



## **CURRITUCK COUNTY NORTH CAROLINA**

April 3, 2017

Minutes – Regular Meeting of the Board of Commissioners

### **WORK SESSION**

#### **1. 4:00 PM Moyock Mega-Site Update presented by Kimley-Horn and Associates, Inc.**

The Currituck County Board of Commissioners held a work session at 4 PM in the Historic Courthouse Conference Room to hear a presentation by Carroll Collins and Sal Musarra of Kimley-Horn and Associates. Mr. Collins and Mr. Musarra reviewed the Moyock Mega-Site Master Plan, a conceptual design plan for economic development encompassing 3,000 acres in Moyock, North Carolina. Using a Powerpoint, Mr. Collins and Mr. Musarra provided a history of plan development, explained the concept, presented location and boundary maps, and site-specific conceptual drawings highlighting development possibilities with areas for multi- and single-family residential, commercial, retail and industrial, medical and educational facilities. Transportation and utility infrastructures and stormwater were discussed. Information garnered from market studies, stakeholder input, and local land use were some of the criteria used to develop the master plan. Mr. Collins said the next steps as the county moves forward with the project would include revisions to the county's Unified Development Ordinance (UDO), collaboration with the North Carolina Department of Transportation (NCDOT) for consideration of roadways and transportation infrastructure and scheduling informational meetings with landowners, stakeholders and area residents.

Planning and Community Development Director, Ben Woody, suggested a timeline of six to nine months to get the necessary ordinances in place and to develop a conceptual plan to reflect the Board's vision for development on the site. Mr. Woody said staff could write the UDO revisions, with a minimal cost for outside contracting for graphics. Stormwater and transportation studies would need to be performed, with costs speculated at \$100,000 per study. During discussion, Mr. Woody said three thousand houses are projected for Moyock over the next twenty years. He also noted not a single, new commercial building has been constructed in Moyock over the last ten years. Mr. Woody said the feedback and support from landowners and the Moyock community has been positive.

The Board agreed to move forward with the Moyock Mega-Site Master Plan, and gave their approval for staff to begin scheduling community meetings. With no further discussion, the work session ended at 5:33 PM.

### **6:00 PM CALL TO ORDER**

The Currituck County Board of Commissioners met for its regular meeting at 6 PM in the Historic Courthouse Board Meeting Room, 153 Courthouse Road, Currituck, North Carolina.

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

Chairman Hanig called the meeting to order.

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

Reverend Ronnie Culley of Christian Home Baptist Church gave the Invocation and led the Pledge of Allegiance.

**B) Approval of Agenda**

The agenda was amended to reflect the following:

The Senior Center Advisory Board was added to New Business-Board Appointments as Item number 5.

Added as Item #8 to Consent Agenda was a Resolution requesting opposition to repeal the plastic bag ban by retail establishments on the Outer Banks.

Commissioner Gilbert moved to approve the stated agenda amendments. The motion was seconded by Commissioner Payment and passed unanimously, 7-0.

Chairman Hanig continued and amended the agenda removing Public Hearing Item A: PB 16-14, Bluewater Development Corp, stating the application had been withdrawn.

Commissioner Gilbert moved to approve the agenda as amended. Commissioner White seconded and the motion passed unanimously.

Approved Agenda:

**Work Session**

4:00 PM Moyock Mega-Site Update presented by Kimley-Horn and Associates, Inc.

**6:00 PM Call to Order**

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

**Public Comment**

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

**Administrative Reports**

- A) Albemarle Regional Health Services Report-Battle Betts, Director
- B) Economic Improvement Council Presentation-Dr. Landon Mason, Executive Director
- C) Moyock Mega-Site Update by

Kimley-Horn & Associates

**Public Hearings**

- A) ~~PB 16-24 Blue Water Development Corp.~~ Requests an amendment to the Unified Development Ordinance to allow the expansion of existing campgrounds. ***Applicant withdrew text amendment application. Item was removed from the agenda.***

**New Business****A) Board Appointments**

- 1. Planning Board
- 2. Board of Adjustment
- 3. Recreation Advisory Board
- 4. Joint Nursing Home/Domiciliary Community Advisory
- 5. ~~Amended~~-Senior Citizen Advisory**

**B) Consent Agenda**

- 1. Approval Of Minutes for March 20, 2017
- 2. Budget Amendments
- 3. Division of Coastal Management Planning and Management Grant
- 4. Resolution in Recognition of the 75th Anniversary of Albemarle Regional Health Services

5. Resolution to Declare Surplus Communications Equipment
6. Wireless Communication Resolution, Sole Source
7. Panther Landing Convenience Center lease renewal
8. **Amended-4-3-17** Resolution Requesting Opposition to HB 271 and Sections of 2.1 (A)(B)(C) and (D) of SB 539 Repealing the Ban on the use of Plastic Shopping Bags by Retail Establishments on the Outer Banks

**C) Commissioner's Report**

**D) County Manager's Report**

**Adjourn**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Marion Gilbert, Commissioner   |
| <b>SECONDER:</b> | Bob White, Commissioner  |
| <b>AYES:</b>     | 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.***

Roxy Darling of Waterlily represented the Waterlily Protection Association and thanked both the Planning Board and Commissioners for recognizing how their community would be affected with the approval of the text amendment submitted by Bluewater Development Corp.

Lin Elkin, Waterlily Road, said next door to him the road is almost caved in and he is concerned for school buses and someone getting hurt. He said it is the responsibility of the North Carolina Department of Transportation (NCDOT) to maintain the roadway, and questioned why they have contracted with others to perform the work.

Commissioner Gilbert asked County Manager, Dan Scanlon, to reach out to NCDOT and inquire as to the status of Waterlily Road improvements.

**ADMINISTRATIVE REPORTS**

**A. Albemarle Regional Health Services Report-Battle Betts, Director**

Mr. Battle Betts, Director of Albemarle Regional Health Services (ARHS), reported the regional services district is celebrating its 75th anniversary, and he recognized Currituck County's joining in 1999. He introduced Ms. Terry Henney who has been with ARHS in Currituck County for 22 years and has served as Nurse Supervisor for the last 16 years. Mr. Betts recognized Commissioner Payment for his service on the ARHS Board, and he

thanked the County Commissioners for considering their Resolution celebrating 75 years of service in the region.

**B. Economic Improvement Council Presentation-Dr. Landon Mason, Executive Director**

Dr. Landon Mason, Executive Director of the Economic Improvement Council (EIC), presented information on the EIC services provided for the economically impoverished in the thirteen-county region they serve. Assistance offered include head start child education services, community block grants, and section 8 housing and weatherization programs. He said approximately 10% of Currituck County's population live in poverty, and the EIC spent \$1.1 million in Currituck County to serve 161 families. Dr. Mason stated his appreciation to the Board for their support. Chairman Hanig and Commissioner Gilbert thanked Dr. Mason for his service to the community and recalled attending the ribbon cutting to celebrate the recent opening of a new Head Start facility in Currituck County.

**C. Moyock Mega-Site Update by Kimley-Horn & Associates**

Carroll Collins and Sal Musarra of Kimley-Horn & Associates, Inc. provided a brief overview and update on the Moyock Mega-site, a master development plan on 3,000 acres located in Moyock. Powerpoint slides were presented showing maps of the mega-site location, borders, and design proposals which include areas of high-density, multi- and single-family residential, commercial, retail, industrial, healthcare and education. Site-specific conceptual plans based on stakeholder input were highlighted. Transportation and utility infrastructure, stormwater management and the plan objectives were reviewed. Modifications to the county's UDO to support the site, updates to the land use plan, public meetings for citizen and stakeholder input and coordination with NCDOT for transportation needs were discussed as the next steps going forward. Mr. Collins explained the purpose of the plan, which is to reflect the county's intent, vision and expectation for development. He said the plan will position the county to better attract development while making the process easier for developers.

**PUBLIC HEARINGS**

**A. PB 16-24 Blue Water Development Corp.**

This application was withdrawn and removed from the agenda.

|                |                  |
|----------------|------------------|
| <b>RESULT:</b> | <b>WITHDRAWN</b> |
|----------------|------------------|

**NEW BUSINESS**

**A) Board Appointments**

**1. Planning Board**

Commissioner White moved to reappoint Jane overstreet to the Planning Board. Commissioner Payment seconded and the motion carried unanimously.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Bob White, Commissioner  |
| <b>SECONDER:</b> | Mike H. Payment, Vice Chairman   |
| <b>AYES:</b>     | 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 |

## 2. Board of Adjustment

Commissioner Payment moved to nominate Zia Montessi for reappointment to the Board of Adjustment. Commissioner Gilbert seconded and the motion carried unanimously.

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

## 3. Recreation Advisory Board

Commissioner Beaumont moved to nominate Rick Vasko to serve on the Recreation Advisory Board. Commissioner Etheridge seconded and the motion passed unanimously.

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

## 4. Joint Nursing Home/Domiciliary Community Advisory

Commissioner Etheridge moved to appoint Nancy Kay, Delores Brown and Debra Williams to the Joint Nursing/Domiciliary Community Advisory Committee and designated Nancy Kay to fill the vacancy for the initial one-year term appointment. Ms. Williams and Ms. Brown were designated to fill the unexpired term vacancies, due to expire November 1, 2018.

Commissioner Gilbert seconded and the motion carried unanimously.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Mary "Kitty" Etheridge, Commissioner   |
| <b>SECONDER:</b> | Marion Gilbert, Commissioner   |
| <b>AYES:</b>     | 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 |

## 5. Amended-Senior Citizen Advisory

Commissioner Gilbert moved to appoint Mary Ellen Maxwell to the Senior Center Advisory. The motion was seconded by Commissioner Payment and carried unanimously.

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

## B) Consent Agenda

Commissioner Beaumont moved to approve the Consent Agenda. Commissioner Gilbert seconded the motion and the motion passed unanimously.

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|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Paul M. Beaumont, Commissioner   |
| <b>SECONDER:</b> | Marion Gilbert, Commissioner   |
| <b>AYES:</b>     | 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 March 20, 2017

#### 1. Minutes approval-BOC-March 20, 2017

#### 2. Budget Amendments

|                           |  | Debit                                   | Credit                                  |
|---------------------------|--|---|---|
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>   |   |   |
| 10795-532000              | Supplies   | \$ 6,625                                | \$ -                                    |
| 10350-469020              | Maple Park Sponsors  |   | \$ 6,625                                |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  | \$ 6,625                                | \$ 6,625                                |
| <b>Explanation:</b>       | Parks and Recreation (10795) - Increase appropriations for sponsorship signs for the Maple ball fields.  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$6,625.  |   |   |
|                           |  | Debit                                   | Credit                                  |
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>   |   |   |
| 10640-532004              | FCS Supplies   | \$ 750                                  |   |
| 10640-532000              | Supplies   |   | \$ 750                                  |
|                           |  |   |   |
| 10640-532004              | FCS Supplies   | \$ 1,159                                |   |
| 10330-449900              | Miscellaneous Grants   |   | \$ 1,159                                |
|                           |  |   |   |
|                           |  | \$ 1,909                                | \$ 1,909                                |
| <b>Explanation:</b>       | Cooperative Extension (10640) - Transfer funds for grills and pasta makers for Family and Consumer Sciences programming and for SHIP Grant funding through the NC Department of Insurance. |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - No change.   |   |   |



|                           |  | Debit                                   | Credit                                  |
|---------------------------|--|---|---|
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| Account Number            | Account Description  |   |   |
| 66868-511000              | Telephone and Postage  |   | \$ 577                                  |
| 66868-511000              | Telephone and Postage  |   | \$ 2,000                                |
| 66868-533200              | Lab Tests  | \$ 2,000                                |   |
| 66868-557100              | Software License Fees  | \$ 577                                  |   |
|                           |  |   |   |
|                           |  | \$ 2,577                                | \$ 2,577                                |
| <b>Explanation:</b>       | Southern Outer Banks Water (66868) - Transfer funds for SOBWS lab testing and for Bently WaterGems Software license fee for modeling the water systems.  |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Ocean Sands Water and Sewer District Fund (60) - No change.  |   |   |
|                           | Southern Outer Banks Water Fund (66) - No change.  |   |   |
|                           |  |   |   |
|                           |  | Debit                                   | Credit                                  |
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| Account Number            | Account Description  |   |   |
| 10750-545000              | Contracted Services  |   | \$ 10,000                               |
| 10750-561000              | Professional Services  | \$ 10,000                               |   |
| 10460-545000              | Contracted Services  |   | \$ 6,112                                |
| 10750-590000              | Capital Outlay   | \$ 6,112                                |   |
|                           |  |   |   |
|                           |  | \$ 16,112                               | \$ 16,112                               |
| <b>Explanation:</b>       | SOCIAL SERVICES ADMIN (750) - Move funds to cover the cost of contracting with a third attorney due to conflict of interest with two other attorney's DSS contracts with and to replace a HVAC unit at the DSS building. |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - No change.   |   |   |

|                       |                            | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u> | <u>Account Description</u> |   |   |
| 10480-545700          | Microfilm Processing       | \$ 6,800                                |   |
| 10480-590000          | Capital Outlay             |   | \$ 3,500                                |
| 10480-532000          | Supplies                   |   | \$ 3,300                                |
|                       |                            | <u>\$ 6,800</u>                         | <u>\$ 6,800</u>                         |

**Explanation:** Register of Deeds (10480) - The state Microfilm department has advised us that during their routine inspections that some of the older microfilm has deteriorated and is no longer viable. This money will be used to restore these books.

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

|                       |                            | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u> | <u>Account Description</u> |   |   |
| 10535-545000          | Contracted services        |   | \$ 17,734                               |
| 10535-590000          | Capital Outlay             | \$ 17,734                               |   |
|                       |                            | <u>\$ 17,734</u>                        | <u>\$ 17,734</u>                        |

**Explanation:** Communications (10535) - Transfer budgeted funds for radios for backup site originally budgeted in Emergency Telephone System fund and we have been notified that these costs are not reimburseable through that funding stream.

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

|                       |                            | Debit                                   | Credit                                  |
|-----------------------|----------------------------|---|---|
|                       |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u> | <u>Account Description</u> |   |   |
| 12548-590015          | Capital Outlay             | \$ 8,145                                |   |
| 12548-554015          | Insurance                  | \$ 484                                  |   |
| 12548-545000          | Contract Services          |   | \$ 8,629                                |
|                       |                            | <u>\$ 8,629</u>                         | <u>\$ 8,629</u>                         |

**Explanation:** Knotts Island Volunteer Fire Department (12548) - Transfer funds from Contract Services to Capital Outlay for a Mud Motor requested by Knotts Island VFD and approved by the Fire Advisory Board and to transfer funds to insurance for premium increases.

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

|                           |   | Debit                                   | Credit                                  |
|---------------------------|---|---|---|
|                           |   | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>  |   |   |
| 12543-516103              | Buildings and Grounds   | \$ 1,625                                |   |
| 12543-516003              | Repairs & Maintenance   |   | \$ 4,100                                |
| 12543-532103              | Fire Supplies   | \$ 3,680                                |   |
| 12543-532003              | Supplies  |   | \$ 780                                  |
| 12543-536103              | Personal Protective Equipment   | \$ 2,700                                |   |
| 12543-545000              | Contract Services   |   | \$ 1,500                                |
| 12543-561003              | Professional Services   |   | \$ 1,348                                |
| 12543-544003              | Volunteer Assistance  | \$ 2,500                                |   |
| 12543-554003              | Insurance   |   | \$ 2,500                                |
| 12543-590003              | Capital Outlay  |   | \$ 277                                  |
|                           |   | <u>\$ 10,505</u>                        | <u>\$ 10,505</u>                        |
| <b>Explanation:</b>       | Moyock Volunteer Fire Department (12543) - Transfer budgeted funds within the Moyock Volunteer Fire Contract budget per request of the volunteer fire department. |   |   |
|                           |   |   |   |
|                           |   |   |   |
| <b>Net Budget Effect:</b> | Fire Services Fund (12) - No change.  |   |   |
|                           |   | Debit                                   | Credit                                  |
|                           |   | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>  |   |   |
| 10550-503000              | Part-time Salaries  | \$ 2,000                                |   |
| 10550-505000              | FICA  | \$ 153                                  |   |
| 10550-513000              | Utilities   | \$ 3,000                                |   |
| 10550-531002              | Aviation Fuel   |   | \$ 10,153                               |
| 10550-545000              | Contract Services   | \$ 5,000                                |   |
|                           |   | <u>\$ 10,153</u>                        | <u>\$ 10,153</u>                        |
| <b>Explanation:</b>       | Airport (10550) - Transfer budgeted funds to cover operations and tractor maintenance to maintain the airport property.   |   |   |
|                           |   |   |   |
|                           |   |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - No change.  |   |   |

|                           |  |  |  |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|--|--|--|
| <b>Explanation:</b>       | Disaster Recovery (10980) - To record actual insurance claims and estimated FEMA claims resulting from damages sustained during Hurricane Matthew in October 2017. |  |  |  |  |  |  |  |  |  |
|                           |  |  |  |  |  |  |  |  |  |  |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$263,149.  |  |  |  |  |  |  |  |  |  |

|                           |  | Debit   |   | Credit    |            |
|---------------------------|--|---|---|-----------|------------|
| <u>Account Number</u>     | <u>Account Description</u>   | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |           |            |
| 10796-516000              | Repairs & Maintenance  |   |   | \$        | 125        |
| 10796-511010              | Data Transmission  | \$  | 125   |           |            |
|                           |  |   |   |           |            |
|                           |  |   |   |           |            |
|                           |  |   |   |           |            |
|                           |  |   |   |           |            |
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|                           |  |   |   |           |            |
|                           |  | <u>\$</u>                                       | <u>125</u>                                      | <u>\$</u> | <u>125</u> |
| <b>Explanation:</b>       | Currituck County Rural Center (10796) - Transfer funds for increased internet costs. |   |   |           |            |
|                           |  |   |   |           |            |
|                           |  |   |   |           |            |
| <b>Net Budget Effect:</b> | Operating Fund (10) - No change.   |   |   |           |            |

### 3. Division of Coastal Management Planning and Management Grant

#### **4. Resolution in Recognition of the 75th Anniversary of Albemarle Regional Health Services**

## RESOLUTION OF RECOGNITION OF 75 YEARS OF PUBLIC HEALTH SERVICE

WHEREAS, Albemarle Regional Health Services will celebrate its 75<sup>th</sup> Anniversary of service to citizens of Pasquotank, Perquimans, Camden, Chowan, Currituck, Bertie, and Gates counties; and

WHEREAS, Albemarle Regional Health Services has rendered quality care to the citizens of the Albemarle region of care during its seventy-five years of operation; and

WHEREAS, Albemarle Regional Health Services is to be commended for its seventy-five years of outstanding service;

NOW THEREFORE BE IT RESOLVED by the Currituck County Board of Commissioners that Albemarle Regional Health Services be congratulated and offered the Board's sincerest appreciation for seventy-five successful years of dedicated service to the citizens of the Albemarle region.

Adopted this the 3rd day of April, 2017.

### 5. Resolution to Declare Surplus Communications Equipment

| RESOLUTION   |                                 |               |
|--|---------------------------------|---------------|
|  |                                 |               |
| <p><b>WHEREAS,</b> THE Board of Commissioners of the County of Currituck, North Carolina during its regularly scheduled meeting authorized the following, pursuant to G.S. 160A and 270(b) that the property listed below will be sold at auction, negotiated sale or will be disposed of if not sellable.</p> |                                 |               |
| County   |                                 |               |
| Asset Tag  | Description                     | Serial Number |
| 7050   | Motorola UHF Base Radio         | 103TJW7015    |
| 7051   | Motorola UHF Base Radio         | 103TJW7016    |
| 7120-D   | Monitor Table Stand - Black     |               |
| 7120-E   | Monitor Table Stand - Black     |               |
| 7190   | Positron Power 911 Phone System | I15419        |
| 7191   | Positron Power 911 Phone System | C09319        |
| 7192   | Positron Power 911 Phone System | 125990        |
| 7276   | Positron Power 911 Phone        |               |
| 7277   | Positron Power 911 Phone        |               |
|  |                                 |               |
| <p><b>NOW, THEREFORE, BE IT RESOLVED,</b> that the Board of Commissioners of the County of Currituck reserves the right to reject any and all bids.</p>  |                                 |               |
|  |                                 |               |
| <p><b>ADOPTED,</b> this 3rd day of April, 2017.</p>  |                                 |               |

## **6. Wireless Communication Resolution, Sole Source**

### **RESOLUTION AUTHORIZING THE PURCHASE OF VESTA 911 COMMAND POST SYSTEM AND ACCESSORY ITEMS FROM WIRELESS COMMUNICATIONS, INC. THROUGH SOLE SOURCE PURCHASE**

WHEREAS, Currituck County has previously acquired certain equipment from Wireless Communications, Inc. manufactured by Airbus for its central communications center; and

WHEREAS, Currituck County intends to acquire three additional VESTA 9-1-1 CommandPOST Systems and accessory items and is informed that Airbus, as manufacturer of the equipment, will not allow for the equipment to be provided and maintained by a vendor other than Wireless Communications, Inc.; and

WHEREAS in order that equipment in Currituck County's central communications center is compatible it is necessary to obtain the VESTA 9-1-1 CommandPOST System and accessory items from Wireless Communications, Inc. as vendor for the manufacturer Airbus; and

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase from a sole source "when a needed product is available from only one source of supply".

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$44,174.44 with Wireless Communications, Inc. for the sole source purchase of additional material, equipment, supplies and services described in Exhibit A to this resolution that necessary to complement and enhance the county's central communications center and system in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Wireless Communications, Inc. for acquisition and installation of the material, equipment or supplies and services necessary for installation.

