



## CURRITUCK COUNTY NORTH CAROLINA

January 19, 2016  
Minutes – Regular Meeting of the Board of Commissioners

### WORK SESSION

#### 1. 3:30 PM Dedication and Ribbon Cutting at the Currituck County Animal Services and Control facility, 140 Aviation Parkway, Barco

The Currituck County Board of Commissioners met at 3:30 PM at the Animal Services and Control facility in Barco, NC, for the official dedication and ribbon cutting ceremony. After the ribbon cutting and photos, the Board moved inside and each member said a few words to attendees and staff about the new facility, acknowledging and thanking all those involved in the project.

### 5:00 CALL TO ORDER

The Currituck County Board of Commissioners met at 5:00 PM for their regular meeting in the Board Meeting Room of the Historic Courthouse.

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

Chairman Griggs called the meeting to order.

#### A) Invocation & Pledge of Allegiance-Reverend Glenn McCranie, Retired Navy Captain

Pastor Glenn McCranie gave the Invocation and led the Pledge of Allegiance.

#### B) Approval of Agenda

Chairman Griggs announced the Board's attendance at the Animal Services and Control facility dedication and ribbon cutting, noting the feelings of good will and pride in the facility. He encouraged citizens to visit if they have not already done so.

Commissioner Gilbert moved to approve the agenda. Commissioner Hall asked that amendments related to the Whalehead construction be pulled, for discussion at a later

time. Commissioner Gilbert amended the motion to include the removal of the budget items and the motion was seconded by Commissioner Hall. The motion carried unanimously.

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

## ADMINISTRATIVE REPORTS

### **A. Senior Center Departmental Update and Report-Stacy Joseph, Senior Center Coordinator**

Stacy Joseph, Senior Center Coordinator, updated the Board regarding Senior Center programs such as Sentara Living, a monthly health seminar, the Walking Paws program in partnership with the animal shelter, and the Senior buddy program, a partnership with the schools where seniors have lunch or read with a child.

Ms. Joseph provided annual growth and expected needs for the Barco, Powells Point and Knotts Island senior centers, noting increases in attendance, enrollment figures, and the projected growth in the senior population and senior center needs over the next 20 years. She reported meeting with the Corolla Civic Association regarding services in Corolla. She noted an increase in home meal delivery, with a slight decrease in meals served at the center.

Ms. Joseph announced the Currituck County Senior Center earned certification as a center of merit through the Senior Center Operation and Performance Evaluation (SCOPE). Certification is a year-long process requiring centers to go above and beyond what is required and allows centers to receive double the grant money applied for over the next five years, which Ms. Joseph believes will amount to approximately \$19,000. She said there are 9 merit centers out of 181 senior centers in North Carolina, and praised the efforts of staff to achieve the certification.

Ms. Joseph reported on expanding services into the Corolla library with a tai chi arthritis class for seniors, beginning in February. The centers will consolidate their newsletters so all of the information received is consistent among seniors no matter which center they visit. Ms. Joseph also put a call out for volunteers for meal delivery.

Chairman Griggs extended his congratulations for the hard work on the SCOPE certification. Ms. Joseph provided details about meal deliveries for homebound seniors.

### **B. Planning and Community Development Report-Large Structures**

Ben Woody, Planning and Community Development Director, began by thanking the Corolla Civic Association and Outer Banks Home Builders Association, who helped facilitate and participated by providing input, helping him gather the data needed for presentation. He reviewed survey findings with the Board and presented several strategies for their

consideration to address large structures. The survey asked questions regarding size, number of bedrooms, impacts on services, traffic and effect on neighboring properties.

Mr. Woody summarized the survey findings and put forth tax and permit data for existing homes for both Corolla and the off-road area which included total structures, mean number of bedrooms and average square footage. Totals for noise permits and law enforcement noise complaints were presented, and the Board discussed limitations regarding permitting. County Attorney, Ike McRee, said there are some limitations with regard to noise permits, and the Sheriff has discretion for issuance and enforcement of the noise ordinance, although there are some allowables regarding decibel levels with a permit.

