



**CURRITUCK COUNTY
NORTH CAROLINA**

September 4, 2018

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION

1. 5:00 PM Re-entry Council-David Taylor

The Currituck County Board of Commissioners attended a 5:00 PM work session in the Conference Room of the Historic Courthouse. Information was presented by David Taylor who works with the prison system as a volunteer helping inmates to reintegrate into their communities after incarceration. Mr. Taylor reviewed documents distributed to Commissioners which contained statistics and information on the structure and responsibilities of a Re-entry Council. He reviewed challenges associated with inmate re-entry, such as a lack of transitional housing or awareness of available assistance programs. Costs of inmate incarceration, recidivism rates, education, grant opportunities, workforce development and resources to assist with reintegration were discussed. Mr. Taylor proposed and asked the Board to support the creation of a regional council composed of several counties. He responded to Commissioner questions and agreed to provide links to additional council resources. The work session concluded at 5:53 PM.

6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners met in regular session 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-Dawn Hollis-Custer, Currituck United Methodist Charge

Reverend Jerry Cribb attended for Reverend Hollis-Custer to offer the Invocation and lead the Pledge of Allegiance.

B) Approval of Agenda

Commissioner Gilbert motioned for approval of the Agenda. The motion was seconded by Commissioner Payment and passed unanimously.

Approved agenda:

Work Session

5:00 PM Re-entry Council-David Taylor

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Dawn Hollis-Custer,
Currituck United Methodist Charge

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.

Commissioner's**Report****Public Hearings**

A) **PB 18-18 David Stumph, Veterinary Clinics:** Request to modify Chapter 4 of the Unified Development Ordinance to allow veterinary clinics with no outdoor facilities to locate on lots smaller than two acres.

New Business

A) **Consideration and Action: PB 15-10 The Landing:** A request for a two year extension of the preliminary plat/use permit for a conservation subdivision consisting of 29 residential lots located off of Baxter Lane and Little Acorn Trail in Moyock.

B) **Cooperative Agreement Between North Carolina Wildlife Resources Commission and Currituck County to Design, Permit, Renovate, Operate and Maintain Public Camping Platforms.**

C) Cooperative Agreement Between North Carolina Wildlife Resources Commission (WRC) and Currituck County to Incorporate the Brumley Road Access Area into the WRC Boating Access Area Program.

D) Resolution Accepting Final Bid for County-owned Property Located at 103 Bluefish Court, Walnut Island Estates Subdivision, Currituck County

E) Board Appointments

1. Game Commission
2. Veterans Advisory Board

F) Consent Agenda

1. Approval Of Minutes-August 20, 2018
2. Budget Amendments
3. Project Ordinance: North Aircraft Apron Pavement Rehab
4. Project Ordinance: Airport Layout Plan Update & 18B Survey
5. Project Ordinance - Corolla Greenway Phase V
6. Water Shortage Response Plan for SOBWS
7. Resolution Authorizing Sole Source Purchase of Ambulance from Select Custom Apparatus
8. Consideration and Action: Adoption of Out of State Travel Policy for County Commissioners

G) County Manager's

Report

Adjourn

Special Meeting of the Tourism Development Authority

TDA Budget Amendments

Adjourn Meeting of the Tourism Development Authority

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

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.

Courtney Gallop of Nags Head, founder of Gallop Funeral Services and Gallop Memorial Chapel in Barco, announced Sheriff Matt Beichert's recent institution of a rotation policy for the recommendation of funeral home services in Currituck County. Ms. Gallop thanked Currituck County Sheriff Matthew Beichert and others who assisted in the effort to change what she called unfair practices in the past. A second speaker, Ben Andrews, ceded his time to Ms. Gallop and she continued, reading a copy of the new policy.

Barbara Snowden of Courthouse Road, Currituck, said each family in Currituck County should receive a post-card invitation in the mail to attend the county's 350th anniversary celebration. Ms. Snowden announced Currituck's next event taking place at Noon Saturday, September 15, at the Rural Center.

No one else was signed up nor wished to speak and Chairman Hanig closed the Public Comment period.

COMMISSIONER'S REPORT

Chairman Hanig congratulated the following Currituck County employees:

- Nick Aisthorpe of Planning and Community Development earned Certified Floodplain Manager designation.
- Ron Schaecher, Inspections, achieved Level III Building Inspection certification in all trades.
- Sandra Hill and the Finance Department earned the Excellence in Finance award.

Commissioner Beaumont reported Currituck County Fire and Emergency Medical Services receipt of a \$995,000 grant to purchase self-contained breathing apparatus for county fire departments. He announced two additional grants for airport improvements and noted North Carolina Highway 158 received regional approval for its expansion.

Commissioner Etheridge announced her recent attendance at the North Carolina Association of County Commissioners state conference in Hickory, North Carolina. She discussed workshops attended and the benefits of attending. She was pleased to have had the opportunity spend some time with the state's 4-H Council President from Currituck County, Tucker Melton, and encouraged young people to vote, to be involved and to take

pride in Currituck County.

Commissioner Hall encouraged people to attend the festivities at the Rural Center on Spot Road at Noon on Saturday, September 15. He acknowledged Labor Day and thanked everyone for their hard work and contributions.

Commissioner White talked about the Beach Parking Permit and said the holiday weekend was much more enjoyable with less people on the off-road beach and hopes everyone there had a more enjoyable experience. He thanked the Board of Commissioners for making the tough decision and said a committee would be assembled to provide feedback on the first season. He said the Wild Horse Fund is working to purchase a farm.

Commissioner Gilbert said she had an opportunity to drive on the beach in Galveston, Texas, and noted the beauty of our beach area. She reminded everyone of the Bulls and BBQ at the Rural Center from 1 PM till 4 PM on Saturday. She said all proceeds from the \$10 ticket sales for BBQ meals will go to Currituck Kids.

Commissioner Payment recalled his trip to his hometown in Sault Ste. Marie, Michigan, who coincidentally are also celebrating their 350th anniversary. He remembered Ed Bailey, a beloved, long-time coach in Currituck County, who passed away.

PUBLIC HEARINGS

A. PB 18-18 David Stumph, Veterinary Clinics:

Planning and Community Development Director, Laurie LoCicero, reviewed the text amendment application for Commissioners. If approved, the amendment would allow veterinary clinics to locate on commercial properties less than two acres if no outdoor facilities are present.

After review the Board requested clarification on the lot size revision designated in the text amendment and Ms. LoCicero reviewed lot size maximums for the various zoning districts. She clarified the use of indoor cages and outdoor areas for dog walking at the applicant's proposed location.

Jessica Stumph speaking for the applicant, stated she currently serves as a mobile vet but is limited, and she would like to perform additional services. She said she has no desire to board and would have a small capacity for inpatient after care. She said there is available space for dog walking. The facility would be located in the southern part of the county and Ms. LoCicero confirmed adequate parking at the location and said the site plan would need approval going forward.

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

Commissioner Beaumont moved to approve PB 18-18 ordinance change, adopting the Planning Board's revised wording of the text amendment. The motion was seconded by Commissioner Payment and passed unanimously, 7-0.

To: Board of Commissioners

From: Planning Staff

Date: September 4, 2018

Subject: PB 18-18 David Stumph, Text Amendment, Veterinary Clinics

The enclosed text amendment submitted by David Stumph revises Chapter 4 of the Unified Development Ordinance as it pertains to veterinary clinics. In the current ordinance a minimum lot area of two acres is required for all veterinary clinics. The minimum lot area is intended to provide space for, and separation from, outdoor facilities such as runs, kennels, or training areas. The text amendment proposes to allow clinics with no outdoor facilities to locate on lots smaller than two acres.

Planning Board Meeting - 8/14/2018

Discussion:

PB 18-18 David Stumph, Veterinary Clinics

Chairman Whiteman asked the applicant to come before the board to state their name and address. David Stumph appeared and stated his address as 3916 Tabor Ridge Drive, Kitty Hawk. Chairman Whiteman asked the applicant to take a seat while staff presented his case.

Jason Litteral, Planner II, presented the staff report. The text amendment is requesting to modify Chapter 4 of the Unified Development Ordinance (UDO) to allow veterinary clinics with no outdoor facilities to locate on lots smaller than two acres.

Planning Board members were concerned with the repercussions of an applicant choosing a nonconforming lot. Mr. Litteral said there is a section in the UDO concerning the nonconforming lots with the purpose of providing a means whereby the county may require certain nonconforming site features to be brought into compliance.

Mr. Craddock asked which zoning districts currently allow veterinary clinics. Mr. Litteral said they are allowed in the Agriculture (AG) zoning district with a Use Permit and in the General Business (GB), Limited Business (LB) and Light Industrial (LI) zoning districts without a Use Permit.

David Stumph introduced himself and his wife Jessica Stumph, who is also a veterinarian. He said she runs a mobile service, but it is getting increasingly more difficult with more clientele. They had started looking for a site to locate their business in Currituck County and found the rules as stated in the UDO made it difficult for new veterinary clinics.

Mr. McColley asked if they had a site in mind for the business and Mr. Stumph said the 1,100 square foot space was located beside the Post Office in Point Harbor.

Mr. Litteral noted this text amendment would also be an opportunity to bring the two existing veterinary clinics in the county into compliance since they do not have dog runs.

Chairman Whiteman asked if other businesses were located in the building they are considering and what is the zoning district. Mr. Stumph said the post office and an antique store are in the same connected building. Mr. Litteral said it is zoned GB.

Mr. Craddock noted the discussion in the work session to change the minimum lot size requirement for the veterinary clinic to match the requirements of the zoning districts it is located in. Chairman Whiteman asked the applicant if they were okay with the noted change and Mr.

Stumph said the change was acceptable to their requested text amendment. Mr. Litteral said he will modify the text amendment as noted.

The board asked staff the minimum lot size requirements for the allowed zoning districts for veterinary clinics. Mr. Litteral gave the following minimum lot sizes:

Agriculture - 30,000 sq. ft. (on county water supply)

General Business - 40,000 sq. ft.

Limited Business - 40,000 sq. ft.

Light Industrial - 60,000 sq. ft.

Planning Board Motion:

Mr. Craddock motioned to approve PB 18-18 David Stumph, Veterinary Clinics text amendment for the requested change to the UDO to allow veterinary clinics with no outdoor facilities to locate on lots smaller than two acres provided they meet the minimum lot size requirements for the zoning district. A line item #2 shall be added to the text amendment for the minimum lots size requirement. The requested text amendment is in the public's interest; it will not injure adjoining property owners and public facilities are adequate for the change. Mr. McColley seconded the motion and the motion carried unanimously.

RESULT: RECOMMENDED APPROVAL [UNANIMOUS]

AYES: Fred Whiteman, Chairman, C. Shay Balance, Vice Chairman, Steven Craddock, Board Member, John McColley, Board Member, J. Timothy Thomas, Board Member

ABSENT: Carol Bell, Board Member, Jeff O'Brien, Board Member, Jane Overstreet, Board Member

PB 18-18

David Stumph, Veterinary Clinics

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 of the Unified Development Ordinance is amended by adding the following underlined language.

AS PROPOSED BY THE APPLICANT

Animal Care Uses

Animal shelters, grooming, kennels (indoor and outdoor), and veterinary clinics shall comply with the following standards:

- (1) Except for veterinary clinics with no outdoor facilities, the minimum lot area shall be at least two acres. Outdoor facilities include but are not limited to runs, kennels, and training areas.
- (3) All fenced runs or training areas shall maintain a 25-foot setback from lot lines and be at least 50 feet from any adjacent single-family dwellings.
- (4) Runs and training areas shall be enclosed with fencing at least six feet in height.
- (5) All gates and entrances to the runs, kennels, and training areas shall remain locked when not in use.

AS RECOMMENDED BY THE PLANNING BOARD

Animal Care Uses

Animal shelters, grooming, kennels (indoor and outdoor), and veterinary clinics shall comply with the following standards:

- (1) The minimum lot area shall be at least two acres.
- (2) Veterinary Clinics with no outdoor facilities shall locate on lots meeting the minimum requirements for the zoning district in which they are proposed. Outdoor facilities include, but are not limited to, runs, kennels, and training areas.
- (3) All fenced runs or training areas shall maintain a 25-foot setback from lot lines and be at least 50 feet from any adjacent single-family dwellings.
- (4) Runs and training areas shall be enclosed with fencing at least six feet in height.
- (5) All gates and entrances to the runs, kennels, and training areas shall remain locked when not in use.

Item 2: 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 3: This ordinance amendment shall be in effect from and after the ____ day of _____, 2017.

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

NEW BUSINESS

A. Consideration and Action: PB 15-10 The Landing: A request for a two year extension of the preliminary plat/use permit for a conservation subdivision consisting of 29 residential lots located off of Baxter Lane and Little Acorn Trail in Moyock.

Planning and Community Development Director, Laurie LoCicero, reviewed the application and reason for the applicant's request for a 2-year extension with the Board of Commissioners.

Mark Bissell, Engineer, answered questions about two easements the applicant provided to the county, a camping platform and pedestrian easement, that had been discussed by the Board during review.

Commissioner Payment moved to approve the two-year extension for PB 15-10. The motion was seconded by Commissioner Etheridge and passed unanimously, 7-0.

To: Board of Commissioners

From: Planning Staff

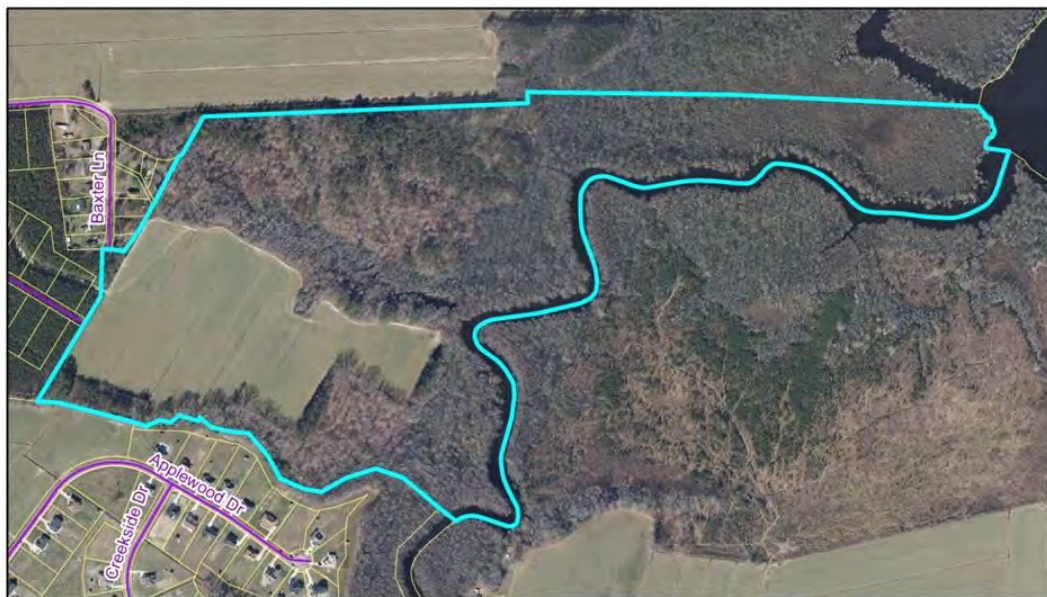
Date: August 27, 2018

Subject: PB 15-10 The Landing, Preliminary Plat/Use Permit Extension

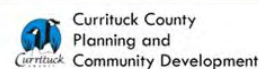
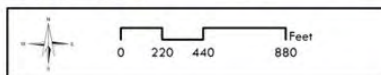
On August 15, 2016, the Board of Commissioners approved the preliminary plat/use permit for The Landing, a conservation subdivision consisting of 29 residential lots, located off of Baxter Lane and Little Acorn Trail in Moyock. The preliminary plat approval was due to expire on August 15, 2018.

On August 14, 2018 the engineer, Mark Bissell of Bissell Professional Group, submitted a request for preliminary plat extension indicating the applicants are currently proceeding with the preparation of construction drawings and specifications and intend to initiate construction soon after all of the required permits have been issued.

In accordance with the UDO Section 2.4.8.E., the Board of Commissioners may, for good cause, grant a two-year extension of the preliminary plat. The applicant is requesting a two-year extension.



PB 15-10 The Landing
Preliminary Plat - Use Permit
Aerial



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. Cooperative Agreement Between North Carolina Wildlife Resources Commission and Currituck County to Design, Permit, Renovate, Operate and Maintain Public Camping Platforms.

County Manager, Dan Scanlon, reviewed the plan that partners the county with Wildlife Resources Commission (WRC), who would allow the county access for the construction of water accessible camping platforms to promote eco-tourism. Photos were displayed for Commissioners to see similar style camping platforms in other locations.

Commissioner Hall moved to approve the agreement and the motion was seconded by Commissioner White. The motion passed unanimously, 7-0.

COOPERATIVE AGREEMENT
BETWEEN
NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
AND
CURRITUCK COUNTY

AGREEMENT TO DESIGN, PERMIT, RENOVATE, OPERATE, AND MAINTAIN PUBLIC CAMPING
PLATFORMS

This agreement is made and entered into this the _____ day of _____, 2018, by and between the **NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**, hereinafter referred to as the **COMMISSION**, and **CURRITUCK COUNTY**, hereinafter referred to as the **COUNTY**.

WITNESSETH:

Whereas, the **Commission** is authorized through its strategic plan to provide opportunities that allow outdoor enthusiasts to enjoy wildlife-associated recreation; and

Whereas, it is desirable for the **County** to provide no-fee public camping platforms located on Northwest River Marshes Game Land, owned by the State and allocated to the **Commission** for management; and

Whereas, it is desirable for the **Commission** to improve public use opportunities for the public by cooperating with the **County** to provide no-fee public camping platforms at Northwest River Marshes Game Land;

Now, therefore, in consideration of the mutual advantages likely to result from this Agreement and the respective obligations assumed herein,

A. The COMMISSION agrees, at its sole expense:

1. To permit **County** personnel or its contractors engaged in planning, construction or post-construction work, access to Shingle Landing Boating Access Area and Northwest River Marshes Game Land.
2. To allow the **County** to make modifications to the Shingle Landing Boating Access Area that would allow for use of the facility by kayaks/canoes.
3. Allow the **County** to install three camping platforms, a privy area, and boardwalk access to the platforms.

