



## **CURRITUCK COUNTY NORTH CAROLINA**

March 5, 2018

Minutes – Regular Meeting of the Board of Commissioners

### **WORK SESSION**

#### **1. 5:00 PM Solar Array Ordinance Review**

The Currituck County Board of Commissioners held a 5 PM work session in the Historic Courthouse Conference Room to hear a review of the proposed Solar Array Ordinance. Currituck County Planner, Tammy Glave, distributed a copy of the draft ordinance and reviewed the changes which had been requested by the Board at their January, 2018, Retreat. Commissioners discussed various pieces of the ordinance in more detail and specifically addressed road setbacks, facility separation, screening opacity and location, value protection plan requirements and zoning. Maps were presented to show different setback distances and screening locations and the Board directed staff to institute a 500 foot setback requirement from North Carolina Department of Transportation (NCDOT) major arterials, a 300 foot setback from NCDOT secondary roadways, and require 100 percent opacity for both. The Board directed that plantings are to be installed prior to the start of construction on the solar project. Plantings can be installed within the setback area. Adjacent properties would require a minimum 300 foot setback or the required setback based on the zoning of the adjacent parcel, whichever is greater. At the close of the work session, the Board asked staff to bring back language related to area saturation and distance requirements between facilities along with a map denoting varying degrees of separation for solar facilities. There was no further discussion and the work session concluded at 5:48 PM.

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

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

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	Present	
Paul M. Beaumont	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Absent	
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 Frank Custer attended to offer the Invocation and lead the Pledge of Allegiance.

**B) Approval of Agenda**

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

Approved agenda:

**Work Session**

5:00 PM Solar Array Ordinance Review

**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.*

**Administrative Reports**

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

**Public Hearings**

A) **PB 18-02 LIZA BROOKE:** Text Amendment to Section 4.3.2 of the Unified Development Ordinance to Allow Housing for Poultry as an Accessory Use to a Single-Family Dwelling in the General Business Zoning District

**Old Business**

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

**New Business**

A) **Resolution - Criteria for Design-Build on the Public Safety Center**

B) **Resolution Expressing the Currituck County Board of**

**Commissioners' Opposition to Offshore Drilling and Seismic Testing****C) Board Appointments**

1. Board of Adjustment

**D) Consent Agenda**

1. Approval Of Minutes for February 19, 2018
2. Budget Amendments
3. Resolution of the Currituck County Board of Commissioners Asking North Carolina Governor Roy Cooper to Examine the Current Membership of the North Carolina Marine Fisheries Commission
4. Resolution of the Currituck County Board of Commissioners Opposing Any Adverse Change in the Definition of a Commercial Fishing Operation
5. Job Description Revision-Assistant County Manager

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

TDA-Budget Amendment

**Adjourn Meeting of the TDA****Special Meeting of the Ocean Sands Water and Sewer District**

Closed Session pursuant to G.S. 143-318.11(a)(3) to Consult with the County Attorney and to Preserve the Attorney-Client Privilege in the Matter Captioned: Coastland Corporation v. Ocean Sands Water and Sewer District

**Adjourn Meeting of the OSWSD Board**

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

Sandra Schneirla of the Virginia 4-Wheel Drive Association spoke about the Beach Parking Permit Ordinance on the agenda. She said "parking" needs to be defined and questioned both the ownership of beach area roadways and whether the County has authority to institute parking permits.

Kathryn Christian, a Corolla Property owner, spoke about the Beach Parking Permit Ordinance and questioned the intention of fees and discussed the economic impacts of instituting a parking pass.

Edward Ponton, a Corolla resident, said there are still many unanswered questions related to the parking pass and asked the Board to allow more time before implementing the system.

Mark Mormando, a Virginia Beach resident and Tidewater Broncos member, said there should be a fee for entering the beach but does not agree with a parking permit system. He questioned who has ownership of the beach.

Jim Wheeler of Moyock said he doesn't know why the parking permit is being instituted. Regarding safety, he said it would make more sense to put a gate at the fence and charge a driving fee, as parked cars are not a danger.

Mike Brigham, a resident of Newport News, says he is a long-time visitor who visits often and spends a lot of money on the Outer Banks. He wants to see the beach remain free.

Lawrence Mason, a Chesapeake resident and member of multiple off-road vehicle organizations, noted his participating in various fundraiser and cleanup events through the organizations. He said Currituck is the only remaining free site in the area for off-roading and believes further planning is needed. He said a day pass should be considered.

Christine Beaumont of Shawboro and a Corolla property owner, spoke about the Resolution on the agenda related to off-shore drilling and seismic testing. She said Currituck County has not had ample opportunity to research the issue to oppose off-shore drilling at this time. Ms. Beaumont provided statistical data and compared the high cost and low job creation that result from renewable energy projects with the significant job creation and financial contribution through royalties and taxes paid by the oil and gas industry.

Paul Gilbert of Suffolk, Virginia and a member of the Virginia Four-Wheel Drive Association, asked the Board to take their time and provide specificity within the ordinance. He posed questions related to traffic at permitting locations, policy and process, costs, and economic impacts.

With no others signed up nor wishing to speak, Chairman Hanig closed the Public Comment period.

## **ADMINISTRATIVE REPORTS**

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

Tracy Sample, Currituck County Tax Collector, reviewed the process for tax collection for delinquent property taxes. He provided collections data and noted a current balance of approximately \$780,000, currently at a 97.3% collection rate. He discussed collection methods and departmental procedures and reviewed default remedies.

He responded to Board questions. He said the County has a collection rate of about 99.9% which puts Currituck in the top 20 among counties in North Carolina.

After discussion, Commissioner Gilbert moved to put the order in for the Tax Collector to advertise the tax liens. Commissioner Payment seconded the motion and the motion passed unanimously.

**Report of Unpaid 2017 Real Estate Taxes  
and  
Order of Advertisement of Tax Liens**

To: Board of County Commissioners

From: Tracy Sample, Tax Administrator

Date: February 7, 2018

**Report of Unpaid 2017 Real Estate Taxes:**

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

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

**Order to Tax Collector to Advertise Tax Liens**

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

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

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

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

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

THIS, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

THE CURRITUCK COUNTY BOARD OF COMMISSIONERS

BY: \_\_\_\_\_ (SEAL)  
Chairman

Attest:

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

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

## PUBLIC HEARINGS

### A. PB 18-02 LIZA BROOKE:

#### PB 18-02

#### Liza Brooke

Amendment to the Unified Development Ordinance Chapter 4: Accessory Use Standards, to allow housing for poultry in the GB (General Business) zoning district.

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

**Item 1: That Chapter 4 is amended by adding the following bold underlined language in Section 4.3.2 Table of Common Accessory Uses:**

Table 4.3.2.E: Table of Common Accessory Uses																	
P = Permitted by-right		Z= Zoning Compliance Permit					U = Use Permit				MP = Allowed with master plan					blank cell = Prohibited	
Accessory Use Type	Zoning District																Additional Req. (4.3. )
	RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O	
Housing for Poultry																	
Housing for Poultry																	
		P	P			P	P	P						MP	MP		3.L

**Item 2: Statement of Consistency and Reasonableness:**

The requested zoning text amendment is consistent with the 2006 Land Use Plan because:

- It will not increase demand on public infrastructure, facilities, or services. (LUP POLICY PP2)

The request is reasonable and in the public interest because:

- It will allow the same right to house poultry as accessory use to a single-family dwelling whether the dwelling is in a residential zoning district or the GB zoning district. Housing for poultry is currently allowed by right in the Agricultural (AG), Single-Family Mainland (SFM), and Single-Family Isolate (SFI) zoning districts according to the regulations in Chapter 4 of the UDO.

**Item 3:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 4:** This ordinance amendment shall be in effect from and after the \_\_ day of \_\_, 2018.

To: Board of Commissioners

From: Planning Staff

Date: February 26, 2018

Subject: PB 18-02 Liza Brooke, Text Amendment

The enclosed text amendment submitted by Liza Brooke is intended to revise Section 4.3.2 Table of Common Accessory Uses of the Unified Development Ordinance (UDO) to allow 'Housing for Poultry' as an accessory use to a single-family dwelling in the General business (GB) zoning district. The text amendment will allow the same right to house poultry as an accessory use to a single-family dwelling whether the dwelling is in a residential zoning district or the GB zoning district. Housing for poultry is currently allowed by right in the Agricultural (AG), Single-Family Mainland (SFM), and Single-Family Isolate (SFI) zoning districts according to the regulations in Chapter 4 of the UDO.

**For Reference Purposes Only**  
**Current Definition and Standards - Housing for Poultry**

**HOUSING FOR POULTRY**

Enclosures, coups, and fenced areas intended for the care and keeping of small domestic poultry as an accessory use to a single-family dwelling unit.

#### 4.3.3 SPECIFIC STANDARDS FOR CERTAIN ACCESSORY USES

##### L. Housing for Poultry

Except within the AG district, the housing of poultry shall comply with the following standards:

- (1) No more than eight birds may be housed per lot;
- (2) Roosters are prohibited;
- (3) On-site slaughter of birds is prohibited;
- (4) All birds shall be housed within a covered enclosure or coup;
- (5) No enclosure shall be located closer than 25 feet to any residential structure or lot line; and
- (6) Birds shall be kept within a fenced enclosure at all times.

Laurie LoCicero, Planning and Community Development Director, reviewed the application for the text amendment which would allow the keeping of chickens at residential dwellings located in the General Business zoning district. Ms. LoCicero said the Planning Board recommended approval. She responded to Board questions after review and clarified that the text amendment would not override restrictive covenants within subdivisions. Standards for the housing of poultry were reviewed.

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

Commissioner Beaumont moved for approval of PB 18-02: Liza Brooke. The motion was seconded by Commissioner Gilbert and passed unanimously.

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

#### OLD BUSINESS

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

Ike McRee, County Attorney, presented the second reading of the ordinance for the institution of a beach parking permit system. In response to earlier public comments, he reviewed the county's ability to adopt the ordinance through acts taken by the North Carolina General Assembly (NCGA) granting the County authority to regulate beaches, including parking, and he specifically referred to local acts of the NCGA adopted in 1985, 1998 and 2001. He explained the ordinance represents only a regulatory framework that intentionally omits details that will be included in the policy for administration of the program.

Mr. McRee reviewed the changes requested by the Board at the first reading on March 5, 2018. In lieu of a year-long pass, parking permits would be required from the Friday

before Memorial Day through Labor Day. Additional discussion suggested setting the expiration for 11:59 PM on Labor Day; the ordinance would include language that provides for permanent, full-time residents of the off-road area north of the access ramp to receive two additional guest passes at no cost; language would be added to clarify law enforcement actions that are allowable pertaining to the return of a seized permit.

Mr. McRee and Mr. Scanlon responded to Board questions and addressed concerns about the establishment of the administrative process, both noting the effective permit process for all-terrain (ATV) and off-road vehicles (ORV). Mr. Scanlon reviewed the permit's likely design and issuing procedure. Mr. McRee said an administrative process would be built and returned to the Board for consideration and adoption.

Mr. McRee reviewed the process for communities who wish to prohibit parking or establish parking regulations behind the dune line.

Board discussion began with Commissioner White responding to some of the comments and questions raised in emails and at public comment. He said the intent of the permit system is to increase safety. He recalled a recent jeep club visit to Corolla's off-road beach that consisted of 70 vehicles as an example as to why the Board needs to get a handle on the traffic problem now. In addition, he noted he did not see one of those vehicles stop to patronize a Corolla business upon leaving the beach and addressed comments related to the permit system harming the local economy. He spoke of many comments received from visitors to Dare County and encouraged those visitors to instead stay in Currituck County. He spoke of prior discussions on beach driving and said suggestions from a beach driving committee, formed years ago, are part of the ordinance.

Commissioner Hall said the Board is not trying to discourage day trippers, and he noted the increased signage directing visitors to area attractions and alternatives for parking and public beach access in Corolla. He said he is not sure we are ready for a permit system this year and would like to see the effects of these other options, along with the other changes adopted by the Board, before implementation.

Commissioner Beaumont reiterated the policy is to promote the safety and protection of visitors, guests and residents, and was asked for by residents of Carova beach. He said no additional law enforcement personnel will be needed and issuing parking permits would be similar to what the County is already doing for ATV permits. Commissioner Beaumont encouraged people to report any problems noted with the system. He said fees collected will be used to service the community.

Commissioner Payment noted the change on the off-road area over the years. He said he appreciated comments and feedback from both sides and said the Ordinance can be adjusted and modified as needed.

When asked, Mr. McRee said law enforcement would have discretion as to defining "parking".

Commissioner Gilbert also addressed the beach driving committee, created in 2011, and said recommendations from that committee were put into place. She mentioned the

difficulty in placing signage in the off-road area. She said signage would be installed in the area before the ramp. She also reiterated the fact that the Ordinance can be modified as needed.

Chairman Hanig offered his thanks to citizens for their participation in the discussion. He said this has been years in the making and the Board will monitor the process and will listen to feedback from the community. He said the recent changes to the ordinance were made based on recommendations from citizens. Chairman Hanig commended staff and thanked Commissioners for their work.

There was no further discussion and Commissioner White moved to approve with the proposed changes as presented.

Commissioner Gilbert seconded the motion. The motion passed 5-1, with Commissioner Hall voting opposed.

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

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-145.3 a county may, by ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the State's ocean beaches and prevent or abate any unreasonable restriction of the public's right to use the State's ocean beaches; may regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris upon the State's ocean beaches; and may otherwise enforce any ordinance adopted pursuant to this section or any other of provision of law upon the State's ocean beaches located within the county's jurisdictional boundaries; and

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

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 Section 10-64 of the Code of Ordinances to read as follows:

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

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

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

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

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

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

(f) County residents residing north of the North Beach Access Ramp may obtain at no fee two additional parking permits that are not issued to a motor vehicle upon making application as provided in paragraph (b) of this section.

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

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

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

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

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

(l)(g) An appeal of seizure of a permit under this section shall be made to the county manager by filing a written notice of appeal, specifying with particularity the grounds upon which the appeal is made, no later than ten days from the date of the permit seizure. The county manager or county

manager's designee shall fix a reasonable time for the hearing of the appeal, shall give due notice to all parties and shall render a decision within a reasonable time.

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

(n) This section shall not apply to:

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

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

(3) Commercial fishermen;

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

(5) Outdoor tour operators with a valid license issued under Article IV, Chapter 8 of this Code when actively engaged in an outdoor tour.

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

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

ATTEST:

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

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Bob White, Commissioner
<b>NAYS:</b>	Mike D. Hall, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

## RECESS

To allow some of attendees to exit the Board Room, Chairman Hanig called a recess at 7:20 PM. The meeting reconvened at 7:25 PM.

