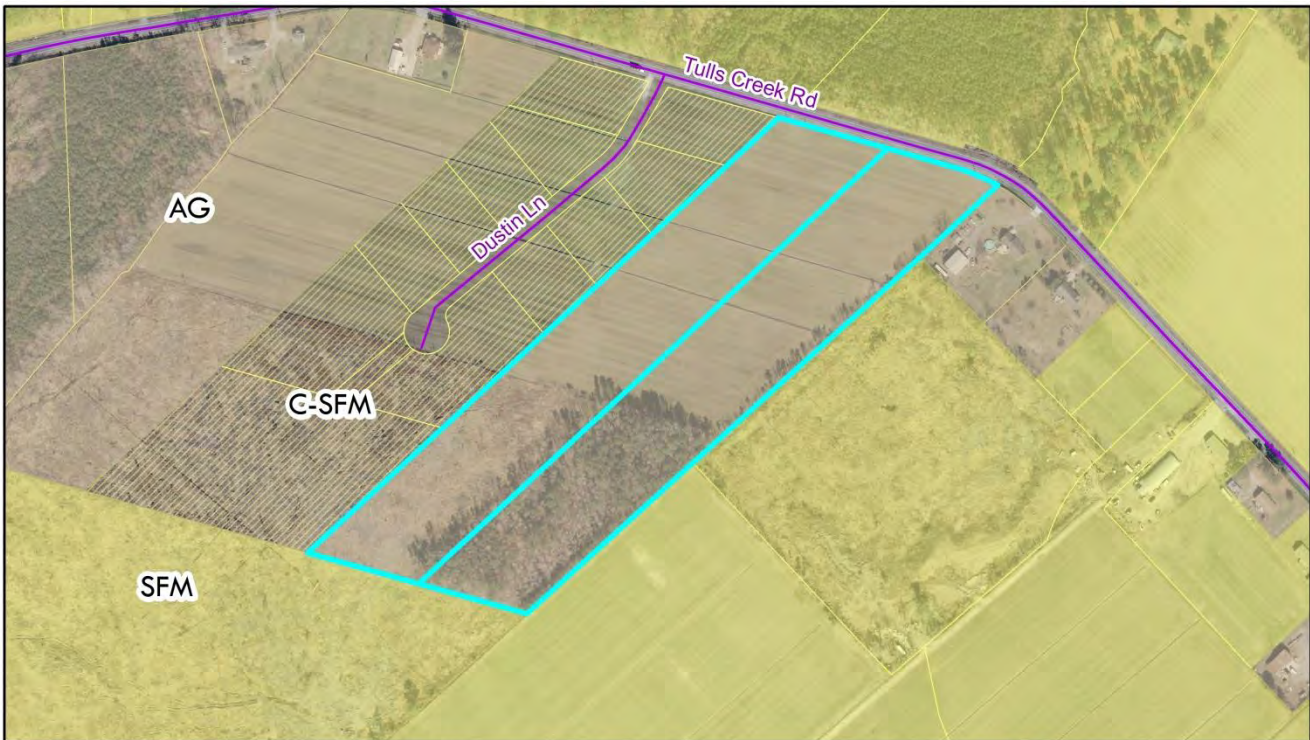
1. The proposed subdivision will not exceed the County's ability to provide adequate public facilities. Utility services are available to the site and onsite wastewater disposal will be designed and permitted in accordance with the State rules and standards.
2. The student generation rates are as follows:
 - a. Elementary Students Generated: 3.25
 - b. Middle School Students Generated: 1.04
 - c. High School Students Generated: 1.82



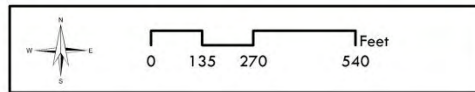
PB 18-01 Foxglove Acres
Preliminary Plat - Use Permit
Aerial




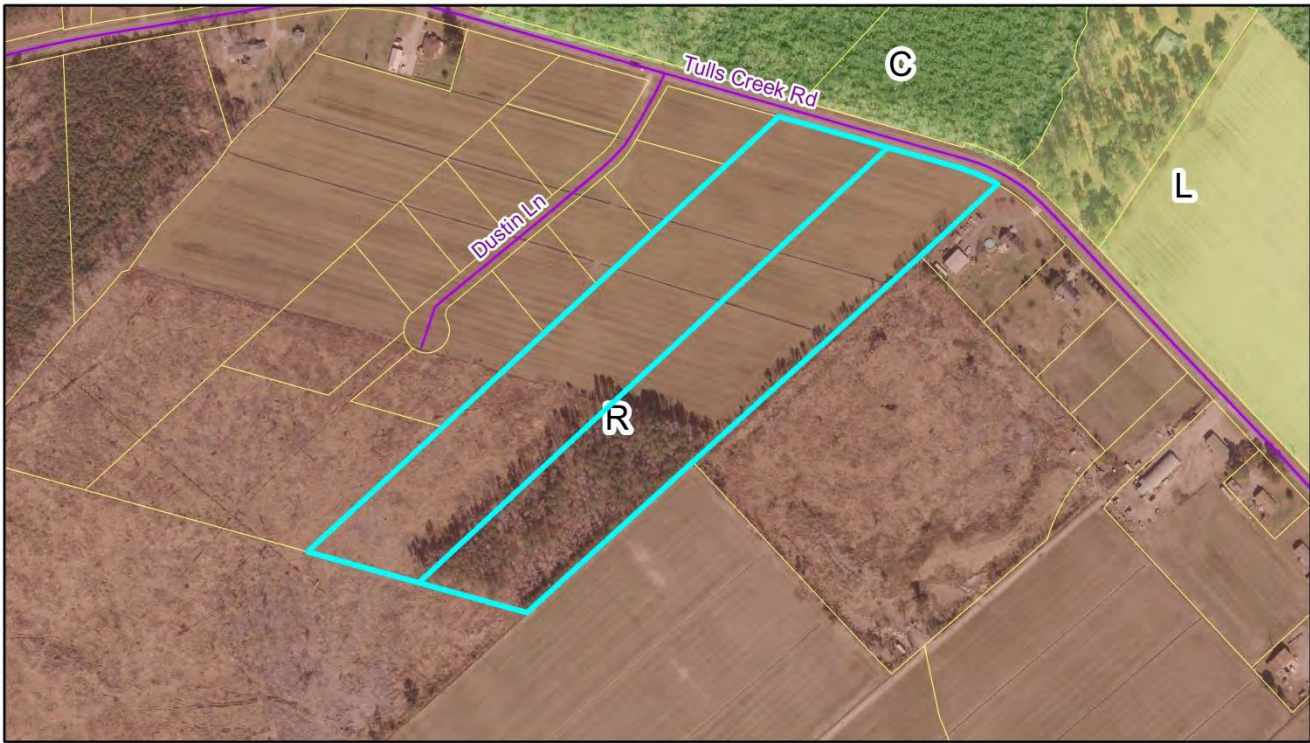
 Currituck County
Planning and
Community Development



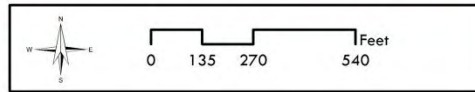
PB 18-01 Foxglove Acres
Preliminary Plat - Use Permit
Zoning



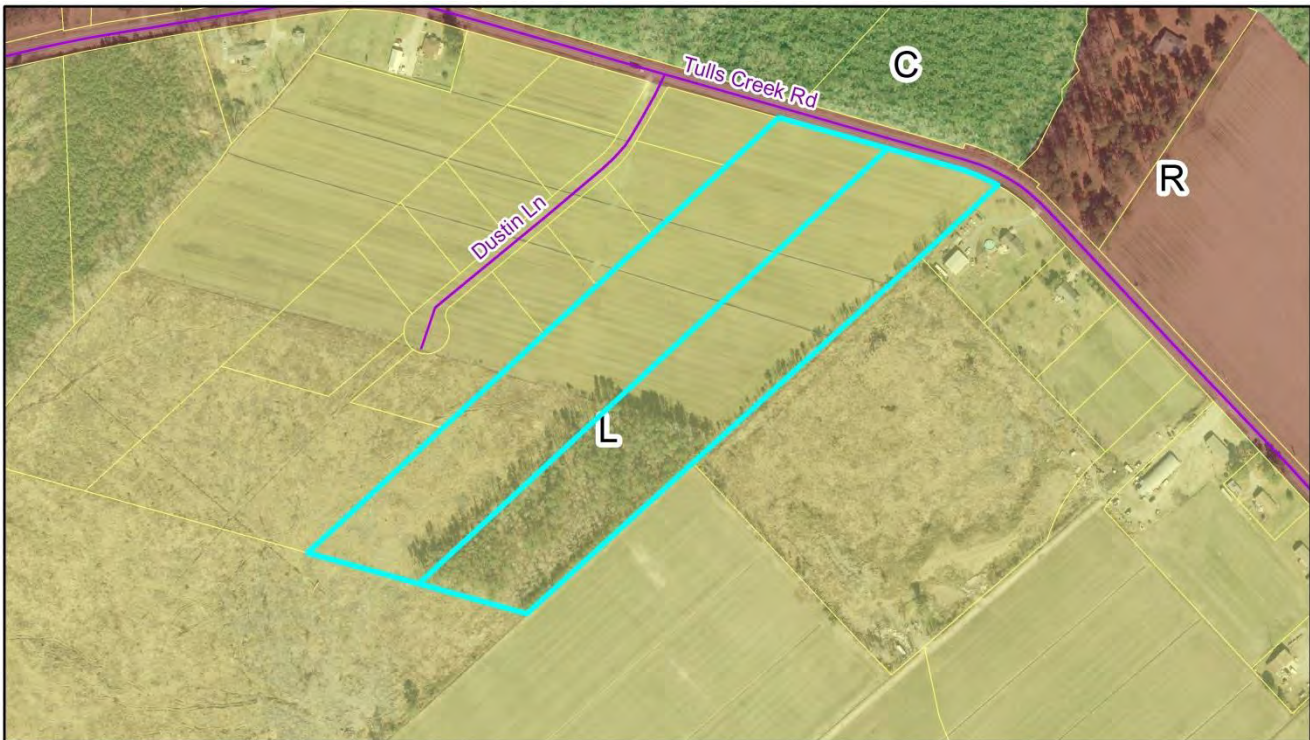
 Currituck County
Planning and
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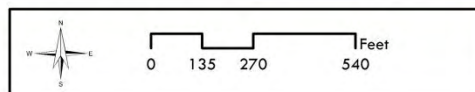
PB 18-01 Foxglove Acres
Preliminary Plat - Use Permit
LUP Classifications



Currituck County
Planning and
Community Development



PB 18-01 Foxglove Acres
Preliminary Plat - Use Permit
Moyock SAP Future Land Use



Currituck County
Planning and
Community Development

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

Attachment: Staff Report BOC Foxglove Acres UP & PP (PB 18-01 Foxglove Acres)



Major Subdivision Application

OFFICIAL USE ONLY:

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

Contact Information
APPLICANT:

Name: Mainstay Construction, Inc.
 Address: PO Box 429
Moyock, NC 27958
 Telephone: 252-202-0741
 E-Mail Address: cmainstay@aol.com

PROPERTY OWNER:

Name: Mainstay Construction, Inc.
 Address: PO Box 429
Moyock, NC 27958
 Telephone: 252-202-0741
 E-Mail Address: cmainstay@aol.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Request

Physical Street Address: Tulls Creek Road; Lots 1 & 2, Ward Acres Subd.; ~650' SE of int. of Tulls Creek Rd. & Dustin Ln.

Parcel Identification Number(s): 0014000018D0000 & 0014000018E0000

Subdivision Name: Foxglove Acres (Formerly Lots 1 & 2, Ward Acres Subdivision)

Number of Lots or Units: 13 Phase: 1

TYPE OF SUBMITTAL

- ☐ Conservation and Development Plan
☐ Amended Sketch Plan/Use Permit
☒ Preliminary Plat (or amended)
 ☒ Type I OR ☐ Type II
☐ Construction Drawings (or amended)
☐ Final Plat (or amended)

TYPE OF SUBDIVISION

- ☒ Traditional Development
☐ Conservation Subdivision
☐ Planned Unit Development
☐ Planned Development

I hereby authorize county officials to enter my property for purposes of determining compliance with all applicable standards. All information submitted and required as part of this process shall become public record.

[Signature]
 Property Owner(s)/Applicant*

12/19/17
 Date

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

Community Meeting, if applicable

Date Meeting Held: N/A Meeting Location: N/A

Use Permit Review Standards, if applicable

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

Purpose of Use Permit and Project Narrative (please provide on additional paper if needed): _____

This project proposes a 13 lot traditional subdivision on an existing 20 acres of land in Moyock, Currituck County.

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

A. The use will not endanger the public health or safety.

The proposed subdivision will not endanger the public health or safety. The use is proposed to be single family residential dwellings with no commercial or industrial uses.

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

The proposed subdivision will no injure the value of adjoining or abutting lands. The proposed subdivision will be in harmony with the area which it is located, is consistent with the surrounding uses, and will not adversely impact adjacent property values.

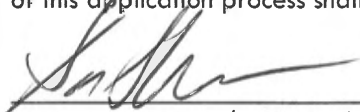
C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

The proposed subdivision is in general conformance with the County's Land Use Plan and current UDO. The proposed subdivision will be held to the UDO standards for layout, screening, and other requirements. The Moyock Small Area Map classifies the site as Limited Service on the future land use map.

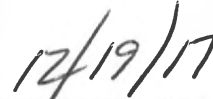
D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

The proposed subdivision will not exceed the County's ability to provide adequate public facilities. Utility services are available to the site and onsite wastewater disposal will be designed and permitted in accordance with the State rules and standards.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.



Property Owner(s)/Applicant*



Date

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

Major Subdivision Submittal Checklist – Preliminary Plat

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

Major Subdivision**Submittal Checklist – Preliminary Plat**

Date Received: _____

TRC Date: _____

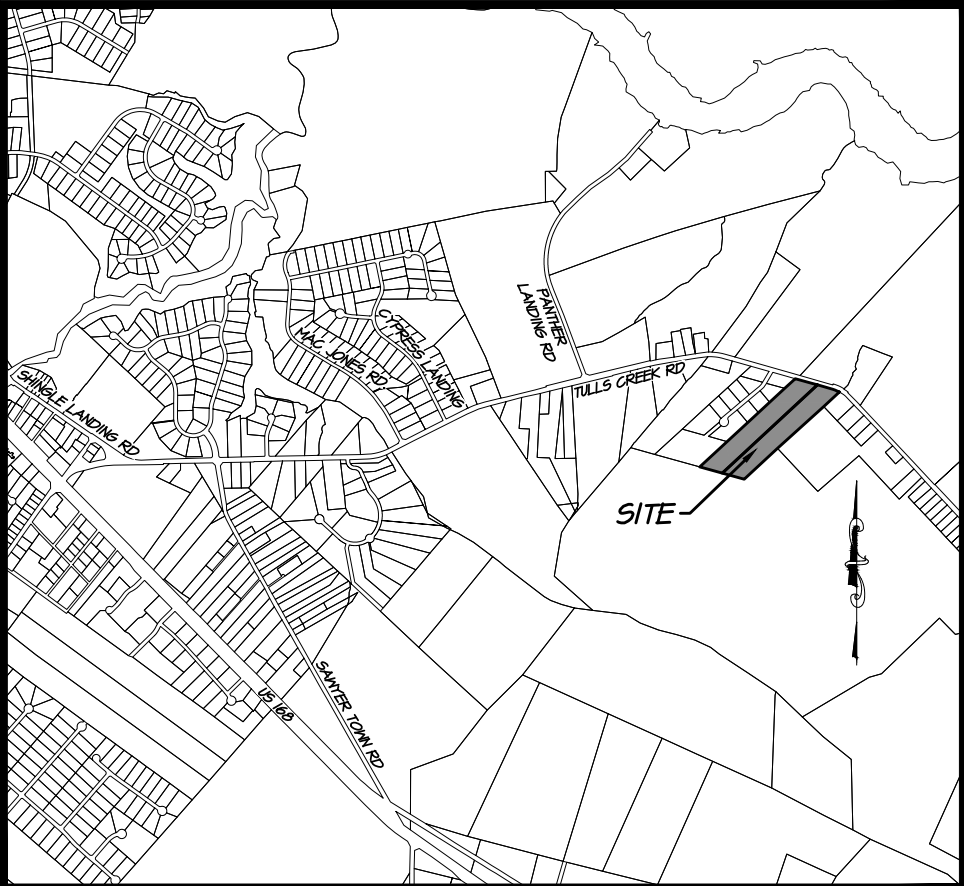
Project Name: Foxglove Acres (Formerly Lots 1 & 2, Ward Acres Subdivision)Applicant/Property Owner: Mainstay Construction, Inc.**Major Subdivision – Preliminary Plat Submittal Checklist**

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

For Staff Only**Pre-application Conference**

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

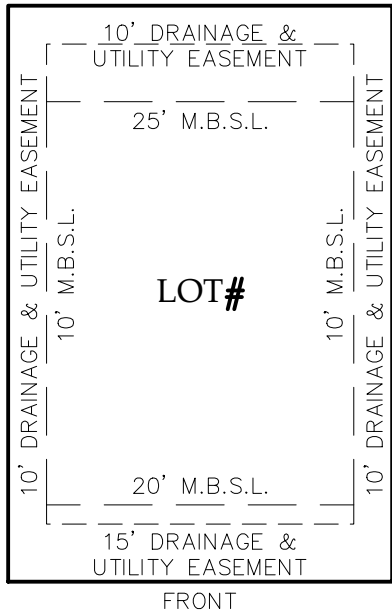
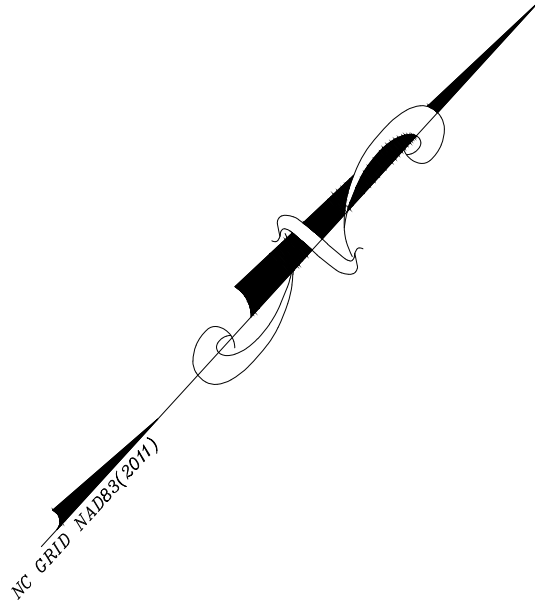
Comments



VICINITY MAP (Moyock)
N.T.S.