B. The COUNTY agrees, at its sole expense:

1. To provide a design and fund the construction of the platforms, privy area, boardwalks, and kayak/canoe access improvements made to the Shingle Landing Boating Access Area.
2. Provide construction drawings of the proposed modifications and new construction for review revision and approval of the **Commission** prior to construction.
3. To serve as the manager of the construction project, applying for, complying with, and receiving all permits necessary for the Boating Access Area modifications and camping platforms at Northwest River Marshes Game Land.
4. To provide construction materials for Shingle Boating Access Area work and camping platforms at Northwest River Marshes Game Land.
5. To provide personnel or contractor for the construction, transportation and installation of the camping platforms and Shingle Landing Boating Access Area modifications.
6. To ensure that the **Commission** is recognized in all press releases, brochures and, advertisements developed by the **County** concerning visitation and usage of the Northwest River Marshes Game Land camping platforms;
7. To be responsible for any future necessary repairs to the platforms and kayak/canoe access.
8. Maintain the grounds surrounding the camping platform site keeping the litter removed regularly.

C. It is mutually agreed:

1. Manage the camping platform area as a **County** facility with no closure of the site except for repair purposes, emergency situations, limited special uses or best management practices. The facility will be posted with **County** park facilities and rentals/reservations will be handled through the Parks and Recreation Department.
2. That nothing in this Agreement shall obligate either party to any conditions not specifically stated herein;
3. That this Agreement shall become effective as soon as it is signed and dated by both parties and shall continue in effect for 25 years from the date of signing;
4. That the camping platforms become property of the **Commission** after construction is completed;
5. That either party may terminate its involvement in this agreement by written notice to the other at least 120 days in advance of the date on which termination is to become effective. If the agreement is terminated before the end of the agreement as described below, the **County** will relinquish management authority of the camping platforms to the **Commission**. If the termination request is made by the **Commission**, the **Commission** agrees to refund the **County** a pro-rated portion of the funds used to construct and install the camping platforms based on a 25-year life expectancy of the camping platforms;
6. That during and after the term hereof, the State Auditor and any using agency's internal auditors shall have access to persons and records related to this Agreement to verify accounts and data affecting fees or performance under the Agreement, as provided in G.S. 143-49(9).
7. That the **County** shall hold and save the **Commission**, its officers, agents, and employees, harmless from liability of any kind, including all claims and losses accruing or resulting to any

other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation that may be injured or damaged by the **County** in the performance of this Agreement and that are attributable to the negligence or intentionally tortious acts of the **County**. The **County** represents and warrants that it shall make no claim of any kind or nature against the **Commission's** agents who are involved in planning or any other facet of the project. The representation and warranty in the preceding sentence shall survive the termination or expiration of this Agreement.

8. This Agreement and any documents incorporated specifically by reference represent the entire agreement between the parties and supersede all prior oral or written statements or agreements;
9. This Agreement may be amended only by a written amendment duly executed by the **Commission** and the **County**;
10. The failure to enforce or the waiver by the **Commission** of any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance;
11. Neither party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations as a result of events beyond its reasonable control, including without limitation, fire, power failures, any act of war, hostile foreign action, nuclear explosion, riot, strikes or failures or refusals to perform under subcontracts, civil insurrection, earthquake, hurricane, tornado, or other catastrophic natural event or act of God;
12. That notwithstanding any other term or provision in this contract, nothing herein is intended nor shall be interpreted as waiving any claim or defense based on the principle of sovereign immunity that otherwise would be available to the **Commission** under applicable law.

IN TESTIMONY WHEREOF, this Cooperative Agreement has been executed by the parties hereto, in duplicate originals, as of the day and year of the last signatory.

Approved and agreed to:

N.C. Wildlife Resources Commission

Gordon Myers, Executive Director Date

ATTEST

Date

Currituck County

Daniel F. Scanlon II, County Manager Date

ATTEST

Leeann Walton, Clerk to the Board of Commissioners

Date

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

C. Cooperative Agreement Between North Carolina Wildlife Resources Commission (WRC) and Currituck County to Incorporate the Brumley Road Access Area into the WRC Boating Access Area Program.

County Manager, Dan Scanlon, reviewed the agreement between the county and Wildlife Resources Commission (WRC) which would incorporate the Brumley parking area in Knotts Island into WRC's boating access area.

Commissioner White moved for approval and the motion was seconded by Commissioner Gilbert. The motion passed unanimously, 7-0.

COOPERATIVE AGREEMENT

BETWEEN

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

AND

CURRITUCK COUNTY

THIS Agreement, made and entered into this _____ day of _____, by and between the **North Carolina Wildlife Resources Commission**, hereinafter called the **Commission**, and **Currituck County**, hereinafter called the **County**;

WITNESSETH:

Whereas, the **Commission** is authorized to create and improve public boating access for the benefit of the boaters of North Carolina; and

Whereas, it is desirable for the **Commission** to improve public boating access at Brumley Road Access Area ramp and parking area, owned by the **County**, hereinafter called the Brumley Road Access Area; and

Whereas, it is desirable for the **County** to increase the recreational opportunities for the public by cooperating with the **Commission** to improve boating access at the Brumley Road Access Area;

Now, therefore, in consideration of the mutual advantages likely to result from this Agreement and the respective obligations assumed herein,

A. The COMMISSION agrees, at its sole expense:

1. To incorporate the Brumley Road Access Area owned by the **County** into its Boating Access Area Program;
2. To install informational kiosks and signage at the boating access area;
3. That the Brumley Road Access Area be included in the patrols of **Commission** Wildlife Law Enforcement Officers; and
4. To install signage to the parking and access areas that identify **Commission** regulations at boating access areas as stated in 15A NCAC 10E .0104(e).

B. The County agrees, at its sole expense:

1. To be responsible for all repairs to the Brumley Road Boating Access Area parking lot;
2. To maintain the grounds surrounding the site, keep the grass mowed at regular intervals year-round, and remove litter regularly;
3. To ensure that the **Commission** is recognized in all press releases, brochures and, advertisements developed by **County** concerning visitation and usage of the Brumley Road Access Area;
4. To permit boating access to the public at the Brumley Road Access Area;
5. To take affirmative action in complying with all Federal and State requirements concerning fair employment and employment of people with disabilities, and concerning the treatment of all employees without regard to discrimination by reason of race, color, religion, sex, national origin or disability; and
6. To comply with all laws, ordinances, codes, rules, regulations, and licensing requirements that are applicable to the conduct of its business and its performance in accordance with this Agreement including those of federal, state, and local agencies having jurisdiction and/or authority.

C. It is mutually agreed:

1. That the formal name of the access area will remain as Brumley Road Boating Access Area;
2. The purpose of the Brumley Road Boating Access Area is for the launching of boats and parking of vehicles and boat trailers as stated in 15A NCAC 10E .0104(e);
3. That the boating access area remain the property of the **County**;
4. That the boating access area regulations, as required by state law, shall be publicized and enforced by the **Commission**;
5. That nothing in this Agreement shall obligate a party to any conditions not specifically stated herein;

6. That this Agreement shall become effective as soon as it is signed and dated by all parties and shall continue in effect for 25 years from the date of signing;
7. That any party may terminate its involvement in this Agreement by written notice to the others at least 90 days in advance of the date on which termination is to become effective;
8. That during and after the term hereof, the State Auditor and any internal auditors, subject to applicable federal laws, rules and regulations, shall have access to persons and records related to this Agreement to verify accounts and data affecting performance under the Agreement, as provided in G.S. 143-49(9);
9. That the **County** shall hold and save the **Commission**, its officers, agents, and employees, harmless from liability of any kind, including all claims and losses accruing or resulting to any other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation that may be injured or damaged by the **County** in the performance of this Agreement and that are attributable to the negligence or intentionally tortious acts of the **County**. The **County** represent and warrant that it shall make no claim of any kind or nature against the **Commission's** agents who are involved in any planning, construction or post-construction work, and patrol activities. The representation and warranty in the preceding sentence shall survive the termination or expiration of this Agreement;
10. This Agreement and any documents incorporated specifically by reference represent the entire agreement between the parties and supersede all prior oral or written statements or agreements;
11. This Agreement may be amended only by a written amendment duly executed by the **Commission**, and **County**;
12. The failure to enforce or the waiver of any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance;
13. Neither party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations as a result of events beyond its reasonable control, including without limitation, fire, power failures, any act of war, hostile foreign action, nuclear explosion, riot, strikes or failures or refusals to perform under subcontracts, civil insurrection, earthquake, hurricane, tornado, or other catastrophic natural event or act of God;
14. That notwithstanding any other term or provision in this contract, nothing herein is intended nor shall be interpreted as waiving any claim or defense based on the principle of sovereign immunity that otherwise would be available to any party under applicable law.

In witness whereof, the parties hereto have executed this Agreement the day and year of the last signatory.

Approved and agreed to:

N.C. Wildlife Resources Commission

Gordon Myers, Executive Director

Date

Currituck County

Date

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

D. Resolution Accepting Final Bid for County-owned Property Located at 103 Bluefish Court, Walnut Island Estates Subdivision, Currituck County

County Attorney, Ike McRee, reviewed the Resolution with the Board of Commissioners for acceptance of the final bid of \$8,500.00. This would complete the upset bid process initiated by Resolution of the Board of Commissioners on July 16, 2018. Staff recommended adoption of the Resolution.

Commissioner Payment moved to adopt the Resolution and was seconded by Commissioner Gilbert. The motion passed unanimously.

RESOLUTION ACCEPTING HIGH BID FOR SURPLUS COUNTY PROPERTY LOCATED AT 103 BLUEFISH COURT, GRANDY, NORTH CAROLINA

WHEREAS, by resolution adopted July 16, 2018 the Board of Commissioners for Currituck County acknowledged receipt of an unsolicited bid to purchase county property located at 103 Bluefish Court, Grandy, North Carolina, (the "Property"); and

WHEREAS, determining that the county had no need for as surplus property the Board of Commissioners for Currituck County adopted a resolution authorizing sale of the Property thorough the upset bid procedure set forth in N.C. Gen. Stat. §160A-269; and

WHEREAS, the last and highest bid for the Property is \$8,500.00 submitted by James and Ursula Decesare.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County that the high bid in the amount of \$8,500.00 for the county property located at 103 Bluefish Court, Grandy, North Carolina submitted by James and Ursula Decesare is accepted and the appropriate county officials are authorized to execute documents necessary to transfer title to the property upon payment of the bid amount to the county.

ADOPTED the 4th day of September, 2018.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

(COUNTY SEAL)

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

E) Board Appointments

1. Game Commission

Commissioner Gilbert nominated Trevor Old and Commissioner White nominated Ardell Waterfield to the Game Commission.

Commissioner Etheridge moved for approval of the nominees. The motion was seconded by Commissioner Hall and the nominees were unanimously approved by the Board.

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

2. Veterans Advisory Board

Commissioner Hall nominated Steve Shawgo to the Veterans Advisory. The nomination was seconded by Commissioner Payment and unanimously approved by the Board.

Chairman Hanig thanked all who were willing to serve and said a press release would be forthcoming with general information and a date for the first meeting of the Veterans Advisory.

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

F) Consent Agenda

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

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

1) Approval Of Minutes-August 20, 2018

1. Minutes for August 20, 2018

2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
50550-592020	ALP Update & 18B Survey	\$ 359,000	
50550-592021	North Aircraft Apron Pavement Rehab	\$ 474,000	
50390-495015	Transfer from Occupancy Tax		\$ 41,650
50390-495042	Transfer from Land Transfer Tax		\$ 41,650
50330-448000	State Aid to Airports		\$ 749,700
42450-587050	T T - County Govt Facilities Fund	\$ 41,650	
42320-414000	Land Transfer Tax		\$ 41,650
		\$ 874,650	\$ 874,650
Explanation:	Co Governmental Construction (50550) - Increase appropriations to record two NC Division of Aviation airport grant programs. Grant 36244.10.7.1 for the North Aircraft Apron Pavement Rehabilitation that will be funded by \$426,600 in grant funds, \$23,700 from Occupancy Tax and \$23,700 from Land Transfer Tax. Grant 36237.8.14.1 for the Airport Layout Plan Update and 18B Survey, required for continued grant funding, that will be funded by \$323,100 in grant funds and \$17,950 funds from Occupancy Tax and \$17,950 funds from Land Transfer Tax.		
Net Budget Effect:	County Governmental Construction Fund (50) - Increased by \$833,000. Land Transfer Tax Capital Fund (42) - Increased by \$41,650.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
50442-597007	Connect Corolla PH V	\$ 98,500	
50390-495015	T F - Occupancy Tax Fund		\$ 98,500
		<u>\$ 98,500</u>	<u>\$ 98,500</u>
Explanation:	Co Governmental Construction (50442) -Set-up budget for design and contract administration for Corolla Greenway Phase V: This section of the project will connect the existing path on the west side of NC 12 at the north end of Monterey Shores at the intersection of NC 12 and Ocean Forest Court to the trolley stop at the north end of the Brindley Sports Center.		
Net Budget Effect:	County Governmental Construction Fund (50) - Increased by \$98,500.		

Updated 9/18/2018 4:08 PM

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
51848-593005	KI Elem HVAC	\$ 7,570	
51848-594004	MMS - Roof replacement A Wing N	\$ 80,000	
51848-594005	MMS - Roof Replacement A Wing S	\$ 80,000	
51848-594006	MMS - Roof Replacement Center	\$ 113,250	
51848-592006	GES - HVAC South	\$ 115,000	
51380-425001	State Lottery Proceeds		\$ 395,820
		\$ 395,820	\$ 395,820

Explanation: School Capital Construction (51) - To record lottery fund projects requested by the Board of Education for FY 2019 and to increase funding for the Knotts Island Elementary HVAC project funded in the prior year.

Net Budget Effect: School Capital Construction (51) - Increased by \$395,820.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10750-545000	Contract Services	\$ 10,000	
10750-502000	Salaries		\$ 10,000
		\$ 10,000	\$ 10,000

Explanation: Social Services Administration (10750) - Transfer lapsed salary funding to contract services to contract for temporary DSS staff until position vacancies can be filled.

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

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
67878-553000	Dues and Subscriptions	\$ 20,000	
67878-545000	Contracted Services		\$ 5,000
67878-513000	Utilities		\$ 5,000
67878-532000	Supplies		\$ 5,000
67878-516000	Repairs and Maintenance		\$ 5,000
		<u>\$ 20,000</u>	<u>\$ 20,000</u>
Explanation:	Mainland Sewer (67878) - Transfer budgeted funds for increased payments to the NC Department of Environmental Quality.		
Net Budget Effect:	Mainland Sewer Fund (67) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
30850-545000	Contract Services	\$ 1,579	
30380-481000	Investment Earnings		\$ 1,579
		<u>\$ 1,579</u>	<u>\$ 1,579</u>
Explanation:	Postemployment Benefits (30850) - Increase appropriations for increase in cost of mandated actuarial study due to increased number of retirees in the program.		
Net Budget Effect:	Postemployment Benefits Fund (30) - Increased by \$1,579.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10460-545000	Contract Services	\$ 50,000	
10390-499900	Fund Balance Appropriated		\$ 50,000
		\$ 50,000	\$ 50,000
Explanation:	Public Works (10460) - Increase appropriations for mosquito spraying throughout the County.		
Net Budget Effect:	Operating Fund (10) - Increased by \$50,000.		

3. Project Ordinance: North Aircraft Apron Pavement Rehab

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is the North Aircraft Apron Pavement Rehabilitation, grant 36244.10.7.1.

SECTION 2. The following amounts are appropriated for the project:

Corolla Greenway Phase V	\$ 98,500
	<u>\$ 98,500</u>

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	\$ 98,500
	<u>\$ 98,500</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 4th day of September 2018.

Bobby Hanig, Chairman Board of
Commissioners

ATTEST:

Leeann Walton Clerk to the Board

4. Project Ordinance: Airport Layout Plan Update & 18B Survey

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is Airport Layout Plan Update & 18B Survey, grant 36237.8.14.1.

SECTION 2. The following amounts are appropriated for the project:

Corolla Greenway Phase V	\$ 98,500
	<u>\$ 98,500</u>

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	\$ 98,500
	<u>\$ 98,500</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted

departmental appropriations; and (3) services which are within budgeted departmental appropriations.

- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 4th day of September 2018.

Bobby Hanig, Chairman Board of
Commissioners

ATTEST:

Leeann Walton Clerk to the Board

5. Project Ordinance - Corolla Greenway Phase V

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is the design and contract administration for the Corolla Greenway - Phase V: connect the existing path along the west side of NC 12 at the north end of Monteray Shores at the intersection of NC 12 and Ocean Forest Court to the trolley stop at the north end of the Brindley Sports Center.

SECTION 2. The following amounts are appropriated for the project:

Corolla Greenway Phase V	\$ 98,500
	<u>\$ 98,500</u>

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	\$ 98,500
	<u>\$ 98,500</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 4th day of September 2018.

Bobby Hanig, Chairman Board of
Commissioners

ATTEST:

Leeann Walton Clerk to the Board

6. Water Shortage Response Plan for SOBWS

RESOLUTION ESTABLISHING AND CREATING THE WATER SHORTAGE RESPONSE PLAN (the “WSRP”) FOR SOUTHERN OUTER BANKS WATER SYSTEM (SOBWS)

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department for review and approval; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for Southern Outer Banks Water System (SOBWS), Currituck County, North Carolina, has been developed and submitted to the Currituck County Board of Commissioners for approval; and

WHEREAS, the Currituck County Board of Commissioners finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for SOBWS, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners of SOBWS that the Water Shortage Response Plan entitled, Water Shortage Response Plan for Southern Outer Banks Water System dated September __, 2018 is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Currituck County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

ADOPTED the ____ day of September, 2018.