Section 2. This resolution shall be effective upon its adoption.  
This the 3<sup>rd</sup> day of April, 2017.

## **7. Panther Landing Convenience Center lease renewal**

### **8. Amended-4-3-17 Resolution Requesting Opposition to HB 271 and Sections of 2.1 (A)(B)(C) and (D) of SB 539 Repealing the Ban on the use of Plastic Shopping Bags by Retail Establishments on the Outer Banks**

#### **A RESOLUTION REQUESTING OPPOSITION TO HOUSE BILL 271 AND SECTIONS 2.1 (A)(B)(C) AND (D) OF SENATE BILL 539 REPEALING THE BAN ON THE USE OF PLASTIC SHOPPING BAGS BY RETAIL ESTABLISHMENTS ON THE OUTER BANKS**

WHEREAS, in 2010 the North Carolina General Assembly enacted a ban on the use of plastic shopping bags by Outer Banks retail establishments, the Nation's first mandated state ban; and

**WHEREAS**, the legislation banning the use of plastic shopping bags by Outer Banks retail establishments was proposed to protect the environment and help preserve the thriving tourism industry; and

**WHEREAS**, plastic shopping bags are known to threaten wildlife and harm marine life, especially sea turtles; and

**WHEREAS**, discarded plastic shopping bags contribute to overburdened landfills, degrade the beaches and other natural landscapes on the North Carolina coast; and

**WHEREAS**, banning plastic shopping bags has resulted in a welcomed and accepted change in shopping culture on the Outer Banks where the delicate ecosystem is particularly vulnerable to excessive trash; and

**WHEREAS**, banning plastic bags has improved the visual aesthetics in the Currituck Outer Banks and other areas along the Outer Banks by reducing litter, adding protection to the fragile marine ecosystems, and eliminating tons of plastic from our landfills; and

**WHEREAS**, legislation has been filed in the North Carolina House of Representatives and North Carolina State Senate that would repeal the ban on the use of plastic shopping bags by Outer Banks retail establishments.

**NOW, THEREFORE, BE IT RESOLVED** that the Currituck County Board of Commissioners opposes House Bill 271 and Sections 2.1(a)(b)(c) and (d) of Senate Bill 539 and requests that its legislative delegation Representative Bob Steinburg and Senator Bill Cook also oppose any legislation having the effect of repealing the ban on the use of plastic shopping bags by Outer Banks retail establishments.

Adopted this 3rd day of April, 2017.

### **C) Commissioner's Report**

Commissioner Hall recognized Steve Shawgo and Robert Miles who adopted Tulls Creek Road through the Adopt a Highway program. He thanked everyone who assisted in the clean-up effort.

Commissioner White reported his attendance at a meeting in Raleigh to discuss the Mid-Currituck Bridge. Mr. Scanlon, Chairman Hanig, Commissioner Beaumont and Mr. Scanlon also attended, and Commissioner White was encouraged, as NCDOT reported they are moving forward. He reported his attendance at the State of the Region meeting in Greenville, NC, along with Chairman Hanig, and highlighted some takeaways:

- Manufacturing is growing faster in rural versus urban areas.
- Skilled labor is the number one problem in the region.
- Lack of training centers
- Investment in education was a constant message as the key to success.

Commissioner White said it was a great meeting, and said the county is poised to move forward with development of the mega-site plan and continued investment in College of the Albemarle. He thanked the staff for their efforts.

Commissioner Gilbert reminded everyone of Palm Sunday next week, the beginning of Holy Week.

**D) County Manager's Report**

No report

**ADJOURN**

**Motion to Adjourn Meeting**

With there being no further business, Commissioner Gilbert motioned to adjourn. Commissioner Beaumont seconded the motion. The motion passed unanimously and the meeting of the Currituck County Board of Commissioners concluded at 5:52 PM.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Mary "Kitty" Etheridge, Commissioner   |
| <b>SECONDER:</b> | Paul M. Beaumont, Commissioner   |
| <b>AYES:</b>     | 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

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

To: Board of Commissioners

From: Planning Staff

Date: March 27, 2017

Subject: PB 16-24 Blue Water Development Corp

The attached text amendment to the Unified Development Ordinance submitted by Blue Water Development Corp. initially was a request to allow private campgrounds in the Single Family Residential-Mainland (SFM) zoning district. After meeting with staff, the applicant modified the request to only allow the expansion of existing campgrounds subject to specific standards.

The current UDO does not allow private campgrounds as a principal use and the existing campgrounds are nonconforming uses that are allowed to continue but, expansions or intensification of the nonconforming use is not permitted by the UDO. The proposed language would allow existing campgrounds in the SFM zoning district to expand and increase the number of campsites to a total of up to five campsites per acre with a use permit. The existing campgrounds will continue to operate as a nonconforming use and new private campgrounds would not be permitted. There are four existing campgrounds in the county. Hampton Lodge Campground and Bells Island Campground are located in the SFM zoning district.

The applicant held a community meeting on February 6, 2017 at the Currituck Cooperative Extension building and discussed the proposed amendment and improvements to the Hampton Lodge Campground.

### **BACKGROUND**

The 1982 Currituck County Zoning Ordinance did allow campgrounds but did not permit the expansion of the district which allowed the use.

The 1989 Unified Development Ordinance did not allow for the expansion of the zoning district that allowed campgrounds (RR). This restriction did not permit campgrounds created on property not zoned RR.

In 1992, a text amendment was approved that allowed the expansion of the RR zoning district when a property contained two zoning districts one of which was RR with a maximum overall density of 4.5 units per acre. The density was later increased to 5.5 units per acre.

In early 2011, a request was submitted to the county to allow new RR zoning districts to be created and was later withdrawn.

In 2013, the UDO specified campgrounds were nonconforming uses and could no longer be expanded.

Historically, campgrounds have been the source of many enforcement complaints such as recreational vehicles used as permanent dwellings and permanent additions being made to the temporary vehicles rendering many of them non-transportable.

The following campgrounds were considered existing in the county on January 1, 2013:

- |  |           |
|--|-----------|
| • Barnes Campground (Knotts Island)          | Zoned SFI |
| • Bells Island Campground (Currituck)        | Zoned SFM |
| • Hampton Lodge Campground (Church's Island) | Zoned SFM |
| • Sandy Point Resort (Knotts Island)         | Zoned SFI |

### **LAND USE PLAN CONSISTENCY**

The UDO requires the Board of Commissioners adopt a statement of consistency and reasonableness that describes whether the decision on the amendment is consistent with county adopted plans that are applicable and why the decision is reasonable and in the public interest.

The 2006 Land Use Plan does not provide a direct policy statement relevant to this amendment or the expansion of nonconforming uses in general. With the potential expansion of the two campgrounds in the SFM zoning district, the following policy indirectly relates to the request and the potential expansion of existing campgrounds located in the SFM zoning district:

**POLICY TR11: ACCESS TO HIGHER INTENSITY DEVELOPMENT** shall generally not be permitted through an area of lower intensity development. For example, access to a multi-family development, a major park facility, or other large traffic generator shall not be permitted through a local street serving a single family residential neighborhood.

The following goal indirectly relates to the use:

Goal 3.4: Continue to expand the role tourism plays in Currituck County.

The existing campgrounds in the SFM zoning district are primarily located in the Limited Service Areas of the county. The policy emphasis states, "businesses located in these areas should be designed to serve the tourist industry such as small gift shops or agri-tourism related uses provided the character and intensity of the use is in keeping with the character of the surrounding area."

## **RECOMMENDATION**

Planning staff is concerned with allowing the proposed density expansion of campgrounds without providing adequate buffering and compatible site design with surrounding neighborhoods. The two existing campgrounds located in the SFM zoning district (Hampton Lodge Campground and Bells Island Campground) are located on local roads maintained by NCDOT that provide access through residential neighborhoods. The potential expanded campgrounds will allow for higher intensity development along the local roads. The applicant discussed added amenities to the site but, the increase in campsites permitted with the text amendment does not correlate to an increase in amenities or assurance of infrastructure improvements. Potentially, some of the nonconforming campgrounds could more than double their current capacity on local streets with minimal site improvements.

As proposed staff recommends denial of the proposed text amendment based on the following:

- The proposed language is not consistent and in conflict with the purpose and intent of the Land Use Plan by allowing the expansion and increase in intensity of the existing campgrounds in the SFM zoning district accessed by local roads through residential neighborhoods; and,
- The proposed text amendment is not reasonable and in the public interest by not providing adequate language that would reduce the potential impacts of expanded campgrounds in neighborhoods where the campgrounds exist and, the proposed language will not improve compatibility among uses for efficient development within the county.

Planning Board Recommendation: Mr. Craddock motioned to deny the text amendment since the proposed language is not consistent and in conflict with the purpose and intent of the current Land Use Plan by allowing the increase in size of campgrounds in the SFM zoning district. Also, it is not reasonable and not in the best interest of the public and has inadequate language that would cause a negative effect in the future. Ms. Overstreet seconded the motion and the motion carried unanimously.

Planning Board Discussion 3/14/17:

Senior Planner, Donna Voliva, presented the staff report. The text amendment to the Unified Development Ordinance (UDO) submitted by the applicant was initially a request to allow private campgrounds in the Single Family Residential-Mainland (SFM) zoning district, but was modified to only allow the expansion of existing campgrounds subject to specific standards. This will only affect two of the four campgrounds in Currituck County, Bells Island Campground and Hampton Lodge Campground. All campgrounds in Currituck are currently nonconforming since the 2013 UDO specified campgrounds as nonconforming uses and could no longer be expanded. Also, the 2006 Land Use Plan does not provide a direct policy statement to amending or expanding nonconforming uses in general. Planning staff is concerned with allowing the proposed density expansion of campgrounds without having enough buffering nor a compatible site design with the surrounding neighborhoods. Staff recommends denial of the proposed text amendment due to the proposed language not being consistent and in conflict with the Land Use Plan by having to access the campgrounds through local residential neighborhoods. Also, it is not reasonable and in the public interest by not provided adequate language that would reduce the potential impacts of expanded campgrounds in neighborhoods

where they currently exist and will not improve compatibility among uses for efficient development within the county.

Mr. Whiteman asked when talking about a nonconforming campground under the current UDO language and not being able to be expanded, is this only for number of campsites or does this include facilities and outbuildings. Ms. Voliva said you cannot expand the number of campsites or the land that was not undeveloped prior.

Mr. McColley asked if this could open the door for the Single-Family Residential-Isolated (SFI) zoning district and Ms. Voliva said it could possibly if there was interest in expansion for those campgrounds located in that district. They could request a text amendment.

Chairman Bell opened the public hearing.

Warren Eadus, President of Quible & Associates PC, appeared before the board to speak on behalf of Blue Water Development Corporation. He said they held a community meeting and the developer was there as well. We understand there are some issues that the citizens are concerned with, but we are trying to improve an existing campground that needs improvement. We know that the road leading into the campground is an issue in its current condition. The developer has spoken to Ed Nosing and they have said they are willing to try and improve the road, but not if they are not allowed to move forward with their plan. There are currently 250 electrical hook-ups and open areas within the campground. We are willing to work with the residents if they will allow us to. The advantages to our development would be an increase in occupancy tax and an increase in employment for Currituck. This would also increase tourism which is in keeping with the plan for Currituck. This development will not have an impact on our schools since this is seasonal campsites. This will also decrease the impact on our law enforcement with what currently goes on with the campground as it is now. There are permanent residents living there and school buses coming in to pick up children and this is not supposed to be allowed in the county. Our development would stop this. Also the development would stabilize some of the shoreline and marshes that have been historically used. The disadvantages would be an increase in seasonal traffic. There could be an increase in seasonal noise and there could be some road congestion. Their opposition, we feel, are mainly based around the road.

John E. "Lucky" Pappas, the current owner and resident of Virginia, appeared before the board. He purchased the property 43 years ago with his partners. He and the co-owners of the property have all retired and he stated their ages are 77, 78 and 79 years old. He stated he does not have the time, resources or the energy to do justice to the property and thought this was a great opportunity for the county when Blue Water Development approached them. Mr. Pappas said everything around the Hampton Lodge has changed with the building of houses since the county brought water down Waterlily Road. He said Hampton Lodge had never changed, but now it is time.

Mr. Craddock asked what the initial capital outlay would be and the developer said, if the site plan was approved, it would be an 8 figure investment, plus the cost of the land.

Chairman Bell asked what the employment opportunities would be and Mr. Eadus said it would be seasonal employee and year round to maintain the campground.

Mr. McColley asked if the people that are currently living in the campground are employees and Mr. Eadus said some are employees, but some are not.

Mr. McColley asked if the people living there would be eliminated or reduced and Mr. Eadus said they would be eliminated because occupancy is seasonal and the campground is shut down in the winter months.

Eric Van Orden, with Blue Water Development Corporation, appeared before the board. He said they have tried to make themselves available to anyone who wanted to speak with them about the project. They have spoken with NCDOT about trying to get some improvements to the road and they will be bringing in rip rap for areas that was damaged by Hurricane Matthew and from various nor'easters. Also, in 2018 they are going to resurface the road. He stated they would really like the opportunity to work with the county and improve what is there now. We have taken into account the citizens' concerns of the traffic on the road and have come up with a plan to have parked RV Models to reduce the amount of traffic coming in. He said if we were able to move forward we would eventually have 60 employees and would also have a bar and a restaurant. Just because the text amendment is approved doesn't mean that we could go ahead and build. There are issues that with water and electricity that need to be resolved first.

Chairman Bell asked for people speaking in support of the request.

Gregory Payne, 1548 Waterlily Road, appeared before the board. He said he and his wife live in the second to the last house before the entrance to the campground. We see what goes on in the campground as it is now and we don't like it. Mr. Payne said people that live further away are not aware of what goes on in the campground. We feel it is time to clean it up so we are in support of the text amendment.

Chairman Bell asked for people speaking in opposition of the request.

Mike Dahus, 1275 Waterlily Road, said he had been asked to speak on behalf of the citizens in opposition that live on Waterlily Road. We have 7 miles of road that is lined with several single family homes and this road will not withstand the amount of traffic that would be created by the campground. NCDOT does not make the improvements that are needed to the road. The road is 16 feet in width. RVs can be as much as 8 foot 6 inches in width which does not give enough room for passing vehicles. School buses and the RVs cannot coexist on the road; it could cause one to lay over on its side if one gets off the shoulder. Residents also walk down and across the road to get to the water and this would be dangerous with all the traffic. In three months' time we have had four different text amendment changes and the last one is no better than the first one. The current management team would always let our residents freely walk and use the campground and the boat ramps and this would be stopped with the new development. We ask that you stay true to the current UDO and deny this request. We have serious concerns for the safety of our family, pet, along with the preservation of our lifestyle on Waterlily Road.

Paul O'Neal, 893 Waterlily Road, appeared before the board. He passed out a signed petition with 247 signatures from residents in opposition of the campground development and photographs of Waterlily Road. He said he knew the history of the road's condition going back many years since he had been a part of trying to get it fixed. He said the developer fixing the road or widening the road is not true since only NCDOT has the required rights to do that. Also, NCDOT has said when they can no longer keep fixing the road, they are going to have to move

the road; they are not looking to upgrade the road. The current plan, as presented, is going to cater to large vehicles that are wider than the road and unable to pass cars without going to the shoulder. This will cause someone to go into the sound or into someone's mailbox. This afternoon, there was a young man that went off the road into the canal. If this text amendment gets approved, Bells Island, which also is at the end of one narrow road, would have the same issues. Mr. O'Neal said this is where we live and the people that are proposing this do not live in this county or state. He said a special use permit is what allows the attorneys to dictate what happens instead of the people of Currituck County. It sets conditions and the citizens won't have the money or experts to fight and the other side will.

Three other residents of Waterlily Road appeared before the board and shared their concerns about the potential traffic congestion and losing the current peace in the neighborhood.

Mr. Eadus gave his rebuttal and said the road conditions are a problem that existed before our proposal. Also, this is not going to be a new campground, it is already an existing campground that predates many of the newer homes on Waterlily. There is a right to use the campground as it is now and it's currently underused. We are offering to work with the county to improve the campground. This campground will be used and the county has an opportunity to dictate how it will get used.

Chairman Bell closed the public hearing.

Mr. Craddock said he appreciates the concerns of the community and we understand your feeling and concerns. I agree with many of the comments tonight and in my opinion it would be a detriment to allow the passage of this text amendment.

Mr. Whiteman said if you are a property rights person it is hard to not see how this could help the county, but at the same time the UDO was meant to protect areas like Waterlily.

Chairman Bell said she and her husband camped for twelve years and had previously stayed at Hampton Lodge years ago. She said it is a beautiful spot and is ashamed of its current condition.

Chairman Bell asked for a motion.

Mr. Craddock motioned to deny the text amendment since the proposed language is not consistent and in conflict with the purpose and intent of the current Land Use Plan by allowing the increase in size of campgrounds in the SFM zoning district. Also, it is not reasonable and not in the best interest of the public and has inadequate language that would cause a negative effect in the future. Ms. Overstreet seconded the motion and the motion carried unanimously.



**PB 16-24**  
**BLUE WATER DEVELOPMENT CORP**

Amendment to the Unified Development Ordinance, Chapter 4: Use Standards, Chapter 8: Nonconformities, and Chapter 10: Definitions and Measurement. to provide standards for expanding existing campgrounds.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

**Item 1:** That Chapter 4. Use Standards, Section 4.1.2. Use Table and 4.2.4.Commercial Uses are amended by adding the following underlined language, removing the strikethrough language, and renumbering accordingly:

**TABLE 4.1.1: SUMMARY USE TABLE**

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

| USE CATEGORY           | USE TYPE                                      | ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS)<br>[NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES] |    |     |     |     |     |     |    |    |    |    |    |    |      |      |      |
|------------------------|---|--|----|-----|-----|-----|-----|-----|----|----|----|----|----|----|------|------|------|
|                        |   | RC   | AG | SFM | SFO | SFR | SFI | MXR | GB | LB | CC | VC | LI | HI | PD-R | PD-M | PD-O |
|                        |   | COMMERCIAL USE CLASSIFICATION  |    |     |     |     |     |     |    |    |    |    |    |    |      |      |      |
| Visitor Accommodations | Bed and breakfast inn                         |  |    | Z   | Z   |     | Z   | Z   | Z  | Z  | Z  | Z  |    |    | M P  | M P  | M P  |
|                        | <u>Campground expansion, existing private</u> |  |    | U   |     |     |     |     |    |    |    |    |    |    |      |      |      |
|                        | Hotel or motel                                |  |    |     |     |     |     |     | Z  |    | Z  | Z  |    |    | M P  | M P  | M P  |
|                        | Hunting lodge                                 |  | U  |     |     |     |     | Z   | Z  | Z  |    |    |    |    | M P  | M P  | M P  |

#### 4.2.4. Commercial Uses

##### J. Visitor Accommodations

##### (2) Campground, Existing Private

New private campgrounds are not allowed as a principle use in Currituck County. The expansion of existing private campgrounds shall be subject to the following standards:

- (a) A Use Permit shall be obtained from the Currituck County Board of Commissioners before expansion of an existing campground may occur.
- (b) Existing non-conforming campgrounds may be expanded only after meeting the following improvements and performance criteria:
  - i. All existing units must be in compliance with the specifications outlined in this Section (4.2.4. Commercial Uses J. Visitor Accommodations) as determined by the Currituck County Planning and Zoning Department (Code Violations and Compliance).
  - ii. Bathhouse and toilet facilities must be provided and found to be in compliance with the specifications outlined in this Section (4.2.4 Commercial Uses J. Visitor Accommodations) as determined by the Currituck County Planning and Zoning Department (Code Violations and Compliance).
- (c) There shall be no single ownership of any campsite.
- (d) RVs, Campers and park model campers may not be modified in any manner that would render the unit non-transportable.
- (e) Campers and park model campers may not be placed on a permanent foundation.
- (f) Campgrounds shall not include permanent residences, excluding one dwelling unit to be occupied by the park caretaker, manager, or other employees.
- (g) Additions to campers are prohibited.
- (h) The maximum density of any expanded private campground shall not exceed five camper sites per acre.
- (i) Ownership of park model campers by an individual tenant is prohibited and such may only be occupied on a temporary basis and not as a place of permanent residence or domicile.
- (j) Manufactured and mobile homes shall be prohibited.



- (k) The temporary location of a tent on a campsite in a campground shall not require the issuance of a building permit.
- (l) No tent or camper shall be occupied for longer than a Season (March 1–November 15).
- (m) A minimum of 25 percent of the total development shall be provided as open space set-asides.
- (n) All roads shall be private.
- (o) Campgrounds shall be closed November 15 through March 1(a Season) except for special events and other community functions as allowed by Currituck County and after acquiring any and all necessary special event permits.
- (p) Campground amenities shall be required and provided for expanded campgrounds according to the following schedule:
  - i. Bathhouses shall be provided at a ratio of one shower for every 75 campsites
  - ii. Toilet facilities and bathhouses shall be located at a distance no greater than 500 feet radius and made accessible to all patrons of the campground.
  - iii. Recreational facilities shall be provided and include at a minimum one active playing field or court for every 300 units allowed; walkways or trails to connect the facility (handicap accessible trails shall constitute no less than 25 percent of any provided walkways)
  - iv. Amenities allowed will also include, but not be limited to, campground stores, restaurants, bars, marinas and pools.