Mr. Woody offered the Board strategies for consideration for the regulation of large homes. Strategies included requirements for zoning, meeting commercial standards, requiring additional life safety features, addressing parking, implementing dimension and development standards, strengthening county ordinances or instituting permit limits, traffic and solid waste management requirements, establishing licensing requirements for large events, and education and outreach to realtors, citizens, property owners and event planners about county requirements and impacts. Mr. Woody asked the Board to consider the options presented and report back to staff as to how they would like to move forward. The Board discussed the possible relationship between large homes and an increase in sheriff calls due to an uptick in weddings or renting for large groups of students, for example.

Chairman Griggs suggested a work session, with Commissioner Aydlett asking it be added to the retreat agenda.

## **PUBLIC HEARINGS**

### **A. Public Hearing and Action: PB 15-17 Currituck County:**

Chairman Griggs opened the Public Hearing, and Mr. Woody introduced Donna Voliva, Senior Planner, who presented the text amendments proposed for residential development standards. She reviewed changes to the different zoning districts, lot size and open space requirements and, as she progressed through various topics, provided more details as the Board raised questions regarding riparian buffers and expressed concern over the Army Corp of Engineers assuming jurisdiction of some man-made ditching and ponds. Also discussed were the possible impacts of increasing planning staff approval to subdivisions consisting of up to 50 lots, up from 20 lots. Ms. Voliva reviewed the conditions assessed by the Planning Board in conjunction with the increase.

To:                   Board of Commissioners  
From:               Planning Staff  
Date:               December 18, 2015  
Subject:            PB 15-17 Currituck County Residential Development

On behalf of the Board of Commissioners, Currituck Planning & Community Development submits the following request to amend to the Unified Development Ordinance. The proposed amendment will modify the various sections of the ordinance to address residential development concerns:

- Items 1, 2, and 3  
The proposed amendment modifies the conservation subdivision standards, establishes a conservation theme, reduces the development densities in the AG zoning district and the SFM - Full Service LUC, and establishes a minimum lot size. The minimum side setbacks are increased in rural areas to address ISO building separation requirements. Additional landscaping and access requirements are included in the amendment.
- Item 4  
The proposed amendment limits private ownership of open space to 85% of the required open space set-aside and leaves 15% to be retained by the HOA for the enjoyment of the property owners.
- Items 5, 6, and 7  
The proposed amendment clarifies the riparian buffer and reduces the width from 50' to 30' to address HB 44, SL 2015-246 ratified by the General Assembly in September, 2015. The request also excludes wetlands from proposed lot area.
- Item 8  
Repeals the recent changes to the cottage home text amendment and further clarifies and establishes cottage home requirements, lot sizes, ISO fire flow building separations, and general development standards for cottage home developments.
- Item 9  
The proposed amendment increases the buffer requirements between MXR zoning districts and other residential and special zoning districts.
- Item 10  
The proposed amendment increases the minimum district area for planned developments.
- Item 11  
The proposed amendment increases the number of lots reviewed administratively as a type 1 development application.
- Item 12  
The proposed amendment modifies the sidewalk and pedestrian path circulation requirements for subdivisions.
- Item 13  
The proposed amendment corrects the floor area ratio for residential structures.
- Item 14  
The proposed amendment removes the tenancy reference for single family dwellings.

Staff recommends approval of this request as it:

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

Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

**POLICY HN2:** Currituck County recognizes that large-lot mini-estates (i.e. 5 to 10 acres) consume large amounts of land, often without economic purpose. Estate lots having no relationship to agriculture or other resource-based activities promote sprawl and make the provision of infrastructure and services very costly. The County shall therefore encourage alternatives to large lot developments through INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING techniques.

**POLICY HN4:** Currituck County shall discourage all forms of housing from "LEAPFROGGING" INTO THE MIDST OF FARMLAND and rural areas, thereby eroding the agricultural resource base of the county.

2. Would improve compatibility among uses and ensure efficient development in the county; and
3. Would result in a logical and orderly development pattern.

**PLANNING BOARD RECOMMENDATION:**

Mr. Cooper moved to approve PB 15-17 as presented due to its consistency with the Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development with the following conditions:

- Effective date of nine months from the time the text amendment is approved by the Board of Commissioners.
- Add that a preliminary plat vests a project through all phases of the project.
- Any conditional zoning project which has been approved under the current Unified Development Ordinance is not subject to this text amendment.

Mr. Craddock seconded the motion and motion carried unanimously.