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Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board

(COUNTY SEAL)

7. Resolution Authorizing Sole Source Purchase of Ambulance from Select Custom Apparatus

RESOLUTION AUTHORIZING THE PURCHASE OF CHASSIS, ASSOCIATED ACCESSORIES AND REMOUNTING OF WHEELED COACH AMBULANCES FROM SELECT CUSTOM APPARATUS THROUGH SOLE SOURCE PURCHASE

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and;

WHEREAS, to lengthen the service life of its Wheeled Coach ambulances the county Department of Fire and EMS is acquiring new ambulance chassis and associated accessories upon which the patient and equipment compartment is remounted; and;

WHEREAS, ninety percent of the ambulances operated by the county Department of Fire and EMS are Wheeled Coach ambulances and the department has previously contracted with Select Custom Apparatus, a Wheeled Coach dealer, for purchase of chassis, associated accessories and remount of patient and equipment compartments; and;

WHEREAS, crew familiarity and knowledge of the chassis, associated equipment and the patient and equipment compartment is critical to the success of the department's mission and patient safety as crews transition from one ambulance unit to another requiring standardization and compatibility of ambulances and associated equipment; and;

WHEREAS, the acquisition of chassis, associated accessories and remount of patient and equipment compartments by Select Custom Apparatus will assure standardization and compatibility of the ambulance fleet operated by the Currituck County Department of Fire and EMS, and;

WHEREAS, Select Custom Apparatus, is supplying the county with one (1) 2020 Freightliner M2 LP 4x2 chassis' for \$72,701.00, one (1) Wheeled Coach Ambulance module

remount for \$62,496.29, Modification Additions for \$17,128.23, and Additional Harness Restraint System for the Bench Seat Area for \$3,346.00, and;

WHEREAS, the Board of Commissioners for Currituck County, North Carolina declares the following property as surplus and authorizes its use as a trade-in with \$2,500.00 trade-in allowance: Asset tag #6979, 2009 Freightliner M2 Ambulance, VIN #1FVACWDK09HAF8508 and;

WHEREAS, the total price of the 2020 Freightliner, module remount, modification additions and restraint system is \$155,671.52 minus the \$2,500.00 trade-in units for a total amount of \$153,171.52.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$153,171.52 with Select Custom Apparatus for the sole source purchase of chassis, associated accessories and remount of patient and equipment compartments on county ambulance numbers 530-17 and 530-20 in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Select Custom Apparatus for the acquisition apparatus, materials, trade-in approval and equipment acquisition described in this resolution and the proposed contract.

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

This the _____th day of September, 2018.

Daniel F. Scanlon, II
County Manager

ATTEST:

Leeann Walton
Clerk to the Board of Commissioners

8. Consideration and Action: Adoption of Out of State Travel Policy for County Commissioners

PURPOSE

Currituck County recognizes that its board of commissioners may at times receive value from attending workshops, conferences, and events. This policy establishes uniform guidelines to approve and reimburse commissioners for reasonable expenses incurred while traveling out of the County on official business for the benefit of the County.

GENERAL

Attending workshops, conferences, and events can be an important and valuable function of a commissioner. The commissioners may appropriate funds in the annual budget for registration and out of county travel, lodging, and meal costs incurred while traveling on official business for the benefit of the County. A commissioner traveling on official County business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, circuitous routes, delays, or luxury accommodations and services unnecessary, unjustified, or for the convenience or personal preference of the commissioner in the performance of official County business are prohibited. Travel that would not directly benefit the County will not be reimbursable.

PROCEDURES

- A. Attendance at a workshop, conference or event shall be approved in advance by the Board at an open meeting for travel costs to qualify for reimbursement.
- B. Requests for attendance must include a statement of the official business, direct benefit of the County, and an estimated cost.
- C. No reimbursements will be made for attendance at events sponsored by, or affiliated with, political parties.
- D. The County may make payments in advance for airfare, lodging and registration if specifically approved by the Board. Otherwise all payments will be made as reimbursements to the commissioner.
- E. The County will reimburse for transportation, lodging, meals, registration, and incidental costs using the same procedures, limitations and guidelines outlined in the Currituck County Personnel Policy for County employees.
- F. A County vehicle may be available and should be secured in advance. Mileage will be reimbursed at the approved IRS rate. If two or more commissioners travel together by car, only the driver will receive reimbursement. The commissioner must use the most cost-efficient mode of travel available, taking into consideration reasonable time constraints. Airfare will be reimbursed at coach rate.
- G. Receipts are required for lodging and airfare and should accompany an expense report form. It is not necessary to have receipts for meals if being reimbursed on the per diem basis outlined in the Currituck County Personnel Policy. Receipts for group meals must be remitted and must be a detailed receipt including items purchased, tax, tip and total. All persons attending the group meal should be listed on the back of the receipt along with a brief description of the group meal purpose. The expense report form must be submitted to the County for payment.
- H. The County will not reimburse for alcoholic beverages, personal telephone calls, entertainment, costs associated with the attendance of a family member, rental of luxury vehicles, and meal expenses included in the cost of registration and/or hotel amenities, or recreational expenses such as golf or tennis.
- I. Limitations may be imposed on paying for expenses for a commissioner who has announced intention to resign, not to seek re-election, or who has been defeated in an election.
- J. The County may request an oral or written report from the commissioner on the results of the trip.
- K. The Commissioner must make available to the County or other commissioners material related to the workshops, conferences, and events so that it may be copied if desired.
- L. Requests for reimbursement shall be filed within 7 days after the travel period ends for which the reimbursement is being requested, except for an unforeseen cause.

G) County Manager's Report

Dan Scanlon, County Manager, announced the rabies vaccination clinic to be held on Saturday, Sept 22, from 8 AM till 10 AM at the Currituck County Judicial Center. There is no charge to county residents with proper identification. Mr. Scanlon recognized the Moyock Animal Hospital for working with us.

Mr. Scanlon updated the Board on the status of Moyock Park. He noted a recent meeting with Quible Engineering, said we are working through developing the scope of services for bidding purposes, and hopes to be under construction by spring.

ADJOURN

Motion to Adjourn Meeting

There was no further business and Commissioner Gilbert made a motion to adjourn. The motion was seconded by Commissioner White. The motion passed unanimously and the meeting of the Board of Commissioners concluded at 7:00 PM.

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

SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners held a Special Meeting sitting as the Tourism Development Authority immediately following the regular 6:00 PM meeting of the Board of Commissioners in the Historic Courthouse Board Meeting Room.

H. TDA Budget Amendments

Tameron Kugler, Tourism Director, was seated with the Board and began a review of the 2017 Tourism Impact Fact Sheet provided earlier to Commissioners. During review, Ms. Kugler noted tourism spending resulted in an annual savings of \$906 per county resident and \$2,517 per household in local and state taxes.

Ms. Kugler discussed Currituck County's 350th Anniversary Celebration and Currituck Heritage Festival events scheduled Saturday, September 15, at the Rural Center.

Dan Scanlon, County Manager, reviewed the budget amendments for the Board and Commissioner White moved for approval. The motion was seconded by Commissioner Payment and passed unanimously, 7-0.

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-587050	T T - Co Govt Construction	\$ 41,650	
15320-415000	Occupancy Tax		\$ 41,650
		\$ 41,650	\$ 41,650

Explanation: Occupancy Tax - Tourism Related (15447) - Increase appropriations for cash match to Airport grants 36244.10.7.1 N Aircraft Apron Pavement Rehab and 36237.8.14.1 ALP Update & 18B Survey.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$41,650.

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15442-526200	Tourism Promotion	\$ 50,000	
15320-415000	Occupancy Tax		\$ 50,000
		\$ 50,000	\$ 50,000

Explanation: Occupancy Tax - Promotion(15442) - Increase appropriations to provide funding for 350th Anniversary celebration activities.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$50,000.

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-590000	Capital Outlay	\$ 63,500	
15320-415000	Occupancy Tax		\$ 63,500
		\$ 63,500	\$ 63,500
Explanation: Occupancy Tax - Tourism Related - Increase appropriations to design and construct camping platforms along Northwest River on Wildlife game lands.			
Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$63,500.			

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

ADJOURN MEETING OF THE TOURISM DEVELOPMENT AUTHORITY

There was no further business. Commissioner Gilbert motioned for adjournment and was seconded by Commissioner White. The motion passed unanimously and the meeting of the Tourism Development Authority adjourned at 7:13 PM.

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



Currituck County

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

To: Board of Commissioners

From: Planning Staff

Date: September 4, 2018

Subject: PB 18-18 David Stumph, Text Amendment, Veterinary Clinics

The enclosed text amendment submitted by David Stumph revises Chapter 4 of the Unified Development Ordinance as it pertains to veterinary clinics. In the current ordinance a minimum lot area of two acres is required for all veterinary clinics. The minimum lot area is intended to provide space for, and separation from, outdoor facilities such as runs, kennels, or training areas. The text amendment proposes to allow clinics with no outdoor facilities to locate on lots smaller than two acres.

Planning Board Meeting – 8/14/2018

Discussion:

PB 18-18 David Stumph, Veterinary Clinics

Chairman Whiteman asked the applicant to come before the board to state their name and address. David Stumph appeared and stated his address as 3916 Tabor Ridge Drive, Kitty Hawk. Chairman Whiteman asked the applicant to take a seat while staff presented his case.

Jason Litteral, Planner II, presented the staff report. The text amendment is requesting to modify Chapter 4 of the Unified Development Ordinance (UDO) to allow veterinary clinics with no outdoor facilities to locate on lots smaller than two acres.

Planning Board members were concerned with the repercussions of an applicant choosing a nonconforming lot. Mr. Litteral said there is a section in the UDO concerning the nonconforming lots with the purpose of providing a means whereby the county may require certain nonconforming site features to be brought into compliance.

Mr. Craddock asked which zoning districts currently allow veterinary clinics. Mr. Litteral said they are allowed in the Agriculture (AG) zoning district with a Use Permit and in the General Business (GB), Limited Business (LB) and Light Industrial (LI) zoning districts without a Use Permit.

Attachment: Staff Report (PB 18-18 David Stumph, Veterinary Clinics)

David Stumph introduced himself and his wife Jessica Stumph, who is also a veterinarian. He said she runs a mobile service, but it is getting increasingly more difficult with more cliental. They had started looking for a site to locate their business in Currituck County and found the rules as stated in the UDO made it difficult for new veterinary clinics.

Mr. McColley asked if they had a site in mind for the business and Mr. Stumph said the 1,100 square foot space was located beside the Post Office in Point Harbor.

Mr. Litteral noted this text amendment would also be an opportunity to bring the two existing veterinary clinics in the county into compliance since they do not have dog runs.

Chairman Whiteman asked if other businesses were located in the building they are considering and what is the zoning district. Mr. Stumph said the post office and an antique store are in the same connected building. Mr. Litteral said it is zoned GB.

Mr. Craddock noted the discussion in the work session to change the minimum lot size requirement for the veterinary clinic to match the requirements of the zoning districts it is located in. Chairman Whiteman asked the applicant if they were okay with the noted change and Mr. Stumph said the change was acceptable to their requested text amendment. Mr. Litteral said he will modify the text amendment as noted.

The board asked staff the minimum lot size requirements for the allowed zoning districts for veterinary clinics. Mr. Litteral gave the following minimum lot sizes:

Agriculture - 30,000 sq. ft. (on county water supply)
 General Business - 40,000 sq. ft.
 Limited Business - 40,000 sq. ft.
 Light Industrial - 60,000 sq. ft.

Planning Board Motion:

Mr. Craddock motioned to approve PB 18-18 David Stumph, Veterinary Clinics text amendment for the requested change to the UDO to allow veterinary clinics with no outdoor facilities to locate on lots smaller than two acres provided they meet the minimum lot size requirements for the zoning district. A line item #2 shall be added to the text amendment for the minimum lots size requirement. The requested text amendment is in the public's interest; it will not injure adjoining property owners and public facilities are adequate for the change. Mr. McColley seconded the motion and the motion carried unanimously.

RESULT: RECOMMENDED APPROVAL [UNANIMOUS]

AYES: Fred Whiteman, Chairman, C. Shay Ballance, Vice Chairman, Steven Craddock, Board Member, John McColley, Board Member, J. Timothy Thomas, Board Member

ABSENT: Carol Bell, Board Member, Jeff O'Brien, Board Member, Jane Overstreet, Board Member

PB 18-18
David Stumph, Veterinary Clinics

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 of the Unified Development Ordinance is amended by adding the following underlined language.

AS PROPOSED BY THE APPLICANT

Animal Care Uses

Animal shelters, grooming, kennels (indoor and outdoor), and veterinary clinics shall comply with the following standards:

- (1) Except for veterinary clinics with no outdoor facilities, the minimum lot area shall be at least two acres. Outdoor facilities include but are not limited to runs, kennels, and training areas.
- (3) All fenced runs or training areas shall maintain a 25-foot setback from lot lines
 and be at least 50 feet from any adjacent single-family dwellings.
- (4) Runs and training areas shall be enclosed with fencing at least six feet in height.
- (5) All gates and entrances to the runs, kennels, and training areas shall remain
 locked when not in use.

AS RECOMMENDED BY THE PLANNING BOARD

Animal Care Uses

Animal shelters, grooming, kennels (indoor and outdoor), and veterinary clinics shall comply with the following standards:

- (1) The minimum lot area shall be at least two acres.
- (2) Veterinary Clinics with no outdoor facilities shall locate on lots meeting the minimum requirements for the zoning district in which

they are proposed. Outdoor facilities include, but are not limited to, runs, kennels, and training areas.

- (3) All fenced runs or training areas shall maintain a 25-foot setback from lot lines
and be at least 50 feet from any adjacent single-family dwellings.
- (4) Runs and training areas shall be enclosed with fencing at least six feet in height.
- (5) All gates and entrances to the runs, kennels, and training areas shall remain
locked when not in use.

Item 2: 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 3: This ordinance amendment shall be in effect from and after the ____ day of _____, 2017.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: ____AYES____NAYS
.....

PLANNING BOARD DATE: 8/14/18
PLANNING BOARD RECOMMENDATION: Approved
VOTE: 5AYES 0NAYS
ADVERTISEMENT DATE OF PUBLIC HEARING: 8/24/18 & 8/31/18
BOARD OF COMMISSIONERS PUBLIC HEARING: 9/4/18
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____



Text Amendment Application

OFFICIAL USE ONLY:

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

Contact Information
APPLICANT:

Name:

David Stumph

Address:

3916 Tarble Ridge Dr
Kitty Hawk, NC 27949

Telephone:

252-256-7039

E-Mail Address:

dstumph76@yahoo.com, firstflightvet@gmail.com
Request

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

Amend Chapter(s)

4

Section(s)

4.2.4 B

as follows:

Veterinary clinics with no runs, fenced areas, training areas, or
outdoor kennels are excluded from the minimum lot area
requirement of two acres. Any indoor kenneling at a vet clinic
on a lot less than two acres must be used exclusively for
observation of hospitalized animals.

*Request may be attached on separate paper if needed.

Petitioner

A handwritten signature of David Stumph.

Date

6/26/18



Currituck County

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

To: Board of Commissioners

From: Planning Staff

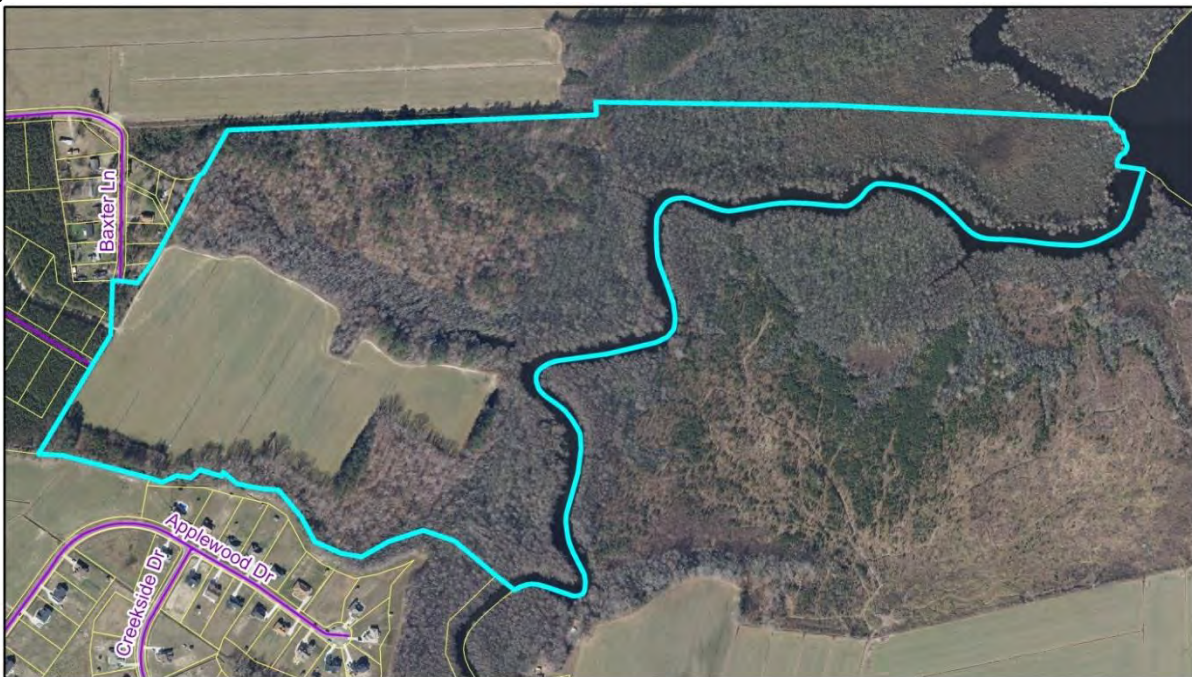
Date: August 27, 2018

Subject: PB 15-10 The Landing, Preliminary Plat/Use Permit Extension

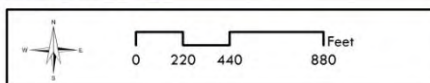
On August 15, 2016, the Board of Commissioners approved the preliminary plat/use permit for The Landing, a conservation subdivision consisting of 29 residential lots, located off of Baxter Lane and Little Acorn Trail in Moyock. The preliminary plat approval was due to expire on August 15, 2018.


