



CURRITUCK COUNTY NORTH CAROLINA

September 18, 2017
Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 4:00 PM Pedestrian Plan Presentation

Members of the Currituck County Board of Commissioners and Planning Board attended a work session for a review of the draft Connect Currituck Pedestrian Master Plan presented by Jennifer Baldwin of Alta Planning and Design. Currituck County Planning and Community Development Director, Laurie LoCicero, provided information on the NCDOT grant awarded for the project and introduced Ms. Baldwin, who reviewed the development process and put forth plan recommendations to achieve better access and improved pedestrian safety in the county. A brief question and answer period followed. The final plan with revisions after a two-week final input period would then track to the first Commissioners meeting in December for adoption by the Board. The work session concluded at 5:05 PM.

6:00 PM CALL TO ORDER

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

Attendee Name	Title	Status	Arrived
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	Absent	
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-Lewis Antonucci

Mr. Lewis Antonucci was present to offer the Invocation and lead the Pledge of Allegiance.

B) Approval of Agenda

Commissioner Gilbert moved for approval of the agenda. The motion was seconded by Commissioner Hall and carried unanimously.

Approved agenda:

Work Session

4:00 PM Pedestrian Plan Presentation

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance-Lewis Antonucci
- 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) Corolla Wild Horse Fund Presentation-Linda Adkins, Executive Director
- B) Albemarle Commission Facilities Presentation-Cathy Davison, Executive Director

Public Hearings

- A) Public Hearing and Action: PB 15-26 Currituck County: Request for a use permit to expand the existing Panther Landing Convenience Center located on Panther Landing Road in Moyock, Tax Map 14, Parcel 13B, Moyock Township.

New Business

- A) Corolla Jeep Rentals and Tours Appeal of Outdoor Tour Operator License Suspension
- B) Resolution Supporting the Repeal of the 80% Tax Credit for Solar Array Facilities
- C) Consent Agenda
 1. Approval Of Minutes for September 5, 2017
 2. Budget Amendments
 3. Request by Finance Director to Dispose of Records Scheduled for

Disposition

4. Verizon Wireless Antenna Upgrade, Tulls Creek Tower

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

TDA Budget Amendments

Adjourn Special Meeting

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

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.

No one was signed up nor wished to speak at Public Comment.

ADMINISTRATIVE REPORTS**A. Corolla Wild Horse Fund Presentation-Linda Adkins, Executive Director**

Linda Adkins, the new Executive Director of the Corolla Wild Horse Fund, introduced herself to the Board of Commissioners. She said she looked forward to working with the Board as she assumes the task of overseeing and caring for the Wild Horses. She said there are currently about 100 horses on the 4-wheel drive beach area.

B. Albemarle Commission Facilities Presentation-Cathy Davison, Executive Director

Cathy Davison, Executive Director of the Albemarle Commission, presented an overview of a proposal to construct a new facility to house the Albemarle Commission and related agencies. Ms. Davison provided a basis for their needing a larger facility and explained the support of member counties is required for them to secure funding for the project.

Ms. Davison used a powerpoint and reviewed the agencies and services provided through the Commission. Space needs, financial data and lease vs. construction cost comparisons were presented. After review of financing options, Ms. Davison recommended a 40 year note for \$2.2 million for new construction, with an \$800,000 down payment from their general fund. She said member counties would be required to remain members of the Albemarle Commission during the life of the loan, and she reviewed the Commission's repayment plan and next steps needed to move forward. Ms. Davison thanked the Board and, in response to Board questions relative to the presentation, clarified the financing comparisons and lease vs. construction options, expenses, continuation of services, and space needs. No action was taken by the Board.

She announced the Albemarle Commission's annual meeting would be held in Currituck County again this year at the Cooperative Extension auditorium on November 16.

PUBLIC HEARINGS

A. Public Hearing and Action: PB 15-26 Currituck County:

APPLICATION SUMMARY

Property Owner: Shepherd W. Smith PO Box 156 Moyock, NC 27958	Applicant: Currituck County 153 Courthouse Road Currituck, NC 27929
Case Number: PB 15-26	Application Type: Use Permit
Parcel Identification Number: 0014-000-013B0000	Existing Use: Agricultural and Public Convenience Center
Land Use Plan Classification: Rural Moyock Small Area Plan: Limited Services	Parcel Size (Acres): 67.77 acres Leased Area: 1.34 acres
Request: Currituck County is requesting a use permit to expand the existing Panther Landing convenience center.	

Currituck County is requesting a use permit to expand the existing Panther Landing convenience center located on Panther Landing Road. The expansion will provide a new traffic pattern, two compactors, and three bulk waste containers. The current lease area dedicated to the convenience center is 0.87 acres and the expansion will consist of 0.47 acres. A Type D bufferyard is proposed on the sides and rear property line and additional vehicular screening is also proposed.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends adoption of the use permit 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 prior to site plan approval:
 - a. A chain link fence is proposed along the new expanded area that matches the existing fencing. The applicant is requesting to use a 6' solid fence with canopy

trees within the 10' type D buffer. The use of chain link fencing is limited to access gates only. A security plan may be submitted and reviewed by the Planning Department.

- b. The caliper inches of the existing canopy trees shall be provided.
- 2. 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. The major site plan shall be approved by TRC prior to commencement of construction.

PLANNING BOARD

Mr. Cooper moved to approve PB 15-26 as presented based on a demonstrative community need, with Technical Review Committee recommendations, use permit and site plan corrections which include landscape plan, exterior lighting plan, stormwater management plan, site triangles, vehicular circulation layout and parking plan; adequate parking spaces for the number of employees, provide the proposed vehicular circulation layout, provide the location of any proposed exterior lighting, provide site triangle at driveways, full cutoff lighting, and work with staff on any clean-up efforts that are proposed. Mr. Craddock seconded the motion and motion carried unanimously.

SURROUNDING PARCELS

	Land Use	Zoning
North	Agricultural	SFM
South	Residential/Undeveloped	AG/SFM
East	Agricultural/Undeveloped	SFM
West	Residential	SFM

INFRASTRUCTURE

Water	Existing county water
Sewer	No sewer proposed
Design Standards	No new buildings are proposed
Lighting	New full cut-off fixtures are proposed for the existing convenience area and in the proposed expansion
Parking	One existing parking space
Riparian Buffers	None required

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.

Preliminary Applicant Findings:

1. The proposed expansion and improvements will allow for the proper disposal of solid waste.
2. The proposed expansion will provide one-way traffic flow.
3. The proposed expansion will enhance services to citizens and the materials collected will continue to be properly disposed of. The expansion includes two additional recycling compactors and an additional collection container for each of the following waste types: bulk, yard waste and scrap metals.

4. The expansion will also alleviate congestion while allowing additional services to be added as additional materials to be recycled are mandated by the State. The expansion will be helpful in accommodating future growth in the Moyock area.
5. The site supervisor for Waste Management reported the Panther Landing convenience site currently services an estimated:
 - a. 220-230 customers during the week;
 - b. 265 customers on Saturday; and,
 - c. 230 customers on Sunday.

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

Preliminary Applicant Findings:

1. The Panther Landing convenience center is currently located on the property.
2. The proposed expansion will not change the use of the property.
3. The proposed expansion will provide one-way traffic flow.
4. The proposed expansion will have separate ENTRY ONLY and EXIT ONLY drives and the traffic will flow one way through the site where customers can stop at different stations to dispose of recyclables, mixed trash, yard waste, scrap metals, used oil, used cooking oil, batteries, etc. The two dedicated drives will also alleviate congestion at the intersection of Tulls Creek Road and Panther Landing Road by allowing more "stack" room on Panther Landing Road for vehicles entering the site rather than vehicles "stacking" on Tulls Creek Road.
5. Based on the Currituck County tax records, Cypress Landing subdivision values are as follows:

Cypress Landing	Number of Houses	Mean Tax Value	Median Tax Value
Phase 1 and 2	42	\$225,180	\$217,350
Phase 3 and 4	52	\$271,855	\$269,300

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

Preliminary Staff Findings:

1. The Moyock Small Area Plan classifies this property as Limited Services. The following policy supports the proposed use:
POLICY IS 2 Meet the infrastructure and service needs of the community at appropriate levels as the community continues to focus growth and public investment in areas identified as activity centers.
POLICY FLU 1 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 built step downs, or other architectural and site planning measures that encourage harmony.
2. The 2006 Land Use Plan classifies this area as Rural in the Moyock subarea.
POLICY SW7: Currituck County waste CONVENIENCE/COLLECTION AND RECYCLING CENTERS shall continue to be designed, located, improved and maintained to facility their use.

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

Preliminary Applicant Findings:

1. This use will improve an existing public facility and will not exceed the county's ability to provide adequate services.

Board of Commissioners (3/21/16)

This item was removed from the agenda.

Planning Board Discussion (2/9/16)

Brandon Harris, Quibble & Associates, Kurt Schmuhl, 100 Cypress Landing, Gloria Sivels, 496 Tulls Creek Road, and Coleman Bonney, 133 Northwest River Drive appeared before the board and were sworn in.

Ms. Voliva presented the staff report.

Mr. Craddock asked what type of lighting will replace the existing lighting.
Ms. Voliva said direct and full cutoff.

Mr. Cooper asked if the expansion is on the existing parcel.

Ms. Voliva said yes.

Mr. Cooper asked what is driving the expansion of this facility.

Ms. Voliva said it is her understanding that the facility has high traffic and the request will add two compactors and three bulk waste containers. The expansion will provide a new traffic pattern, one way in and one way out.

Mr. Cooper opened the public hearing.

Mr. Harris said the changes from the TRC meeting have been made.

Mr. Schmuhl said he is the president of the Homeowners Association for Cypress Landing, Phase 3. Their concern is the trash that builds up along Tulls Creek Road as a result of the solid waste convenience site.

Mr. Cooper asked if the contract with Waste Management, does it address trash that may fall out of these trucks as they leave the convenience site.

Mr. Woody said that staff can relay these concerns to the public works director, county manager, and sheriff's department.

Ms. Sivels said she too is concerned with the trash and debris along Tulls Creek Road living close to a convenience site. Ms. Sivels is asking as part of the approval that consideration is given to see what steps could be taken to help alleviate the problem.

Mr. Craddock asked who is responsible for clean-up along highways right-of-ways.

Ms. Voliva said NCDOT.

Mr. Craddock said many times trash and debris comes from citizens going to convenience sites rather than trash carrying trucks.

Mr. Bonney asked for clarification on the drive pattern.

Ms. Voliva showed him on the site plan.

Mr. Cooper closed the public hearing.

Mr. Cooper moved to approve PB 15-26 as presented based on a demonstrative community need, with Technical Review Committee recommendations, use permit and site plan corrections which include landscape plan, exterior lighting plan, stormwater management plan, site triangles, vehicular circulation layout and parking plan; adequate parking spaces for the number of employees, provide the proposed vehicular circulation layout, provide the location of any proposed exterior lighting, provide site triangle at driveways, full cutoff lighting, and work with staff on any clean-up efforts that are proposed. Mr. Craddock seconded the motion and motion carried unanimously.

RESULT

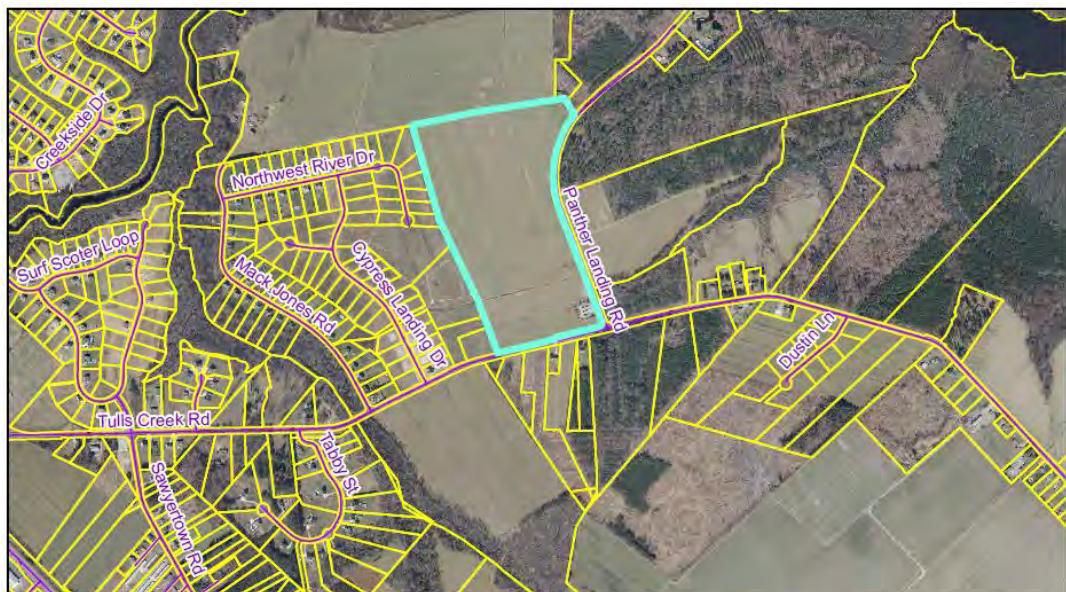
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MOVER:**SECOND****ABSE****RECOMMENDED APPROVAL
[UNANIMOUS]**

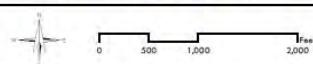
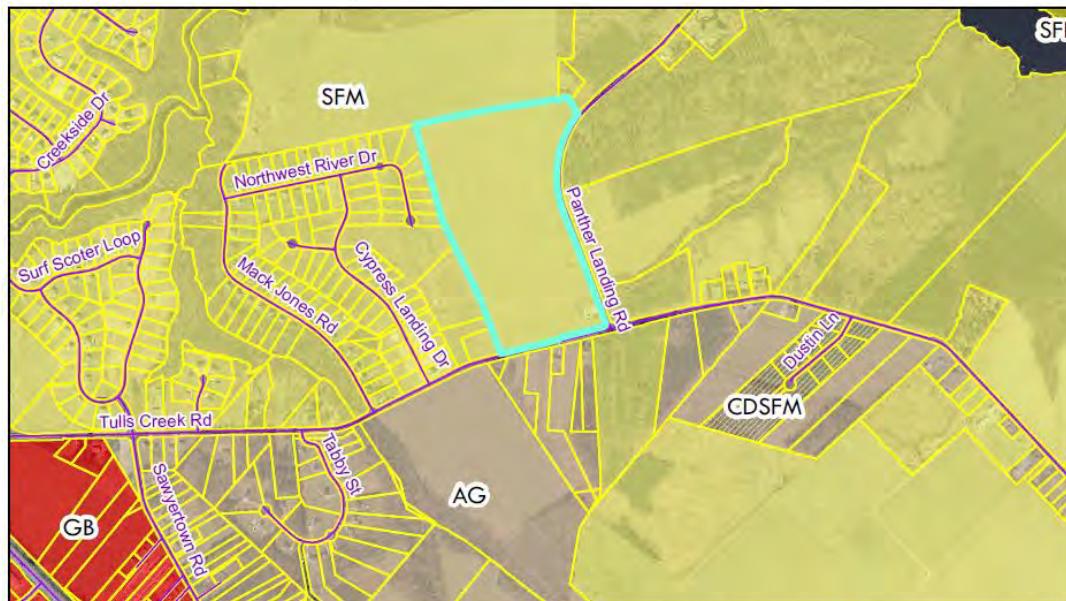
John Cooper, Chairman

John Cooper, Chairman, Carol Bell, Vice Chairman, Bobby Bell, Board Member, Clay Cartwright, Board Member, Mike Cason, Board Member, Steven Craddock, Board Member, Fred Whiteman, Board Member Jane Overstreet, Board Member

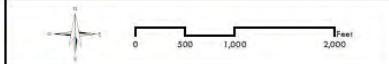
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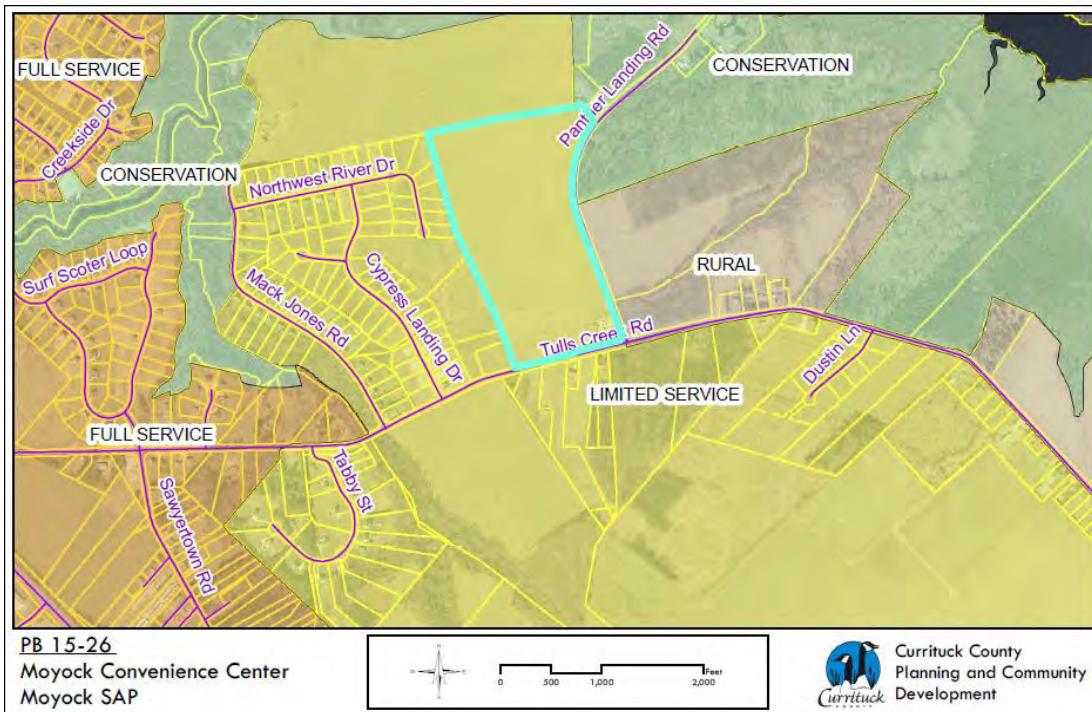


PB 15-26

Moyock Convenience Center
AerialCurrituck County
Planning and Community
Development

PB 15-26

Moyock Convenience Center
ZoningCurrituck County
Planning and Community
Development



County Attorney, Ike McRee, asked that participating parties be sworn.