At the close of Ms. Voliva's presentation, the Board talked about ideas to address single-night stays. Mr. Woody suggested allowing the proposed month to week modification to move forward, and allowing staff to provide additional analysis regarding single-night stays. Mr. McRee reviewed tenancy, and explained the use of the structure has to be looked at not the fact that it is rented, and does a one-night stay constitute a hotel rather than a residential rental.

Mark Bissell, Bissell Professional Group in Kitty Hawk, spoke to the effective date, and noted the Planning Board did recommend nine months to make the changes effective, referencing impact on land values and continuity throughout a project. He provided a sample contractor timeline to affirm the nine month designation. He used Laurel Woods as an example of the phasing condition, believing that contractors would be more confident if the phasing agreement was in place, as Laurel Woods is using the old Unified Development Ordinance (UDO) in that regard.

Chairman Griggs expressed concern that a more reasonable effective date is needed to avoid a rush by contractors to get their preliminary plats submitted to get the benefit of the increased density under the old UDO. Mr. Woody said some smaller sites could probably meet a nine month deadline very easily, start to finish, but larger sites probably not. Mr. Woody said he felt six months is a reasonable number for the typical, average setting. The county attorney confirmed that the effective date could not be altered on a case by case basis should a project not be able to be completed by the effective date.

Wende Shannon, Puddin' Ridge Road, Moyock, was grateful to see the changes proposed and wants the items adopted as soon as possible. She encouraged the Board to give the items careful consideration.

Justin Old, Tulls Creek Road, Moyock, and a building contractor, welcomed changes but asked if there was something else the date could be tied to, such as site evaluations. Mr. McRee said we have always considered a project starting at the date of application, and Mr. Woody suggested the effective date be tied to the submission of a complete application, not the approval of a project, and upon submission of a completed application the applicant could proceed under the old ordinance.

Mr. Woody said staff recommended a six month window for the effective date. Commissioner Hall suggested he would like to see the staff approval for subdivisions remain at the 20 lot cap. Commissioner Beaumont suggested the Board may want to vote on each item separately. With no further discussion, and no one else wishing to speak, Chairman Griggs closed the Public Hearing.

Commissioner Gilbert moved to adopt the text amendments presented, with the exception of the change stated by Commissioner Hall, which was to remove the increase to 50 lots, keeping it as stated in the current ordinance, and as it is consistent with the goals, objectives, and policies of the Land Use Plan, and is reasonable and in the public interest because the amendment will improve compatibility among uses and will ensure efficient development in the county and result in a logical and orderly development pattern with the following conditions: that an effective date of this amendment shall be July 1, with proper applications received by June 1, giving proper vetting time for applications. Conditional zonings approved under the current Unified Development Ordinance shall not be subject to this text amendment, and also include preliminary plat for one or more phases be vested through the project through all phases of development if the proper applications are vetted before the July 1 deadline. The motion was seconded by Commissioner Hall.

The Board discussed the 20 lot versus 50 lot administrative approval. Mr. Woody explained where the 20 lot administrative approval was derived, explaining it allowed local land owners to be able to cut lots out of their property for small subdivisions or single lots without having to go through a lengthy hearing process. Also, he said 20 lots kicks in other requirements and ordinance standards.

After some discussion and clarification of conditions, being a June 1 application submission, a July 1 completed application, and continuation of the 20 lot threshold for Board review, the motion carried with a vote of 5-2, with Commissioners O'Neal and Aydlett voting against.

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

#### **B. Public Hearing and Action on Resolution Creating the Backwoods Reserve-Saddlebrook Water Service District**

Chairman Griggs opened the Public Hearing and County Attorney, Ike McRee, explained the service district's creation is based on the county's Unified Development Ordinance, which requires the district for subdivisions that are planned to be served by a private system. Mr. McRee said the district was requested by the private developer, and he provided information regarding the steps the county took to meet the requirements for advertising and the filing of the analysis report with the clerk for review.

With no one signed up or wishing to speak, Chairman Griggs closed the Public Hearing. Commissioner O'Neal moved to approve. The motion was seconded by Commissioner Gilbert and carried unanimously.

## **REPORT ON THE CREATION OF THE BACKWOODS RESERVE-SADDLEBROOK SERVICE DISTRICT FOR WATER**

To establish an entity for the purpose of financing, maintaining and providing for water treatment and distribution there is proposed the creation of the Backwoods-Saddlebrook Service District for Water.