## NEW BUSINESS

### A. Resolution - Criteria for Design-Build on the Public Safety Center

Dan Scanlon, County Manager, reviewed the Resolution to establish the design-build process for bidding on the County's Public Safety Center project. He responded to Board questions related to subcontractor bidding and advertising.

After discussion, Commissioner Gilbert moved to approve the Resolution. Commissioner Payment seconded and the motion passed unanimously.

### **RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS ESTABLISHING CRITERIA FOR A DESIGN-BUILD DELIVERY METHOD FOR CONSTRUCTION CONTRACTS AND APPROVAL OF USING THE DESIGN- BUILD DELIVERY METHOD FOR THE PUBLIC SAFETY CENTER PROJECT**

**WHEREAS**, pursuant to NCGS 143A-128.1A, a county may utilize the design-build delivery method for construction contracts; and,

**WHEREAS**, in order to utilize the design-build delivery method, the governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for this project; and,

**WHEREAS**, the criteria proposed and its application to the Public Safety Center project is the following:

*Criteria 1 - The extent to which the County can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder. Through the Engineering Department, the County has professional personnel that are both qualified and experienced to thoroughly define project requirements and develop an a request for qualifications.*

Criteria 2 - *The time constraints for the delivery of the project.* The timeliness of the construction is very important to the County. Currituck is in need of a central location to house its Public Safety departments, now based in offices spread throughout the County, as well as a permanent and upgraded Emergency Operations Center.

Currently, the EOC is set up on a temporary basis, as needed, in the Board of Commissioners meeting room. Having an upgraded EOC prior to the start of the 2020 hurricane season will provide greater operational effectiveness for the County. In addition, the facility will house the College of the Albemarle's Public Safety Program. Because of this partnership, the facility should be completed prior to the college's 2020 fall semester. A Design-Build process would shorten the project schedule by 6 months or more, which reduces the project schedule and provides the best option for the County to meet this timeframe.

Criteria 3 - *The ability to ensure that a quality project can be delivered.* Within the Engineering Department, the County has professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by the Board of Commissioners.

Criteria 4 - *The capability of the County to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery.* Within the Engineering Department, the County has professional and experienced personnel that are knowledgeable of design-build projects.

Criteria 5 - *A good-faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities.* The County complies with G.S. 143- 128.2, G.S. 143- 128.4. The County will require contractors to comply with the HUB goals set by the Board of Commissioners.

Criteria 6 - *The criteria utilized by the County, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified.* As stated under Criteria #2, one of the benefits of the Design-Build process is that it may reduce the overall project schedule. This has a direct benefit on the project budget. The design-build delivery method is not expected to involve any additional expense than the expected expense of a traditional RFQ, study, design, bid, and construct project. By reducing the time frame, we are eliminating the price escalation that would occur within that timeframe. Additionally, the scope of the design efforts will be reduced. This enables more of the approved project budget to go directly towards the physical improvement of the facility. These benefits to both the project schedule and cost make the design-build option more appealing than the more conventional design-bid-build in this instance.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners adopt these written criteria and determine that the design-build delivery method is

approved for utilization on Public Safety Center. Further, this Resolution shall be effective on and after the 5<sup>th</sup> day of March, 2018.

**ADOPTED this, the 5<sup>th</sup> day March, 2018.**

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

**B. Resolution Expressing the Currituck County Board of Commissioners' Opposition to Offshore Drilling and Seismic Testing**

County Attorney, Ike McRee, reviewed the Resolution which expresses Currituck County's opposition to off-shore drilling and seismic testing. He noted all of North Carolina's coastal counties have adopted a similar resolution.

During discussion, Commissioner Payment said he spoke with commercial fishermen who presented maps along with historical and current fish catch numbers, and they note a relationship between seismic testing and a reduction in fish catch numbers. Commissioner White said his constituents have expressed to him their opposition to off-shore drilling and support the adoption of the Resolution. Commissioner Gilbert said the Board delayed adoption of the Resolution to allow time to get educated on the issue, as it is very complicated.

Commissioner Beaumont asked what data the Board has gathered since discussion at the Board retreat to change their opinion. Commissioner Payment reiterated the information and data presented to him by commercial fisherman.

Chairman Hanig said part of making this decision is based on emotion, noting that tourism is a \$2.2 billion industry and he is not willing to risk it. He said the jobs we have are supported primarily by the tourism industry.

Commissioner Beaumont referred to a chart in the agenda packet that is used by the Bureau of Ocean Energy Management to show the process for which oil and gas leasing is done. He noted there are eight "gates" allowing several opportunities going forward for the Board to oppose drilling. He believes the Board is acting prematurely. Support for the continued exploration of options related to drilling were discussed, and Commissioner Beaumont listed some of the benefits of oil and gas exploration and drilling such as job creation and revenues. He discussed prior accidents and the technological and safety improvements put in place as a result and doesn't believe we know enough to make an informed decision. Commissioner Beaumont said a disaster in Virginia would impact us and the Federal government doesn't need our approval if they want to move forward.

Commissioner Hall agreed it is a tough decision, and he has spoken with fishermen and read what he could on the topic. He said he hopes there is never a need to have to test new safety innovations to see if they work, and he does not want to take the risk. He questioned why marine animals are beaching themselves.

With no further discussion, Commissioner White moved to approve. The motion was seconded by Chairman Hanig and passed 5-1, with Commissioner Beaumont opposed.

### **RESOLUTION OF THE CURRITUCK COUNTY, NORTH CAROLINA BOARD OF COMMISSIONERS EXPRESSING OPPOSITION TO OFFSHORE DRILLING AND SEISMIC TESTING**

WHEREAS, through Executive Order 1375 ordering development of a new Outer Continental Shelf Oil and Gas Leasing Program for oil and gas development, the federal government is again examining its policies relative to seismic testing, and potential offshore drilling, in the Atlantic Ocean off the North Carolina coast; and

WHEREAS, the benefits of seismic testing and offshore drilling, if any, to Currituck County, known as "Sportman's Paradise" and critical sanctuary for migratory birds, Northeastern North Carolina, or the State of North Carolina, are substantially outweighed by the unacceptable risks of harm to marine life, the coastline environment, property, business, livelihood of county residents, and their quality of life; and

WHEREAS, Currituck County hosts visitors from throughout the world whom come to enjoy the natural beauty of the county's clean beaches, Currituck Sound and marshes. The offshore exploration and drilling for oil and gas poses unacceptable risks as potential damage to Currituck County's beaches and coastline, should a spill occur, would devastate the county's natural resources and irrevocably harm the county's tourism-based economy that relies on clean, healthy waters; and

WHEREAS, it is vital that local and state officials throughout North Carolina and its neighboring states take a unified stand in opposition to offshore drilling and exploration because a mishap in one jurisdiction could negatively impact the coastal environment and economy of adjacent areas; and

WHEREAS, the State of North Carolina has a long history of hurricanes, and deep water drilling off the state's coast would increase the chances of platform failures and oil spills due to the vulnerability of the coastal waters to severe weather events; and

WHEREAS, coastal communities have historically suffered dreadful consequences of offshore energy exploration and development including the Prince William Sound, victimized by the Exxon Valdez spill, and numerous Gulf Coast communities harmed by the Deepwater Horizon Oil Spill.

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

Section 1. Currituck County opposes offshore drilling for oil and gas, and associated seismic testing, and urges the President of the United States, the Secretary of the Interior, the United States Congress, the Governor of the State of North Carolina, and the North Carolina General Assembly to oppose offshore oil and gas development policies that risk the health, safety and sound environmental stewardship of North Carolina's coastline.

Section 2. The Clerk to the Board of Commissioners is directed to forward a copy of this resolution to the President of the United States, the Secretary of the Interior, the Governor of the State of North Carolina, and the county's congressional and legislative delegations.

Section 3. This resolution is effective upon adoption.

ADOPTED this the 5<sup>th</sup> day of March, 2018.

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Bobby Hanig, Chairman
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>NAYS:</b>	Paul M. Beaumont, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

## C) Board Appointments

### 1. Board of Adjustment

Commissioner Gilbert nominated Tom Roddy to replace Joe Kovacs on the Board of Adjustment. She requested that he serve as a full member instead of an alternate. Commissioner White seconded the motion. The motion passed unanimously, 6-0.

There was discussion as to whether a new appointee to the Board of Adjustment can be seated as a full member upon appointment. Commissioner Gilbert offered to rescind her motion, but since a vote had already been taken, Commissioner Hall, as a voter in the affirmative on the prior motion, asked for the original motion be reconsidered. Commissioner Gilbert seconded and the Board voted unanimously to reconsider the original motion, 6-0.

Commissioner Gilbert nominated Tom Roddy to the Board of Adjustment and the nomination was seconded by Commissioner Hall. The nominee was unanimously approved.

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

## D) Consent Agenda

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

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

## 1) Approval Of Minutes for February 19, 2018

### 1. Minutes for February 19, 2018

### 2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10530-502100	Salaries - Overtime	\$ 200,000	
10530-505000	FICA	\$ 4,590	
10530-507000	Retirement	\$ 7,950	
10530-502000	Salaries - Regular		\$ 140,000
10530-506000	Health Insurance		\$ 72,540
		\$ 212,540	\$ 212,540
<b>Explanation:</b>	Emergency Medical Services (10530) - Transfer budgeted funds from salaries and residual health insurance to overtime necessary due to several position vacancies throughout the year and additional staffing.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10415-532000	Supplies	\$ 1,500	
10415-553000	Dues & Subscriptions		\$ 1,500
		\$ 1,500	\$ 1,500
<b>Explanation:</b>	Legal (10415) - Transfer budgeted funds for additional supplies and copies necessary for ongoing legal cases.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10650-561000	Professional Services	\$ 8,475	
10650-545000	Contracted Services		\$ 8,475
		<u>\$ 8,475</u>	<u>\$ 8,475</u>
<b>Explanation:</b>	Economic Development (10650) - Transfer budgeted funds for additional services by Artillery.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10550-590000	Capital Outlay	\$ 577	
10550-561000	Professional Services		\$ 577
		<u>\$ 577</u>	<u>\$ 577</u>
<b>Explanation:</b>	Airport (10550) - Transfer funds for emergency repairs to Airport equipment.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

### 3. Resolution of the Currituck County Board of Commissioners Asking North Carolina Governor Roy Cooper to Examine the Current Membership of the North Carolina Marine Fisheries Commission

#### RESOLUTION

#### ASKING NORTH CAROLINA GOVERNOR ROY COOPER TO EXAMINE THE CURRENT MEMBERSHIP OF THE NC MARINE FISHERIES COMMISSION

**WHEREAS**, the State's Marine Resources are a public trust, the owners of which are the 10.3 million residents of the state living from Murphy to Moyock; and

**WHEREAS**, the North Carolina Fisheries Reform Act of 1997 established the legal framework for the management of fisheries for the benefit of all citizens; and

**WHEREAS**, the North Carolina Marine Fisheries Commission is comprised of designated seats designed to balance user group interests among recreational, commercial, science, and at-large fisheries stakeholders; and

**WHEREAS**, the North Carolina Marine Fisheries Commission, whose members are appointed by the Governor, are responsible for adhering to the Fisheries Reform Act in following due process, incorporating stakeholder input, and making science-based decisions; and

**WHEREAS**, the Commission has exhibited a pattern of willfully disregarding stakeholder input, scientific expertise, and proper legal process and procedures in favor of interest group agendas; and

**WHEREAS**, improperly-made decisions by the Commission threaten food security for the state and country, and jeopardize the economic vitality of coastal communities and the occupational viability of commercial fishing families and associated businesses; and

**WHEREAS**, the Currituck County Board of Commissioners has long advocated that the North Carolina Marine Fisheries Commission serve the public interest by managing the State's fisheries resources for the benefit of all citizens in a way that provides fair and equitable treatment of both commercial and recreational fishing interests in an open and transparent way.

**NOW THEREFORE BE IT RESOLVED** that the Currituck County Board of Commissioners strongly urges North Carolina Governor Roy Cooper to examine the current membership of the North Carolina Marine Fisheries Commission and if need be to make changes to ensure that this Commission equitably balances commercial and recreational fishing interests in a way that does not benefit private interests or bring harm to others.

Adopted this the 5<sup>th</sup> day of March, 2018.

---

Bobby Hanig, Chairman

ATTEST:

---

Leeann Walton, Clerk to the Board

#### **4. Resolution of the Currituck County Board of Commissioners Opposing Any Adverse Change in the Definition of a Commercial Fishing Operation**

##### **RESOLUTION**

##### **OPPOSING ANY ADVERSE CHANGE**

##### **IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION**

**WHEREAS**, the Currituck County Board of Commissioners unanimously adopted a resolution on February 5, 2018 opposing any change in the definition of a commercial fishing operation and forwarded the Resolution for inclusion in public comments at the North Carolina Marine Fisheries Commission meeting held on February 14, 2018 in Wrightsville Beach, North Carolina; and

**WHEREAS**, the Marine Fisheries Commission at their Wrightsville Beach meeting voted 5 to 4 to change the criteria that was previously under consideration and approve a redefinition of commercial fishing; and

**WHEREAS**, the Commission's new criteria identified seven qualification components including a requirement that commercial license holders demonstrate a minimum level of participation by documenting 1000 pounds of landings through the trip ticket program during any of the two out of five continuous calendar years; and

**WHEREAS**, the new criteria advanced by the Marine Fisheries Commission would have an adverse impact on those who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to support their families; and

**WHEREAS**, imposing an arbitrary level of participation would unfairly have a harsh and punitive effect on coastal communities hit by hurricanes and other natural disasters where many commercial license holders, whose income generating season may have been entirely wiped out by a storm, are forced to temporarily divert their time and talents to other business enterprises; and

**WHEREAS**, no other professional license issued by the State dictates a level of participation in order for its holders to qualify; and

**WHEREAS**, additionally the new criteria would create a requirement that all individuals wanting to engage in commercial fishing must first complete a 3 year apprenticeship or graduate from a community college commercial fishing program before being eligible to purchase a standard commercial fishing license; and

**WHEREAS**, imposing an apprenticeship requirement would unfairly penalize those with an entrepreneurial spirit willing to invest their skills and resources in the commercial fishing industry. This requirement is counterproductive to economic development principles and would only serve to thwart individuals wanting to pursue their dream of creating a small business in our coastal communities; and

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

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

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

**WHEREAS**, the effort that is underway by the Marine Fisheries Commission to redefine Commercial Fishing is a misguided attempt to fix something that is not broken and would jeopardize coastal communities whose economy and wellbeing are dependent upon both full-time and part-time commercial fishermen and would have an adverse impact on young entrepreneurs wishing to enter the commercial fishing industry.