Laurie LoCicero, Planning and Community Development Director, reviewed the application with the Board and, using a powerpoint, reviewed maps with the proposed expansion location and zoning of neighboring properties. Technical Review Committee (TRC) recommendations were reviewed, and included installing a matching chain link fence and a type D buffer with significant screening. She confirmed that the site plan would need TRC approval when submitted.

Ms. LoCicero was questioned by the County Attorney and provided sworn testimony related to the allowable use and supporting policies.

No one wished to speak in opposition to the project.

Kathleen Saunders of Quible and Associates provided sworn testimony. She reviewed her educational and professional background and reviewed the site landscaping and lighting plan. A type D landscape buffer would be used and the site plan would go through the TRC. She confirmed lighting would be kept within the boundaries of the site and noted traffic patterns would be improved, with the entrance shifted to allow for additional stacking along Panther Landing and the circular flow within the center of the site.

Steven Craddock, Appraiser, provided sworn testimony. He reviewed his educational background and credentials as a certified appraiser and provided an analysis based on an effects study he performed on the expansion of the convenience center. He presented data collected relative to the project and found no negative effects and concluded the expansion would not negatively affect abutting or adjacent properties. Mr. Craddock's study document was accepted into evidence as Exhibit One.

Chairman Hanig opened the Public Hearing. With no one wishing to speak the Public Hearing was closed.

Commissioner Hall moved to approve the expansion, as it will not endanger the public health or safety, the use will not injure the value of adjoining or abutting lands and be in harmony with the area in which it is included, the use will be conforming with the land use plan and other officially adopted plans, and 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 should be followed in determining when public facilities are adequate. Commissioner Gilbert seconded the motion and the motion passed unanimously.

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

NEW BUSINESS

A. Corolla Jeep Rentals and Tours Appeal of Outdoor Tour Operator License Suspension

Parties were sworn and Mr. McRee reviewed the proceeding that stemmed from two citations issued to Corolla Jeep Rentals and Tours for violating provisions in the county's Outdoor Tour Operator ordinance. He said operator licenses may be suspended as a result of multiple citations and reviewed the appeal process provided in the ordinance.

At the request of Commissioner White, Commissioner Gilbert moved to allow he be recused from the hearing. Commissioner Etheridge seconded the motion and the motion carried unanimously. Commissioner White took a seat in the audience.

Laurie LoCicero provided a brief overview of the violations cited by staff related to improper vehicle identification as is required for tour operators. Planning staff members Jennie Turner and Nick Aisthorpe each provided their sworn testimony and account of the activity that led to the citations being issued. Ms. Turner and Mr. Aisthorpe responded to questions posed by the County Attorney and Board members.

Banks Meredith, Owner of Corolla Jeep Rentals and Tours, provided sworn testimony and confirmed with Ms. Turner that there was no photo evidence of the first violation. He said the same vehicle was cited two days in a row. Mr. Meredith testified the required permit sticker had fallen off of the vehicle, and he had asked an employee to go to the county office to pick up metal placards to replace the stickers since they were not staying securely on the vehicle.

Mr. Meredith said if he was notified of the first violation he would have corrected the problem, as he does not want to jeopardize his business or his customers. Mr. Meredith responded to questions posed by the Board regarding the tour operator permitting process and his understanding of it. He explained his procedures for repair and use of vehicles, and how a license plate erroneously ended up on the wrong vehicle.

As he was a witness to the violation, Commissioner White was sworn. He testified that while speaking with Ms. Turner outside of the Corolla office that morning he saw Mr. Meredith's vehicle drive by with no stickers.

After the hearing, Commissioner Gilbert moved to affirm the staff's findings of violations and issuance of citations and suspension of the license for Corolla Jeep Rentals and Tours for a period of three days. The dates of suspension to be August 31, September 1 and September 2, 2018.

Commissioner Etheridge seconded the motion and the motion passed unanimously.

To: Board of Commissioners
From: Planning Staff
Date: September 15, 2017
Re: Corolla Jeep Rentals & Tours, Inc.
Suspension of Outdoor Tour Operator License

On Thursday, August 31, 2017 at approximately 4:00PM, Jennie Turner witnessed a camouflage hummer with orange "Corolla Adventures" lettering heading north on Ocean Trail (NC12) with tour passengers. The vehicle did not display the required hot pink unique identification number on the passenger side that was visible from the front porch of the Corolla Satellite office (per aerial photography, Ms. Turner was located approximately 100' from Ocean Trail). A citation notice was emailed to Banks Meredith at 3:06PM on Friday, September 1, 2017.

On Friday, September 1, 2017 at approximately 8:10AM, Nick Aisthorpe witnessed a camouflage hummer with orange "Corolla Adventures" lettering conducting a tour on the 4WD beach area. Mr. Aisthorpe followed the vehicle north from the access ramp for approximately four minutes in order to take a side photograph of the vehicle. The vehicle did not display the required hot pink unique identification numbers on the sides or rear. During the pursuit, license plate #ZJ-2437 was observed by Mr. Aisthorpe. The license plate was not the proper plate for the vehicle. A citation notice was emailed to Banks Meredith at 3:09PM on Friday, September 1, 2017.

The attached citations were issued to Corolla Jeep Rentals & Tours, Inc. on September 1 2017 for above-referenced violations that occurred on Thursday, August 31, 2017 and Friday, September 1, 2017. The Code of Ordinances (Section 8-99) states that Outdoor Tour Operators that are issued two or more citations in a thirty-day period shall be suspended from operating in the designated area for three days; therefore, the attached notice of suspension of license was provided to Corolla Jeep Rentals & Tours, Inc.

Section 8-100 of the Code of Ordinances states that a license holder aggrieved by the suspension or revocation of a license may appeal to the board of commissioners by filing a notice of appeal with the clerk to the board of commissioners within seven days of the adverse action being appealed. Mr. Banks Meredith, owner of Corolla Jeep Rentals & Tours, Inc. requested an appeal of the suspension. Prior to Mr. Meredith's request, staff did offer to allow Mr. Meredith to select three consecutive days within the few weeks subsequent to the notice of suspension in which to complete the required suspension. Mr. Meredith declined and stated that he would like to appeal the suspension.

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

B. Resolution Supporting the Repeal of the 80% Tax Credit for Solar Array Facilities

County Attorney, Ike McRee, presented the Resolution supporting a repeal of legislation that provides an 80% county ad valorem tax credit for solar array development.

Commissioner White moved to approve the Resolution. The motion was seconded by Commissioner Beaumont and passed unanimously.

RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS REQUESTING THE NORTH CAROLINA GENERAL ASSEMBLY TO REPEAL N.C. GEN. STAT. §105-275(45) EXCLUDING EIGHTY PERCENT OF THE APPRAISED VALUE OF SOLAR ENERGY ELECTRIC SYSTEMS FROM AD VALOREM TAX

WHEREAS, on January 1, 2016 the North Carolina law allowing a thirty-five percent tax credit on renewable energy production systems ended; and

WHEREAS, N.C. Gen. Stat. §105-275(45) still allows the exclusion of eighty percent of the appraised value of solar energy electric systems from local ad valorem tax valuation; and

WHEREAS, in 2015 renewable energy development in Currituck County comprised of solar energy electric systems encumbered 2,200 acres of land with real property investment in the amount of \$210,000,000; and

WHEREAS, due to N.C. Gen. Stat. §105-275(45) the solar energy electric systems in Currituck County were assessed a combined business and personal property tax in the amount of \$210,600 rather than \$1,008,000 any other commercial development not receiving preferential tax treatment under the statute would be required to pay; and

WHEREAS, a community hosting solar energy electric systems should receive the full benefit of such development within its boundaries particularly since solar energy electric systems reduce open space and useable farmland and generate visual and other impacts unwelcome to property owners adjacent to solar energy electric systems; and

WHEREAS, it is apparent that by allowing expiration of the state's thirty-five percent tax credit on renewable energy production systems the North Carolina General Assembly has determined that incentives are no longer necessary to encourage renewable energy development like solar energy electric systems in North Carolina and repeal of N.C. Gen. Stat. §105-275(45) is necessary and appropriate.

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

Section 1. Currituck County requests that its legislative delegation sponsor and otherwise support legislation to repeal N.C. Gen. Stat. §105-275(45).

Section 2. The Clerk to the Board of Commissioners is directed to forward a copy of this resolution to the county's legislative delegation.

Section 3. This resolution is effective upon its adoption.

ADOPTED the 18th day of September, 2017.

Bobby Hanig, Chairman
Currituck County Board of Commissioners

ATTEST:

Leeann Walton,
Clerk to the Board of Commissioners

(COUNTY SEAL)

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

C) Consent Agenda

Mr. Scanlon confirmed Item 4 was an antenna upgrade, after which Commissioner Beaumont moved for approval of the Consent Agenda. The motion was seconded by Commissioner Etheridge and passed unanimously.

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

1) Approval Of Minutes for September 5, 2017

- 1. Minutes for September 5, 2017**

- 2. Budget Amendments**

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-514000	Travel	\$ 5,200	
10440-514500	Training & Education	\$ 1,300	
10440-545000	Contract Services	\$ 3,000	
10441-545000	Contract Services	\$ 27,801	
10445-514000	Travel	\$ 2,750	
10445-514500	Training & Education	\$ 10,000	
10445-545000	Contract Services	\$ 4,000	
10450-545000	Contract Services	\$ 6,290	
10460-516000	Maintenance & Repair	\$ 1,320	
10530-590000	Capital Outlay	\$ 154,784	
10531-545000	Contract Services	\$ 3,000	
10535-590000	Capital Outlay	\$ 39,290	
10650-561000	Professional Services	\$ 8,475	
10390-499900	Fund Balance Appropriated		\$ 258,735
10390-495015	T F - Occupancy Tax		\$ 8,475
16609-545000	Contract Services	\$ 39,859	
16390-499900	Fund Balance Appropriated		\$ 39,859
26535-590000	Capital Outlay	\$ 43,672	
26390-499900	Fund Balance Appropriated		\$ 43,672
27608-545000	Contract Services	\$ 49,286	
27390-499900	Fund Balance Appropriated		\$ 49,286
		\$ 400,027	\$ 400,027

Explanation: Various Departments - Carry forward purchase orders from prior fiscal year.

Tyler Technologies	20170346	\$ 26,250
Tyler Technologies	20171426	\$ 6,290
Pro Window	20171298	\$ 870
Pro Window	20171452	\$ 450
Select Custom Apparatus Inc	20171555	\$ 77,392
Select Custom Apparatus Inc	20171556	\$ 77,392
Futurity IT Inc	20171530	\$ 3,000
Motorola	20171499	\$ 50,103
Kimley-Horn and Assoc Inc	20170448	\$ 8,475
IT Contracts		\$ 27,801
Albemarle & Assoc	20170936	\$ 39,859
Mobile Communications	20171629	\$ 32,859
Moyock Watershed Projects		\$ 49,286
		\$ 400,027

Net Budget Effect: Operating Fund (10) - Increased by \$258,735.
 Ocean Sands/Crown Pointe (16) - Increased by \$39,859.
 Emergency Telephone (26) - Increased by \$43,672.
 Moyock Watershed (27) - Increased by \$49,286.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-590000	Capital Outlay	\$ 32,000	
10350-468000	Sales of Fixed Assets		\$ 32,000
		<u>\$ 32,000</u>	<u>\$ 32,000</u>
Explanation:	Finance (10440) - Increase appropriations to replace Crown Victoria used by Finance, ITS and various departments. Current vehicle needs extensive repairs. Funds will be used from sale of assets on Gov Deals.		
Net Budget Effect:	Operating Fund (10) - Increased by \$32,000.		

3. Request by Finance Director to Dispose of Records Scheduled for Disposition

4. Verizon Wireless Antenna Upgrade, Tulls Creek Tower

D) Commissioner's Report

Commissioner Hall announced the Senior Volunteer Awards Banquet was held last week and thanked all of those who volunteer. He took a moment to especially acknowledge Ms. Lorraine Perry, a Senior Center volunteer who had recently passed away at age 96, but was one who had continued to volunteer and earn awards well into her nineties.

Commissioner Gilbert announced her attendance at the Senior Volunteer Banquet as well as Heritage Day. She thanked Commissioners for their efforts and announced that \$1000 was raised for Currituck Kids. She announced a spaghetti dinner Tuesday night at Saint Luke's Table.

Chairman Hanig said he also attended the Senior Center Volunteer Banquet and strongly encouraged community involvement and volunteerism.

E) County Manager's Report

County Manager, Dan Scanlon, said Rite Aid had coordinated a public flu clinic to be held at the Currituck County Library in Barco on Friday, September 22.

ADJOURN

Motion to Adjourn Meeting

With there being no further business, Commissioner Hall made a motion to adjourn. Commissioner White seconded the motion. The motion carried unanimously and the regular meeting of the Board of Commissioners was adjourned.

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

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners, upon adjournment of the September 18, 2017, regular meeting of the Board, convened in a Special Meeting to sit as the Tourism Development Authority. The meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering budget amendments.

1. TDA Budget Amendments

County Manager, Dan Scanlon, reviewed the budget amendments with the Board. Mr. Scanlon detailed the contribution toward the construction and renovation of public facilities at the Pine Island Audubon Sanctuary.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-545000	Contract Services	\$ 660	
15447-545002	Historic Preservation	\$ 13,182	
15447-592001	Whalehead Construction	\$ 92,807	
15447-587010	T T - Operating Fund	\$ 8,475	
15390-499900	Appropriated Fund Balance		\$ 115,124
		<u>\$ 115,124</u>	<u>\$ 115,124</u>
Explanation:	Various - Carry-forward purchase orders started in prior fiscal years and not complete as of June 30, 2017		
	Phillip Dombeck	20171124	\$ 660
	Thomson Shore Inc	20170504	\$ 13,182
	Retainage/Closout		\$ 92,807
	Whalehead Restroom		
	Kimley Horn/Econ Dev		\$ 8,475
	Contract transfer		
			<u>\$ 115,124</u>
Net Budget Effect:	Occupancy Tax Fund (15) - Increased by \$115,124.		

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-545000	Contract Services	\$ 200,000	
15320-415000	Occupancy Tax		\$ 200,000
		<u>\$ 200,000</u>	<u>\$ 200,000</u>
Explanation:	Tourism Related Expenses (15447) - Increase appropriations for the Audubon capital assistance.		
Net Budget Effect:	Occupancy Tax Fund (15) - Increased by \$200,000.		

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Bob White, Commissioner

SECONDER: Mary "Kitty" Etheridge, Commissioner

AYES: Bobby Hanig, Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

ABSENT: Mike H. Payment, Vice Chairman

ADJOURN SPECIAL MEETING

Commissioner White moved to adjourn the meeting of the Tourism Development Authority. Commissioner Gilbert seconded the motion and the motion passed unanimously. The meeting of the Tourism Development Authority was adjourned.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Bob White, Commissioner

SECONDER: Marion Gilbert, Commissioner

AYES: Bobby Hanig, Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

ABSENT: Mike H. Payment, Vice Chairman

MEMORANDUM

UPDATED



To: County Board of Commissioners
 Albemarle Commission Board of Delegates
 County Managers

From: Cathy Davison, ICMA-CM, Executive Director

Date: July 17, 2017

Re: Interlocal Agreement for the Construction of a new Albemarle Commission Office Facility

CAMDEN
 CHOWAN
 CURRITUCK
 DARE
 GATES
 HYDE
 PASQUOTANK
 PERQUIMANS
 TYRRELL
 WASHINGTON
 COLUMBIA
 CRESWELL
 DUCK
 EDENTON
 ELIZABETH CITY
 GATESVILLE
 HERTFORD
 KILL DEVIL HILLS
 KITTY HAWK
 MANTEO
 NAGS HEAD
 PLYMOUTH
 ROPER
 SOUTHERN SHORES
 WINFALL

Over the last two and half years, the Albemarle Commission has worked to provide effective and efficient comprehensive services to our County Members in the areas of Aging, Senior Nutrition, Rural Transportation Planning, Workforce Development, Economic Development and Administrative Services. You will find the financial analysis for the facility, as well as the facility space analysis, and Revenue Analysis attached.