**Item 2:** That Chapter 8. Use Standards, Section 8.2.6 Nonconforming Campgrounds is amended by adding the following underlined language and removing the strikethrough language:

## 8.2.6. Nonconforming Campgrounds

Private campgrounds are not allowed as a principle use in Currituck County, except when the requirements set forth in Section 4.2.4. Commercial Uses J. Visitor Accommodations are met. All existing campgrounds and campground subdivisions are nonconforming uses subject to the following standards (except when the requirements set forth in Section 4.2.4 Commercial Uses J. Visitor Accommodations are met) subject to the following standards:

### A. General Standards

- (1) Camping is an allowed use of land only in existing campgrounds and campground subdivisions.
- (2) Campers may not be modified in any manner that would render the unit non-transportable.
- (3) No tent or ~~camper~~ RV may be located on a campsite or campground subdivision for more than 90 days a Season (March 1 through November 15).
- (4) Additions to campers are not permitted.
- (5) Modifications to existing campgrounds are permitted provided the changes do not increase the nonconformity with respect to number of campsites that existed on January 1, 2013. Expansions of existing campgrounds that existed on January 1, 2013 shall be permitted in accordance with the standards in Section 4.2.4.

### B. Existing Campgrounds

- (1) ~~Existing campgrounds may not be expanded to cover additional land area, or exceed the total number of campsites that existed on January 1, 2013.~~ Expansions of existing campgrounds that existed on or before January 1, 2013 shall be permitted in accordance with the standards in Section 4.2.4.
- (2) Campers may not be placed on a permanent foundation. Park models may be allowed to have skirting, landscaping

and wooden access stairs/platforms as required by applicable building codes.

- (3) Campsites may have a wooden platform not to exceed 100 square feet. Platforms must be 12 inches or less in height from existing grade. Handicap ramps, and building code compliant access stairs are not subject to the maximum height requirement and square footage provided the ramp does not exceed five feet in width.
- (4) Campgrounds shall not include permanent residences, excluding one dwelling unit to be occupied by the park caretaker or manager.

**Item 3:** That Chapter 10, Section 10.5 Definitions is amended by adding the following underlined language and removing the strikethrough language:

### CAMPER, PARK MODEL

A vehicular unit capable of obtaining a state motor vehicle license and which meets all of the following standards:

- a. built on a single chassis, permanently mounted on wheels and, 400 square feet or less interior floor area when set up for occupancy;
- b. shall not exceed 17 feet in height, and shall not contain living space below the first floor elevation;
- c. is designed to provide seasonal or temporary living quarters which may be connected to utilities necessary for installed fixtures and appliances;

### CAMPSITE

A space within a campground used exclusively for camping purposes. Campsites shall be occupied on a temporary or seasonal basis only.

### RECREATIONAL VEHICLE

A vehicle, which is:

- (a) built on a single chassis;

- (b) ~~400 square feet or less when measured at the largest horizontal projection;~~
- (c) designed to be self-propelled or permanently towable by a light duty truck; ~~and,~~
- (d) designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational camping, travel, or seasonal use; ~~and,~~
- (e) includes the terms:
  - (i) Camping trailer. The term "camping trailer" means a folding structure of canvas or other material mounted on wheels and designed for travel, recreation, and vacation use.
  - (ii) Motor home. The term "motor home" means a portable, temporary dwelling to be used for travel, recreation, and vacation constructed as an integral part of a self propelled vehicle.
  - (iii) Pickup coach. The term "pickup coach" means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
  - (iv) Travel trailer. The term "travel trailer" means a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation, and vacation uses, and, when factory equipped for roads, it shall have a body width not exceed eight feet, and a body length not exceeding 32 feet.

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

**Item 5:** This ordinance amendment shall be in effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
 Board of Commissioners' Chairman  
 Attest:

\_\_\_\_\_  
 Leeann Walton  
 Clerk to the Board

DATE ADOPTED: \_\_\_\_\_  
 MOTION TO ADOPT BY COMMISSIONER: \_\_\_\_\_  
 SECONDED BY COMMISSIONER: \_\_\_\_\_  
 VOTE: \_\_\_\_\_AYES \_\_\_\_\_NAYS \_\_\_\_\_  
 .....  
 PLANNING BOARD DATE: \_\_\_\_\_  
 PLANNING BOARD RECOMMENDATION: \_\_\_\_\_  
 VOTE: \_\_\_\_\_AYES \_\_\_\_\_NAYS \_\_\_\_\_  
 ADVERTISEMENT DATE OF PUBLIC HEARING: \_\_\_\_\_  
 BOARD OF COMMISSIONERS PUBLIC HEARING: \_\_\_\_\_  
 BOARD OF COMMISSIONERS ACTION: \_\_\_\_\_  
 POSTED IN UNIFIED DEVELOPMENT ORDINANCE: \_\_\_\_\_  
 AMENDMENT NUMBER: \_\_\_\_\_



## Text Amendment Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Blue Water Development Corp.  
 Address: 10211 Ruffian Lane  
Berline, MD 21811  
 Telephone: 443-614-9122  
 E-Mail Address: evanorden1@comcast.net cseawell@manteolaw.com

**Request**

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

Amend Chapter(s) 3, 4 Section(s) 3.4.2, 4.1.2 & 4.2.2 as follows:

This text amendment is to permit two classifications of private campgrounds as a permitted use in the Single-Family Residential-Mainland (SFM) District. A distinction is made between upgrades and improvements to an existing private campground and a new private campground. The suggested modifications are set forth in Exhibit "A" attached.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\*Request may be attached on separate paper if needed.

Blue Water Development Corp.

By: \_\_\_\_\_

Petitioner

Date

## EXHIBIT "A"

**4.2.2 - Residential Uses**

## Private Campgrounds

## 1. Upgrades and improvements to existing Private Campgrounds

Upgrades and improvements to existing private campgrounds are residential uses and shall comply with the following standards:

- A. There shall be no single ownership of any campsite.
- B. Campers may not be modified in any manner that would render the unit non-transportable.
- C. Campers may not be placed on a permanent foundation.
- D. Campgrounds shall not include permanent residences, excluding dwelling units to be occupied by campground caretaker, manager or other employees.
- E. Addition to campers are not permitted.
- F. No accessory buildings are permitted on individual campsites in the campground.
- G. Travel trailers, truck campers, camper trailers, motor homes, other licensed recreational vehicles, cabins and recreational park trailers shall conform to the following provisions:
  - 1. Up to 25% of the campsites in the campground may be occupied by recreational travel trailers or cabins. Such units must be owned by the campground owner.
  - 2., Ownership of recreational park trailers or cabins by an individual tenant is prohibited and such may only be occupied on a temporary basis and not as a place of permanent residence or domicile.
  - 3. No recreational vehicle, recreational travel trailer or cabin shall exceed one-story nor shall it exceed 17 feet in height. No such structure shall contain any living space below or any attic space or loft above the first-floor elevation.

4. Additions to recreational vehicles, recreational park trailers and cabins are prohibited in campgrounds.

H. The maximum density shall be 10 campsites per gross acre of the total property.

I. Manufactured and mobile homes shall be prohibited in private campgrounds.

J. Structures or buildings which serve as an amenity or are incidental or accessory to the operation of the campground in general may not exceed 2 stories or 45-feet in height.

K. The temporary location of a tent or recreational vehicle on a campsite in a campground shall not require the issuance of a building permit.

L. The location of a recreational park trailer or cabin on a campsite in a campground or the elevation of a recreational vehicle on a permanent foundation shall require the issuance of a building permit.

M. Every expanded or enlarged campground shall not have less than 25% of its total property devoted to open space and/or recreation as a common area.

N. All roads in the campground shall be private and will not be accepted by the North Carolina Department of Transportation for maintenance.

O. The campground will not be open from November 15 through March 1 of the following year.

## 2. New Private Campgrounds

New private campgrounds are residential uses and shall comply with the following standards:

A. New private campgrounds shall comply with conditional zoning approval requirements as set forth in Section 3.6 of the UDO.



AS H

aldridge, seawell &amp; hudspeth

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ph. (252) 473-3484 • fax. (252) 473-2046 • manteolaw.com

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phudspeth@manteolaw.com  
Laura M. Twichell  
ltwichell@manteolaw.com  
G. Irvin Aldridge  
retired

November 22, 2016

VIA e-mail

Mr. Ben E. Woody  
Currituck County Planning Director

Re: Text Amendment

Dear Ben:

Enclosed please find a text amendment to the Currituck County Unified Development Ordinance. Included with this application is three hard copies of all documents, together with a PDF digital copy of all documents.

The applicant has signed a contract to purchase the Hampton Lodge Campground located in Waterlily, North Carolina. If the property is purchased, title will be taken in the name of Hampton Lodge Campground of Currituck, LLC. As you know, this property is currently operated as a non-conforming campground under the current UDO.

The current owner is Hampton Lodge Campground, L.L.C. Enclosed is a copy of the deed to the current owner, which is recorded in Book 178, Page 641, Currituck County Registry. You will notice the grantee in that deed is not the current owner. However, the current owner is a successor, though mergers and other changes, which did not require a new deed to be filed.

This property is composed of approximately four tracts. Enclosed is a diagram based upon the Currituck County Tax Department's information indicating the approximate boundaries of the various tracts of land that are referenced in the deed.

We look forward to receiving comments from your office with regard to this application.

Yours sincerely,

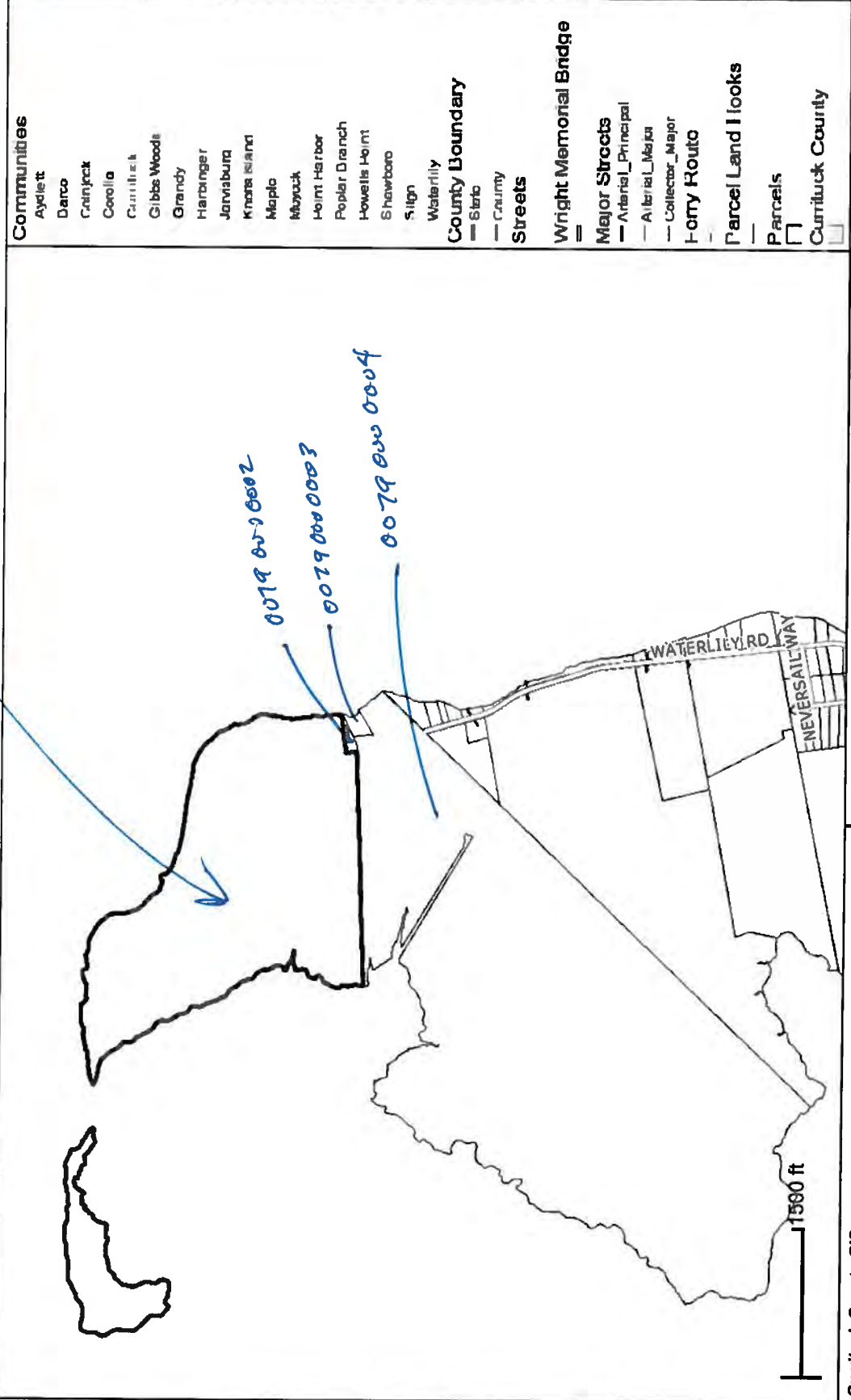
  
Christopher L. Seawell

CLS/cah  
Enclosures  
Cc: Mr. Eric Van Orden

17/04

0079 000 0001 0000

# Currituck County GIS Online Mapping



- Communities**
  - Aydlett
  - Danco
  - Currituck
  - Corolla
  - Currituck
  - Gibbs Woods
  - Grandy
  - Harbinger
  - Jarvisburg
  - Knotts Island
  - Maple
  - Mayack
  - Point Harbor
  - Poplar Branch
  - Howells Point
  - Shawboro
  - Sligh
  - Waterlily
- County Boundary**
  - State
  - County
- Streets**
- Wright Memorial Bridge**
- Major Streets**
  - Arterial\_Principal
  - Arterial\_Major
  - Collector\_Major
  - County Route
- Parcel Land Looks**
- Parcels**
- Currituck County**

This map should be used for general reference purposes only. Currituck County assumes no legal liability for the information shown on this map.

Currituck County GIS  
(252)232-2034  
[www.co.currituck.nc.us/Geographic-Information-Services.cfm](http://www.co.currituck.nc.us/Geographic-Information-Services.cfm)

PLANNING BOARD  
2 Year Terms

| Incumbent            | Nominated by | New Appointee | Nominated by    | Date of Appointment                         | End of Term            |
|----------------------|--------------|---------------|-----------------|---|------------------------|
| Jeff O'Brien         | District 1   |               | Bob White       | February 6, 2017                            | 1st Term<br>12/31/2018 |
| Steven Craddock      | District 2   |               | Bobby Hanig     | February 20, 2017                           | 2nd Term<br>12/31/2018 |
| James Timothy Thomas | District 3   |               | Mike Payment    | February 6, 2017                            | 1st Term<br>12/31/2018 |
| C. Shay Ballance     | District 4   |               | Paul Beaumont   | January 17, 2017                            | 1st Term<br>12/31/2018 |
| Carol Bell           | District 5   |               | Marion Gilbert  | January 4, 2016                             | 2nd Term<br>12/31/2017 |
| Fred Whiteman        | At-Large     |               | Mike Hall       | <i>January 2012-2016</i><br>January 3, 2017 | 2nd Term<br>12/31/2018 |
| John McColley        | At-Large     |               | Kitty Etheridge | April 18, 2016                              | 1st Term<br>12/31/2017 |
| Jane Overstreet      | Outer Banks  |               | Consensus       | December 2014                               | 1st Term<br>12/31/2016 |
|                      |              |               |                 |   |                        |

Can be Reappointed

**BOARD OF ADJUSTMENT  
3-Year Terms**

| Incumbent                  | Nominated by | New Appointee | Nominated by    | Date of Appointment             | End of Term                  |
|----------------------------|--------------|---------------|-----------------|---------------------------------|------------------------------|
| Donna McCloud              | District 1   |               | Bob White       | 01/05/2015                      | 1st Term<br>12/31/2017       |
| Vacant-Will be full member | District 2   |               | Bobby Hanig     | 2/18/2013 1st<br>02/01/2016 2nd | 2nd Term<br>12/31/2018       |
| Zia Montessi               | District 3   |               | Mike Payment    | 3/7/2016                        | Unexpired Term<br>12/31/2016 |
| David Palmer               | District 4   |               | Paul Beaumont   | 1/24/2014                       | 1st Term<br>12/31/2016       |
| Cameron Tabor              | District 5   |               | Marion Gilbert  | 1/24/2014                       | 1st Term<br>12/31/2016       |
| Mike Painter               | At Large     |               | Mike Hall       | 8/20/2012                       | 2nd Term<br>12/31/2017       |
| Vivian Simpson             | At-Large     |               | Kitty Etheridge | 1/17/2012                       | 2nd Term<br>12/31/2017       |

Donna McCloud went from serving as an alternate to a full member position due to the resignation of full member.

Alternate needed to fill vacancy

Can Be Reappointed

RECREATION ADVISORY BOARD  
2 Year Terms

| Incumbent         | District Served | New Appointee | Nominated by    | Date of Appointment | End of Term              |
|-------------------|-----------------|---------------|-----------------|---------------------|--------------------------|
| Ryan Hodges       | District 1      |               | Bob White       | 1/4/2016            | 1st Term<br>January 2018 |
| <b>Neel Smith</b> | District 2      |               | Bobby Hanig     | 1/17/2012           | 2nd Term<br>January 2017 |
| Robin Kane        | District 3      |               | Mike Payment    | 1/4/2016            | 1st Term<br>January 2018 |
| <b>Janet Rose</b> | District 4      |               | Paul Beaumont   | 1/17/2012           | 2nd Term<br>January 2017 |
| Peter Aitken      | District 5      |               | Marion Gilbert  | 2/15/2016           | 1st Term<br>January 2018 |
| Kevin McCord      | At-Large        |               | Mike Hall       | 1/19/2016           | 1st Term<br>January 2018 |
| Ellen Owens       | At-Large        |               | Kitty Etheridge | 1/2017 1st term exp | 2nd Term<br>January 2019 |
|                   |                 |               |                 | 1/3/2017            |                          |

**\*Must be Replaced**

**Commissioner Beaumont Serves on this Board**

Joint Nursing-Domiciliary Community Advisory Committee  
First Term-1 Year  
Reappointments- 3 Year Terms

| Incumbent        | Nominated by | New Appointee | Nominated by | Date of Appointment | End of Term |
|------------------|--------------|---------------|--------------|---------------------|-------------|
|                  |              |               |              |                     |             |
| Vacant           |              |               |              |                     | TBD         |
| Diane Bray       | Consensus    |               |              | 12/7/2015           | 11/1/2018   |
| Barbara Courtney | Consensus    |               |              | 12/7/2015           | 11/1/2018   |
| Florence Scaff   | Consensus    |               |              | 12/7/2015           | 11/1/2018   |
| Rosalie Rose     | Consensus    |               |              | 12/7/2015           | 11/1/2018   |
| Lynda S. Daniels | Consensus    |               |              | 12/7/2015           | 11/1/2018   |
|                  |              |               |              |                     |             |
|                  |              |               |              |                     |             |
|                  |              |               |              |                     |             |
|                  |              |               |              |                     |             |

SENIOR CITIZEN ADVISORY BOARD  
2 Year Terms

| Incumbent             | Nominated by | New Appointee | Nominated by    | Date of Appointment | End of Term  |
|-----------------------|--------------|---------------|-----------------|---------------------|--------------|
| Cindy Scott           | District 1   |               | Bob White       | 3/6/2017            | 1st 2/1/2019 |
| Rita Ferebee          | District 2   |               | Bobby Hanig     | 3/7/2016            | 1st 2/1/2018 |
| Janet Lovell          | District 3   |               | Mike Payment    | 2/6/2017            | 1st 2/1/2019 |
| <b>Doris Ballance</b> | District 4   |               | Paul Beaumont   | 10/7/2013           | 2nd 2/1/2017 |
| <b>George Rhine</b>   | District 5   |               | Marion Gilbert  | 1/4/2016            | 1st 2/1/2018 |
| Marcia Steele         | At-Large     |               | Mike Hall       | 1/19/16             | 2nd 2/1/2018 |
| Joanne DiBello        | At-Large     |               | Kitty Etheridge | 1/4/2016            | 2nd 2/1/2018 |

**Must be replaced**

Commissioner Etheridge Serves on this Board



## CURRITUCK COUNTY NORTH CAROLINA

March 20, 2017

Minutes – Regular Meeting of the Board of Commissioners

### SPECIAL MEETING

The Currituck County Board of Commissioners held a Special Meeting at 1 PM in the Conference Room of the Historic Currituck Courthouse, 153 Courthouse Road, Currituck, North Carolina, for the purpose holding a work session on the annual budget, after which the Board entered Closed Session pursuant to G.S. 143-318.11(A)(3) to consult with the County Attorney in order to preserve the attorney-client privilege.

#### 1. 1:00 PM Budget Work Session

County Manager, Dan Scanlon, began with a review of special revenue funds in the county's budget, including the revaluation fund, emergency telephone system fund, and service districts. Mr. Scanlon discussed service district tax assessments and collections, and recommended tax cuts for the Whalehead Beach Solid Waste District and Whalehead Stormwater Improvement District. Staff members Will Creef, Soil and Water, and Eric Weatherly, County Engineer, talked about stormwater service districts in Moyock and the Carova Beach Road Service District, and noted general challenges with ditch maintenance and drainage. After discussion, Commissioner Beaumont suggested the owner of the roads in Carova be put on notice of the unsafe road conditions to reduce County liability and perhaps encourage the owner to maintain the roads. Documents were distributed that showed current county-maintained roadways and proposed roads with maintenance costs should they be added to the Carova Beach Service District. Mr. Scanlon told the Board no tax is assessed in the Carova Road Service District. Documents containing Moyock Stormwater District maps, ditch locations and statistics, a cost history of maintenance dollars spent and future cost projections for maintenance such as debris removal and snagging and clearing were also presented for Board review.