NOTES:

- CURRENT OWNER: MAINSTAY CONSTRUCTION, INC.
PO BOX 424
MOYOCK, NC 27958
252-232-0033
cmainstay@aol.com
- PROPERTY INFORMATION:
PIN: 8032-91-4449 (LOT 1), 8032-91-1546 (LOT 2)
PID: 001400001800000 (LOT 1), 001400001800000 (LOT 2)
ADDRESS: TULLS CREEK RD
ZONED: AGRICULTURE (AG)
- TOTAL PARCEL AREA = 871,712.23 sqft / 20.01 acres
(AREAS BY COORDINATE METHOD.)
- SUBJECT REFERENCES: DB 1413, PG 482 & 485; PG D, SL 234.
- PROPOSED ZONING: CONDITIONAL SINGLE FAMILY RESIDENTIAL MAINLAND (C-SFM)
- PROPOSED 13 LOT TRADITIONAL RESIDENTIAL SUBDIVISION
- PROPOSED LOT AREA = 539,000.00 SF / 12.31 AC
PROPOSED R/W AREA = 71,019.59 SF / 1.63 AC
PROPOSED OPEN SPACE = 261,692.64 SF / 6.01 AC
- THIS SUBDIVISION IS DESIGNED FOR SINGLE FAMILY DWELLINGS 2 STORIES OR LESS AND EFFECTIVE FIRE AREA LESS THAN 4,800 sq.ft. AND SEPARATION BASED ON AVAILABLE FIRE FLOW OF 1,061 GPM AT 20 PSI.
- BOUNDARY INFORMATION SHOWN BASED ON PG D, SL 234 AND ON FIELD SURVEYS BY QUIBLE & ASSOCIATES, P.C., DATED AUGUST 2017.
- TOPOGRAPHIC INFORMATION SHOWN BASED ON FIELD SURVEYS BY QUIBLE & ASSOCIATES, P.C., DATED AUGUST 2017 AND DOWNLOADED GL2 LIDAR, VERTICAL DATUM NAVD 1988.
- PROPERTY IS LOCATED IN NFIP FLOOD ZONES AS SHOWN AND SUBJECT TO CHANGES, BASED ON COMMUNITY CID NO. 370018; PANEL 8032; SUFFIX J.
(MAP NUMBER 3721803200J; EFFECTIVE DATE: 12/16/2005.
- THIS PLAN SUBJECT TO ANY FACTS, INCLUDING BUILDING SETBACK RESTRICTIONS, EASEMENTS, COVENANTS, ETC., THAT MAY BE REVEALED BY A FULL AND ACCURATE TITLE SEARCH.



TYPICAL LOT
SETBACKS & EASEMENTS

OWNERSHIP & DEDICATION CERTIFICATE

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF CURRITUCK COUNTY; THAT I HEREBY FREELY ADOPT THIS PLAT OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS STREETS, UTILITIES, ALLEYS, WALKS, RECREATION AND PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY OR HOME OWNER'S ASSOCIATION. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH USE IS APPROVED BY THE APPROPRIATE PUBLIC AUTHORITY IN THE PUBLIC INTEREST.

OWNER _____ DATE _____

NOTARY CERTIFICATE

I, _____, A NOTARY PUBLIC OF _____ COUNTY NORTH CAROLINA, DO HEREBY CERTIFY THAT _____ PERSONALLY APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGE THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____ 2017.

NOTARY PUBLIC _____ DATE _____

PUBLIC STREETS DIVISION OF HIGHWAY DISTRICT ENGINEER CERTIFICATE

I HEREBY CERTIFY THAT THE PUBLIC STREETS SHOWN ON THIS PLAT ARE INTENDED FOR DEDICATION AND HAVE BEEN DESIGNED OR COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE NC DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF SUBDIVISION STREETS ON THE NC HIGHWAY SYSTEM FOR MAINTENANCE.

DATE _____ DISTRICT ENGINEER _____

EASEMENT ESTABLISHMENT STATEMENT

A 10 FOOT EASEMENT FOR UTILITIES AND DRAINAGE ALONG REAR AND SIDE PROPERTY LINES AND A 15 FOOT EASEMENT ALONG THE FRONT PROPERTY LINE IS HEREBY ESTABLISHED.

ALL SIDEWALK AREAS ARE HEREBY ESTABLISHED AS PEDESTRIAN EASEMENTS.

FLOODWAY/FLOODPLAIN STATEMENT

USE OF LAND WITHIN A FLOODWAY OR FLOODPLAIN IS SUBSTANTIALLY RESTRICTED BY CHAPTER 7 OF THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.

STORMWATER STATEMENT

NO MORE THAN 30% OF TOTAL PARCEL SHALL BE COVERED BY IMPERVIOUS STRUCTURES AND MATERIALS, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK STONE, SLATE, OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH THE STORMWATER PERMIT NUMBER ISSUED BY THE STATE OF NORTH CAROLINA. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SHALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRAINAGE CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON. THE LOT COVERAGE ALLOWANCE PROVIDED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE MAY BE DIFFERENT THAN THE NC STATE STORMWATER PERMIT. THE MOST RESTRICTIVE LOT COVERAGE SHALL APPLY.

PUBLIC DEDICATION OF RECREATION AND PARK AREA, STATEMENT

A PAYMENT-IN-LIEU OF RECREATION AND PARK AREA DEDICATION HAS BEEN PROVIDED IN ACCORDANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE. PAYMENTS-IN-LIEU RECEIVED BY THE COUNTY SHALL BE USED ONLY FOR THE ACQUISITION OR DEVELOPMENT OF RECREATION AND PARK AREAS, AND OPEN SPACE SITES CONSISTENT WITH THE REQUIREMENTS OF NORTH CAROLINA GENERAL STATUTES SECTION 153A-331.

APPROVAL CERTIFICATE

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE OFFICE OF THE CURRITUCK COUNTY REGISTER OF DEEDS WITHIN NINETY (90) DAYS OF THE DATE BELOW.

ADMINISTRATOR _____ DATE _____

REVIEW OFFICER'S CERTIFICATE

STATE OF NORTH CAROLINA
COUNTY OF CURRITUCK

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

REVIEW OFFICER _____ DATE _____

IMPROVEMENTS CERTIFICATE

I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY QUIBLE & ASSOCIATES, P.C., AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

REGISTERED ENGINEER, _____ DATE _____

SURVEYOR'S CERTIFICATE

I, JOHN M. HURDLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (SEE NOTES); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS DASHED LINES AND ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN (SEE NOTES); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 41-30 AS AMENDED.

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION AND SEAL THIS _____ DAY

OF _____, _____, A.D.

JOHN M. HURDLE, PLS NC L-5204

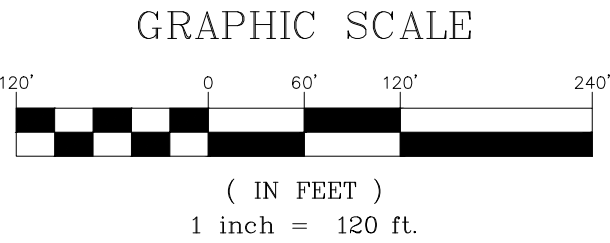
Quible & Associates, P.C.
SINCE 1959
ENGINEERING * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING
NC License#: C-0208
PO Drawer 870, Kitty Hawk, NC 27949
Phone: (252) 491-8147 Fax: (252) 491-8146
E-Mail: administrator@quible.com



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PRELIMINARY PLAT (1 of 3)
FOXGLOVE ACRES
FORMERLY LOTS 1 & 2 WARD ACRES
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO.	P17088
DESIGNED BY	DLT
DRAWN BY	JMH
CHECKED BY	DLT
ISSUE DATE	01/19/18





Quible SINCE 1959
& Associates, P.C.
ENGINEERING * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING
NC License#: C-0208
PO, Drawer 8750, Kitty Hawk, NC 27949
Phone: (252) 491-8147 Fax: (252) 491-8146
E-Mail: administrator@quible.com

PRELIMINARY
PLAN-NOT FOR
RECORDATION
CONVEYANCES
OR SALES

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PROFESSIONAL THEN THIS DOCUMENT
SHALL BE CONSIDERED UNLAWFUL
AND NOT A CERTIFIED DOCUMENT AND
SHALL NOT BE USED FOR
CONSTRUCTION, RECORDATION, SALE
OR LAND CONVEYANCES, UNLESS
OTHERWISE NOTED

CURVE TABLE				
CURVE#	LENGTH	RADIUS	CHD LENGTH	CHD BEARING
C1	109.72'	200.00'	108.34'	S 31° 52' 39" W
C2	43.46'	25.00'	38.19'	S 24° 02' 28" E
C3	66.70'	175.00'	66.29'	S 36° 40' 28" W
C4	100.89'	225.00'	100.05'	N 34° 44' 49" E
C5	36.77'	25.00'	33.54'	N 64° 01' 53" E

LEGEND:

- - EXISTING IRON ROD, EIR
- - SET IRON ROD, SIR
- ▲ - MAG NAIL
- - CALCULATED POINT
- W - WATER METER
- T - TELEPHONE PED
- C - CABLE TV PED
- Q - UTILITY POLE
- AG - ABOVE GRADE
- BG - BELOW GRADE
- Ro - ROANOKE SOIL
- To - TOMOTLEY SOIL

PRELIMINARY PLAT (2 of 3)

**FOXGLOVE ACRES
FORMERLY LOTS 1 & 2 WARD ACRES**

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO.	P17088
DESIGNED BY	DLT
DRAWN BY	JMH
CHECKED BY	DLT
ISSUE DATE	01/19/18

Quible SINCE 1959
& Associates, P.C.
ENGINEERING * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING
NC License#: C-0208
PO Drawer 870, Kitty Hawk, NC 27949
Phone: (252) 491-8147 Fax: (252) 491-8146
E-Mail: administrator@quible.com

PRELIMINARY PLAT NOT FOR RECORDATION CONVEYANCE OR SALES

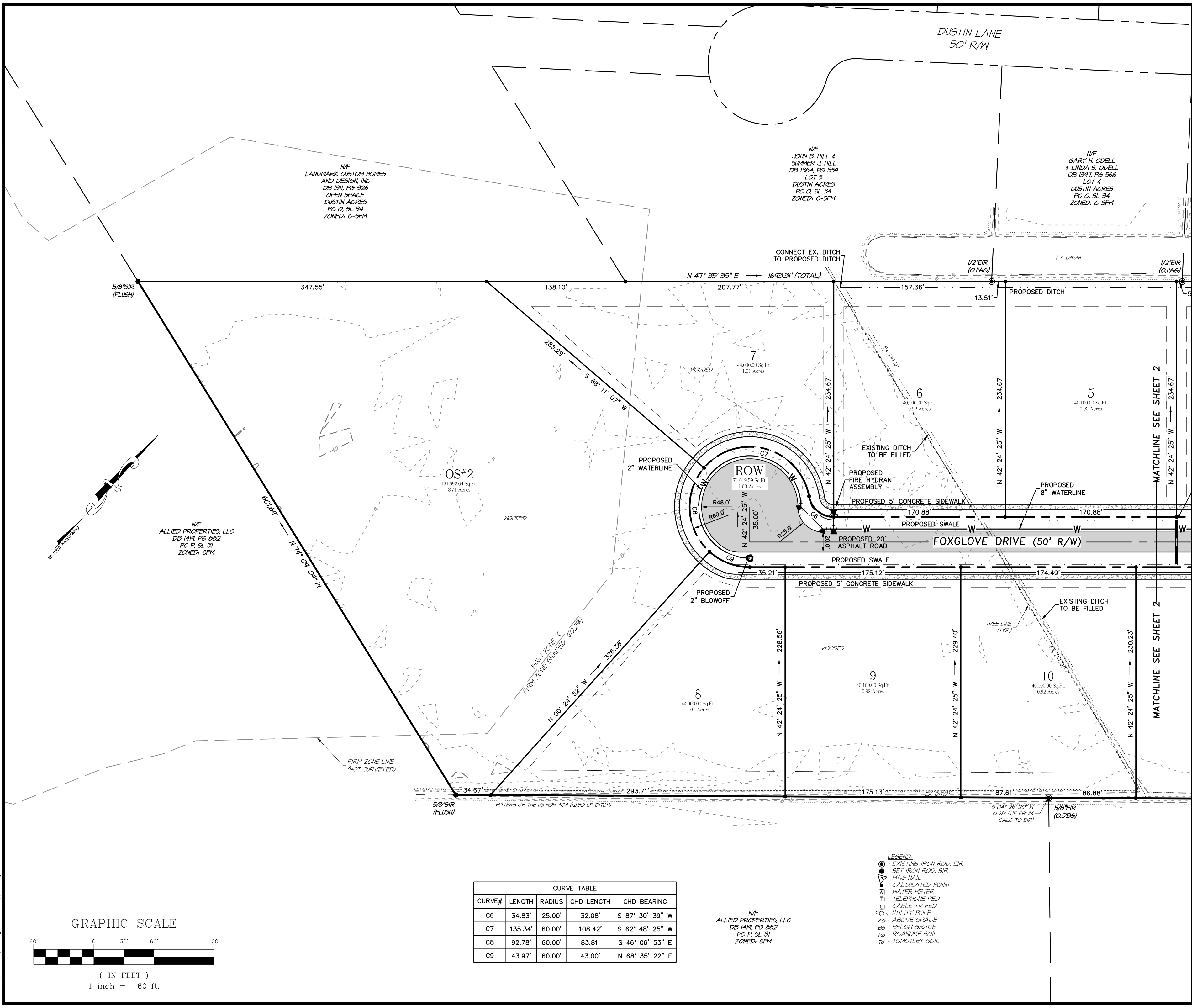
PRELIMINARY PLAT NOT FOR RECORDATION CONVEYANCE OR SALES

PRELIMINARY PLAT (3 of 3)

FOXGLOVE ACRES
FORMERLY LOTS 1 & 2 WARD ACRES

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

COMMISSION NO. **P17088**
DESIGNED BY **DLT**
DRAWN BY **JMH**
CHECKED BY **DLT**
ISSUE DATE **01/19/18**



CURVE TABLE				
CURVE#	LENGTH	RADIUS	CHD LENGTH	CHD BEARING
C6	34.83'	25.00'	32.08'	S 87° 30' 39" W
C7	135.34'	60.00'	108.42'	S 62° 48' 25" W
C8	92.78'	60.00'	83.81'	S 46° 06' 53" E
C9	43.97'	60.00'	43.00'	N 68° 35' 22" E

- LEGEND:
- - EXISTING IRON ROD, EIR
 - - SET IRON ROD, SIR
 - - MAG NAIL
 - - CALCULATED POINT
 - ⊕ - WATER METER
 - ⊕ - TELEPHONE PED
 - ⊕ - CABLE TV PED
 - ⊕ - UTILITY POLE
 - AG - ABOVE GRADE
 - BG - BELOW GRADE
 - RO - ROANOK SOIL
 - TO - TOMTLEY SOIL

NF
ALLIED PROPERTIES, LLC
DB 1419, PG 882
PC P, SL 31
ZONED: SFM

G:\2017\17088\Drawings\17088-splat.dwg 1/19/2018 3:53 PM Mhurdle

Attachment: 2. preliminary plat (PB 18-01 Foxglove Acres)



Currituck County

Department of Planning
 Post Office Box 70
 Currituck, North Carolina 27929
 252-232-3055
 FAX 252-232-3026

MEMORANDUM

To: Mainstay Construction Inc.
 Dillan Tillett, Quible and Associates

From: Planning Staff

Date: January 12, 2018

Re: Foxglove Acres Preliminary Plat

The following comments have been received for the January 17, 2018 TRC meeting. In order to be scheduled for the February 13, 2018 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on January 22, 2018. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jason Litteral

Approved/Approved with comments/Denied

1. Please provide a 5' non-access buffer for the two lots adjacent to Tulls Creek Rd. It appears it may be shown on the plan but I couldn't see a label.
2. Please provide a map with soil types shown.
3. Please provide site evaluations when received.

Currituck County Engineer, Eric Weatherly

Comments Pending

Currituck County Emergency Management, James Mims

Comments Pending

Currituck County GIS, Harry Lee

Reviewed,

Address Assignment:

Lot 1 = 100 Foxglove Dr
 Lot 2 = 102 Foxglove Dr
 Lot 3 = 104 Foxglove Dr
 Lot 4 = 106 Foxglove Dr
 Lot 5 = 108 Foxglove Dr
 Lot 6 = 110 Foxglove Dr
 Lot 7 = 112 Foxglove Dr

Attachment: 3. Foxglove Acres TRC comments (PB 18-01 Foxglove Acres)

Lot 8 = 113 Foxglove Dr
Lot 9 = 111 Foxglove Dr
Lot 10 = 109 Foxglove Dr
Lot 11 = 107 Foxglove Dr
Lot 12 = 105 Foxglove Dr
Lot 13 = 103 Foxglove Dr

Currituck County Building Inspections, Bill Newns

Approved,

Cluster mail boxes must be ADA compliant and accessible routes to amenities.

Currituck County Parks and Recreation, Jason Weeks

Reviewed, No Comment

NCDOT, Randy Midget

Reviewed,

Driveway and Encroachment Permits will be required for this project.

NC Division of Coastal Management, Charlan Owens

Reviewed, No Comment

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 - 11"x17" copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2072)

Agenda Item Title

PB 16-17 SB&K Investments LLC:

Brief Description of Agenda Item:

Amended Conditional Rezoning (C-MXR) for 4.01 acres located on Moyock Landing Drive adjacent to the assisted living facility to the east, PIN 0009-000-029T-0000. The request is for a redesign of the multi-family development by deleting the detached garages, adding attached garages for each unit, and reorienting the buildings and infrastructure.

Planning Board Recommendation:

PLANNING BOARD RECOMMENDATION - January 9, 2018

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

1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.
3. That end units with sides fronting the street be further enhance (than the elevations presented at the 1/9/18 Planning Board meeting) with architectural features and landscaping to give more of a front façade appearance from the street. The architectural rendering shall be revised accordingly.
4. That the architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

RECOMMENDED APPROVAL WITH THE ADDED CONDITIONS STATED ABOVE

AYES: Carol Bell, Chairman, Fred Whiteman, Vice Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member

ABSENT: Jeff O'Brien, Board Member, J. Timothy Thomas, Board Member

Motion

Mr. McColley motioned to approve the conditional rezoning amendment since it is consistent with the 2006 Land Use Plan because:

- County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
- It is at a density appropriate for the location. (Policy HN1)
- Adequate public facilities are available to service the project. (PP2)
- It is located in the fastest growing area of the county that continues to evolve as a Full Service community. (Moyock Policy Emphasis)

The amended conditional rezoning request is consistent with the Moyock Small Area Plan because:

- There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
- Infrastructure and service needs of the community are met. (IS2)
- Impervious lot coverage is reduced and stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

The amended request is reasonable and in the public interest because:

- It creates a new residential use type, multi-family, at an appropriate density for the area where county water and sewer are available.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

With added conditions made by the TRC:

1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.
3. That covered, wrap-around porches be added to the end units with sides fronting the street to further enhance the front façade appearance from the street.
4. That the architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

And the applicant will present to the BOC an amended end elevation to show the features we discussed along with the landscaping discussed.

Chairman Bell asked if there were any more discussion. Mr. Craddock said he appreciates the applicant being willing to make the changes we discussed.