Interlocal Agreement

In order for the Commission to construct a facility, and based on the requirements of the N.C. Local Government Commission, the County Members of the Commission must enter into an Interlocal Agreement allowing the Commission to pursue financing for a new facility. The Albemarle Commission requests that each county within the Region adopt the Resolution in order for this project to commence.

The highlights of the interlocal agreement are:

1. The Commission will finance no more than \$2,200,000 for a 17,000 square foot facility.
2. The Commission will utilize no more than \$800,000 of unappropriated fund balance for the Office Facility project.
3. County Members will continue to be members for the life of the lending instrument.
4. County Members agree that the Commission may obtain tax-free financing to construct the office facility.
5. If the Commission dissolves, the County Members will take ownership of the office facility and may dispose of the property as agreed upon by the County Members with the proceeds being proportionally distributed between the County Members.
6. The Commission will pay for the facility its current per capita dues structure and other local revenues without an additional assessment.

Financial Analysis

The financial analysis is provided based on the program expenses, the Commission's current facility, leasing a new space, borrowing funds for a period of 20 years or 40 years. See the attached facility pages

**Albemarle Commission
Facility Financial Analysis**

Current Expenses		Based on 10,984 Current Rented Square Footage		Projected Lease	Based on 17,000 Square Foot with an average rental rate of \$10.50 per sq. ft.
Lease on current facility	10,384	\$ 38,000.00		17000 Square Foot One time Renovation & Moving Expense (interior buildout)	\$ 178,000.00 \$ 300,000.00
Lease for storage 350 sq. ft.		\$ 5,000.00		One Time Design Expense	\$ 100,000.00
Lease on remote RPO office 250 sq. ft.		\$ 2,625.00		Annual Utilities (approx)	\$ 20,000.00
Offsite Meeting Expenses		\$ 13,000.00		First Years Annual Expense	\$ 598,000.00
Current Annual Payment		\$ 58,625.00		Price Per Sq Ft for Year 1 LEASE	\$ 35.18
Price Per Square Foot CURRENT SPACE		\$ 5.34		Years 2 plus	\$ 198,000.00
				Price Per Square Foot LEASE	\$ 11.65
Projected Building New Construction		Based on 17,000 Square Foot New Construction with USDA 20 years 3.25%		Projected Building New Construction	Based on 17,000 Square Foot New Construction with USDA 40 years 3.75%
Cost of new building		\$ 3,000,000.00		Cost of new building	\$ 3,000,000.00
Down Payment		\$ 800,000.00		Down Payment	\$ 800,000.00
Total Financed		\$ 2,200,000.00		Total Financed	\$ 2,200,000.00
Annual Payment		\$ 151,313.54		Annual Payment	\$ 107,050.00
Project Annual Utilities (approx)		\$ 20,000.00		Project Annual Utilities (approx)	\$ 20,000.00
Total Annual Expenses		\$ 171,313.54		Total Annual Expenses	\$ 127,050.00
Price Per Sq Ft 20 year NEW		\$ 10.08		Price Per Sq Ft 40 year NEW	\$ 7.47
<u>Local Revenues</u>					
County Membership		\$ 121,765.00			
Albemarle Regional Towns		\$ 8,350.00			
Other Revenues (Indirect)		\$ 366,152.00			
Total Annual Income for spending		\$ 496,267.00			



Albemarle Commission
Facility Financial Analysis

4.B.a

Based on 10,984 Current Rented Square Footage	
Current Expenses	
Lease on current facility 10,384	\$ 38,000.00
Lease for storage 350 sq. ft.	\$ 5,000.00
Lease on remote RPO office 250 sq. ft.	\$ 2,625.00
Offsite Meeting Expenses	\$ 13,000.00
Current Annual Payment	\$ 58,625.00
Price Per Square Foot CURRENT SPACE	\$ 5.34



CDD: 7/14/2017

Albemarle Commission
Facility Financial Analysis

Projected Lease		Based on 17,000 Square Foot with an average rental rate of \$10.50 per sq. ft.	
17000 Square Foot			
One Time Renovation & Moving Expense (interior buildout)	\$	\$ 178,000.00	
One Time Design Expense	\$	\$ 300,000.00	
Annual Utilities (approx)	\$	\$ 100,000.00	
First Years Annual Expense	\$	\$ 20,000.00	
Price Per Sq Ft for Year 1 LEASE	\$	35.18	
Years 2 plus	\$	\$ 598,000.00	
Price Per Square Foot LEASE	\$	11.65	



Albemarle Commission
Facility Financial Analysis

**Projected Building New
Construction**

**Based on 17000 Square Foot New Construction with USDA 20
years 3.25%**

Cost of new building	\$ 3,000,000.00
Down Payment	\$ 800,000.00
Total Financed	\$ 2,200,000.00
Annual Payment	\$ 151,313.54
Project Annual Utilities (approx)	\$ 20,000.00
Total Annual Expenses	\$ 171,313.54
Price Per Sq Ft 20 year NEW	\$ 10.08



CDD: 7/14/2017

Albemarle Commission
Facility Financial Analysis

Projected Building New Construction	
Based on 17000 Square Foot New Construction with USDA 40 years 3.75%	
Cost of new building	\$ 3,000,000.00
Down Payment	\$ 800,000.00
Total Financed	\$ 2,200,000.00
Annual Payment	\$ 107,050.00
Project Annual Utilities (approx)	\$ 20,000.00
Total Annual Expenses	\$ 127,050.00
Price Per Sq Ft 40 year NEW	\$ 7.47

CDD: 7/14/2017



Facility Space Analysis

The facility space analysis is provided based on the current program space allocations, current needs and future needs of the organization. See the attached analysis.

Albemarle Commission Square Footage Space Analysis

<u>Program</u>	<u>Current Space</u>	<u>Need NOW</u>	<u>Future Needs</u>	<u>TOTALS</u>
Aging & Nutrition	1,662		360	2,022
RPO	250		180	430
NWDB*	2,478	360	180	3,018
Economic Development	0		180	360
Indirect	1,594		600	2,774
Shared Space	5,000		3,000	8,000
Total	10,984		4,140	14,604

**Includes External Storage*



ACS 03/2017

Revenue Analysis

See the attached revenue analysis based on current per capita dues and the 26% indirect rate through the FY 2017-2018 Budget (the Economic Development Administration certified a rate of 31%)

Thank you for your continued support of the Albemarle Commission as we provide services to you; our County Member, as well as the residents and businesses therein.

Albemarle Commission Facility Financial Analysis

Local Revenues Used to Pay Facility Expenses		
County Membership	\$	121,765.00
Albemarle Regional Towns	\$	8,350.00
Other Revenues (Indirect)	\$	366,152.00
Total Annual Income for spending		\$ 496,267.00

****Grant Opportunities have been researched; at this time there are no grants available for construction**

CDD: 7/14/2017



**RESOLUTION
CURRITUCK COUNTY
COMMITMENT TO AN INTERLOCAL AGREEMENT
TO ASSIST THE ALBEMARLE COMMISSION
IN THE CONSTRUCTION OF AN OFFICE COMPLEX**

WHEREAS, the Albemarle Commission plans to construct a 17,000 square foot building in the Town of Hertford, Perquimans County which will serve as the office complex for the Albemarle Commission;

WHEREAS, the Albemarle Commission has, for 41 years rented office space which has served as the Albemarle Commission office complex;

WHEREAS, the Albemarle Commission will continue to need office space and continue to operate an office complex in order to continue to serve the members of the Albemarle Commission;

WHEREAS, the Albemarle Commission can legally own office space and property;

WHEREAS, the Albemarle Commission has approval from its Board of Delegates to move forward with the design and construction of a 17,000 square foot building which will serve as the office complex for the Albemarle Commission;

WHEREAS, CURRITUCK County has been an active member of the Albemarle Commission for 49 years;

WHEREAS, the Albemarle Commission has provided needed assistance to CURRITUCK County for 49 years and now needs our help in securing financing for their office complex;

WHEREAS, the Albemarle Commission is required by the Local Government Commission to have an approved Interlocal Agreement in place with its ten County Members for additional security for their financing, which has been drafted and is attached hereto;

NOW, THEREFORE, BE IT RESOLVED that CURRITUCK County commits to the Interlocal Agreement and the premises, covenants, and conditions, therein, and the Chairman is directed and authorized to enter into it.

BY VOTE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS BY:

AND SECONDED BY _____

This is the _____ day of _____, 2017

ATTEST:

CURRITUCK County Board of Commissioners

CURRITUCK County Board of Commissioners

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, made and entered into this _____ day of _____, 2017, by and between CAMDEN COUNTY "Camden", CHOWAN COUNTY "Chowan", CURRITUCK COUNTY "Currituck", DARE COUNTY "Dare", GATES COUNTY "Gates", HYDE COUNTY "Hyde", PASQUOTANK COUNTY "Pasquotank", PERQUIMANS COUNTY "Perquimans", TYRRELL COUNTY "Tyrrell", and WASHINGTON COUNTY "Washington", all being political subdivisions of the State of North Carolina, hereinafter referred to as "County Members":

And REGION R COUNCIL OF GOVERNMENTS, also known as the ALBEMARLE COMMISSION, a governmental entity under G.S. 153A-391 with county membership of the ten (10) counties listed above, hereinafter referred to as the "Commission";

WITNESSETH:

WHEREAS, the Commission plans to construct a 17,000-square foot office building in the Town of Hertford, Perquimans County, hereinafter referred to as the "Commission Office Complex" that will serve as the office complex for the Albemarle Commission; and

WHEREAS, Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell, and Washington Counties are all County Members of the Commission and regularly use the services and resources provided by the Commission to help promote the public good and welfare of the residents and businesses within the boundaries of the County Members; and

WHEREAS, the Commission has for 41 years rented office space in its current facility which has served as the Commission office complex; and

WHEREAS, the Commission has for 48 years had full participation and membership of its ten (10) County Members; and

WHEREAS, the Commission will continue to need office space and need to continue to operate an office complex in order to continue to serve members of the Commission; and

WHEREAS, the Commission's current office space does not adequately meet the service needs of the programs the Commission operates; and

WHEREAS, the Commission can legally own office space and property; and

WHEREAS, it is estimated that the office complex will cost no more than \$3,000,000; and

WHEREAS, in order to purchase the Commission office complex, the Commission proposes to finance no more than \$2,200,000 from a commercial lender secured solely with the financed office complex; and

WHEREAS, the Commission's current dues structure and other local revenues are adequate to service the proposed debt; and

WHEREAS, the Commission's Board of Delegates approved on February 16, 2017 to pursue construction of an office complex; and

WHEREAS, in accordance with NCGS 160A-475(a), the Commission shall use the office complex as security for the bank loan to be obtained; and

WHEREAS, the Commission has adequate fund balance to pay the difference between the anticipated construction cost and financed amount; and

WHEREAS, the Commission is presently paying \$44,600 for office space; and

WHEREAS, the Commission presently pays approximately \$13,000 annually for expenses related to external meetings; and

WHEREAS, the Commission's programs host approximately 65 meetings/events outside of its facility; and

WHEREAS, the Commission has heretofore learned that financing over a 40-year term is available at rates under 4% a.p.r.; and

WHEREAS, the County Members have agreed with one another that it is in the best interest of their respective governments that they each continue as members of the Commission for a period of not less than the term of the financing which the Commission will obtain to construct the office complex; and the County Members have further agreed to approve the Commission to obtain tax-free financing to construct an office complex for the Commission; and

WHEREAS, the current total recurring annual local revenues which exceed the estimated annual loan payments of \$107,050 are:

County Members:	\$121,765
Albemarle Regional Towns	\$ 8,350
Other Revenues (Indirect)	\$366,152
TOTAL	\$496,267; and

WHEREAS, if the dissolution of the Commission did occur either during the duration of the bank loan or thereafter, in accordance with the Commission's Bylaws, the net proceeds of the Commission shall be distributed to its County Members in a proportional manner; and

WHEREAS, this Agreement is being entered into in order for this project, proposed by the Commission, to be implemented with all necessary approvals from the Local Government Commission; and

NOW, THEREFORE, in consideration of the foregoing premises and the following covenants and conditions, the parties hereto agree as follows:

- (1) The Albemarle Commission shall continue to operate for the benefit of the County Members and Albemarle Regional Towns, whose municipalities are located within the counties;
- (2) The County Members agree, with each other and with the Albemarle Commission, to join in and provide additional security for the Commission Loan, by continuing to remain members of the Commission and continuing to pay annual dues for the duration of the loan and in amounts adequate to enable the Commission to service the above debt to be incurred by the Commission, the Counties; relatives dues payment to be based upon their relative respective annual population, as estimated by the state demographer;
- (3) The Commission shall be responsible for any costs of the building construction to accommodate its needs not to exceed \$3,000,000;
- (4) Should the Commission cease to exist, cease to do business, or cease to provide services to the County Members, the County Members shall be entitled to become title owners of the property described above, upon the County Members duly arranging for all remaining obligations to the lenders to be satisfied, including but not limited to the sale of the described property;
- (5) As part of the closing on the constructed facility described above, the Commission will execute all necessary documents to effectuate the County Members' rights described above; and
- (6) The terms and conditions of this Agreement may be amended from time to time, only by unanimous written consent of all parties hereto.

IN WITNESS WHEREOF, this agreement has been approved by Resolution of the County Members and the Commission a copy of said resolution has been spread across the minutes of their respective meetings, that this Agreement has been duly signed, sealed, and delivered by the County Members and the Commission the day and year as written.

Camden County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Chowan County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Currituck County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Dare County

By: _____, Chair

ATTEST:

By: _____, Clerk

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

_____, Finance Officer

Gates County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Hyde County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Pasquotank County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Perquimans County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Tyrrell County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Washington County

By: _____
, Chair

ATTEST:

By: _____
, Clerk

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

, Finance Officer

Albemarle Commission

By: _____
, Chair

ATTEST:

By: _____
, Program Coordinator

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

, Finance Officer



**STAFF REPORT
PB 15-26
BOARD OF COMMISSIONERS
JULY 17, 2017**

APPLICATION SUMMARY

Property Owner: Shepherd W. Smith PO Box 156 Moyock, NC 27958	Applicant: Currituck County 153 Courthouse Road Currituck, NC 27929
Case Number: PB 15-26	Application Type: Use Permit
Parcel Identification Number: 0014-000-013B0000	Existing Use: Agricultural and Public Convenience Center
Land Use Plan Classification: Rural Moyock Small Area Plan: Limited Services	Parcel Size (Acres): 67.77 acres Leased Area: 1.34 acres
Request: Currituck County is requesting a use permit to expand the existing Panther Landing convenience center.	

STAFF ANALYSIS

Currituck County is requesting a use permit to expand the existing Panther Landing convenience center located on Panther Landing Road. The expansion will provide a new traffic pattern, two compactors, and three bulk waste containers. The current lease area dedicated to the convenience center is 0.87 acres and the expansion will consist of 0.47 acres. A Type D bufferyard is proposed on the sides and rear property line and additional vehicular screening is also proposed.

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends adoption of the use permit 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 prior to site plan approval:
 - a. A chain link fence is proposed along the new expanded area that matches the existing fencing. The applicant is requesting to use a 6' solid fence with canopy trees within the 10' type D buffer. The use of chain link fencing is limited to access gates only. A security plan may be submitted and reviewed by the Planning Department.
 - b. The caliper inches of the existing canopy trees shall be provided.

2. 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. The major site plan shall be approved by TRC prior to commencement of construction.

PLANNING BOARD

Mr. Cooper moved to approve PB 15-26 as presented based on a demonstrative community need, with Technical Review Committee recommendations, use permit and site plan corrections which include landscape plan, exterior lighting plan, stormwater management plan, site triangles, vehicular circulation layout and parking plan; adequate parking spaces for the number of employees, provide the proposed vehicular circulation layout, provide the location of any proposed exterior lighting, provide site triangle at driveways, full cutoff lighting, and work with staff on any clean-up efforts that are proposed. Mr. Craddock seconded the motion and motion carried unanimously.

SURROUNDING PARCELS

	Land Use	Zoning
North	Agricultural	SFM
South	Residential/Undeveloped	AG/SFM
East	Agricultural/Undeveloped	SFM
West	Residential	SFM

INFRASTRUCTURE

Water	Existing county water
Sewer	No sewer proposed
Design Standards	No new buildings are proposed
Lighting	New full cut-off fixtures are proposed for the existing convenience area and in the proposed expansion
Parking	One existing parking space
Riparian Buffers	None required

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.