Denise Hall, Registrar, presented the Register of Deeds budget request for the upcoming year. Ms. Hall noted expense line items and changes and highlighted a particular increase related to records preservation needed for deteriorating paper records. Salary increases for the Registrar and staff were proposed. Ms. Hall asked the Board to consider adopting a Resolution at the Commissioner meeting to support the possible opening of a satellite Registrar's office in Corolla. Discussion of proposed services, projected revenues, costs, work load and staffing resulted in the Board's decision not to adopt a Resolution at this time, as more information and discussion is needed.

Sheriff Susan Johnson and Chief Deputy Matt Beichert also presented the Sheriff's budget requests. Sheriff Johnson requested five additional staff, to include four deputies and one civilian evidence vault technician. She said four deputies would also be requested in next year's budget. Logistical challenges were discussed, and Sheriff Johnson noted increases in population and the number of subdivisions result in an increase in the number of calls and

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response times. Sheriff Johnson described her departmental responsibilities and challenges related to mental health transport and services. She presented the idea of utilizing a formula to determine the need for deputies based on new subdivisions and population. Mr. Scanlon said he would take a look at the financial impact of using a formula. General discussion included retirement benefit costs, school expenses for events, drug dogs and ferry escorts, and grant dollars included in the departmental budget.

With no additional discussion, the Board adjourned the work session and entered Closed Session.

## **2. Closed Session Pursuant to G.S. 143-318.11(A)(3) to Consult with the County Attorney in Order to Preserve Attorney-Client Privilege.**

Chairman Hanig adjourned the work session and at 4:02 PM the Currituck County Board of Commissioners entered Closed Session pursuant to G.S. 143-318.11(A)(3) to consult with the County Attorney in order to preserve Attorney-Client privilege. Commissioner Etheridge was not present initially and joined the Board in Closed Session at 4:45 PM.

Immediately following Closed Session the Board attended a reception hosted by Currituck County Cooperative Extension.

## **WORK SESSION**

### **1. 5:00 PM Commissioners' Reception hosted by Currituck County Cooperative Extension**

The Currituck County Board of Commissioners attended a reception at 5 PM in the kitchen of the Historic Currituck Courthouse. The Currituck County Cooperative Extension staff hosted the reception in conjunction with the department's Report to the People, scheduled to be presented to the Board. The Extension office staff provided a light meal and refreshments for Commissioners.

## **6:00 PM CALL TO ORDER**

The Currituck County Board of Commissioners held its regular meeting at 6 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 D. Hall           | Vice Chairman | Present |         |
| Paul M. Beaumont       | Commissioner  | Present |         |
| Mary "Kitty" Etheridge | Commissioner  | Present |         |
| Marion Gilbert         | Commissioner  | Present |         |
| Mike H. Payment        | Commissioner  | Present |         |
| Bob White              | Commissioner  | Present |         |

Chairman Hanig called the meeting to order.

**A) Invocation & Pledge of Allegiance-Reverend Glenn McCranie, US Navy Chaplain,  
Retired**

Pastor Glenn McCranie was not in attendance. Commissioner Beaumont gave the Invocation and lead the Pledge of Allegiance.

**B) Approval of Agenda**

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

Approved agenda:

**Special Meeting**

1:00 PM Budget Work Session

Closed Session Pursuant to G.S. 143-318.11(A)(3) to Consult with the County Attorney in Order to Preserve Attorney-Client Privilege.

**Work Session**

5:00 PM Commissioners' Reception hosted by Currituck County Cooperative Extension

**6:00 PM Call to Order**

A) Invocation & Pledge of Allegiance-Reverend Glenn McCranie, US Navy Chaplain, Retired

B) Approval of Agenda

**Public Comment**

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

**Administrative Reports**

A) Currituck County Cooperative Extension-Report to the People

B) Lower Currituck Volunteer Fire

Department Annual Report

**Public Hearings**

A) **PB 13-12 Moyock Commons, Phase 1** Request for a preliminary plat/use permit for a 55 lot residential subdivision located on the westerly terminus of Moyock Commons Drive, behind the Food Lion Shopping Center, Tax Map 15, Parcel

79, Moyock Township.

### **New Business**

- A) Resolution of Intent to Consider Permanent Closure of the Remainder of Old US Highway 158 (SR 1405)
- B) An Ordinance of the Currituck County Board of Commissioners Amending Chapter 10 of the Currituck County Code of Ordinances to Prohibit Aircraft on County Beaches
- C) Consideration and Action on an Ordinance of the Currituck County Board of Commissioners Amending Chapter 9, Article III, Section 9-71 of the Currituck County Code of Ordinances to Provide that Emission of Certain Material into the Open Air Shall Constitute a Nuisance.
- D) Consent Agenda
  - 1. Approval Of Minutes for March 6, 2017
  - 2. Budget Amendments
  - 3. Proclamation Designating April as Senior Games Participation Month
  - 4. Resolution of Support for the College of the Albemarle
  - 5. Surplus Resolution-Emergency Management, Mobile Radios
- E) Commissioner's Report
- F) County Manager's Report

### **Special Meeting of the Ocean Sands Water & Sewer District Board**

Ocean Sands Water & Sewer District-Budget Amendment

Motion to Adjourn the meeting of the OSWSD Board

### **Adjourn**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Marion Gilbert, Commissioner   |
| <b>SECONDER:</b> | Mary "Kitty" Etheridge, Commissioner   |
| <b>AYES:</b>     | Bobby Hanig, Chairman, Mike D. Hall, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike H. Payment, 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.***

Communication: Minutes approval-BOC-March 20, 2017 (Approval Of Minutes for March 20, 2017)

Wende Shannon, Moyock resident and member of the Moyock Concerned Citizens, said their group has adopted Caratoke Highway from the state line to Survey Road and have had two trash pickups so far. She said another group is in process of adopting portions of Tulls Creek Road. She encouraged others to adopt roads in other areas and said information is available through the North Carolina Department of Transportation. Ms. Shannon said the site notices for the Moyock Commons public hearing were not in good locations and asked that location signage for public hearing notifications be placed in more visible locations.

Commissioner Gilbert confirmed other groups will be performing trash pickups on Tulls Creek Road and in Shawboro.

## **ADMINISTRATIVE REPORTS**

### **A. Currituck County Cooperative Extension-Report to the People**

The Currituck County Cooperative Extension staff presented its annual Report to the People. Theresa Dozier, Chair of the Currituck Extension Advisory Council, said the county's partnership with North Carolina State University is to provide citizens with low- or no-cost education in the County. Program areas include agriculture, food and nutrition, youth development and 4-H. Ms. Dozier provided 2016 class statistics and noted 2016 volunteer hours were valued at \$130,000.

Extension Director, Cameron Lowe, recognized citizen advisors and Cooperative Extension staff. A special recognition was given to Tommy Grandy, who was retiring after 24 years of service. Ms. Lowe provided additional program information and highlighted master gardener certifications, back packs for kids, and medicare beneficiary assistance and nutrition education offered through Family and Consumer Science programs. Rural Center improvements and rental statistics were presented and Ms. Lowe thanked the county's tourism and engineering departments for their assistance.

### **B. Lower Currituck Volunteer Fire Department Annual Report**

Chief Hart and Deputy Chief Poulin of Lower Currituck Volunteer Fire Department presented an annual report to Commissioners. Chief Hart introduced fire fighters in attendance and thanked Commissioner Mike Payment for 5 years of volunteer service. The Chief noted annual increases in call statistics, reviewed available rescue apparatus at Lower Currituck facilities and discussed installing dash cams with audio in fire apparatus, which he says will decrease insurance rates and assist with evaluating call responses.

Deputy Chief Poulin presented information on their hydrant maintenance program and said the department is on track to finish all hydrants by the end of the month. He said hydrant locations from the county's GIS mapping system have been installed into their call response software and is working well. Deputy Chief Poulin said the hydrant maintenance has provided additional training opportunities for members such as driver training, water flows and district orientation. He discussed the PS Trax inventory software program and explained the Knox Box program which allows the department to

access property after hours for alarm calls. The department's recruitment video was shown to the Board.

## PUBLIC HEARINGS

### A. PB 13-12 Moyock Commons, Phase 1



| APPLICATION SUMMARY   |   |
|---|---|
| <b>Property Owner:</b><br>Moyock Land Company LLC<br>% Chip Friedman<br>3500 Virginia Beach Blvd Ste 600<br>Va Beach VA 23452 | <b>Applicant:</b><br>Hassell & Folkes, PC<br>% Stuart Bonnell<br>325 Volvo Parkway<br>Chesapeake VA 23320 |
| <b>Case Number:</b> PB 13-12  | <b>Application Type:</b> Preliminary Plat/Use Permit  |
| <b>Parcel Identification Number:</b><br>0015-000-0079-0000  | <b>Existing Use:</b><br>Cultivated Farmland, Woodlands  |
| <b>Land Use Plan Classification:</b> Full Service   | <b>Parcel Size (Acres):</b> 27.341  |
| <b>Moyock SAP Classification:</b> Full Service  | <b>Type of Subdivision:</b> Conservation  |
| <b>Number of Units:</b> 55  | <b>Project Density:</b> 2 units/acre  |
| <b>Required Conservation Area (Acres):</b><br>10.94 (40%)   | <b>Provided Conservation Area (Acres):</b><br>11.22 (41%)   |

On March 17, 2014 the Board of Commissioners approved the conditional rezoning of this property from AG (Agricultural) to C-SFM (Conditional-Single Family Mainland). The conceptual plan (attached) approved as a part of the conditional rezoning allowed for 55 lots and the proposed layout is consistent with this subdivision request.

It should be noted that the applicant held a community meeting for this request on September 27, 2016. A procedural error was made as staff was not invited to attend the meeting; however, staff understands that the meeting was well attended and a summary of the meeting is attached.

It is also important to note that the plat calls out several areas of potential wetlands on the property. The applicant states that the wetland delineation is "currently in process by others". Wetland verification as certified by the US Army Corps of Engineers is required upon preliminary plat submittal. The conceptual plan approved as part of the conditional rezoning indicated the potential wetland size of .08 acres was to be filled. A Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. If a fill permit is not issued, the wetland area must be placed into a primary conservation area.

Finally, it is important to note that according to NCDOT Moyock Commons Drive does not meet their Design and Construction Standards and has not been accepted for maintenance. The UDO requires the new subdivision to connect to an improved street that meets NCDOT Design and Construction Standards or one that has been accepted for maintenance by NCDOT. While the existing improved

Communication: Minutes approval-BOC-March 20, 2017 (Approval Of Minutes for March 20, 2017)

portion of Moyock Commons Drive met the NCDOT Design and Construction Standards at the time of installation, it no longer meets those standards as required by the UDO. Therefore, Moyock Commons Drive in its entirety (approximately 850') must be improved to the current NCDOT Design and Construction Standards or be accepted by NCDOT for maintenance prior to approval of the final plat.

| INFRASTRUCTURE                             |  |
|--|--|
| <b>WATER</b>                               | PUBLIC   |
| <b>SEWER</b>                               | PUBLIC   |
| <b>TRANSPORTATION</b>                      | PEDESTRIAN: 5' CONCRETE SIDEWALK ALONG BOTH SIDES OF ALL STREETS   |
|  | EXTERNAL STREET CONNECTIVITY: 3 CONNECTION POINTS  |
| <b>STORMWATER/DRAINAGE</b>                 | DRAINAGE CONCERNS HAVE BEEN NOTED IN THIS AREA. THE DEVELOPMENT WILL BE CONSTRUCTED AND MAINTAINED SO THAT ADJACENT LANDS ARE NOT UNREASONABLY BURDENED WITH SURFACE WATERS AS A RESULT OF THE DEVELOPMENT. AMONG OTHER THINGS, THE APPLICANT IS PROPOSING IMPROVEMENTS ALONG E STREET INCLUDING A NEW CULVERT UNDER PUDDIN RIDGE ROAD TO INCREASE THE DRAINAGE EFFICIENCY OF DITCH #4 AND SMALL DIAMETER STUB PIPES TO DRAIN DITCHES FROM 189 PUDDING RIDGE ROAD THAT WOULD OTHERWISE BE BLOCKED BY THE PROPOSED POND OUTFALL PIPE. |
| <b>SCHOOLS</b>                             | ELEMENTARY STUDENTS GENERATED: 13.75   |
|  | MIDDLE SCHOOL STUDENTS GENERATE: 4.4   |
|  | HIGH SCHOOL STUDENTS GENERATED: 7.7  |
| <b>DESIGN STANDARDS</b>                    | PER THE CONDITIONAL REZONING APPROVAL, ALL RESIDENTIAL DWELLINGS SHALL BE CONSTRUCTED EITHER WITH A CRAWL SPACE OR ON RAISED SLABS WITH A FINISHED FLOOR AT LEAST 16" ABOVE THE OUTSIDE GROUND GRADE.  |
| <b>LIGHTING</b>                            | NONE PROPOSED AT THIS TIME.  |
| <b>LANDSCAPING</b>                         | THE APPLICANT IS PROPOSING COMPLIANT STREET TREES, A TYPE A BUFFER ALONG THE NORTHERN PROPERTY LINE, AND ADDITIONAL SUPPLEMENTAL VEGETATION.   |
| <b>RECREATION AND PARK AREA DEDICATION</b> | THE COUNTY WILL BE ACCEPTING A FEE-IN-LIEU OF PARKLAND DEDICATION. (APPROXIMATELY \$4,720)   |

## 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 provided the following items are addressed:
  - a. Please provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. (Planning)
  - b. Since Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance, the entire Moyock Commons Drive (from the subject property line to Caratoke Highway – approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat. (Planning)
  - c. Calculations and details of stormwater, sewer, and water will be reviewed at Construction Drawing submittal. (Engineering)

- d. Provide accessible parking or passenger loading zone at Cluster Mailbox Unit (CMU) location and accessible route to the CMU. (Building Inspector)
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. Please provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. If a fill permit is not issued, the wetland areas must be placed into a primary conservation area. (Planning)
  - b. Since Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance, the entire Moyock Commons Drive (from the subject property line to Caratoke Highway – approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat. (Planning)
  - c. THAT ALL CONDITIONS PLACED ON THE PROPERTY THROUGH THE CONDITIONAL REZONING APPROVAL ARE INCORPORATED INTO THIS REQUEST: (PLANNING)
    - i. Minimum rear yard setback for all residential lots along the perimeter boundary shall be as shown on plan. These setbacks shall apply to all principal uses but shall not apply to fences or accessory structures. In no instance shall setbacks be less than allowed by the UDO.
    - ii. Prior to any land disturbing activities within the development, the property owner shall conduct a tree inventory plan as required by Section 7.2 of the UDO. The purpose of said plan shall be to identify the number and location of any heritage trees present and the methods by which they will be preserved.
    - iii. That an effort be made to work with the owner of the existing commercial shopping center to extend a sidewalk from the proposed development to the shopping center.
    - iv. The property shall be developed in accordance with the Conceptual Development Plan dated December 26, 2013.
    - v. On-street parking shall be prohibited by the provision of signage.
    - vi. The location of rights-of-way, open space areas, setbacks, and stormwater management areas shall be as generally shown on the approved conceptual development plan.
    - vii. The developer agrees that stormwater management for the improvements resulting from this application shall not exceed pre-developed discharge rates as allowed by ordinance. Such improvements shall be identified by means of a preliminary drainage impact study to be provided by the developer and approved by the county prior to submittal of the preliminary subdivision plat. As an alternative, at the developer's discretion, downstream improvements to include ditch regarding and cleaning, piping and the purchase of any required easements for the conveyance of stormwater may be accomplished in accordance with a county approved plan.
    - viii. All residential dwellings shall be constructed either with crawl spaces or on raised slabs (finished floor at least 16 inches above outside ground grade).
    - ix. The use of prefabricated structures or trailers as dwellings shall be strictly prohibited.

#### SURROUNDING PARCELS

|  | LAND USE | ZONING |
|--|----------|--------|
|--|----------|--------|



|       |                                |             |
|-------|--------------------------------|-------------|
| NORTH | RESIDENTIAL/RETAIL             | SFM, AG, GB |
| SOUTH | RESIDENTIAL                    | SFM         |
| EAST  | ACTIVE<br>FARMLAND/UNDEVELOPED | AG          |
| WEST  | RESIDENTIAL                    | SFM         |

## USE PERMIT REVIEW STANDARDS

**A USE PERMIT SHALL BE APPROVED ON A FINDING THAT THE APPLICANT DEMONSTRATES THE PROPOSED USE WILL MEET THE BELOW REQUIREMENTS. IT IS STAFF'S OPINION THAT THE EVIDENCE IN THE RECORD, PREPARED IN ABSENCE OF TESTIMONY PRESENTED AT A PUBLIC HEARING, SUPPORTS THE PRELIMINARY FINDINGS**

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

### APPLICANT FINDINGS:

1. THE PROJECT WOULD NOT ADVERSELY AFFECT PUBLIC SAFETY. IN COMPLIANCE WITH PRELIMINARY PLAT REVIEW COMMENTS FROM THE ALBEMARLE REGIONAL HEALTH SERVICES APPROVALS FOR WASTEWATER TREATMENT AND DISPOSAL FROM THE NC DIVISION OF WATER QUALITY (WASHINGTON OFFICE) AND MOYOCK REGIONAL WATER SYSTEM WOULD BE OBTAINED PRIOR TO CONSTRUCTION.
2. THIS PROJECT WOULD NOT ADVERSELY AFFECT PUBLIC SAFETY. ALL STATE AND COUNTY APPROVALS WOULD BE OBTAINED PRIOR TO CONSTRUCTION.

**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.**

### APPLICANT FINDINGS:

1. MOYOCK COMMONS WILL NOT INJURE THE VALUE OF ABUTTING LANDS AND WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS LOCATED.
2. ALONG THE WEST BOUNDARY (BOUNDARY PARALLEL TO PUDDIN RIDGE ROAD), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY A RURAL RESIDENTIAL UNIT LOCATED WITHIN THE MOYOCK SUB-AREA WHICH FRONTS ON PUDDIN RIDGE ROAD. WITHIN MOYOCK COMMONS, PROPOSED LAKE #1 AND A 25-LF WIDE TREE AREA COMBINE TO CREATE AN APPROXIMATE 400-LF WIDE CONSERVATION AREA BUFFER AGAINST THE RESIDENTIAL UNIT.
3. ALONG THE NORTH-EAST BOUNDARY (BOUNDARY PARALLEL TO ROUTE 168), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY VARIOUS USES CONSISTING OF 5-RESIDENTIAL LOTS WITHIN THE MOYOCK SUB-AREA; AND VARIOUS PARCELS ZONED GENERAL BUSINESS WHICH ARE USED FOR RETAIL AND UTILITY RELATED OPERATIONS WITH THE MOYOCK SUB-AREA. WITHIN MOYOCK COMMONS, PROPOSED LAKE #2 AND A VARIOUS WIDTH TYPE-A, LANDSCAPE BUFFER WOULD CREATE A CONSERVATION AREA AGAINST THE ADJACENT USES.
4. ALONG THE EAST BOUNDARY, MOYOCK COMMONS WOULD BE BORDERED BY ACTIVE, AGRICULTURAL PROPERTY.
5. ALONG THE SOUTH-EAST BOUNDARY (BOUNDARY PARALLEL TO QUAIL RUN ROAD), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY VARIOUS USES CONSISTING OF DENSE FOREST AND ACTIVE, AGRICULTURAL PROPERTY. WITHIN MOYOCK COMMONS, A VEGETATED FARM BUFFER IS PROPOSED ALONG THE ACTIVE AGRICULTURAL PROPERTY.
6. MOYOCK COMMONS PROPOSED INGRESS/EGRESS IS VIA EXTENSION OF EXISTING MOYOCK COMMONS DRIVE. A ROADWAY CONNECTION TO E STREET IS NOT PERMITTED.

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

### APPLICANT FINDINGS:

1. MOYOCK COMMONS WOULD BE LOCATED WITHIN THE MOYOCK SUB-AREA. WITH RESPECT TO THE MOYOCK SUB-AREA, EXCERPTS FROM THE LAND USE PLAN FOLLOW:
  - a. THE MOYOCK AREA IS THE FASTEST GROWING PART OF CURRITUCK COUNTY. DEVELOPMENT DENSITIES CURRENTLY RANGE FROM 1 TO 3 UNITS PER ACRE DEPENDING UPON DEVELOPMENT TYPE. IT IS COMING UNDER INCREASING DEVELOPMENT PRESSURE AS A "BEDROOM COMMUNITY" FOR THE TIDEWATER AREA OF VIRGINIA.