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

**AND BE IT FURTHER RESOLVED** that the Currituck County Board of Commissioners strongly opposes any adverse change in the definition of commercial fishing and urges the North Carolina General Assembly to take no action that would harm the hard working North Carolinians who put fresh seafood on American tables.

Adopted this the 5<sup>th</sup> day of March, 2018.

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

ATTEST:

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

## **5. Job Description Revision-Assistant County Manager**

### **E) Commissioner's Report**

Commissioner Beaumont announced his attendance at the Board of Education meeting where student Board Member Jenna Akers did a school safety presentation and discussed a simple device that can be used on classroom doors. He said it was a well done presentation and an outstanding suggestion to enhance student safety.

Commissioner Hall encouraged everyone to support their local girl scouts and buy a box of cookies.

Commissioner Gilbert reported her attendance at the County's first Habitat for Humanity home dedication, along with Chairman Hanig. She thanked all who donated, participated and attended, and provided information for those who would like to volunteer or donate. Commissioner Gilbert said she was proud to be a part of the process.

Chairman Hanig also spoke of the Habitat for Humanity house and again commended the degree of volunteerism in our community. He reported his attendance at the Albemarle Hopeline appreciation breakfast and noted the work the Albemarle Hopeline performs to help women and children.

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

Mr. Scanlon said the North Carolina Department of Transportation construction project on Waterlily Road has been rescheduled for Friday, April 6, 2018, for culvert replacements. The road will be completely shut down but the project should take less than 24 hours. The road will be reduced to one lane beginning April 2.

Mr. Scanlon said the State has contacted the County about our method of collecting white goods at convenience centers and told everyone to anticipate a change around July, when convenience centers will no longer accept items with compressors containing freon, such as air conditioners, refrigerators and freezers. These items will be accepted at the transfer station.

After receiving information from the County Attorney, Mr. Scanlon clarified vacant seats on the Board of Adjustment must be filled by an alternate member, as established by ordinance.

### **ADJOURN**

#### **Motion to Adjourn Meeting**

With there being no further business, Commissioner Gilbert moved to adjourn. The motion was seconded by Commissioner Payment and passed unanimously. The regular meeting of the Board of Commissioners adjourned at 7:57 PM.

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

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

The Currituck County Board of Commissioners held a special meeting sitting as the Tourism Development Authority immediately upon adjournment of the 6:00 PM regular meeting of the Board of Commissioners on Monday, March 5, 2018. The special meeting was held in the Board Meeting Room of the Historic Currituck Courthouse, 153 Courthouse Road, Currituck, North Carolina. The purpose of the special meeting was for consideration of a budget amendment.

### G. TDA-Budget Amendment

County Manager, Dan Scanlon, reviewed the budget amendment necessary for heating and air conditioning repairs at Whalehead.

Commissioner Gilbert motioned for approval and Commissioner White seconded. The motion passed unanimously.

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 5th day of March 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.					
			Debit		Credit
			Decrease Revenue or		Increase Revenue or
<u>Account Number</u>	<u>Account Description</u>		<u>Increase Expense</u>		<u>Decrease Expense</u>
15448-590000	Capital Outlay		\$ 9,782		
15448-516000	Maintenance & Repair			\$ 9,782	
			\$ 9,782		\$ 9,782
<b>Explanation:</b>	Occupancy Tax -Tourism Related (15448) -Transfer budgeted funds to repair/replace HVAC components at the Whalehead Club.				
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - No change.				

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

### ADJOURN MEETING OF THE TDA

With no further business, Commissioner Gilbert moved to adjourn. The motion was seconded by Commissioner White and passed unanimously. The meeting of the Tourism Development Authority concluded at 7:58 PM.

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

### **SPECIAL MEETING OF THE OCEAN SANDS WATER AND SEWER DISTRICT**

The Currituck County Board of Commissioners held a special meeting on Monday, March 5, 2018, sitting as the Ocean Sands Water & Sewer District following the 6:00 PM regular meeting of the Board of Commissioners. The meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina. The purpose of the meeting was to enter Closed Session.

#### **H. Closed Session pursuant to G.S. 143-318.11(a)(3) to Consult with the County Attorney and to Preserve the Attorney-Client Privilege in the Matter Captioned: Coastland Corporation v. Ocean Sands Water and Sewer District**

Chairman Hanig moved to enter Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and Attorney for the District, and to preserve the attorney-client privilege in the matter captioned: Coastland Corporation v. Ocean Sands Water and Sewer District.

The motion was seconded by Commissioner White. The motion passed unanimously and the Board entered Closed Session.

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

### **ADJOURN MEETING OF THE OSWSD BOARD**

There was no further business after returning from Closed Session and Commissioner Hall moved to adjourn. The motion was seconded by Commissioner White, carried unanimously, and the meeting of the Ocean Sands Water and Sewer District Board concluded at 8:52 PM.



# COUNTY OF CURRITUCK

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

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

## Report of Unpaid 2017 Real Estate Taxes

and

## Order of Advertisement of Tax Liens

To: Board of County Commissioners

From: Tracy Sample, Tax Administrator

Date: February 7, 2018

### Report of Unpaid 2017 Real Estate Taxes:

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

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

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

## Order to Tax Collector to Advertise Tax Liens

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

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

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

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

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

THIS, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

THE CURRITUCK COUNTY BOARD OF COMMISSIONERS

BY: \_\_\_\_\_ (SEAL)  
Chairman

Attest:

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



## **COUNTY OF CURRITUCK**

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

To: Board of Commissioners

From: Planning Staff

Date: February 26, 2018

Subject: PB 18-02 Liza Brooke, Text Amendment

---

The enclosed text amendment submitted by Liza Brooke is intended to revise Section 4.3.2 Table of Common Accessory Uses of the Unified Development Ordinance (UDO) to allow 'Housing for Poultry' as an accessory use to a single-family dwelling in the General business (GB) zoning district. The text amendment will allow the same right to house poultry as an accessory use to a single-family dwelling whether the dwelling is in a residential zoning district or the GB zoning district. Housing for poultry is currently allowed by right in the Agricultural (AG), Single-Family Mainland (SFM), and Single-Family Isolate (SFI) zoning districts according to the regulations in Chapter 4 of the UDO.

### **For Reference Purposes Only** **Current Definition and Standards – Housing for Poultry**

#### **HOUSING FOR POULTRY**

Enclosures, coups, and fenced areas intended for the care and keeping of small domestic poultry as an accessory use to a single-family dwelling unit.

#### **4.3.3 SPECIFIC STANDARDS FOR CERTAIN ACCESSORY USES**

##### **L. Housing for Poultry**

Except within the AG district, the housing of poultry shall comply with the following standards:

- (1) No more than eight birds may be housed per lot;
- (2) Roosters are prohibited;

Attachment: 18-02 Liza Brooke Memo.docx (PB 18-02 LIZA BROOKE)

- (3) On-site slaughter of birds is prohibited;
- (4) All birds shall be housed within a covered enclosure or coup;
- (5) No enclosure shall be located closer than 25 feet to any residential structure or lot line; and
- (6) Birds shall be kept within a fenced enclosure at all times.

**PB 18-02  
Liza Brooke**

Amendment to the Unified Development Ordinance Chapter 4: Accessory Use Standards, to allow housing for poultry in the GB (General Business) zoning district.

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

**Item 1:** That Chapter 4 is amended by adding the following bold underlined language in Section 4.3.2 Table of Common Accessory Uses:

TABLE 4.3.2.E: TABLE OF COMMON ACCESSORY USES																	
P = Permitted by-right    Z= Zoning Compliance Permit    U = Use Permit    MP = Allowed with master plan    blank cell = Prohibited																	
ACCESSORY USE TYPE	ZONING DISTRICT															ADDITIONAL REQ. (4.3. )	
	RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M		PD-O
Housing for Poultry		P	P			P	P	<u>P</u>						MP	MP		3.L

**Item 2:** Statement of Consistency and Reasonableness:

The requested zoning text amendment is consistent with the 2006 Land Use Plan because:

- It will not increase demand on public infrastructure, facilities, or services. (LUP POLICY PP2)

The request is reasonable and in the public interest because:

- It will allow the same right to house poultry as accessory use to a single-family dwelling whether the dwelling is in a residential zoning district or the GB zoning district. Housing for poultry is currently allowed by right in the Agricultural (AG), Single-Family Mainland (SFM), and Single-Family Isolate (SFI) zoning districts according to the regulations in Chapter 4 of the UDO.

**Item 3:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 4:** This ordinance amendment shall be in effect from and after the \_\_\_\_ day of \_\_\_\_\_, 2018.

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

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

DATE ADOPTED: \_\_\_\_\_  
MOTION TO ADOPT BY COMMISSIONER: \_\_\_\_\_  
SECONDED BY COMMISSIONER: \_\_\_\_\_  
VOTE: \_\_\_\_AYES \_\_\_\_NAYS  
.....

PLANNING BOARD DATE: February 13, 2017  
PLANNING BOARD RECOMMENDATION: Approval  
VOTE: 5 AYES 0 NAYS  
ADVERTISEMENT DATE OF PUBLIC HEARING: 2/21/18 & 2/28/18  
BOARD OF COMMISSIONERS PUBLIC HEARING: 3/5/18  
BOARD OF COMMISSIONERS ACTION: \_\_\_\_\_  
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: \_\_\_\_\_  
AMENDMENT NUMBER: \_\_\_\_\_

Attachment: 18-02 Liza Brooke Staff Report (PB 18-02 LIZA BROOKE)



## Text Amendment Application

**OFFICIAL USE ONLY:**

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

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

Name: Liza Brooke  
 Address: 154 Moyock Landing Drive  
Moyock, NC 27958  
 Telephone: 252-672-9515  
 E-Mail Address: Liza.Brooke@aol.com

**Request**

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

Amend Chapter(s) 4 Section(s) 4.3.2E as follows:

I would like to amend the table  
of common accessory uses to allow  
housing for poultry in the general business  
zoning district.

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

[Signature]  
 Petitioner

12-19-17  
 Date

**Text Amendment Submittal Checklist**

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

## Text Amendment Submittal Checklist

Date Received: 12-19-17

Project Name: Text Amend - Chickens Acc Use - GAB

Applicant/Property Owner: Liza Brooke

**Text Amendment Submittal Checklist**

1	Complete Text Amendment application	<input checked="" type="checkbox"/>
2	Application fee (\$150)	<input checked="" type="checkbox"/>
3	3 hard copies of ALL documents	<input checked="" type="checkbox"/>
4	1 PDF digital copy of all documents (ex. Compact Disk – e-mail not acceptable)	<input checked="" type="checkbox"/>

**For Staff Only****Pre-application Conference**

Pre-application Conference was held on 12-19-17 and the following people were present:

Tammy D. Glave, CZO

**Comments**

*This Application  
is complete.  
tdg  
12/19-17*

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

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-145.3 a county may, by ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the State's ocean beaches and prevent or abate any unreasonable restriction of the public's right to use the State's ocean beaches; may regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris upon the State's ocean beaches; and may otherwise enforce any ordinance adopted pursuant to this section or any other of provision of law upon the State's ocean beaches located within the county's jurisdictional boundaries; and

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

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 Section 10-64 of the Code of Ordinances to read as follows:

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

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

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

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

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

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

(f) County residents residing north of the North Beach Access Ramp may obtain at no fee two additional parking permits that are not issued to a motor vehicle upon making application as provided in paragraph (b) of this section.

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

1 vehicle. Liability insurance on the motor vehicle shall be maintained  
 2 continuously throughout the term of the permit.

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

9  
 10 ~~(i)(d)~~ County residents and property owners, operating mopeds, motorcycles  
 11 or ORV's shall ensure that these vehicles have a valid permit prominently  
 12 displayed at all times while operating, or parked, on the Currituck County  
 13 outer banks, beach foreshore or beach strand.

14  
 15 ~~(j)(e)~~ Any sworn law enforcement officer with jurisdiction is authorized to  
 16 take possession of any permit issued pursuant to this section upon expiration,  
 17 revocation, cancellation, or suspension thereof, or which is fictitious, or which  
 18 has been unlawfully or erroneously issued, which has been unlawfully used or  
 19 upon issuance of citation for violation of section 10-59 of this Code. Any law  
 20 enforcement officer who seizes a permit pursuant to this section shall report  
 21 the seizure to the county manager's office within 48 hours of the seizure and  
 22 shall return the permit to the county manager's office within seven business  
 23 days of the seizure.

24  
 25 ~~(k)(f)~~ The county manager or county manager's designee shall refuse  
 26 issuance of an permit under this section for a period of one year following  
 27 seizure of a permit by a law enforcement officer pursuant to this section.

28  
 29 ~~(l)(g)~~ An appeal of seizure of a permit under this section shall be made to the  
 30 county manager by filing a written notice of appeal, specifying with  
 31 particularity the grounds upon which the appeal is made, no later than ten  
 32 days from the date of the permit seizure. The county manager or county  
 33 manager's designee shall fix a reasonable time for the hearing of the appeal,  
 34 shall give due notice to all parties and shall render a decision within a  
 35 reasonable time.

36  
 37 ~~(m)(h)~~ The county manager is directed and authorized to establish forms,  
 38 procedures, and directives as may be required to implement this permit system  
 39 and ensure that it is run in an effective, safe, and fair manner.

(n) This section shall not apply to:

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

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

(3) Commercial fishermen;

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

(5) Outdoor tour operators with a valid license issued under Article IV, Chapter 8 of this Code when actively engaged in an outdoor tour.

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

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

ATTEST:

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

1 APPROVED AS TO FORM:

2 \_\_\_\_\_  
3 Donald I. McRee, Jr., County Attorney

4  
5 Date adopted: \_\_\_\_\_

6  
7 FIRST READING

8 Motion to adopt by Commissioner \_\_\_\_\_

9 Second by Commissioner \_\_\_\_\_

10 Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS

11  
12 SECOND READING

13 Motion to adopt by Commissioner \_\_\_\_\_

14 Second by Commissioner \_\_\_\_\_

15 Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS  
ESTABLISHING CRITERIA FOR A DESIGN-BUILD DELIVERY METHOD FOR  
CONSTRUCTION CONTRACTS AND APPROVAL OF USING THE DESIGN-BUILD  
DELIVERY METHOD FOR THE PUBLIC SAFETY CENTER PROJECT**

**WHEREAS**, pursuant to NCGS 143A-128.1A, a county may utilize the design-build delivery method for construction contracts; and,

**WHEREAS**, in order to utilize the design-build delivery method, the governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for this project; and,

**WHEREAS**, the criteria proposed and its application to the Public Safety Center project is the following:

Criteria 1 – *The extent to which the County can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder.* Through the Engineering Department, the County has professional personnel that are both qualified and experienced to thoroughly define project requirements and develop an a request for qualifications.