### **Identified Need for Service District**

Located at the junction of South Mills Road and Northwest Backwoods Road in Moyock Township is the proposed 20 lot Backwoods Reserve and 24 lot Saddlebrook subdivisions. The two subdivisions will cover approximately 100 acres and will be served by a community water system. The community water system will be privately owned and operated.

Pursuant to Section 6.2.3 of the Currituck County Unified Development Ordinance, whenever a private water system is utilized to service a development a water service district shall be established encompassing the boundaries of the development. Further, the water service district shall be established prior to the final plat approval and structured in such a way that will assure the long term viability of the water system. The owner/developer of the subdivisions has requested the creation of the water service district.

### **Resident Population and Population Density**

At this time, prior to recordation of the final plats, there is no resident population and density. Data from the 2010 Census shows that for the census tract in which the subdivisions are located an average household contains approximately three people. Using the average household population derived from 2010 Census data it is estimated that upon build out the subdivisions will be populated by 132 people.

### **Appraisal Value of Property Subject to Taxation in the Proposed Service District**

The assessed valuation of property subject to taxation in the proposed service district is \$306,400. The assessed valuation on the date of this report is of undivided property and does not reflect the assessed valuation upon subdivision and development of lots. The current real property tax rate, which includes the proposed service district area, is 48 cents (\$0.48) per \$100.00 valuation. An existing Guinea Mill Watershed Improvement Service

District for drainage services has assessed a tax rate in the amount of 1 cent (\$0.01) per \$100.00 valuation.

There are no plans to assess a tax rate for the proposed service district at this time. A tax may be assessed should the private community water system owner/operator fail and the service district be required to operate and maintain the community water system.

### **Plan for Providing Water Service Within the Proposed Service District**

The proposed service district will be dormant unless the private water system owner/operator is unable to maintain and operate the water system. In such event, the service district will assure the proper maintenance and operation of the water system.

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

### **OLD BUSINESS**

#### **A. Consideration and Action on Ordinance Amending Chapter 2, Article III of the Code of Ordinances to Establish the Animal Services and Control Advisory Board**

Chairman Griggs announced the item was a second reading of the ordinance and asked for a motion.

Commissioner Gilbert moved to approve with a second from Commissioner O'Neal.

Commissioner Hall wanted to see each board member have an opportunity to appoint a citizen member of the advisory and suggested the Department Head and Animal Control officer be designated as ex officio members. Commissioner Payment said the structure as written accomplishes a lot to meet the goals of the advisory and asked if the ordinance can be amended as needed. Attorney McRee confirmed it could be. Chairman O'Neal concurred with Commissioner Payment, believing the duties and qualifications kept with the purpose of the shelter, and that after approval we should advertise and solicit applications. Board members discussed the duties of the Advisory Board and how the requirements fit in to aid in the operation of the shelter. Volunteer organization participation was discussed and how the Advisory will function relative to the Board of Commissioners and Shelter Director. Commissioner O'Neal talked about the concerns raised by citizens suggesting the County did not have a background in animal care, and that the County is going to appoint folks who do have that background. He suggested moving on and discussing further at the retreat if needed. Commissioner Hall agreed.

With no further discussion the motion carried unanimously.

### **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 2, ARTICLE III OF THE CURRITUCK COUNTY CODE**

## OF ORDINANCES BY ADDING A NEW DIVISION 7 ANIMAL SERVICES AND CONTROL ADVISORY BOARD

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

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

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

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

### DIVISION 7. ANIMAL SERVICES AND CONTROL ADVISORY BOARD

#### Sec. 2-129. - Created.

The Animal Services and Control Advisory Board is created pursuant to G.S. 153A-76.

#### Sec. 2-130. - Composition.

The Animal Services and Control Advisory Board shall be composed of seven members who are citizens of the county and meet the following requirements:

- (1) One member shall be the county Animal Services and Control Director or director's designee;
- (2) One member shall be a county Animal Control Officer;
- (3) One member shall have demonstrated experience in animal care or administration in a veterinary hospital environment;
- (4) One member shall be a professional animal handler or trainer with a recognized credential or certification or other equivalent experience in working with animals;
- (5) One member shall have demonstrated experience researching and writing grants;
- (6) Two members shall be from different commissioner electoral districts who are actively engaged in animal welfare and/or advocacy at the time of appointment.