- b. "...HOWEVER, IN AREAS WHERE CENTRAL SEWER IS PROPOSED OR EXISTING, ADDITIONAL SERVICES ARE AVAILABLE AND THE CHARACTER OF THE SURROUNDING AREAS SUPPORTS IT, HIGHER DENSITY RANGING FROM 3-4 UNITS PER ACRE COULD BE CONSIDERED THROUGH THE USE OF OVERLAY ZONES.
  - c. CLUSTERED HOUSING DEVELOPMENTS WITH OPEN SPACE REQUIRED BY ORDINANCE WILL NEED TO BE ENCOURAGED.
- 2. FOR MOYOCK COMMONS, THE RELEVANT AND SUPPORTIVE 2006 LAND USE PLAN POLICIES ARE FOUND TO BE AS FOLLOWS:
  - a. POLICY HN1: CURRITUCK COUNTY SHALL ENCOURAGE DEVELOPMENT TO OCCUR AT DENSITIES APPROPRIATE FOR THE LOCATION.
  - b. POLICY HN2: THE COUNTY SHALL THEREFORE ENGAGE ALTERNATIVES TO LARGE LOT DEVELOPMENTS THROUGH INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING TECHNIQUES.
  - c. POLIC HN3: CURRITUCK COUNTY SHALL ESPECIALLY ENCOURAGE TWO FORMS OF RESIDENTIAL DEVELOPMENT, EACH WITH THE OBJECTIVE OF AVOIDING TRADITIONAL SUBURBAN SPRAWL:
    - i. OPEN SPACE DEVELOPMENTS THAT CLUSTER HOMES ON LESS LAND, PRESERVING PERMANENTLY DEDICATED OPEN SPACE AND OFTEN EMPLOY ON-SITE OR COMMUNITY SEWAGE TREATMENT. THESE TYPES OF DEVELOPMENTS ARE LIKELY TO OCCUR PRIMARILY IN THE CONSERVATION, RURAL, AND TO A CERTAIN EXTENT THE LIMITED SERVICE AREAS IDENTIFIED ON THE LAND USE MAP.
  - d. POLICY HN8: TO PROTECT THE COUNTY'S TAX BASE AND TO ENSURE THE LONG-TERM VIABILITY OF THE COUNTY'S NEIGHBORHOODS AND HOUSING STOCK, THE COUNTY WILL CONTINUE TO ENFORCE APPROPRIATE CONSTRUCTION AND SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL DEVELOPMENTS. SUCH STANDARDS MAY INCLUDE, FOR EXAMPLE, THAT ALL HOMES HAVE A PERMANENT MASONRY FOUNDATION (EXCEPT WHERE FLOOD LEVELS REQUIRE ELEVATION) AND A PITCHED ROOF AND OVERHANG, AND THAT LOCAL ROADS MUST BE BUILT TO MEET NCDOT ACCEPTANCE STANDARDS.
  - e. POLICY TR8: LOCAL STREETS SHALL BE DESIGNED AND BUILT TO ALLOW FOR CONVENIENT CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS AND TO ENCOURAGE MOBILITY BY PEDESTRIANS AND BICYCLISTS. CARE SHALL BE TAKEN TO ENCOURAGE LOCAL STREET "CONNECTIVITY" WITHOUT CREATING OPPORTUNITIES FOR CUT-THROUGH TRAFFIC FROM OUTSIDE THE CONNECTED AREAS
  - f. POLICY TR12: NEW RESIDENTIAL DEVELOPMENTS SHALL PROVIDE FOR THE INSTALLATION OF PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE AT THE TIME OF DEVELOPMENT. THIS POLICY IS INTENDED TO PREVENT THE CREATION OF SUBSTANDARD DEVELOPMENTS THAT MUST LATER CORRECT FOR INFRASTRUCTURE PROBLEMS THAT COULD HAVE BEEN AVOIDED, HAD THEY BEEN INSTALLED PROPERLY FROM THE BEGINNING.
  - g. POLICY WS3: CURRITUCK COUNTY ENDORSES UTILITIES EXTENSION POLICIES THAT FOCUS WATER AND SEWER SERVICES (1) WITHIN EXISTING DEVELOPED AREAS AND IN NEARBY TARGETED GROWTH AREAS IDENTIFIED AS FULL SERVICE AND LIMITED SERVICE AREAS, (2) WHERE DEVELOPMENT DENSITIES WOULD MAKE THE PROVISION OF ALL PUBLIC SERVICES MORE EFFICIENT, (3) WHERE THE LAND IS PARTICULARLY WELL SUITED FOR DEVELOPMENT, AND (4) AWAY FROM ENVIRONMENTALLY SENSITIVE AREAS.
  - h. POLICY PR6: ALL NEW RESIDENTIAL DEVELOPMENT SHALL PROVIDE FOR ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS INCLUDING, AS MAY BE APPROPRIATE, FUNDING IN PROPORTION TO THE DEMAND CREATED BY THE DEVELOPMENT. THE AMOUNT OF OPEN SPACE AND IMPROVEMENTS MAY BE DETERMINED ACCORDING TO THE NUMBER OF DWELLING UNITS IN THE DEVELOPMENT AND/OR BY A PERCENTAGE OF THE TOTAL ACREAGE IN THE DEVELOPMENT. FEES IN LIEU OF LAND DEDICATION SHALL BE BASED ON THE INFLATION ADJUSTED ASSESSED VALUE OF THE DEVELOPMENT OR SUBDIVISION FOR PROPERTY TAX PURPOSES.
  - i. POLICY WQ3: CURRITUCK COUNTY SUPPORTS POLICIES, PLANS, AND ACTIONS THAT HELP PROTECT THE WATER QUALITY OF THE COUNTY'S ESTUARINE SYSTEM BY PREVENTING SOIL EROSION AND SEDIMENTATION, AND BY CONTROLLING THE QUANTITY AND QUALITY OF STORMWATER RUNOFF ENTERING THE ESTUARY.

- j. POLICY WQ4: RUNOFF AND DRAINAGE FROM DEVELOPMENT, FORESTRY, AND AGRICULTURAL ACTIVITIES SHALL BE OF A QUALITY AND QUANTITY AS NEAR TO NATURAL CONDITIONS AS POSSIBLE. POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED PRE-DEVELOPMENT VOLUMES.
- k. POLICY WQ5: DEVELOPMENT THAT PRESERVES THE NATURAL FEATURES OF THE SITE, INCLUDING EXISTING TOPOGRAPHY AND SIGNIFICANT EXISTING VEGETATION, SHALL BE ENCOURAGED. IF COASTAL AND NON-COASTAL WETLANDS ARE CONSIDERED PART OF THE LOT'S ACREAGE FOR THE PURPOSE OF DETERMINING MINIMUM LOT SIZE OR DEVELOPMENT DENSITY, LOW IMPACT DEVELOPMENT TECHNIQUES OR APPROPRIATE BUFFERS SHALL BE INTEGRATED INTO THE DEVELOPMENT. OPEN SPACE DEVELOPMENTS SHALL BE ENCOURAGED TO REDUCE IMPERVIOUS SURFACE AREAS ASSOCIATED WITH NEW DEVELOPMENT AND REDEVELOPMENT.
- l. POLICY WQ7: THE ENVIRONMENTAL BENEFITS OF PROPERLY DESIGNED, VEGETATED ROADSIDE DRAINAGE SWALES SHALL BE RECOGNIZED. CURB AND GUTTER SHALL BE RESERVED TO DEVELOPMENTS THAT ARE URBAN IN CHARACTER AND THAT ARE SERVED BY ADEQUATE STORMWATER COLLECTION, RETENTION, AND SLOW RELEASE FACILITIES.
- m. POLICY CA6: TO FOSTER AN IMPROVED COMMUNITY APPEARANCE, PROMOTE PUBLIC SAFETY, AND HELP PREVENT SERVICE OUTAGES, THE PLACEMENT OF UTILITY WIRES UNDERGROUND SHALL BE ENCOURAGED IN ALL PUBLIC AND PRIVATE DEVELOPMENTS.

#### PRELIMINARY STAFF FINDINGS

- 1. THE PLAN IS CONSISTENT WITH POLICIES IN THE MOYOCK SMALL AREA PLAN INCLUDING:
  - a. POLICY FLU1: PROMOTE COMPATIBILITY BETWEEN NEW DEVELOPMENT AND EXISTING DEVELOPMENT TO AVOID ADVERSE IMPACTS TO THE EXISTING COMMUNITY. THIS IS ACHIEVED THROUGH DESIGN, AND INCLUDES LARGER SETBACKS, LANDSCAPED OR FORESTED STRIPS, TRANSITION ZONES, FENCING, SCREENING, DENSITY AND/OR BULK STEP DOWNS, OR OTHER ARCHITECTURAL AND SITE PLANNING MEASURES THAT ENCOURAGE HARMONY.

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.

#### APPLICANT FINDINGS:

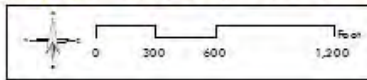
- 1. CURRITUCK COUNTY HAS ADEQUATE PUBLIC FACILITIES TO SERVE THE PROPOSED SUBDIVISION.

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](http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm)

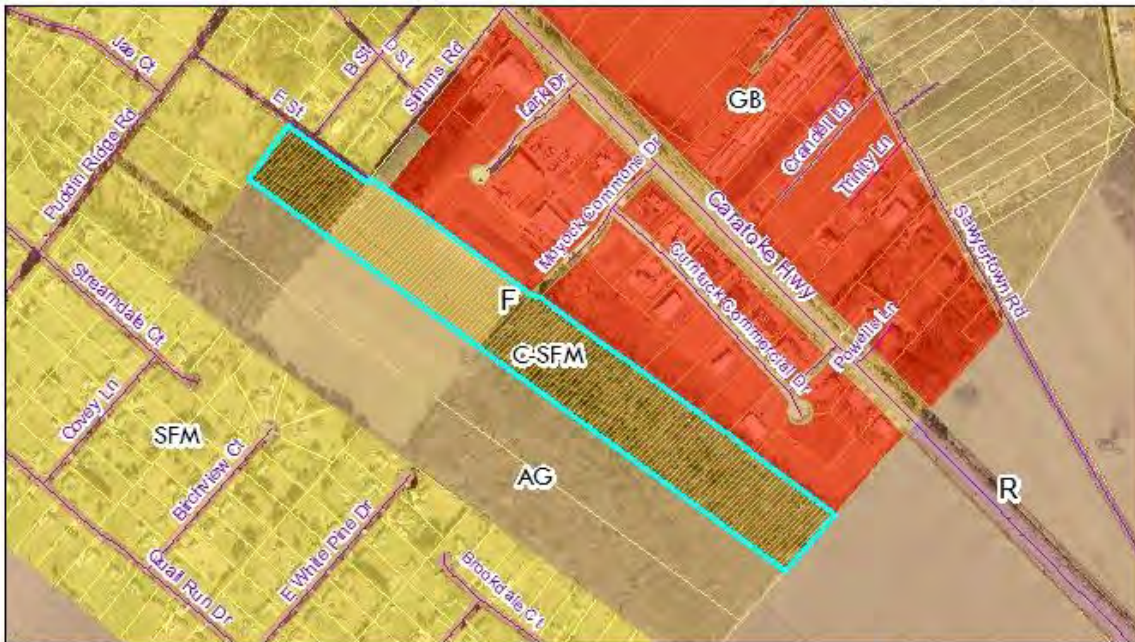




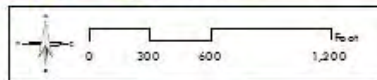
PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Aerial Photography



Currituck County  
Planning and  
Community Development



PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Zoning



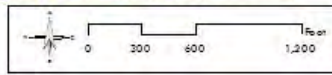
Currituck County  
Planning and  
Community Development

Communication: Minutes approval-BOC-March 20, 2017 (Approval Of Minutes for March 20, 2017)





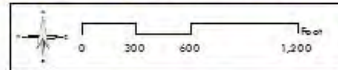
PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Land Use Plan Classification



Currituck County  
Planning and  
Community Development



PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Moyock Small Area Plan Classification

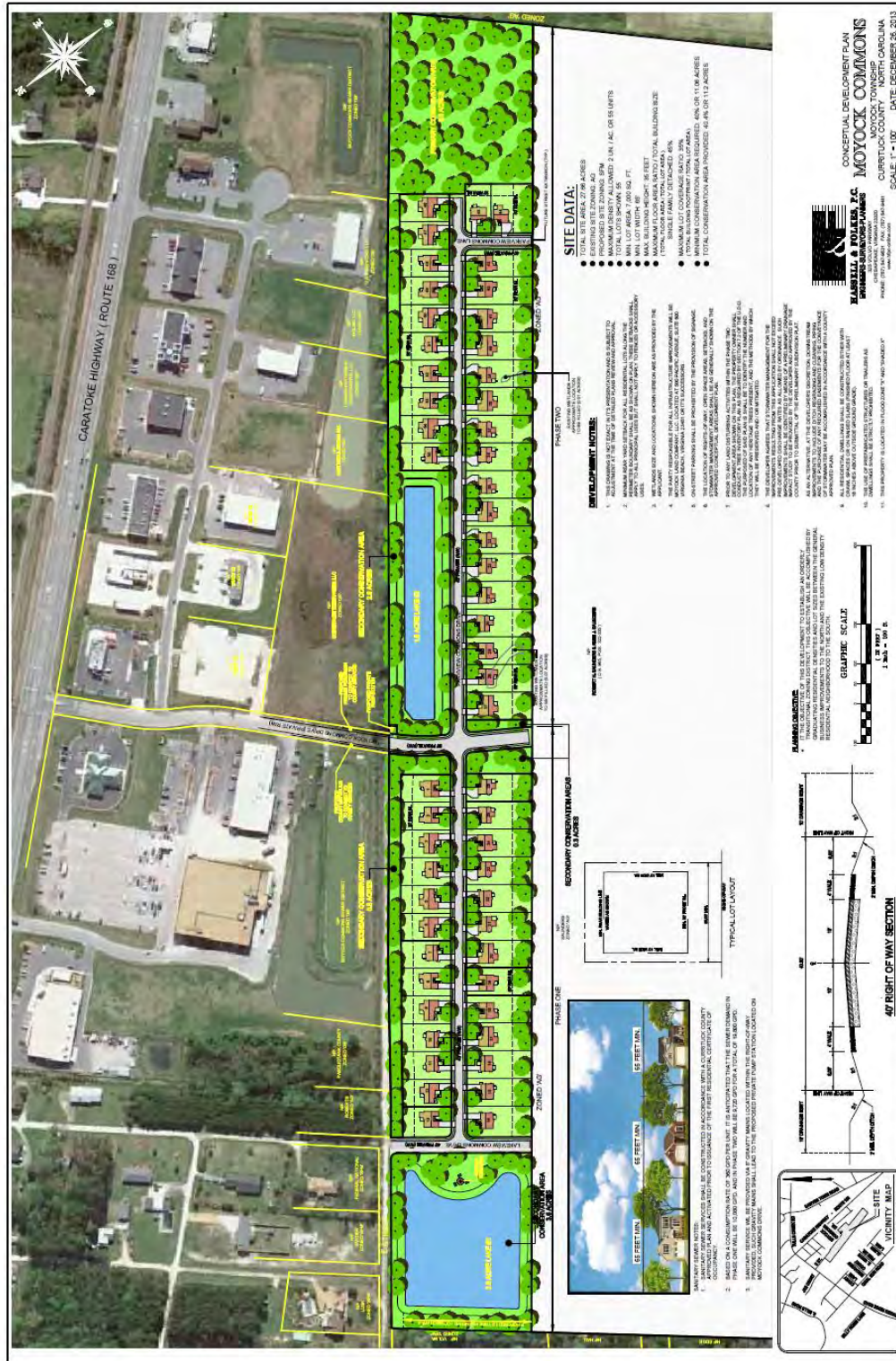


Currituck County  
Planning and  
Community Development

Communication: Minutes approval-BOC-March 20, 2017 (Approval Of Minutes for March 20, 2017)



APPROVED CONDITIONAL REZONING CONCEPTUAL PLAN



Communication: Minutes approval-BOC-March 20, 2017 (Approval Of Minutes for March 20, 2017)

Parties were sworn and Ben Woody, Planning and Community Development Director, reviewed the request with the Board. During review, Mr. Woody responded to questions related to stormwater drainage and access roads. Ike McRee, County Attorney, said the access road, Moyock Commons Drive, could be improved by the property owner, in his opinion, and Mr. Woody reviewed North Carolina Department of Transportation (NCDOT) requirements for state maintenance. Mr. Woody said Moyock Commons drive must be able to handle the increased traffic, and upgrades must be done before the property can be platted. Mr. Woody said access would be through Moyock Commons Drive, and may connect to Quail Run in time.

Mr. Woody said the Technical Review Committee recommended approval with conditions as noted pertaining to wetlands, Moyock Commons Drive meeting NCDOT standards prior to approval of final plat, stormwater calculations, and cluster mailbox units with parking areas. Staff also recommends approval with conditions met.

Mr. Woody responded to questions and clarified aspects of the application for the Board. The singular access was discussed and when asked if E Street could be used as an alternate access, Mr. Woody said the road would most likely not be able to meet NCDOT standards. Mr. Woody presented information regarding drainage studies and off site drainage improvements.

Stuart Bonnell, Engineer and the applicant, was present to answer questions. Mr. Bonnell said he believes discussions between Mr. Friedman and Food Lion representatives provided approval for Mr. Friedman to improve Moyock Commons Drive. As stormwater and flooding is an area concern, he described the ditching improvements and stormwater plan, which meet county requirements. He responded to Board questions to clarify the drainage from the property.

County Engineer, Eric Weatherly was sworn and provided further information regarding drainage and reasons for utilizing ditch 4 as opposed to ditch 1 for drainage. He described a study currently being performed within the district and hopes to have recommendations to improve drainage. He expressed frustration that all stormwater can be held on the property, believing there will be impacts elsewhere. Mr. Weatherly said the stormwater plan does meet the county's Unified Development Ordinance (UDO). Pond elevations were discussed and Mr. Weatherly said the plan works for the community. Mr. Bonnell said the runoff from the property will be at such a reduced rate as to minimally affect levels within the drainage ditches.

Chairman Hanig opened the public hearing.

Peggy Lusk, Moyock resident and member of the Moyock Concerned Citizens and the Stormwater District Board, provided a handout to board members which described area soil and water issues. She expressed concerns with stormwater ponds, clay soils, and additional runoff related to more rooftops and pavement. She cited increases in traffic and noted the single entrance to the property.

Wende Shannon of Moyock, and member of the Moyock Watershed Advisory Board, said a comprehensive study of all area ditching is in progress. She said the water is

already too high and described capacity issues at Puddin Ridge Road. She does not believe the property owner can avoid causing harm if approved.

Judy Pinney of Puddin Ridge Road, Moyock, expressed concerns with the additional traffic. She said people will try to get out of the property other ways in lieu of using Moyock Commons Drive, circumventing the traffic signal. She said it will be dangerous and doesn't believe the area can handle the proposal, traffic wise or flooding wise.

Commissioner Beaumont agreed with Ms. Pinney's comments regarding traffic.

Chairman Hanig closed the Public Hearing.

Mr. Bonnell explained that Avenue E is a lane and needed vast improvement to handle traffic, and thus could not be used as an alternate access.

Commissioner Gilbert moved to postpone making a motion of decision until Planning and Legal could craft a proper motion to cover all of the bases, whether it is a denial or approval, for a minimum of 60 days.

Commissioner Beaumont suggested postponement pending results and recommendations from the completed study.

Mr. McRee reviewed the requirements after a quasi-judicial hearing, and reviewed the options the Board is able.

Ms. Gilbert rescinded her original motion and moved to remand back to the Planning Board for further consideration. Commissioner Beaumont seconded and the motion passed unanimously.

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| <b>RESULT:</b>   | <b>RETURNED FOR RECONSIDERATION [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Marion Gilbert, Commissioner   |
| <b>SECONDER:</b> | Paul M. Beaumont, Commissioner   |
| <b>AYES:</b>     | Bobby Hanig, Chairman, Mike D. Hall, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike H. Payment, Commissioner, Bob White, Commissioner |

## NEW BUSINESS

### A. Resolution of Intent to Consider Permanent Closure of the Remainder of Old US Highway 158 (SR 1405)

County Attorney, Ike McRee, reviewed the statutory provisions and processes for road closure. He provided a review of portions of the road that were previously abandoned by the North Carolina Department of Transportation and reviewed the Resolution with the Board of Commissioners which provides for closure of the remaining portion of Old US Highway 158. He reviewed advertising and public hearing requirements.

Commissioner Payment motioned that the Board move forward with the resolution to



close the section of Old Hwy 158, SR 1405. The motion was seconded by Commissioner Gilbert and carried unanimously.

**RESOLUTION OF INTENT TO CONSIDER PERMANENT CLOSURE OF OLD U. S. HIGHWAY 158, ALSO KNOWN AS SECONDARY ROAD 1405 AND OLD FERRY LANDING IN COINJOCK, POPLAR BRANCH TOWNSHIP**

**WHEREAS**, pursuant to N.C. Gen. Stat. §153A-241 a county may permanently close any street, whether opened or unopened; and

**WHEREAS**, the Currituck Waterfront Business Park, LLC is the owner of property on the eastern boundary of Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, and has petitioned the county to close Old U. S. Highway (Secondary Road 1405). A copy of the petition and supporting documents are attached hereto and incorporated herein by reference as Exhibit A and a plat recorded in Plat Cabinet D, Page 66 of the Currituck County Registry more particularly showing the road petitioned for closing is attached hereto and incorporated by reference as Exhibit B; and

**WHEREAS**, by action taken on November 6, 1992 and May 5, 2016 the North Carolina Board of Transportation authorized abandonment and removal of Old U. S. Highway 158 (Secondary Road 1405) from the state maintained road system.

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

Section 1. A public hearing shall be held at 6:00 p.m. on April 17, 2017, or as soon thereafter as the matter can be reached, to hear any person on the question of whether or not to permanently close Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing in Coinjock, Poplar Branch Township as more particularly described and shown on that plat recorded at Plat Cabinet D, Page 66 of the Currituck County Registry.

Section 2. The Clerk to the Board of Commissioners shall cause the publication of this Resolution, excluding the Exhibits which shall be maintained by the Clerk to the Board for public inspection, once a week for three successive weeks prior to the public hearing and a notice of the proposed permanent closing of road described herein and public hearing shall be prominently posted in two locations along the road proposed for closure.

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

Adopted this 20<sup>th</sup> day of March, 2017.