Criteria 2 - *The time constraints for the delivery of the project.* The timeliness of the construction is very important to the County. Currituck is in need of a central location to house its Public Safety departments, now based in offices spread throughout the County, as well as a permanent and upgraded Emergency Operations Center. Currently, the EOC is set up on a temporary basis, as needed, in the Board of Commissioners meeting room. Having an upgraded EOC prior to the start of the 2020 hurricane season will provide greater operational effectiveness for the County. In addition, the facility will house the College of the Albemarle's Public Safety Program. Because of this partnership, the facility should be completed prior to the college's 2020 fall semester. A Design-Build process would shorten the project schedule by 6 months or more, which reduces the project schedule and provides the best option for the County to meet this timeframe.

Criteria 3 - *The ability to ensure that a quality project can be delivered.* Within the Engineering Department, the County has professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by the Board of Commissioners.

Criteria 4 - *The capability of the County to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery.* Within the Engineering Department, the County has professional and experienced personnel that are knowledgeable of design-build projects.

Criteria 5 - *A good-faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities.* The County complies with G.S. 143- 128.2,

G.S. 143- 128.4. The County will require contractors to comply with the HUB goals set by the Board of Commissioners.

*Criteria 6 - The criteria utilized by the County, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified. As stated under Criteria #2, one of the benefits of the Design-Build process is that it may reduce the overall project schedule. This has a direct benefit on the project budget. The design-build delivery method is not expected to involve any additional expense than the expected expense of a traditional RFQ, study, design, bid, and construct project. By reducing the time frame, we are eliminating the price escalation that would occur within that timeframe. Additionally, the scope of the design efforts will be reduced. This enables more of the approved project budget to go directly towards the physical improvement of the facility. These benefits to both the project schedule and cost make the design-build option more appealing than the more conventional design-bid-build in this instance.*

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners adopt these written criteria and determine that the design-build delivery method is approved for utilization on Public Safety Center. Further, this Resolution shall be effective on and after the 5<sup>th</sup> day of March, 2018.

**ADOPTED this, the 5<sup>th</sup> day March, 2018.**

**ATTEST:**

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

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

**RESOLUTION OF THE CURRITUCK COUNTY, NORTH CAROLINA  
BOARD OF COMMISSIONERS EXPRESSING OPPOSITION TO  
OFFSHORE DRILLING AND SEISMIC TESTING**

WHEREAS, through Executive Order 1375 ordering development of a new Outer Continental Shelf Oil and Gas Leasing Program for oil and gas development, the federal government is again examining its policies relative to seismic testing, and potential offshore drilling, in the Atlantic Ocean off the North Carolina coast; and

WHEREAS, the benefits of seismic testing and offshore drilling, if any, to Currituck County, known as “Sportman’s Paradise” and critical sanctuary for migratory birds, Northeastern North Carolina, or the State of North Carolina, are substantially outweighed by the unacceptable risks of harm to marine life, the coastline environment, property, business, livelihood of county residents, and their quality of life; and

WHEREAS, Currituck County hosts visitors from throughout the world whom come to enjoy the natural beauty of the county’s clean beaches, Currituck Sound and marshes. The offshore exploration and drilling for oil and gas poses unacceptable risks as potential damage to Currituck County’s beaches and coastline, should a spill occur, would devastate the county’s natural resources and irrevocably harm the county’s tourism-based economy that relies on clean, healthy waters; and

WHEREAS, it is vital that local and state officials throughout North Carolina and its neighboring states take a unified stand in opposition to offshore drilling and exploration because a mishap in one jurisdiction could negatively impact the coastal environment and economy of adjacent areas; and

WHEREAS, the State of North Carolina has a long history of hurricanes, and deep water drilling off the state's coast would increase the chances of platform failures and oil spills due to the vulnerability of the coastal waters to severe weather events; and

WHEREAS, coastal communities have historically suffered dreadful consequences of offshore energy exploration and development including the Prince William Sound, victimized by the Exxon Valdez spill, and numerous Gulf Coast communities harmed by the Deepwater Horizon Oil Spill.

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

Section 1. Currituck County opposes offshore drilling for oil and gas, and associated seismic testing, and urges the President of the United States, the Secretary of the Interior, the United States Congress, the Governor of the State of North Carolina, and the North Carolina General Assembly to oppose offshore oil and gas development policies that risk the health, safety and sound environmental stewardship of North Carolina's coastline.

Section 2. The Clerk to the Board of Commissioners is directed to forward a copy of this resolution to the President of the United States, the Secretary of the Interior, the Governor of the State of North Carolina, and the county's congressional and legislative delegations.

Section 3. This resolution is effective upon adoption.

ADOPTED this the 5<sup>th</sup> day of March, 2018.

---

Bobby Hanig, Chairman  
Currituck County Board of Commissioners

ATTEST:

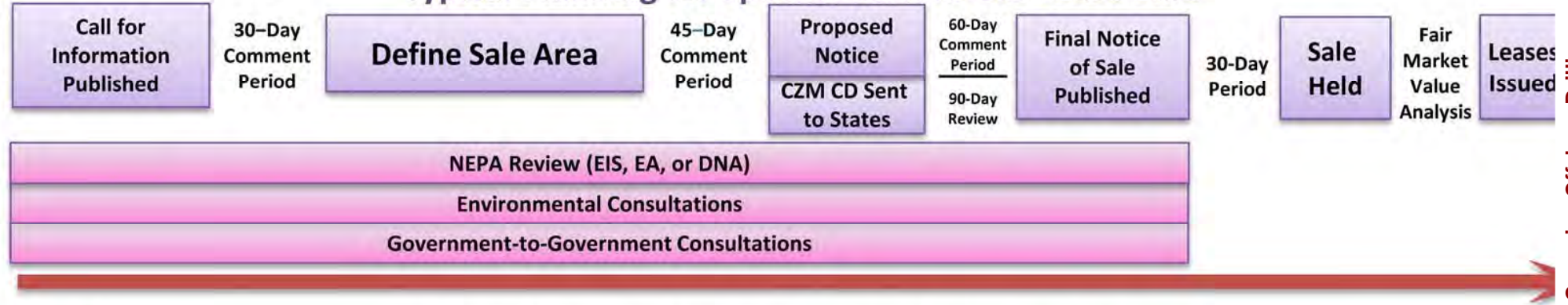
---

Leeann Walton,  
Clerk to the Board of Commissioners

(COUNTY SEAL)



## Typical Planning for Specific Oil and Gas Lease Sale



## Post-Lease

## Oil and Gas Exploration Plan and Drilling Approval



## Oil and Gas Development and Production Plan Approval



**BOARD OF ADJUSTMENT**  
**3-Year Terms**

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
<b>Donna McCloud</b>	District 1		Bob White	01/05/2015	<b>1st Term</b> 12/31/2017
Matthew Battey	District 2		Bobby Hanig	5/15/2017	<b>Unexpired Term</b> 12/31/2018
Zia Montessi	District 3		Mike Payment	4/3/2017	<b>1st Term</b> 12/31/2019
Greg Hammer-Alt	District 4		Paul Beaumont	5/15/2017	<b>1st Term</b> 12/31/2019
Joseph Kovacs	District 5		Marion Gilbert	5/15/2017	<b>1st Term</b> 12/31/2019
<b>Mike Painter</b>	At Large		Mike Hall	8/20/2012	<b>2nd Term</b> 12/31/2017
				12/1/2014	
Troy Breathwaite-Alt	At-Large		Kitty Etheridge		<b>1st Term</b> 12/31/2020
				12/4/2017	

Can be reappointed

Must be replaced



**CURRITUCK COUNTY  
NORTH CAROLINA**

February 19, 2018

Minutes – Regular Meeting of the Board of Commissioners

**WORK SESSION**

**1. 5:00 PM Outer Banks Chamber of Commerce-Community Housing Initiative**

The Board of Commissioners attended a 5:00 PM work session in the Conference Room of the Historic Currituck Courthouse to hear a presentation on the need for more affordable workforce housing in Dare and Currituck Counties. Bob Peele, Outer Banks Chamber of Commerce, used a powerpoint to present data demonstrating the area's high housing costs and challenges in this regard for business owners with filling job vacancies and retaining employees. He reviewed the negative impacts to the area as a result of higher living costs and Mr. Peele reviewed recommendations such as revising land use, zoning and density regulations as ways to increase the availability of affordable housing.

**6:00 PM CALL TO ORDER**

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

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

Chairman Hanig called the meeting to order.

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

Reverend Dan Bergey was present to offer the Invocation and lead the Pledge of Allegiance.

**B) Approval of Agenda**

Commissioner Gilbert moved to approve the Agenda with the following amendments:

Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)

- Remove Item 3-Report of Unpaid 2017 Real Estate Taxes & Order of Tax Lien Advertisement from the Consent Agenda
- Move the Public Comment period to be heard under New Business prior to Item B.

Commissioner White seconded the motion and the motion passed unanimously.

Approved agenda:

### **Work Session**

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

### **6:00 PM Call to Order**

- A) Invocation & Pledge of Allegiance-Reverend Dan Bergey, New Life Church
- B) Approval of Agenda

### **Public Comment**

~~*Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes. This item was moved to New Business, to be heard prior to Item B: Consideration of an amendment to Chapter 10 of the Code of Ordinances-Permitting System for Beach Parking*~~

### **Public Hearings**

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

### **New Business**

- A) **Resolution of the Currituck County Board of Commissioners Requesting Funding by the North Carolina Department of Transportation High Impact/Low Cost Road Program for Knotts Island Causeway/North**

**Carolina Highway 615 Stabilization****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.*

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

**C) Board Appointments**

1. Carova Beach Road Service District Committee

**D) Consent Agenda**

1. Approval Of Minutes for February 5, 2018
2. Budget Amendments
3. ~~Report of Unpaid 2017 Real Estate Taxes & Order of Tax Lien Advertisement~~ ***This item was removed from the agenda.***
4. Trillium Fiscal Monitoring Report/Persons Served Data Report
5. Verizon Tower Lease Agreement Amendment-734 Ocean Trail
6. Moyock High School Reunion Committee-Fee Waiver Request

**E) Commissioner's Report**

**F) County Manager's Report**

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

Budget Amendments

**Adjourn Special Meeting**

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

**PUBLIC HEARINGS**

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

**APPLICATION SUMMARY**

Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)

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

SURROUNDING PARCELS		
	LAND USE	ZONING
NORTH	UNDEVELOPED/RESIDENTIAL	SFM
SOUTH	UNDEVELOPED/FARMLAND (PROPOSED SUBDIVISION)	SFM
EAST	UNDEVELOPED/RESIDENTIAL	SFM / AG
WEST	RESIDENTIAL SUBDIVISION (DUSTIN ACRES)	C-SFM

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

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

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

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

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

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

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

<b>INFRASTRUCTURE</b>	
<b>WATER</b>	PUBLIC
<b>SEWER</b>	SEPTIC
<b>TRANSPORTATION</b>	PEDESTRIAN: SIDEWALKS ON BOTH SIDES OF STREET
	CONNECTIVITY SCORE: 1
<b>STORMWATER/DRAINAGE</b>	STORMWATER BASIN / LOT LINE AND ROADSIDE SWALES
<b>SCHOOLS</b>	ELEMENTARY STUDENTS GENERATED: 3.25
	MIDDLE SCHOOL STUDENTS GENERATE: 1.04
	HIGH SCHOOL STUDENTS GENERATED: 1.82
<b>COMPATIBILITY</b>	SIMILAR USE AND LOT SIZE TO SURROUNDING AREAS
<b>RECREATION AND PARK AREA DEDICATION</b>	PAYMENT-IN-LIEU OF DEDICATION (0.33 ACRES) = \$4,215.29

<b>RECOMMENDATIONS</b>
<b>TECHNICAL REVIEW COMMITTEE</b>

THE TECHNICAL REVIEW COMMITTEE RECOMMENDS ADOPTION OF THE USE PERMIT AND APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

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

<b>USE PERMIT REVIEW STANDARDS</b>
------------------------------------

The use will not endanger the public health or safety.

PRELIMINARY APPLICANT FINDINGS:

4. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY. THE USE IS PROPOSED TO BE SINGLE FAMILY RESIDENTIAL DWELLINGS WITH NO COMMERCIAL OR INDUSTRIAL USES.

Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)

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

**PRELIMINARY APPLICANT FINDINGS:**

1. THE PROPOSED SUBDIVISION WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING LANDS. THE PROPOSED SUBDIVISION WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS LOCATED, IS CONSISTENT WITH SURROUNDING USES, AND WILL NOT ADVERSELY IMPACT ADJACENT PROPERTIES.

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

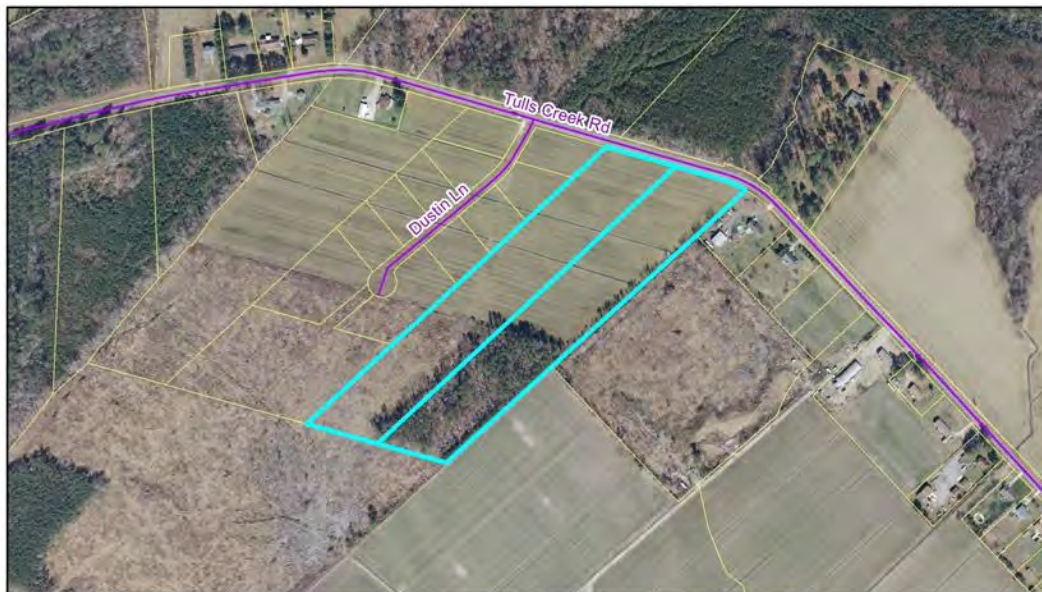
**PRELIMINARY STAFF FINDINGS:**

1. THE PROPOSED SUBDIVISION IS IN GENERAL CONFORMANCE WITH THE COUNTY'S LAND USE PLAN AND CURRENT UDO. THE PROPOSED SUBDIVISION WILL BE HELD TO THE UDO STANDARDS FOR LAYOUT, SCREENING, AND OTHER REQUIREMENTS. THE MOYOCK SMALL AREA PLAN CLASSIFIES THE SITE AS LIMITED SERVICE ON THE FUTURE LAND USE MAP.