On August 14, 2018 the engineer, Mark Bissell of Bissell Professional Group, submitted a request for preliminary plat extension indicating the applicants are currently proceeding with the preparation of construction drawings and specifications and intend to initiate construction soon after all of the required permits have been issued.

In accordance with the UDO Section 2.4.8.E., the Board of Commissioners may, for good cause, grant a two-year extension of the preliminary plat. The applicant is requesting a two-year extension.



PB 15-10 The Landing
 Preliminary Plat - Use Permit
 Aerial



 Currituck County
 Planning and
 Community Development

Attachment: The Landing PP Extension 2018 (PB 15-10 The Landing)

August 14, 2018

Ms. Jennie Turner
Planner II
Department of Planning & Community Development
County of Currituck
153 Courthouse Road, Suite 110
Currituck, NC 27929

Re: PB 15-10 The Landing – Request for Extension of Use Permit

Dear Jennie:

We represent James M. Jarvis, Jr. and Catherine Jarvis, who own the subdivision known as The Landing, which was approved under Permit No. PB 15-10 on August 15, 2016, for property located on Tax Map 14, Parcel 4, Moyock Township. This permit was issued for a 29 lot conservation subdivision of 40,000 square foot lots. We are requesting approval of an extension of the use permit for two years for the following reasons:

1. The Use Permit has not expired.
2. The use is compatible with the 2006 Land Use Plan and the 2014 Moyock Small Area Plan, and it appears the development would qualify for approval again under the current Unified Development Ordinance.
3. As part of the approval, the landowners have offered pedestrian connectivity, as promoted in the Moyock Small Area Plan, to both the neighboring community and the adjacent County park property, along with an easement to Currituck County for the construction of an elevated walkway from the County property to Shingle Landing Creek. They have also committed to the construction of an elevated camping platform, which will promote the County's objective of providing more water access to its residents.
4. The applicants are currently proceeding with the preparation of construction drawings and specifications, and intend to initiate construction soon after all of the required permits have been issued.

Thank you for your consideration of this request. Please let me know if we may provide any additional information at this time.

Sincerely yours,
BISSELL PROFESSIONAL GROUP



Mark S. Bissell, P.E.

cc: Jamie Jarvis
CeCe Thrasher

From: [Mark Bissell](#)
To: [Jennie Turner](#)
Cc: [Laurie LoCicero](#); jamesmjarvisjr@gmail.com; "[CeCe Thrasher](#)"; "[Dave Klebitz](#)"; "[Emily Coppersmith](#)"
Subject: RE: 4562 The Landing Use Permit Extension
Date: Tuesday, August 28, 2018 4:58:51 PM

Jennie,

We are providing the following additional information in connection with this request:

The co-applicants for this use permit and co-owners of the land have been set back substantially as a result of going through a divorce. An equitable distribution of their assets was attempted, and would have resulted in one of the parties having the right to proceed independently with the construction of the subdivision, but the equitable distribution was not successfully completed. The co-applicants are now proceeding with completion of the development together, as co-owners. However, the time that was lost during this process cannot be made up, and additional time is therefore necessary to complete the development.

Best regards,

Mark S. Bissell, PE



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Attachment: 8-28-2018 Bissell Follow up email - The Landing Use Permit Extension (PB 15-10 The Landing)

COOPERATIVE AGREEMENT
BETWEEN
NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
AND
CURRITUCK COUNTY

AGREEMENT TO DESIGN, PERMIT, RENOVATE, OPERATE, AND MAINTAIN PUBLIC CAMPING PLATFORMS

This agreement is made and entered into this the _____ day of _____, 2018, by and between the **NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**, hereinafter referred to as the **COMMISSION**, and **CURRITUCK COUNTY**, hereinafter referred to as the **COUNTY**.

WITNESSETH:

Whereas, the **Commission** is authorized through its strategic plan to provide opportunities that allow outdoor enthusiasts to enjoy wildlife-associated recreation; and

Whereas, it is desirable for the **County** to provide no-fee public camping platforms located on Northwest River Marshes Game Land, owned by the State and allocated to the **Commission** for management; and

Whereas, it is desirable for the **Commission** to improve public use opportunities for the public by cooperating with the **County** to provide no-fee public camping platforms at Northwest River Marshes Game Land;

Now, therefore, in consideration of the mutual advantages likely to result from this Agreement and the respective obligations assumed herein,

A. The COMMISSION agrees, at its sole expense:

1. To permit **County** personnel or its contractors engaged in planning, construction or post-construction work, access to Shingle Landing Boating Access Area and Northwest River Marshes Game Land.
2. To allow the **County** to make modifications to the Shingle Landing Boating Access Area that would allow for use of the facility by kayaks/canoes.
3. Allow the **County** to install three camping platforms, a privy area, and boardwalk access to the platforms.

B. The COUNTY agrees, at its sole expense:

1. To provide a design and fund the construction of the platforms, privy area, boardwalks, and kayak/canoe access improvements made to the Shingle Landing Boating Access Area.
2. Provide construction drawings of the proposed modifications and new construction for review revision and approval of the **Commission** prior to construction.
3. To serve as the manager of the construction project, applying for, complying with, and receiving all permits necessary for the Boating Access Area modifications and camping platforms at Northwest River Marshes Game Land.
4. To provide construction materials for Shingle Boating Access Area work and camping platforms at Northwest River Marshes Game Land.
5. To provide personnel or contractor for the construction, transportation and installation of the camping platforms and Shingle Landing Boating Access Area modifications.
6. To ensure that the **Commission** is recognized in all press releases, brochures and, advertisements developed by the **County** concerning visitation and usage of the Northwest River Marshes Game Land camping platforms;
7. To be responsible for any future necessary repairs to the platforms and kayak/canoe access.
8. Maintain the grounds surrounding the camping platform site keeping the litter removed regularly.

C. It is mutually agreed:

1. Manage the camping platform area as a **County** facility with no closure of the site except for repair purposes, emergency situations, limited special uses or best management practices. The facility will be posted with **County** park facilities and rentals/reservations will be handled through the Parks and Recreation Department.
2. That nothing in this Agreement shall obligate either party to any conditions not specifically stated herein;
3. That this Agreement shall become effective as soon as it is signed and dated by both parties and shall continue in effect for 25 years from the date of signing;
4. That the camping platforms become property of the **Commission** after construction is completed;
5. That either party may terminate its involvement in this agreement by written notice to the other at least 120 days in advance of the date on which termination is to become effective. If the agreement is terminated before the end of the agreement as described below, the **County** will relinquish management authority of the camping platforms to the **Commission**. If the termination request is made by the **Commission**, the **Commission** agrees to refund the **County** a pro-rated portion of the funds used to construct and install the camping platforms based on a 25-year life expectancy of the camping platforms;
6. That during and after the term hereof, the State Auditor and any using agency's internal auditors shall have access to persons and records related to this Agreement to verify accounts and data affecting fees or performance under the Agreement, as provided in G.S. 143-49(9).
7. That the **County** shall hold and save the **Commission**, its officers, agents, and employees, harmless from liability of any kind, including all claims and losses accruing or resulting to any other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation that may be injured or damaged by the **County** in the performance of this Agreement and that are attributable to the negligence or intentionally tortious acts of the **County**. The **County** represents and warrants that it shall make no claim of any kind or nature against the **Commission's** agents who are involved in planning or any other facet of the project. The representation and warranty in the preceding sentence shall survive the termination or expiration of this Agreement.
8. This Agreement and any documents incorporated specifically by reference represent the entire agreement between the parties and supersede all prior oral or written statements or agreements;

9. This Agreement may be amended only by a written amendment duly executed by the **Commission** and the **County**;
10. The failure to enforce or the waiver by the **Commission** of any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance;
11. Neither party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations as a result of events beyond its reasonable control, including without limitation, fire, power failures, any act of war, hostile foreign action, nuclear explosion, riot, strikes or failures or refusals to perform under subcontracts, civil insurrection, earthquake, hurricane, tornado, or other catastrophic natural event or act of God;
12. That notwithstanding any other term or provision in this contract, nothing herein is intended nor shall be interpreted as waiving any claim or defense based on the principle of sovereign immunity that otherwise would be available to the **Commission** under applicable law.

Approved and agreed to:

Gordon Myers, Executive Director	Date
----------------------------------	------

Date _____

Daniel F. Scanlon II, County Manager

Leeann Walton, Clerk to the Board of Commissioners Date

COOPERATIVE AGREEMENT

BETWEEN

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

AND

CURRITUCK COUNTY

THIS Agreement, made and entered into this _____ day of _____, by and between the **North Carolina Wildlife Resources Commission**, hereinafter called the **Commission**, and **Currituck County**, hereinafter called the **County**;

WITNESSETH:

Whereas, the **Commission** is authorized to create and improve public boating access for the benefit of the boaters of North Carolina; and

Whereas, it is desirable for the **Commission** to improve public boating access at Brumley Road Access Area ramp and parking area, owned by the **County**, hereinafter called the Brumley Road Access Area; and

Whereas, it is desirable for the **County** to increase the recreational opportunities for the public by cooperating with the **Commission** to improve boating access at the Brumley Road Access Area;

Now, therefore, in consideration of the mutual advantages likely to result from this Agreement and the respective obligations assumed herein,

A. The COMMISSION agrees, at its sole expense:

1. To incorporate the Brumley Road Access Area owned by the **County** into its Boating Access Area Program;
2. To install informational kiosks and signage at the boating access area;
3. That the Brumley Road Access Area be included in the patrols of **Commission** Wildlife Law Enforcement Officers; and
4. To install signage to the parking and access areas that identify **Commission** regulations at boating access areas as stated in 15A NCAC 10E .0104(e).

B. The County agrees, at its sole expense:

1. To be responsible for all repairs to the Brumley Road Boating Access Area parking lot;

2. To maintain the grounds surrounding the site, keep the grass mowed at regular intervals year-round, and remove litter regularly;
3. To ensure that the **Commission** is recognized in all press releases, brochures and, advertisements developed by **County** concerning visitation and usage of the Brumley Road Access Area;
4. To permit boating access to the public at the Brumley Road Access Area;
5. To take affirmative action in complying with all Federal and State requirements concerning fair employment and employment of people with disabilities, and concerning the treatment of all employees without regard to discrimination by reason of race, color, religion, sex, national origin or disability; and
6. To comply with all laws, ordinances, codes, rules, regulations, and licensing requirements that are applicable to the conduct of its business and its performance in accordance with this Agreement including those of federal, state, and local agencies having jurisdiction and/or authority.

C. It is mutually agreed:

1. That the formal name of the access area will remain as Brumley Road Boating Access Area;
2. The purpose of the Brumley Road Boating Access Area is for the launching of boats and parking of vehicles and boat trailers as stated in 15A NCAC 10E .0104(e);
3. That the boating access area remain the property of the **County**;
4. That the boating access area regulations, as required by state law, shall be publicized and enforced by the **Commission**;
5. That nothing in this Agreement shall obligate a party to any conditions not specifically stated herein;
6. That this Agreement shall become effective as soon as it is signed and dated by all parties and shall continue in effect for 25 years from the date of signing;
7. That any party may terminate its involvement in this Agreement by written notice to the others at least 90 days in advance of the date on which termination is to become effective;
8. That during and after the term hereof, the State Auditor and any internal auditors, subject to applicable federal laws, rules and regulations, shall have access to persons and records related to this Agreement to verify accounts and data affecting performance under the Agreement, as provided in G.S. 143-49(9);
9. That the **County** shall hold and save the **Commission**, its officers, agents, and employees, harmless from liability of any kind, including all claims and losses accruing or resulting to any other person, firm, or corporation furnishing or supplying work,

services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation that may be injured or damaged by the **County** in the performance of this Agreement and that are attributable to the negligence or intentionally tortious acts of the **County**. The **County** represent and warrant that it shall make no claim of any kind or nature against the **Commission's** agents who are involved in any planning, construction or post-construction work, and patrol activities. The representation and warranty in the preceding sentence shall survive the termination or expiration of this Agreement;

10. This Agreement and any documents incorporated specifically by reference represent the entire agreement between the parties and supersede all prior oral or written statements or agreements;
11. This Agreement may be amended only by a written amendment duly executed by the **Commission**, and **County**;
12. The failure to enforce or the waiver of any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance;
13. Neither party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations as a result of events beyond its reasonable control, including without limitation, fire, power failures, any act of war, hostile foreign action, nuclear explosion, riot, strikes or failures or refusals to perform under subcontracts, civil insurrection, earthquake, hurricane, tornado, or other catastrophic natural event or act of God;
14. That notwithstanding any other term or provision in this contract, nothing herein is intended nor shall be interpreted as waiving any claim or defense based on the principle of sovereign immunity that otherwise would be available to any party under applicable law.

In witness whereof, the parties hereto have executed this Agreement the day and year of the last signatory.

Approved and agreed to:

N.C. Wildlife Resources Commission

Gordon Myers, Executive Director Date

Currituck County

Date

**RESOLUTION ACCEPTING HIGH BID FOR SURPLUS COUNTY
PROPERTY LOCATED AT 103 BLUEFISH COURT, GRANDY,
NORTH CAROLINA**

WHEREAS, by resolution adopted July 16, 2018 the Board of Commissioners for Currituck County acknowledged receipt of an unsolicited bid to purchase county property located at 103 Bluefish Court, Grandy, North Carolina, (the "Property"); and

WHEREAS, determining that the county had no need for as surplus property the Board of Commissioners for Currituck County adopted a resolution authorizing sale of the Property thorough the upset bid procedure set forth in N.C. Gen. Stat. §160A-269; and

WHEREAS, the last and highest bid for the Property is \$8,500.00 submitted by James and Ursula Decesare.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County that the high bid in the amount of \$8,500.00 for the county property located at 103 Bluefish Court, Grandy, North Carolina submitted by James and Ursula Decesare is accepted and the appropriate county officials are authorized to execute documents necessary to transfer title to the property upon payment of the bid amount to the county.

ADOPTED the 4th day of September, 2018.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

(COUNTY SEAL)

GAME COMMISSION
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Steven Lewark	District 1		Bob White	6/16/2014	2nd term 6/1/2018
Jason Belangia	District 2		Bobby Hanig	8/6/2018	2nd term 6/1/2020
Jeremy Evans	District 3		Mike Payment	8/6/2018	2nd term 6/1/2020
Robert Romm	District 4		Paul Beaumont	6/19/2017	1st term 6/1/2019
Richard Bell	District 5	Resigned	Marion Gilbert	6/19/2017	2nd Term 6/1/2019
Curtis Austin	At-Large		Mike Hall	6/5/2017	2nd term 6/1/2019
James Cason, Jr	At-Large		Kitty Etheridge	6/19/2017	1st term 6/1/2019

Must be replaced

VETERANS ADVISORY BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
	District 1	ET Smith	Bob White	8/6/2018	Initial 8/6/2019
	District 2	Chet Moore	Bobby Hanig	8/6/2018	Initial 8/6/2019
	District 3	John McColley	Mike Payment	8/6/2018	Initial 8/6/2020
	District 4	Arron Sterling	Paul Beaumont	8/20/2018	Initial 8/6/2020
	District 5	Michael Shay	Marion Gilbert	8/6/2018	Initial 8/6/2020
	At-Large	VACANT	Mike Hall		Initial 8/6/2020
	At-Large	Jennifer Kuhnen	Kitty Etheridge	8/6/2018	Initial 8/6/2019

Commissioner: Beaumont Serves on this Board-Designated 8-20-2018



**CURRITUCK COUNTY
NORTH CAROLINA**

August 20, 2018

Minutes – Regular Meeting of the Board of Commissioners

4:30 PM WORK SESSION

1. Draft Solar Ordinance Review

The Currituck County Board of Commissioners attended a work session at 4:30 PM in the Conference Room of the Historic Courthouse to review the revised draft ordinance for Solar arrays. Planning and Community Development Director Laurie LoCicero and Planner Tammy Glave attended to present the revisions derived from earlier Board feedback. Modifications to setbacks, buffering, opacity and facility size parameters were reviewed and clarified. The Board considered materials testing for the inclusion of monitoring wells at facilities. Commissioners said more research was needed and asked staff to research the Public Health standards for well water testing. Discussion concluded and Ms. LoCicero relayed the timeline, intending to bring the final draft before the Planning Board in September and to the Board of Commissioners in October.

5:00 PM WORK SESSION

1. Rainfall Study Presentation-Lora Eddy, Nature Conservancy Coastal Engagement Coordinator

The Currituck County Board of Commissioners attended a work session at 5:00 PM in the Conference Room of the Historic Courthouse for a report on the Coastal Resilience Project and Dewberry Rainfall Study presented by Lora Eddy, Nature Conservancy Coastal Engagement Coordinator. Ms. Eddy provided an overview of the Coastal Resilience Project and its mission of enhancing and preserving vulnerable coastal areas. She reviewed mapping and initial modeling developed in association with the project and said rainfall would be incorporated into the modeling as more data was gathered. Brian Booten, Director of Pamlico and Albemarle Sounds Coastal Resilience program also attended, and he and Ms. Eddy responded to Board questions during presentation.

6:00 PM CALL TO ORDER

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

Attendee Name	Title	Status	Arrived
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	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 Michael Williams, Moyock United Methodist Church

Reverend Michael Williams offered the Invocation and led the Pledge of Allegiance.

B) Approval of Agenda

Commissioner Gilbert amended the agenda to add Board Appointments to the Senior Citizens Advisory under New Business and motioned for approval. The motion was seconded by Commissioner Hall and the motion passed unanimously.

Approved agenda:

4:30 PM Work Session

Draft Solar Ordinance Review

5:00 PM Work Session

Rainfall Study Presentation-Lora Eddy, Nature Conservancy
Coastal Engagement Coordinator

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance-Reverend Michael Williams,
Moyock 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.