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

**B. An Ordinance of the Currituck County Board of Commissioners Amending Chapter 10 of the Currituck County Code of Ordinances to Prohibit Aircraft on County Beaches**

Attorney McRee reviewed the ordinance with the Board. The amendment was put in place as a result of reports from a Sheriff's deputy who said multiple landings and take-offs had



taken place on the beach. He reviewed the amendment and exceptions with the Board.

After review, Commissioner Beaumont moved to amend the ordinance to include prohibiting the landing of aircraft on the northern beaches. The motion was seconded by Commissioner White and carried unanimously.

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 10 OF THE CURRITUCK COUNTY CODE OF ORDINANCES TO PROHIBIT AIRCRAFT ON COUNTY BEACHES**

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

WHEREAS, the Board of Commissioners for the County of Currituck finds that the landing and takeoff of aircraft from the county beaches is not conducive to the recreational use of the county beaches and use of motor vehicles on portions of the county beach that are public vehicular areas and would be detrimental to the ability of persons to freely and safely enjoy the public beach.

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 Section 10-65 to Chapter 10 of the Code of Ordinances to read as follows:

Sec. 10-65. Aircraft prohibited.

It shall be unlawful for any person to voluntarily bring, land or cause to descend or alight, ascend or take off on or from the beach strand or foreshore any fixed-wing or rotary-wing aircraft. Nothing in this section shall prohibit the landing or takeoff of fixed-wing or rotary-wing aircraft for the purpose of transporting injured or critically ill patients or landing because of an in-flight emergency.

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

PART III. This ordinance is effective upon adoption.

ADOPTED this 20<sup>th</sup> day of March, 2017

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

**C. Consideration and Action on an Ordinance of the Currituck County Board of Commissioners Amending Chapter 9, Article III, Section 9-71 of the Currituck County Code of Ordinances to Provide that Emission of Certain Material into the Open Air Shall Constitute a Nuisance.**

Attorney McRee reviewed the nuisance ordinance and the amendment, which provides that excessive emission of dust from property may be constituted a nuisance.

Commissioner Beaumont moved to approve agenda Item #1840 amending Chapter 9, Article 3, Section 9-71 of the Currituck County Code of Ordinances to provide that emission of certain material into the open air shall constitute a nuisance. Commissioner Gilbert seconded and the motion carried unanimously.

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 9, ARTICLE III, SECTION 9-71 OF THE CURRITUCK COUNTY CODE OF ORDINANCES TO PROVIDE THAT EMISSION OF CERTAIN MATERIAL INTO THE OPEN AIR SHALL CONSTITUTE A NUISANCE**

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

WHEREAS, pursuant to N.C. Gen. Stat. §153A-140 a county may remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety; and

WHEREAS, the emission of dirt, dust, other particulate matter, fumes and odors in an uncontrolled manner that extends beyond the property line from where the emission occurs is detrimental to health, safety, welfare and peaceful enjoyment of affected citizens and property.

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

PART I. **Sec. 9-71. Certain conditions declared nuisances.** of the Code of Ordinances, Currituck County, North Carolina is amended to read as follows:

**Sec. 9-71. Certain conditions declared nuisances.**

The existence of any of the following conditions on any lot, whether improved or not, or other parcel of land within the county limits is hereby declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance:

(1) *Growth of weeds and grass.* The uncontrolled growth of noxious weeds or grass causing or threatening to cause a hazard detrimental to the public health or safety.

(2) *Accumulations of animal or vegetable matter.* Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.

(3) *Accumulations of rubbish.* Any accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, causing or threatening to cause the accumulation of stagnant water or causing or threatening to cause the inhabitation therein of rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.

(4) *Obstruction of drainage ways.* The placement of rubbish, trash, yard debris, grass clippings, leaves, limbs, branches, soil, or junk impeding the flow of water and/or causing or threatening to cause the obstruction of drainage ways.

(5) *Conditions violating health department rules.* Any condition detrimental to the public health which violates the rules and regulations of the local health department.

(6) *Burned or partially burned buildings or structures.* Any building or other structure which has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person, is a continuing fire hazard or which is structurally unsound to the extent that the county building official can reasonably determine that there is a likelihood of personal or property injury to any person or property entering the premises.

(7) *Storm or erosion damaged structures and resulting debris.* The existence of any of the following conditions associated with storm-damaged or erosion-damaged structures or their resultant debris shall constitute a public nuisance:

- a. Damaged structure in danger of collapsing;
- b. Damaged structure or debris from damaged structures where it can reasonably be determined that there is a likelihood of personal or property injury;
- c. Any structure, regardless of condition, or any debris from damaged structure which is located in whole or in part in a public trust area or public land.

(8) *Structurally deteriorated, or storm damaged automobile service station canopies.* Any automobile service station canopy with loose, unanchored, or missing cladding, or fascia panels prone to progressive collapse, or structurally unsound members damaged by storms, vehicles, or deterioration.

(9) *Vicious animals.* The keeping of a vicious animal as defined in section 3-62

(10) *All terrain vehicles.* The operation of an all terrain vehicle:

- a. In a reckless manner;
- b. In a manner that creates excessive noise;
- c. In a manner that spreads dust;
- d. On a track or course located on property used for residential purposes; or
- e. By any person, not being on his own lands, who without the consent of the owner thereof, willfully commits any damage, injury or spoliation to or upon any tree, wood, underwood, timber, garden, crops, vegetables, plants, lands, springs, or any other matter or thing growing or being thereon.

For purposes of this section, "all terrain vehicle" shall mean a wheeled or tracked motorized vehicle designed and used primarily for off-road use with two, three, four or six low-pressure tires and including, but not limited to, dirt or trail bikes.

(11) *Vegetation obstructions.* The growth of shrubs, trees or other vegetation that impedes public safety vehicle and firefighting equipment ingress and egress in the following locations that are utilized as public safety vehicle and firefighting access routes and areas: private street easements, private drives, parking lots and/or drive isles, fire hydrant easements, designated fire lanes or other public vehicular areas.

(12) *Discharge of materials into the open air.* Emission of excessive dust into the open air in such a manner as to cause injury, detriment, nuisance or annoyance to any person, or to threaten to or does impair or affect the health any person or to endanger the health or safety of any person, or to cause or have a natural tendency to cause injury or damage to property. "Emission of excessive dust" means that dust is visible extending beyond the property line of the property from where the dust is emitted. This paragraph does not apply to the cultivation of land for crop production, crop irrigation, harvesting, on site curing, storage or preparation of crops or protection of crops from damage or disease conducted in accordance to practices acceptable to the North Carolina Department of Agriculture and Consumer Services.

~~(42)~~ (13) *Miscellaneous.* Any other condition that is specified as a nuisance in this Code.

PART II. If any provision, section, part, paragraph, phrase or sentence of this ordinance is found to be invalid, all other provisions, parts, paragraphs, phrases, and sentences shall remain valid and in full force and effect.

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

PART IV. This ordinance shall be effective immediately upon its adoption.

ADOPTED this 20th day of March, 2017.

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

#### D) Consent Agenda

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

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

#### 1) Approval Of Minutes for March 6, 2017

##### 1. Minutes for March 6, 2017

##### 2. Budget Amendments

|  |                            | Debit                                   | Credit                                  |
|--|----------------------------|---|---|
|  |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>  | <u>Account Description</u> |   |   |
| 10795-590000   | Capital Outlay             | \$ 9,380                                | \$ -                                    |
| 10795-576001   | Youth Baseball/Softball    |   | \$ 9,380                                |
|  |                            |   |   |
|  |                            |   |   |
|  |                            |   |   |
|  |                            | \$ 9,380                                | \$ 9,380                                |
| <b>Explanation:</b> Parks & Recreation (10795) - Transfer funds to purchase three portable pitching mounds.  |                            |   |   |
|  |                            |   |   |
|  |                            |   |   |
|  |                            |   |   |
|  |                            |   |   |
| <b>Net Budget Effect:</b> Operating Fund (10) - No change.   |                            |   |   |
|  |                            | Debit                                   | Credit                                  |
|  |                            | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>  | <u>Account Description</u> |   |   |
| 10535-590000   | Capital Outlay             | \$ 4,982                                |   |
| 10535-545000   | Contracted services        |   | \$ 4,982                                |
|  |                            |   |   |
|  |                            |   |   |
|  |                            | \$ 4,982                                | \$ 4,982                                |
| <b>Explanation:</b> Communications (10535) - Transfer funds for Uninterruptable Power Supply (UPS) for back-up communications site. This portion was not allowed by Emergency Telephone funds. |                            |   |   |
|  |                            |   |   |
|  |                            |   |   |
|  |                            |   |   |
|  |                            |   |   |
| <b>Net Budget Effect:</b> Operating Fund (10) - No change.   |                            |   |   |

|                           |  | Debit                                   | Credit                                  |
|---------------------------|--|---|---|
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>   |   |   |
| 10460-590000              | Capital Outlay   | \$ 10,000                               |   |
| 10460-532000              | Supplies   |   | \$ 6,500                                |
| 10460-516000              | Repairs & Maintenance  |   | \$ 3,500                                |
|                           |  | <u>\$ 10,000</u>                        | <u>\$ 10,000</u>                        |
| <b>Explanation:</b>       | Public Works (10460) - Transfer funds for painting of Sheriff's Office on Maple Road.                      |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - No change.   |   |   |
|                           |  | Debit                                   | Credit                                  |
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>   |   |   |
| 10750-590000              | Capital Outlay   | \$ 3,000                                |   |
| 10380-481000              | Investment Earnings  |   | \$ 3,000                                |
|                           |  | <u>\$ 3,000</u>                         | <u>\$ 3,000</u>                         |
| <b>Explanation:</b>       | Social Services (10750) - Increase appropriations for replacement of fire alarm system at Social Services. |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$3,000.  |   |   |

|                           |  | Debit                                   | Credit                                  |
|---------------------------|--|---|---|
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>   |   |   |
| 20609-588000              | Contingency  |   | \$ 54,052                               |
| 20609-545000              | Contracted Services  | \$ 51,552                               |   |
| 20609-590000              | Capital Outlay   | \$ 2,500                                |   |
|                           |  | <u>\$ 54,052</u>                        | <u>\$ 54,052</u>                        |
| <b>Explanation:</b>       | Whalehead Stormwater Drainage District (20609) - Transfer contingency funds for an evaluation of the Whalehead Stormwater Drainage District and emergency replacement of pump. |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Whalehead Stormwater Drainage District Fund (20) - No change.  |   |   |
|                           |  | Debit                                   | Credit                                  |
|                           |  | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>   |   |   |
| 10511-516200              | Vehicle Repairs & Maintenance  |   | \$ 5,200                                |
| 10511-516000              | Repairs & Maintenance  | \$ 5,200                                |   |
|                           |  | <u>\$ 5,200</u>                         | <u>\$ 5,200</u>                         |
| <b>Explanation:</b>       | Detention Center (10511) - Transfer for equipment repair for the remainder of this fiscal year.  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
|                           |  |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - No change.   |   |   |

|                           |   | Debit                                   | Credit                                  |
|---------------------------|---|---|---|
|                           |   | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>  |   |   |
| 10800-585009              | College of the Albemarle  | \$ 32,920                               |   |
| 10390-499900              | Appropriated Fund Balance   |   | \$ 32,920                               |
|                           |   |   |   |
|                           |   | <u>\$ 32,920</u>                        | <u>\$ 32,920</u>                        |
| <b>Explanation:</b>       | Education (10800) - Increase annual appropriation to the College of the Albemarle to incorporate the avionics equipment into other space and convert the avionics classroom into a genral purpose classroom. This will be funded through reserved fund balance for the College of the Albermarle. |   |   |
|                           |   |   |   |
|                           |   |   |   |
|                           |   |   |   |
|                           |   |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$32,920.  |   |   |
|                           |   | Debit                                   | Credit                                  |
|                           |   | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>  |   |   |
| 10650-511000              | Telephone & Postage   | \$ 400                                  |   |
| 10650-526000              | Advertising   | \$ 1,500                                |   |
| 10650-506000              | Insurance Expense   |   | \$ 1,900                                |
|                           |   |   |   |
|                           |   | <u>\$ 1,900</u>                         | <u>\$ 1,900</u>                         |
| <b>Explanation:</b>       | Economic Development (10650) - Transfer budgeted funds to advertise Economic Development Director position and for telephone and postage costs for the remainder of this fiscal year.   |   |   |
|                           |   |   |   |
|                           |   |   |   |
|                           |   |   |   |
|                           |   |   |   |
| <b>Net Budget Effect:</b> | Operating Fund (10) - No change.  |   |   |



|                |                       | Debit                                   | Credit                                  |
|----------------|-----------------------|---|---|
|                |                       | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| Account Number | Account Description   |   |   |
| 10420-514000   | Travel                | \$ 4,000                                |   |
| 10420-532000   | Supplies              | \$ 500                                  |   |
| 10420-561000   | Professional Services |   | \$ 4,500                                |
|                |                       |   |   |
|                |                       | \$ 4,500                                | \$ 4,500                                |

**Explanation:** Governing Body (10420) - Transfer budgeted funds for governing body to attend various training and for additional supplies for the remainder of this fiscal year.

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

|                |                       | Debit                                   | Credit                                  |
|----------------|-----------------------|---|---|
|                |                       | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| Account Number | Account Description   |   |   |
| 10410-516200   | Vehicle Maintenance   | \$ 1,000                                |   |
| 10410-516000   | Repairs & Maintenance | \$ 75                                   |   |
| 10410-553000   | Dues & Subscriptions  | \$ 1,400                                |   |
| 10410-557100   | Software License Fees | \$ 104                                  |   |
| 10410-561000   | Professional Services |   | \$ 2,579                                |
|                |                       |   |   |
|                |                       | \$ 2,579                                | \$ 2,579                                |

**Explanation:** Administration (10410) - Transfer budget funds for operations for the remainder of this fiscal year.

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

Communication: Minutes approval-BOC-March 20, 2017 (Approval Of Minutes for March 20, 2017)

|  |                              | Debit                                   | Credit                                  |
|--|------------------------------|---|---|
|  |                              | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| Account Number   | Account Description          |   |   |
| 30850-505000   | FICA Expense                 | \$ 500                                  |   |
| 30850-507100   | Separation Allowance Expense | \$ 5,500                                |   |
| 30850-545000   | Contract Services            |   | \$ 6,000                                |
|  |                              |   |   |
|  |                              |   |   |
|  |                              | \$ 6,000                                | \$ 6,000                                |
| <b>Explanation:</b> Post-employment Retiree Benefits (30850) - Transfer budgeted funds for unanticipated Law Enforcement Separation Allowance eligible retirees. |                              |   |   |
|  |                              |   |   |
|  |                              |   |   |
|  |                              |   |   |
|  |                              |   |   |
| <b>Net Budget Effect:</b> Post-employment Benefits (30850) - No change.  |                              |   |   |

### 3. Proclamation Designating April as Senior Games Participation Month

#### Designation of April as Senior Games Participation Month

**WHEREAS**, mature adults and the entire community look forward to the Albemarle Senior Games, an Olympic style event designed to create year-round health promotion and competition for participants that are 50 years of age and better; and

**WHEREAS**, the Albemarle Senior Games, held March 27-May 23 of this year, is sanctioned by North Carolina Senior Games, Inc.; and

**WHEREAS**, the Albemarle Senior Games takes a holistic approach by involving the body, mind and spirit of its athletes and promoting the importance of aging in a healthy manner; and

**WHEREAS**, the regional event, engaging the counties of Camden, Chowan, Currituck, Gates, Hyde, Pasquotank, Perquimans, Tyrrell and Washington with the goal to enhance growth, development and connection to opportunity for all participants and volunteers, was founded 33 years ago, in 1984; and

**WHEREAS**, participants will compete in a total of 48 athletic events and 34 artistic categories; and

**WHEREAS**, our well wishes are extended to all of the competitors.

**NOW THEREFORE**, the Currituck County Board of Commissioners does hereby proclaim that April be recognized as Senior Games Participation Month in the County of Currituck, and promotes participation as well as volunteerism within the Albemarle Senior Games program Adopted this 20<sup>th</sup> day of March, 2017.

### 4. Resolution of Support for the College of the Albemarle

#### Resolution of Support for the College of the Albemarle

**WHEREAS**, The County of Currituck is in need of constructing a Public Safety Center to the education and training of public safety professionals; the operations of public safety services, including Emergency management, 911 Communications, Sheriff's Department, Emergency Medical Services, and Volunteer Fire Department; and, the protection of the citizens of Currituck County; and,

**WHEREAS**, The County of Currituck has invited the College of The Albemarle to be a long-term tenant in a new Public Safety Center, bringing to the Center a host of curriculum and continuing education training programs for the benefit of the entire Albemarle region; and,

**WHEREAS**, The College of The Albemarle (COA) is in need of state-of-the-art, efficient education and training facilities for its public safety programs, the relocation and consolidation of which would enable COA to create critically needed spaces in Elizabeth City for backfill with Trades Programs in Electrical, HVAC and Welding; and,

**WHEREAS**, the County of Currituck owns the property upon which the Public Safety Center will be constructed, and has experience at constructing county-owned facilities at a substantial savings; and,

**WHEREAS**, COA has available Connect NC State Bond funds for investment in spaces that it will occupy in the Public Safety Facility, but is unable to invest those funds in a joint venture with the County of Currituck without special dispensation from the North Carolina General Assembly;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CURRITUCK COUNTY BOARD OF COMMISSIONERS, THAT** strong support is given to the COA Board of Trustees to any legislative initiative that provides relief to the College from the General Statutes of North Carolina that would frustrate, restrict or prohibit COA's investment of State Bond funds in a joint venture with the County in a Public Safety education and training facility to be constructed by said County.

Adopted this 20th day of March, 2017.

## **5. Surplus Resolution-Emergency Management, Mobile Radios**

Communication: Minutes approval-BOC-March 20, 2017 (Approval Of Minutes for March 20, 2017)

| RESOLUTION   |                                   |               |
|--|-----------------------------------|---------------|
| <p><b>WHEREAS,</b> THE Board of Commissioners of the County of Currituck, North Carolina during its regularly scheduled meeting authorized the following, pursuant to G.S. 160A and 270(b) that the property listed below will be sold at auction, negotiated sale or will be disposed of if not sellable.</p> |                                   |               |
| County   |                                   |               |
| Asset Tag  | Description                       | Serial Number |
| 1993   | Mobile VHF Radio                  | 483HNN0661    |
| 2543   | Moto UHF portable radio           | 749ARS0917    |
| 5981   | UHF Moto Link Transmitter/Cabinet | # not found   |
| 2450   | Moto Max Track Radio              | 428ARC2504    |
| 2197   | Moto Max Track Radio              | 428FPS6583    |
|  |                                   |               |
|  |                                   |               |
|  |                                   |               |
|  |                                   |               |
|  |                                   |               |
| <p><b>NOW, THEREFORE, BE IT RESOLVED,</b> that the Board of Commissioners of the County of Currituck reserves the tight to reject any and all bids.</p>  |                                   |               |
| <p><b>ADOPTED,</b> this 20th day of March, 2017.</p>   |                                   |               |
|  |                                   |               |
|  |                                   |               |
|  |                                   |               |
| Bobby Hanig  |                                   |               |
| County of Currituck, Board of Commissioners  |                                   |               |
|  |                                   |               |
|  |                                   |               |
|  |                                   |               |
| Leeann Walton  |                                   |               |
| Clerk to the Board   |                                   | (Seal)        |

### E) Commissioner's Report

Commissioner Gilbert reminded residents of the hazardous waste disposal on April 1, 2017, at 9 AM, the Rabies Clinic from 8 AM till 10 AM, both at the Judicial Center, and the Currituck Kids Annual Easter Egg Hunt at Currituck BBQ from 1 PM till 3 PM. She said tickets are still available for the Ducks Unlimited annual fund raiser on Saturday at 5 PM.

#### 1. Motion to accept Commissioner Hall's resignation from the position of Vice-Chairman

Commissioner Hall announced his desire to step down from the position of Vice-Chair and asked the Board to accept his resignation, citing the duties required of the position in addition to the responsibilities of Commissioner. Commissioner White moved to accept Commissioner Hall's resignation and the motion was seconded by Commissioner Gilbert. The motion carried unanimously.

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

## 2. Motion to approve Commissioner Payment as Vice-Chairman of the Board of Commissioners

Commissioner Gilbert moved to appoint Commissioner Mike Payment to the position of Vice-Chair. Commissioner Beaumont seconded and the motion passed unanimously.

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

## F) County Manager's Report

County Manager, Dan Scanlon, reminded citizens that latex paint will no longer be accepted at the Hazardous Waste Collection, as it is not considered a hazardous waste. Commissioner Beaumont relayed comments from a resident regarding oil collections at some convenience centers. Mr. Scanlon said he would look into the problem again.

## RECESS

Chairman Hanig recessed the regular meeting of the Board of Commissioners to open a Special Meeting sitting as the Ocean Sands Water & Sewer District Board.

## SPECIAL MEETING OF THE OCEAN SANDS WATER & SEWER DISTRICT BOARD

The Currituck County Board of Commissioners held a Special Meeting on Monday, March 20, 2017, sitting as the Ocean Sands Water and Sewer District Board in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina. The meeting was held for Board consideration of budget amendments.

## G. Ocean Sands Water & Sewer District-Budget Amendment

County Manager, Dan Scanlon, reviewed the budget amendment related to funds for the

Ocean Sands Wastewater plant expansion.

Commissioner Gilbert moved to approve and the motion was seconded by Commissioner Payment. The motion was unanimously approved.