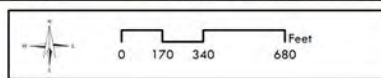
The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

**PRELIMINARY STAFF FINDINGS:**

1. THE PROPOSED SUBDIVISION WILL NOT EXCEED THE COUNTY'S ABILITY TO PROVIDE ADEQUATE PUBLIC FACILITIES. UTILITY SERVICES ARE AVAILABLE TO THE SITE AND ONSITE WASTEWATER DISPOSAL WILL BE DESIGNED AND PERMITTED IN ACCORDANCE WITH THE STATE RULES AND STANDARDS.
2. THE STUDENT GENERATION RATES ARE AS FOLLOWS:
  - A. ELEMENTARY STUDENTS GENERATED: 3.25
  - B. MIDDLE SCHOOL STUDENTS GENERATED: 1.04
  - C. HIGH SCHOOL STUDENTS GENERATED: 1.82

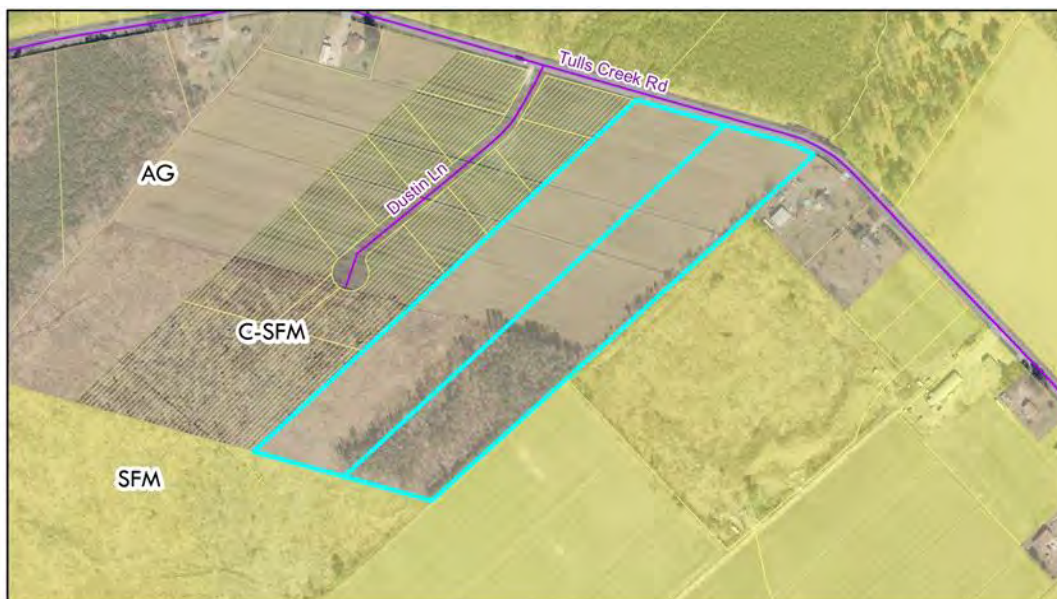


PB 18-01 Foxglove Acres  
Preliminary Plat - Use Permit  
Aerial

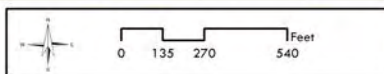


Currituck County  
Planning and  
Community Development

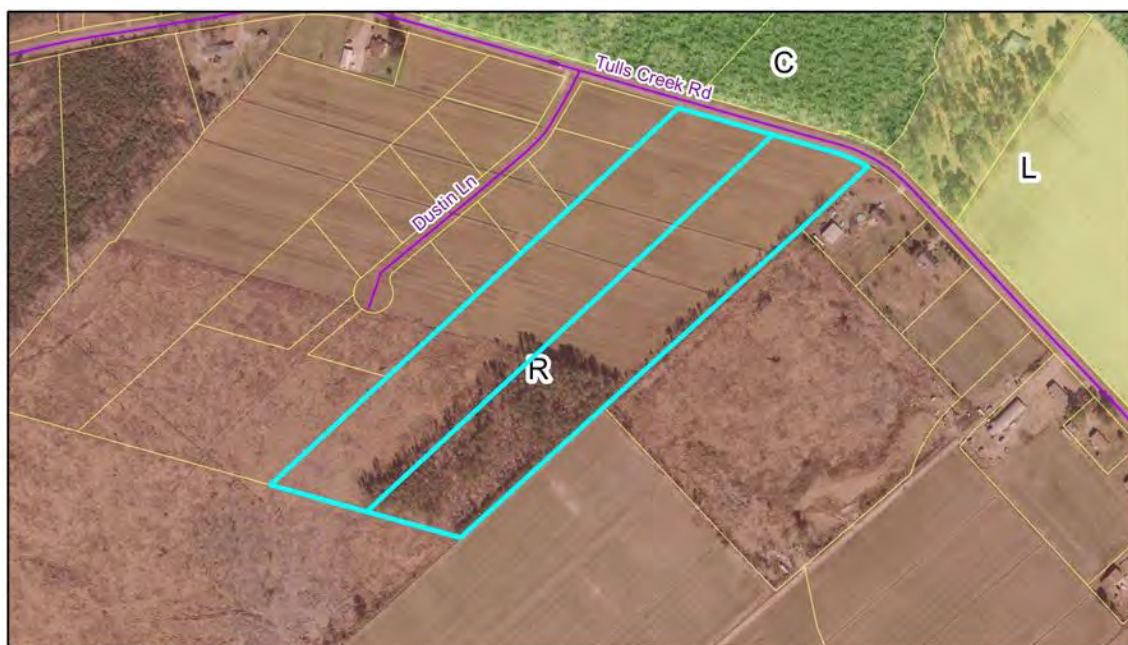
Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)



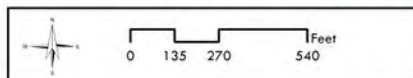
PB 18-01 Foxglove Acres  
Preliminary Plat - Use Permit  
Zoning



Currituck County  
Planning and  
Community Development

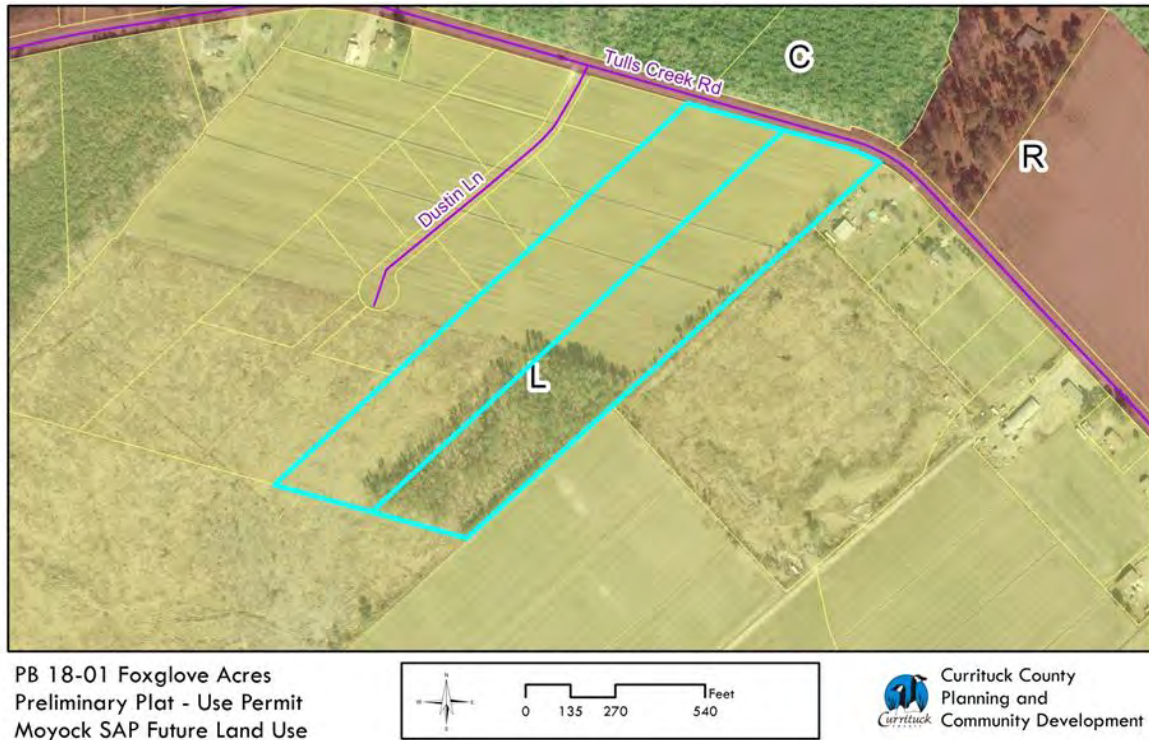


PB 18-01 Foxglove Acres  
Preliminary Plat - Use Permit  
LUP Classifications



Currituck County  
Planning and  
Community Development

Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)



Parties were sworn and Planning and Community Development Director, Laurie LoCicero, reviewed the use permit application with the Board of Commissioners. Ms. LoCicero, in response to Board questions, clarified lot sizes and provided additional information on stormwater drainage and ditching.

After the Planning presentation, sworn testimony was provided by Dylan Tillet, Quible and Associates Engineer, who confirmed the installation of a new properly-sized culvert for drainage improvement and answered questions related to stormwater, ditching and positioning of the cluster mailbox. Mr. Tillet also clarified roadway and shoulder widths.

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

Commissioner Payment moved to approve PB 18-01 with recommendations included in the staff report, that it will not endanger the public health or safety because it is a residential single-family dwelling subdivision consisting of 40,000 square foot lots; it will not injure the value of adjoining or abutting lands and will be in harmony with the surrounding area; it will be in conformity with the Land Use Plan and Moyock Small Area Plan; and will not exceed the county's public facility requirements.

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

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

**B. PB 16-17 SB&K Investments LLC:**

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

<b>SURROUNDING PARCELS</b>		
	<b>LAND USE</b>	<b>ZONING</b>
NORTH	VACANT	C-SFM
SOUTH	SINGLE FAMILY DWELLINGS	GB
EAST	ASSISTED LIVING FACILITY	GB
WEST	VACANT	GB

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

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

The amended Conditional-Mixed Residential (C-MXR) district request is reasonable because the district accommodates a wide variety of residential uses at moderate densities, including multi-family

dwellings. The district is intended to provide much needed moderate cost housing for county residents within well-designed neighborhoods. The multi-family project is subject to appropriate community forms, compatibility, and design standards to ensure a well-designed neighborhood. This multi-family development will serve as a transition between General Business (GB) development along Caratoke Highway and the assisted living facility and neighborhood (Shingle Landing) to the east.

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

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

#### **RECOMMENDATIONS TECHNICAL REVIEW COMMITTEE**

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

THE AMENDED CONDITIONAL ZONING REQUEST IS CONSISTENT WITH THE 2006 LAND USE PLAN BECAUSE:

- COUNTY WATER AND SEWER ARE AVAILABLE TO THE SITE AND THIS USE WILL HELP GROW THESE SYSTEMS. (POLICY ES1)
- IT IS AT A DENSITY APPROPRIATE FOR THE LOCATION. (POLICY HN1)
- ADEQUATE PUBLIC FACILITIES ARE AVAILABLE TO SERVICE THE PROJECT. (PP2)
- IT IS LOCATED IN THE FASTEST GROWING AREA OF THE COUNTY THAT CONTINUES TO EVOLVE AS A FULL SERVICE COMMUNITY. (MOYOCK POLICY EMPHASIS)

THE AMENDED CONDITIONAL REZONING REQUEST IS CONSISTENT WITH THE MOYOCK SMALL AREA PLAN BECAUSE:

- THERE WILL BE A SIDEWALK CONNECTION TO THE ASSISTED LIVING FACILITY, PARK, AND SUBDIVISION TO THE EAST. (TR2)
- INFRASTRUCTURE AND SERVICE NEEDS OF THE COMMUNITY ARE MET. (IS2)
- IMPERVIOUS LOT COVERAGE IS REDUCED AND STORMWATER IS PROPERLY MANAGED. (IS4)
- IT IS COMPATIBLE WITH A RURAL ATMOSPHERE, TRANSITIONAL AREAS, AND A SMALL TOWN, MAIN STREET FEEL. (CC1)

THE AMENDED REQUEST IS REASONABLE AND IN THE PUBLIC INTEREST BECAUSE:

- IT CREATES A NEW RESIDENTIAL USE TYPE, MULTI-FAMILY, AT AN APPROPRIATE DENSITY FOR THE AREA WHERE COUNTY WATER AND SEWER ARE AVAILABLE.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

#### **CONDITIONS OF APPROVAL**

**ONLY CONDITIONS MUTUALLY AGREED TO BY THE OWNER(S) MAY BE APPROVED AS PART OF A CONDITIONAL ZONING DISTRICT. CONDITIONS SHALL BE LIMITED TO THOSE THAT ADDRESS CONFORMANCE OF DEVELOPMENT AND USE OF THE SITE WITH COUNTY REGULATIONS AND ADOPTED PLANS AND THAT ADDRESS THE IMPACTS REASONABLY EXPECTED TO BE GENERATED BY THE DEVELOPMENT OR USE. NO CONDITION SHALL BE LESS RESTRICTIVE THAN THE STANDARDS OF THE PARALLEL GENERAL USE ZONING DISTRICT.**

**Suggested conditions of approval:**

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

**PLANNING BOARD**

THE PLANNING BOARD RECOMMENDED APPROVAL OF THIS REQUEST SUBJECT TO THE CONSISTENCY AND REASONABLENESS STATEMENTS AND THE FOLLOWING CONDITIONS:

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

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

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

**Planning Board Discussion - January 9, 2018**

Senior Planner, Tammy Glave presented the staff report. This was originally rezoned to Conditional-MXR on February 6, 2017. It is located adjacent to the Currituck House assisted living facility. Ms. Glave explained the changes being requested and the reason the changes were needed. Once the applicant proceeded with the engineering phase of the project, it was discovered that there was too much lot coverage to qualify for a low density stormwater permit. Changes were made with reorientation of buildings and infrastructure on the property to lower the impervious lot coverage. One of the concerns that staff had was seeing the side of building and the applicant has agreed to add extra architectural detail. Ms. Glave presented various slides showing the original Elevations verses the new Elevations, location, the Land Use Plan classification and the Moyock Small Area Plan classification, etc. The TRC has recommended approval as presented.