Preliminary Applicant Findings:

1. The proposed expansion and improvements will allow for the proper disposal of solid waste.
2. The proposed expansion will provide one-way traffic flow.
3. The proposed expansion will enhance services to citizens and the materials collected will continue to be properly disposed of. The expansion includes two additional recycling compactors and an additional collection container for each of the following waste types: bulk, yard waste and scrap metals.
4. The expansion will also alleviate congestion while allowing additional services to be added as additional materials to be recycled are mandated by the State. The expansion will be helpful in accommodating future growth in the Moyock area.
5. The site supervisor for Waste Management reported the Panther Landing convenience site currently services an estimated:
 - a. 220-230 customers during the week;
 - b. 265 customers on Saturday; and,
 - c. 230 customers on Sunday.

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

Preliminary Applicant Findings:

1. The Panther Landing convenience center is currently located on the property.
2. The proposed expansion will not change the use of the property.
3. The proposed expansion will provide one-way traffic flow.
4. The proposed expansion will have separate ENTRY ONLY and EXIT ONLY drives and the traffic will flow one way through the site where customers can stop at different stations to dispose of recyclables, mixed trash, yard waste, scrap metals, used oil, used cooking oil, batteries, etc. The two dedicated drives will also alleviate congestion at the intersection of Tulls Creek Road and Panther Landing Road by allowing more "stack" room on Panther Landing Road for vehicles entering the site rather than vehicles "stacking" on Tulls Creek Road.
5. Based on the Currituck County tax records, Cypress Landing subdivision values are as follows:

Cypress Landing	Number of Houses	Mean Tax Value	Median Tax Value
Phase 1 and 2	42	\$225,180	\$217,350
Phase 3 and 4	52	\$271,855	\$269,300

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

Preliminary Staff Findings:

1. The Moyock Small Area Plan classifies this property as Limited Services. The following policy supports the proposed use:
POLICY IS 2 Meet the infrastructure and service needs of the community at appropriate levels as the community continues to focus growth and public investment in areas identified as activity centers.
POLICY FLU 1 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 built step downs, or other architectural and site planning measures that encourage harmony.
2. The 2006 Land Use Plan classifies this area as Rural in the Moyock subarea.
POLICY SW7: Currituck County waste CONVENIENCE/COLLECTION AND RECYCLING CENTERS shall continue to be designed, located, improved and maintained to facility their use.

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

Preliminary Applicant Findings:

1. This use will improve an existing public facility and will not exceed the county's ability to provide adequate services.

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

Board of Commissioners (3/21/16)

This item was removed from the agenda.

Planning Board Discussion (2/9/16)

Brandon Harris, Quibble & Associates, Kurt Schmuhl, 100 Cypress Landing, Gloria Sivels, 496 Tulls Creek Road, and Coleman Bonney, 133 Northwest River Drive appeared before the board and were sworn in.

Ms. Voliva presented the staff report.

Mr. Craddock asked what type of lighting will replace the existing lighting.

Ms. Voliva said direct and full cutoff.

Mr. Cooper asked if the expansion is on the existing parcel.

Ms. Voliva said yes.

Mr. Cooper asked what is driving the expansion of this facility.

Ms. Voliva said it is her understanding that the facility has high traffic and the request will add two compactors and three bulk waste containers. The expansion will provide a new traffic pattern, one way in and one way out.

Mr. Cooper opened the public hearing.

Mr. Harris said the changes from the TRC meeting have been made.

Mr. Schmuhl said he is the president of the Homeowners Association for Cypress Landing, Phase 3. Their concern is the trash that builds up along Tulls Creek Road as a result of the solid waste convenience site.

Mr. Cooper asked if the contract with Waste Management, does it address trash that may fall out of these trucks as they leave the convenience site.

Mr. Woody said that staff can relay these concerns to the public works director, county manager, and sheriff's department.

Ms. Sivels said she too is concerned with the trash and debris along Tulls Creek Road living close to a convenience site. Ms. Sivels is asking as part of the approval that consideration is given to see what steps could be taken to help alleviate the problem.

Mr. Craddock asked who is responsible for clean-up along highways right-of-ways.

Ms. Voliva said NCDOT.

Mr. Craddock said many times trash and debris comes from citizens going to convenience sites rather than trash carrying trucks.

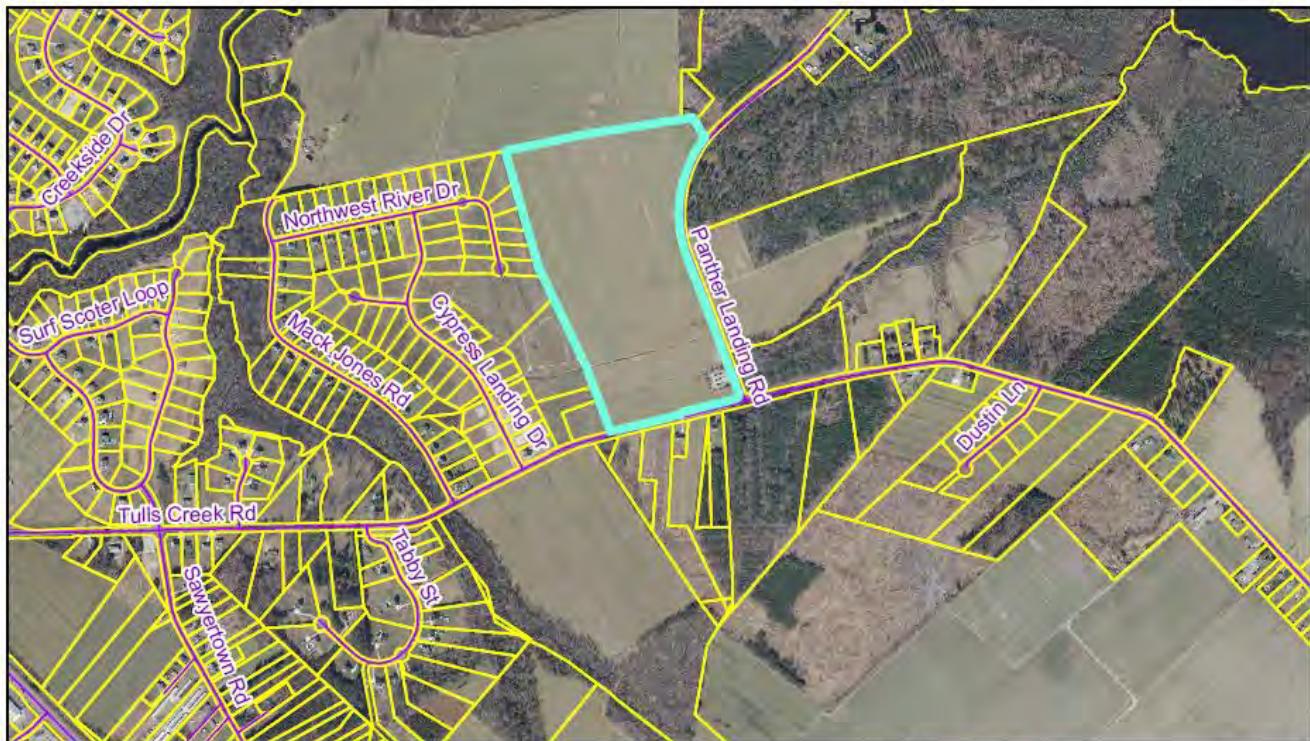
Mr. Bonney asked for clarification on the drive pattern.

Ms. Voliva showed him on the site plan.

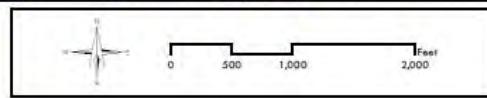
Mr. Cooper closed the public hearing.

Mr. Cooper moved to approve PB 15-26 as presented based on a demonstrative community need, with Technical Review Committee recommendations, use permit and site plan corrections which include landscape plan, exterior lighting plan, stormwater management plan, site triangles, vehicular circulation layout and parking plan; adequate parking spaces for the number of employees, provide the proposed vehicular circulation layout, provide the location of any proposed exterior lighting, provide site triangle at driveways, full cutoff lighting, and work with staff on any clean-up efforts that are proposed. Mr. Craddock seconded the motion and motion carried unanimously.

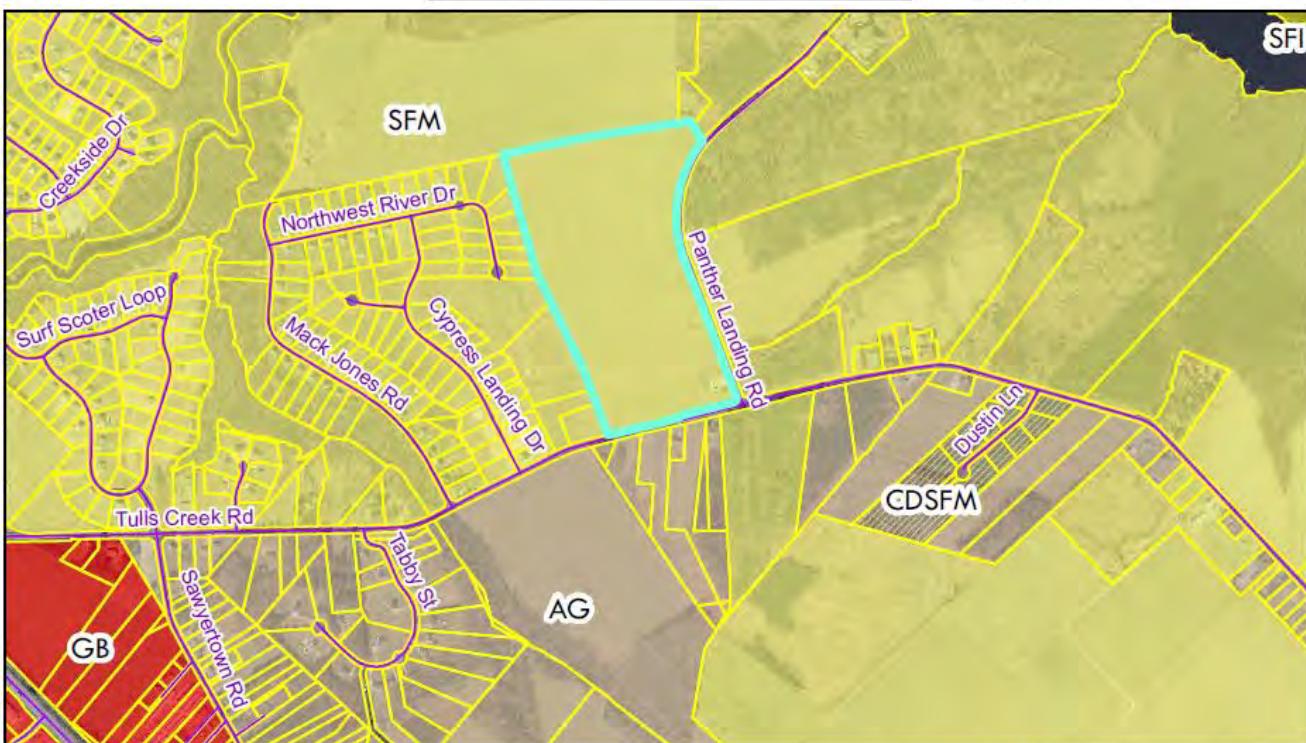
RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 3/7/2016 5:00 PM
MOVER:	John Cooper, Chairman	
SECONDER:	Steven Craddock, Board Member	
AYES:	John Cooper, Chairman, Carol Bell, Vice Chairman, Bobby Bell, Board Member, Clay Cartwright, Board Member, Mike Cason, Board Member, Steven Craddock, Board Member, Fred Whiteman, Board Member	
ABSENT:	Jane Overstreet, Board Member	



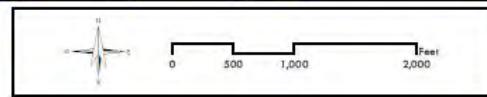
PB 15-26

Moyock Convenience Center
Aerial

Currituck County
Planning and Community
Development

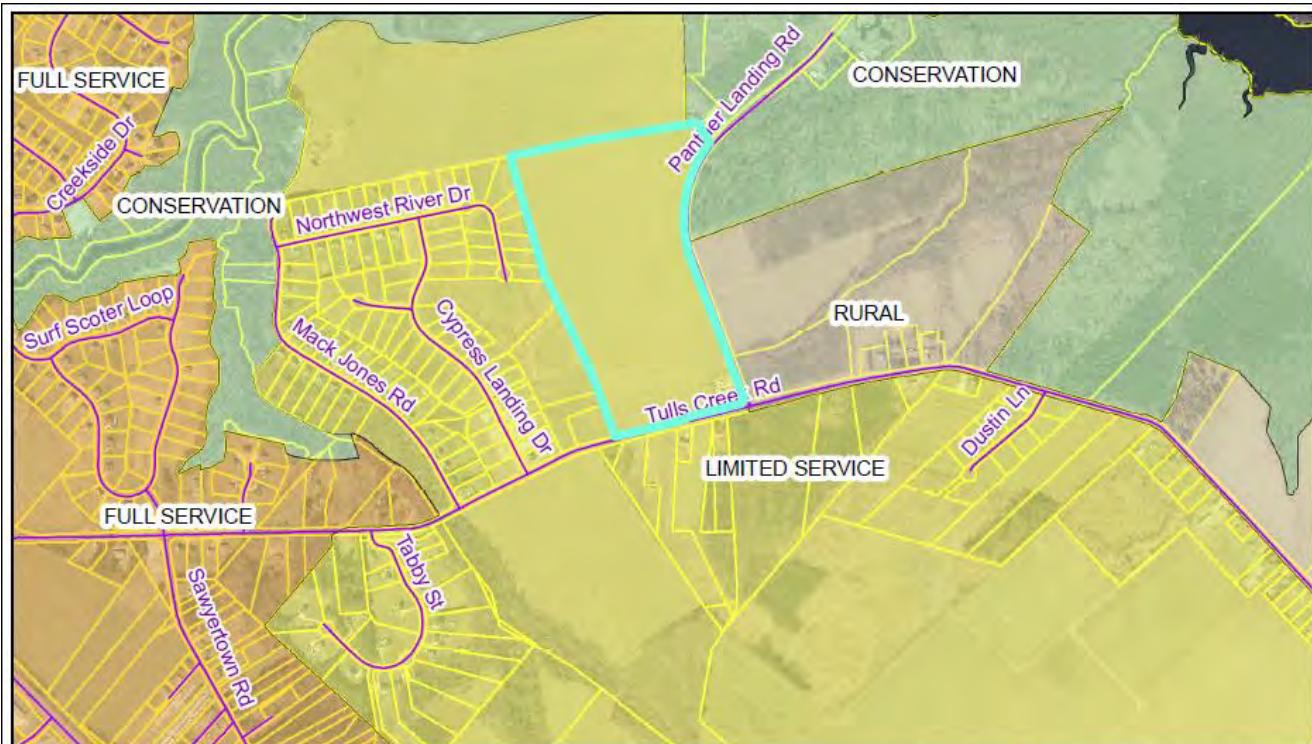


PB 15-26

Moyock Convenience Center
Zoning

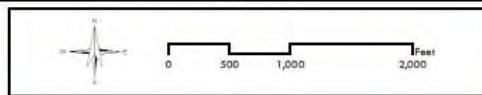
Currituck County
Planning and Community
Development