Chairman Bell asked for a second on the motion with the added conditions and changes. Mr. Craddock seconded the motion and the motion with the added conditions and changes carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Tammy Glave,

Presenter of Agenda Item

Tammy Glave



STAFF REPORT
PB 16-17 SB&K INVESTMENTS LLC
BOARD OF COMMISSIONERS
FEBRUARY 5, 2018

APPLICATION SUMMARY

Property Owner: Hugh S Miller IV 111 Currituck Commercial Drive Moyock NC 27958	Applicant: SB&K Investments LLC 111 Currituck Commercial Drive Moyock NC 27958
Case Number: PB 16-17	Application Type: Amended Conditional Rezoning
Parcel Identification Number: 0009000029T0000	Existing Use: Vacant
Land Use Plan Classification: Full Service Moyock SAP: Full Service	Parcel Size (Acres): 4.01
Zoning History: RA20 (1975); A (1989);	Plan Request: 16 Unit Townhome Development with 1 accessory dwelling unit
Current Zoning: C-MXR (2017)	Proposed Zoning: C-MXR (Amended)
Community Meeting: January 2, 2018	

SURROUNDING PARCELS

	Land Use	Zoning
North	Vacant	C-SFM
South	Single Family Dwellings	GB
East	Assisted Living Facility	GB
West	Vacant	GB

STAFF ANALYSIS

This 4.01 acre parcel is located on Moyock Landing Drive, adjacent to the Currituck House assisted living facility to the east and the Rail Road right-of-way to the west. The parcel was rezoned to Conditional-MXR on February 6, 2017 (See Attached Order.) The original conditional rezoning was approved for a 16 unit townhome development, 1 accessory dwelling unit, and 12 detached garages. The new request incorporates the garages into the townhomes and eliminates the 12 detached garages. It also reorients the buildings and infrastructure on the property. The applicant has made this request in order to reduce the amount of impervious lot coverage for the project. Once the applicant proceeded with the engineering phase of the project, it was discovered that a High Density State Stormwater Permit would be required because of the proposed lot coverage (34%). The new proposal reduces lot coverage to 23.5% thus allowing for a more manageable and easier to maintain Low Density State Stormwater Permit.

It should be noted that although the side of two of the buildings will be oriented towards Moyock Landing Drive with this plan, the developer is proposing to add architectural features similar to traditional front façade of buildings such as windows and enhanced landscaping (see attached elevations). Staff is requesting the addition of covered, wrap-around porches for the two end units fronting the street as previously proposed by the applicant.

The amended Conditional-Mixed Residential (C-MXR) district request is reasonable because the district accommodates a wide variety of residential uses at moderate densities, including multi-family dwellings. The district is intended to provide much needed moderate cost housing for county residents within well-designed neighborhoods. The multi-family project is subject to appropriate community forms, compatibility, and design standards to ensure a well-designed neighborhood. This multi-family development will serve as a transition between General Business (GB) development along Caratoke Highway and the assisted living facility and neighborhood (Shingle Landing) to the east.

After amended conditional zoning approval, the development will proceed with site plan and subdivision approval. Each individual unit will be on its own lot similar to a condominium form of ownership. The developer plans to retain ownership of the units at this time with the option to sale in the future if the market dictates.

The policy emphasis of the 2006 Land Use Plan for Moyock is on properly managing the increased urban level of growth that this area is experiencing. Residential development densities should be medium to high (up to four units per acre) based on the availability of county services such as water, sewer, schools, etc. County water and sewer are available for this project and the other levels of service are appropriate.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

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

CONSISTENCY STATEMENT

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

- County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
- It is at a density appropriate for the location. (Policy HN1)
- Adequate public facilities are available to service the project. (PP2)
- It is located in the fastest growing area of the county that continues to evolve as a Full Service community. (Moyock Policy Emphasis)

The amended conditional rezoning request is consistent with the Moyock Small Area Plan because:

- There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
- Infrastructure and service needs of the community are met. (IS2)
- Impervious lot coverage is reduced and stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

The amended request is reasonable and in the public interest because:

- It creates a new residential use type, multi-family, at an appropriate density for the area where county water and sewer are available.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

CONDITIONS OF APPROVAL

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

Suggested conditions of approval:

1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.
3. That covered, wrap-around porches be added to the end units with sides fronting the street to further enhance the front façade appearance from the street.
4. That the architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

PLANNING BOARD

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

1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.
3. That end units with sides fronting the street be further enhance (than the elevations presented at the 1/9/18 Planning Board meeting) with architectural features and landscaping to give more of a front façade appearance from the street. The architectural rendering shall be revised accordingly.
4. That the architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

RECOMMENDED APPROVAL [UNANIMOUS] Next: 2/5/2018 6:00 PM

AYES: Carol Bell, Chairman, Fred Whiteman, Vice Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member

Planning Board Discussion – January 9, 2018

Senior Planner, Tammy Glave presented the staff report. This was originally rezoned to Conditional-MXR on February 6, 2017. It is located adjacent to the Currituck House assisted living facility. Ms. Glave explained the changes being requested and the reason the changes were needed. Once the applicant proceeded with the engineering phase of the project, it was discovered that there was too much lot coverage to qualify for a low density stormwater permit. Changes were made with

reorientation of buildings and infrastructure on the property to lower the impervious lot coverage. One of the concerns that staff had was seeing the side of building and the applicant has agreed to add extra architectural detail. Ms. Glave presented various slides showing the original Elevations verses the new Elevations, location, the Land Use Plan classification and the Moyock Small Area Plan classification, etc. The TRC has recommended approval as presented.

Chairman Bell asked if board members had any questions for staff. Discussion was held on the various changes to structures and parking area. Mr. Craddock asked about the detached unit and if it would be used for staff. Ms. Glave said it is intended as a short term rental.

Chairman Bell opened the public hearing. Applicant, Sam Miller came before the board. He said the impervious lot coverage has changed from 34% to 23% which is positive with the stormwater drainage. Also, the extra unit is for renting and is between 500 and 600 feet for short term rental.

Board members had discussion with the applicant on whether he would enhance the decorative appeal of the structures and landscaping to make up for the changes in elevations. There was also concern that the porches were not wrap around porches on the end units.

Chairman Bell asked if there was anyone to speak in opposition. Mark Sanford from Chesapeake came before the board. He said he is currently building custom home on Moyock Landing Drive and is concerned about plain looking rentals being in the same location with beautiful custom homes. Mr. Whiteman said this case was previously approved and we are only approving changes to the design.

Mr. Craddock asked if we received an answer about the porch. This appears to be a lean to coming off the roof and not a wraparound porch. Ms. Glave cited the definition for a porch and said it has to have columns.

Mr. Whiteman asked Mr. Miller if he would be willing to change the porches on the end units to wrap around porches with columns. Mr. Miller said he would, but would rather do a decorative freeze band or something else. Mr. McColley agreed that better aesthetics are needed. Mr. Whiteman asked Mr. Miller if he would do another rendering for the Board of Commissioners Meeting showing the changes to the end caps we discussed and Mr. Miller agreed to do so.

Chairman Bell closed the public hearing and asked for a motion.

Motion

Mr. McColley motioned to approve the conditional rezoning amendment since it is consistent with the 2006 Land Use Plan because:

- County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
- It is at a density appropriate for the location. (Policy HN1)
- Adequate public facilities are available to service the project. (PP2)
- It is located in the fastest growing area of the county that continues to evolve as a Full Service community. (Moyock Policy Emphasis)

The amended conditional rezoning request is consistent with the Moyock Small Area Plan because:

- There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
- Infrastructure and service needs of the community are met. (IS2)
- Impervious lot coverage is reduced and stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

The amended request is reasonable and in the public interest because:

- It creates a new residential use type, multi-family, at an appropriate density for the area where county water and sewer are available.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

With added conditions made by the TRC:

1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
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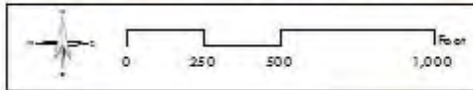
Chairman Bell asked if there were any more discussion. Mr. Craddock said he appreciates the applicant being willing to make the changes we discussed.

Chairman Bell asked for a second on the motion with the added conditions and changes. Mr. Craddock seconded the motion and the motion with the added conditions and changes carried unanimously.

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



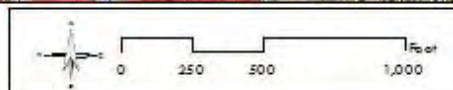
PB 16-17 E.T. Hyman Surveying
Conditional Rezoning
Aerial Photography



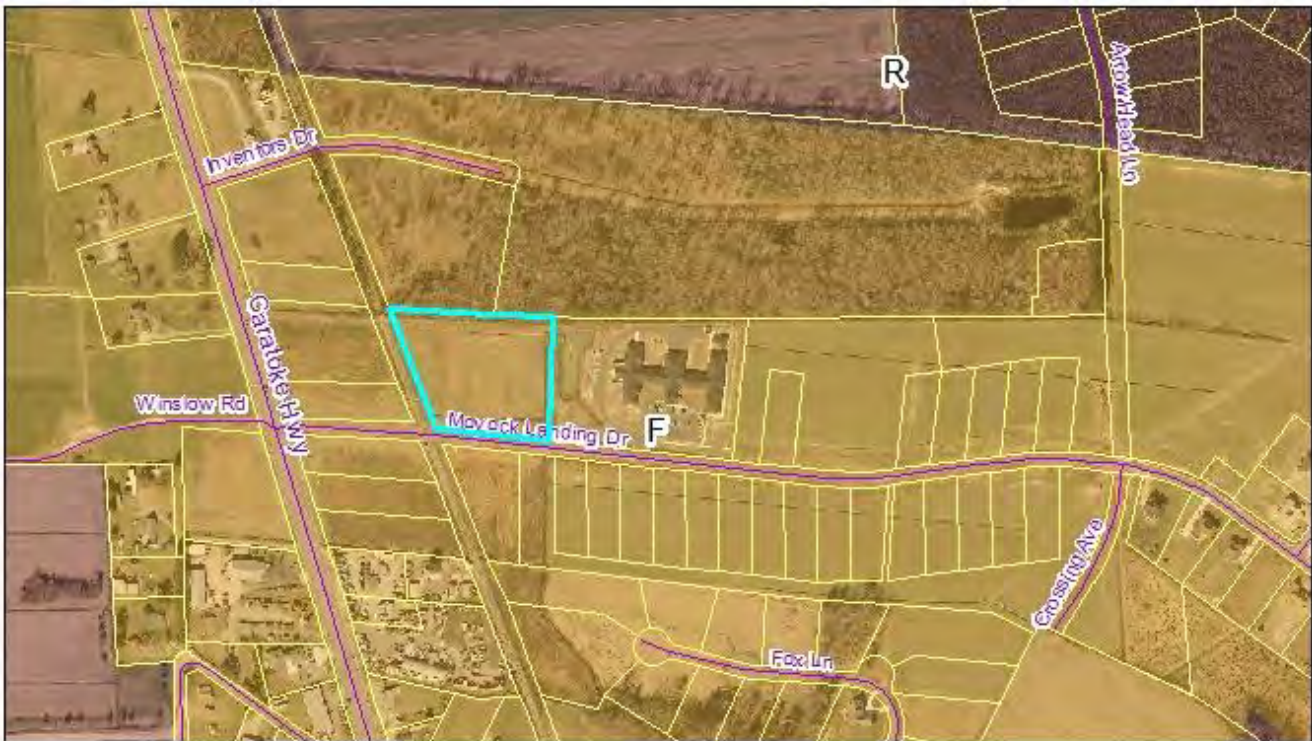
Currituck County
Planning and
Community Development



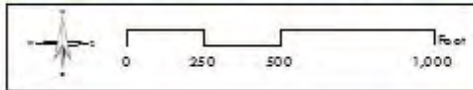
PB 16-17 SB&K Investments LLC
Amended Zoning Map Amendment
Zoning Classification



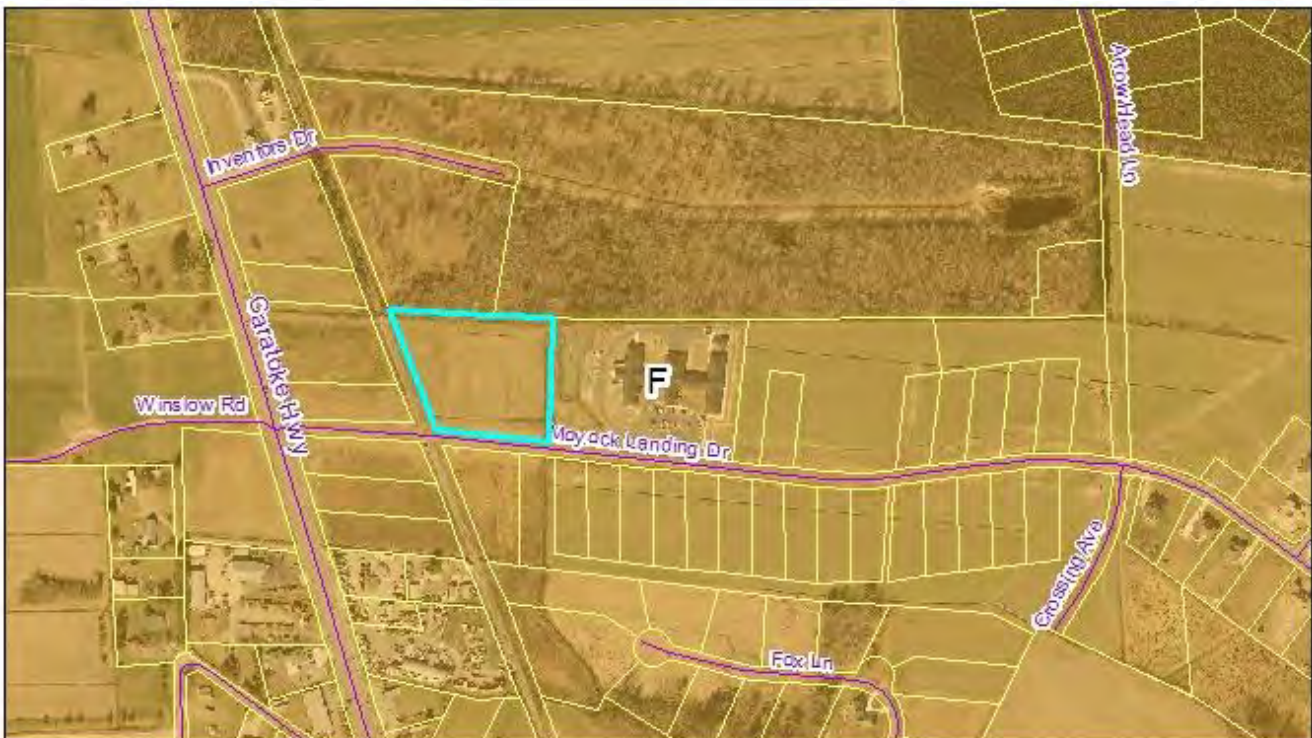
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Community Development



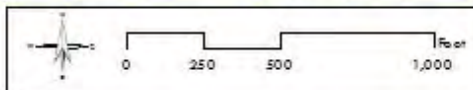
PB 16-17 E.T. Hyman Surveying
Conditional Rezoning
Land Use Plan Classification



Currituck County
Planning and
Community Development



PB 16-17 E.T. Hyman Surveying
Conditional Rezoning
Moyock SAP Classification



Currituck County
Planning and
Community Development

**PB 16-17
E.T. Hyman Surveying (Sam Miller)**

Amendment to the Official Zoning Map

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina:

Item 1: The Official Zoning Map is hereby amended by rezoning 4.01 acres from General Business (GB) to Conditional-Mixed Residential (C-MXR) district for property located on Moyock Landing Drive, adjoining Currituck House assisted living facility to the east, Tax Map 9, Parcel 29T, Moyock Township.

Item 2: The zoning map amendment for this property is consistent with the 2006 Land Use Plan because:

- County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
- It is at a density appropriate for the location. (Policy HN1)
- Adequate public facilities are available to service the project. (PP2)
- It is located in the fastest growing area of the county that continues to evolve as a Full Service community. (Moyock Policy Emphasis)

The conditional rezoning request is consistent with the Moyock Small Area Plan because:

- There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
- Infrastructure and service needs of the community are met. (IS2)
- Stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

The request is reasonable and in the public interest because:

- It creates a new residential use type, multi-family, at an appropriate density for the area.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

Item 3: This property shall be subject to the standards applicable to the general use zoning district, as modified by the conditions of approval. These standards and the following modifying conditions are binding on the land as an amendment to the Unified Development Ordinance and the Official Zoning Map:

1. Development shall be completed strictly in accordance with the conceptual development plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning and Community Development Department.
2. The development will consist of a 16 unit townhome development with 1 accessory dwelling unit and 12 detached garages.
3. The architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

Item 4: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This zoning map amendment shall be in effect from and after the 6th day of February, 2017.

IN WITNESS WHEREOF, the County has caused this zoning map amendment to be approved in its name.

ATTEST:

 (Seal)
Clerk to the Board

2.14.17
Date

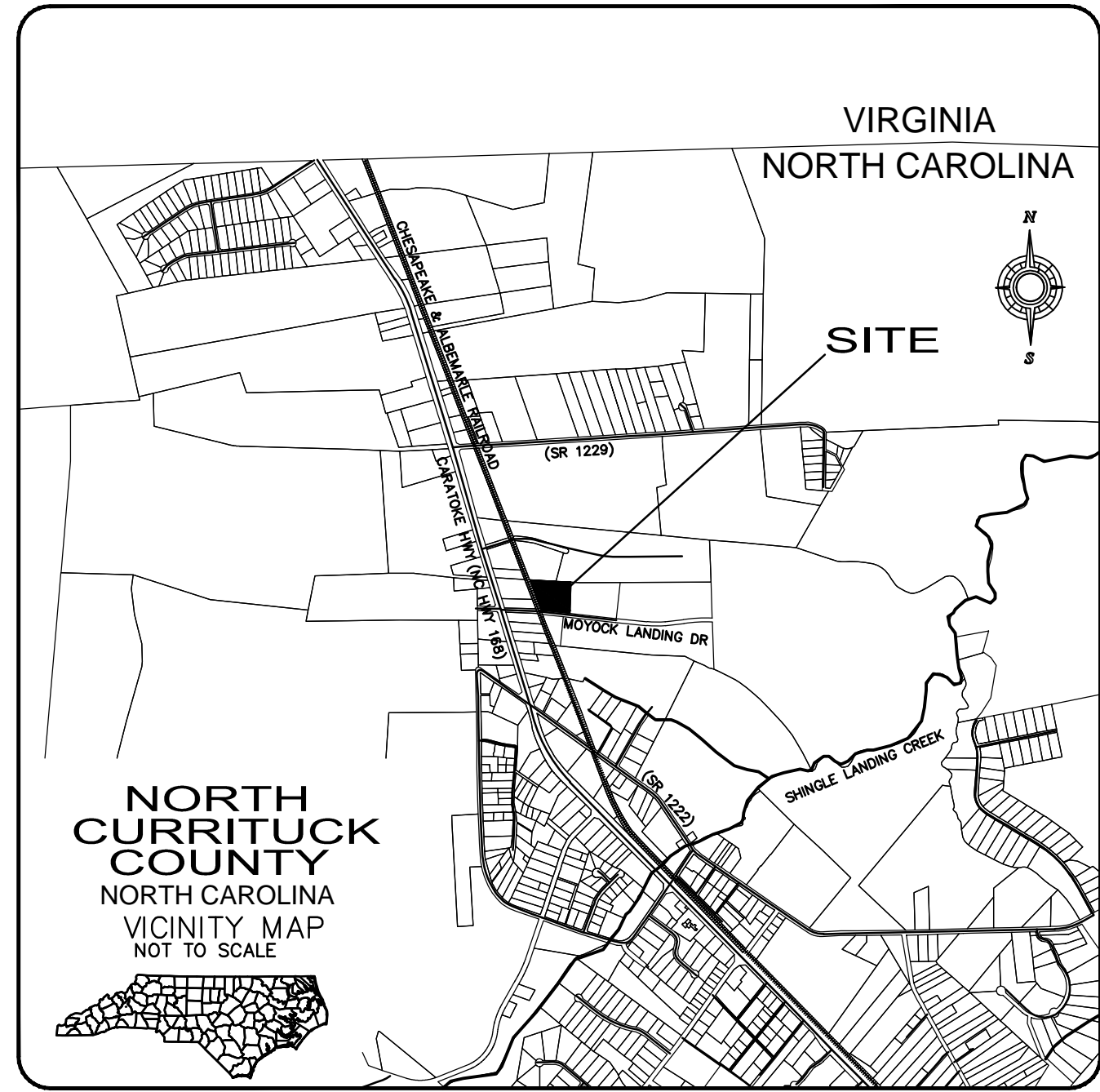

Chairman
Board of Commissioners

(NOT VALID UNTIL FULLY EXECUTED)