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

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

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

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

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

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

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

### **Motion**

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

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

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

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

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

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

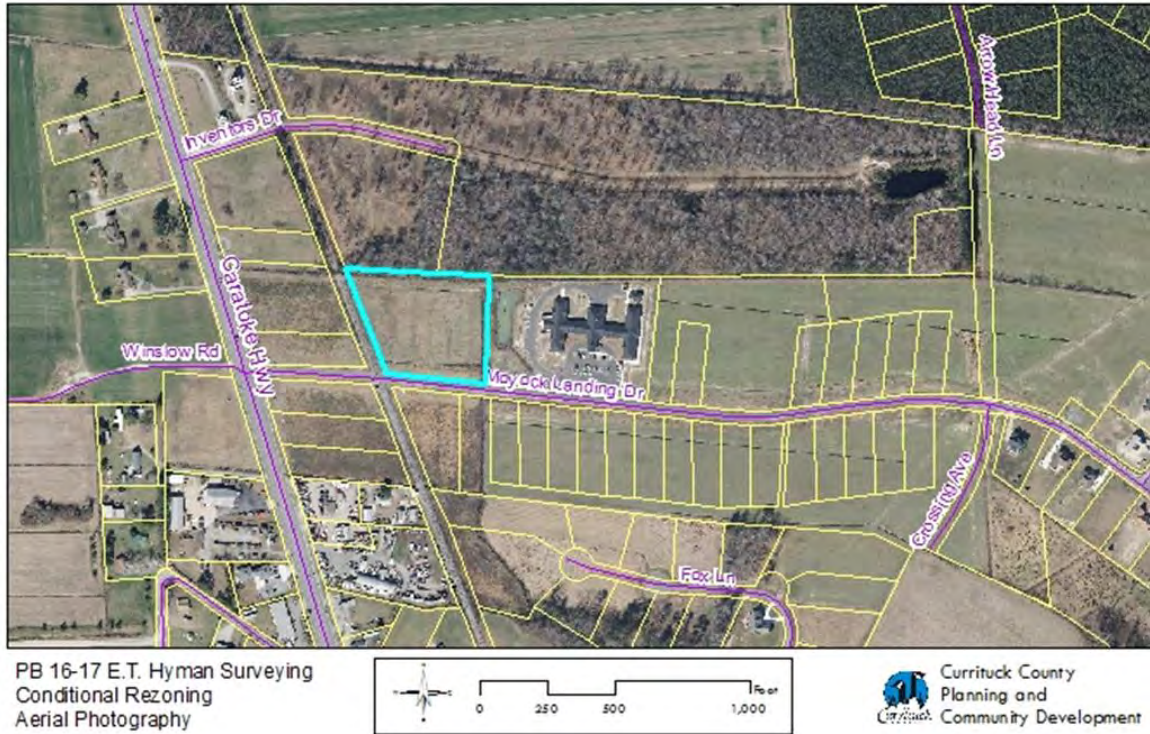
With added conditions made by the TRC:

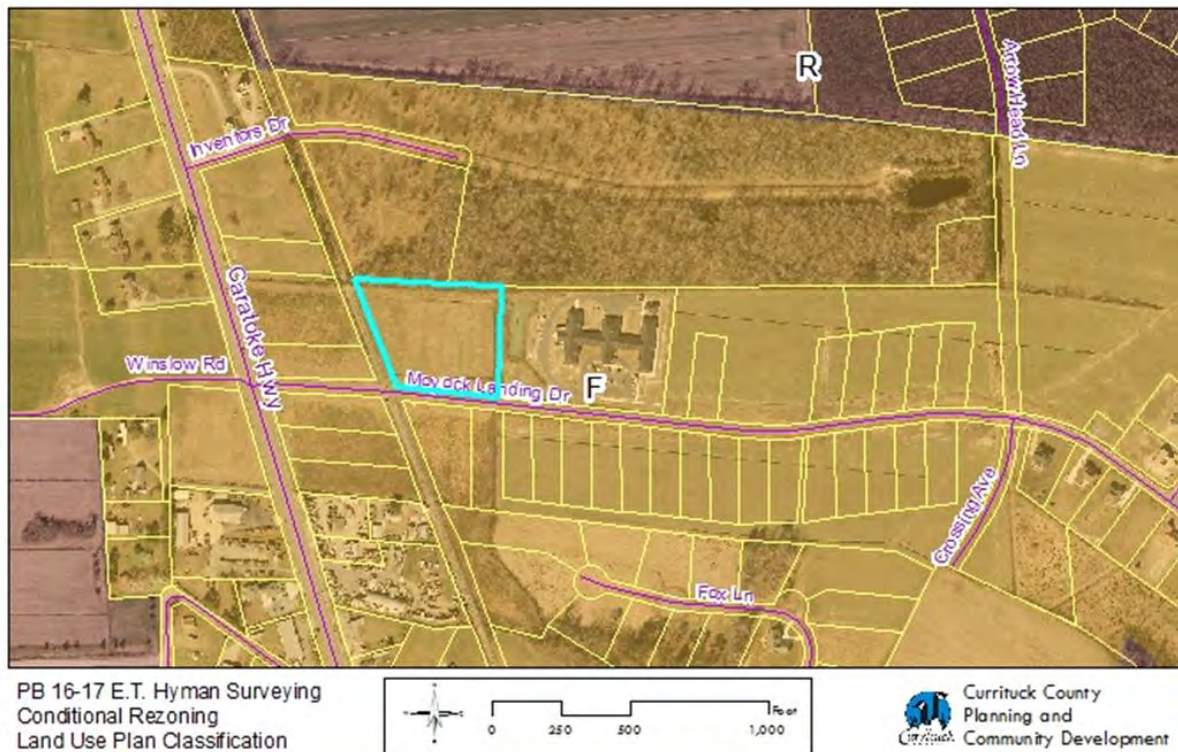
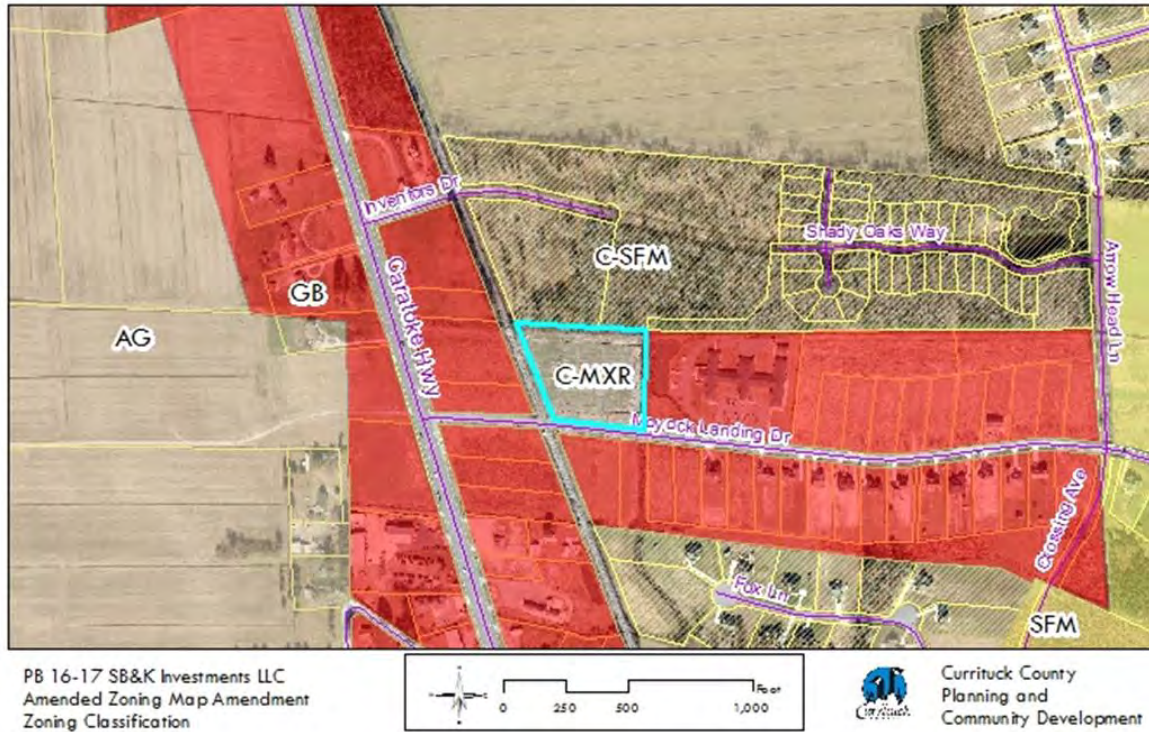
1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory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

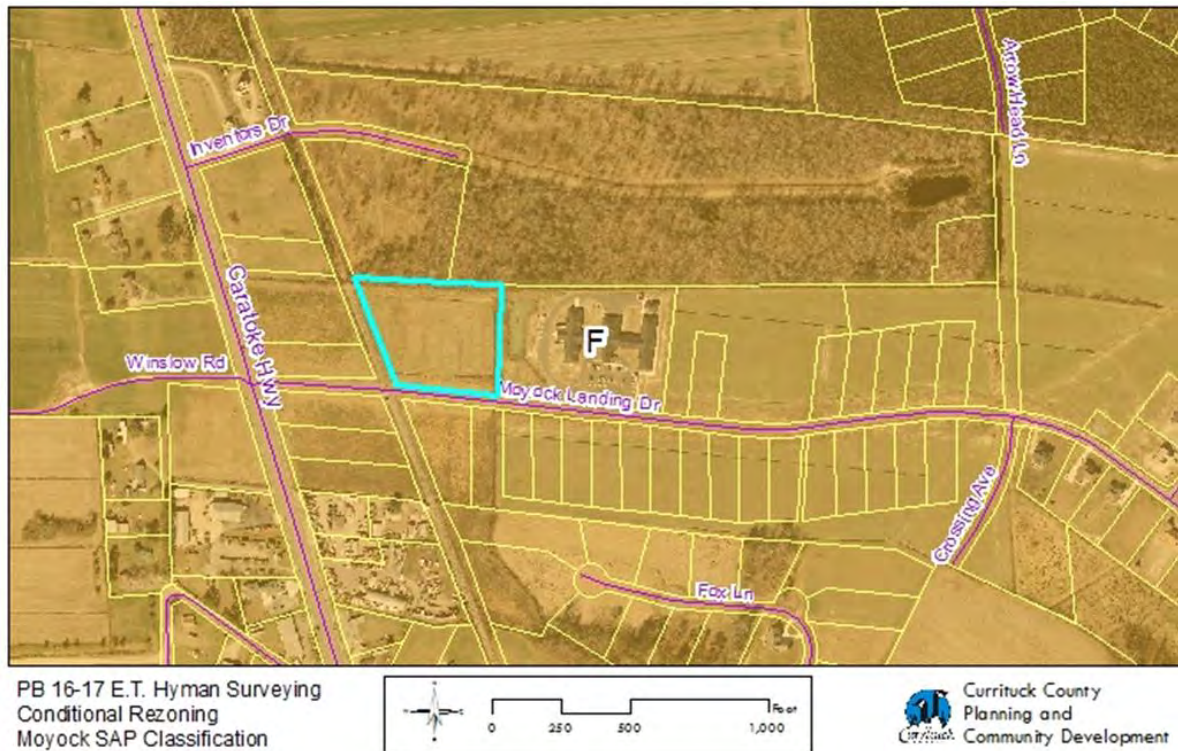
And the applicant will present to the BOC an amended end elevation to show the features we discussed along with the landscaping discussed.

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

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







Laurie LoCicero, Planning and Community Development Director, reviewed the request with the Board and noted the item had been continued from the Board's February 5, 2018, meeting. After review, Ms. LoCicero responded to Board questions related to the new elevation and plat plan submitted by the applicant. She confirmed staff had received notification that the North Carolina Department of Transportation (NCDOT) plans to address the railroad crossing and assumption of road maintenance would be considered at the next NCDOT Board meeting. Buffer requirements were reviewed, with the plan meeting minimum standards.

Applicant, Sam Miller, reviewed his requested changes and said the new elevations demonstrate a design in sync with Moyock area homes. He said feedback at the community meeting was positive. Buffering and stormwater ponds were reviewed. Mr. Miller responded to Board questions related to buffering, landscape and interior design. Mr. Miller said interiors would include higher-end finishes and public feedback favored the traditional two-story design. He confirmed the units were not intended for sale but would be rented, with one unit available for short-term rentals.

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

Commissioner Gilbert moved to approve the amended PB 16-17 with conditions presented from staff: the development should be completed strictly in accordance with the conceptual development plan submitted and approved; the development will consist of a sixteen unit two-story townhome development with attached garages, one detached garage/storage unit, and one detached accessory dwelling unit; the architectural rendering of the townhomes to be incorporated into the approval and units constructed according to the expanded description given to us at this meeting, including the

additional buffer; because it is consistent with the 2006 Land Use Plan in that the proposed development is located in a Full Service Area, with county water and sewer both available on site, and is a density appropriate for the location.

The motion was seconded by Commissioner Hall and passed unanimously.

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

## NEW BUSINESS

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

County Manager, Dan Scanlon, discussed the ongoing problem with erosion at the Knotts Island Causeway and reviewed the Resolution to request funding for repairs from a special roads fund through the North Carolina Department of Transportation (NCDOT). Mr. Scanlon said a Resolution of the Board is required if the request is over the threshold of \$250,000. He said the funding would not impact any planned NCDOT projects slated for the County. Commissioner Gilbert acknowledged former Commissioner Vance Aydlett's efforts and assistance.

Commissioner White moved for approval. The motion was seconded by Commissioner Payment and passed unanimously.

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

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

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

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

**NOW THEREFORE BE IT RESOLVED**, the Currituck County Board of Commissioners requests that the North Carolina Department of Transportation expend up to \$400,000 from the High

Impact/Low Cost Road Program to fund a shoreline stabilization project on North Carolina Highway 615.

**ADOPTED** this the 19<sup>th</sup> day of February, 2018.

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

ATTEST:

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

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

## B) Public Comment

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

Chairman Hanig opened the Public Comment period.