PB 15-26 Moyock Convenience Center –Panther Landing
Use Permit
Page 7 of 8

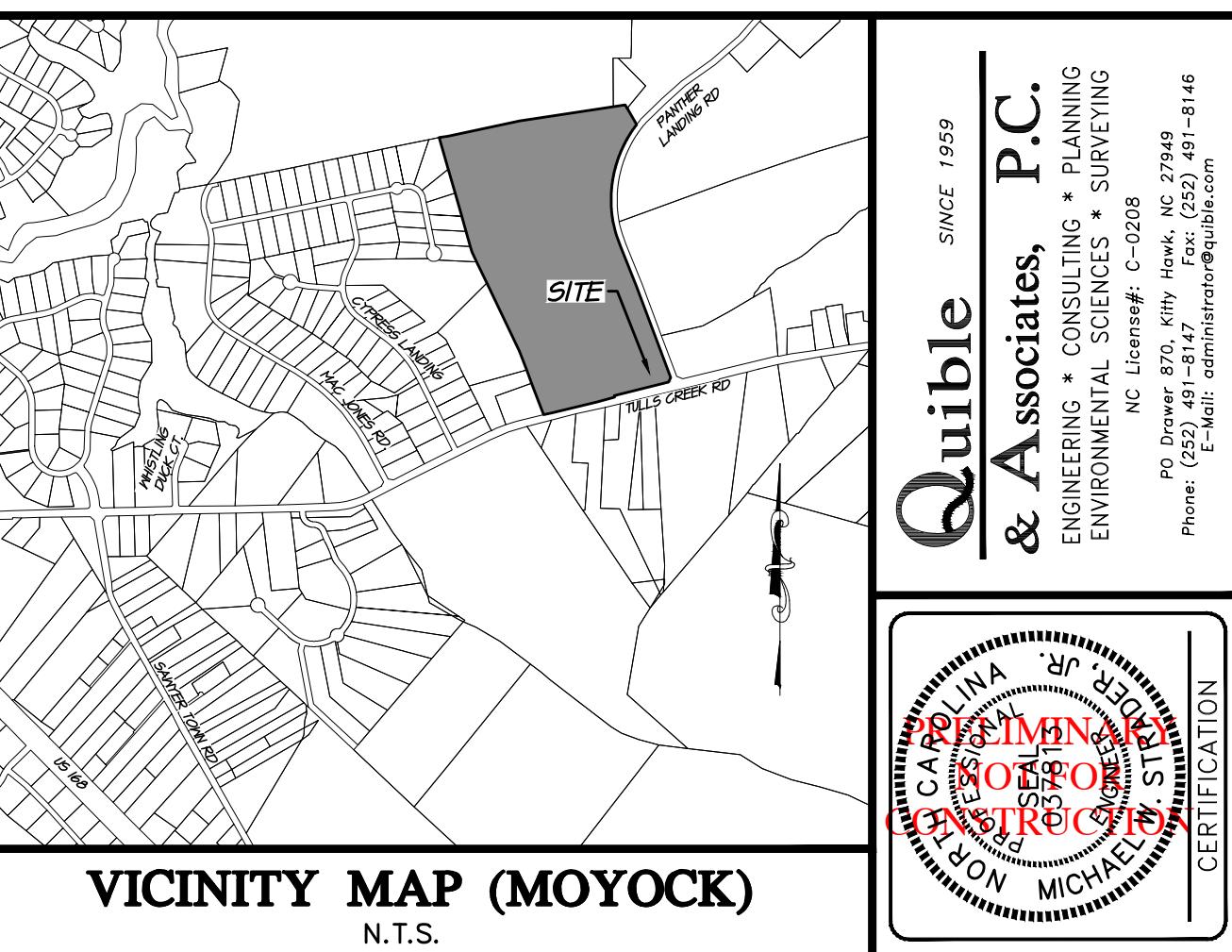
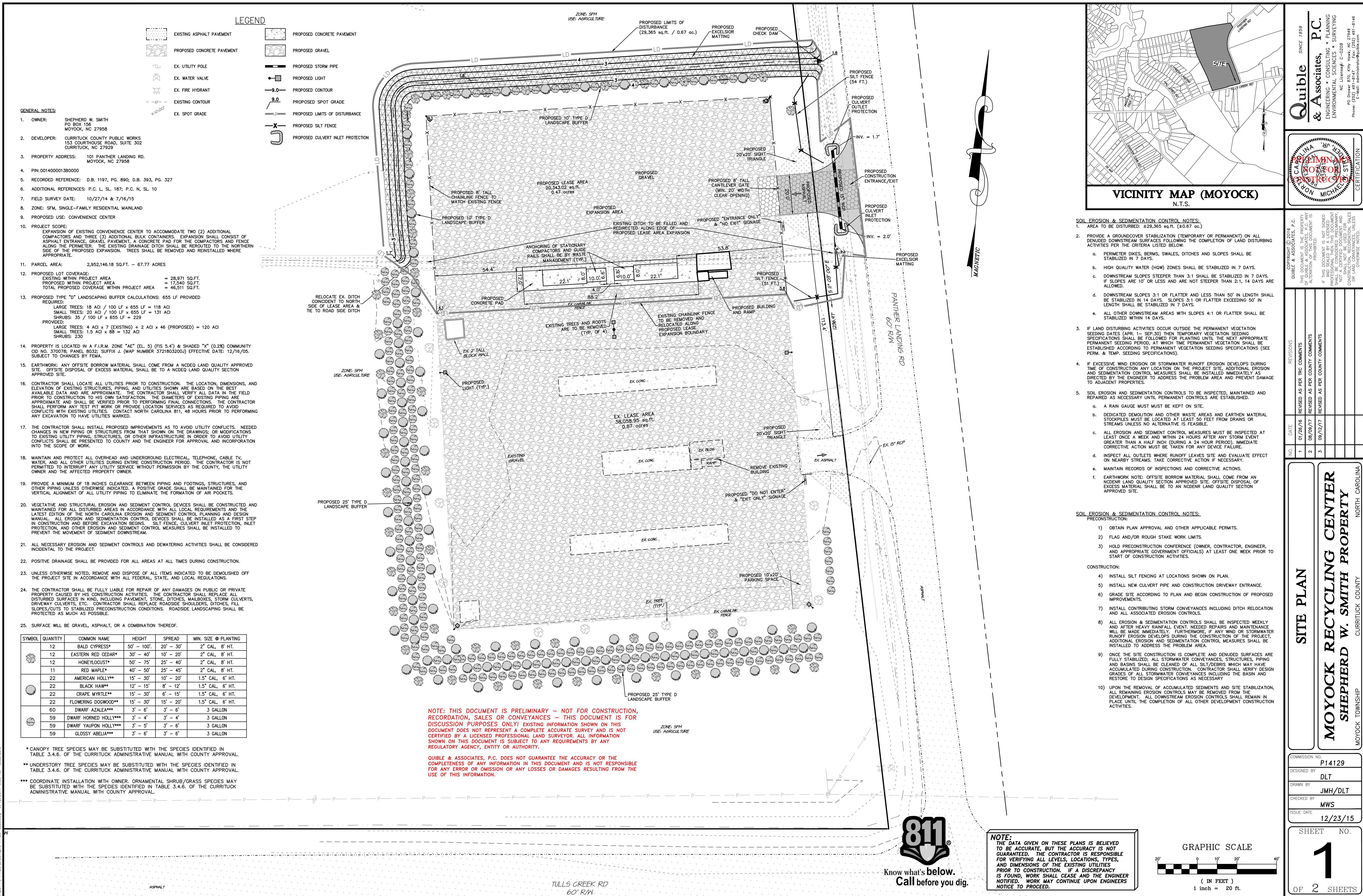


PB 15-26

Moyock Convenience Center
Moyock SAP



Currituck County
Planning and Community
Development





Currituck County

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

MEMORANDUM

To: Brenda McQueen,
 Shepherd W. Smith
 Quible and Associates

From: Donna Voliva, Sr. Planner

Date: January 14, 2016

Re: PB 15-26 Moyock Solid Waste Convenient Center – Panther Landing, Use Permit TRC Comments

The following comments have been received for the January 20, 2016 Technical Review Committee meeting. In order to be scheduled for the February 9, 2016 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on January 25, 2016. TRC comments are valid for six months from the date of the TRC meeting.

Planning, (Donna Voliva 252-232-6032)

Approved with corrections:

1. The request is for a use permit and the site plan submitted is considered a conceptual plan. The submitted plan does provide most of the required design features for the major site plan, but the plan must also contain the following information in order to meet the major site plan contents:
 - a. Landscape plan (species, caliper, spacing)
 - b. Exterior lighting plan (if proposed)
 - c. Minor stormwater management plan and form (SW-001)
 - d. Site triangles
 - e. Vehicular circulation layout and parking plan
2. The site shall provide an adequate number of parking spaces for the number of employees for the use. The parking space shall be screened. (Section 5.1.3.E.)
3. Provide the proposed vehicular circulation layout (one/two-way entrance/exit).
4. Provide the location of any proposed exterior lighting.
5. Provide site triangle at driveways.

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

Reviewed

Currituck County Engineer (Eric Weatherly/Michelle Perry, 252-232-6034/Currituck Soil and Water (Will Creef, 252-232-3360)

Approved

Currituck County Fire and Emergency Management (James Mims, 252-232-6641)

No comment

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

Reviewed

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

No comment

Currituck County Utilities (Pat Irwin, 252-232-6061)

No comment

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

Reviewed

1. Need to improve lighting at facility which will improve safety for workers and citizens.
2. Need to improve facility in the storage and handling of oil and other petroleum based waste products in order to prevent spills on ground.

NC DOT, Division of Highways (Jim Hoadley 252-331-4737)

Reviewed

1. Site will need a driveway permit from NCDOT.

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

No comment

NC State Archeology (Lawrence Abbott, 919-807-6554)

Reviewed with comment:

1. An archaeological survey is not recommended.

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 – 11”x17” copies of the plan.
- 1- 8.5”x11” copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.

Community Meeting Summary

Use Permit Amendment – Panther Landing Convenience Center
Parcel ID No. 0014-000-013B-0000
Moyock, Currituck County, NC

Introduction

A community meeting for the proposed Amended Use Permit Application of the above referenced parcel in Moyock, Currituck County was held on Monday December 21, 2015 at 2:00 p.m. at the Moyock Public Library. The meeting was conducted by Quible & Associates, P.C. (Quible) and Currituck County Public Works. Ms. Brenda McQueen with Currituck County was in attendance.

Purpose

The purpose of the meeting was to inform the community in the vicinity of the subject parcel of the intent to expand the current solid waste and recycling center located at 101 Panther Landing in Moyock.

Meeting synopsis

Brenda McQueen and Warren Eadus met with the property owner, Shepherd Smith and Ms. Judith Pinney— who were the only two attendees. We explained the purpose of the meeting and the proposed project. Both individuals stated their support for the project and we talked about landscaping, lighting and other requirements that were a part of the proposed expansion.

Copies of all attendees and an agenda that were made available at the meeting are provided as attachments. No written comments from any participant were generated at the meeting.



Community Meeting for Amended Use Permit – Moyock Solid Waste and Recycling
Parcel Identification Number 0014000013B0000
101 Panther Landing, Moyock Currituck County, NC

December 21, 2015

AGENDA

1. General Introduction

- a. Quible & Associates, P.C.
- b. Currituck County

2. Existing Information

- a. Location: 101 Panther Landing
- b. Lot Size: 67 Acres
- c. Current Land Use: Agricultural and Existing Solid Waste and Recycling Center
- d. Site Zoning: SFM; Site Use is Agricultural

3. Discussion

- a. Amend Use Permit to allow for expansion of existing facility
- b. Add new driveway
- c. Add two compactors and three bulk containers

4. Questions & Comments

- a. Quible & Associates and County Public Works employees are available to answer questions and comments
- b. Comments can be provided in writing on Comment Forms provided or they can be sent to Warren Eadus of Quible & Associates, P.C. by email at weadus@quible.com or by phone at 252-491-8147.

DEC. 21 5.A.d

SIGN UP SHEET

community meeting for AMENDED
USE PERMIT - MOYOCK SOLID WASTE
AND RECYCLING 101 PANTHER LANE

1. WARREN ETTERS	QUIBCE	491-8147
2. BRENDA MCQUEEN	Currituck Public Works	232-2504
3. Shepherd Smart		
4. JUDY PINNEY		232-435-6656

Jil Wilson
PO Box 235
Norfolk, VA 23501

Tony Brunson
7200 Springlake Dr.
Prince George, VA 23875

Donald Lane Trustee
2520 Centerville Turnpike S.
Chesapeake, VA 23322

James Spellman
Yolonda Saunders
Robin Saunders
536 Nelson St.
Norfolk, VA 23523

Elisie Saunders
James Spellman
Yolonda Saunders
508 Tulls Creek Rd.
Moyock, NC 27958

Marquis Sivels
Gloria Sivels
PO Box 123
Moyock, NC 27958

Ja'Net Clayton
3312 Woodbaugh Dr., C3
Chesapeake, VA 23321

The Joseph C. Harcum Revoc. Trust
32054 Sycamore Church Rd.
Franklin, VA 23851

Cypress Landing III Property Owners Association, Inc.
525 S. Independence Blvd., Suite 200
Virginia Beach, VA 23452

Jerry Old
1669 Tulls Creek Rd.
Moyock, NC 27958

Tamara Blowe
Demetrius Blowe
139 Northwest River Dr.
Moyock, NC 27958

Ryan Dorow
Christine Dorow
137 Northwest River Dr.
Moyock, NC 27958

John Putnam
135 Northwest River Dr.
Moyock, NC 27958

Coleman Bonney
Ashley Bonney
133 Northwest River Dr.
Moyock, NC 27958

Kyle Duncan
Sara Duncan
131 Northwest River Dr.
Moyock, NC 27958

Donald Boylen, II
Alisa Boylen
129 Northwest River Dr.
Moyock, NC 27958

Whitney Sessoms
Nevie Sessoms
127 Northwest River Dr.
Moyock, NC 27958

Raymond Jones
247 Mack Jones Rd.
Moyock, NC 27958

Effie Jones
George Jones, Jr.
PO Box 207
Moyock, NC 27958

Michael Coleman
Catherine Coleman
PO Box 22
Hamstead, NC 28443

Michael Coleman
Susan Kay
PO Box 22
Hamstead, NC 28443

Linda Vick
10453 Starlight Place
Waldorf, MD 20603

Bessie Jones
6974 Kim Lane
Friendship, MD 20758

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jerry O'd
1609 Tolls Creek Rd
Moyock NC 27958



2. Article Number

(Transfer from service label)

2013 1710 0000 2879 2956

PS Form 3811, July 2013

Domestic Return Receipt

5.A.d

A. Signature

Jerry O'd
 Agent
 Adm

B. Received by (Printed Name)

Jeanne O'd

C. Date of

12/9

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.



1. Article Addressed to:

MARSHAL POLEMON
SUSAN KAY
PO Box 22
Homestead NC
28443

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Susan C. Kay
 Ag
 Adm

B. Received by (Printed Name)

Susan C. Kay

C. Date of

12/9

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label)

2013 1710 0000 2879 3007

PS Form 3811, February 2004

Domestic Return Receipt

102595-02

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jerry S (G)houn
151 Bridgetop Drive
Bedford PA 15522

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Jerry S (G)houn
 Ag
 Adm

B. Received by (Printed Name)

Jerry S (G)houn

C. Date of

12/9

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label)

2007 2680 0002 5929 6632

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Joseph A. Johnson Jr.
30054 Sycamore Church Rd
Front, NC 23851

**2. Article Number**

(Transfer from service label)

7013 1710 0000 2879 2932

PS Form 3811, July 2013

Domestic Return Receipt

5.A.d**A. Signature**

X M. Borden

 Agent
 Addressee
B. Received by (Printed Name)**C. Date of Delivery**D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

DEL 10 2015

USPS 23851

3. Service Type

<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Priority Mail Express™
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Whiting Sessions
Neve Sessions
127 Northwest River Dr
MOYOCK NC 27958

**2. Article Number**

(Transfer from service label)

7007 2680 0002 5929 6663

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X Whiting Sessions

 Agent
 Addressee
B. Received by (Printed Name)**C. Date of Delivery**D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No**3. Service Type**

<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Priority Mail Express™
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tony B. Brunson
7200 Springlake Dr
PRINCE GEORGE VA
23875

**2. Article Number**

(Transfer from service label)

7013 1710 0000 2879 2871

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X Tony B. Brunson

 Agent
 Addressee
B. Received by (Printed Name)**C. Date of Delivery**D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No**3. Service Type**

<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Priority Mail Express™
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TAMARA B blonde
Demetrious B blonde
129 Northwest River Dr
MOYORK NC 27958



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 2963

PS Form 3811, July 2013

Domestic Return Receipt

5.A.d

A. Signature

x Tamara B blonde

Agent
 Ad

B. Received by (Printed Name)

C. Date of

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

Tamara B blonde

3. Service Type

Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

John Putnum
135 Northwest River Dr
MOYORK NC 27958



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 3052

PS Form 3811, February 2004

Domestic Return Receipt

102595-0

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x John Putnum

Agent
 Ad

B. Received by (Printed Name)

C. Date of

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MONIQUE COLEMAN
P.O. BOX 252 E man
PO Box 22
Womstead NC
27844-2



2. Article Number

(Transfer from service label)

7007 2680 0002 5929 6649

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x M.B. Coleman



Agent
 Ad

B. Received by (Printed Name)

C. Date of

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ryan & Christine Dorow
137 Northwest River Dr
Moyock NC 27958



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 2970

PS Form 3811, July 2013

Domestic Return Receipt

5.A.d

A. Signature

Christine Dorow
X

 Agent Ad

B. Received by (Printed Name)

Christine Dorow

C. Date of

12/10/15

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DONALD LANE TRUSTEE
2500 CYNTHIA, 10 Temples
Chesapeake VA 23322



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 2888

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

John Lane
X

 Ag Ad

B. Received by (Printed Name)

John Lane

C. Date of

12/10/15

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

J. J. Wilson
PO Box 225
Norfolk VA 23501



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 2864

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

J. J. Wilson
X

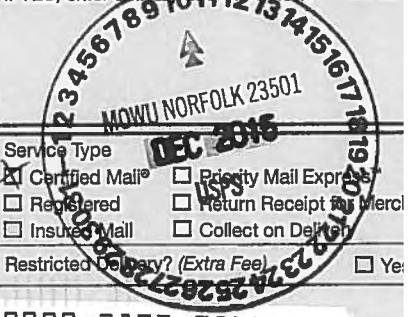
 Ag Ad

B. Received by (Printed Name)

J. J. Wilson

C. Date of

12/10/15

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

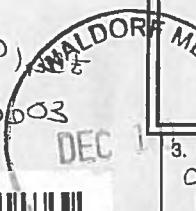
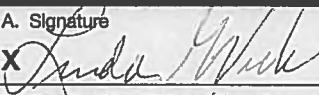
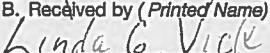
3. Service Type