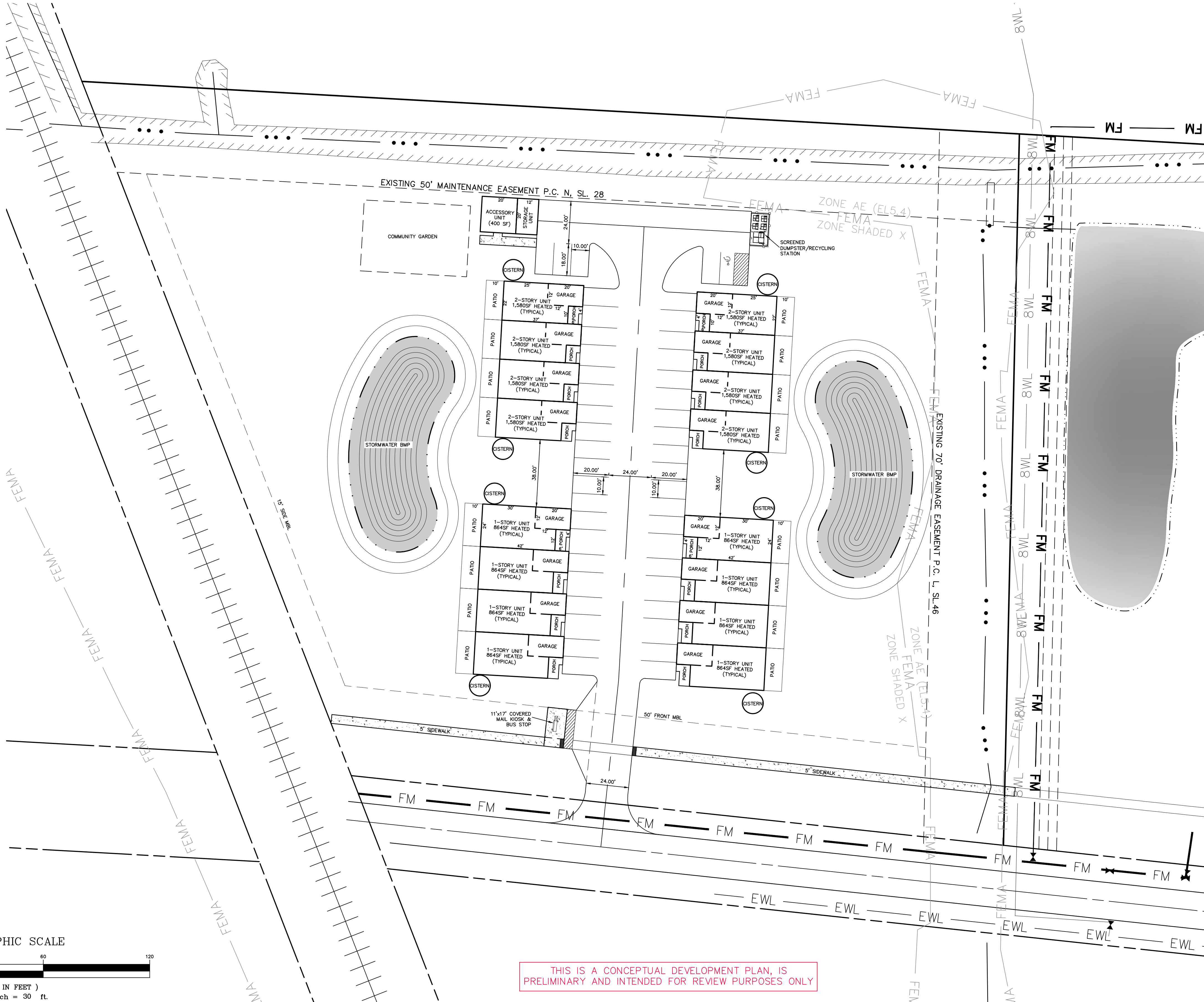
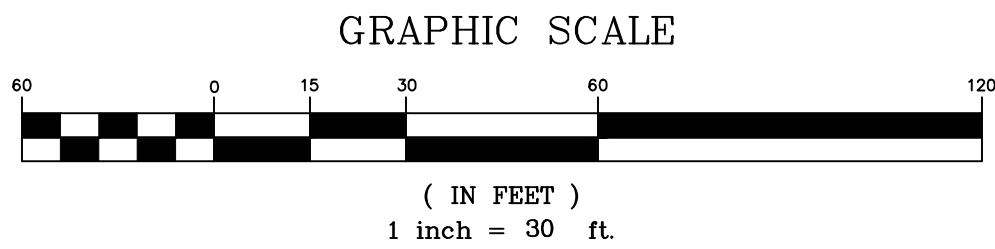
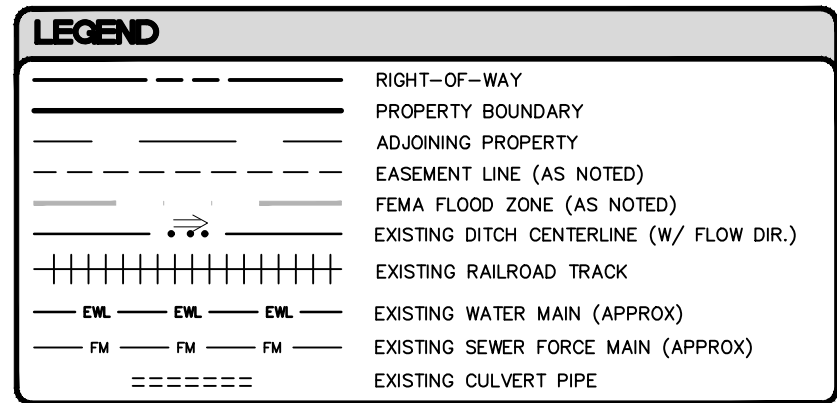
Attachment: Sam Miller A-CZ Staff Report (PB 16-17 SB&K Investments, LLC)

CONCEPTUAL DEVELOPMENT PLAN FOR S B & K INVESTMENT, LLC

MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA



- CONCEPTUAL DEVELOPMENT NOTES**
1. APPLICANT: SB&K INVESTMENTS, LLC
C/O SAM MILLER, MANAGING MEMBER
111 CURRITUCK COMMERCIAL DR. SUITE B
MOYOCK, NC 27958
2. OWNER: H. SAM MILLER, IV
111 CURRITUCK COMMERCIAL DR. SUITE B
MOYOCK, NC 27958
3. PROPERTY DATA:
PIN: 0009-000-0291-0000
REFERENCE: P.C. L. SL. 51, DB 1386, PG 284
CURRENT ZONING: CONDITIONAL MIXED RESIDENTIAL (C-MXR)
FLOOD ZONE: SITE IS LOCATED IN FLOOD ZONES AE (EL5.4) AND SHADED X PER F.I.R.M. PANEL NUMBER 3721802200J, 12-16-2005, CURRITUCK COUNTY, NC
ADDRESS: MOYOCK LANDING ROAD, MOYOCK, NC 27958
EXISTING USE: VACANT
4. CONCEPTUAL DEVELOPMENT DATA:
THIS EXHIBIT INTENDS TO SUPPORT A REQUEST TO AMEND CONDITIONS OF THE PROPERTY'S EXISTING C-MXR ZONING AS THEY RELATE TO PROPOSED MODIFICATIONS TO THE PREVIOUSLY APPROVED CONCEPTUAL DEVELOPMENT PLAN FOR A RESIDENTIAL MULTI-FAMILY DEVELOPMENT.
- A. UNIT DENSITY DATA:
ALLOWABLE DENSITY:
MAX GROSS DENSITY, FULL SERVICE AREA, MULT-FAMILY: 3 DU/AC (TABLE 3.4.6.D)
+ SUSTAINABLE INCENTIVE DENSITY BONUS OF 1 DU/AC (TABLE 5.13.A)
EQUALS A TOTAL OF 4 DU/AC.
TOTAL SITE AREA: 4.01 ACRES
MAX ALLOWABLE UNITS: 4.01 AC. * 4 DU/AC = 16 DWELLING UNITS
PROPOSED DENSITY:
(2) 4-UNIT ONE STORY BUILDINGS
(2) 4-UNIT TWO STORY BUILDINGS
(1) ACCESSORY UNIT
EQUATES TO (16) TOTAL RESIDENTIAL MULTI-FAMILY UNITS + (1) ACCESSORY UNIT
- B. SUSTAINABLE DEVELOPMENT PRACTICES: (5.13)
SCHEDULE A - 2 REQUIRED
1. INCLUSION OF RAIN WATER CAPTURE AND REUSE DEVICES SUCH AS CISTERNS
2. USE OF CENTRAL AIR CONDITIONS THAT ENERGY STAR QUALIFIED
SCHEDULE B - 4 REQUIRED
1. INCLUSION OF SHADE FEATURES TO SHADE ALL WINDOWS AND DOORS ON THE SOUTHERN BUILDING FACADE.
2. USE OF XERISCAPE LANDSCAPING TECHNIQUES WITHOUT IRRIGATION
3. PROVISION OF ON-SITE TRANSIT FACILITIES SUCH AS A BUS SHELTER
4. PROVISION OF AT LEAST ONE ENCLOSED RECYCLING STATION PER BUILDING
- C. BUILDING DATA:
MAXIMUM BUILDING HEIGHT: 35'
MINIMUM UNIT SIZE: 800 SF
MAXIMUM UNIT SIZE: 1,600 SF
MINIMUM SPACING BETWEEN BUILDINGS: 20' OR ISO NEEDED FIRE FLOW REQUIREMENTS, WHICHEVER IS GREATER
BUILDING SETBACKS: AS SHOWN, INCLUDING RECORDED EASEMENTS.
- D. SITE COVERAGE DATA:
LOT AREA: 174,817 SF +/- (4.01 AC.)
PROPOSED COVERAGES:
(2) 1-STORY BUILDINGS W/ PORCHES: 9,472 SF±
(2) 2-STORY BUILDINGS W/ PORCHES: 7,824 SF±
STORAGE BUILDING: 240 SF±
ACCESSORY BUILDING: 400 SF±
PARKING AND DRIVES: 20,814 SF±
SIDEWALKS: 1,856 SF±
DUMPSTER & MAIL/BUS SHELTER: 422 SF±
TOTAL: 41,028 SF±
PERCENT COVERAGE: 23.5%
- E. PARKING DATA:
MINIMUM PARKING REQUIRED:
1.8 SPACES/DWELLING UNIT = 29 SPACES
PARKING PROVIDED:
EXTERIOR PARKING SPACES = 45
GARAGE PARKING SPACES = 16
TOTAL = 61
5. ADDITIONAL CONDITIONS:
• C-MXR ZONING CONDITIONS AS ADOPTED
• MULTI-FAMILY AND TOWNHOUSE USE-SPECIFIC STANDARDS (4.2.2.5)
• MULTI-FAMILY DESIGN STANDARDS (5.7)
• COMMUNITY COMPATIBILITY STANDARDS (5.10)
• UNITS ARE INTENDED TO BE SOLD AS INDIVIDUAL TOWNHOMES
• STORMWATER MANAGEMENT, LANDSCAPING, SCREENING, BUFFERING, LIGHTING, FIRE PROTECTION, ETC.
• SITE SHALL CONTAIN A COMMUNITY MAILBOX AS APPROVED BY US POSTAL SERVICE
• CONNECTION TO EXISTING COUNTY WATER AND SEWER SYSTEMS
• SUBJECT TO OBTAINING STORMWATER MANAGEMENT PERMIT & EROSION CONTROL PLAN APPROVAL FROM NCDEQ
6. EXISTING SITE BOUNDARY AND CONDITIONS HAVE NOT BEEN CONFIRMED BY A PHYSICAL SURVEY PERFORMED BY BISSELL PROFESSIONAL GROUP AND SHALL BE CONSIDERED APPROXIMATE. THIS PLAN IS FOR REVIEW PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION.



THIS IS A CONCEPTUAL DEVELOPMENT PLAN, IS PRELIMINARY AND INTENDED FOR REVIEW PURPOSES ONLY

Bissell Professional Group
P.C. L. SL. 51, DB 1386, PG 284
3517 North Eastern Highway
Kitty Hawk, North Carolina 27949
FAX (252) 281-1790

BISSELL
PROFESSIONAL GROUP
Engineers, Planners, Surveyors
and Environmental Specialists

MULTI-FAMILY
CONDITIONAL ZONING EXHIBIT
THIS DOCUMENT IS THE SOLE PROPERTY OF BPG, INC. OF KITY HAWK, NORTH CAROLINA. THE REPRODUCTION IN WHOLE OR IN PART, WITHOUT THE EXPRESS WRITTEN CONSENT OF BPG, IS PROHIBITED. PRINCIPAL OF BPG, INC. COPYRIGHT 2005.

PROJECT: SB & K INVESTMENTS, LLC
NORTH CAROLINA
CURRITUCK
MOYOCK
CONCEPTUAL DEVELOPMENT PLAN

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	10-27-17	REVISED CLIENT COMMENTS	DMK
2	11-21-17	REVISED CLIENT COMMENTS	DMK
3	11-21-17	REVISED CLIENT COMMENTS	DMK
4	11-21-17	REVISED CLIENT COMMENTS	DMK
5	11-21-17	REVISED CLIENT COMMENTS	DMK
6	11-21-17	REVISED CLIENT COMMENTS	DMK
7	11-21-17	REVISED CLIENT COMMENTS	DMK
8	11-21-17	REVISED CLIENT COMMENTS	DMK
9	11-21-17	REVISED CLIENT COMMENTS	DMK
10	11-21-17	REVISED CLIENT COMMENTS	DMK

PRELIMINARY DO NOT
USE FOR CONSTRUCTION

DATE	10-27-17	SCALE	1"=30'
DESIGNED	BPG	CHECKED	MSB
DRAWN	DMK	APPROVED	MSB
SHEET:	1	OF	1
CAD FILE:	449800B2		
PROJECT NO:	4498		



Currituck County

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

MEMORANDUM

To: Sam Miller, SB & K Investments
 Mark Bissell, Bissell Professional Group

From: Tammy Glave, CZO
 Senior Planner

Date: December 14, 2017

Re: SB & K Investments, Amended Conditional Zoning (C-MXR)

The following comments have been received for the December 20, 2017 Technical Review Committee meeting. Modifications of the request must be submitted by December 22, 2017 in order to remain on the January 9th, 2018 Planning Board agenda. TRC comments are valid for six months from the date of the TRC meeting.

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

Approved with comments:

1. Please provide building elevations for all sides of the building.
2. Will all of the units be on one lot or are you going to go through the subdivision process to create a lot for each unit once the rezoning is approved?
3. Please identify open space location and the percentage provided. (UDO Section 3.4.6)
4. Note 5, Additional Conditions, says "C-MXR conditions as adopted." The conditions for the amended approval (1-3 on your application) must be called out on the plat.
5. The community meeting must be held prior to the January 9th Planning Board meeting.

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

Reviewed with comments:

1. Must meet accessibility and building code requirements as needed.

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

Reviewed without comment.

Currituck County Engineer (Eric Weatherly 252-232-6035)

Approved without comment.

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

Reviewed without comment.

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

Reviewed with comment:

1. Addresses will be assigned by GIS when the site plan is submitted. Building elevations may be needed at that time.

Attachment: Sam Miller CMXR TRC Comments 12-20-17 (PB 16-17 SB&K Investments, LLC)

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

Reviewed without comment.

Currituck County Soil and Water (Will Creef, 252-232-3360)

Reviewed without comment.

Currituck County Public Utilities (Yama Jones, 252-232-6061)

Reviewed without comment.

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

Reviewed with comment:

1. PLEASE CONSULT WITH KEVIN CARVER AT 252-232-6603 CONCERNING PROPOSED METHOD OF WASTEWATER TREATMENT AND DISPOSAL FOR THIS PROPOSED DEVELOPMENT.

NC Office of State Archeology (Mary Beth Fitts, 919-807-6554)

Reviewed with comment:

1. There are no previously recorded archaeological sites noted in the project area. An archaeological survey is not recommended.

NC Department of Transportation (Randy Midgett, 252-331-4737)

Reviewed without comment.

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

Reviewed without comment.

US Postal Service, Local Postmaster

1. Please contact the local postmaster (Moyock) to determine the mode of delivery and type of delivery equipment.

The following items are necessary for resubmittal:

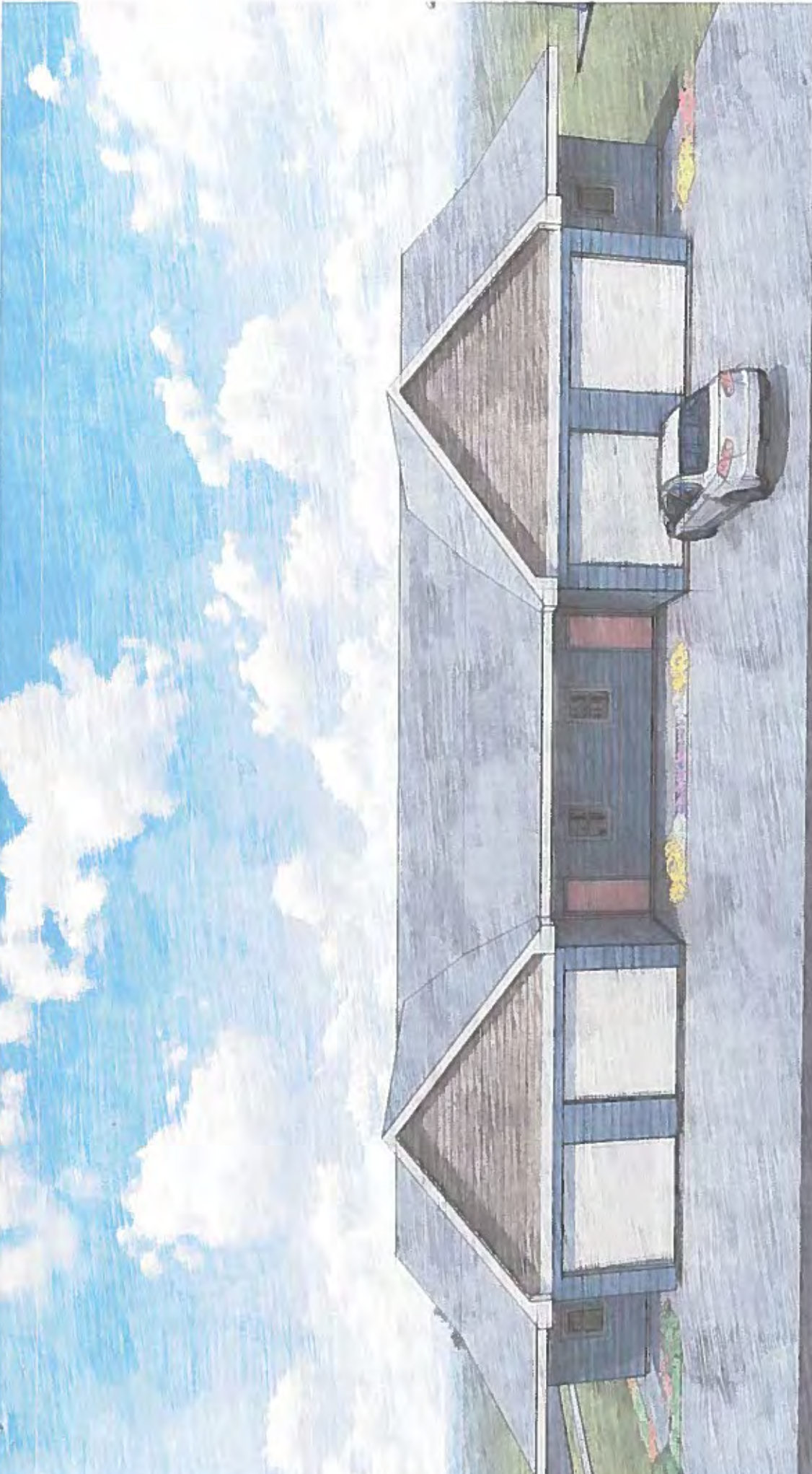
- 3 - full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.