Commissioner's Report

Administrative Reports

A) **Presentation of the Currituck County Contract Initiation and Approval Process**

Public Hearings

A) **Consideration and Action: PB 18-14 Panther Landing:**
Request for a preliminary plat/use permit for a 50 lot Type II Conservation Subdivision located at Panther Landing Road,

Tax Map 14, Parcel 13B, Moyock Township.

B) Consideration and Action: PB 18-19 JX Motorsports:

Request for a use permit to operate an automobile sales business at 4402 Caratoke Highway, Tax Map 70, Parcel 95, Crawford Township.

C) Consideration and Action: PB 18-16 Outer Banks

Beach Buggies: Request for a use permit to operate a low speed vehicle rental, sales and service business at 8604 Caratoke Highway, Tax Map 124, Parcel 95D, Poplar Branch Township.

New Business

A) Consideration of the Currituck County Emergency Operations Plan and Currituck Alert Presentation

B) Board Appointments

1. Veterans Advisory Board Appointments and Set Initial Terms for Members
2. **Amended**-Senior Citizens Advisory

C) Consent Agenda

1. Approval Of Minutes for August 6, 2018
2. Budget Amendments
3. Resolution for Acquisition of Ambulance through "Piggy Back" process
4. Sole Source Purchase of Kamstrup Meters and Hot Rod Data Logs Including Hardware & Software for Mainland Water
5. Consideration and Action on Acceptance of the Currituck County Agricultural Development Plan

D) County Manager's Report

Adjourn

Special Meeting-Tourism Development Authority

TDA Budget Amendments

Adjourn Special Meeting-Tourism Dev Authority

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marion Gilbert, 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

PUBLIC COMMENT

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

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

COMMISSIONER'S REPORT

Chairman Hanig acknowledged County Engineer Eric Weatherly, Soil and Water Technician Will Creef and county staff for a job well done dealing with flooding issues. He thanked citizens for their assistance in reporting trouble areas to the county. Chairman Hanig encouraged everyone to attend Currituck's 350th celebration activities.

Commissioner Beaumont discussed a letter of appreciation from a visitor who praised Currituck County Emergency Medical Services for their response and care they provided his brother, who had an accident on the beach. Commissioner Beaumont recognized all Emergency Medical Technicians and the multiple saves this year.

Commissioner Etheridge congratulated Currituck County 4-H members who attended the 4-H Congress in Raleigh last month. She said Currituck youth brought home ten medals.

Commissioner Hall discussed the improved look of the North Carolina 168-158 corridor after the county initially addressed dilapidated structures. He said it is time to look into it again in an effort to keep the area looking good and to help promote business and growth.

Commissioner White also acknowledged County Engineer Eric Weatherly and Soil and Water Technician Will Creef. He referenced an email received from the Ocean Sands Watershed Improvement Advisory Board thanking them and staff for their hard work in addressing the recent flooding.

Commissioner Gilbert also discussed dilapidated structures and agreed with Commissioner Hall. She mentioned the Rosenwald school that was saved from demolition. Commissioner Gilbert said she is looking to fill seats on the Game Commission and Planning Board and encouraged citizens to apply.

Commissioner Payment provided an update from the Albemarle Regional Health Director regarding mosquitoes and presented information on the state's setting of traps to attract mosquitoes that carry West Nile Virus. He said briquettes are available free of charge through Albemarle Health for placement in standing water. Commissioner Payment said Albemarle Health is awaiting test results related to a probable but unconfirmed case of West Nile Virus in Currituck County.

ADMINISTRATIVE REPORTS**A. Presentation of the Currituck County Contract Initiation and Approval Process**

Dan Scanlon, County Manager, and staff reviewed the County's contract routing process for the Board of Commissioners. Staff presented the process from contract initiation at the Department Head level through legal review, execution and attestation and pre-audit. Mr. Scanlon reviewed the authority of the County Manager to sign contracts as stated in the county budget ordinance. He responded to questions as to vendor selection for contracting with the county and mitigating risks.

County Attorney, Ike McRee, reviewed an ordinance amendment which would address contracting with elected officials who represent the county.

After review, Commissioner Gilbert made a motion for approval of the ordinance amendment with the addition of item F. The motion was seconded by Commissioner White.

Chairman Hanig said the amendment will protect both officials and staff and with no further comments the motion passed unanimously.

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING SECTION 33. CONTRACTUAL OBLIGATIONS OF THE COUNTY OF CURRITUCK BUDGET ORDINANCE FOR THE YEAR ENDING JUNE 30, 2019 TO REQUIRE BOARD OF COMMISSIONER APPROVAL FOR CONTRACTS WITH AN ELECTED OFFICIAL

WHEREAS, pursuant to N. C. Gen. Stat. §153A-12 a county's board of commissioners may delegate its authority to others within the a county's organization; and

WHEREAS, pursuant to the authority granted it by N. C. Gen. Stat. §153A-12 the Currituck County Board of Commissioners has authorized the County Manager and County Attorney to execute certain contracts as set forth in Section 33 of the County of Currituck Budget Ordinance For The Year Ending June 30, 2019; and

WHEREAS, the Currituck County Board of Commissioners has determined that it is advisable to modify the authority granted in Section 33 of the County of Currituck Budget Ordinance For The Year Ending June 30, 2019 to specifically provide that contracts with elected officials be approved by the Currituck County Board of Commissioners; and

WHEREAS, N. C. Gen. Stat. §159-15 a board of commissioners may amend the budget ordinance at any time after the ordinance's adoption in any manner.

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

Part I. **Section 33. Contractual Obligations** of the Currituck County Budget Ordinance For The Year Ending June 30, 2019 is amended to read as follows:
Code of Ordinances is rewritten to read as follows:

SECTION 33. CONTRACTUAL OBLIGATIONS

The County Manager and the County Attorney are hereby authorized to execute contractual documents under the following conditions:

a. They may execute contracts for construction or repair projects which do not require formal competitive bid procedures.

b. They may award contracts, reject bids, re-advertise for bids, waive bid bonds or bid deposit requirements, and waive performance and payment bond requirements for all formal bids of apparatus, supplies, materials and equipment as stated in G. S. 143-129.

c. They may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.

d. They may execute grant agreements to and from public and non-profit organizations which are within budgeted appropriations, unless a grantor organization requires execution by the Board of Commissioners.

e. They may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

f. Notwithstanding the authority granted in paragraphs a, b, c, d, and e of this section, they may execute contracts with an elected official representing the county only after the contract with an elected official representing the county, and the amount to be paid under the contract, is approved by the Board of Commissioners in the manner provided by N. C. Gen. Stat. §14-234.

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

PART IV. This ordinance is effective upon its adoption.

ADOPTED this 20th day of August, 2018.

Bobby Hanig, Chairman

Communication: Minutes for August 20, 2018 (Approval Of Minutes-August 20, 2018)

ATTEST:

Leeann Walton

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

PUBLIC HEARINGS**A. Consideration and Action: PB 18-14 Panther Landing:**

APPLICATION SUMMARY	
Property Owner: Chuen C. Smith c/o Martha Rose Smith Delong 105 Sharon Drive Hertford NC 27944	Applicant: Currituck Homes 101 Oak Street Moyock NC 27958
Parcel Identification Number: 0014-000-013B-0000	Application Type: Preliminary Plat/Use permit for Type II Conservation Subdivision
Zoning: SFM	Conservation Theme: Farmland and floodplain preservation
Land Use Plan Classification: Rural in the Moyock subarea	Existing Use: Cultivated Farmland
Moyock Small Area Plan Classification: Limited Service	Parcel Size (Acres): 67.62
Number of Units: 50 Residential Lots	Project Density: .74 units per acre
Required Open Space: 27.05 Acres	Provided Open Space: 27.89 Acres

SURROUNDING PARCELS		
	LAND USE	ZONING
NORTH	CULTIVATED FARMLAND/SINGLE-FAMILY DWELLING	SFM
SOUTH	COUNTY CONVENIENCE CENTER/SINGLE-FAMILY DWELLINGS	SFM/AG
EAST	SINGLE-FAMILY DWELLINGS (CYPRESS LANDING SUBDIVISION)	SFM
WEST	CULTIVATED FARMLAND WOODLANDS	SFM

The applicant, Currituck Homes, is requesting preliminary plat/use permit approval for 50 residential lots within a conservation subdivision. The subdivision is conserving flood plains and farmland and the open space will include cultivated farmland and the county's convenience center. All lots are

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designed to meet the minimum lot size of 30,000 square feet. External interconnectivity is proposed in this development at the northern property line. The lease agreement for the county's convenience center will be transferred from Mrs. Smith to the developer, including the expanded convenience center easement. The developer is willing to work with the county on the potential expansion of the convenience center.

INFRASTRUCTURE	
WATER	PUBLIC
SEWER	SEPTIC
TRANSPORTATION	PEDESTRIAN: SIDEWALKS ON BOTH SIDES OF ALL STREETS
	VEHICULAR: INGRESS/EGRESS VIA PANTHER LANDING ROAD (SR 1231)
STORMWATER/DRAINAGE	ROAD SIDE DITCHES AND PROPERTY LINE SWALES, RETENTION PONDS
LIGHTING	NONE PROPOSED
LANDSCAPING	FARMLAND BUFFER ALONG NORTHERN PROPERTY LINE, STREET TREES
PARKING	HANDICAP ACCESSIBLE USPS COMMUNITY BOX UNIT ONLY
COMPATIBILITY	RESIDENTIAL SUBDIVISION ADJOINING THE PROPOSED DEVELOPMENT WITH SIMILAR LOT SIZES
RECREATION AND PARK AREA DEDICATION	PAYMENT IN LIEU OF DEDICATION (1.275 ACRES) WILL BE ACCEPTED IN THE AMOUNT OF \$7,073.70

ADEQUATE PUBLIC FACILITIES		
SCHOOL	ACTUAL DEMAND JANUARY 2018	STUDENTS GENERATED BY THIS DEVELOPMENT
MOYOCK ELEMENTARY SHAWBORO ELEMENTARY CENTRAL ELEMENTARY	83%	12.5 STUDENTS
GRIGGS ELEMENTARY JARVISBURG ELEMENTARY	64%	
KNOTTS ISLAND ELEMENTARY	30%	
MOYOCK MIDDLE CURRITUCK MIDDLE	78%	4 STUDENTS
CURRITUCK HIGH JP KNAPP EARLY COLLEGE	80%	7 STUDENTS

RECOMMENDATIONS

TECHNICAL REVIEW COMMITTEE

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

1. The application complies with all applicable review standards of the UDO.
2. The applicant demonstrates the proposed use will meet the use permit review standards of the UDO.

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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. An easement is required for the street stub future connection that also includes sidewalk and utility infrastructure improvements. (UDO Section 5.6.5.B)
 - b. Should the developer use the "Alternative Typical Lot Layout" that places the sidewalks across the front of the lots instead of in the right-of-way, staff recommends that the front setback be increased to 20' from the sidewalk easement and not from the front property line to avoid the situation where staked parked cars in the driveway block the sidewalk.

USE PERMIT REVIEW STANDARDS

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

The use will not endanger the public health or safety.

PRELIMINARY APPLICANT FINDINGS:

1. STORMWATER MANAGEMENT WILL BE PROVIDED IN ACCORDANCE WITH THE CURRENT CURRITUCK COUNTY STORMWATER MANUAL AND THE UDO. TWO LARGE STORMWATER RETENTION PONDS WILL BE CONSTRUCTED TO MANAGE AND RETAIN STORMWATER IN EXCESS OF THE REFERENCED REQUIREMENTS. STORMWATER WILL BE MODELED FOR BOTH THE 10-YEAR AND THE 100-YEAR STORM EVENTS.
2. ALBEMARLE REGIONAL HEALTH SERVICES HAS EVALUATED EACH OF THE 50 LOTS FOR SUITABILITY FOR WASTEWATER DISPOSAL AND HAS PROVISIONALLY APPROVED EACH LOT AS BEING CAPABLE OF PROPERLY TREATING DOMESTIC WASTEWATER WITH PROPERLY FILLED AND DRAINED LOTS.
3. THE PROJECT IS BEING DESIGNED IN ACCORDANCE WITH THE NC DEPARTMENT OF ENERGY, MINERAL AND LAND RESOURCES SEDIMENTATION & EROSION CONTROL STANDARDS, AND WILL THEREFORE MINIMIZE EROSION AND WILL CONTAIN SILTATION ON SITE.
4. THE SUBDIVISION ENTRANCE IS OFF OF PANTHER LANDING ROAD, A ROAD WITH A VERY LOW TRAFFIC VOLUME. FOR SAFETY REASONS, NO ACCESS IS BEING PROVIDED TO TULLS CREEK ROAD, AND ALL LOTS ARE BEING ACCESSED FROM INTERIOR STREETS.

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. LAND TO THE WEST HAS BEEN DEVELOPED INTO SINGLE FAMILY HOMES; THE LAND TO THE NORTH IS FARMLAND; LAND TO THE SOUTH IS WOODLAND AND SINGLE FAMILY LOTS. LAND TO THE EAST IS FARMLAND AND WOODLAND. THIS TRACT WILL BE DEVELOPED SIMILARLY TO THE ADJACENT CYPRESS LANDING SUBDIVISION, EXCEPT THAT OVER 40% OF THE LAND WILL BE PRESERVED AS OPEN SPACE. LOT SIZE IS SIMILAR TO THOSE IN THE ADJACENT SUBDIVISIONS. THE USE WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING LANDS, AND WILL BE IN HARMONY WITH THE SURROUNDING AREA.

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

PRELIMINARY STAFF FINDINGS:

1. The 2006 Land Use Plan classifies this site as Rural within the Moyock subarea.
2. The Moyock Small Area Plan classifies this site as Limited Service with densities between 1 and 1.5 units per acre. This proposed development density is .75 units per acre.
3. The proposed use is in keeping with the policies of both plans, some of which are:
Land Use Plan

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.

POLICY HN3: Currituck County shall encourage...open space developments that cluster homes on less land, preserving permanently dedicated open space.

POLICY AG2: Farms and woodlands shall be recognized as an integral part of the county's OPEN SPACE SYSTEM. Efforts to keep these areas viable as part of the area's resource-based economic sector, shall be encouraged.

POLICY TR8: Local streets shall be designed and built to allow for convenient CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS and to encourage mobility by pedestrians and bicyclists.

POLICY PR6: All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS including, as may be appropriate, funding in proportion to the demand created by the development

Moyock Small Area Plan

POLICY TR2: Ensure that all development is designed with an interconnected, multi-modal transportation network between neighborhoods.

POLICY IS1: The costs of infrastructure, facilities, and services related to new growth and development should be borne primarily by those creating the demand.

POLICY IS4: Ensure that stormwater runoff, soil erosion, and sedimentation is properly managed to reduce nuisance flood and pollution of sensitive environmental areas.

POLICY FLU1: Promote compatibility between new development and existing development to avoid adverse impacts to the existing community.

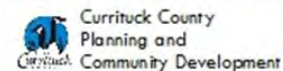
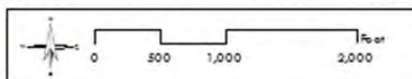
The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

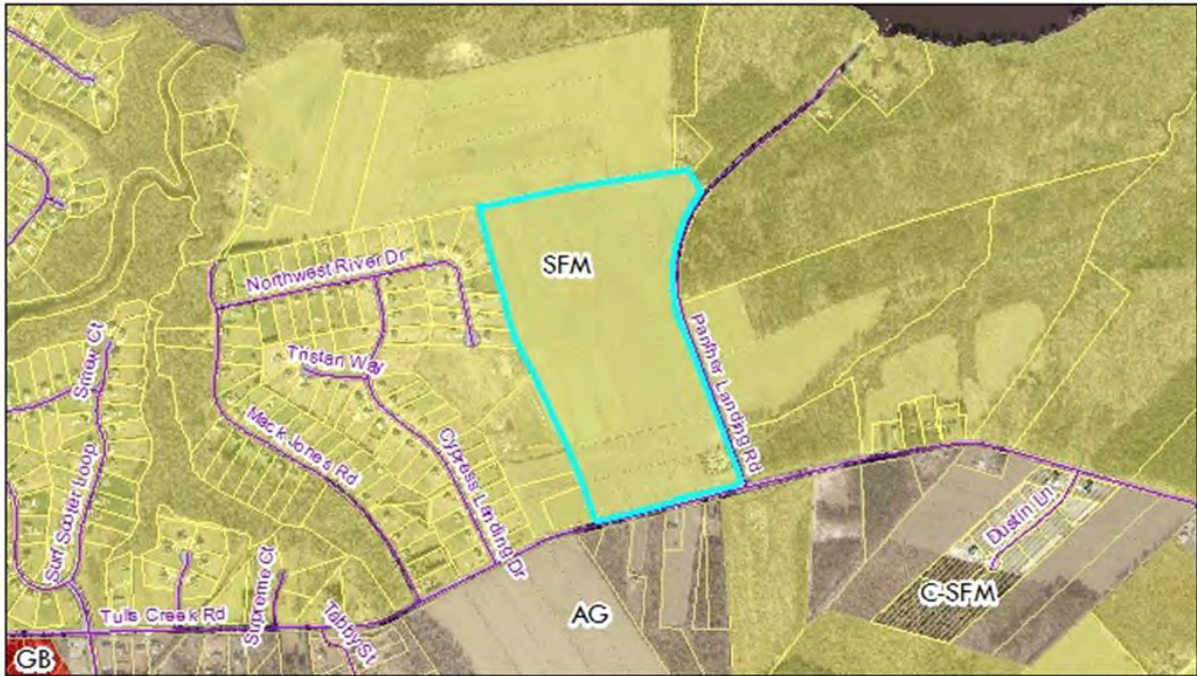
PRELIMINARY STAFF FINDINGS:

1. CURRITUCK COUNTY HAS ADEQUATE PUBLIC FACILITIES TO SERVE THE PROPOSED SUBDIVISION.
- 2.

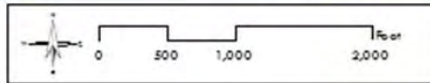


PB 18-14 Panther Landing
Preliminary Plat/Use Permit
2016 Aerial Photography

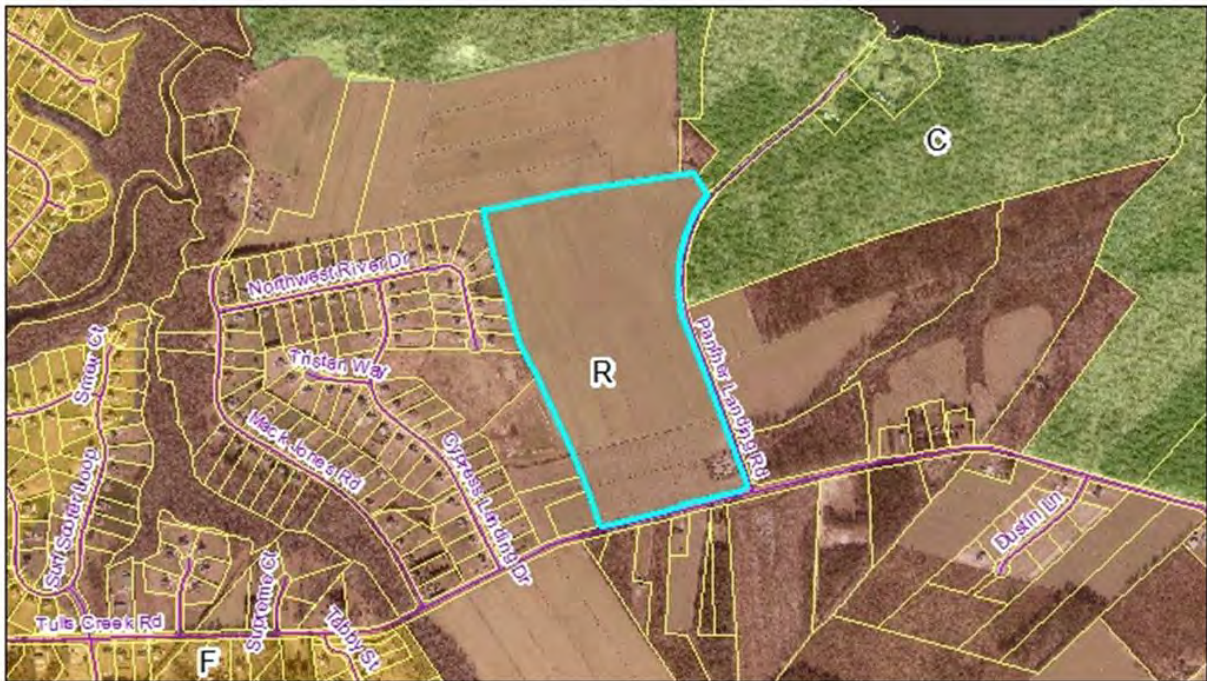




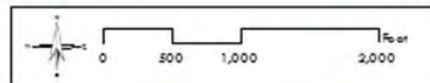
PB 18-14 Panther Landing
Preliminary Plat/Use Permit
Zoning



Currituck County
Planning and
Community Development

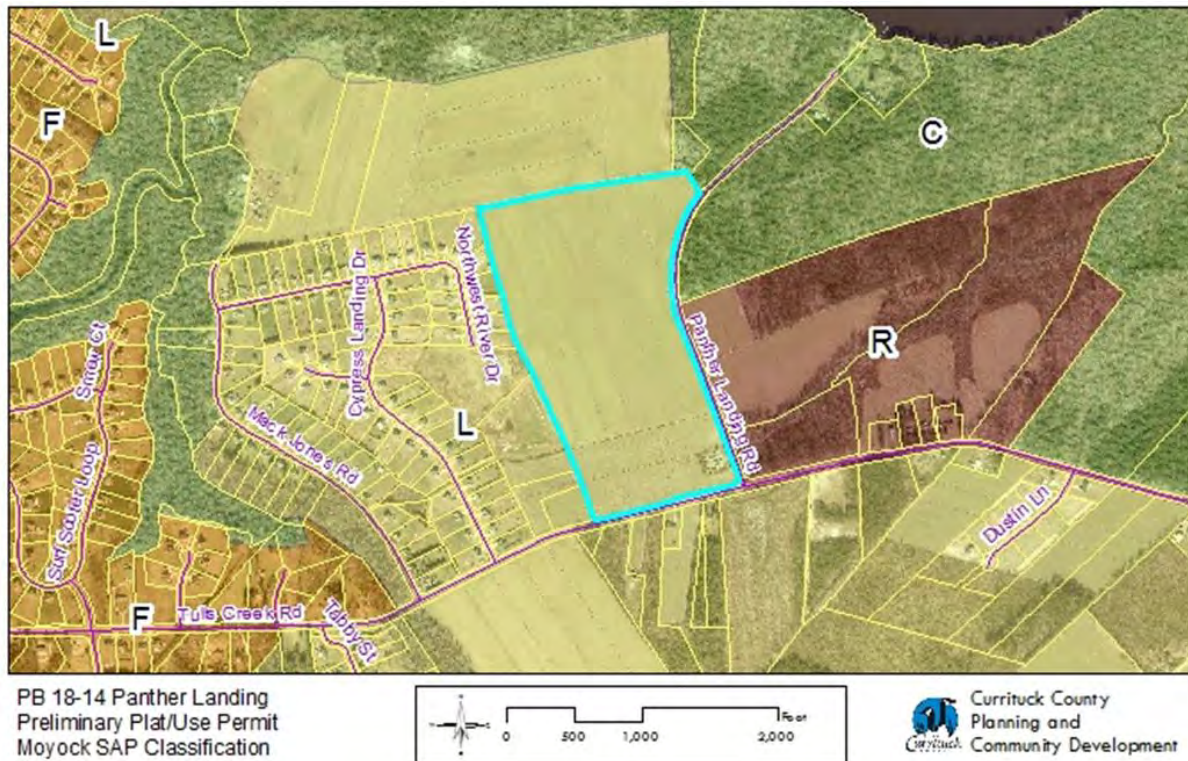


PB 18-14 Panther Landing
Preliminary Plat/Use Permit
LUP Classification



Currituck County
Planning and
Community Development

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After swearing in of the parties, Planning and Community Development Director Laurie LoCicero reviewed the use permit application with the Board of Commissioners and the conditions recommended for approval. Ms. LoCicero responded to questions from the Board.

Mark Bissell, Engineer, provided testimony on behalf of the applicant and began with an explanation of the designated farmland buffer requirement. Ditching and drainage were discussed and when asked by the Chairman, Ms. LoCicero recalled that during Technical Review the North Carolina Department of Transportation (NCDOT) staff expressed concern with the size of a culvert that runs under Panther Landing Road. Ms. LoCicero said the county would need to work with NCDOT and the developer on possible improvements. Mr. Bissell said the applicant did agree to evaluate the pipe and noted NCDOT would be responsible to replace the pipe if it fails. The location of the culvert was shown on the overhead plat map and it was noted that the culvert was not on the property. Mr. Bissell, in response to concerns expressed by the Board that NCDOT may not be timely in thier response to repair the culvert if needed, said the stormwater analysis would be done in the next phase to assess whether the pipe size is adequate. Mr. Bissell said the site improvements will reduce the amount of stormwater runoff.

Mr. Bissell and Ms. LoCicero responded to Commissioner inquiries and addressed questions related to stormwater, suitability of lots for septic systems, ditching and drainage, and the county convenience center located on the property. County Attorney Ike McRee said the location would not fit the parameters for a parks and recreation dedication purposes when it was suggested the convenience center land be transferred in place of the payment in lieu. Additional clarification was provided regarding the

convenience center lease, expansion and buffering.

Mr. Bissell reviewed information provided in the application to support the findings of fact required for approval. Applicant, Jerry Old, responded to concerns from Commissioner Gilbert about the convenience center's possible effects on property values. Mr. Bissell and Mr. Old said an adequate buffer would be established to alleviate those concerns and the applicant's attorney, William Brumsey, said the county's lease for the site would be with Currituck Homes.

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

Commissioner Gilbert moved that the item be postponed to the next meeting to allow the County Engineer to look at the piping and drainage prior to the next meeting.

Commissioner Etheridge seconded the motion. The Board discussed the culvert and drainage concerns and whether the culvert is something the Board can base their decision to approve or deny since it is not located on the property.

Further discussion resulted in Commissioner Gilbert and Commissioner Etheridge withdrawing the motion and second. County Engineer Eric Weatherly was sworn in and provided testimony. He said he had not evaluated the culvert but it is an NCDOT problem if resizing is needed. Mr. Weatherly said a ten-year storm would release water into the culvert and suggested the applicant agree to the repairs if needed. Mr. Old said he would make the culvert repairs if NCDOT does not fix the culvert before they move forward.

The evidentiary phase closed and the Public Hearing was reopened. No one wished to speak and the Public Hearing was closed.

Commissioner Gilbert moved to postpone the decision until the next meeting. The motion was seconded by Commissioner Etheridge. The motion failed with a vote of 3 in favor, 4 opposed. Commissioners Gilbert, Etheridge and Hall voted in favor of the motion to postpone. Chairman Hanig and Commissioners Payment, Beaumont and White voted against the motion.

Commissioner Beaumont moved for approval of PB 18-14: Panther Landing, as a preliminary plat with the following conditions:

- An easement is required for the street stub future connection that also includes sidewalk and utility infrastructure improvements.
- Should the developer use the "Alternative Typical Lot Layout" that places the sidewalks across the front of the lots instead of in the right-of-way, staff recommends that the front setback be increased to 20' from the sidewalk easement and not from the property line.
- If either through DOT's determination or Engineering's determination that the culvert is in fact undersized and provides a potential hazard that Mr. Old, through the development process, any flooding issues of the road will be fixed by the applicant.

The use will not endanger the public health or safety as long as the potential flooding instance is taken care of:

- Stormwater management will be provided in accordance with the current Currituck County stormwater manual and the UDO.
- Albemarle Regional Health Services has evaluated each of the 50 lots for suitability for wastewater disposal and has provisionally approved each lot as being capable of properly treating domestic wastewater with properly filled and drained lots.
- The project is being designed in accordance with the NC Department of Energy Mineral and Land Resources sedimentation and erosion control standards, and will therefore minimize erosion and contain siltation on site.
- The subdivision entrance is off of Panther Landing Road, a road with a very low traffic volume. For safety reasons, no access is being provided to Tulls Creek Road, and all lots are being accessed from interior streets.

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:

- Land to the west has been developed into single family homes; land to the north is farmland; land to the south is woodland and single family lots. Land to the east is farmland and woodland. The tract will be developed similarly to the adjacent Cypress Landing subdivision.

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

- The 2006 Land Use Plan classifies this site as Rural within the Moyock subarea.
- The Moyock Small Area Plan classifies this site as Limited Service with densities between 1 and 1.5 units per acre. The proposed development is .75.
- The proposed use is in keeping with the policies of both plans, which include Policy HN1, Policy HN3, Policy AG2, Policy TR8, Policy PR6 and the Moyock Small Area Plan policies TR2, IS1, IS4 and FLU1.

The use will not exceed the county's ability to provide adequate public facilities:

- Currituck County has adequate public facilities to serve the proposed subdivision.

Additionally, two large stormwater retention ponds will be constructed to manage and retain stormwater in excess of the referenced requirements. Stormwater will be modeled for both the 10-year and 100-year storm events. Also, as clarification of conditions, repairs to the culvert shall be performed prior to construction, before the project begins.

The motion was seconded by Commissioner White. The motion passed unanimously.

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

B. Consideration and Action: PB 18-19 JX Motorsports:

APPLICATION SUMMARY	
Property Owner: Walter and Sherry Seymour 118 Aidan Ln Muscle Shoals AL 35661	Applicant: Elliott E Williams 4402 Caratoke Hwy Barco NC 27917
Physical Street Address: 4402 Caratoke Highway Barco NC 27919	
Case Number: PB 18-19	Application Type: Use Permit
Parcel Identification Number: 0070-000-0095-0000	Existing Use: Commercial Building (formerly Beach Bums)
Land Use Plan Classification: Full Service	Parcel Size (Acres): 24.39
Request: Automobile Sales (UTVs/Side by Sides)	Zoning: General Business (GB)

SURROUNDING PARCELS		
	Land Use	Zoning
North	Communication Tower	GB
South	Retail	GB
East	Off-premise advertising sign	GB
West	Swamp/Marsh	GB/AG

The applicant is requesting a use permit to allow automobile sales and rentals in the GB zoning district. At this time the applicant plans to sell UTVs (Utility Task Vehicles/Side by sides) and Low Speed Vehicles (LSVs). Approximately 12 UTVs and 12 LSVs will be for sale at one time. A vehicle display pad for one vehicle is proposed near the highway where the existing sign is located. There will be two additional vehicle display areas, one located at each side property line. Each of the vehicular display areas require a Type A landscaping buffer. When vehicles are not displayed, they will be stored inside the fully enclosed building. Any outdoor storage of vehicles, other than those on the display areas, will require site plan approval and fully opaque screening in accordance with the UDO. The applicant also sells ATVs, dirt bikes, and local crafts. The applicant is not planning to rent or repair vehicles at this time.

INFRASTRUCTURE	
Water	Public
Sewer	Septic
Transportation/Access	Access from Caratoke Highway
Stormwater/Drainage	Existing, No New Requirements
Lighting	Required Full Cut-Off Fixtures
Landscaping	Type A Buffer Required in Front of Display Pads

RECOMMENDATIONS
TECHNICAL REVIEW COMMITTEE

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

1. The application complies with all applicable review standards of the UDO provided the following outstanding items are addressed:
 - a. A Type A landscaping buffer is required in front of the display pad.
 - b. The vehicle display pad and the two vehicle display areas must be improved with a hard-surface material.
 - c. The site shall be improved according to the proposed site plan.
2. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
 - a. Vehicle storage shall occur within an enclosed building or be fully screened from sight in accordance with the Unified Development Ordinance and a revised site plan.
 - b. No more than 24 vehicles shall be displayed outside for sale at any given time.
 - c. The building was not designed to store vehicles with fuel in them, it was a mercantile occupancy. No more than five gallons of fuel are allowed in a vehicle at a time when inside the building.

USE PERMIT REVIEW STANDARDS

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

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. This is an existing commercial building with a change of use (retail to automobile sales/retail), so no change to health or safety.
2. Landscaping is being improved to make the appearance more great looking.

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 building is an existing commercial building with no change in appearance, so it will remain in harmony with the area.
2. The grass is cut weekly to insure the property is looking great for all of the tourist passing by.

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

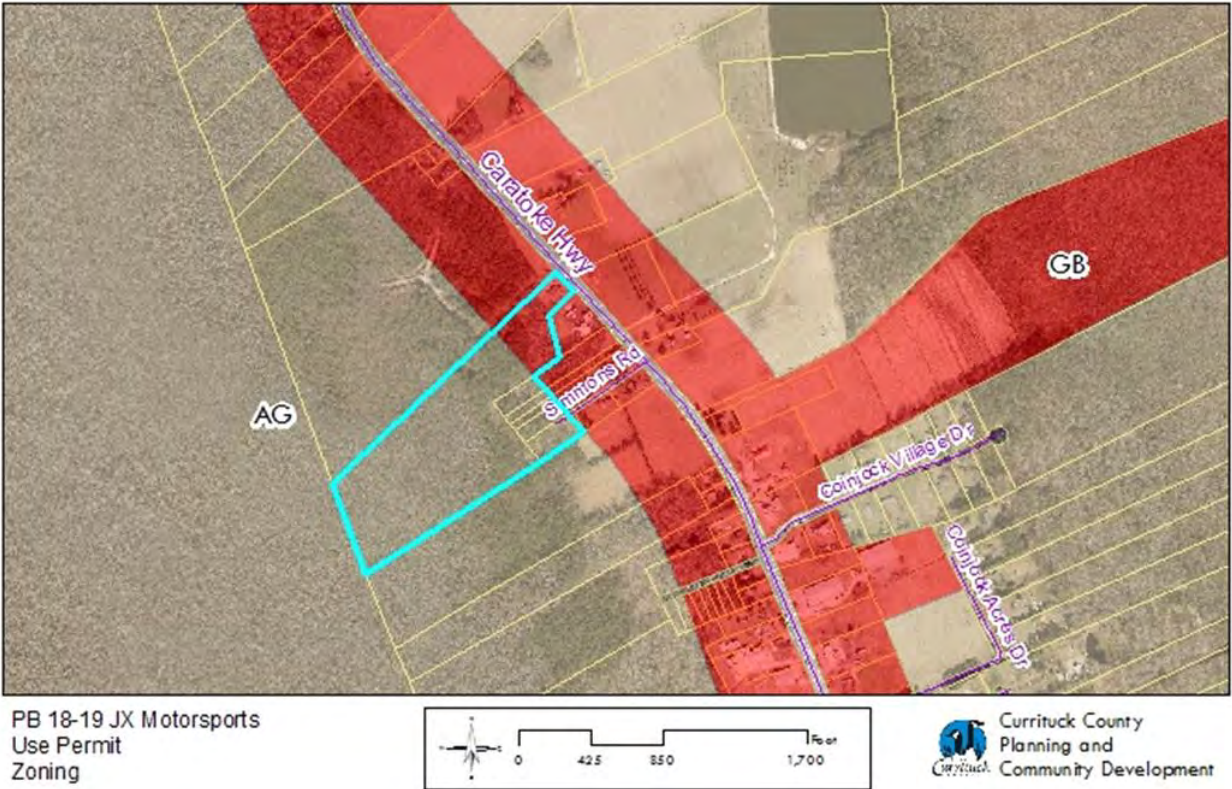
Preliminary Staff Findings:

1. The 2006 Land Use Plan classifies this site as Full Service within the Barco subarea. The proposed use is in keeping with the policies of the plan, some of which are:
 - a. Policy ED1: new and expanding industries and businesses should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.
 - b. Policy ED4: In addition to the recruitment and expansion of major new industries, the considerable value of SMALL BUSINESS START-UPS, EXPANSIONS AND SPIN-OFFS shall also be recognized.