Jane Overstreet, Swan Beach resident, discussed the proposed beach parking pass and thanked the Board for their efforts to reduce traffic on the off-road area. She referred to letters from local community groups which noted their concerns, one being more time for public input. She questioned how permits would work for residents who live on the off-road.

Darcie Messina, Bells Island, discussed the parking pass and expressed concerns with safety. She suggested vehicles will now park behind the dunes. She said signage and additional law enforcement would be needed, and she talked about increased hazards on North Carolina Highway 168 as vehicles stop to get passes at Visitor Centers. She asked the Board to allow more community input.

Linda Lloyd of Moyock and a Carova property owner discussed the beach parking pass and commended the Board for attempting to solve the problems in the off-road area. She, too, expressed concerns with safety and people choosing to park behind the dunes. She asked the Board to meet with the community and to hold off implementation until 2019. She suggested forming a committee.

Edward Ponton of Corolla and a Twiddy employee discussed the beach parking pass. He said the chance to educate guests for the upcoming season is over. He noted some questions still need to be answered regarding the issuance and said he wants to see the

implementation go well. He asked the Board to allow for more time and community input.

Clark Twiddy of Twiddy and Company said he wants to work with the Board to create a great parking permit system that will enhance the visitor experience. He stressed the importance of safety and applauded the Board's wanting to implement safety measures on the off-road.

Steve Shawgo of Moyock talked about the increased litter on county roads and the North Carolina Department of Transportation's Adopt a Highway program. He thanked Commissioner Hall and Commissioner Payment for their help with their project clean ups along Tulls Creek Road. Mr. Shawgo distributed a flyer and announced the next pick-up, scheduled for March 10, 2018. He asked for the Board's help to provide funds for signage to post littering fines.

Paul Gilbert of the Virginia Four Wheel Drive Association said a \$50.00 fee is excessively high and asked the Board to take a look at the ordinance again.

TJ English of Knotts Island asked how the beach parking ordinance would address a Limited Liability Company as an owner of property.

Derek Kinney, a Monterey Shopping Center business owner, said his shoulder season business may suffer if beach parking permits are instituted.

Stuart Baldwin of Grandy discussed the beach parking permit saying he is in favor of making the beach safer. He questioned administration and types of passes, and said he fishes during off-season, typically seeing no police presence at that time.

Sandy Schneirla, Vice-President of the Virginia Beach Four Wheel Drive Association, asked if the Board would consider a day pass while making the permit during peak-season. She discussed her group and the beach cleanup they perform on the off-road.

John Snowden of Maple expressed his concerns with beach driving permit and noted the low taxes we pay are a benefit we receive from visitors to our beaches.

With no one else signed up nor wishing to speak, Chairman Hanig closed the Public Comment period.

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

County Attorney, Ike McRee, began by addressing some misconceptions stated in many email comments received by the Board regarding the proposal. He explained that North Carolina Highway 12 does not extend to the Virginia line as assumed, and he said the county has jurisdiction over its beaches through North Carolina General Statutes. Statutes were reviewed by Mr. McRee.

Mr. McRee reviewed the ordinance amendment proposed for institution of a parking permit system on the beach, detailing specific items as needed. He said Limited

Liability Companies (LLC) are treated as one entity for the purpose of issuing ATV permits, and we would need to work through how LLC's would be treated for parking permits. He said an exception for outdoor tour operators would be added to Section I, Item 5, to state "while actively engaged in a tour" and explained tour operators are already licensed, pay a significant annual fee to operate, and are regulated in other ways through county ordinances. He confirmed beach access is not impeded. He reviewed how counties can restrict parking should parking behind the dunes become an issue.

Board discussion ensued. Commissioner Gilbert proposed permits be required only from the Friday before Memorial Day through Labor Day.

Regarding issuance, Mr. Scanlon said although he does not see applicants being able to print their own passes, those wanting a pass could submit paperwork via email, mail or fax for processing, similar to ATV permitting of which many are mailed or held for pickup.

Commissioner White asked for discussion on how to handle visitors and guests of those who are permanent residents of the off-road. Commissioner Beaumont suggested allowing residents to obtain passes similar to those that will be used by vacation rental guests. Commissioner Gilbert reiterated that guest passes should be available to residents only, not all property owners.

Commissioner Beaumont recalled his recent conversation with law enforcement who expressed confidence in their ability to continue to enforce beach ordinances. He talked of his attendance at a Carova resident community meeting where he and Commissioner Hall fielded questions about the parking pass. He said the ordinance was read at the meeting, after which the majority of attendees approved of the permit system. He said concerns were related to making an on-line application process available.

Commissioner Hall discussed additional parking and other changes recently implemented for Corolla and the off-road area and said he would like time to assess what works and what doesn't. Although the Board is moving in the right direction, he does not believe a parking pass should be implemented this season and suggested waiting until May of 2019.

Commissioner Payment thanked everyone who weighed in either to support the ordinance or to express concerns. In a conversation he recalled, he was told by a visitor that traffic was more of a deterrent to visiting than a parking fee.

Commissioner White said he has had discussions with homeowners and believes the parking fee is not as big a physical deterrent to tourism as people have eluded.

Commissioner Gilbert said the Board has been talking about safety on the off-road for all of her eight years as a Commissioner. She said it does not need to be put off for another year, and it is a simple thing to increase safety for visitors.

Commissioner Etheridge also received many comments, both pro and con, and said many suggested the fee is only a money maker for the County. She said the Board is

truly concerned with safety, and she highlighted the need to get the information out to the public. She likes the suggestion that permits will be required only during the busy season and said it needs to move forward.

Chairman Hanig addressed Facebook postings he was told about that questioned what fees would be used for. He explained fees would be required to pay for services on the off-road area such as fire, Emergency Medical Services and beach cleanup. When asked, Mr. Scanlon said money can be used to maintain roads in the service district. Communities outside the existing district would have to create a district or be placed into the existing district to access funds for roads.

Chairman Hanig addressed the opportunities for public participation and noted only one person attended an advertised work session on the topic. He said residents asked that safety measures be implemented on the off-road, and he believes the area will be improved and will allow for a safe and enjoyable time on the beach. He compared the cost of a parking pass with paying to park in a parking lot at the water park for a day. Chairman Hanig said it is a privilege to park on the beach and that Commissioners understand tourism and want people to come. No ordinance is perfect, he said, and if something isn't working it can be modified. He said the Board should move it forward.

Chairman Hanig moved to approve the Ordinance. Commissioner Gilbert seconded, with inclusion of the following changes:

- Line 1, Page 2 will read "between the Friday before Memorial Day through Labor Day"
- Line 24 will include language stating "further, county residents may obtain at no fee two additional parking permits that are not assigned to a specific vehicle."
- Line 34, Page 3, will state "while actively engaged in an outdoor tour."

The ordinance passed its first reading on a vote of 6-1, with Commissioner Hall voting against. The Ordinance will be brought forward at next meeting for a second reading at which time it may pass by simple majority.

Chairman Hanig called a brief recess at 8:00 PM to allow attendees to exit the meeting room. The meeting reconvened at 8:04 PM.

<b>RESULT:</b>	<b>ORDINANCE PASSED FIRST READING [6 TO 1]</b>	<b>Next: 3/5/2018 6:00 PM</b>
<b>MOVER:</b>	Bobby Hanig, Chairman	
<b>SECONDER:</b>	Marion Gilbert, Commissioner	
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Bob White, Commissioner	
<b>NAYS:</b>	Mike D. Hall, Commissioner	

## D) Board Appointments

### 1. Carova Beach Road Service District Committee

Commissioner White nominated Kimberlee Hoey to replace Mark Pinner on the Carova Beach Road Service District Committee. He nominated Carova Fire Chief Jay Laughmiller to replace Bill Vann as the Fire Department's representative on the Committee.

Commissioner Gilbert seconded the nominees and both were unanimously approved.

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

#### E) Consent Agenda

Commissioner Gilbert moved to approve the Consent Agenda.

Commissioner White requested information on day care funds noted in budget amendment 20180068, and Mr. Scanlon explained the item offset did not consist of county funds but were state grant revenues. After review, Commissioner White seconded the motion and the motion passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marion Gilbert, Commissioner
<b>SECONDER:</b>	Bob White, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike 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 February 5, 2018

##### 1. BOC Minutes for February 5, 2018

##### 2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10510-508510	Supplemental Retirement - Sheriff	\$ 2,708	
10380-488400	ABC Profits		\$ 2,708
		<u>\$ 2,708</u>	<u>\$ 2,708</u>
<b>Explanation:</b> Sheriff (10510) - Increase appropriations for G.S. 143-166.82 to require Counties to contribute to the Sheriffs' Supplemental Pension Fund, which became effective January 1, 2018.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$2,708.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10330-445000	Emergency Mgmt		\$ 20,625
10531 545000	Contracted Services	\$ 6,625	
10531-590000	Capital Outlay	\$ 14,000	
		<u>\$ 20,625</u>	<u>\$ 20,625</u>
<b>Explanation:</b> Emergency Management (10531) - Increase appropriations for the 2017 Emergency Management Performance Grant that will be utilized to bring training to local responders and weather monitoring systems throughout the county.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$20,625.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10415-561000	Professional Services	\$ 100,000	
10350-484000	Rent		\$ 65,000
10340-450500	Administration & Filing Fees		\$ 35,000
		<u>\$ 100,000</u>	<u>\$ 100,000</u>
<b>Explanation:</b> Legal (10415) - Increase appropriations for additional legal costs for outside legal counsel in various law suits.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$100,000.			

Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10650-532000	Supplies	\$ 2,760	
10650-514800	Fees Paid to Officials		\$ 2,100
10650-561000	Professional Services		\$ 660
		<u>\$ 2,760</u>	<u>\$ 2,760</u>
<b>Explanation:</b>	Economic Development (10650) - Transfer budgeted funds to replace office furniture in the Economic Development office.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10490-545003	Judicial Center - Contracted Services	\$ 7,500	
10460-506000	Health Insurance		\$ 7,500
		<u>\$ 7,500</u>	<u>\$ 7,500</u>
<b>Explanation:</b>	Public Works (10460); Court Facility Fees (10490) - Transfer residual health insurance funds to contracted services for emergency rental of portable HVAC systems for courtrooms.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
63838-561500	Solid Waste - Monitoring Wells	\$ 700	
63838-545000	Contract Services		\$ 700
		<u>\$ 700</u>	<u>\$ 700</u>
<b>Explanation:</b>	Solid Waste (63838) - Transfer funds for increased costs for testing fees associated with monitoring wells at the solid waste sites.		
<b>Net Budget Effect:</b>	Solid Waste (63) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10420-589000	Board OSD Projects	\$ 4,900	
10380-481000	Investment Earnings		\$ 4,900
		<u>\$ 4,900</u>	<u>\$ 4,900</u>
<b>Explanation:</b>	Governing Body (10420) - Increase appropriations due to additional retirees that were not anticipated for this year.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$4,900.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10540-514000	Travel		\$ 3,000
10540-545100	Credit Card Fees	\$ 3,000	
		<u>\$ 3,000</u>	<u>\$ 3,000</u>
<b>Explanation:</b>	Inspections (10540) - Transfer budgeted funds for increased costs of credit card fees due to increased participation in online permitting and payment by credit/debit cards.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
50848-587067	T T - Mainland Sewer System	\$ 378,000	
50511-590001	Connect Jail to MCP Sewer		\$ 378,000
57878-590000	Capital Outlay	\$ 378,000	
57390-495050	T F - Co Governmental Construction		\$ 378,000
		<u>\$ 756,000</u>	<u>\$ 756,000</u>
<b>Explanation:</b>	County Governmental Construction (50848); Mainland Sewer Construction (57878) - Transfer funds originally budgeted to connect the Jail to the Maple Commerce Park sewer to the Mainland Sewer Construction to replace the ground water lowering flow meter at Maple Commerce Park wastewater treatment plant, replace sludge piping and pumps at Walnut Island wastewater treatment plant, and make the following repairs at the moyock Central Sewer: replace sand media in high rate infiltration disposal diel, replace media in polishing filters, install stainless steel tub ring in post anoxic tanks, install new automated bar screen in flow equalization tank, install HDPE filter media in aeration tanks, install treatment system for on-site well, replace aeration tank blower and engineering services for the above projects.		
<b>Net Budget Effect:</b>	County Governmental Construction (50) - Reduced by \$378,000.		
	Mainland Sewer Construction (57) - Increased by \$378,000.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10330-430000	DSS Miscellaneous	\$ 594	
10330-432800	Day Care	\$ 695,019	
10390-499900	Fund Appropriate Balance	\$ 8,097	
10750-514500	Training & Education	\$ 200	
10750-561000	Professional Services	\$ 2,800	
10750-531000	Fuel		\$ 3,000
10750-557700	Crisis Intervention		\$ 297
10750-557701	LIEAP		\$ 297
10752-519600	Child Daycare		\$ 703,116
10760-519500	Adult - Emergency Assistance	\$ 3,000	
10760-532900	Foster Care Supplement		\$ 3,000
		\$ 709,710	\$ 709,710
<b>Explanation:</b>	SOCIAL SERVICES ADMIN (750) - Increase Training & Education to cover the increased cost of training registration fees for the Services unit. Because of higher turnover this fiscal year, DSS has had to send more staff to training. Increase Professional Services to pay Family Reunification Services. These services are 100% reimbursable. PUBLIC ASSISTANCE (752) - Adjust Crisis Intervention and LIEAP lines to the funding authorizations received. Child Care subsidy payments are now paid from the state directly to the vendors. The County no longer receives these funds to pay vendors. COUNTY ASSISTANCE (760) - Increase Adult Emergency Assistance to cover cost of assistance provided to homeless adults.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Decreased by \$703,710.		

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

This item was removed from the agenda.

### 4. Trillium Fiscal Monitoring Report/Persons Served Data Report

### 5. Verizon Tower Lease Agreement Amendment-734 Ocean Trail

### 6. Moyock High School Reunion Committee-Fee Waiver Request

Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)

**F) Commissioner's Report**

Commissioner White noted the Corolla Beautification Project in progress on North Carolina Highway 12, saying the County sign was reinstalled and plantings would be coming soon. He announced the playset has been installed at Carova Park and reminded folks to check the many job postings on the county website.

Commissioner Gilbert applauded the Currituck County High School students, teachers and staff who circled the school flag pole to pray for other students who were victims or involved in recent events, including three teens who were injured in an accident in Lower Currituck over the weekend.

Commissioner Payment recognized Lower Currituck Volunteer Fire Department who performed well on their ISO rate testing. He noted the North Carolina Department of Transportation is increasing culvert sizes on Poplar Branch Road, hoping to clear up some drainage issues. He said he was impressed with the amount of support for beach driving ordinance as it moves forward. He said he would be attending a meeting in Dare County to discuss offshore drilling.