One member of the Board of Commissioners shall be appointed by the Board of Commissioners to serve on the Animal Services and Control Advisory Board *ex officio* without a vote for a two year term.

#### Sec. 2-131. - Appointment and terms of members.

The Animal Services and Control Advisory Board shall be appointed by and serve at the pleasure of the Board of Commissioners in the manner set forth in sections 2-96 and 2-97 <[http://library.municode.com/HTML/12419/level4/COOR\\_CH2AD\\_ARTIIIAUBOCO\\_DIV1GE.html](http://library.municode.com/HTML/12419/level4/COOR_CH2AD_ARTIIIAUBOCO_DIV1GE.html)>. The initial Animal Services and Control Advisory Board is to consist of three appointees for a term of one year and four appointees for a term of two years. Thereafter, all appointments are to be for terms of two years.

#### Sec. 2-132. - Compensation of members.

The Animal Services and Control Advisory Board shall be paid the sum per meeting provided by the Board of Commissioners in the county fee schedule and shall be reimbursed for expenses incurred by them in the course of their duties upon the presentation of proper vouchers for those expenses.

#### Sec. 2-133. - Removal of members.

The Board of Commissioners shall have the right to remove any member appointed to the Animal Services and Control Advisory Board at will and appoint a replacement member.

**Sec. 2-134. - Duties.**

The Animal Services and Control Advisory Board is charged with the following duties:

- (1) work with the Animal Services and Control Director to formulate and recommend to the Board of Commissioners projects and programs promoting and encouraging awareness of animal care services, responsibilities of pet ownership, and animal adoption programs;
- (2) make recommendations to the Board of Commissioners pertaining to the prevention of injury to and the inhumane treatment of animals in the community that could be remedied by changes to existing ordinances or implementation of new ordinances.
- (3) monitor trends involving changes in animal populations, demands for services and licensing activities and report findings to the Board of Commissioners as appropriate;
- (4) in coordination with the county's public information officer prepare and coordinate a countywide public information program to inform county residents about services provided by the Animal Services and Control Department and promote the general safety and welfare of animals;
- (5) research, identify, prepare and coordinate applications for grants, fundraising efforts and donations for the enhancement of services provided by the Department of Animal Services and Control, spay/neuter and rabies vaccination programs and the adoption and general welfare of animals in the county's custody; and
- (6) perform such other duties as may be authorized or directed by resolution of the Board of Commissioners.

**Sec. 2-135. - Function as advisory body.**

The Animal Services and Control Advisory Board shall have no legislative powers of its own but shall simply be an advisory body to the Board of Commissioners concerning the matters with which it is charged, and the Board of Commissioners will receive and consider the advisory board's recommendations.

**Sec. 2-136. - Officers.**

The Animal Services and Control Advisory Board shall appoint from its membership a chairman and any other officers as it may deem necessary for the orderly conduct of its business.

**Sec. 2-137. - Meetings.**

The Animal Services and Control Advisory Board shall hold meetings once quarterly and at hours as may be fixed by the board. Special meetings may be held on call of the chairman upon 48 hours' notice to all members of the board. A copy of the minutes of all meetings shall be submitted to the county manager. All meetings or other business of the board shall be conducted in accordance with the Open Meetings Law.

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

**PART III.** This ordinance is effective immediately upon adoption.

ADOPTED this 19 day of January, 2016.

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

## NEW BUSINESS

### A. External Communication Policy

County Manager, Dan Scanlon, reviewed the comprehensive communication policy which sets the guidelines as to how the County will interact with the public, media, and social media. The policy, he said, was put together by staff, who reviewed various policies and incorporated recommendations from the School of Government. In addition to the public, media, and social media, the policy covers TV and peg channels, digital signage, and employee use of social media, and establishes branding for local government.

Commissioner Aydlett moved to approve with a second by Commissioner Gilbert. The motion carried unanimously.

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

### B. Knotts Island Volunteer Fire Department Grant Agreement Amendment

Mr. Scanlon reviewed the prior approval in April, 2015, of a grant agreement with the Knotts Island Volunteer Fire Department. He explained there were problems with the chassis they had committed to the project and they had to change vendors, which resulted in the fire department's request for an increase of \$26,000, for a total of \$186,000. Commissioner Aydlett explained the details as to what the department was attempting to do with the rehab of the fire truck, which will be able to be used as both a pumper and tanker truck. Commissioners discussed the cost savings over the purchase of a new truck, and that the money is a loan which would be paid back.