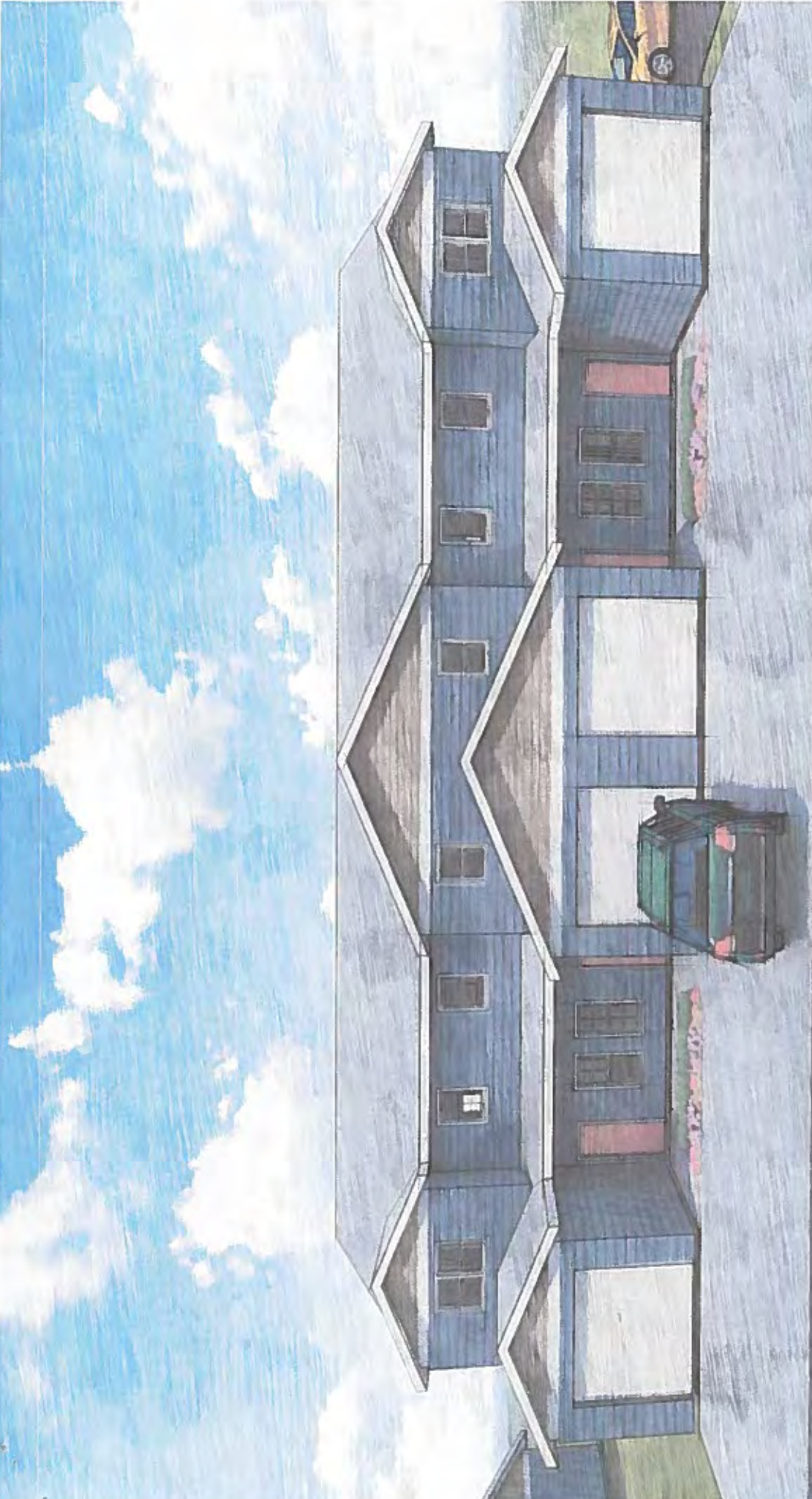














Conditional Rezoning Application

OFFICIAL USE ONLY:

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

Contact Information

APPLICANT:

Name: SB&K Investments, LLC
 Address: 111 Currituck Commercial Drive
Moyock, NC 27958
 Telephone: (252) 435-6402
 E-Mail Address: smiller@laurelwoodsestates.com

PROPERTY OWNER:

Name: Hugh S. Miller, IV
 Address: 111 Currituck Commercial Drive
Moyock, NC 27958
 Telephone: (252) 435-6402
 E-Mail Address: smiller@laurelwoodsestates.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Related Entity

Property Information

Physical Street Address: Moyock Landing Drive
 Location: Moyock, NC
 Parcel Identification Number(s): 0009000029T0000
 Total Parcel(s) Acreage: 4.01
 Existing Land Use of Property: Vacant

Request

Current Zoning of Property: C-MXR Proposed Zoning District: C-MXR (Amended)

Community Meeting

Date Meeting Held: _____ Meeting Location: _____

Attachment: Conditional Rezoning Application (PB 16-17 SB&K Investments, LLC)

Conditional Rezoning Request

To Chairman, Currituck County Board of Commissioners:

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

Proposed Use(s):

16 unit townhome development with one detached garage/storage unit & one detached accessory dwelling unit.

Proposed Zoning Condition(s):

1. Development shall be completed strictly in accordance with the conceptual development plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning and Community Development Department.
2. The development will consist of a 16-unit townhome development (with attached garages), one detached garage/storage unit and one detached accessory dwelling unit.
3. The architectural rendering of the townhomes be incorporated into this approval and units constructed accordingly.

An application has been duly filed requesting that the property involved with this application be rezoned from: C-MXR to: C-MXR (Amended)

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

Property Owner (s) _____

_____ Date

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



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2103)

Agenda Item Title

Resolution of the Currituck County Board of Commissioners Requesting Funding by the North Carolina Department of Transportation High Impact/Low Cost Road Program for Knotts Island Causeway/North Carolina Highway 615 Stabilization

Brief Description of Agenda Item:

The Board has been asked to request funding from NCDOT by Resolution to utilize funds from the High Impact/Low Cost Road Program. The County is requesting up to \$400,000, as was determined by NCDOT, to repair and stabilize the Knotts Island causeway.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Daniel F. Scanlon

**A RESOLUTION OF THE CURRITUCK COUNTY BOARD OF
COMMISSIONERS REQUESTING FUNDING BY THE NORTH
CAROLINA DEPARTMENT OF TRANSPORTATION HIGH
IMPACT/LOW COST ROAD PROGRAM FOR KNOTTS ISLAND
CAUSEWAY/NORTH CAROLINA HIGHWAY 615 STABILIZATION**

WHEREAS, North Carolina Highway 615 serves as the only continuous vehicle access to the Knotts Island community; and

WHEREAS, North Carolina Highway 615 continues to experience a high rate of erosion along its shoulders that threatens the structural integrity of the road; and

WHEREAS, in 2017, the North Carolina Department of Transportation established a High Impact/ Low Cost Road Program fund to complete low cost projects with high impacts to the State transportation system to include operational improvement projects.

NOW THEREFORE BE IT RESOLVED, the Currituck County Board of Commissioners requests that the North Carolina Department of Transportation expend up to \$400,000 from the High Impact/Low Cost Road Program to fund a shoreline stabilization project on North Carolina Highway 615.

ADOPTED this the 19th day of February, 2018.

Bobby Hanig, Chairman

ATTEST:

Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2102)

Agenda Item Title

Consideration of an Amendment to Chapter 10 of the Currituck County Code of Ordinances
Establishing a Permitting System for Beach Parking

Brief Description of Agenda Item:

Planning Board Recommendation:

Board will consider an ordinance that establishes a beach parking pass system for Currituck County beaches.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

1 **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF**
2 **COMMISSIONERS AMENDING SECTION 10-64 OF THE CURTITUCK**
3 **COUNTY CODE OF ORDINANCES REGULATING PARKING ON THE**
4 **COUNTY'S OCEAN BEACH**

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

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

17 WHEREAS, pursuant to Section 1 of Chapter 875 of the 1985 Session Laws,
18 as amended by S.L. 1998-64 and S.L. 2001-33 the county may by ordinance
19 regulate, restrict, and prohibit the use of dune or beach buggies, jeeps, motorcycles,
20 cars, trucks, or any other form of power-driven vehicle specified by the county's
21 governing board on the foreshore, beach strand and barrier dune system.

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

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

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

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

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

Any person parking a motor vehicle, other than a moped, motorcycle or ORV, on the area covered by the section shall have first obtained from the county manager or county manager's designated representative a parking permit which must be prominently displayed when parking on the area covered by this section. Parking permits may be obtained at times and places designated by the county manager.

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

County residents and non-resident property owners may obtain at no fee a parking permit for each motor vehicle, other than a moped, motorcycle or ORV, owned by them for terms adopted by the board of commissioners upon making application as provided in subsection (b) above, showing proof of current ownership and current liability insurance for each motor vehicle for which a parking permit is issued and written acknowledgement that they have read and are familiar with county beach driving ordinances. Each permit shall be assigned to a specific motor vehicle. Liability insurance on the motor vehicle shall be maintained continuously throughout the term of the permit.

Persons other than county-residents and non-resident property owners may obtain a parking permit for each motor vehicle, other than a moped, motorcycle or ORV, owned by them upon payment of a fee and term adopted by the board of commissioners and making application as provided in subsection (b) above, showing proof of current ownership and current liability insurance for each motor vehicle for which a parking permit is issued and written acknowledgement that they have read and are familiar with county beach driving ordinances. Each permit shall be assigned to a specific motor vehicle. Liability insurance on the motor vehicle shall be maintained continuously throughout the term of the permit.

Persons who own property located north of the North Beach Access Ramp that is in a rental program may obtain two parking permits at no fee for each property owned by them for terms adopted by the board of commissioners upon making application as provided in subsection (b) above and verification that the property is registered with the county tax administrator for occupancy tax administration.

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

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

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

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

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

(i) This section shall not apply to:

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

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

3. Commercial fishermen;

4. Hunters possessing valid hunting licenses while engaged in an active hunt or State or federal property located on the Currituck outer banks; or

5. Outdoor tour operators with a valid license issued under Article IV, Chapter 8 of this Code.

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

PART III. This ordinance is effective May 1, 2018.

ADOPTED this _____ day of _____, 2018.

Bobby Hanig, Chairman

ATTEST:

Leeann Walton, Clerk to the Board

APPROVED AS TO FORM:

Donald I. McRee, Jr., County Attorney

Date adopted: _____

FIRST READING

Motion to adopt by Commissioner _____

Second by Commissioner _____

Vote: _____ AYES _____ NAYS

SECOND READING

Motion to adopt by Commissioner _____

Second by Commissioner _____

Vote: _____ AYES _____ NAYS



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2106)

Agenda Item Title

Carova Beach Road Service District Committee

Brief Description of Agenda Item:

Appointments by Consensus:

Commissioner White wishes to submit a nominee to fill a full-time resident seat. In addition, the following positions are due for appointment:

Carova Beach Fire Chief appointment-Jay Laughmiller (replacing Bill Vann)

Fire & EMS Chief reappointment-Ralph Melton

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
2nd Term Start Date: 8-18-2015

Member: Carova Resident**Mark Pinner** **Term Expires: 8-18-2017**

402 Sunfish Lane
 Corolla, NC 27927
 252-453-8909
mpinner@twiddy.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**Bill Vann**

Carova Fire Department
 2380 Carova Road
 Corolla, NC 27927
 453-3688
vannsb@msn.com

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
NORTH CAROLINA**

February 5, 2018

Minutes – Regular Meeting of the Board of Commissioners

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners held their regular meeting at 6:00 PM in the Board Meeting Room of the Historic Currituck 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 Susan Fitch-Slater, Sharon United Methodist Church

Reverend Susan Fitch-Slater attended to offer the Invocation and lead the Pledge of Allegiance.

B) Approval of Agenda

Commissioner Gilbert requested that Item B under Public Hearings, PB16-17: SB&K Investments, be removed from the evening's agenda and continued to February 19, 2018. Commissioner Gilbert moved to approve as amended, the motion was seconded by Commissioner White, and passed unanimously.

Approved agenda:

6:00 PM Call to Order

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

B) Approval of Agenda

Communication: BOC Minutes for February 5, 2018 (Approval Of Minutes for February 5, 2018)

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.

Public Hearings

- A) **PB 13-29 TFP, LLC:** The subject property located at 1149 Persimmon Street, Corolla, NC is zoned Conditional General Business subject to a conceptual development plan that allows construction of a 10 bedroom Inn. The applicant is requesting an amendment to the Conditional Zoning to allow construction of a 12 bedroom Inn.
- B) ~~**PB 16-17 SB&K Investments LLC:**~~ Amended Conditional Rezoning (C-MXR) for 4.01 acres located on Moyock Landing Drive adjacent to the assisted living facility to the east, PIN 0009 000 029T 0000. The request is for a redesign of the multi-family development by deleting the detached garages, adding attached garages for each unit, and reorienting the buildings and infrastructure. ***Continued to regular meeting of the BOC-February 19, 2018***

New Business

- A) **Resolution Authorizing Contract by and between CT Mechanical, Inc. and County of Currituck Pursuant to N.C. Gen. Stat. §14-234**
- B) **Board Appointments**
1. Albemarle Commission, At-Large
- C) **Consent Agenda**
1. Approval Of Minutes for January 16, 2018
 2. Budget Amendments
 3. Resolution of the Currituck County Board of Commissioners Opposing Any Change in the Definition of a Commercial Fishing Operation
 4. Surplus Resolution and Authorization for Captain Samuel B. Casey and Deputy Christopher L. Doxey to Purchase their Service Weapons upon their Retirement
 5. Surplus Resolution-Sheriff K-9, Kido
 6. Consideration of Purchase Requests for Crawford VFD
 7. Consideration and Approval of Economic Improvement Council Community Block Grant Application
 8. Marsy's Law Proclamation

9. Request to Dispose of records of the Whalehead Preservation Trust per the Local Government record retention schedule

D) Commissioner's Report

E) County Manager's Report

Special Meeting of the Tourism Development Authority

TDA Budget Amendments

Closed Session

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

Adjourn

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.

Stuart Baldwin of Grandy expressed concerns about a proposed beach parking permit he read about in the newspaper. Chairman Hanig explained that residents would not have to pay for a permit and that further details would be forthcoming.

Ed Cornet of Corolla used a powerpoint to present information on the county's economy and provided information related to Corolla properties, tax data, overcrowding and beach erosion.

Doris Flora of Moyock discussed her work on the Moyock Small Area Plan and the need for the proposed Moyock Park, which is included in the plan.

Dan Scanlon, County Manager, provided information on the status of the park's construction and design and said funding is currently being identified to move the project forward.

PUBLIC HEARINGS

A. PB 13-29 TFP, LLC:

APPLICATION SUMMARY

APPLICATION SUMMARY	
Property Owner: TFP, LLC PO Box 369 Corolla, NC 27927	Applicant: TFP, LLC PO Box 369 Corolla, NC 27927
Case Number: PB 13-29	Application Type: Conditional Zoning Amendment
Parcel Identification Number: 0114-000-020A-0000	Existing Use: Vacant
Land Use Plan Classification: Full Service with partial Conservation	Parcel Size (Acres): 1.35 acres
Corolla Village Small Area Plan Classification: Mixed Use	Zoning History: Property zoned Residential prior to Conditional GB Zoning approved by BOC on January 6, 2014
Current Zoning: C-GB (10 bedroom Inn)	Proposed Zoning: C-GB (12 bedroom Inn)
Plan Request: Conditional Zoning 1 st Amendment: Construction and operation of a 12 bedroom Inn	

SURROUNDING PARCELS		
	Land Use	Zoning
North	Vacant	SFO w/ PUD overlay
South	Religious institution/Dwelling	SFO
East	Commercial Operations Building/ Water Treatment & Drain field Area	CD-GB / SFO w/ PUD overlay
West	Vacant	SFO

STAFF ANALYSIS

REQUEST

The applicant is seeking an amendment to the conditions of approval to construct a **12 bedroom Inn**. The subject property is zoned Conditional General Business. On January 6, 2014, the BOC approved the conditional zoning for construction of a **10 bedroom Inn** subject to the following conditions:

1. Provide pedestrian friendly circulation from buildings to street right-of-way.
2. Building construction to be reflective of the Corolla Village historic architecture.
3. The property shall be developed in accordance with the Conceptual Development Plans dated November 25, 2013.

Community Meeting

A community meeting was held on Monday, November 13, 2017. A community meeting summary prepared by the applicant is included in the agenda packet.

2006 Land Use Plan

The 2006 Land Use Plan (LUP) classifies the site as mostly Full Service with a small area of Conservation. The Conservation class is applied to areas that should not be developed at all (preserved), or if developed, done so in a very limited manner characterized by careful planning and cautious attention to the conservation of environmental features. The applicant has proposed to mitigate the conflict with the Land Use Plan by incorporating Low Impact Development techniques including the use of porous pavement, bio retention basins for stormwater collection, and preservation of existing, significant vegetation. The proposed conditional zoning amendment is consistent with Policy OB5 since it will help to preserve and protect the historic character and heritage of the COROLLA VILLAGE area by incorporating Historic Corolla Village architectural details.

Corolla Village Small Area Plan

The Corolla Village Small Area Plan (CVSAP) classifies the parcel as Mixed Use. The proposed conditional zoning amendment appears to be consistent with this plan as it provides a different type of lodging accommodation in the Village. The Mixed Use area of the plan provides for a diverse mix of land uses. The proposed amendment conforms to Policy LU1 by maintaining desirable building style characteristics, architectural features that promote the character of Corolla Village, and it conforms to Policy LU2 by promoting a small village feel by orienting the building entrance to the street, designing parking on the side, and incorporating front porches. The site also incorporates pedestrian oriented features.