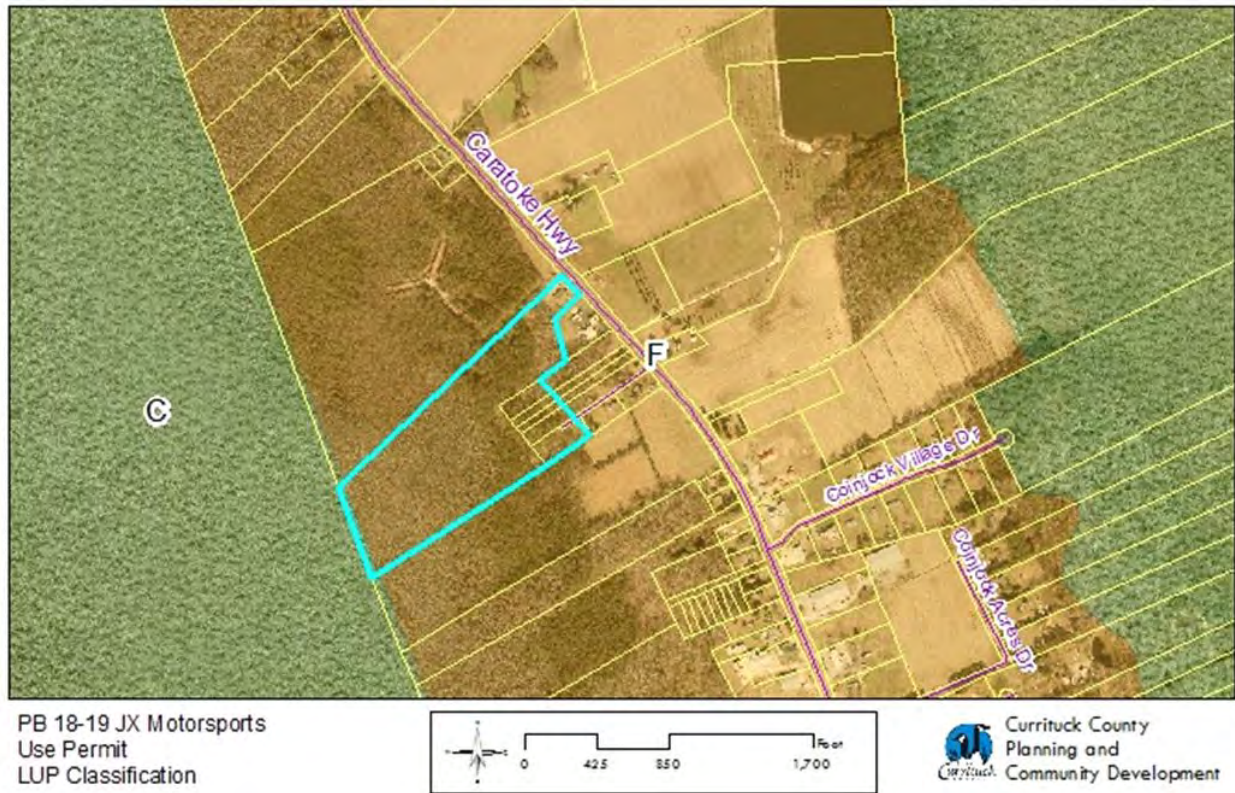
The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Staff Findings:

1. The proposed use will have no impact on schools and the county has the ability to provide adequate public facilities to the business.



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Parties were sworn in and Laurie LoCicero, Planning and Community Development Director, reviewed the use permit application with the Board of Commissioners and conditions for approval recommended by the Technical Review Committee. Ms. LoCicero responded to questions related to current business operations and what would be allowed under the use permit. Outdoor display parameters were reviewed.

Additional testimony was provided by the applicant, Elliot Williams. He said he is working with the North Carolina Department of Transportation to determine whether the vehicles will be street legal and said they may be for off road use only, in which case the use permit would not be required. He responded to questions posed by Commissioners related to the Department of Motor Vehicles and titling.

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

Commissioner Payment moved to approve PB 18-19: JX Motorsports, permit with staff recommendations because the applicant has demonstrated the proposed use meets the use permit review standards of the UDO, with the suggested conditions from the staff:

- Vehicle display pad and areas must be hard surface material such as asphalt or concrete.
- Additional landscaping may be required at the vehicle display pad and areas to supplement the Type A buffer.
- Vehicle storage shall occur within an enclosed building or be fully screened from sight in accordance with the Unified Development Ordinance and a revised site plan.

- No more than 24 vehicles shall be displayed outside for sale at any given time.
- The building was not designed to store vehicles with fuel in them, it was a mercantile occupancy. No more than five gallons of fuel are allowed in a vehicle at a time when inside the building.

The use will not endanger the public health or safety; the use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located; the use will be in conformity with the Land Use Plan or other officially adopted plans such as Policy ED1 and Policy ED4; the use will not exceed the county's ability to provide adequate public facilities.

The motion was seconded by Commissioner White. The motion passed unanimously.

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

C. Consideration and Action: PB 18-16 Outer Banks Beach Buggies:

APPLICATION SUMMARY	
Property Owner: Christopher G. Seward 318 Duck Road Southern Shores, NC 27949	Applicant: Pam Seward 318 Duck Road Southern Shores, NC 27949
Case Number: PB18-16	Application Type: Use Permit
Parcel Identification Number: 0124000095D0000 Physical Street Address: 8604 Caratoke Highway	Existing Use: Retail - golf cart rentals
Land Use Plan Classification: Limited Service in Harbinger Subarea	Parcel Size (Acres): .92 acres
Request: Use Permit for Low Speed Vehicle Sales, Rentals and Service	Zoning: General Business (GB)

SURROUNDING PARCELS		
	Land Use	Zoning
North	Retail & Industrial Uses	LI
South	Retail/Vacant	GB
East	Vacant/Farm/Restaurant	GB & AG
West	Retail/Vacant	GB

Outer Banks Beach Buggies, LLC (OBBB) has requested a use permit for sales, rental and service of low-speed vehicles (LSVs). OBBB currently rents golf carts and would like to grow their business through rental, sales and service of LSVs. A low-speed vehicle is required to be registered and insured and may be operated only on streets and highways where the posted speed limit is 35 miles per hour or less. Per general statute, LSVs shall be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, windshield wipers, speedometer, seat belts, and a vehicle identification number. Rental and Sales of LSVs are classified as "Automobile Sales or Rentals" and the Unified Development Ordinance requires a use permit. The applicant currently has a storefront at 8604 Caratoke Highway and will store the LSV's in existing approved parking spaces on the property as well as on the proposed display pad. Adequate

parking is available on-site.

INFRASTRUCTURE	
Water	Public
Sewer	Septic
Transportation/Access	Access from Caratoke Highway
Stormwater/Drainage	Existing, No New Requirements
Lighting	Required Full Cut-Off Fixtures
Landscaping	Type A Buffer Required in Front of Display Pads

RECOMMENDATIONS
TECHNICAL REVIEW COMMITTEE

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

1. The application complies with all applicable review standards of the UDO provided the following outstanding items are addressed:
 - a. The applicant shall submit a Minor Site Plan application in substantial conformance with the proposed site plan to be reviewed and approved by the TRC.
 - b. Install required Type A basic landscape buffer between proposed LSV display areas and Caratoke Highway.
 - c. The proposed vehicle display pad shall be surfaced with concrete, asphalt, or other permanent surfacing material other than crushed stone.
2. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
 - a. LSVs shall be displayed or stored on the property on an approved display pad or in approved parking spaces.
 - b. Light repair and service functions are permitted as an accessory use provided all repair-related activities take place within the enclosed building. Service work includes replacing tires, installing electric motors, seats, windshields, tops, batteries and trouble shooting.

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

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. There will be no change to the public's health or safety.
2. Safety is a top concern; rental carts are very well maintained and continually checked over for any operational issues.
3. Since 2009 when the business started, no customer has been injured, nor caused injury to another, in one of our carts.
4. We have compiled a set of driving guidelines, which each rental customer receives two times prior to the rental start date.
5. The guidelines are very thorough, detailed and specific; a copy is provided in the application packet.
6. The carts will not operate in sand and this is specifically stressed both on the phone with customers and in the guidelines.

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. There will be no change in, or injury to the value of adjoining or abutting lands.
2. The business is located next to just one existing commercial building which is zoned LI. Currently there are several businesses operating in the neighboring building: The Gun Shack, Outer Banks Mobile Engine, Walt & Sons Automotive Repair, and East Coast Xtreme All-stars.
3. Renting and selling LSVs will have no negative impact on any of the adjacent businesses and may have a positive impact on each due to an increase in foot traffic.
4. The use will operate from an existing commercial shopping center.

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

Preliminary Staff Findings:

1. The 2006 Land Use Plan classifies this site as Limited Service within the Point Harbor subarea. The proposed use is in keeping with the policies of the plan, some of which are:
 - a. Policy ED1: new and expanding industries and businesses should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.
 - b. Policy ED4: In addition to the recruitment and expansion of major new industries, the considerable value of SMALL BUSINESS START-UPS, EXPANSIONS AND SPIN-OFFS shall also be recognized.

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.

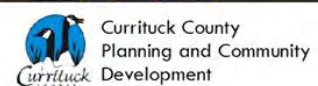
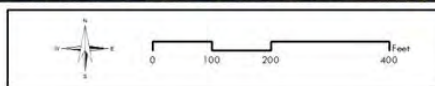
Preliminary Staff Findings:

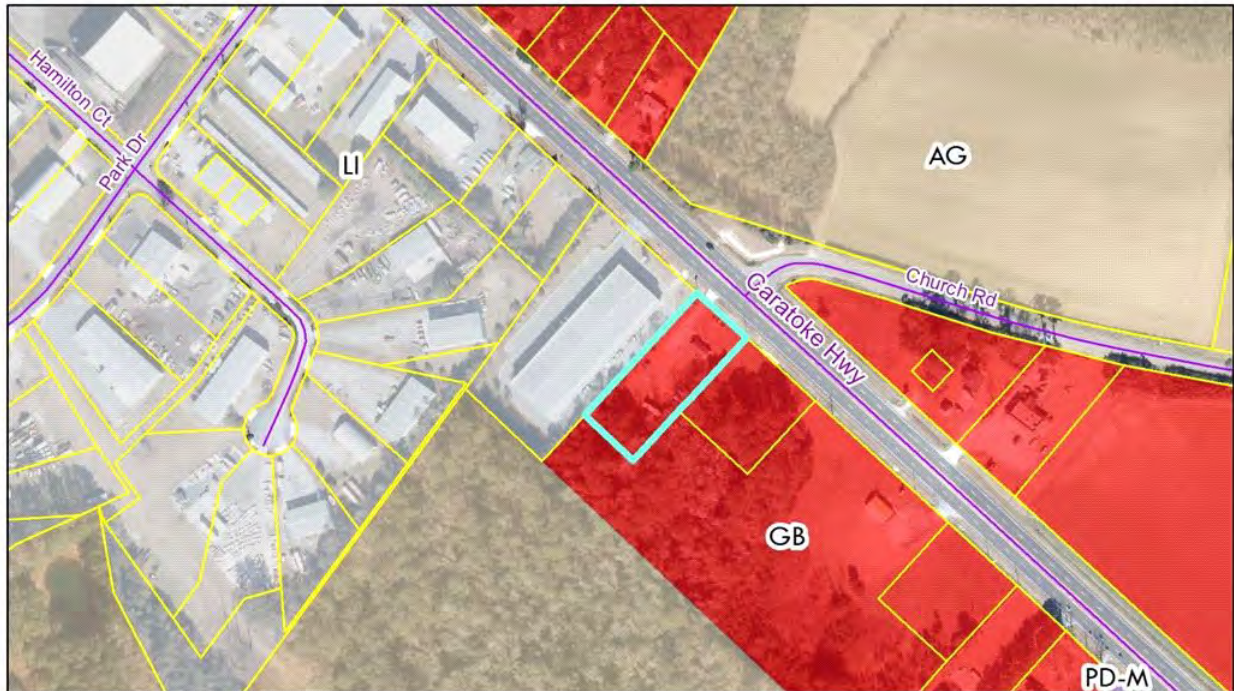
1. The proposed use will have no impact on schools.
2. Currituck County has adequate public facilities to serve this use.



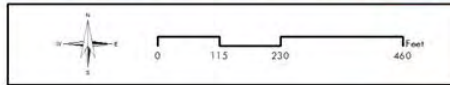
PB 18-16

Outer Banks Beach Buggies, LLC
Aerial

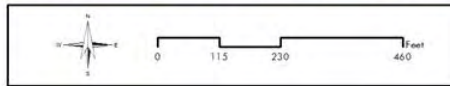




PB 18-16

Outer Banks Beach Buggies, LLC
Official Zoning MapCurrituck County
Planning and Community
Development

PB 18-16

Outer Banks Beach Buggies, LLC
LUP ClassificationCurrituck County
Planning and Community
Development

Parties were sworn in and Planning and Community Development Director, Laurie LoCicero, reviewed the use permit application with the Board of Commissioners along with conditions

recommended by the Technical Review Committee (TRC) for approval.

Applicant, Pam Seward, said they are looking to expand on services currently offered to include the rental and sales of low speed vehicles. Ms. Seward described the vehicles as a street legal golf cart and said they cannot go faster than 25 miles per hour by law. They provide delivery of their vehicles to renters.

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

Commissioner White moved to approve PB 18-16, Outer Banks Beach Buggies use permit, with staff recommendations:

- The applicant shall submit a Minor Site Plan application in substantial conformance with the proposed site plan to be reviewed and approved by the TRC.
- Install required Type A basic landscape buffer.
- The proposed vehicle display pad shall be surfaced with concrete, asphalt, or other permanent surface material other than crushed stone.
- LSV's shall be displayed or stored on the property on an approved display pad or in approved parking spaces.
- Light repair and service functions are permitted as an accessory use provided all repair-related activities take place within the enclosed building. Service work to include replacing tires, installing electric motors, seats, windshields, tops, batteries and troubleshooting.

The use will not endanger the public health or safety; the use will not injure the adjoining or abutting lands and will be in harmony with the area in which it is located; the use is in conformity with the following policies of the 2006 Land Use Plan, specifically Policy ED1 and Policy ED4; and the use will not exceed the county's ability to provide adequate public facilities.

The motion was seconded by Commissioner Payment. The motion passed unanimously.

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

RECESS

Chairman Hanig called a brief recess at 8:17 PM. The meeting was reconvened at 8:25 PM.

NEW BUSINESS

A. Consideration of the Currituck County Emergency Operations Plan and Currituck Alert Presentation

Emergency Management Director Mary Newns and Deputy Director Rebecca Gay attended to present updates to the Emergency Operations Plan (EOP) and review the Currituck Alert System. Ms. Newns presented the review of the EOP which sets out the parameters on how the county responds to disasters.

After presentation Commissioner Hall moved to adopt the Emergency Operations Plan. The motion was seconded by Commissioner Gilbert and passed unanimously.

Rebecca Gay shared information on the emergency and public info warning system, Currituck Alert, which allows citizens to receive emergency information, updates and important community news by signing up at www.currituckalert.com or texting your zip code to 888777. Texting the key word SafeCorolla to 888777 will provide information on beach hazards such as rip current and red flag warnings.

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

B) Board Appointments

1. Veterans Advisory Board Appointments and Set Initial Terms for Members

Commissioner Beaumont nominated Arron Sterling to the Veterans Advisory Board. The nomination was seconded by Commissioner Gilbert and was unanimously approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, 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

Motion to approve method for setting initial terms

Term limits were set by selecting terms based on the order the nominations were made, with odd number members serving an initial one-year term and even numbered members serving initial two-year terms. Chairman Hanig to moved to

approve the method and was seconded by Commissioner Hall. The motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bobby Hanig, Chairman
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

Commissioner Nominee to serve on Veterans Advisory Board

Chairman Hanig nominated Commissioner Beaumont to serve as ex-officio on the Veterans Advisory Board. The nomination was seconded by Commissioner Payment and Commissioner Beaumont was unanimously approved.

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

2. Amended-Senior Citizens Advisory

Commissioner Hall nominated Betty Fairchild to serve on the Senior Citizens Advisory Board. The nomination was seconded by Commissioner Gilbert and unanimously approved by the Board.

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

C) Consent Agenda

Commissioner Gilbert moved for approval of the Consent Agenda. Commissioner White seconded the motion.

County Manager, Dan Scanlon, at the request of Commissioner Etheridge, reviewed the Agricultural Development Plan that came out of Mt. Olive University. He noted the plan must be accepted by the Board of Commissioners as a condition to fulfill the draw-down

on the grant issued for its development. He said the plan contains recommendations that would take a formal action of the Board of Commissioners for implementation.

The motion passed unanimously.

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

1) Approval Of Minutes for August 6, 2018

1. Minutes for August 6, 2018

2. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
42450-587057	T T - Mainland Sewer Construction	\$ 450,000	
42450-587050	T T - County Governmental Construction		\$ 450,000
57878-596100	Professional Services	\$ 450,000	
57390-495042	T F - Transfer Tax Capital Fund		\$ 450,000
		<u>\$ 900,000</u>	<u>\$ 900,000</u>
Explanation:	Transfer Tax (42450); Mainland Sewer Construction (57878) - Increase appropriations for Phase II of the Moyock Sewer Plant Expansion.		
Net Budget Effect:	Transfer Tax Capital Fund (42) - No change.		
	Mainland Sewer Construction (57) - Increased by \$450,000.		