Commissioner Aydlett moved to approve, seconded by Commissioner Payment. The motion carried unanimously.

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

## C) Board Appointments

### 1. Recreation Advisory Board

Commissioner Hall nominated Kevin McCord to the Recreation Advisory Board, who was approved unanimously by the Board. Commissioner Gilbert wished to make her appointment at a later date.

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

### 2. Senior Citizens Advisory

Commissioner Hall requested that Marcia Steele be reappointed. She was approved unanimously by the Board. Chairman Griggs wished to make his appointment at a later date.

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

## D) Consent Agenda

Commissioner O'Neal moved to approve Consent Agenda with a second by Commissioner Gilbert. The Board approved unanimously.

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

### 1) Approval Of Minutes-January 4, 2016

### 2. Budget Amendments

| <u>Account Number</u> | <u>Account Description</u> | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 10530-514800          | Fees paid to officials     |   | \$ 1,750                                |
| 10530-561000          | Professional Services      |   | \$ 5,000                                |
| 10530-516200          | Vehicle Maintenance        | \$ 6,750                                |   |
|                       |                            | <b>\$ 6,750</b>                         | <b>\$ 5,000</b>                         |

**Explanation:** *Emergency Services (10530) - Operating transfers to cover additional vehicle maintenance for emergency vehicles.*

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

| <u>Account Number</u> | <u>Account Description</u> | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 10550-591000          | Capital Outlay             |   | \$ 4,250                                |
| 10550-516200          | Vehicle Maintenance        | \$ 1,505                                |   |
| 10550-532000          | Supplies                   | \$ 245                                  |   |
| 10550-561000          | Professional Services      | \$ 2,500                                |   |
|                       |                            | <b>\$ 4,250</b>                         | <b>\$ 4,250</b>                         |

**Explanation:** *Airport (10550) - Transfer residual capital funding to operations.*

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

| <u>Account Number</u> | <u>Account Description</u>  | Debit                                   | Credit                                  |
|-----------------------|-----------------------------|---|---|
|                       |                             | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 10752-519100          | IV-E Foster Care            | \$ 37,000                               |   |
| 10330-431800          | Foster Care & Boarding Home |   | \$ 30,340                               |
| 10390-499900          | Fund Appropriate Balance    |   | \$ 6,660                                |
| 10752-519600          | Child Daycare               | \$ 8,746                                |   |
| 10330-432800          | Daycare                     |   | \$ 8,746                                |
|                       |                             | <u>\$ 45,746</u>                        | <u>\$ 45,746</u>                        |

**Explanation:** *Public Assistance (10752) - Increase appropriations for IV-E foster care due to increased number of foster children that are eligible for IV-E assistance. Also, adjust Daycare funding to State authorization.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$45,746.

| <u>Account Number</u> | <u>Account Description</u> | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 10796-514000          | Travel                     | \$ 600                                  |   |
| 10796-516000          | Repairs & Maintenance      |   | \$ 300                                  |
| 10796-532000          | Supplies                   |   | \$ 300                                  |
|                       |                            | <u>\$ 600</u>                           | <u>\$ 600</u>                           |

**Explanation:** *Currituck County Rural Center (10796) - Transfer budgeted funds due to increased travel expenses for FY 2016.*

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

| <u>Account Number</u> | <u>Account Description</u> | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 67878-516000          | Repair And Maintenance     | \$ 200                                  |   |
| 67878-545000          | Contracted Services        | \$ 1,350                                |   |
| 67878-511000          | Telephone and Postage      |   | \$ 350                                  |
| 67878-531000          | Gas ,Oil, Etc.             |   | \$ 1,000                                |
| 67878-532000          | Supplies                   |   | \$ 200                                  |
| 67360-471000          | Tap & Connection Fees      | \$ 245,354                              |   |
| 67390-499900          | Fund Balance Appropriated  | \$ 15,645                               |   |
| 67390-470000          | Utilities                  | \$ 44                                   |   |
|                       |                            | <b>\$ 262,593</b>                       | <b>\$ 1,550</b>                         |

**Explanation:** *Moyock Central Sewer (67) - Transfer funds within the Moyock Central Sewer Fund for operations and to correct clerical error on budget amendment 2016033 from December 7, 2015.*