REVIEW STANDARDS

IN DETERMINING WHETHER TO ADOPT OR DENY A PROPOSED MAP AMENDMENT, THE BOARD OF COMMISSIONERS MAY WEIGH THE RELEVANCE OF AND CONSIDER WHETHER AND TO THE EXTENT TO WHICH THE PROPOSED AMENDMENT:

- IS CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE LAND USE PLAN, OTHER APPLICABLE COUNTY-ADOPTED PLANS, AND THE PURPOSES OF THIS ORDINANCE;
 - THE REQUESTED AMENDMENT IS CONSISTENT WITH THE COUNTY'S ADOPTED PLANS INCLUDING THE LAND USE PLAN AND COROLLA VILLAGE SMALL AREA PLAN.
- IS IN CONFLICT WITH ANY PROVISION OF THIS ORDINANCE, OR THE COUNTY CODE OF ORDINANCES;
 - THE REQUESTED AMENDMENT IS NOT IN CONFLICT WITH COUNTY ORDINANCES.
- IS REQUIRED BY CHANGED CONDITIONS;
 - ACCORDING TO THE APPLICANT, THE ADDITIONAL ROOMS ARE REQUIRED FOR THE DEVELOPMENT TO BE SUCCESSFUL.
- ADDRESSES A DEMONSTRATED COMMUNITY NEED;
 - STAFF IS NOT AWARE OF A DEMONSTRATED COMMUNITY NEED FOR THE AMENDMENT TO THE CONDITIONAL ZONING.
- IS COMPATIBLE WITH EXISTING AND PROPOSED USES SURROUNDING THE LAND SUBJECT TO THE APPLICATION, AND IS THE APPROPRIATE ZONING DISTRICT AND USES FOR THE LAND;
 - THE REQUESTED AMENDMENT IS CONSISTENT WITH THE SURROUNDING LAND AND IS THE APPROPRIATE ZONING DISTRICT FOR CONSTRUCTION OF A 12 BEDROOM INN.
- ADVERSELY IMPACTS NEARBY LANDS.
 - Staff is not aware of adverse impacts to nearby lands; the site will include landscape buffers, screening of loading and refuse areas, the structure will incorporate the Historic Corolla Village Architecture and limited disturbance is proposed along the property lines that abut vacant property.
- WOULD RESULT IN A LOGICAL AND ORDERLY DEVELOPMENT PATTERN;
 - IT IS STAFF'S OPINION THAT THE AMENDMENT TO THE REZONING WILL RESULT IN A LOGICAL AND ORDERLY DEVELOPMENT PATTERN.
- WOULD RESULT IN SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT – INCLUDING, BUT NOT LIMITED TO WATER, AIR, NOISE, STORMWATER MANAGEMENT, WILDLIFE, VEGETATION, WETLANDS, AND THE NATURAL FUNCTIONING OF THE ENVIRONMENT;
 - STAFF IS NOT AWARE OF ANY ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT BECAUSE OF THE PROPOSED REZONING AMENDMENT; CHANGES TO THE PREVIOUSLY APPROVED CONCEPTUAL DEVELOPMENT PLAN ARE MINIMAL.
- WOULD RESULT IN DEVELOPMENT THAT IS ADEQUATELY SERVED BY PUBLIC FACILITIES;
 - THE ZONING AMENDMENT WILL NOT HAVE AN IMPACT ON ADEQUATE PUBLIC FACILITIES.
- WOULD NOT RESULT IN SIGNIFICANTLY ADVERSE IMPACTS ON THE LAND VALUES IN THE SURROUNDING AREA; AND,
 - STAFF IS NOT AWARE OF ANY SIGNIFICANTLY ADVERSE IMPACTS ON THE LAND VALUES IN THE SURROUNDING AREA.
- WOULD NOT CONFLICT WITH THE PUBLIC INTEREST AND IS IN HARMONY WITH THE PURPOSES AND INTENT OF THIS ORDINANCE.
 - STAFF IS NOT AWARE OF ANY CONFLICT WITH THE PUBLIC INTEREST OR HARMONY WITH THE ORDINANCE.

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

- It is located mostly in a Full Service Area and Low Impact Development techniques are proposed on the site.
- It will help to preserve and protect the historic character and heritage of the COROLLA VILLAGE area by incorporating Historic Corolla Village architectural details. (Policy OB5)

The conditional rezoning amendment request is consistent with the Corolla Village Small Area Plan because:

- It maintains desirable building style characteristics and architectural features that promote the character of Corolla Village. (Policy LU1)
- It promotes a small village feel by orienting the building entrance to the street, designing parking on the side and incorporating front porches and pedestrian oriented features. (Policy LU2)

The request is reasonable and in the public interest because:

- It provides diversity of lodging accommodations in the Corolla Village Area and a vibrant village area will help to promote the historic character and heritage of the area.

TECHNICAL REVIEW COMMITTEE

The TRC recommends conditional approval of the proposed request to amend the conditional zoning (C-GB).

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.

Conditions of approval:

1. Provide pedestrian friendly circulation from buildings to street right-of-way.
2. Building construction to be reflective of the Corolla Village historic architecture.
3. The property shall be developed in conformance with the site plan set prepared by Quible & Associates, P.C. dated November 22, 2017 and the architectural plans prepared by CPAA dated November 2, 2017 subject to Major Site Plan approval by the County's Technical Review Committee.

PLANNING BOARD - JANUARY 9, 2018

PLANNING BOARD RECOMMENDATION

RECOMMENDED APPROVAL WITH ADDED CONDITION THAT THE INN WILL HELP MAINTAIN PERSIMMON STREET

AYES: Carol Bell, Chairman, Fred Whiteman, Vice Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, John McColley, Board Member, Jane Overstreet, Board Member

ABSENT: Jeff O'Brien, Board Member, J. Timothy Thomas, Board Member

Planning Board Discussion

Planner II, Jennie Turner presented the staff report. The applicant is seeking an amendment to the conditions of approval to construct a 12 bedroom Inn. The property is zoned Conditional General Business. The Board of Commissioners in 2014 had previously approved the conditional zoning for construction of a 10 bedroom Inn. Ms. Turner said the amendment would cause a slight shift in the location of the building, but not the footprint of the building. It will also change the driveway area by including an exit on Persimmon Street. The applicant has submitted a Major Site Plan Application. Ms. Turner presented various slides showing the location, the zoning, service area, etc. The TRC has recommended approval.

Chairman Bell asked if the board members had any questions for staff. There were no questions.

Chairman Bell asked the applicant to come before the board. Cathleen Saunders with Quible & Associates approached to represent the Applicant, TFP, LLC. She said NCDOT has approved the Corolla Village Road.

Chairman Bell asked board members if they had questions for Ms. Saunders. Mr. McColley asked if there were any current issues concerning the road in the village. Ms. Saunders said they are willing to work with adjoining neighbors on maintaining the road.

Chairman Bell asked if there was anyone to speak in opposition. Mr. Austin approached the board and said his main concern was the Inn would not have management at night.

Board members and staff had discussion on the difference in a Bed & Breakfast and an Inn/Hotel and whether an Inn required on-site management at night. Mr. Craddock read a letter that was sent to adjoining property owners (APO) for the community meeting stating the site would be a Bed & Breakfast and he stated this letter was misleading. Ms. Turner said the APO sent for the 2014 Board of Commissioners Meeting and the approval did not mention Inn or Bed & Breakfast. Staff stated it is a matter of semantics and a letter will be mailed to adjoining property owners prior to the Board of Commissioners Meeting.

Chairman Bell closed the public hearing and asked for a motion.

Motion

Mr. Whiteman motioned to approve the requested conditional zoning amendment to allow for the 12 bedroom Inn because it is consistent with the 2006 Land Use Plan because:

- It is located mostly in a Full Service Area and Low Impact Development techniques are proposed on the site.
- It will help to preserve and protect the historic character and heritage of the Corolla Village area by incorporating Historic Corolla Village architectural details. (Policy OB5)

Also, because it is consistent with the Corolla Village Small Area Plan because:

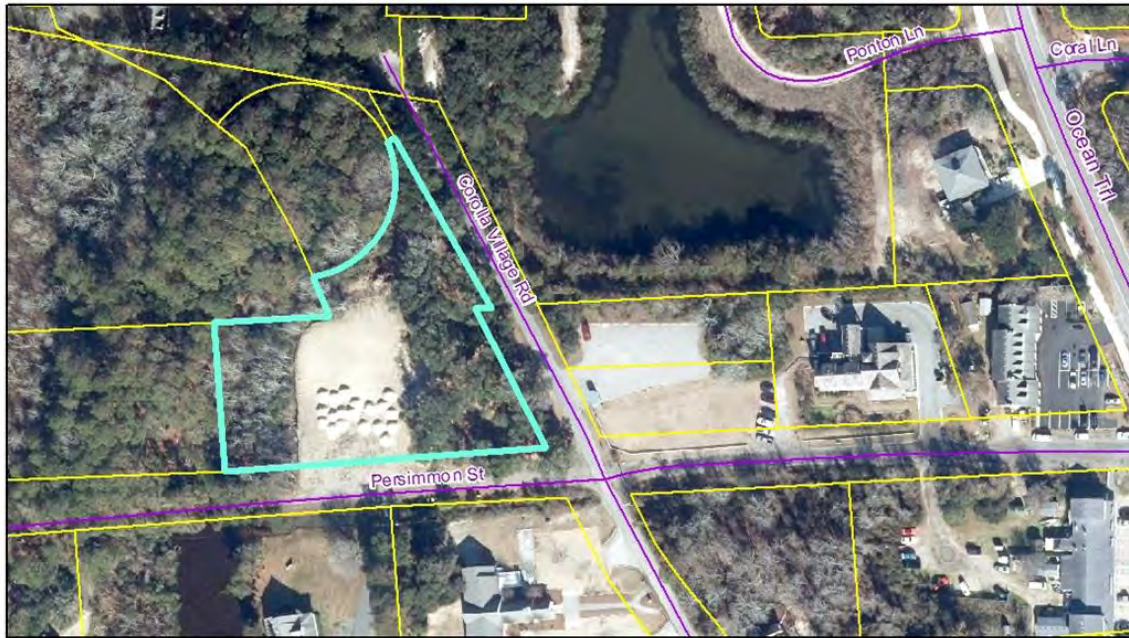
- It maintains desirable building style characteristics and architectural features that promote the character of Corolla Village. (Policy LU1)
- It promotes a small village feel by orienting the building entrance to the street, designing parking on the side and incorporating front porches and pedestrian oriented features. (Policy LU2)

The request is reasonable and in the public interest because:

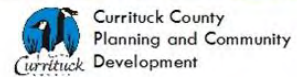
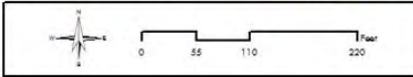
- It provides diversity of lodging accommodations in the Corolla Village Area and a vibrant village area will help to promote the historic character and heritage of the area.

Mr. McColley requested discussion to add the condition of approval that the Inn will help maintain Persimmon Street. Mr. Whiteman said he will add the condition to his motion that Quible & Associates will present a written statement to the Planning Department showing how they will help maintain Persimmon Street. Mr. Ballance seconded the motion with the added condition and the motion was approved unanimously.

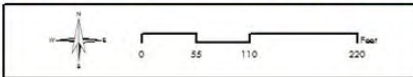
STAFF NOTE: The County does not have the authority to include a zoning condition requiring off-site improvements including road maintenance. The applicant has indicated that they are amenable to cooperating with adjacent property owners on maintenance of Persimmon Street.



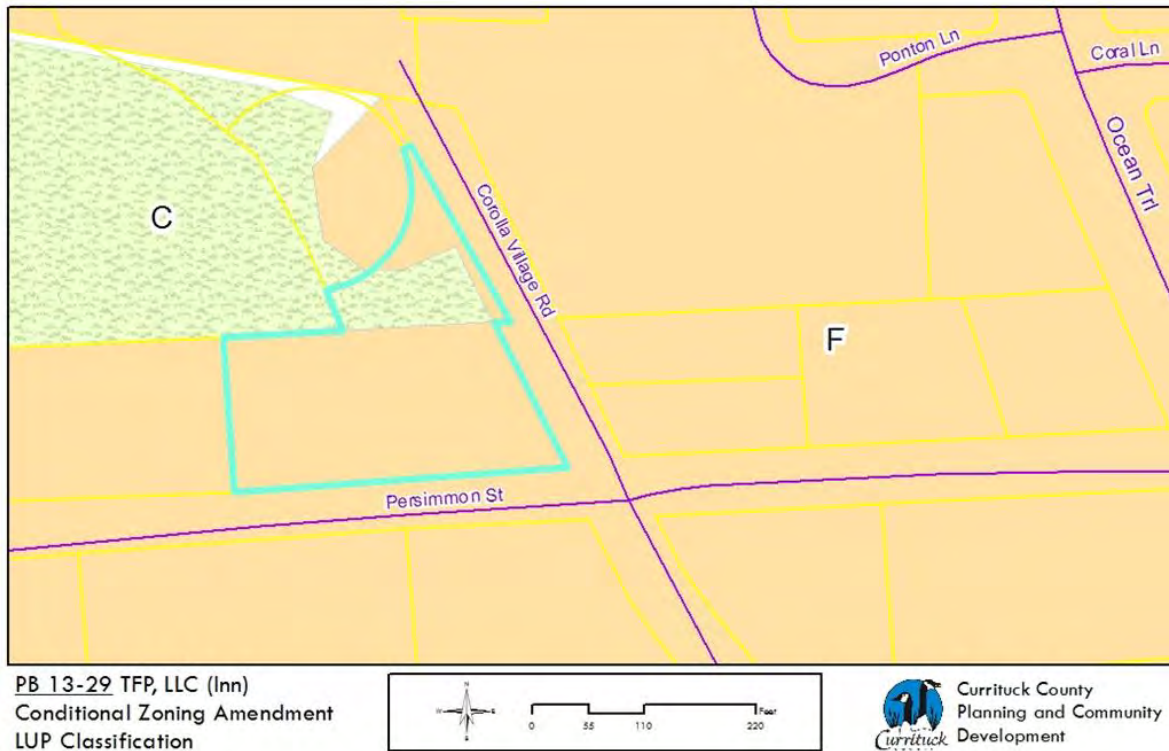
PB 13-29 TFP, LLC (Inn)
Conditional Zoning Amendment
Aerial



PB 13-29 TFP, LLC (Inn)
Conditional Zoning Amendment
Zoning



Communication: BOC Minutes for February 5, 2018 (Approval Of Minutes for February 5, 2018)



Planning and Community Development Director, Laurie LoCicero, used a powerpoint to present the request to the Board. She responded to Board questions after presentation related to size of the Inn, maintenance of Persimmons Road as a private road, and noted public concerns raised at community meetings were related to road maintenance and noise. She confirmed a conditional use permit has already been issued for a ten bedroom inn.

Chairman Hanig opened the public hearing.

Pat Hudspeth, Attorney for the applicant, said the square footage will not change, only the number of bedrooms.

Kathleen Saunders, Engineer with Quible and Associates, said the building design was shifted from ten to twelve units to allow for better project feasibility. She said since the Inn would be unmanned, a 24-hour emergency contact number will be provided for guests and shared with neighboring properties to report any issues that may arise. She said there would be no kitchen on site.

Scott Austin, a Corolla resident, said the letters he received said the structure would be a Bed & Breakfast, which has staff present at all times. He said they are asking for an unmanned hotel. Mr. Austin said he has no problem with a bed and breakfast but does not want an unmanned inn. He believes he was misled and expressed concern that this may open the door for others who have commercial property within the village to open hotels. The Board asked Ms. LoCicero to review the language in the initial application. She said the application does state a ten bedroom bed and breakfast, but if it were, the applicant would not have had to apply for rezoning, as the property was previously zoned Single-Family Outer Banks (SF-OBX).

The Board discussed Mr. Austin's concerns and asked Ms. Hadley Twiddy, who was present, to speak to the operation of the facility.

Hadley Twiddy said she would be running the inn. She reviewed the prior application and approval as an Inn, and understands the concerns of the neighbors. She said there would be someone on site for a significant portion of the day and, if needed, there is a place for an employee to stay overnight. Ms. Twiddy said the wish is to run a successful business and appropriate operational procedures will be established.

The Board discussed the enforcement of county ordinances for noise or other reported violations. The ability of the Board to place conditions on the approval were discussed.

Commissioner White moved to approve amended PB 13-29, with staff recommended conditions noted on page 9 of the agenda packet, because it is consistent with the Corolla Village Small Area Plan in that the project maintains desirable building style characteristics and architectural features that promote the character of Corolla Village (Policy LU1) and it promotes a small village feel by orienting the building entrance to the street, designing parking on the side and incorporating front porches and pedestrian oriented features (Policy LU2). The request is reasonable and in the public interest because the project provides diversity of lodging accommodation in the Corolla Village area and a vibrant village will help promote the historic character and heritage of the area.

The motion was seconded by Commissioner Etheridge and passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, 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. PB 16-17 SB&K Investments LLC:

The agenda was amended to continue this item to the next regular meeting of the Board of Commissioners.

RESULT:	CONTINUED [UNANIMOUS]	Next: 2/19/2018 6:00 PM
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	

NEW BUSINESS

A. Motion to allow Recusal

Commissioner Payment requested recusal from the discussion and vote during consideration of the Resolution to allow CT Mechanical, Inc., to contract with Currituck County. The company is owned by Commissioner Payment.

Commissioner Gilbert moved to allow Commission Payment to be recused. The motion was seconded by Commissioner White and 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

B. Resolution Authorizing Contract by and between CT Mechanical, Inc. and County of Currituck Pursuant to N.C. Gen. Stat. §14-234

County Attorney, Ike McRee, reviewed the North Carolina General Statute and requirements within the statute that give local governments the ability to contract with members of a governing Board. Mr. McRee responded to Board questions and recommended approval of the resolution.

After discussion, Commissioner Hall moved for approval. The motion was seconded by Commissioner Gilbert and passed unanimously.

Commissioner Payment returned to the meeting room.

RESOLUTION AUTHORIZING CONTRACT BY AND BETWEEN CT MECHANICAL, INC. AND COUNTY OF CURRITUCK PURSUANT TO N.C. GEN. STAT. §14-234

WHEREAS, the County of Currituck is in regular need of heating, air conditioning and ventilation services; and

WHEREAS, CT Mechanical, Inc. is a heating, air conditioning and ventilation contractor that has provided regular and quality service to the County of Currituck; and

WHEREAS, Commissioner Mike Payment has more than a ten percent (10%) ownership interest in CT Mechanical, Inc.; and

WHEREAS, N.C. Gen. Stat. §14-234 provides that a public officer may not enter into a contract with the county served by the public officer except in a county with no town or city with population of more than 15,000 persons and so long as the amount of the contract does not exceed \$40,000.00 in a twelve month period; and

WHEREAS, there are no cities or towns in County of Currituck; and

WHEREAS, CT Mechanical, Inc. has performed under previous contracts with the county and the county has determined that it is in the county's best interest for such contracts to continue.

NOW, THEREFORE, BE IT RESOLVED BY the Currituck County Board of Commissioners that:

- Section 1. The County Manager is authorized to execute a contract with CT Mechanical, Inc. for heating, air conditioning and ventilation services in an amount not to exceed \$40,000.00 in a twelve month period.
- Section 2. This resolution shall be recorded in the official minutes of the Board of Commissioners for Currituck County stating that Commissioner Mike Payment did not vote or otherwise participate in the adoption of this resolution.
- Section 3. The Clerk to the Board of Commissioners and Finance Officer are directed to comply with the posting and reporting requirements set forth in N.C. Gen. Stat. §14-234 with respect to this resolution and contract described herein.
- Section 4. This resolution is effective upon adoption

ADOPTED the 5th day of February, 2018.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

(COUNTY SEAL)

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

C) Board Appointments

1. Albemarle Commission, At-Large

Commissioner Gilbert discussed the current vacancy on the Albemarle Commission Board and nominated Elizabeth White to fill the at-large seat as Currituck County's representative. Commissioner Payment seconded the nomination and Ms. White was unanimously approved.