With no further business Chairman Hanig closed the Special Meeting of the Ocean Sands Water and Sewer District Board.

|                           |   | Debit                                   | Credit                                  |
|---------------------------|---|---|---|
|                           |   | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| <u>Account Number</u>     | <u>Account Description</u>  |   |   |
| 59808-596100              | Professional Services   | \$ 425,000                              |   |
| 59808-588000              | Contingency   |   | \$ 125,000                              |
| 59390-495060              | T F - Ocean Sands Operating Fund  |   | \$ 300,000                              |
|                           |   | \$ 425,000                              | \$ 425,000                              |
| <b>Explanation:</b>       | Ocean Sands Construction Fund (59808) - Increase appropriations for design, permitting and construction administration of Phases II and III and the Ocean Sands Wastewater Treatment Plant replacement. |   |   |
|                           |   |   |   |
|                           |   |   |   |
|                           |   |   |   |
| <b>Net Budget Effect:</b> | Ocean Sands Water and Sewer District Fund (60) - Increased by \$300,000.  |   |   |

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

## ADJOURN

Upon adjournment of the Special Meeting of the Ocean Sands Water and Sewer District Board, the Board of Commissioners returned from recess and Chairman Hanig reconvened the regular meeting of the Board of Commissioners.

### Motion to Adjourn Meeting

With no further business, Commissioner Gilbert made a motion to adjourn the regular meeting. Commissioner Beaumont seconded the motion and the motion carried unanimously. The meeting of the Currituck County Board of Commissioners was adjourned.

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

Number 2017085

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10795-532000          | Supplies                   | \$ 6,625  | \$ -  |
| 10350-469020          | Maple Park Sponsors        |   | \$ 6,625  |
|                       |                            | <u>\$ 6,625</u>                                 | <u>\$ 6,625</u>                                 |

**Explanation:** Parks and Recreation (10795) - Increase appropriations for sponsorship signs for the Maple ball fields.

**Net Budget Effect:** Operating Fund (10) - Increased by \$6,625.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)



Number

2017086

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10640-532004          | FCS Supplies               | \$ 750  |   |
| 10640-532000          | Supplies                   |   | \$ 750  |
| 10640-532004          | FCS Supplies               | \$ 1,159  |   |
| 10330-449900          | Miscellaneous Grants       |   | \$ 1,159  |
|                       |                            | <u>\$ 1,909</u>                                 | <u>\$ 1,909</u>                                 |

**Explanation:** Cooperative Extension (10640) - Transfer funds for grills and pasta makers for Family and Consumer Sciences programming and for SHIIP Grant funding through the NC Department of Insurance.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number

2017087

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 66868-511000          | Telephone and Postage      |   | \$ 577  |
| 66868-511000          | Telephone and Postage      |   | \$ 2,000  |
| 66868-533200          | Lab Tests                  | \$ 2,000  |   |
| 66868-557100          | Software License Fees      | \$ 577  |   |
|                       |                            | <u>\$ 2,577</u>                                 | <u>\$ 2,577</u>                                 |

**Explanation:** Southern Outer Banks Water (66868) - Transfer funds for SOBWS lab testing and for Bently WaterGems Software license fee for modeling the water systems.

**Net Budget Effect:** Ocean Sands Water and Sewer District Fund (60) - No change.  
Southern Outer Banks Water Fund (66) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number

2017088

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10750-545000          | Contracted Services        |   | \$ 10,000                                       |
| 10750-561000          | Professional Services      | \$ 10,000                                       |   |
| 10460-545000          | Contracted Services        |   | \$ 6,112  |
| 10750-590000          | Capital Outlay             | \$ 6,112  |   |
|                       |                            | <u>\$ 16,112</u>                                | <u>\$ 16,112</u>                                |

**Explanation:** SOCIAL SERVICES ADMIN (750) - Move funds to cover the cost of contracting with a third attorney due to conflict of interest with two other attorney's DSS contracts with and to replace a HVAC unit at the DSS building.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number

2017089

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10480-545700          | Microfilm Processing       | \$ 6,800  |   |
| 10480-590000          | Capital Outlay             |   | \$ 3,500  |
| 10480-532000          | Supplies                   |   | \$ 3,300  |
|                       |                            | <u>\$ 6,800</u>                                 | <u>\$ 6,800</u>                                 |

**Explanation:** Register of Deeds (10480) - The state Microfilm department has advised us that during their routine inspections that some of the older microfilm has deteriorated and is no longer viable. This money will be used to restore these books.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number 2017090

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10535-545000          | Contracted services        |   | \$ 17,734                                       |
| 10535-590000          | Capital Outlay             | \$ 17,734                                       |   |
|                       |                            | <u>\$ 17,734</u>                                | <u>\$ 17,734</u>                                |

**Explanation:** Communications (10535) - Transfer budgeted funds for radios for backup site originally budgeted in Emergency Telephone System fund and we have been notified that these costs are not reimburseable through that funding stream.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number 2017091

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 12548-590015          | Capital Outlay             | \$ 8,145  |   |
| 12548-554015          | Insurance                  | \$ 484  |   |
| 12548-545000          | Contract Services          |   | \$ 8,629  |
|                       |                            | <u>\$ 8,629</u>                                 | <u>\$ 8,629</u>                                 |

**Explanation:** Knotts Island Volunteer Fire Department (12548) - Transfer funds from Contract Services to Capital Outlay for a Mud Motor requested by Knotts Island VFD and approved by the Fire Advisory Board and to transfer funds to insurance for premium increases.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number

2017092

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u>    | Debit   |       | Credit  |       |
|-----------------------|-------------------------------|---|-------|---|-------|
|                       |                               | <u>Decrease Revenue or<br/>Increase Expense</u> |       | <u>Increase Revenue or<br/>Decrease Expense</u> |       |
| 12543-516103          | Buildings and Grounds         | \$  | 1,625 |   |       |
| 12543-516003          | Repairs & Maintenance         |   |       | \$  | 4,100 |
| 12543-532103          | Fire Supplies                 | \$  | 3,680 |   |       |
| 12543-532003          | Supplies                      |   |       | \$  | 780   |
| 12543-536103          | Personal Protective Equipment | \$  | 2,700 |   |       |
| 12543-545000          | Contract Services             |   |       | \$  | 1,500 |
| 12543-561003          | Professional Services         |   |       | \$  | 1,348 |
| 12543-544003          | Volunteer Assistance          | \$  | 2,500 |   |       |
| 12543-554003          | Insurance                     |   |       | \$  | 2,500 |
| 12543-590003          | Capital Outlay                |   |       | \$  | 277   |
|                       |                               | <u>\$ 10,505</u>                                |       | <u>\$ 10,505</u>                                |       |

**Explanation:** Moyock Volunteer Fire Department (12543) - Transfer budgeted funds within the Moyock Volunteer Fire Contract budget per request of the volunteer fire department.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number

2017093

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10550-503000          | Part-time Salaries         | \$ 2,000  |   |
| 10550-505000          | FICA                       | \$ 153  |   |
| 10550-513000          | Utilities                  | \$ 3,000  |   |
| 10550-531002          | Aviation Fuel              |   | \$ 10,153                                       |
| 10550-545000          | Contract Services          | \$ 5,000  |   |
|                       |                            | <u>\$ 10,153</u>                                | <u>\$ 10,153</u>                                |

**Explanation:** Airport (10550) - Transfer budgeted funds to cover operations and tractor maintenance to maintain the airport property.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)



Number

2017094

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10980-502100          | Salaries - Overtime        | \$ 6,382  |   |
| 10980-503000          | Salaries - Part time       | \$ 29   |   |
| 10980-505000          | FICA                       | \$ 478  |   |
| 10980-507000          | Retirement                 | \$ 800  |   |
| 10980-508000          | Supplemental Retirement    | \$ 32   |   |
| 10980-514000          | Travel                     | \$ 44   |   |
| 10980-532000          | Supplies                   | \$ 1,316  |   |
| 10980-545000          | Contract Services          | \$ 254,068                                      |   |
| 10380-484001          | Insurance Recovery         |   | \$ 100,040                                      |
| 10330-445100          | FEMA - Public Assistance   |   | \$ 163,109                                      |
|                       |                            | <u>\$ 263,149</u>                               | <u>\$ 263,149</u>                               |

**Explanation:** Disaster Recovery (10980) - To record actual insurance claims and estimated FEMA claims resulting from damages sustained during Hurricane Matthew in October 2017.

**Net Budget Effect:** Operating Fund (10) - Increased by \$263,149.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)

Number 2017095

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 3rd day of April 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

| <u>Account Number</u> | <u>Account Description</u> | Debit   | Credit  |
|-----------------------|----------------------------|---|---|
|                       |                            | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10796-516000          | Repairs & Maintenance      |   | \$ 125  |
| 10796-511010          | Data Transmission          | \$ 125  |   |
|                       |                            | <u>\$ 125</u>                                   | <u>\$ 125</u>                                   |

**Explanation:** Currituck County Rural Center (10796) - Transfer funds for increased internet costs.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BudAmends\_4-3-17 (1855 : Budget Amendments)



## Currituck County

Planning and Community Development Department

*Planning Division*

153 Courthouse Road, Suite 110

Currituck, North Carolina, 27929

252-232-3055 FAX 252-232-3026

### MEMORANDUM

**To:** Board of Commissioners

**From:** Ben Woody, Planning Director

**Cc:** Charlan Owens, District Planner

**Date:** March 28, 2017

**Re:** N.C. Division of Coastal Management Grant Program 2017-2018

Enclosed please find a grant application to the Division of Coastal Management requesting \$20,000 for a natural hazard and storm recovery project. The county is required to provide \$5,000 in matching funds, which is included in the Planning Department's 2017-2018 budget request. The grant funds will be used to contract with a person or firm specializing in GIS based spatial analysis.

This project is a targeted study that develops tools and a plan to help the County understand, prioritize and address areas vulnerable to flooding. Understanding and maintenance of the floodplain's natural function is the goal of this study. The County will use these tools to reduce flood risk to development and redevelopment, including public facilities through establishing future policies that establish mitigation and adaptation concepts and criteria in these vulnerable areas.

Project objectives include:

- For the County to delineate drainage basin boundaries using spatial based analyses and model/study rainfall flooding.
- Evaluate the use of the 12-digit HUC sub-watershed boundaries from NC NRCS vs. drainage basins delineated using the hydro-conditioned DEM.
- Develop an impervious surface layer for the County.
- Identify areas vulnerable to rainfall flooding.
- Develop a plan to prioritize vulnerable flooded areas/basins for detailed hydrological and hydraulic studies.
- In response to recent flooding events establish a process to collect data on areas/infrastructure e.g. roadways vulnerable to flooding during large storm events.

This project is identified as a high local priority in the 2006 Land Use Plan and its findings will be incorporated into the *Imagine Currituck* land use plan update process.



## **COUNTY OF CURRITUCK**

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

March 28, 2017

Ms. Charlan Owens  
 District Planner  
 N.C. Division of Coastal Management  
 401 South Griffin Street, Suite 300  
 Elizabeth City, North Carolina 27909

RE: N.C. Division of Coastal Management Grant Program 2017-2018

Dear Ms. Owens:

I am pleased to submit this request to the Division of Coastal Management for matching grant funding for a natural hazard and storm recovery project in Currituck County. Enclosed please find a grant application, narrative, and public meeting notice.

This project is a targeted study that develops tools and a plan to help the County understand, prioritize and address areas vulnerable to flooding. Maintenance of the floodplain's natural function is the goal of this study. The County will use these tools to reduce flood risk to development and redevelopment, including public facilities through establishing future policies that establish mitigation and adaptation concepts and criteria in these vulnerable areas.

Should you have any questions or need additional information, please contact me at your earliest convenience.

Sincerely Yours,

Ben E. Woody, AICP  
 Planning Director

Cc: Lora Eddy, The Nature Conservancy

Attachment: 4-3-17 BOC Agenda BU-Grant App-Planning (1854 : DCM Planning & Management Grant)



## N.C. Division of Coastal Management Local Planning and Management Grant Program Grant Application 2017-2018

Please complete a separate application for each proposed project and submit two (2) printed copies and one (1) CD or USB drive with digital files to your DCM District Planner.

This application is also available [online](#).

APPLICATION DUE: March 31, 2017

|  |  |
|--|--|
| <b>Project Name</b> <u>Currituck CR Rainfall Flood St</u><br><br><b>Local Government:</b> <u>Currituck County</u><br><br><b>Federal ID#:</b> <u>56-6000292</u><br><br><b>Lead Elected Official:</b> <u>Bobby Hanig</u><br><br><b>Title:</b> <u>Chairman</u><br><br><b>Address:</b> <u>153 Courthouse Rd, Ste 204</u><br><u>Currituck, NC 27929</u> | <b>Project Administrator:</b> <u>Ben Woody</u><br><br><b>Title:</b> <u>Planning Director</u><br><br><b>Address:</b> <u>153 Courthouse Road, Ste. 110</u><br><u>Currituck, NC 27929</u><br><br><b>Phone:</b> <u>(252) 232-6029</u><br><br><b>Fax:</b> <u>(252) 232-3470</u><br><br><b>Email:</b> <u>ben.woody@currituckcountync</u> |
|--|--|

**Budget Totals and Financial Assistance Requested:** *Provide information from Summary Budget.*

| DCM Grant                      | Local Match   | Total Cost  |
|--------------------------------|---|---|
| Requested: <u>\$ 20,000.00</u> | Cash: <u>\$ 5,000.00</u><br>In-Kind: _____<br>Grant Assistance: _____ | <div style="border: 1px solid black; padding: 5px; text-align: center;"> <u>\$ 25,000.00</u> </div> |

**Authorized Signature** *Ben E. Woody* **Title:** Planning Director  
  
**Name (print)** Ben Woody **Date:** March 28, 2017

Attachment: 4-3-17 BOC Agenda BU-Grant App-Planning (1854 : DCM Planning &amp; Management Grant)

**Provide the following narratives. If necessary, please use additional pages.**

- A. Does the project meet this year prioritized project topics of Natural Hazards and Storm Recovery? YES ☒ NO ☐ If so, indicate how the project meets the topic.
- B. Project Description
- C. List Project Objectives
- D. Expected Project Product(s)
- E. Pre-Project Tasks: Identify tasks that must be completed prior to starting the project.
- F. Local Government Approval:  
Each grant application must be reviewed and approved by the local governing board at a duly advertised public hearing or meeting. Provide a memorandum resolution, or a copy of the meeting minutes indicating the board's action on the application.
- G. Is all or a portion of this project under consideration by other programs for funding?  
YES ☐ NO ☒ If so, indicate which program(s) and which fiscal year(s). Does the funding requested from another program duplicate or compliment the funding requested from the Planning and Management Grant? How viable is the project if complementary funding from another program is not secured?
- H. Certified Land Use Plan (Title and Initial State Certification Date):
- I. Date of last Land Use Plan Implementation Status Report:  
An implementation status report is required to be submitted every two (2) years after the initial state certification date. In order to be eligible for this grant, the community must be up to date on their implementation reporting. An implementation status report will be required as an attachment to this grant application if an up to date report is not on file with DCM. See 15A NCAC 07B.0804 for report requirements.
- J. Is this project identified as a high local priority in your certified Land Use Plan?  
YES ☒ NO ☐ If so, attach a brief description of the plan and a statement of the extent to which the project implements the policies of this plan.
- K. Is this project reflected in any other policy documents or ordinances?  
YES ☒ NO ☐ If so, attach a brief description of the document or ordinance and a statement of the extent to which the project implements goals of the documents or ordinance.
- L. Will the project require local adoption by the elected officials in order to be implemented?  
YES ☐ NO ☒

**PLANNING AND MANAGEMENT GRANT PROGRAM**  
N. C. Division of Coastal Management

**FINAL APPLICATION**  
2017-18 Cycle

**M. Proposed Local Match and Cost Assumptions:**

Provide narrative indicating the source of cash match and availability of funds. Provide narrative explaining the relevance of proposed in-kind match to the project. If other state and/or federal funds are to be used as local match, indicate the amount, the funding source, when the funding will be awarded/available, and the specific project elements that will qualify for joint funding.

**N. Proposed Summary Budget**

|                               | Grant Assistance<br>Requested | Local Cash<br>Contribution | Local In-Kind<br>Contribution | TOTAL               |
|-------------------------------|-------------------------------|----------------------------|-------------------------------|---------------------|
| <b>Subcontract Costs:</b>     |                               |                            |                               |                     |
| Spatial Analysis and Modeling | \$ 20,000.00                  | \$ 5,000.00                |                               | \$ 25,000.00        |
|                               |                               |                            |                               | \$ 0.00             |
| Subtotal                      | \$ 20,000.00                  | \$ 5,000.00                | \$ 0.00                       | \$ 25,000.00        |
| <b>Salaries:</b>              |                               |                            |                               |                     |
|                               |                               |                            |                               | \$ 0.00             |
|                               |                               |                            |                               | \$ 0.00             |
| Subtotal                      | \$ 0.00                       | \$ 0.00                    | \$ 0.00                       | \$ 0.00             |
| <b>Printing:</b>              |                               |                            |                               |                     |
|                               |                               |                            |                               | \$ 0.00             |
|                               |                               |                            |                               | \$ 0.00             |
| Subtotal                      | \$ 0.00                       | \$ 0.00                    | \$ 0.00                       | \$ 0.00             |
| <b>Materials:</b>             |                               |                            |                               |                     |
|                               |                               |                            |                               | \$ 0.00             |
|                               |                               |                            |                               | \$ 0.00             |
| Subtotal                      | \$ 0.00                       | \$ 0.00                    | \$ 0.00                       | \$ 0.00             |
| <b>Equipment:</b>             |                               |                            |                               |                     |
|                               |                               |                            |                               | \$ 0.00             |
|                               |                               |                            |                               | \$ 0.00             |
| Subtotal                      | \$ 0.00                       | \$ 0.00                    | \$ 0.00                       | \$ 0.00             |
| <b>TOTAL BUDGET</b>           | <b>\$ 20,000.00</b>           | <b>\$ 5,000.00</b>         | <b>\$ 0.00</b>                | <b>\$ 25,000.00</b> |

Attachment: 4-3-17 BOC Agenda BU-Grant App-Planning (1854 : DCM Planning & Management Grant)

**PLANNING AND MANAGEMENT GRANT PROGRAM**  
N. C. Division of Coastal Management

**FINAL APPLICATION**  
2017-18 Cycle

- O. Proposed Budget:** If available, attach a detailed breakdown of the cost assumptions upon which the Summary Budget is based. Proposals that include this information increase their likelihood of funding.
- P. Project Timeline:** The purpose of the timeline is to establish benchmarks during the project period to ensure timely completion. Progress monitoring is to occur at the 6 month interval for the duration of the 12 month contract. We recognize that unexpected events may require adjustments to the timeline. The schedule is meant to be an aid for measuring the progress of the project and a guide to making adequate contract adjustments when necessary.

| Month \ Task         | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|----------------------|---|---|---|---|---|---|---|---|---|----|----|----|
| Return Contract      | X | X |   |   |   |   |   |   |   |    |    |    |
| Post RFP             |   | X | X |   |   |   |   |   |   |    |    |    |
| Select Subcontractor |   |   | X | X |   |   |   |   |   |    |    |    |
| Begin Project        |   |   |   |   | X | X | X | X | X |    |    |    |
| End Project          |   |   |   |   |   |   |   |   |   | X  |    |    |
| Closeout             |   |   |   |   |   |   |   |   |   |    | X  |    |



**PLANNING AND MANAGEMENT GRANT PROGRAM**  
N. C. Division of Coastal Management

**FINAL APPLICATION**  
2017-18 Cycle

- Q. **Project Reporting Periods:** The form below only illustrates grant and local cash match totals. Local funds must be spent before grant funds. Non-cash match is not illustrated or represented in the table, however it must still be reported.

Grant: \$ 20,000.00      Cash Match: \$ 5,000.00      Total: \$ 25,000.00  
Non-Cash Match: \$

**Project Schedule and Activities Chart**

|  |  |
|--|--|
| <p>% of total work to be completed</p> <p>20%</p> <hr/> <p>Grant funds to be spent: \$ 0.00</p> <p>Local funds to be spent: \$ 5,000.00</p> <hr/>  | <p>Period 1</p> <p>Identify Contractor</p> <p>Execute Contract</p> <p>Begin Project</p> <p>Existing conditions and data collection</p> |
| <p>% of total work to be completed</p> <p>80%</p> <hr/> <p>Grant funds to be spent: \$ 20,000.00</p> <p>Local funds to be spent: \$ 0.00</p> <hr/> | <p>Period 2</p> <p>Create spatial data</p> <p>Analysis of spatial data</p> <p>Plan and prioritization of drainage basins</p>           |

## DCM Planning & Management Grant FY2017-18: Currituck County

Project Name: Currituck County Coastal Resilience Rainfall Flood Study

A. Does the project meet this year prioritized project topics of Natural Hazards and Storm Recovery?

YES   X   NO        If so, indicate how the project meets the topic:

- This project is a targeted study that develops tools and a plan to help the County understand, prioritize and address areas vulnerable to flooding. Flooding is a natural hazard. Maintenance of the floodplain's natural function is the goal of this study. The County will use these tools to reduce flood risk to development and redevelopment, including public facilities through establishing future policies that establish mitigation and adaptation concepts and criteria in these vulnerable areas.

|  |  |
|--|--|
| Project Name: Currituck County Coastal Resilience Rainfall Flood Study   |  |
| B. Project Description: Map and study drainage basins in Currituck County, North Carolina to identify areas vulnerable to rainfall flooding due to poor soils, topography/low points, development, and drainage system.  |  |
| C. Project Objectives: <ul style="list-style-type: none"> <li>• For the County to delineate drainage basin boundaries using spatial based analyses and model/study rainfall flooding.</li> <li>• Evaluate the use of the 12-digit HUC sub-watershed boundaries from NC NRCS vs. drainage basins delineated using the hydro-conditioned DEM.</li> <li>• Develop an impervious surface layer for the County.</li> <li>• Identify areas vulnerable to rainfall flooding.</li> <li>• Develop a plan to prioritize vulnerable flooded areas/basins for detailed hydrological and hydraulic studies.</li> <li>• In response to recent flooding events establish a process to collect data on areas/infrastructure e.g. roadways vulnerable to flooding during large storm events.</li> </ul> | Timeline: July 1, 2017 – June 30, 2018 |

D. Project Products:

- Spatial Impervious Surface Layer
- Spatial Drainage Basin Boundary Layer
- Identification of Rainfall Flooding Vulnerable Areas
- Plan/framework to prioritize Drainage Basins for future detailed hydrological and hydraulic studies
- Spatial framework to collect data on flooded County infrastructure and vulnerable areas

## E. Pre-Project Tasks:

- Identify contractor
- Draft Contract/Scope of Work
- Legal Review (if necessary)
- Execute Contract

## F. Local Government Approval:

Each grant application must be reviewed and approved by the local governing board at a duly advertised public hearing or meeting. Provide a memorandum resolution, or a copy of the meeting minutes indicating the board's action on the application.