Commissioner Hall thanked Eric Weatherly, Engineer, and Will Creef, Soil and Water, for their hard work and assistance in solving the flooding problem at Laurel Woods subdivision by getting the ditch cleaned out.

**G) County Manager's Report**

Mr. Scanlon announced he, along with some Commissioners, would be attending a pre-scoping meeting to seek a dredging permit for the Whalehead boat basin. He announced plans for a Waterlily Road closure on March 17th by NCDOT so they can replace a culvert. The road will be shut down completely for 24 to 36 hours and the county would put an appropriate emergency plan in place.

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

With there being no further business, Commissioner Gilbert made a motion to adjourn. The motion was seconded by Commissioner White and passed unanimously. The meeting of the Board of Commissioners concluded at 8:13 PM.

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

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

The Currituck County Board of Commissioners held a Special Meeting sitting as the Ocean Sands Water and Sewer District Board. The meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, and was called to order at 8:13 PM after adjournment of the February 19, 2018, regular meeting of the Board of Commissioners. The purpose of the meeting was to consider budget amendments.

## H. Budget Amendments

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

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

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

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

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

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

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

Communication: Minutes for February 19, 2018 (Approval Of Minutes for February 19, 2018)

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
60808-561000	Professional Services	\$ 50,000	
60310-403017	District Taxes - 2017 Levy		\$ 50,000
		\$ 50,000	\$ 50,000
<b>Explanation:</b>	Ocean Sands Water and Sewer (60808) - Increase appropriations for additional legal fees.		
<b>Net Budget Effect:</b>	Ocean Sands Water and Sewer District Fund (60) - Increased by \$50,000.		

**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

### ADJOURN SPECIAL MEETING

There was no further business and Commissioner White moved to adjourn. The motion was seconded by Commissioner Gilbert, passed unanimously, and the meeting of the Ocean Sands Water and Sewer District Board concluded at 8:15 PM.

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

Number 20180068

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 5th day of March 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10530-502100	Salaries - Overtime	\$ 200,000	
10530-505000	FICA	\$ 4,590	
10530-507000	Retirement	\$ 7,950	
10530-502000	Salaries - Regular		\$ 140,000
10530-506000	Health Insurance		\$ 72,540
		<u>\$ 212,540</u>	<u>\$ 212,540</u>

**Explanation:** Emergency Medical Services (10530) - Transfer budgeted funds from salaries and residual health insurance to overtime necessary due to several position vacancies throughout the year and additional staffing.

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

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

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

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

Attachment: 2018-BA\_Mar 5\_BOC (Budget Amendments)

Number

20180070

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 5th day of March 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10415-532000	Supplies	\$ 1,500	
10415-553000	Dues & Subscriptions		\$ 1,500
		<u>\$ 1,500</u>	<u>\$ 1,500</u>

**Explanation:** Legal (10415) - Transfer budgeted funds for additional supplies and copies necessary for ongoing legal cases.

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

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

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

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

Attachment: 2018-BA\_Mar 5\_BOC (Budget Amendments)

Number 20180071

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 5th day of March 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10650-561000	Professional Services	\$ 8,475	
10650-545000	Contracted Services		\$ 8,475
		<u>\$ 8,475</u>	<u>\$ 8,475</u>

**Explanation:** Economic Development (10650) - Transfer budgeted funds for additional services by Artillery.

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

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

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

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

Attachment: 2018-BA\_Mar 5\_BOC (Budget Amendments)

Number

20180072

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 5th day of March 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2018.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10550-590000	Capital Outlay	\$ 577	
10550-561000	Professional Services		\$ 577
		<u>\$ 577</u>	<u>\$ 577</u>

**Explanation:** Airport (10550) - Transfer funds for emergency repairs to Airport equipment.

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

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

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

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

Attachment: 2018-BA\_Mar 5\_BOC (Budget Amendments)

**RESOLUTION**  
**ASKING NORTH CAROLINA GOVERNOR ROY COOPER TO EXAMINE THE**  
**CURRENT MEMBERSHIP OF THE NC MARINE FISHERIES COMMISSION**

**WHEREAS**, the State's Marine Resources are a public trust, the owners of which are the 10.3 million residents of the state living from Murphy to Moyock; and

**WHEREAS**, the North Carolina Fisheries Reform Act of 1997 established the legal framework for the management of fisheries for the benefit of all citizens; and

**WHEREAS**, the North Carolina Marine Fisheries Commission is comprised of designated seats designed to balance user group interests among recreational, commercial, science, and at-large fisheries stakeholders; and

**WHEREAS**, the North Carolina Marine Fisheries Commission, whose members are appointed by the Governor, are responsible for adhering to the Fisheries Reform Act in following due process, incorporating stakeholder input, and making science-based decisions; and

**WHEREAS**, the Commission has exhibited a pattern of willfully disregarding stakeholder input, scientific expertise, and proper legal process and procedures in favor of interest group agendas; and

**WHEREAS**, improperly-made decisions by the Commission threaten food security for the state and country, and jeopardize the economic vitality of coastal communities and the occupational viability of commercial fishing families and associated businesses; and

**WHEREAS**, the Currituck County Board of Commissioners has long advocated that the North Carolina Marine Fisheries Commission serve the public interest by managing the State's fisheries resources for the benefit of all citizens in a way that provides fair and equitable treatment of both commercial and recreational fishing interests in an open and transparent way.

**NOW THEREFORE BE IT RESOLVED** that the Currituck County Board of Commissioners strongly urges North Carolina Governor Roy Cooper to examine the current membership of the North Carolina Marine Fisheries Commission and if need be to make changes to ensure that this Commission equitably balances commercial and recreational fishing interests in a way that does not benefit private interests or bring harm to others.

Adopted this the 5<sup>th</sup> day of March, 2018.

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

ATTEST:

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

**RESOLUTION  
OPPOSING ANY ADVERSE CHANGE  
IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION**

**WHEREAS**, the Currituck County Board of Commissioners unanimously adopted a resolution on February 5, 2018 opposing any change in the definition of a commercial fishing operation and forwarded the Resolution for inclusion in public comments at the North Carolina Marine Fisheries Commission meeting held on February 14, 2018 in Wrightsville Beach, North Carolina; and

**WHEREAS**, the Marine Fisheries Commission at their Wrightsville Beach meeting voted 5 to 4 to change the criteria that was previously under consideration and approve a redefinition of commercial fishing; and

**WHEREAS**, the Commission's new criteria identified seven qualification components including a requirement that commercial license holders demonstrate a minimum level of participation by documenting 1000 pounds of landings through the trip ticket program during any of the two out of five continuous calendar years; and

**WHEREAS**, the new criteria advanced by the Marine Fisheries Commission would have an adverse impact on those who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to support their families; and

**WHEREAS**, imposing an arbitrary level of participation would unfairly have a harsh and punitive effect on coastal communities hit by hurricanes and other natural disasters where many commercial license holders, whose income generating season may have been entirely wiped out by a storm, are forced to temporarily divert their time and talents to other business enterprises; and

**WHEREAS**, no other professional license issued by the State dictates a level of participation in order for its holders to qualify; and

**WHEREAS**, additionally the new criteria would create a requirement that all individuals wanting to engage in commercial fishing must first complete a 3 year apprenticeship or graduate from a community college commercial fishing program before being eligible to purchase a standard commercial fishing license; and

**WHEREAS**, imposing an apprenticeship requirement would unfairly penalize those with an entrepreneurial spirit willing to invest their skills and resources in the commercial fishing industry. This requirement is counterproductive to economic development principles and would only serve to thwart individuals wanting to pursue their dream of creating a small business in our coastal communities; and

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

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

**WHEREAS**, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that “no changes are needed to the existing definition;” and

**WHEREAS**, the effort that is underway by the Marine Fisheries Commission to redefine Commercial Fishing is a misguided attempt to fix something that is not broken and would jeopardize coastal communities whose economy and wellbeing are dependent upon both full-time and part-time commercial fishermen and would have an adverse impact on young entrepreneurs wishing to enter the commercial fishing industry.

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

**AND BE IT FURTHER RESOLVED** that the Currituck County Board of Commissioners strongly opposes any adverse change in the definition of commercial fishing and urges the North Carolina General Assembly to take no action that would harm the hard working North Carolinians who put fresh seafood on American tables.

Adopted this the 5<sup>th</sup> day of March, 2018.

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

ATTEST:

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

## **CURRITUCK COUNTY JOB DESCRIPTION**

### **JOB TITLE: ASSISTANT COUNTY MANAGER**

#### **GENERAL STATEMENT OF JOB**

Assists the County Manager in administering and coordinating County programs and activities. In the absence of the County Manager, this position serves as the County Manager in all areas of the County administration. Performs complex professional and administrative work under general supervision.

#### **SPECIFIC DUTIES AND RESPONSIBILITIES**

##### **ESSENTIAL JOB FUNCTIONS**

In the absence of the County Manager, this position acts as County Manager in all areas of the County Administration.

Conducts a variety of research activities that include investigations, data gathering, preparing reports with sound analysis as needed for grant applications, public presentations, special projects and recommendations for use by the County Manager.

Assists in planning, coordinating, and directing the work of County departments and programs.

Assists with annual budget preparation, implementation, control and monitoring of department budgets, reviews department request and makes recommendations.

Oversees and/or serves as project manager for multi-departmental development of studies, grants, and/or ordinance projects, negotiates contracts and agreements.

Assists the County Manager on planning and development of programs to achieve the goals and objectives defined by the Board of County Commissioners.

Counsels with the County Manager on methods of responding to situations and trends that are of public concerns and assist the County Manager in maintaining favorable relations with the community.

Coordinates and acts a liaison to numerous boards, committees, and community interest groups.

Represents the County on local, regional and state boards, commissions associations and task forces.

Conducts a proactive effort to establish County relationships with major businesses, businesses in general, adjacent communities and communities throughout Currituck County, County Officials, various State Authorities and Officials and any citizen groups as may be appropriate.

##### **ADDITIONAL JOB FUNCTIONS**

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as required.

##### **SUPERVISORY RESPONSIBILITIES**

Ability to supervise Department Heads and other directly reporting employees. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

## **QUALIFICATIONS**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

This position is required to work additional hours outside normal office hours and is exempt from the provisions of the Fair Labor Standards Act.

### **MINIMUM TRAINING AND EXPERIENCE**

Any combination of education and experience equivalent to graduation from a four-year accredited college or university with a degree in public administration, political science, business administration, or a related field and five to eight years of experience in a local government setting, or a combination of education and experience.

Must have thorough knowledge of County organization and operational policies and procedures, thorough knowledge of State General Statutes pertaining to the administration of County government, thorough knowledge of the organization and operation of County departments, thorough knowledge of the principles of supervision, organization, and administration, good organizational, management and human relation skills, ability to communicate effectively with a variety of public and private groups and the media as necessary.

Demonstrated organizational, management and interpersonal skills.

Possession of a valid North Carolina driver's license.

### **MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS**

**Physical Requirements:** Must be physically able to operate a variety of machinery and equipment, including computers, typewriters, copiers, calculators, facsimile machines, cameras, etc. Must be physically able to operate a motor vehicle. Requires the ability to exert up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are in excess of those for sedentary work. Light Work usually requires walking or standing to a significant degree. However, if the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

**Data Conception:** Requires the ability to compare and/or judge the readily observable, functional, structural or composite characteristics (whether similar or divergent from obvious standards) of data, people or things.

**Interpersonal Communication:** Requires the ability to speak and/or signal people to convey or exchange information. Includes giving instructions, assignments or directions to clients and supporting personnel.

**Language Ability:** Requires the ability to read a variety of reports, correspondence. Requires the ability to prepare a variety of correspondence, reports, forms, budgets, studies, projects, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

**Verbal Aptitude:** Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages, including accounting, engineering, legal, and marketing terminology.

**Numerical Aptitude:** Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; calculate decimals and percentages; interpret graphs.

**Form/Spatial Aptitude:** Requires the ability to inspect items for proper length, width and shape.

**Motor Coordination:** Requires the ability to coordinate hands and eyes rapidly and accurately in using office equipment.

**Manual Dexterity:** Requires the ability to handle a variety of items, such as keyboards, control knobs, toggle switches, levers, etc. Must have minimal levels of eye/hand/foot coordination.

**Color Discrimination:** Requires the ability to differentiate between colors and shades of color.

**Interpersonal Temperament:** Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress.

**Physical Communication:** Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via telephone.

**Language and Communication Skills** Ability to read, analyze, and interpret complex documents and government laws, statutes and regulations. Ability to respond effectively to the most sensitive inquiries or complaints. Ability to understand and communicate public and citizen concerns to appropriate employees, elected officials and appointed committee members. Ability to prepare effective written communications such as reports, press releases, official documents, and presentations. Ability to deliver effective oral presentations and speeches to the public and employee groups.

**Analytical Skills** Ability to understand and interpret financial statements and reports. Ability to work with mathematical and financial concepts applied to budgets, proposals, and other planning documents.

### **KNOWLEDGE, SKILLS AND ABILITIES**

Must have a broad, comprehensive knowledge of all the County programs.

Must have knowledge of the principles, methods, and techniques of efficient administration, budgeting, accounting, office management, and personnel administration.

Must have knowledge of the organization and structure of government, both local and state, and county, as well as volunteer agencies.

Must have knowledge of the legal basis for programs, public records and open meeting laws, and have the ability to deal with other agencies and the general public.

Considerable knowledge of the available funding and programming resources.

Considerable knowledge of general management and business organization principles and practices.

Considerable knowledge of County geography.

Considerable knowledge of ethical guidelines applicable to the position as outlined by professional standards and/or federal, state and local laws, rules and regulations.

Ability to exercise considerable independent judgment and discretion in establishing, applying and interpreting policies and procedures.

Ability to effectively express ideas orally and in writing.

Ability to make oral presentations before large groups of people.

Ability to work in a consulting capacity and exercise leadership in contact with a variety of public, public service and business officials at various levels of authority and influence.

Ability to exercise tact, courtesy and firmness when in contact the general public.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

Number

TDA2018012

## BUDGET AMENDMENT

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15448-590000	Capital Outlay	\$ 9,782	
15448-516000	Maintenance & Repair		\$ 9,782
		<u>\$ 9,782</u>	<u>\$ 9,782</u>

**Explanation:**      Occupancy Tax -Tourism Related (15448) -Transfer budgeted funds to repair/replace HVAC components at the Whalehead Club.

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

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

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

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

Attachment: 2018-BA\_TDA Mar 5 (Special Meeting-TDA Budget Amendments)