Communication: BOC Minutes for February 5, 2018 (Approval Of Minutes for February 5, 2018)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, 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

D) Consent Agenda

Commissioner Hall highlighted some of the items on the consent agenda, including the Resolution supporting Commercial fishermen and the Marsy's Law Proclamation which promotes victim rights. He wished K-9 Kido well in his retirement and in his new home with Deputy Evans.

Commissioner Payment confirmed the Board's unanimous support for commercial fishermen.

Commissioner Etheridge asked Mr. Scanlon to review the budget amendment for \$111,000 to purchase assets to patrol the 4WD area. Mr. Scanlon said the budget amendment was a request from the Sheriff's Department for the purchase of three jeeps and a utility vehicle, replacing the equipment previously used. The cost includes outfitting the vehicles with radio equipment and public safety items such as graphics and lights. Mr. Scanlon said the jeeps would enable Sheriff's Deputies to patrol the beach area more efficiently over a wider area. Commissioner Etheridge suggested not replacing everything at once, as it is a large expense.

Mr. Scanlon confirmed with Commissioner Beaumont, as the Commissioner representative on the Fire Advisory Board, that Fire Departments would engage the county before going to a financial institution to borrow money, as the county may be able to provide a better rate.

After discussion, Commissioner Gilbert made a motion for approval of the Consent Agenda. Commissioner White seconded and 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

1) Approval Of Minutes for January 16, 2018

1. Minutes for January 16, 2018

2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
50442-590005	Conn Corolla - Albacore Sidewalk	\$ 12,250	
50442-588000	Contingency - Connect Corolla		\$ 12,250
		\$ 12,250	\$ 12,250
Explanation:	Connecting Corolla (50442) - Transfer contingency funds for 110 foot bulkhead at Albacore and Whalehead.		
Net Budget Effect:	County Governmental Facilities (50) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
61818-590000	Capital Outlay		\$ 35,500
61380-482000	Miscellaneous	\$ 35,500	
		\$ 35,500	\$ 35,500
Explanation:	Mainland Water (61818) - Increase appropriations for a water trailer funded 100% through DPR1 Public Safety grant funding.		
Net Budget Effect:	Mainland Water Fund (61) - Increased by \$35,500.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10512-514800	Fees Paid to Officials	\$ 1,000	
10512-514500	Training & Education		\$ 1,000
		\$ 1,000	\$ 1,000
Explanation:	Animal Services and Control (10512) - Transfer budgeted funds for additional advisory board meetings.		
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>		
10460-526000	Advertising	\$ 300	
10460-502000	Salaries		\$ 300
		<u>\$ 300</u>	<u>\$ 300</u>
Explanation:	Public Works (10460) - Transfer funds for advertising unanticipated vacant Public Works positions.		
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>		
10490-516000	Repairs & Maintenance - Other	\$ 1,000	
10490-516003	Repairs & Maintenance - Courts	\$ 4,000	
10490-590000	Capital Outlay		\$ 5,000
		<u>\$ 5,000</u>	<u>\$ 5,000</u>
Explanation:	Court Facilities (10490) - Transfer budgeted funds for repairs to the Judicial building.		
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>		
10530-590000	Capital Outlay	\$ 21,505	
10530-513000	Utilities		\$ 1,000
10380-484001	Insurance Recovery		\$ 20,505
		<u>\$ 21,505</u>	<u>\$ 21,505</u>
Explanation:	Emergency Medical Services (10530) - Increase appropriations to repair ambulance involved in an accident.		
Net Budget Effect:	Operating Fund (10) - Increased by \$20,505.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
12548-582400	Notes Payable	\$ 1,000	
12548-545000	Contract Services		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>
Explanation:	Knotts Island VFD (12548) - Transfer funds within the Knotts Island VFD funding for amounts due to the County for loan.		
Net Budget Effect:	Fire Services (12548) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10510-590000	Capital Outlay	\$ 111,000	
10390-495015	T F - Occupancy Tax		\$ 111,000
		<u>\$ 111,000</u>	<u>\$ 111,000</u>
Explanation:	Sheriff (10510) - Increase appropriations for replacement vehicles for beach patrol.		
Net Budget Effect:	Operating Fund (10) - Increased by \$111,000.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
61818-561000	Professional Services	\$ 53,600	
61360-471000	Tap and Connection Fees		\$ 53,600
		<u>\$ 53,600</u>	<u>\$ 53,600</u>
Explanation:	Mainland Water (61818) - Increase appropriations for contract to assist the County engineer with water modeling of the Currituck mainland water system.		
Net Budget Effect:	Mainland Water Fund (61) - Increased by \$53,600.		

3. Resolution of the Currituck County Board of Commissioners Opposing Any Change in the Definition of a Commercial Fishing Operation

RESOLUTION

Communication: BOC Minutes for February 5, 2018 (Approval Of Minutes for February 5, 2018)

OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the economy for Currituck County and other coastal communities; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

NOW THEREFORE BE IT RESOLVED that the Currituck County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Currituck County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 5th day of February, 2018.

Bobby Hanig, Chairman

ATTEST:

Leeann Walton, Clerk to the Board

Communication: BOC Minutes for February 5, 2018 (Approval Of Minutes for February 5, 2018)

4. Surplus Resolution and Authorization for Captain Samuel B. Casey and Deputy Christopher L. Doxey to Purchase their Service Weapons upon their Retirement

WHEREAS, the Board of Commissioners of Currituck County, North Carolina, during its regular meeting held on February 5, 2018, authorized the following property listed below be declared surplus and disposed of; and

WHEREAS, Sheriff Johnson has requested that upon the retirement of Captain Samuel B. Casey that his duty weapon, a Glock 22 handgun, Serial #PVF968, be given to him. Mr. Casey has made the request to purchase same for \$1 upon his retirement.

ADOPTED this the 5th day of February, 2018.

ATTEST:

Bobby Hanig, Chairman

Clerk to the Board of Commissioners

WHEREAS, the Board of Commissioners of Currituck County, North Carolina, during its regular meeting held on February 5, 2018, authorized the following property listed below be declared surplus and disposed of; and

WHEREAS, Sheriff Johnson has requested that upon the retirement of Deputy Christopher Doxey that his duty weapon, a Glock 22 handgun, Serial #PVF928, be given to him. Mr. Doxey has made the request to purchase same for \$1 upon his retirement.

ADOPTED this the 5th day of February, 2018.

ATTEST:

Bobby Hanig, Chairman

Clerk to the Board of Commissioners

5. Surplus Resolution-Sheriff K-9, Kido

Communication: BOC Minutes for February 5, 2018 (Approval Of Minutes for February 5, 2018)

“WHEREAS, The Board of Commissioners of the County of Currituck, North Carolina, during its regularly scheduled meeting and pursuant to G.S. 160A and 270(b), approve the property listed in this Resolution to be declared surplus and authorize its conveyance to handler, Deputy Jeremy Evans.

[illegible]

8. Marsy's Law Proclamation

WHEREAS, per the Federal Bureau of Investigation’s (FBI) most recent “Crime in the United States” report, in 2013 a total of 33,700 North Carolinians were the victim of Violent

“Index Crimes” including: murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft and arson; and

WHEREAS, Marsy’s Law for North Carolina will ensure that victim’s receive the same rights that are afforded to criminals and have rights to notification of release, hearings, appropriate restitution, and the right to speak at during criminal proceedings; and

WHEREAS, Victims’ Rights is a non-partisan, non-political issue, and Marsy’s Law is a common sense approach to ensuring Victims’ Rights

NOW THEREFORE, the Currituck County Board of Commissioners, do hereby proclaim support for HB 551/SB 595-Marsy’s Law, In and for the County of Currituck, and encourage all of our citizens to join in the commitment to protect the rights of North Carolina crime victims.

ADOPTED this the 5th day of February, 2018.

Bobby Hanig, Chairman

ATTEST:

Clerk to the Board

9. Request to Dispose of records of the Whalehead Preservation Trust per the Local Government record retention schedule

E) Commissioner’s Report

Commissioner Hall talked about the Beach Parking pass, and said it is a work in progress and there is still time for comments.

Commissioner Gilbert reported that she and Chairman Hanig had attended the Moyock Volunteer Fire Department awards banquet and commended all of those who volunteer. She announced Lower Currituck Volunteer Fire Department (LCVFD) would be holding their awards banquet on Saturday. Commissioner Gilbert said the Moyock Women’s Club White out for Hunger to benefit the food pantry was also held on Saturday, and she thanked all who participated.

Commissioner Payment also talked about Saturday night’s LCVFD banquet, thanking all of the Fire dept members and volunteers. He said there are many ways to volunteer and encouraged folks to do so.

Chairman Hanig talked about a young man that had a remarkable 3,800 volunteer hours at the Moyock Volunteer Fire Department. He said the motivation and comraderie is truly special and thanked folks who lead these volunteer programs.

Communication: BOC Minutes for February 5, 2018 (Approval Of Minutes for February 5, 2018)

F) County Manager's Report

Mr. Scanlon talked about the many calls the office has received related to the beach parking pass the Board will be considering, the vast majority of which were questions related to the fee. He clarified the Board's intention to allow property owners and residents to obtain passes at no fee. He said the item should be in front of the Board at the next meeting.

RECESS

Chairman Hanig recessed the regular meeting to hold a Special Meeting of the Tourism Development Authority.

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

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

G. TDA Budget Amendments

County Manager, Dan Scanlon, reviewed the Tourism Development Budget Amendments under consideration.

After review, Commissioner Gilbert moved to approve the budget amendments. The motion was seconded by Commissioner Etheridge and passed unanimously.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
15448-590000	Capital Outlay	\$ 2,450	
15448-516000	Maintenance & Repair		\$ 2,450
		\$ 2,450	\$ 2,450
Explanation:	Occupancy Tax -Tourism Related- Whalehead (15448) -Transfer funds to repair Whalehead restroom facility that was damaged due to frozen pipes in January		
Net Budget Effect:	Occupancy Tax Fund (15) - No change.		

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15442-545000	Promotion - Contracted Services		\$ 700
15442-590000	Promotion - Capital Outlay	\$ 700	
		\$ 700	\$ 700

Explanation: Occupancy Tax - Promotion (15442) -Transfer funds for replacement HVAC unit.

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

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-587010	T T - Operating Fund	\$ 111,000	
15320-415000	Occupancy Tax		\$ 111,000
		\$ 111,000	\$ 111,000

Explanation: Occupancy Tax -Tourism Related (15447) -Increase appropriations to transfer funds to the operating fund for vehicle purchased for beach patrol.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$111,000.

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

Motion to Adjourn

With no further business, Commissioner Gilbert moved to adjourn. The motion was seconded by Commissioner White, passed unanimously, and the meeting of the Tourism Development Authority was adjourned.

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

CLOSED SESSION

After adjournment of the meeting of the Tourism Development Authority, Chairman Hanig reconvened the regular meeting of the Board of Commissioners.

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

Commissioner Gilbert moved to enter Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and in order to preserve the attorney-client privilege. The motion was seconded by Commissioner Etheridge. The motion passed unanimously and the Board went into closed session.

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

Motion to Adjourn Meeting

The Board had no further business after returning from Closed Session and Commissioner Payment made a motion to adjourn. The motion was seconded by Commissioner White and was passed unanimously. The Board of Commissioner meeting adjourned at 7:45 PM.

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



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2104)

Agenda Item Title

Budget Amendments

Brief Description of Agenda Item:

Board Action Requested

Action

Person Submitting Agenda Item

Sandra Hill, Director

Presenter of Agenda Item

Daniel F. Scanlon

Number

20180059

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-508510	Supplemental Retirement - Sheriff	\$ 2,708	
10380-488400	ABC Profits		\$ 2,708
		<u>\$ 2,708</u>	<u>\$ 2,708</u>

Explanation: Sheriff (10510) - Increase appropriations for G.S. 143-166.82 to require Counties to contribute to the Sheriffs' Supplemental Pension Fund, which became effective January 1, 2018.

Net Budget Effect: Operating Fund (10) - Increased by \$2,708.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number

20180060

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10330-445000	Emergency Mgmt		\$ 20,625
10531 545000	Contracted Services	\$ 6,625	
10531-590000	Capital Outlay	\$ 14,000	
		<u>\$ 20,625</u>	<u>\$ 20,625</u>

Explanation: Emergency Management (10531) - Increase appropriations for the 2017 Emergency Management Performance Grant that will be utilized to bring training to local responders and weather monitoring systems throughout the county.

Net Budget Effect: Operating Fund (10) - Increased by \$20,625.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number 20180061

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10415-561000	Professional Services	\$ 100,000	
10350-484000	Rent		\$ 65,000
10340-450500	Administration & Filing Fees		\$ 35,000
		<u>\$ 100,000</u>	<u>\$ 100,000</u>

Explanation: Legal (10415) - Increase appropriations for additional legal costs for outside legal counsel in various law suits.

Net Budget Effect: Operating Fund (10) - Increased by \$100,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number

20180062

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10650-532000	Supplies	\$ 2,760	
10650-514800	Fees Paid to Officials		\$ 2,100
10650-561000	Professional Services		\$ 660
		<u>\$ 2,760</u>	<u>\$ 2,760</u>

Explanation: Economic Development (10650) - Transfer budgeted funds to replace office furniture in the Economic Development office.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number

20180063

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10490-545003	Judicial Center - Contracted Services	\$ 7,500	
10460-506000	Health Insurance		\$ 7,500
		<u>\$ 7,500</u>	<u>\$ 7,500</u>

Explanation: Public Works (10460); Court Facility Fees (10490) - Transfer residual health insurance funds to contracted services for emergency rental of portable HVAC systems for courtrooms.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number

20180064

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
63838-561500	Solid Waste - Monitoring Wells	\$ 700	
63838-545000	Contract Services		\$ 700
		<u>\$ 700</u>	<u>\$ 700</u>

Explanation: Solid Waste (63838) - Transfer funds for increased costs for testing fees associated with monitoring wells at the solid waste sites.

Net Budget Effect: Solid Waste (63) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number

20180065

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10420-589000	Board OSD Projects	\$ 4,900	
10380-481000	Investment Earnings		\$ 4,900
		<u>\$ 4,900</u>	<u>\$ 4,900</u>

Explanation: Governing Body (10420) - Increase appropriations due to additional retirees that were not anticipated for this year.

Net Budget Effect: Operating Fund (10) - Increased by \$4,900.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number

20180066

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10540-514000	Travel		\$ 3,000
10540-545100	Credit Card Fees	\$ 3,000	
		<u>\$ 3,000</u>	<u>\$ 3,000</u>

Explanation: Inspections (10540) - Transfer budgeted funds for increased costs of credit card fees due to increased participation in online permitting and payment by credit/debit cards.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number

20180067

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50848-587067	T T - Mainland Sewer System	\$ 378,000	
50511-590001	Connect Jail to MCP Sewer		\$ 378,000
57878-590000	Capital Outlay	\$ 378,000	
57390-495050	T F - Co Governmental Construction		\$ 378,000
		<u>\$ 756,000</u>	<u>\$ 756,000</u>

Explanation: County Governmental Construction (50848); Mainland Sewer Construction (57878) - Transfer funds originally budgeted to connect the Jail to the Maple Commerce Park sewer to the Mainland Sewer Construction to replace the ground water lowering flow meter at Maple Commerce Park wastewater treatment plant, replace sludge piping and pumps at Walnut Island wastewater treatment plant, and make the following repairs at the moyock Central Sewer: replace sand media in high rate infiltration disposal diel, replace media in polishing filters, install stainless steel tub ring in post anoxic tanks, install new automated bar screen in flow equalization tank, install HDPE filter media in aeration tanks, install treatment system for on-site well, replace aeration tank blower and engineering services for the above projects.

Net Budget Effect: County Governmental Construction (50) - Reduced by \$378,000.
Mainland Sewer Construction (57) - Increased by \$378,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)

Number 20180068

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10330-430000	DSS Miscellaneous	\$ 594	
10330-432800	Day Care	\$ 695,019	
10390-499900	Fund Appropriate Balance	\$ 8,097	
10750-514500	Training & Education	\$ 200	
10750-561000	Professional Services	\$ 2,800	
10750-531000	Fuel		\$ 3,000
10750-557700	Crisis Intervention		\$ 297
10750-557701	LIEAP		\$ 297
10752-519600	Child Daycare		\$ 703,116
10760-519500	Adult - Emergency Assistance	\$ 3,000	
10760-532900	Foster Care Supplement		\$ 3,000
		<u>\$ 709,710</u>	<u>\$ 709,710</u>

Explanation: SOCIAL SERVICES ADMIN (750) - Increase Training & Education to cover the increased cost of training registration fees for the Services unit. Because of higher turnover this fiscal year, DSS has had to send more staff to training. Increase Professional Services to pay Family Reunification Services. These services are 100% reimbursable. PUBLIC ASSISTANCE (752) - Adjust Crisis Intervention and LIEAP lines to the funding authorizations received. Child Care subsidy payments are now paid from the state directly to the vendors. The County no longer receives these funds to pay vendors. COUNTY ASSISTANCE (760) - Increase Adult Emergency Assistance to cover cost of assistance provided to homeless adults.

Net Budget Effect: Operating Fund (10) - Decreased by \$703,710.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-Feb 19_BOC (Budget Amendments)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2101)

Agenda Item Title

Report of Unpaid 2017 Real Estate Taxes & Order of Tax Lien Advertisement

Brief Description of Agenda Item:

Annually, the Tax Collector must report to the Board of Commissioners the amount of unpaid taxes that are a lien on real estate. The Board of Commissioners is required to order the Tax Collector to advertise the tax liens.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item



COUNTY OF CURRITUCK

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

Tracy Sample, Tax Administrator
(252) 232-3005
(252) 232-3568 (FAX)

Report of Unpaid 2017 Real Estate Taxes

and

Order of Advertisement of Tax Liens

To: Board of County Commissioners

From: Tracy Sample, Tax Administrator

Date: February 7, 2018

.....

Report of Unpaid 2017 Real Estate Taxes:

As of February 7, 2018, there is \$1,380,160.25 in unpaid taxes that are a lien on real estate for fiscal year 2017-2018.

North Carolina General Statute 105-369 requires that unpaid real estate tax liens be advertised in one or more newspapers having a general circulation in the county and by posting a notice of the tax liens at the county courthouse. This statute requires that the Board of Commissioners order the tax collector to advertise the tax liens.

Attachment: Report of Unpaid 2017 taxes-Order to Advertise (Tax Dept-Report of Unpaid Taxes and Lien Advertisement)

Order to Tax Collector to Advertise Tax Liens

WHEREAS, N.C.G.S. 105-369 requires the County Tax Collector report to the Board of County Commissioner, the total amount of unpaid taxes for the current fiscal year that are a lien on real property; and

WHEREAS, N.C.G.S. 105-369 also requires that upon receipt of the report, the Board of Commissioners must order the Tax Collector to advertise the tax liens by posting a notice of the liens at the county courthouse and by publishing each lien at least one time in one or more newspapers having general circulation in the taxing unit; and

WHEREAS, the time and content the tax lien advertisement are dictated by N.C.G.S 105-369(c); and

WHEREAS, the report of unpaid taxes for unpaid taxes for the current fiscal year that are a lien on real property has been received;

NOW, THEREFORE BE IT RESOLVED by the Currituck County Board of County Commissioners that the Currituck County Tax Collector is hereby ordered to advertise the tax liens for unpaid taxes for the current fiscal year that are a lien on real property, in accordance with N.C.G.S. 105-369(c).

THIS, the _____ day of _____, 20_____.