**Net Budget Effect:** Moyock Central Sewer Fund (67) - Reduced by \$261,043.

| <u>Account Number</u> | <u>Account Description</u>    | Debit                                   | Credit                                  |
|-----------------------|-------------------------------|---|---|
|                       |                               | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 12548-532115          | Fire Supplies                 | \$ 2,000                                |   |
| 12548-536115          | Personal Protective Equipment | \$ 3,500                                |   |
| 12548-553015          | Dues & Subscriptions          | \$ 2,500                                |   |
| 12548-513015          | Utilities                     |   | \$ 2,000                                |
| 12548-531015          | Gas                           |   | \$ 2,000                                |
| 12548-561015          | Professional Services         |   | \$ 4,000                                |
|                       |                               | <b>\$ 8,000</b>                         | <b>\$ 8,000</b>                         |

**Explanation:** *Knotts Island Volunteer Fire Department (12548) - Transfer funds within the contract appropriations per request of the Knotts Island Volunteer Fire Department.*

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

| <u>Account Number</u> | <u>Account Description</u> | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 64848-511010          | Data Transmision           | \$ 175                                  |   |
| 64848-532000          | Supplies                   | \$ 1,000                                |   |
| 64848-516000          | Repairs and Main.          | \$ 800                                  |   |
| 64848-513000          | Utilities                  |   | \$ 1,975                                |
|                       |                            | <b>\$ 1,975</b>                         | <b>\$ 1,975</b>                         |

**Explanation:** *Maple Commerce Sewer (64848) - Transfer funds for operations in Maple Commerce Park*

**Net Budget Effect:** Maple Commerce Sewer Fund (64) - No change.

| <u>Account Number</u> | <u>Account Description</u> | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 68888-533200          | Lab Test                   |   | \$ 3,000                                |
| 68888-533800          | Chemicals                  | \$ 3,000                                |   |
|                       |                            | <b>\$ 3,000</b>                         | <b>\$ 3,000</b>                         |

**Explanation:** *Walnut Island Sewer Fund (68888) - Transfer funds within the Walnut Island Sewer District for operations.*

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

### 3. Amendment to Salary Classification Chart

### 4. Resolution to Authorize Demolition of old Animal Shelter Building and Contents

#### R E S O L U T I O N

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on January 19, 2016, authorized the Animal Shelter, asset 2800, and its contents be demolished pursuant to GS 160A and 270 (b),

**ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

David L Griggs  
Currituck County Board of Commissioners

ATTEST:

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Leeann Walton  
Clerk to the Board

- 5. Road Abandonment Petition-Secondary Road 1405 (Waterlily)**
- 6. Dominion Power Right of Way Agreement**
- 7. Lottery Application to Upgrade Security Cameras in Currituck County Schools**
- 8. Project Ordinance to Upgrade Security Cameras in Currituck County Schools**

**E) Commissioner's Report**

Commissioner O'Neal discussed Virginia's decision to no longer recognize North Carolina concealed carry permits and asked the Board to consider a resolution that Virginia reconsider the policy and again recognize North Carolina concealed carry permits. The Board concurred with Commissioner O'Neal, with a second from Commissioner Aydlett, and voted unanimously to adopt a Resolution. Commissioner O'Neal expressed the need for the North Carolina Department of Transportation (NCDOT) to perform a safety assessment on the highway in Lower Currituck after the tragic accident the week prior, which took the life of a child.

Commissioner Payment encouraged citizen attendance at the open house at Lower Currituck Volunteer Fire Department at 7 PM on Thursday. He reminded everyone to check on the elderly now that the weather is colder.

Commissioner Gilbert asked staff to inquire when NCDOT will be repaving and marking pavements in the Moyock area on NC168. She announced Saturday's Moyock Women's Frosty Toes Run at 9 AM at Maple Park.

Commissioner Beaumont reported attending a Regional Advisory Board meeting with Trillium Health where they discussed the drain on law enforcement and the inability to find available beds for patients with mental health issues. He said the Mobile Crisis Center touted Currituck County as an avid user of their mental health program, which provides significant savings for the County.

Commissioner Hall encouraged folks to help seniors with heating bills through programs at social services. He reminded everyone, with the cold weather, to bring pets inside and check on loved ones.