- Certified Mail® Priority Mail Express™
- Registered Return Receipt for Merchandise
- Insured Mail Collect on Delivery

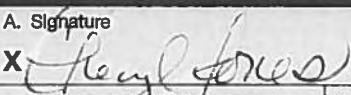
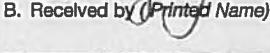
4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p></p> <p>or on the front if space permits.</p>			
<p>1. Article Addressed to:</p> <p>EFFIE C JONES George JONES JR P O Box 207 MOYOCK NC 27958</p>		<p>A. Signature </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Ad</p> <p>B. Received by (Printed Name) </p> <p>C. Date of </p>	
<p>2. Article Number (Transfer from service label)</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: </p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>			
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>			

PS Form 3811, February 2004 Domestic Return Receipt 102595-0

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>			
<p>1. Article Addressed to:</p> <p>LINDA VICK 104 53 Starlight Pk Waldorf MD 20603</p> <p></p> <p>DEC 1 2005</p> <p></p>		<p>A. Signature </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Ad</p> <p>B. Received by (Printed Name) </p> <p>C. Date of </p>	
<p>2. Article Number (Transfer from service label)</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: </p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>			
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>			

PS Form 3811, February 2004 Domestic Return Receipt 102595-0

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>			
<p>1. Article Addressed to:</p> <p>ROY ALMOND JONES 247 MOYOCK RD MOYOCK NC 27958</p> <p></p>		<p>A. Signature </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Ad</p> <p>B. Received by (Printed Name) </p> <p>C. Date of </p>	
<p>2. Article Number (Transfer from service label)</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: </p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>			
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>			

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-12

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BESSIE JONES
6974 Kim Lane
Friendship, MD 20758



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 2987

PS Form 3811, July 2013

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JANET CLAYTON
3312 Woodbush Dr. #3
(Mailed to VA 23321)



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 2925

PS Form 3811, July 2013

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Elsie B. Saunders
James Speelman
508 Tull Creek Rd
Moyock NC 27958



2. Article Number

(Transfer from service label)

7013 1710 0000 2879 2901

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Agent
 Ad

B. Received by (Printed Name)

Wayne Cogerman

C. Date of

12/10

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Agent
 Ad

B. Received by (Printed Name)

Janet Clayton

C. Date of

12/10

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Agent
 Ad

B. Received by (Printed Name)

Elsie B. Saunders

C. Date of

12/10

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes



Use Permit Application

OFFICIAL USE ONLY:
 Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information

APPLICANT:

Name: County of Currituck
 Address: 153 Courthouse Road
 Currituck, NC 27929
 Telephone: (252) 232-2504
 E-Mail Address: brenda.mcqueen@currituckcountync.gov

PROPERTY OWNER:

Name: Shepherd W. Smith
 Address: PO Box 156
 Moyock, NC 27958
 Telephone: (252) 207-3002
 E-Mail Address: currituckhomes@embarqmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Lessee

Property Information

Physical Street Address: 101 Panther Landing Road, Moyock NC 27958

Location: Intersection of Tulls Creek Road and Panther Landing Road, Moyock NC

Parcel Identification Number(s): 0014-000-013B-0000

Total Parcel(s) Acreage: +/- 67.77 acres

Existing Land Use of Property: Agriculture and existing solid waste Convenience Center.

Request

Project Name: Moyock Solid Waste Convenience Site-Panther Landing

Proposed Use of the Property: Expansion of the existing solid waste convenience center

Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 1197 PG 890; DB 393 K PG 327

Total square footage of land disturbance activity: 28,140

Total lot coverage: 46,882 sf (28,971 sf existing) Total vehicular use area: +/- 10,400 sf

Existing gross floor area: N/A Proposed gross floor area: N/A

Community Meeting

Date Meeting Held: 12/14/15 Meeting Location: Moyock Public Library

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

Expansion of the existing Moyock Solid Waste Convenience Center. This request is the amendment of a use permit to allow for the expansion to accommodate the heavy volume of use this center (busiest in County) has. This expansion will allow for an additional point of ingress and one way traffic flow. In addition, two compactors will be added along with three bulk waste containers.

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

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

The proposed expansion and improvements will improve public health (by allowing for the proper disposal of solid waste) and provide for one way traffic flow which will make the site safer to use.

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

The expansion will be the same use and will not adversely impact surrounding lands and is in harmony with the Land Use Plan.

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

The use is in conformity with the Land Use Plan and is existing.

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

This use will improve a public facility and will not exceed the County's ability to provide adequate services.

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

Property Owner(s)/Applicant*

Date

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

Use Permit Application
Page 6 of 8



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

MEMORANDUM

To: Board of Commissioners
From: Planning Staff
Date: September 15, 2017
Re: Corolla Jeep Rentals & Tours, Inc.
 Suspension of Outdoor Tour Operator License

On Thursday, August 31, 2017 at approximately 4:00PM, Jennie Turner witnessed a camouflage hummer with orange "Corolla Adventures" lettering heading north on Ocean Trail (NC12) with tour passengers. The vehicle did not display the required hot pink unique identification number on the passenger side that was visible from the front porch of the Corolla Satellite office (per aerial photography, Ms. Turner was located approximately 100' from Ocean Trail). A citation notice was emailed to Banks Meredith at 3:06PM on Friday, September 1, 2017.

On Friday, September 1, 2017 at approximately 8:10AM, Nick Aisthorpe witnessed a camouflage hummer with orange "Corolla Adventures" lettering conducting a tour on the 4WD beach area. Mr. Aisthorpe followed the vehicle north from the access ramp for approximately four minutes in order to take a side photograph of the vehicle. The vehicle did not display the required hot pink unique identification numbers on the sides or rear. During the pursuit, license plate #ZJ-2437 was observed by Mr. Aisthorpe. The license plate was not the proper plate for the vehicle. A citation notice was emailed to Banks Meredith at 3:09PM on Friday, September 1, 2017.

The attached citations were issued to Corolla Jeep Rentals & Tours, Inc. on September 1 2017 for above-referenced violations that occurred on Thursday, August 31, 2017 and Friday, September 1, 2017. The Code of Ordinances (Section 8-99) states that Outdoor Tour Operators that are issued two or more citations in a thirty-day period shall be suspended from operating in the designated area for three days; therefore, the attached notice of suspension of license was provided to Corolla Jeep Rentals & Tours, Inc.

Section 8-100 of the Code of Ordinances states that a license holder aggrieved by the suspension or revocation of a license may appeal to the board of commissioners by filing a notice of appeal with the clerk to the board of commissioners within seven days of the adverse action being appealed. Mr. Banks Meredith, owner of Corolla Jeep Rentals & Tours, Inc. requested an appeal of the suspension. Prior to Mr. Meredith's request, staff did offer to allow Mr. Meredith to select three consecutive days within the few weeks subsequent to the notice of suspension in which to complete the required suspension. Mr. Meredith declined and stated that he would like to appeal the suspension.



Outdoor Tour Operator Appeal of Suspension Application

Contact Information

APPLICANT:

Name: BANKS Meredith

Address:

110

Telephone:

E-Mail Address:

Carolla@reps@yahoo.com E-Mail Address: Corolla@reps@yahoo.com

A OUTDOOR TOUR OPERATOR:

Name: Corolla Jeep Rentals + Taxis

Address: 1070 Ocean Dr

Carroll NC 27033

Telephone: 252-455-4989

453-6899

Statement of Error, or Improper Decision or Interpretation

I wish to appeal a Notice of Suspension

The determination being dated 9/1/2017.

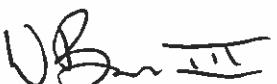
Grounds for appeal

State the facts you are prepared to prove to the Board of Commissioners that should lead the board to conclude that the decision of the administrator was made in error.

Lack of Complete physical evidence and minor human error on my managers end. I prepare to show my fleet is in complete Compliance with County Code. I do wish to point out flaws in this Taur operator system and its Regulatory manner.

Please include all related support materials with the application.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. All information submitted and required as part of this application process shall become public record.

 9/14/17

Appellant/Applicant

Date

**COUNTY OF CURRITUCK**

Code Enforcement Program
PO Box 73
Corolla, NC 27927
(252) 232-6031

Outdoor Tour Operator

License #2017-2018-1

CITATION #03

September 1, 2017

Banks Meredith
Corolla Jeep Rentals & Tours (Corolla Adventures)
corollajeeps@yahoo.com

Violation Date:

August 31, 2017

Code Reference:

Sec. 8-92. - Identification and marking generally. (b) Every outdoor tour vehicle shall display the required identification for the current year as provided by the county as part of license approval.

Violation Description:

An unauthorized hummer marked as "Corolla Adventures" was observed at approximately 4PM on Thursday, August 31st operating a tour. The vehicle did not display the required unique vehicle identification numbers. Additionally, the vehicle was not submitted to and approved by the county as an authorized outdoor tour vehicle.

CITATION DATE:

8/31/2017

CITATION AMOUNT:

\$100.00

If you fail to pay this penalty within fifteen (15) days of the citation date, it may be recovered by the County in a civil action in the nature of debt.

**COUNTY OF CURRITUCK**

Code Enforcement Program
PO Box 73
Corolla, NC 27927
(252) 232-6031

Outdoor Tour Operator

License #2017-2018-1

CITATION #04

September 1, 2017

Banks Meredith
Corolla Jeep Rentals & Tours (Corolla Adventures)
corollajeeps@yahoo.com

Violation Date:

September 1, 2017

Code Reference:

Sec. 8-92. - Identification and marking generally. (b) Every outdoor tour vehicle shall display the required identification for the current year as provided by the county as part of license approval.

Violation Description:

An unauthorized hummer marked as "Corolla Adventures" was observed operating a tour. The vehicle did not display the required unique vehicle identification numbers. Additionally, the vehicle was not submitted to and approved by the county as an authorized outdoor tour vehicle.

**CITATION DATE:**

9/1/2017

CITATION AMOUNT:

\$100.00

If you fail to pay this penalty within fifteen (15) days of the citation date, it may be recovered by the County in a civil action in the nature of debt.

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF
COMMISSIONERS REQUESTING THE NORTH CAROLINA GENERAL
ASSEMBLY TO REPEAL N.C. GEN. STAT. §105-275(45) EXCLUDING
EIGHTY PERCENT OF THE APPRAISED VALUE OF SOLAR ENERGY
ELECTRIC SYSTEMS FROM AD VALOREM TAX**

WHEREAS, on January 1, 2016 the North Carolina law allowing a thirty-five percent tax credit on renewable energy production systems ended; and

WHEREAS, N.C. Gen. Stat. §105-275(45) still allows the exclusion of eighty percent of the appraised value of solar energy electric systems from local ad valorem tax valuation; and

WHEREAS, in 2015 renewable energy development in Currituck County comprised of solar energy electric systems encumbered 2,200 acres of land with real property investment in the amount of \$210,000,000; and

WHEREAS, due to N.C. Gen. Stat. §105-275(45) the solar energy electric systems in Currituck County were assessed a combined business and personal property tax in the amount of \$210,600 rather than \$1,008,000 any other commercial development not receiving preferential tax treatment under the statute would be required to pay; and

WHEREAS, a community hosting solar energy electric systems should receive the full benefit of such development within its boundaries particularly since solar energy electric systems reduce open space and useable farmland and generate visual and other impacts unwelcome to property owners adjacent to solar energy electric systems; and

WHEREAS, it is apparent that by allowing expiration of the state's thirty-five percent tax credit on renewable energy production systems the North Carolina General Assembly has determined that incentives are no longer necessary to encourage renewable energy development like solar energy electric systems in North Carolina and repeal of N.C. Gen. Stat. §105-275(45) is necessary and appropriate.

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

Section 1. Currituck County requests that its legislative delegation sponsor and otherwise support legislation to repeal N.C. Gen.

Stat. §105-275(45).

Section 2. The Clerk to the Board of Commissioners is directed to forward a copy of this resolution to the county's legislative delegation.

Section 3. This resolution is effective upon its adoption.

ADOPTED the 18th day of September, 2017.

Bobby Hanig, Chairman
Currituck County Board of Commissioners

ATTEST:

Leeann Walton,
Clerk to the Board of Commissioners

(COUNTY SEAL)



**CURRITUCK COUNTY
NORTH CAROLINA**

September 5, 2017
Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 4:30 PM Fire Services

The Board of Commissioners attended a 4:30 PM work session in the Conference Room of the Historic Courthouse to discuss Fire Services. Fire and Emergency Medical Services (EMS) Chief Ralph Melton and Deputy Chief Tim Riley were in attendance. Commissioner Beaumont began by recalling recommendations from a 2014 fire study, one which suggested the establishment of service standards in an effort to achieve uniformity, consistency and interoperability among fire and rescue departments county-wide. Challenges with multiple service contracts were presented, and County Manager, Dan Scanlon, highlighted the need to define rescue services, establish specific delivery standards, and meet the expectations of citizens. Costs, effects on services, training, response times, interdepartmental cooperation, apparatus and equipment, and other aspects relative to the establishment of standardized operations were discussed. At the conclusion of the work session, Chief Melton was tasked with developing a list of service standards for Board review. The Board would then provide directives to the Fire Advisory Board (FAB) and staff for implementation. The Board discussed the importance of setting standards of cooperation among departments, and Commissioner Gilbert asked Chief Melton to provide a list of training authorization colors used by the individual departments. The Board also agreed ocean rescue services with manned lifeguard stands should be extended through September 30th each year. County Attorney, Ike McRee, was directed to draft an ordinance to address digging and filling of holes on the beach. The work session closed at 5:39 PM.

6:00 PM CALL TO ORDER

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

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

Chairman Hanig called the meeting to order.

A) Invocation & Pledge of Allegiance-Reverend Frank Custer, Mt. Zion United Methodist Church

Reverend Custer of Mount Zion United Methodist Church offered the Invocation and led the Pledge of Allegiance.

B) Approval of Agenda

Commissioner Payment moved to amend the agenda to add Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney and in order to preserve the attorney-client privilege.

The motion was seconded by Commissioner Gilbert and passed unanimously.

Approved agenda:

Work Session

4:30 PM Fire Services

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Reverend Frank Custer,
Mt. Zion United Methodist Church

B) Approval of Agenda

Public Comment

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

New Business

A) Consideration of An Ordinance of the Currituck County Board of Commissioners Amending Certain Sections of Article II and Article III, Chapter 10 of the Currituck County Code of Ordinances Regulating the Use of County Parks, Public Beach Accesses and Boat Ramps.

B) Consent Agenda

1. Approval Of Minutes for August 21, 2017
2. Budget Amendments
3. Classification Chart Revisions

4. Job Description Revision-Water Treatment Plant Supervisor
5. Master Fee Schedule Revision

C) Commissioner's Report

D) County Manager's Report

Recess

Special Meeting of the Tourism Development Authority

TDA Budget Amendments

Adjourn Special Meeting

Closed Session

Amended Item-Closed Session Pursuant to G.S. 143-318-11(a)(3) to Consult with the County Attorney in Order to Preserve Attorney-Client Privilege

Adjourn

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

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.

No one was signed up nor wished to speak at public comment.

NEW BUSINESS

A. Consideration of An Ordinance of the Currituck County Board of Commissioners Amending Certain Sections of Article II and Article III, Chapter 10 of the Currituck County Code of Ordinances Regulating the Use of County Parks, Public Beach Accesses and Boat Ramps.

Ike McRee, County Attorney, reviewed the proposed modifications to the ordinance regulating the use of county parks, boat ramps and beach accesses. During review, Mr. McRee responded to questions from the Board and provided additional clarification as needed. Staff was directed to contact the Wildlife Resources Commission (WRC) in an attempt to address parking issues at the Knotts Island boat ramp, as some vehicles are being left for several days inhibiting others' ability to launch boats and park their vehicles

with trailers.

After discussion, Commissioner Gilbert moved to accept changes to the ordinance as presented by the County Attorney. Commissioner White seconded and the motion passed unanimously.

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CERTAIN SECTIONS OF CHAPTER 10. PARKS AND RECREATION OF THE CURRITUCK COUNTY CODE OF ORDINANCES

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-169 a county may by ordinance regulate the use of county property.

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

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Chapter 10, Article II, Division 3 of the Code of Ordinances to read as follows:

DIVISION 3. - ~~WHALEHEAD BOAT RAMPS~~

Sec. 10-81. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Facility means ~~the easement along Club Road from Ocean Trail to the public parking areas, launching ramps, docks, and piers located in Poplar Branch Township, Corolla Light P.U.D. Phase 9, Whalehead Club and the public parking areas, launching ramps, docks, and piers.~~

Motorboat means any vessel equipped with propulsion machinery of any type, whether or not such machinery is the principal source of propulsion.