THE CURRITUCK COUNTY BOARD OF COMMISSIONERS

BY: _____ (SEAL)
Chairman

Attest:

Clerk to the Board



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2100)

Agenda Item Title

Trillium Fiscal Monitoring Report/Persons Served Data Report

Brief Description of Agenda Item:

Board review of Reports from Trillium for 07/01/17 - 12/31/17:

- 1) FMR 12 17: Fiscal Monitoring Report-All revenues and expenditures including county appropriations. Fund balance that is budgeted for this fiscal year is at the direction of the NCGA with the exception of a small amount of remaining reinvestment funds as approved by the Board of Directors.
- 2) Trillium Persons Served by County-Each county listed shows the county general appropriation for each, persons served by disability, and the value of direct services provided. The value of direct services includes both State and Medicaid funding but does not include funds paid to providers on an expenditure basis. For example if there is special funding allocated by the State to be paid to a specific provider on an expensed basis it is not included. Many of these projects cover multiple counties and are either for a specific start up, statewide project, or to subsidize a state service because fee for service alone will not cover the costs.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Quarterly Fiscal Monitoring Report - DMHDDSAS

LME / MCO NAME: Trillium Health ResourcesFOR THE PERIOD ENDING: 12/31/2017

of month in the fiscal year (July = 1, August = 2, . . . , June = 12) =====>

6

1. REPORT OF BUDGET VS. ACTUAL

ITEM	Basis of Accounting: (check one)	Cash Accrual	(1)	(2)	(3)	(4)	(5)	(6)
			PRIOR YEAR		CURRENT YEAR			
			BUDGET	ACTUAL	BUDGET	ACTUAL YR-TO-DATE	BALANCE (Col. 3-4)	ANNUALIZED PERCENTAGE *
REVENUE								
Service Fees from LME-Delivered Services								
Medicaid Pass Thru			50,000	21,106	50,000	12,446	37,554	49.78%
Interest Earned			500,000	337,787	500,000	226,524	273,476	90.61%
Rental Income			150,750	109,598	150,750	49,088	101,662	65.13%
Budgeted Fund Balance * (Detail in Item 4, below)			58,718,562	-	12,458,990	-	12,458,990	
Other Local			300,000	30,095	300,000	5,332	294,668	3.55%
Total Local Funds			59,719,312	498,586	13,459,740	293,390	13,166,350	4.36%
County Appropriations (by county, includes ABC Funds):								
Beaufort County			174,000	217,400	174,000	49,578	124,422	56.99%
Bertie County			49,390	49,390	49,390	24,695	24,695	100.00%
Brunswick County			250,433	250,443	250,433	62,608	187,825	50.00%
Camden County			24,246	24,254	24,246	6,843	17,403	56.45%
Carteret County			228,000	228,000	228,000	114,000	114,000	100.00%
Chowan County			33,478	34,565	33,478	15,760	17,718	94.15%
Craven County			278,827	280,896	278,827	137,615	141,212	98.71%
Currituck County			58,996	63,918	58,996	31,246	27,750	105.93%
Dare County			411,040	411,040	411,040	35,520	375,520	17.28%
Gates County			29,700	30,274	29,700	14,500	15,200	97.64%
Hertford County			85,350	86,193	85,350	42,250	43,100	99.00%
Hyde County			12,714	15,847	12,714	3,885	8,829	61.11%
Jones County			23,906	24,113	23,906	11,444	12,462	95.74%
Martin County			51,962	56,177	51,962	48,462	3,500	186.53%
Nash County			-	-	166,645	109,537	57,108	131.46%
New Hanover County			2,263,317	2,269,582	2,263,317	588,273	1,675,044	51.98%
Northampton County			81,614	85,614	81,614	38,807	42,807	95.10%
Onslow County			500,000	500,000	500,000	-	500,000	0.00%
Pamlico County			34,593	35,035	34,593	17,236	17,357	99.65%
Pasquotank County			92,506	96,682	92,506	47,325	45,181	102.32%
Pender County			92,900	94,707	92,900	43,550	49,350	93.76%
Perquimans County			29,906	30,562	29,906	14,939	14,967	99.91%
Pitt County			595,500	677,293	595,500	314,486	281,014	105.62%
Tyrell County			9,906	9,906	9,906	4,953	4,953	100.00%
Washington County			30,000	30,000	30,000	15,000	15,000	100.00%
Total County Funds			5,442,284	5,601,891	5,608,929	1,792,512	3,816,417	63.92%
DMH/DD/SAS Services Funding			55,819,596	52,191,441	63,880,334	30,967,094	32,913,240	96.95%
DMA Capitation Funding			325,187,972	335,394,815	372,298,585	191,084,149	181,214,436	102.65%
DMA Risk Reserve Funding			6,636,489	6,844,792	7,597,930	3,899,678	3,698,252	102.65%
All Other State/Federal Funds			620,000	738,592	620,000	252,893	367,107	81.58%
Total State and Federal Funds			388,264,057	395,169,640	444,396,849	226,203,814	218,193,035	101.80%
TOTAL REVENUE			453,425,653	401,270,117	463,465,518	228,289,716	235,175,802	98.51%
EXPENDITURES:								
System Management/Administration/Care Coordination			71,175,158	62,944,354	56,164,825	24,798,934	31,365,891	88.31%
Provider Payments			380,459,524	376,403,268	400,038,560	204,146,578	195,891,982	102.06%
All Other			1,790,971	1,406,238	7,262,133	2,092,634	5,169,499	57.63%
TOTAL EXPENDITURES			453,425,653	440,753,859	463,465,518	231,038,146	232,427,372	99.70%
CHANGE IN CASH BALANCE				(39,483,742)		(2,748,430)		
Beginning Unrestricted Fund Balance				41,570,641		16,758,007		
Balance in DMA Risk Reserve				31,832,057		35,735,645		
Current Estimated Unrestricted Fund Balance and percent of budgeted expenditures			3.70%	16,758,007	1.30%	6,009,359		
2. CURRENT CASH POSITION								
			(1)	(2)	(3)	(4)	(5)	Allowance for Uncollectible Receivables
			30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS	TOTAL	
Accounts Payable (Accrual Method)								
Account Receivable (Accrual Method)								
Current Cash in Bank				111,779,129				
3. SERVICE EXCEPTIONS (Provided Based on System Capability)								
Services authorized but not billed								
4. DETAIL ON BUDGETED FUND BALANCE								
					Budgeted	Year-to-Date	Balance	%
Other (List): From Fund Balance					12,458,990	10,748,648	1,710,342	
Other (List): Medicaid Reinvestment					1,020,333	274,679	745,654	

Attachment: Trillium Dec 2017 FMR (Trillium Fiscal Monitoring & Persons Served Report-July-Dec 2017)

Trillium Health Resources
Persons Served by County July-December 2017

County	Annual County General Funding	Rank	Population	Rank	Disability Area *			Total Persons Served*	Rank	Value of Services Provided	Rank
					Mental Health	I/DD	Substance Abuse				
Beaufort	\$ 157,000	8	47,827	9	1,605	284	473	2,104	7	\$ 9,784,642	6
Bertie	\$ 44,590	16	20,010	16	506	71	63	590	15	\$ 3,234,041	15
Brunswick	\$ 250,433	5	138,430	4	2,730	421	697	3,472	4	\$ 14,612,083	5
Camden	\$ 20,000	23	10,223	23	125	44	26	166	23	\$ 888,288	23
Carteret	\$ 198,000	7	71,265	7	1,816	270	426	2,280	6	\$ 8,082,399	8
Chowan	\$ 29,478	18	13,932	18	299	72	67	390	19	\$ 3,082,031	16
Craven	\$ 249,827	6	101,893	5	2,372	463	718	3,184	5	\$ 14,614,478	4
Currituck	\$ 49,012	14	28,473	12	406	94	75	517	16	\$ 2,960,774	17
Dare	\$ 367,040	4	37,798	11	636	113	197	874	12	\$ 3,458,611	14
Gates	\$ 28,000	19	11,637	21	157	54	30	212	22	\$ 937,208	22
Hertford	\$ 77,750	11	24,309	13	523	144	94	687	13	\$ 4,332,291	11
Hyde	\$ 10,914	24	5,625	24	120	19	21	145	24	\$ 445,715	25
Jones	\$ 20,306	22	10,426	22	274	56	38	341	21	\$ 1,798,398	21
Martin	\$ 48,462	15	23,263	14	727	121	160	886	11	\$ 3,841,314	12
Nash	\$ 121,550	9	93,920	6	1,283	306	282	1,726	9	\$ 9,726,314	7
New Hanover	\$ 2,151,117	1	234,826	1	5,611	1,054	1,611	7,189	1	\$ 34,977,482	1
Northampton	\$ 77,614	12	20,889	15	611	78	49	687	14	\$ 3,541,729	13
Onslow	\$ 400,000	3	205,607	2	4,566	496	526	5,157	3	\$ 17,177,404	3
Pamlico	\$ 30,593	17	13,201	19	383	40	104	483	17	\$ 2,206,174	18
Pasquotank	\$ 85,506	10	40,330	10	1,016	218	145	1,221	10	\$ 4,949,797	10
Pender	\$ 75,000	13	64,102	8	1,395	209	317	1,751	8	\$ 7,365,739	9
Perquimans	\$ 26,906	21	14,112	17	275	70	51	343	20	\$ 2,107,481	19
Pitt	\$ 487,500	2	179,437	3	4,361	842	1,108	5,610	2	\$ 27,281,394	2
Tyrrell	\$ 8,814	25	4,216	25	68	16	20	90	25	\$ 674,643	24
Washington	\$ 27,000	20	12,192	20	352	103	96	471	18	\$ 1,987,662	20
Other Counties***					146	2	159	304		\$ 1,229,547	
Total	\$ 5,042,412		1,427,943		32,363	5,660	7,553	40,880		\$ 185,297,640	

* Total is unduplicated; since a single individual may receive services in more than one category, the columns do not sum across

***Other Counties include: No county reported, Anson, Bladen, Cabarrus, Chatham, Columbus, Cumberland, Duplin, Durham, Edgecombe, Forsyth, Franklin, Files, Granville, Greene, Guilford, Halifax, Harnett, Henderson, Iredell, Johnston, Lenoir, Madison, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Robeson, Sampson, Scotland, Union, Vance, Wake, Warren, Wayne, Wilson, Yadkin, and Yancey

Sources:

Persons Served Data Source : CI: Claims: Claims by Service Definition

Value of Services Data Source : CI: Claims: Claims by Service Definition (Approved/Adjudicated Claims)

Population Data Source: NC Office of State Budget and Management (OSBM) website. https://files.nc.gov/ncosbm/demog/countytotals_populationoverview.html. July 2020 projection. Downloaded: 1/4/2018



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2105)

Agenda Item Title

Verizon Tower Lease Agreement Amendment-734 Ocean Trail

Brief Description of Agenda Item:

Verizon Tower lease agmt amendment 734 Ocean Trail

Board Action Requested

Action

Person Submitting Agenda Item

Sandee Salimbene, Assistant

Presenter of Agenda Item

Donald (Ike) I. McRee Jr

FOURTH AMENDMENT TO TOWER LEASE AGREEMENT

THIS FOURTH AMENDMENT TO TOWER LEASE AGREEMENT (the "Fourth Amendment") is made and entered into this ____ day of _____ 201_, by and between **CURRITUCK COUNTY** ("Lessor") and **CELLCO PARTNERSHIP** d/b/a Verizon Wireless ("Lessee"). Lessor and Lessee are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

WITNESSETH:

WHEREAS, Lessor and Lessee entered into a Tower Lease Agreement on January 20, 2006, as amended by that First Amendment to Tower Lease Agreement on March 6, 2012, Second Amendment to Tower Lease Agreement on September 9, 2014 and Third Amendment to Tower Lease Agreement on December 30, 2016 (collectively, the "Agreement"), whereby Lessee leased from Lessor certain ground space and space on the Lessor's Tower located at 734 Ocean Trail, Corolla, Currituck County, North Carolina, and as further described in the Agreement (the "Premises");

WHEREAS, the Parties desire to amend the Agreement to modify Lessee's equipment;

NOW THEREFORE, in consideration of the premises and the mutual undertakings herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Exhibit "B-3" of the Agreement is hereby replaced and superseded in its entirety by the attached Exhibit "B-4". In the event of any discrepancies between Exhibit "B-3" and Exhibit "B-4", Exhibit "B-4" shall control.
2. Lessor and Lessee each hereby warrant to the other that the person executing this Fourth Amendment on behalf of the warranting party has the full right, power and authority to enter into, and execute, this Fourth Amendment on that party's behalf, and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Fourth Amendment.
3. The Agreement and Fourth Amendment contain all agreements, promises or understandings between Lessor and Lessee and no verbal or oral agreements, promises or understandings shall be binding upon either the Lessor or Lessee in any dispute, controversy or proceeding at law, and any addition, variation or modification to the Agreement and Fourth Amendment shall be void and ineffective unless made in writing and signed by the parties. In the event any provision of the Agreement and Fourth Amendment is found to be invalid or unenforceable, such a finding shall not affect the validity and enforceability of the remaining provisions of the Agreement and Fourth Amendment.

4. Except as expressly set forth herein, all other terms, covenants and conditions of the Agreement shall remain unmodified and in full force and effect, and the Parties hereby confirm and ratify such terms and conditions and agree to perform and comply with the same. In the event of a conflict between the terms of the Agreement and the terms of this Fourth Amendment, the terms of this Fourth Amendment shall be controlling.

[SIGNATURES TO FOLLOW]

Attachment: Corolla - Amend #4 - Verizon (Verizon 4th Amendment to Tower lease Agmt)

IN WITNESS WHEREOF, Lessor and Lessee have executed this Fourth Amendment effective as of the day and year first above written.

LESSOR:

CURRITUCK COUNTY

WITNESS

By: _____
Name: _____
Title: _____
Date: _____

LESSEE:

CELLCO PARTNERSHIP

d/b/a Verizon Wireless

WITNESS

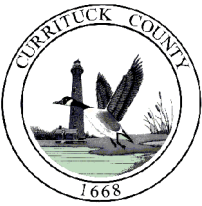
By: _____
Name: Thomas O'Malley
Title: Director –Network Field Engineering
Date: _____

Attachment: Corolla - Amend #4 - Verizon (Verizon 4th Amendment to Tower lease Agmt)

EXHIBIT "B-4"

Lessee is authorized to install and maintain the following equipment:

ANTENNAS:	(6) SBNHH-1D45C (2) BXA-70063-8CF
RAD CENTER:	194'
REMOTE RADIO HEADS:	(3) B13 RRH4x30-4R (3) B25 RRH4x30-4R (3) B5 RRH4x40-850 (3) AWS3 (B66a) 4x45 RRH
DISTRIBUTION BOXES:	(2) RHSDC-3315-PF-48
DIPLEXERS:	(6) CBC78T-DS-43
LINES:	(6) 1 5/8" coax lines (2) 1 5/8" fiber lines



County of Currituck

Project Approval

Application #: 201702389
Property Owner: CURRITUCK COUNTY
Location: 734 OCEAN TRL
Parcel ID: 011600000060000
Project Description: CSS COMMERCIAL APPLICATION
Issued Date: 02/07/18
Expiration Date: 08/06/18

(IF WORK ON THE PROJECT HAS NOT COMMENCED ON OR BEFORE THE EXPIRATION DATE LISTED ABOVE, THIS PROJECT APPROVAL IS NULL AND VOID)

CONDITIONS OF APPROVAL:

Location description: 734 Ocean Trail, 245' lattice tower Verizon Wireless is in the process of modifying the company's installation at this site in order to improve the company's LTE (700MHz) and PCS (1900 MHz) data services. Verizon currently has six (6) antennas attached to the tower at the 194' level. Verizon will replace four (4) of the antennas with six (6) new, upgraded units. The total number of antennas will be increased from six (6) to eight (8). Verizon will also add eight (8) new Remote Radio Heads at the same level of the tower. This project also includes replacing the existing mount with a new three-sector mount at the same 194' level of the tower per the attached mount analysis. MUST SCHEDULE ALL REQUIRED INSPECTIONS,

B 17131	BUILDING PERMIT	25.00
Z 11103	ZONING PERMIT, NON-RESIDENTIAL	.00
	TOTAL FEE	25.00

Attachment: 734 Ocean Trail Approved Building Permit - 20180207 (Verizon 4th Amendment to Tower lease Agmt)



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2099)

Agenda Item Title

Moyock High School Reunion Committee-Fee Waiver Request

Brief Description of Agenda Item:

The Moyock High School Committee is requesting the Board of Commissioners waive the \$500.00 rental fee for the Sanderlin Auditorium for their reunion scheduled for May 12, 2018. A letter from the committee is enclosed. Reunion director is available for review in the Clerk's office.

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Bobby Hamig, Chairman

Mike Payment, Co-Chairman

Currituck County Board of Commissioners

153 Courthouse Road, Suite 204

Currituck , NC 27917

Gentlemen,

The Moyock High School Committee which represents all the classes that graduated from Moyock High School from 1940 through 1960 is requesting a waiver of the \$500 rental fee for the Sanderlin Auditorium at the NC Cooperative Extension-Currituck County Center. This event is scheduled for May 12th, 2018.

We plan for an all Currituck event with catering done by a Currituck business. Enclosed is a copy of the 2016 reunion directory. In addition, our committee donated \$1000 to Knapp Early College School for a scholarship. Excellent, dependable volunteers from their school set up and took down the chairs and tables, etc. for the reunion.

We respectfully request the \$500 waiver fee for the rental of the Sanderlin Auditorium at the NC Extension Center-Currituck County Center scheduled for May12, 2018. We will be responsible for the custodial fee.

Sincerely,



Hilda P. Forehand, Treasurer

Moyock High School Reunion Committee



Currituck County Agenda Item Summary Sheet

Agenda ID Number – (ID # 2098)

Agenda Item Title

Budget Amendments

Brief Description of Agenda Item:

Consideration of Budget Amendments for the Ocean Sands Water and Sewer District

Board Action Requested

Action

Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

Presenter of Agenda Item

Number OS20180002

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
60808-561001	Professional Services		\$ 35,000
60808-533801	Chemicals	\$ 25,000	
60808-553001	Dues and Subscriptions	\$ 10,000	
		<u>\$ 35,000</u>	<u>\$ 35,000</u>

Explanation: Ocean Sands Water and Sewer (60808) - Transfer money from Professional Services to chemicals due to underestimating first year operations of the new wastewater treatment plant and to dues and subscriptions for mandatory State fees.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-OS_Feb 19 (OSWSD-Budget Amendments)

Number OS20180003

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
59808-594500	Contract Services	\$ 150,000	
59808-588000	Contingency		\$ 150,000
		<u>\$ 150,000</u>	<u>\$ 150,000</u>

Explanation: Ocean Sands Construction Fund (59) - Funds are being transferred from the Ocean Sands Sewer construction contingency to ther contract services to cover costs related to the construction of the wastewater treatment system including new site entrances, Dominion Energy changes and repairs to the existing wastewater treatment plant and pump stations.

Net Budget Effect: Ocean Sands Water and Sewer District Construction Fund (59) - No change

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-OS_Feb 19 (OSWSD-Budget Amendments)

Number OS20180004

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of February 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
60808-561000	Professional Services	\$ 50,000	
60310-403017	District Taxes - 2017 Levy		\$ 50,000
		<u>\$ 50,000</u>	<u>\$ 50,000</u>

Explanation: Ocean Sands Water and Sewer (60808) - Increase appropriations for additional legal fees.

Net Budget Effect: Ocean Sands Water and Sewer District Fund (60) - Increased by \$50,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends-OS_Feb 19 (OSWSD-Budget Amendments)