See Attached notice of the April 3<sup>rd</sup> public meeting. Grant application is on the consent agenda.

## G. Is all or a portion of this project under consideration by other programs for funding?

YES \_\_\_\_ NO X If so, indicate which program(s) and which fiscal year(s). Does the funding requested from another program duplicate or compliment the funding requested from the Planning and Management Grant?

How viable is the project if complementary funding from another program is not secured?

## H. Certified Land Use Plan (Title and Initial State Certification Date):

- Currituck County 2006 Land Use Plan; May 18, 2007

## I. Date of last Land Use Plan Implementation Status Report:

An implementation status report is required to be submitted every two (2) years after the initial state certification date. In order to be eligible for this grant, the community must be up to date on their implementation reporting. An implementation status report will be required as an attachment to this grant application if an up to date report is not on file with DCM. See 15A NCAC 07B.0804 for report requirements.

- June 4, 2015

## J. Is this project identified as a high local priority in your certified Land Use Plan?

YES X NO \_\_\_\_ If so, attach a brief description of the plan and a statement of the extent to which the project implements the policies of this plan.

- Aspects of this project are identified in Currituck County 2006 Land Use Plan (LUP) under Section 9: Land Use and Development Policies in the following areas:

| CAMA Management Topic | Currituck's LUP Policy    | Description   |
|-----------------------|---------------------------|---|
| Water Quality         | Water Quality: POLICY WQ8 | Currituck County shall support the development and maintenance of a countywide COMPREHENSIVE DRAINAGE AND FLOOD MANAGEMENT PLAN, including public and private actions in support of plan implementation. Currituck County shall support County, NCDOT and property owner cooperation in preventing and resolving stormwater problems. |
| Land Use              | Policies to               | New development shall be permitted to locate only in  |

|                |   |   |
|----------------|---|---|
| Compatibility  | Conserve Environmentally Sensitive Areas<br>POLICY ES1: | areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available. For existing development located on poor soils, and where sewage treatment upgrades are necessary, engineering solutions may be supported, provided that environmental concerns are fully addressed.   |
| Local Concerns | Special Policies Applicable Countywide<br>POLICY CW1    | Currituck County may elect to amend or incorporate adopted small area plans into the Land Use Plan as needed. This includes consideration of citizen initiated amendments or county led planning efforts that recognize changing demographic, economic, or environmental conditions. (see Section K or grant application) |

- This project is identified as an implementation standard for POLICY WQ8 under Action WQ-5: "Prepare a countywide stormwater management plan, including sub-area district plans to address problems in particular watersheds or sub-area drainage basins of the county." This was identified as a High Priority item. This study identifies sub-basins, creates an impervious surface layer for small basin studies, and develops a framework to identify, prioritize and track frequently flooded areas.

K. Is this project reflected in any other policy documents or ordinances?

YES ☒ NO ☐ If so, attach a brief description of the document or ordinance and a statement of the extent to which the project implements goals of the documents or ordinance.

| Policy Document                           | Description   |
|---|---|
| Albemarle Regional Hazard Mitigation Plan | Action # CUR4 – Determine the feasibility of stormwater districts in watersheds, townships, or problem flooding areas through a study to mitigate against future flooding.  |
| Moyock Small Area Plan                    | <b>Policy IS 4</b> Ensure that stormwater runoff, soil erosion, and sedimentation is properly managed to reduce nuisance flooding and pollution of sensitive environmental areas<br><b>Action IS 4A:</b> Explore the feasibility of establishing a stormwater drainage district. The feasibility study should include an analysis of existing conditions, identify areas needing improvements, cost estimates for improvements, and on-going maintenance and recommend implementable funding options. |
| Corolla Village Small Area Plan           | <b>Policy EN2:</b> Maintain natural contours of a site to preserve vegetation, limit impacts on stormwater and water quality, and maintain the character of the area.   |

- In the County's Albemarle Regional Hazard Mitigation Plan: This will work helps implement Action # CUR4.

L. Will the project require local adoption by the elected officials in order to be implemented? NO

M. Proposed Local Match and Cost Assumptions:

Provide narrative indicating the source of cash match and availability of funds. Provide narrative explaining the relevance of proposed in-kind match to the project. If other state and/or federal funds are to be used as local match, indicate the amount, the funding source, when the funding will be awarded/available, and the specific project elements that will qualify for joint funding.

The county is proposing to use matching funds from the Planning Department operating budget, which is funded through county general funds. These funds will be available no later than July 1, 2017.



**Currituck County**  
**Board of Commissioners Agenda**  
 Historic Currituck Courthouse

**Date:** Monday, April 3, 2017

**Time:** 6:00 PM

**Work Session**

4:00 PM Moyock Mega-Site Update presented by Kimley-Horn and Associates, Inc.

**6:00 PM Call to Order**

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

**Public Comment**

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

**Administrative Reports**

- A) Albemarle Regional Health Services Report-Battle Betts, Director
- B) Economic Improvement Council Presentation-Dr. Landon Mason, Executive Director
- C) Moyock Mega-Site Update by Kimley-Horn & Associates

**Public Hearings**

- A) **PB 16-24 Blue Water Development Corp.** Requests an amendment to the Unified Development Ordinance to allow the expansion of existing campgrounds.

**New Business**

- A) **Board Appointments**
  - 1. Planning Board
  - 2. Board of Adjustment
  - 3. Recreation Advisory Board
  - 4. Joint Nursing Home/Domiciliary Community Advisory
- B) **Consent Agenda**
  - 1. Approval Of Minutes
  - 2. Budget Amendments

Attachment: 4-3-17 BOC Agenda BU-Grant App-Planning (1854 : DCM Planning & Management Grant)

3. ~~Division of Coastal Management Planning and Management Grant~~
  4. Resolution in Recognition of the 75th Anniversary of Albemarle Regional Health Services
  5. Resolution to Declare Surplus Communications Equipment
  6. Wireless Communication Resolution, Sole Source
  7. Panther Landing Convenience Center lease renewal
- C) **Commissioner's Report**
- D) **County Manager's Report**

**Adjourn**

Attachment: 4-3-17 BOC Agenda BU-Grant App-Planning (1854 : DCM Planning & Management Grant)



RESOLUTION OF RECOGNITION OF 75 YEARS OF  
PUBLIC HEALTH SERVICE

WHEREAS, Albemarle Regional Health Services will celebrate its 75<sup>th</sup> Anniversary of service to citizens of Pasquotank, Perquimans, Camden, Chowan, Currituck, Bertie, and Gates counties; and

WHEREAS, Albemarle Regional Health Services has rendered quality care to the citizens of the Albemarle region of care during its seventy-five years of operation; and

WHEREAS, Albemarle Regional Health Services is to be commended for its seventy-five years of outstanding service;

NOW THEREFORE BE IT RESOLVED by the Currituck County Board of Commissioners that Albemarle Regional Health Services be congratulated and offered the Board's sincerest appreciation for seventy-five successful years of dedicated service to the citizens of the Albemarle region.

Adopted this the 3rd day of April, 2017.

\_\_\_\_\_  
Bobby Hanig, Chairman

Attest: \_\_\_\_\_

Leeann Walton  
Clerk to the Board

## RESOLUTION

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

| County    |                                 |               |
|-----------|---------------------------------|---------------|
| Asset Tag | Description                     | Serial Number |
| 7050      | Motorola UHF Base Radio         | 103TJW7015    |
| 7051      | Motorola UHF Base Radio         | 103TJW7016    |
| 7120-D    | Monitor Table Stand - Black     |               |
| 7120-E    | Monitor Table Stand - Black     |               |
| 7190      | Positron Power 911 Phone System | I15419        |
| 7191      | Positron Power 911 Phone System | C09319        |
| 7192      | Positron Power 911 Phone System | 125990        |
| 7276      | Positron Power 911 Phone        |               |
| 7277      | Positron Power 911 Phone        |               |

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

**ADOPTED,** this 3rd day of April, 2017.

\_\_\_\_\_  
 Bobby Hanig  
 County of Currituck, Board of Commissioners

\_\_\_\_\_  
 LeeAnn Walton  
 Clerk to the Board

(Seal)

**RESOLUTION AUTHORIZING THE PURCHASE OF VESTA 911 COMMAND POST  
SYSTEM AND ACCESSORY ITEMS FROM WIRELESS COMMUNICATIONS, INC.  
THROUGH SOLE SOURCE PURCHASE**

WHEREAS, Currituck County has previously acquired certain equipment from Wireless Communications, Inc. manufactured by Airbus for its central communications center; and

WHEREAS, Currituck County intends to acquire three additional VESTA 9-1-1 CommandPOST Systems and accessory items and is informed that Airbus, as manufacturer of the equipment, will not allow for the equipment to be provided and maintained by a vendor other than Wireless Communications, Inc.; and

WHEREAS in order that equipment in Currituck County's central communications center is compatible it is necessary to obtain the VESTA 9-1-1 CommandPOST System and accessory items from Wireless Communications, Inc. as vendor for the manufacturer Airbus; and

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase from a sole source "when a needed product is available from only one source of supply".

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$44,174.44 with Wireless Communications, Inc. for the sole source purchase of additional material, equipment, supplies and services described in Exhibit A to this resolution that necessary to complement and enhance the county's central communications center and system in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Wireless Communications, Inc. for acquisition and installation of the material, equipment or supplies and services necessary for installation.

Section 2. This resolution shall be effective upon its adoption.

This the 3<sup>rd</sup> day of April, 2017.

\_\_\_\_\_  
Bobby Hanig, Chairman  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Leeann Walton,  
Clerk to the Board of Commissioners

(COUNTY SEAL)

Attachment: Resolution sole source purchase Wireless Communications 040317 (1847 : Wireless Communications Resolution)

# Currituck County

## VESTA® 9-1-1 CommandPOST System

| Qty.       | Part No.       | Description                            | Price       |
|------------|----------------|--|-------------|
|            |                | <b>VESTA® 9-1-1 CommandPOST System</b> |             |
|            |                | <b>VESTA® 9-1-1 Basic Operations</b>   |             |
| 3          | PS-0SQ-VSSL    | VS BSC PER SEAT LIC                    | \$9,166.67  |
| 3          | SS-0SQ-VSSL-1Y | SPT VS BSC 1YR                         | \$3,300.00  |
|            |                | <b>Geo Diverse Add On License</b>      |             |
| 3          | PA-MGD-VSSL    | GEO-DIV LIC                            | \$2,500.00  |
|            |                | <b>CommandPOST Hardware</b>            |             |
| 3          | 61050-G819601  | LAPTOP ZBOOK15 G3 64-BIT WIN 7         | \$4,516.67  |
| 3          | 80000-PELICAN  | COMMANDPOST HARDWARE                   | \$2,066.67  |
| 3          | 853004-00301   | CPOST SAM HDWR KIT                     | \$7,606.67  |
| 3          | 64007-50021    | KEYPAD 24 KEY USB CBL 12FT             | \$363.33    |
| 3          | 809800-35109   | R4 IWS CFG                             | \$666.67    |
| 3          | 809800-35108   | R4 IWS STG FEE                         | \$1,000.00  |
|            |                | <b>VESTA® 9-1-1 IRR Module</b>         |             |
| 3          | 873099-00502   | R4 IRR LIC/DOC/MED                     | \$3,316.67  |
| 3          | 809800-35110   | R4 IRR SW SPT 1YR                      | \$596.67    |
|            |                | <b>VESTA® 9-1-1 CDR Module</b>         |             |
| 3          | 873099-01102   | R4 CDR PER SEAT LIC                    | \$300.00    |
| 3          | Wireless       | 1st Year Warranty Service              | \$1,563.19  |
| 3          | Wireless       | Installation                           | \$3,672.15  |
| 1          | Wireless       | CommandPost Training                   | \$724.00    |
| Sub-total: |                |  | \$41,369.34 |

## CommandPost Accessory Items

| Qty.       | Part No.     | Description                    | Price      |
|------------|--------------|--------------------------------|------------|
|            |              | <b>CommandPost Accessories</b> |            |
| 3          | 04000-00491  | DOCK STATION 150W              | \$1,223.33 |
| 3          | Synnex       | 22IN Monitors                  | \$522.07   |
| 3          | 64021-10025  | KYBD/MOUSE BNDL                | \$146.67   |
| 3          | 64007-50021  | KEYPD 24K 12F USBCBL CP24      | \$363.33   |
| 3          | 853004-00401 | SAM EXT SPKR KIT               | \$560.00   |
| Sub-total: |              |                                | \$2,815.40 |

CommandPost Sub-total: \$44,174.74

This instrument has been Pre audited in the manner required by The Local Government Budget and Fiscal Control Act

\_\_\_\_\_  
County Finance Director

NORTH CAROLINA  
**LEASE AGREEMENT**  
CURRITUCK COUNTY

THIS LEASE AGREEMENT, which supersedes any prior lease agreements between the parties, made and entered into this \_\_\_\_ day of June, 2017, by and between SHEPHERD W. SMITH and (wife) CHUEN SMITH (the "Lessor") and THE COUNTY OF CURRITUCK, NORTH CAROLINA, a body corporate and politic existing under the laws of the State of North Carolina, (the "Lessee");

WITNESSETH:

THERE WHEREAS, North Carolina General Statutes 153A-121, 153A-132.1, and 153A-136, provide that a county may regulate the storage, collection and disposal of solid waste; and

WHEREAS, North Carolina General Statute 153A-165 provides that a county may lease as lessee any real property for any authorized public purpose; and

WHEREAS, the County, in order to provide the public with a convenient method for the disposal of solid waste desires to enter into this lease for the siting and placement of a convenience center for use by the public for the disposal of solid waste;

NOW, THEREFORE, for and in consideration of the rental, specified below, and of the stipulated covenants, the Lessor and Lessee agree as follows:

1. Lessor agrees to lease the Lessee the premises situated in Moyock Township, Currituck County, North Carolina, more particularly described as follows:  
  
A portion of that land located at 101 Panther Landing Road, Moyock, North Carolina within in the boundaries of the Lee Tract, Tax Map \_\_\_\_, parcel number of 0014000013B0000, said property be owned by Lessor and referenced in Deed recorded in Book 1197, Page 890 in the Currituck County Public Registry.  
  
BEGINNING at northwesterly point off Panther Landing Road South 11° 03' 00" East 1236.97 feet, thence North 82° 23' 02" East 200.36 feet, thence North 07° 32' 07" West 280.00 feet, thence South 82° 07' 36" West 217.50 feet to the Point of Beginning.
2. The lease of the above-described premises shall be for a term of ten (10) years commencing on the 1<sup>st</sup> day of July, 2017, and ending on the 30<sup>th</sup> day of June, 2027.
3. The rent for the term of this lease is \$11,400.00 per year or \$950.00 per month, payable in advance without demand or notice. Payments shall be made to

Attachment: Smith Lease 2017-2022 (1837 : Panther Landing Convenience Center lease renewal)

SHEPHERD W. SMITH and (wife) CHUEN SMITH, P.O. Box 156, Moyock, NC 27958.

- 4. It is understood by the parties that the leased premises will be improved for Lessee’s use as a solid waste disposal center. It is mutually agreed between Lessor and Lessee that any costs incurred and all improvements made to the leased premises shall be at the expense of the Lessee.
- 5. Lessee agrees to keep the leased premises neat in appearance.
- 6. Lessee agrees to indemnify and hold Lessor harmless from any liability of any nature, which may arise in connection with Lessee's use of the leased premises, and Lessor shall indemnify and hold Lessee harmless from any liability due to conditions existing to or on the leased premises prior to the date of this lease agreement.
- 7. Lessee may not assign, transfer, sublease, pledge or otherwise encumber or dispose of this lease without the written consent of the Lessor, except as described in paragraph 4 of this lease agreement.
- 8. Upon termination of this lease agreement, any rental paid by Lessee in advance shall be returned to Lessee on a pro-rata basis.
- 9. Upon Termination or expiration of this lease, Lessee agrees to remove all fixtures, personal property and other improvements from the leased premises and to return the leased premises to Lessor in substantially the same condition as on the date Lessor takes possession of the premises.
- 10. Lessee shall have peaceful and quiet enjoyment of the premises for the term of this lease provided that Lessee pays the rent as agreed to in this lease agreement and otherwise performs all of the conditions and covenants set forth in this lease agreement.

IN WITNESS WHEREOF, Lessor and Lessee have executed this lease the day and year first written above.

**LESSOR**

\_\_\_\_\_  
Shepherd Smith (SEAL)

\_\_\_\_\_  
Chuen Smith (SEAL)

**LESSEE, COUNTY OF CURRITUCK**

ATTEST:

\_\_\_\_\_  
Leeann Walton  
Clerk to the Board of Commissioners

(SEAL)

\_\_\_\_\_  
Bobby Hanig, Chairman (SEAL)  
Board of Commissioners

Attachment: Smith Lease 2017-2022 (1837 : Panther Landing Convenience Center lease renewal)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, the undersigned Notary Public, certify that SHEPHERD W. SMITH and (wife) CHUEN SMITH personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

(SEAL)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

My Commission Expires: \_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF CURRITUCK

I, the undersigned Notary Public, certify that Leeann Walton personally appeared before me this day and acknowledged that she is the Clerk of the Board of Commissioners for the County of Currituck, a body politic and political subdivision of the State of North Carolina, and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by its Chairman to the Currituck County Board of Commissioners, sealed with its County seal and attested by her as it's Clerk to the Board.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

(SEAL)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

My Commission Expires: \_\_\_\_\_

Attachment: Smith Lease 2017-2022 (1837 : Panther Landing Convenience Center lease renewal)



STATE OF \_\_\_\_\_

CITY/COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, the undersigned Notary Public, certify that William E. Bradley personally came before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public

(OFFICIAL SEAL)

\_\_\_\_\_  
Printed Name

My Commission Expires: \_\_\_\_\_

NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_ a Notary Public of the County and State aforesaid, certify that Leeann Walton personally came before me this day and acknowledged that she is the Clerk of the Currituck County Board of Commissioners for the County of Currituck, a politic body and political subdivision of the State of North Carolina, and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by its County Manager, sealed with its County seal and attested by her as its Clerk to the Board.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public

(OFFICIAL SEAL)

\_\_\_\_\_  
Printed Name

My Commission Expires: \_\_\_\_\_

Attachment: Smith Lease 2017-2022 (1837 : Panther Landing Convenience Center lease renewal)

**A RESOLUTION REQUESTING OPPOSITION TO HOUSE BILL 271 AND SECTIONS 2.1  
(A)(B)(C) AND (D) OF SENATE BILL 539 REPEALING  
THE BAN ON THE USE OF PLASTIC SHOPPING BAGS BY RETAIL ESTABLISHMENTS  
ON THE OUTER BANKS**

**WHEREAS**, in 2010 the North Carolina General Assembly enacted a ban on the use of plastic shopping bags by Outer Banks retail establishments, the Nation's first mandated state ban; and

**WHEREAS**, the legislation banning the use of plastic shopping bags by Outer Banks retail establishments was proposed to protect the environment and help preserve the thriving tourism industry; and

**WHEREAS**, plastic shopping bags are known to threaten wildlife and harm marine life, especially sea turtles; and

**WHEREAS**, discarded plastic shopping bags contribute to overburdened landfills, degrade the beaches and other natural landscapes on the North Carolina coast; and

**WHEREAS**, banning plastic shopping bags has resulted in a welcomed and accepted change in shopping culture on the Outer Banks where the delicate ecosystem is particularly vulnerable to excessive trash; and

**WHEREAS**, banning plastic bags has improved the visual aesthetics in the Currituck Outer Banks and other areas along the Outer Banks by reducing litter, adding protection to the fragile marine ecosystems, and eliminating tons of plastic from our landfills; and

**WHEREAS**, legislation has been filed in the North Carolina House of Representatives and North Carolina State Senate that would repeal the ban on the use of plastic shopping bags by Outer Banks retail establishments.

**NOW, THEREFORE, BE IT RESOLVED** that the Currituck County Board of Commissioners opposes House Bill 271 and Sections 2.1(a)(b)(c) and (d) of Senate Bill 539 and requests that its legislative delegation Representative Bob Steinburg and Senator Bill Cook also oppose any legislation having the effect of repealing the ban on the use of plastic shopping bags by Outer Banks retail establishments.

Adopted this 3rd day of April, 2017.

By: \_\_\_\_\_  
Bobby Hanig, Chairman

ATTEST:

\_\_\_\_\_  
Leeann Walton, Clerk to the Board