Vessel means every description of watercraft or structure, other than a seaplane on the water, used or capable of being used as a means of transportation or habitation on the water.

Sec. 10-82. - Construction of division.

The provisions of this division shall be liberally construed to effectively carry out its purposes.

Sec. 10-83. - ~~Penalty for violation of division.~~

(a) ~~The violation of any provision of this division shall be a misdemeanor, and, upon conviction, the violator shall be punished as provided by section 1-8.~~

(b) ~~In addition, enforcement of this division may be by appropriate equitable remedy, injunction or order of abatement issuing from a court of competent jurisdiction pursuant to G.S. 153A-123.~~

Sec. 10-84 83. - Closing and opening hours.

~~The facility shall be open at 4:00 a.m. and close at 12:00 midnight daily unless otherwise posted.~~

Sec. 10-85. - ~~Entrance pass required.~~

~~A person entering upon the facility by foot or motor vehicle may be required at the entrance of the facility to state the purpose for which the person intends to use the facility and to receive a pass to enter onto the facility. This subsection shall not be construed so as to regulate or restrict the use of the facility in a way that would discourage public use of the facility.~~

Sec. 10-86 84. - Litter.

~~It shall be is unlawful for any person to deposit litter, trash, garbage or other refuse at any place on the facility except in receptacles provided for disposal of trash, garbage or other refuse.~~

Sec. 10-87 85. - ~~Parking.~~

(a) *Unlawful parking.* No person shall leave, or cause to be left, any vehicle, boat, trailer or other obstruction on the facility in such a location, position or condition that it will prevent, impede or inconvenience the use by other persons of the facility, or leave parked any vehicle, boat trailer or other objects at any place on the facility other than on such place or zone as is designated as an authorized parking zone and posted and marked as a parking zone.

(b) *Twenty-four-hour parking.* No person shall leave, or cause to be left, a vehicle parked in the parking area of the facility for longer than 24 hours.

(c) *When facility is full.* At any time when the designated parking area of the facility is fully occupied, any person may enter and use the facility, provided the person makes other arrangements for parking and violates none of the provisions of this division.

Sec. 10-88 86. - Launching, retrieving, mooring vessels.

Motorboats and vessels may be launched and retrieved only at the boat ramp area of the facility. No person shall moor a motorboat or vessel to the dock or pier area of the facility for longer than 24 hours except that at Corolla Historic Park motorboats and vessels may be moored during park operating hours and county approved events and no motorboat or vessel may be moored at Currituck County Rural Center.

Sec. 10-89 87. - Fishing; crabbing.

A person may fish or crab from the dock or pier area of the facility but such activity shall not be conducted in a manner that prevents, impedes or inconveniences the use of the facility by other persons.

Sec. 10-90. - Noise.

~~It shall be unlawful for any person on the facility to produce or emit noises, amplified speech, music or other sounds that annoy, disturb or frighten other persons.~~

Sec. 10-91 88. - Fireworks, loaded firearms prohibited.

It shall be unlawful for any person to possess pyrotechnics or a loaded firearm on the facility.

Sec. 10-92. - Intoxicating substances.

~~It shall be unlawful for any person to possess or consume any beer, wine, whiskey, controlled substances or any other intoxicating substance, or to be intoxicated while on the facility or to sell, attempt to sell beer, wine, whiskey, controlled substance or any other intoxicating substance on the facility.~~

Sec. 10-93. - Animals.

~~It shall be unlawful for any person to cause or permit any animal owned by or in the custody or control of the person to enter on the facilities except when restrained by a leash or to be left unattended on the facilities. The provisions of this subsection do not apply to:~~

~~(1) A dog being used by a law enforcement officer to carry out the law enforcement officer's official duties; or~~

~~(2) A dog being used in a lawful hunt.~~

Sec. 10-94 89. - 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 facility any airplane, flying machine, balloon, parachute, hang glider or other apparatus for aviation.

Sec. 10-95 90. - Unlawful alteration, destruction.

It shall be unlawful for any person to willfully or carelessly destroy, damage or deface the facility or to build, maintain, extend or make structural alterations to the facility.

Sec. 10-96. - Commercial enterprises.

~~It shall be unlawful for any person to engage in business, conduct commercial activity, or solicit contributions for any purpose on the facility except when part of a county sponsored activity or event~~

~~specifically authorized by the county manager, or licensee operating and managing the facility, or pursuant to a concession license agreement with the county or licensee operating and managing the facility.~~

PART II. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Chapter 10, Article II, Division 5 of the Code of Ordinances to read as follows:

DIVISION 5. - SOUTHERN AREA BEACH ACCESS AREAS AT PINE ISLAND

Sec. 10-106. Penalty for violation of division.

(a) ~~The violation of any provision of this division shall be a misdemeanor, and, upon conviction, the violator shall be punished as provided by section 18, by a fine of not more than \$500.00 or by imprisonment for not more than 30 days.~~

(b) ~~In addition, enforcement of this division may be by appropriate equitable remedy, injunction or order of abatement issuing from a court of competent jurisdiction pursuant to G.S. 153A-123.~~

Sec. 10-107. Closing and opening hours.

~~The parking lot shall be open at 6:00 a.m. and close at 10:30 p.m. daily.~~

Sec. 10-108 106. - Litter.

It shall be unlawful for any person to deposit letter, trash, garbage or other refuse at any place in the facility or on the beach except in the proper receptacles provided there for such disposal.

Sec. 10-109 107 - Parking.

(a) *Unlawful parking.* No person shall leave, or cause to be left, any vehicle, trailer or other obstruction on the facility in such a location, position or condition that it will prevent, impede or inconvenience the use of the facility by other persons, or leave parked any vehicle or trailer or other object at any place on the facility other than at such place or zone as is designated as an authorized parking zone and clearly marked as such.

(b) *Overnight and twenty-four hour parking.* No person shall leave, or cause to be left, a vehicle or any other object, at the facility beyond 10:30 p.m., except in the event of a mechanical emergency, and then in that event the disabled vehicle or equipment must be removed from the facility within 24 hours of first being located thereon.

(c) *When facility is full.* At any time when the designated parking area of the facility is fully occupied, any person may enter and use the facility, provided the person makes other arrangements for parking and violates none of the other provisions of ~~these regulations~~ this division.

Sec. 10-110. - Noise.

~~It shall be unlawful for any person on the facility to produce or emit noises, amplified music or speech, or make sounds that annoy, disturb or frighten other users of the facility or the neighbors thereto.~~

Sec. 10-111 108 . - Fireworks, loaded fire arms, bonfires prohibited.

It shall be unlawful for anyone to possess pyrotechnics or a loaded firearm and/or kindle or maintain a beach fire or bonfire anywhere on the facility.

Sec. 10-112. - Animals.

~~It shall be unlawful for any person to cause or permit any animal owned by or in the control or custody of that person to enter on the facility except when restricted by a leash or to be left unattended on the facilities. A dog being used by a law enforcement officer to carry out the officer's official duties will be exempt from this prohibition.~~

(a) ~~A dog being used by a law enforcement officer to carry out the law enforcement officer's official duties; or~~

(b) ~~A dog being used in a lawful hunt.~~

Sec. 10-113 109. - Unlawful alteration, destruction.

It shall be unlawful for any person to willfully or carelessly destroy, damage or deface the facility, to build, maintain, extend or make structural alterations to the facility, or to in anyway disturb,

destroy or damage the fore-dune vegetation in any manner, or to launch, tie-up or retrieve any water craft, or other craft, whatsoever, on, over, across or through the dune in such a way as to cause any disturbance to or displacement of any part of the dune and/or its vegetative cover.

See. 10-114. - Commercial enterprises.

~~It shall be unlawful for any person to be intoxicated or under the influence of any controlled substance while on the facility, or to sell, attempt to sell, beer, wine, whiskey, a controlled substance or any other intoxicating substance on the facility.~~

PART III. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Chapter 10, Article III, Division 1 of the Code of Ordinances to read as follows:

Sec. 10-131. - Parks owned by county designated public.

All parks owned or controlled by the county are public parks. Currituck County parks are for the enjoyment of residents and visitors of the county.

Sec. 10-132. - Hours of operation.

County parks are open seven days per week, year round. The parks open at sunrise and close at sunset, unless otherwise posted. Gates may be locked at closing. After park closings, any individuals remaining or coming into the parks will be considered trespassing and subject to criminal prosecution. Vehicles remaining in the parks after closing will be locked in and not available to owners until the next park opening. The county is not responsible for the safe keeping of such vehicles.

Sec. 10-133. - Prohibited activities.

No person using or occupying ~~a county parks, public beach access area or boat ramp~~ shall drink, consume or possess any unsealed or opened container of alcoholic liquor or alcoholic beverage, nor shall any such person consume alcoholic liquor or any mixture thereof within the boundaries of such ~~recreation~~ areas. Illegal drugs and abusive language/behavior ~~is are not allowed prohibited~~ in ~~a county parks, public beach access area or boat ramp~~. Notwithstanding the forgoing, a person using or occupying Knotts Island Ruritan Park; Currituck County Rural Center (CCRC), Soundside Park or Historic Corolla Park properties may drink, consume, possess or serve alcoholic beverages pursuant to rules and regulations adopted from time to time by the board of commissioners.

Sec. 10-134. Dogs Animals in County Parks, Public Beach Accesses and Boat Ramps.

~~(a) Except as permitted herein, dogs are not permitted in county parks except service dogs for the disabled. Notwithstanding the foregoing, dogs are permitted in the county park located at 140 Gabbard Lane, Spot, North Carolina when in compliance with the conditions set forth in subsections (1) through (7) of subsection (b) below.~~

~~(b)(a) Dogs may be are permitted in county parks, public beach accesses and boat ramps for a particular purpose sponsored by a group, association or organization that has obtained a permit under section 10-148 of this Code and with the following conditions:~~

- (1) Dogs must have current vaccinations and licenses. Proof of vaccinations and licensure is required upon request of ~~the group, association or organization permitted to use a county park for a particular purpose, a law enforcement officer or animal control officer, or other county official.~~
- (2) Dogs under four months of age or female dogs in heat are not permitted.
- (3) Dogs must be under the control of an adult at all times, must wear a collar or harness with any required tags and must be on a leash unless part of a specially trained performing group under ~~the voice control which specially trained performing group is included in the permit of the sponsoring group, association or organization.~~
- (4) Each dog owner or adult in control of a dog shall remove and dispose of their dog's fecal matter in containers provided for such disposal.

- (5) Aggressive dogs are not permitted, and any dog displaying aggression shall be immediately removed from the county park.
- (6) No dog shall be left unattended.
- (7) Dog owners or adults in control of a dog shall provide potable drinking water for their dog.
- (8) No dog is permitted at Currituck Community Park Athletic Complex during scheduled athletic events.

Sec. 10-135. - Firearms.

Firearms and hunting are not allowed in county parks. Firearms used for hunting are permitted, provided they are kept in a locked case at all times while on park grounds.

Sec. 10-136. - Hitting golf balls.

It shall be unlawful for any person to drive or hit a golf ball with any golf club in or upon ~~any area in the county under the supervision and control of the department of recreation as a public park or public playground a county park~~.

Sec. 10-137. - Kite-flying.

Kite-flying at Maple Park only is not permitted. Kite-flying at all other county parks is permitted.

Sec. 10-138. - Water-related activities.

Fishing is permitted at all county parks. Catch and release fishing only is permitted at Maple Park. ~~Except at Historic Corolla Park, Swimming and wading are prohibited in all county parks. Boating and motorized water activities are permitted in those county parks that have boating access ramps.~~

Sec. 10-139. - Vehicles.

All vehicles including bicycles must be parked in parking spaces provided. Bicycles, roller skating, roller blading, ~~segways, golf carts, electric vehicles~~ and skateboards are allowed in designated areas only. Go-carts, motorized trail bikes, all-terrain vehicles, ~~and minibikes, etc.~~ are prohibited at county parks. Remote-controlled cars, planes, and boats are prohibited at Maple Park only.

Sec. 10-140. - Park grills.

Park grills are designed for charcoal only. Charcoal should be left in the grills after cooking for disposal by county personnel. Personal cooking grills no larger than 24 inches in diameter are allowed but may not be used under any shelters. It is unlawful to gather and burn wood.

Sec. 10-141. - Picnic shelters and park facilities.

All picnic shelters and park facilities are available on a first-come basis. The pavilions at each park are available on a first-come basis unless previously reserved. Reservations of the pavilions for designated hours may be made by signing an agreement obtained from the ~~Currituck County Parks and Recreation Department~~ county and paying ~~payment of~~ the required fees. Reservation agreements must be signed and ~~on~~ filed ~~in~~ with the ~~Currituck County Parks and Recreation Department~~ county prior to use. The person signing the reservation agreement is ~~held~~ liable for cleanup and any damages or maintenance fees incurred as a result of his/her group's activities. Facilities ~~should~~ ~~must~~ be left as found.

Sec. 10-142. - Cooking trailers and equipment.

Cooking trailers and equipment are allowed at the pavilions in county parks. However, the hauling vehicle must be disconnected and the vehicle parked in the parking lot. No other trailers will be allowed next to the shelters.

Sec. 10-143. - Commercial activity.

(a) Except as indicated in subsection (b), no person may engage in commercial activity ~~in a county park, public beach access or boat ramp~~, which includes but is not limited to the sale or attempted sale or advertisement for sale of any goods or services on recreational premises.

(b) The provisions of subsection (a) of this section do not apply to county-sponsored activities or other events specifically authorized by the county manager or commercial activity conducted pursuant to a concession license agreement with the county.

Sec. 10-144. - Amplified music.

Amplified music, when compliant with Chapter 9, Article II of this Code and used during a county-sponsored activity or county approved event, is permitted in county parks as long as it complies with the Currituck County Noise Control Ordinance, Chapter 9, Article II of the Currituck County Code of Ordinances.

Sec. 10-145. - Decorations.

The nailing, stapling, and/or tacking of decorations to any park structures are not allowed. The taping of decorations to parks structures is permitted.

Sec. 10-146. - Fees.

Fees may be charged to enter or use the facilities of in county parks in accordance with the execution of an agreement with the Currituck County Parks and Recreation Department county. The county may charge such a fee for special events.

Sec. 10-147. - Waterfowl and wildlife.

Park patrons are encouraged to observe the parks' waterfowl and other wildlife. However, handling, feeding, harassment, and/or the capture of wildlife is prohibited on county parks.

Sec. 10-148. - Recreational facilities.

(a) The softball fields, volleyball courts, horseshoe pits, and other recreational facilities are provided for and maintained by Currituck County the county. Park patrons are responsible for supplying their own athletic equipment such as softball gloves, bats and balls, Frisbees, volleyballs, horseshoes, etc.

(b) Whenever any group, association or organization desires to use recreational facilities for a particular purpose, a representative of the group, association or organization shall first obtain a permit from the director of recreation for such purposes. A person seeking issuance of a permit under this subsection shall file an application with the director. The application shall state the following:

- (1) The name and address of the applicant.
- (2) The name and address of the person, corporation or association sponsoring the activity, if any.
- (3) The day and hours for which the permit is desired.
- (4) The park or portion thereof for which such permit is desired.
- (5) An estimate of the anticipated attendance.
- (6) Any other information which the director shall find reasonably necessary to a fair determination as to whether a permit should issue under this subsection.
- (c) The director shall issue a permit when he the director finds that:
 - (1) The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
 - (2) The proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
 - (3) The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
 - (4) The proposed activity or use will not entail unusual, extraordinary or burdensome expense or sheriff operation by the county.
 - (5) The facilities desired have not been reserved for use at the date and hour required in the application.
- (d) Within 14 days after receipt of an application, the director shall advise an applicant in writing of his reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within seven days, to the office of the county manager, which shall consider the application under the standards set forth in this subsection and sustain or overrule the director's decision, within seven days. The decision of the county manager or his designee shall be final.
- (e) A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the rules and regulations were inserted in the permit.
- (f) The director shall have the authority to may revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.

(g) ~~The director shall establish a fees schedule for the use of recreational facilities will be in accordance with the county fee schedule adopted by the board of commissioners. subject to the approval of the county manager or his designee. The fees shall be reviewed annually, and the county manager or his designee is authorized to make such adjustments in the fees as he deems appropriate. An accurate copy of the fee schedule shall be posted in a conspicuous place in the office of the department.~~

(h) An entire county park may only be rented three days in one month, unless the Currituck County Recreation Advisory Board grants permission to the applicant. If the recreation advisory board does grant such permission, boat ramps will remain open to the public.

Sec. 10-149. Violation of park rules and regulations.