Commissioner Aydlett announced an upcoming Rural Planning Organization meeting.

Chairman Griggs announced, as a member of the Whalehead Trust's Boat Committee, they will be working with an architect to design a boat facility, announced parties related to the project, and reviewed the process moving forward.

#### **F) County Manager's Report**

No report.

#### **PUBLIC COMMENT**

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

Marie Long, 1437 Ocean Pearl, Corolla off-road area, is a party in the Letendre court case, regarding a 24 bedroom house being built next to her residence. She thanked Planning staff and was encouraged that the Board will be discussing large homes. She recalled the survey results presented earlier in the meeting, and expressed her views as to some of the results regarding location and lot size. She suggested large homes be built in an area of like kind homes.

Bev Belcher, Currituck, Director of Currituck SPCA, said the group is still active and raising funds for medical needs for animals. She said they had an Advisory Council who were able to pull the community in. For the new Advisory Board, she would like to see people chosen from the community who can connect with others in the community, and stressed the need for children's education.

At the close of the public comment period, with no one else signed up to speak, Chairman Griggs recessed the regular meeting of the Board of Commissioners.

#### **SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY**

Chairman Griggs reconvened for a Special Meeting with the Board sitting as the Tourism Development Authority. He recognized Tameron Kugler, Director of Travel and Tourism, and she was seated with the Board. Mr. Scanlon reminded the Board that the Whalehead restroom facility project ordinance and budget amendment had been removed by Commissioner Hall for discussion later. Ms. Kugler reviewed the budget amendment request for \$1,500 to purchase a 30' x 30' dance floor.

Mr. Scanlon reviewed the second budget amendment, which would fund the contract for the construction of the Corolla Greenway.

Commissioner O'Neal moved to approve amendments as requested and was seconded by Commissioner Aydlett. The motion carried unanimously.

With no further business Chairman Griggs closed the special meeting of the Tourism Development Authority.

#### **1. Project Ordinance-Restroom Facility at Whalehead/Historic Corolla Park**

This agenda item was amended, and removed for later consideration and discussion.

**RESULT: WITHDRAWN****2. TDA Budget Amendments**

|                       |                            | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
| <u>Account Number</u> | <u>Account Description</u> | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 15448-526200          | Promotional Efforts        |   | \$ 1,500                                |
| 15448-590000          | Capital Outlay             | \$ 1,500                                |   |
|                       |                            | <b>\$ 1,500</b>                         | <b>\$ 1,500</b>                         |

**Explanation:** Whalehead (15448) - Transfer funds from Promotional Efforts to Capital Outlay to cover the cost of the purchase of an outdoor dance floor for Historic Corolla Park to be used for outdoor concerts, events, etc.

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

|                       |                                | Debit                                   | Credit                                  |
|-----------------------|--------------------------------|---|---|
| <u>Account Number</u> | <u>Account Description</u>     | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 50442-590002          | Connecting Corolla - Phase III | \$ 1,804,217                            |   |
| 50390-495015          | T F - Occupancy Tax            |   | \$ 1,804,217                            |
|                       |                                | <b>\$ 1,804,217</b>                     | <b>\$ 1,804,217</b>                     |

**Explanation:** Connecting Corolla (50442) - Increase appropriations for the Corolla Greenway - Phase III. Funding was appropriated in Occupancy Tax in the current budget and this budget amendment will move the moneys for the project to the Multi-year Governmental Construction Fund.

**Net Budget Effect:** County Governmental Facilities Fund (50) - Increased by \$1,804,217.

**CLOSED SESSION**

**3. Closed session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by or on behalf of the county in negotiating the material terms of a contract for the acquisition of real property by purchase or exchange owned by the United States Fish & Wildlife Service to be used for any public purpose.**

After reconvening as the Board of Commissioners, Commissioner Gilbert moved to enter Closed Session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by or on behalf of the county in negotiating the material terms of a contract for the acquisition of real property by purchase or exchange owned by the United States Fish & Wildlife Service to be used for any public purpose. The motion was seconded by Commissioner Beaumont and carried unanimously.

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

**ADJOURN****Motion to Adjourn Meeting**

After returning from Closed Session, and there being no further business, Commissioner Payment moved to adjourn and was seconded by Commissioner Hall. The motion carried unanimously and the regular meeting of the Board of Commissioners was adjourned.

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