~~Violation of any of the park rules and regulations set forth in this article may result in the expulsion of the park patron with the possible denial of future privileges to use the county parks. In addition, violation of any of the park rules and regulations shall be a Class 3 misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment for not more than 30 days for each separate violation. Each day any violation of this article shall continue shall constitute a separate offense, unless otherwise specified.~~

PART IV. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 1-8(i)(4) of the Code of Ordinances to read as follows:

(i) Upon determination of a violation of any section of this Code, the penalty for which is a civil penalty, the county shall cause a warning citation to be issued to the violator, setting out the nature of the violation, the date of the violation and an order to immediately cease the violation or, if the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, stating a reasonable period of time in which the violation must be abated. The warning citation shall specify that a second citation shall incur a civil penalty. The initial issuance of a warning citation upon a violator as provided above shall not be required for the immediate imposition of civil penalties for a determination of a violation of any of the following provisions:

- (1) Chapter 3, section 3-36;
- (2) Chapter 8, article IV;
- (3) Chapter 9, section 9-1, section 9-4, section 9-7, section 9-33;
- (4) ~~Chapter 10, section 10-58, section 10-59, section 10-61, subsection 10-62(b), subsection 10-62(c), subsection 10-63(c), section 10-64, section 10-104;~~
- (5) Chapter 12, article IV, section 12-62.

PART V. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

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

PART VII. This ordinance is effective upon adoption.

ADOPTED this _____ day of _____, 2017.

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

B) Consent Agenda

Mr. Scanlon, at the request of Commissioner Hall, reviewed one of the budget amendments which carried forward some funding dollars that had been obligated during the prior year.

Commissioner Gilbert moved to approve Consent Agenda. The motion was seconded by Commissioner Payment and passed unanimously.

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

1) Approval Of Minutes for August 21, 2017

1. BOC Minutes for August 21, 2017

2. Budget Amendments

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10640-532004	Supplies - Home Economics	\$ 853	
10390-499900	Appropriated Fund Balance		\$ 853
		<u>\$ 853</u>	<u>\$ 853</u>
Explanation:	Cooperative Extension (10640) - Carry-forward NCDOT MIPPA Grant funds that expire 9/29/17.		
Net Budget Effect:	Operating Fund (10) - Increased by \$853.		

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
26535-532000	Supplies	\$ 965	
26535-545000	Contract Services	\$ 831	
26535-590000	Capital Outlay	\$ 48,248	
26390-499900	Appropriated Fund Balance		\$ 50,044
		\$ 50,044	\$ 50,044

Explanation: Emergency Telephone Fund (26) - Carry forward purchase orders from FY 2017 that were not completed at year end.

Vendor	PO	Amount
Indoff Inc	20171690	\$ 5,243
Centurylink	20171537	\$ 831
Wireless Communications	20171289	\$ 43,970
		\$ 50,044

Net Budget Effect: Emergency Telephone System Fund (26) - Increased by \$6,074.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10660-561000	Professional Services	\$ 20,000	
10330-447500	Planning Grants		\$ 20,000
		\$ 20,000	\$ 20,000

Explanation: Planning (10660) - Increase appropriations for Coastal Resilience Rainfall Flood Study. This will be funded through \$20,000 grant funds from the NC Division of Coastal Management and \$6,667 County matching funds that were budgeted in the annual budget process.

Net Budget Effect: Operating Fund (10) - Increased by \$20,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50795-590005	Veteran's Park Dock Improvement	\$ 25,000	
50380-481000	Investment Earnings		\$ 25,000
		<u>\$ 25,000</u>	<u>\$ 25,000</u>

Explanation: County Governmental Construction (50795) - Increase appropriations for parking lot improvements at Veteran's Park in Coinjock, NC.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$25,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10410-561000	Professional Services	\$ 41,993	
10390-495042	T F - Transfer Tax Capital Fund		\$ 41,993
42450-587010	T T - Operating Fund	\$ 41,993	
42450-587050	T T - Co Governmental Construction		\$ 41,993
		<u>\$ 83,986</u>	<u>\$ 83,986</u>

Explanation: Administration (10410); Transfer Tax Capital Fund (42450) - Increase appropriations for feasibility study for County broadband service.

Net Budget Effect: Operating Fund (10) - Increased by \$41,993.
Transfer Tax Capital Fund (42) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-590000	Capital Outlay	\$ 30,000	
10380-488400	ABC Profits		\$ 30,000
		<u>\$ 30,000</u>	<u>\$ 30,000</u>

Explanation: Public Works (10460) - Increase appropriations for access control for the Historic Courthouse.

Net Budget Effect: Operating Fund (10) - Increased by \$30,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10795-590000	Capital Outlay	\$ 8,000	
10380-488400	ABC Profits		\$ 8,000
		\$ 8,000	\$ 8,000

Explanation: Parks & Recreation (10795) - Increase appropriations for Firewise security gate project at Sound Park \$4,000. Also, repair and replace doors at Sound Park damaged by vandalism.

Net Budget Effect: Operating Fund (10) - Increased by \$4,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-590000	Capital Outlay	\$ 16,047	
10380-484001	Insurance Recovery		\$ 11,047
10380-481000	Investment Earnings		\$ 5,000
		\$ 16,047	\$ 16,047

Explanation: Public Works (10460) - Increase appropriations to replace emergency lighting in COA, YMCA and Sr Center damaged by lightning during July storms.

Net Budget Effect: Operating Fund (10) - Increased by \$16,047.

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10441-545000	Contract Services	\$ 6,428	
10441-590000	Capital Outlay	\$ 41,675	
10460-590000	Capital Outlay	\$ 22,365	
10550-590000	Capital Outlay	\$ 1,442	
10660-561000	Professional Services	\$ 11,500	
10750-590000	Capital Outlay	\$ 12,665	
10980-545000	Contract Services	\$ 88,320	
10980-590000	Capital Outlay	\$ 5,563	
10390-499900	Fund Balance Appropriated		\$ 189,958
20609-545000	Contract Services	\$ 39,695	
20390-499900	Fund Balance Appropriated		\$ 39,695
63838-545001	Contract Services	\$ 19,672	
63390-499900	Fund Balance Appropriated		\$ 19,672
		\$ 249,325	\$ 249,325

Explanation: Various Departments - Carry forward purchase orders from prior fiscal year.

Centurylink	20171729	\$ 48,103
Quible & Assoc	20171455	\$ 19,672
Coastal Roofing	20171753	\$ 39,235
Moffatt & Nichol	20171370	\$ 39,695
Atlas Engineering	20170332	\$ 35,030
Crowder Gulf		\$ 18,221
Destination by Design	20170003	\$ 11,500
B & M Contractors	20171691	\$ 1,442
Albemarle Fence Co	20171748	\$ 29,943
Gately Communication	20170960	\$ 921
Eastern Data	20171453	\$ 5,563
		\$ 249,325

Net Budget Effect: Operating Fund (10) - Increased by \$189,958.

Whalehead Stormwater District (20) - Increased by \$39,695.

Solid Waste (63) - Increased by \$19,672.

3. Classification Chart Revisions

4. Job Description Revision-Water Treatment Plant Supervisor

5. Master Fee Schedule Revision

C) Commissioner's Report

Commissioner Gilbert reminded everyone of the Bulls and BBQ Festival and Currituck Heritage Day on September 16th at the Rural Center.

Commissioner Etheridge announced the annual Senior Citizen Wellness Day would be held on Wednesday, September 20, from 11 AM till 2 PM. Lunch will be provided for those who register by Thursday, September 14. She announced September as National Voter Registration month and encouraged citizens to register to vote. Voter registration drives would begin in Corolla on September 19 and wrap up in Powells Point on September 28. Registration locations can be found on the Currituck County Board of Elections Facebook page and will be announced through the public information office.

Commissioner Payment also announced the Currituck Heritage Festival on Sept 16 at the Rural Center located on Spot Road. He said Governor Roy Cooper declared the competition a Kansas City BBQ state sanctioned event. This year, Currituck Kids will host the People's Choice Award which will offer attendees the chance to sample the Kentucky BBQ competition entries.

D) County Manager's Report

No report.

RECESS

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

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners recessed the September 5, 2017, regular meeting to hold a Special Meeting sitting as the Tourism Development Authority. The meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina. Chairman Hanig called the meeting to order at 6:33 PM.

E. TDA Budget Amendments

Travel and Tourism Director, Tameron Kugler, was seated with the Board and County Manager, Dan Scanlon, reviewed the budget amendments up for consideration.

After review Commissioner Hall moved to approve the budget amendments. The motion was seconded by Commissioner Gilbert and carried unanimously.

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-545002	Historic Preservation	\$ 11,692	
15447-592001	Whalehead Projects	\$ 21,157	
15390-499900	Appropriated Fund Balance		\$ 32,849
		\$ 32,849	\$ 32,849

Explanation: Occupancy Tax - Carry forward purchase orders that were started in prior fiscal year.

B W & A Books Inc	20170503	\$ 11,692
Premiere Contracting	20171004	\$ 21,157

Net Budget Effect: Occupancy Tax Fund (15) - Increased by .

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-561000	Professional Services	\$ 15,000	
15320-415000	Occupancy Tax		\$ 15,000
		\$ 15,000	\$ 15,000

Explanation: Tourism Related Expenses (15447) - Increase appropriations for hotel study for the County.

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

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15448-545000	Contract Services	\$ 40,500	
15448-561000	Professional Services	\$ 1,200	
15320-415000	Occupancy Tax		\$ 41,700
		\$ 41,700	\$ 41,700

Explanation: Whalehead Operations (15448) - Increase appropriations for grounds maintenance at the Historic Corolla Park and for elevation certificate for the Whalehead Club required for flood insurance.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$41,700.

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

ADJOURN SPECIAL MEETING

With no further discussion or consideration, Commissioner Gilbert moved to adjourn the meeting of the Tourism Development Authority and reconvene the regular meeting. Commissioner White seconded the motion, which carried unanimously, and the Special Meeting of the Tourism Advisory Board was adjourned at 6:35 PM.

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

CLOSED SESSION

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

1. Amended Item-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 moved to enter Closed Session pursuant to G.S. 143-318-11(a)(3) to consult with the County Attorney and in order to preserve the attorney-client privilege. Commissioner Gilbert seconded the motion. The motion carried unanimously and the Board of Commissioners entered closed session.

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

ADJOURN

Motion to Adjourn Meeting

With no further business after returning from Closed Session, Commissioner Etheridge made a motion to adjourn. The motion was seconded by Commissioner Hall and carried

unanimously. The regular meeting of the Board of Commissioners concluded at 7:19 PM.

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

Number 20180018

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of September 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

Account Number	Account Description	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10440-514000	Travel	\$	5,200		
10440-514500	Training & Education	\$	1,300		
10440-545000	Contract Services	\$	3,000		
10441-545000	Contract Services	\$	27,801		
10445-514000	Travel	\$	2,750		
10445-514500	Training & Education	\$	10,000		
10445-545000	Contract Services	\$	4,000		
10450-545000	Contract Services	\$	6,290		
10460-516000	Maintenance & Repair	\$	1,320		
10530-590000	Capital Outlay	\$	154,784		
10531-545000	Contract Services	\$	3,000		
10535-590000	Capital Outlay	\$	39,290		
10650-561000	Professional Services	\$	8,475		
10390-499900	Fund Balance Appropriated			\$	258,735
10390-495015	T F - Occupancy Tax			\$	8,475
16609-545000	Contract Services	\$	39,859		
16390-499900	Fund Balance Appropriated			\$	39,859
26535-590000	Capital Outlay	\$	43,672		
26390-499900	Fund Balance Appropriated			\$	43,672
27608-545000	Contract Services	\$	49,286		
27390-499900	Fund Balance Appropriated			\$	49,286
		<hr/>	<hr/>	<hr/>	<hr/>
		<hr/>	<hr/>	<hr/>	<hr/>
		<hr/>	<hr/>	<hr/>	<hr/>

Explanation: Various Departments - Carry forward purchase orders from prior fiscal year.

Tyler Technologies	20170346	\$	26,250
Tyler Technologies	20171426	\$	6,290
Pro Window	20171298	\$	870
Pro Window	20171452	\$	450
Select Custom Apparatus Inc	20171555	\$	77,392
Select Custom Apparatus Inc	20171556	\$	77,392
Futurity IT Inc	20171530	\$	3,000
Motorola	20171499	\$	50,103
Kimley-Horn and Assoc Inc	20170448	\$	8,475
IT Contracts		\$	27,801
Albemarle & Assoc	20170936	\$	39,859
Mobile Communications	20171629	\$	32,859
Moyock Watershed Projects		\$	49,286

Net Budget Effect: Operating Fund (10) - Increased by \$258,735.
 Ocean Sands/Crown Pointe (16) - Increased by \$39,859.
 Emergency Telephone (26) - Increased by \$43,672.
 Moyock Watershed (27) - Increased by \$49,286.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Number

20180019

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of September 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10440-590000	Capital Outlay	\$ 32,000	
10350-468000	Sales of Fixed Assets		\$ 32,000
		<u><u>\$ 32,000</u></u>	<u><u>\$ 32,000</u></u>

Explanation: Finance (10440) - Increase appropriations to replace Crown Victoria used by Finance, ITS and various departments. Current vehicle needs extensive repairs. Funds will be used from sale of assets on Gov Deals.

Net Budget Effect: Operating Fund (10) - Increased by \$32,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Memorandum

TO: Dan Scanlon

From: Sandra Hill

Date: September 19, 2016

Subject: Record Disposal

The Finance Office would like permission to dispose of the following records, which are scheduled for disposal as per the record retention schedule.

<u>Time Period</u>	<u>Description</u>
FY 2014	
July 1, 2013 - June 30, 2014	Accounts Payable Invoices Bank Statements Bank Reconciliation Reports Deposit Slips Accounts Receivable Files Daily Receipts Budget Amendments Journal Vouchers NC Sales Tax Summary Reports Sales Tax Refund Report Investment Records Web Payments Purchasing Card Statements
FY 2015	
May 1 - June 30, 2015	Water Deposits

THIRD AMENDMENT TO WATER TOWER LEASE AGREEMENT

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

WITNESSETH:

WHEREAS, Lessor and Lessee entered into a Water Tower Lease Agreement on June 11, 2007, as amended by that First Amendment to Water Tower Lease Agreement on March 6, 2012 and that Second Amendment to Water Tower Lease Agreement on August 31, 2016 (collectively, the "Agreement"), whereby Lessee leased from Lessor certain space on the Lessor's Tower located at 2519 Tulls Creek Road, Moyock, Currituck County, North Carolina, and as further described in the Agreement (the "Premises");

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

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

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

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

[SIGNATURES TO FOLLOW]

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

LESSOR:

CURRITUCK COUNTY

WITNESS

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

LESSEE:

CELLCO PARTNERSHIP
d/b/a Verizon Wireless

WITNESS

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

EXHIBIT "B-3"

Lessee is authorized to install and maintain the following equipment on the Tower:

ANTENNAS:	(6) X7C-FRO-860-VRO (3) VV-65B-R1B (3) BXA-70080-8CF
RAD CENTER:	143'
REMOTE RADIO HEADS:	(3) B13 RRH 4x30-4R (3) AWS3 (B66a) 4x45 RRH
DISTRIBUTION BOXES:	(2) RHSDC-3315-PF-48
DIPLEXERS:	(6) CBC78T-DS-43

Diameter of Transmission Lines: Not to exceed 1 5/8"



County of Currituck Project Approval

Application #: 201701076

Property Owner: CURRITUCK COUNTY

Location: 2519 TULLS CREEK RD

Parcel ID: 0050000124B0000

Project Description: TOWER

Issued Date: 08/31/17

Expiration Date: 02/27/18

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

CONDITIONS OF APPROVAL:

CHANGEOUT 9 ANTENNAS AND ADD 3 REMOTE RADIO HEADS TO THE WATER TANK ON THE EXISTING MOUNTS. ZONING INSPECTION AND FIRE INSPECTION ARE REQUIRED PRIOR TO FINAL INSPECTION WITH BUILDING INSPECTOR. SPECIAL INSPECTION REQUIRED.

B 16476	BUILDING PERMIT	25.00
Z 10537	ZONING PERMIT, NON-RESIDENTIAL	.00
	TOTAL FEE	25.00

Number TDA2018004

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 18th day of September 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15447-545000	Contract Services	\$ 660	
15447-545002	Historic Preservation	\$ 13,182	
15447-592001	Whalehead Construction	\$ 92,807	
15447-587010	T T - Operating Fund	\$ 8,475	
15390-499900	Appropriated Fund Balance		\$ 115,124
		<u><u>\$ 115,124</u></u>	<u><u>\$ 115,124</u></u>

Explanation: Various - Carry-forward purchase orders started in prior fiscal years and not complete as of June 30, 2017

Phillip Dombeck	20171124	\$ 660
Thomson Shore Inc	20170504	\$ 13,182
Retainage/Closout		\$ 92,807
Whalehead Restroom		
Kimley Horn/Econ Dev		\$ 8,475
Contract transfer		
		<u><u>\$ 115,124</u></u>

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$115,124.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Number TDA2018005

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 18th day of September 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-545000	Contract Services	\$ 200,000	
15320-415000	Occupancy Tax		\$ 200,000
		<u><u>\$ 200,000</u></u>	<u><u>\$ 200,000</u></u>

Explanation: Tourism Related Expenses (15447) - Increase appropriations for the Audubon capital assistance.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$200,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board