			Debit		Credit
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>				
20609-545000	Contract Services		\$ 58,377		
20390-499900	Appropriated Fund Balance				\$ 58,377
			<u>\$ 58,377</u>		<u>\$ 58,377</u>
Explanation:	Whalehead Stormwater Drainage District (20609) - Increase appropriations for Phase V design and engineering for the Whalehead Subdivision Drainage service district.				
Net Budget Effect:	Whalehead Stormwater Drainage District (20) - Increased by \$58,377.				
			Debit		Credit
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>				
10640-532004	FCS Supplies		\$ 2,303		
10330-449900	Miscellaneous Grants				\$ 2,303
			<u>\$ 2,303</u>		<u>\$ 2,303</u>
Explanation:	Cooperative Extension (10640) - To record NC Department of Insurance (SHIIP base funds) grant funds received-\$2303.00.				
Net Budget Effect:	Operating Fund (10) - Increased by \$2,303.				

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10460-545000	Contracted Services		\$ 103
10460-553000	Dues and Subscriptions		\$ 973
10460-557100	Software License Fees	\$ 1,076	
		<u>\$ 1,076</u>	<u>\$ 1,076</u>

Explanation: Public Works (10460) - Transfer funds for Autocad software annual maintenance that has been converted to an annual license fee.

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

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10795-590000	Capital Outlay	\$ 966	\$ -
10795-516400	Equipment Maintenance		\$ 966
		<u>\$ 966</u>	<u>\$ 966</u>

Explanation: Parks and Recreation (10795) - Transfer budgeted funds to purchase lawn equipment due to cost increases.

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

Communication: Minutes for August 20, 2018 (Approval Of Minutes-August 20, 2018)

			Debit		Credit
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
12547-590007	Capital Outlay		\$ 2,487		
12547-545000	Contract Services				\$ 2,487
			<u>\$ 2,487</u>		<u>\$ 2,487</u>

Explanation:	Carova Beach Fire (12547) - Transfer funds to capital outlay for emergency HVAC replacement. The total cost of this is \$5,780, which will be funded from the residual funds of \$3,293.24 remaining in the FY 2018 budget at \$2,487 in the current budget. This system failure was at the end of June 2018.
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Net Budget Effect:	Fire Services Fund (12) - No change.
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		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-590000	Capital Outlay	\$ 15,600	
10390-499900	Appropriated Fund Balance		\$ 15,600
		\$ 15,600	\$ 15,600

Explanation:	Sheriff (10510) - Increase appropriations for ballistic vests, helmets and night vision scopes for the SWAT team.
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Net Budget Effect:	Operating Fund (10) - Increased by \$15,600.
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		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10510-536000	Uniforms	\$ 9,097	
10330-449900	Miscellaneous grants		\$ 4,549
10380-481000	Investment Earnings		\$ 4,548
		\$ 9,097	\$ 9,097
Explanation:	Sheriff (10510) - Increase appropriations to record bullet proof vest grant funds of \$4,549 and to appropriate County matching funds of \$4,548.		
Net Budget Effect:	Operating Fund (10) - Increased by \$9,097.		

3. Resolution for Acquisition of Ambulance through "Piggy Back" process

RESOLUTION AUTHORIZING THE "PIGGYBACKING" ON A PURCHASE AGREEMENT FROM PITT COUNTY, NORTH CAROLINA FOR REMOUNTING OF WHEELED COACH AMBULANCES WITH SELECT CUSTOM APPARATUS, INC.

WHEREAS, the County of Currituck desires to "piggyback" on a purchase agreement by the Town of Robersonville, North Carolina for the purchase of a 2017 Ford E-450 Gas Wheeled Coach Ambulance from Select Custom Apparatus, Falkland, North Carolina; and

WHEREAS, the conditions of "piggybacking" on the original contract have been met in accordance with N.C. Gen. Stat. §143-129; and

WHEREAS, public notice of purchase of the material and equipment set forth above was published in The Daily Advance, a newspaper with general circulation within the county, on August 9, 2018.

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

Section 1. The County of Currituck is authorized to "piggyback" on the Town of Robersonville, North Carolina for the purchase of a 2017 Ford E-450 Gas Wheeled Coach Ambulance from Select Custom Apparatus, Falkland, North Carolina.

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

This the 20th day of August, 2018.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

Communication: Minutes for August 20, 2018 (Approval Of Minutes-August 20, 2018)

(COUNTY SEAL)

4. Sole Source Purchase of Kamstrup Meters and Hot Rod Data Logs Including Hardware & Software for Mainland Water

RESOLUTION AUTHORIZING THE PURCHASE OF KAMSTRUP METERS AND HOT ROD DATA LOGS FROM FORTILINE, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, in order that the county's Mainland Water System is operable and functions as designed properly it is necessary to obtain computer hardware, software and meters compatible with existing systems equipment; and;

WHEREAS, Fortiline, Inc. is the only entity capable of providing the county with computer hardware, software, and meters compatible with current Mainland Water System equipment and operational systems, and

WHEREAS, Mainland Water System has been using Fortiline, Inc. to construct, develop and upgrade its system; and

WHEREAS, Mainland Water Department needs to upgrade the meters and hot rod data logs and Fortiline, Inc. is the sole supplier of those products; and

WHEREAS, Fortiline, Inc., is supplying Mainland Water Department with 927 5/8x3/4 FlowIQ 2100 Kamstrup meters at a cost of \$95/meter and 927 Hot Rod Data Log 5' Wire at a cost of \$65/Data Log; and

WHEREAS, the price for the Mainland Water Department upgrade is \$158,331.60.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$158,331.60 with Fortiline, Inc. for the sole source purchase of FlowIQ 2100 Kamstrup meters and Hot Rod Data Log system upgrades in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Fortiline, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

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

This the 20th day of August, 2018.

Daniel F. Scanlon, II
County Manager

ATTEST:

Leeann Walton
Clerk to the Board of Commissioners

Communication: Minutes for August 20, 2018 (Approval Of Minutes-August 20, 2018)

(COUNTY SEAL)

5. Consideration and Action on Acceptance of the Currituck County Agricultural Development Plan

D) County Manager's Report

No report.

ADJOURN

Motion to Adjourn Meeting

With no further business Commissioner Beaumont moved to adjourn. The motion was seconded by Commissioner Gilbert and passed unanimously. The meeting of the Board of Commissioners was adjourned.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, 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

SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners held a Special Meeting sitting as the Tourism Development Authority immediately following the 6:00 PM regular meeting of the Board of Commissioners. The special meeting was held in the Board Meeting Room of the Historic Courthouse at 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering budget amendments.

E. TDA Budget Amendments

Travel and Tourism Director Tameron Kugler was seated with the Tourism Development Authority and County Manager, Dan Scanlon, reviewed the amendments.

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

Communication: Minutes for August 20, 2018 (Approval Of Minutes-August 20, 2018)

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15447-545000	Contract Services	\$ 100,000	
15390-499900	Appropriated Fund Balance		\$ 100,000
		<u>\$ 100,000</u>	<u>\$ 100,000</u>
Explanation:	Occupancy Tax - Tourism Related (15447) - Emergency pumping for flooding on Currituck Outer Banks/Carova and Swan Beach July 27 through August 6.		
Net Budget Effect:	Occupancy Tax Fund (15) - Increased by \$100,000.		

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15448-532160	Maintenance Supplies	\$ 10,000	
15448-532000	Office Supplies		\$ 10,000
		<u>\$ 10,000</u>	<u>\$ 10,000</u>
Explanation:	Occupancy Tax - Whalehead (15448) - Transfer budgeted funds to create a maintenance supply line in the Whalehead budget in order to better account for costs.		
Net Budget Effect:	Occupancy Tax Fund (15) - No change.		

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

ADJOURN SPECIAL MEETING-TOURISM DEV AUTHORITY

There was no further business and Commissioner Gilbert moved to adjourn. The motion was seconded by Commissioner Etheridge.

The motion passed unanimously and the meeting of the Tourism Development Authority concluded at 8:40 PM.

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

Number

20190015

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50550-592020	ALP Update & 18B Survey	\$ 359,000	
50550-592021	North Aircraft Apron Pavement Rehab	\$ 474,000	
50390-495015	Transfer from Occupancy Tax		\$ 41,650
50390-495042	Transfer from Land Transfer Tax		\$ 41,650
50330-448000	State Aid to Airports		\$ 749,700
42450-587050	T T - County Govt Facilities Fund	\$ 41,650	
42320-414000	Land Transfer Tax		\$ 41,650
		<u>\$ 874,650</u>	<u>\$ 874,650</u>

Explanation: Co Governmental Construction (50550) - Increase appropriations to record two NC Division of Aviation airport grant programs. Grant 36244.10.7.1 for the North Aircraft Apron Pavement Rehabilitation that will be funded by \$426,600 in grant funds, \$23,700 from Occupancy Tax and \$23,700 from Land Transfer Tax. Grant 36237.8.14.1 for the Airport Layout Plan Update and 18B Survey, required for continued grant funding, that will be funded by \$323,100 in grant funds and \$17,950 funds from Occupancy Tax and \$17,950 funds from Land Transfer Tax.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$833,000.
Land Transfer Tax Capital Fund (42) - Increased by \$41,650.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

Number

20190016

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50442-597007	Connect Corolla PH V	\$ 98,500	
50390-495015	T F - Occupancy Tax Fund		\$ 98,500
		<u>\$ 98,500</u>	<u>\$ 98,500</u>

Explanation: Co Governmental Construction (50442) -Set-up budget for design and contract administration for Corolla Greenway Phase V: This section of the project will connect the existing path on the west side of NC 12 at the north end of Monterey Shores at the intersection of NC 12 and Ocean Forest Court to the trolley stop at the north end of the Brindley Sports Center.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$98,500.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

Number 20190017

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
51380-425000	Public School Capital Fund	\$ 620,980	
51380-425001	Lottery Proceeds	\$ 1,591,819	
51380-481000	Investment Earnings	\$ 1,714,593	
51390-490101	Proceeds for Shawboro Elem	\$ 8,000,000	
51390-490102	Proceeds for COA	\$ 6,800,000	
51390-495010	T F - Operating Fund	\$ 14,656,058	
51390-495040	T F - Capital Improvements	\$ 998,179	
51390-495042	T F - Transfer Tax Capital Fund	\$ 10,668,075	
51390-495050	T F - Co Govt Construction	\$ 2,250,000	
51800-587050	T T Co Govt Facilities Fund		\$ 732,344
51800-594500	Contract Services		\$ 6,180,820
51800-596100	Professional Services		\$ 603,689
51800-597000	Reimbursable Expenses		\$ 147,439
51848-587050	T T - Co Govt Facilities		\$ 37,185
51848-590000	Capital Outlay-Technology		\$ 80,979
51848-591000	CCMS - HVAC Replacement		\$ 120,400
51848-591001	CCMS - HVAC/Griggs Gym		\$ 133,604
51848-591002	CCMS Lobby HVAC		\$ 67,967
51848-591003	CCMS Auditorium HVAC		\$ 95,827
51848-592001	Griggs Elem Bus Canopy		\$ 65,000
51848-592002	Griggs Energy Upgrade		\$ 13,796
51848-592003	Griggs Addtl Energy Upgrade		\$ 90,000
51848-592005	Griggs Elem Chiller		\$ 40,000
51848-593001	Knotts Island Chiller Replacement		\$ 38,391
51848-593002	Knotts Island Connector		\$ 16,000
51848-593003	Knotts Island Rooftop HVAC		\$ 23,000
51848-593004	Knotts Island Gyn HVAC		\$ 65,000
51848-594000	Primary School South		\$ 14,348,336
51848-594001	Moyock Mid Sch Energy Upgrade		\$ 30,734
51848-594002	Moy Mid Sch - Addtl Energy Upgrade		\$ 72,415
51848-595002	Soccr Lights/Knapp Renovations		\$ 322,595
51848-595003	CCHS Chiller Overhaul		\$ 50,171
51848-595004	CCHS Tennis Court Rehab		\$ 360,000
51848-595005	CCHS - RTF House HVAC		\$ 6,907
51848-595006	CCHS - Energy Management		\$ 71,412
51848-597000	Primary School North		\$ 20,127,644
51848-597002	Moyock Middle School		\$ 1,801,833
51848-597004	MES Gym HVAC		\$ 96,982
51848-597005	MES Kitchen Roof HVAC		\$ 16,099
51848-597006	MES Cafeteria HVAC		\$ 46,510
51848-598001	Central Elem Parking		\$ 750,000
51848-598002	Central Elem Chiller		\$ 129,175
51848-598003	Cnetral Gym Roof		\$ 91,043
51848-599001	JP Knapp Chiller		\$ 150,000
51848-599002	JP Knapp & Moy Elem Roof		\$ 134,410
51848-599003	JP Knapp Gym Room		\$ 115,172
51848-599004	JP Knapp Tech Bldg Roof		\$ 26,825
		<u>\$ 47,299,704</u>	<u>\$ 47,299,704</u>

Explanation: School Capital Construction (51) - To close out all completed school construction projects funded through a project ordinance and completed in prior fiscal years. This will not add or remove money from the fund.

Net Budget Effect: School Capital Construction (51) - No change.

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Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

Number 20190018

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
51848-593005	KI Elem HVAC	\$ 7,570	
51848-594004	MMS - Roof replacement A Wing N	\$ 80,000	
51848-594005	MMS - Roof Replacement A Wing S	\$ 80,000	
51848-594006	MMS - Roof Replacement Center	\$ 113,250	
51848-592006	GES - HVAC South	\$ 115,000	
51380-425001	State Lottery Proceeds		\$ 395,820
		<u>\$ 395,820</u>	<u>\$ 395,820</u>

Explanation: School Capital Construction (51) - To record lottery fund projects requested by the Board of Education for FY 2019 and to increase funding for the Knotts Island Elementary HVAC project funded in the prior year.

Net Budget Effect: School Capital Construction (51) - Increased by \$395,820.

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Journal # _____

Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

Number 20190019

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10750-545000	Contract Services	\$ 10,000	
10750-502000	Salaries		\$ 10,000
		<u>\$ 10,000</u>	<u>\$ 10,000</u>

Explanation: Social Services Administration (10750) - Transfer lapsed salary funding to contract services to contract for temporary DSS staff until position vacancies can be filled.

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

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Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

Number

20190020

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
67878-553000	Dues and Subscriptions	\$ 20,000	
67878-545000	Contracted Services		\$ 5,000
67878-513000	Utilities		\$ 5,000
67878-532000	Supplies		\$ 5,000
67878-516000	Repairs and Maintenance		\$ 5,000
		<u>\$ 20,000</u>	<u>\$ 20,000</u>

Explanation: Mainland Sewer (67878) - Transfer budgeted funds for increased payments to the NC Department of Environmental Quality.

Net Budget Effect: Mainland Sewer Fund (67) - No change.

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Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

Number 20190021

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
30850-545000	Contract Services	\$ 1,579	
30380-481000	Investment Earnings		\$ 1,579
		<u>\$ 1,579</u>	<u>\$ 1,579</u>

Explanation: Postemployment Benefits (30850) - Increase appropriations for increase in cost of mandated actuarial study due to increased number of retirees in the program.

Net Budget Effect: Postemployment Benefits Fund (30) - Increased by \$1,579.

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Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

Number 20190022

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-545000	Contract Services	\$ 50,000	
10390-499900	Fund Balance Appropriated		\$ 50,000
		<u>\$ 50,000</u>	<u>\$ 50,000</u>

Explanation: Public Works (10460) - Increase appropriations for mosquito spraying throughout the County.

Net Budget Effect: Operating Fund (10) - Increased by \$50,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BAs_Sept 4_General Meeting (Budget Amendments)

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is the North Aircraft Apron Pavement Rehabilitation, grant 36244.10.7.1.

SECTION 2. The following amounts are appropriated for the project:

Corporate Area Apron Design	\$ 474,000
	<u>\$ 474,000</u>

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	\$ 23,700
Transfer from Land Transfer Tax Capital Fund	\$ 23,700
State Aid to Airports	\$ 426,600
	<u>\$ 474,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and

- materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 4th day of September 2018.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is Airport Layout Plan Update & 18B Survey, grant 36237.8.14.1.

SECTION 2. The following amounts are appropriated for the project:

ALP Update & 18B Survey	\$ 359,000
	<u>\$ 359,000</u>

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	\$ 17,950
Transfer from Land Transfer Tax Capital Fund	\$ 17,950
State Aid to Airports	\$ 323,100
	<u>\$ 359,000</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and

- materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 4th day of September 2018.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board

COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is the design and contract administration for the Corolla Greenway – Phase V: connect the existing path along the west side of NC 12 at the north end of Monteray Shores at the intersection of NC 12 and Ocean Forest Court to the trolley stop at the north end of the Brindley Sports Center.

SECTION 2. The following amounts are appropriated for the project:

Corolla Greenway Phase V	\$ 98,500
	<u>\$ 98,500</u>

SECTION 3. The following revenues are available to complete this project:

Transfer from Occupancy Tax	\$ 98,500
	<u>\$ 98,500</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.

- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 4th day of September 2018.

Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board

Water Shortage Response Plan
Southern Outer Banks Water in Currituck County, North Carolina
June 4, 2013
Reviewed August 9, 2018

The procedures herein are written to reduce potable water demand and supplement existing drinking water supplies whenever existing water supply sources are inadequate to meet current demands for potable water.

I. Authorization

The Currituck County Manager shall enact the following water shortage response provisions whenever the trigger conditions outlined in Section IV are met. In his absence, the Superintendent will assume this role.

Mr. Daniel Scanlon
 Currituck County Manager
 Phone: (252) 232-6014
 Email: Dan.Scanlon@currituckcountync.gov

Mr. Benjie Carawan
 SOBWS Water Superintendent
 Phone: (252) 453-2620
 Email: Benjie.Carawan@currituckcountync.gov

II. Notification

The following notification methods will be used to inform water system employees and customers of a water shortage declaration: employee email announcements, notices at municipal buildings, notices in water bills. Required water shortage response measures will be communicated through Focus on Currituck, PSA announcements and the County website <http://www.co.currituck.nc.us/>, on local radio and cable stations. Declaration of emergency water restrictions or water rationing will be communicated to all customers by telephone.

III. Levels of Response

Five levels of water shortage response are outlined in the table below. The five levels of water shortage response are: voluntary reductions, mandatory reductions I and II, emergency reductions and water rationing. A detailed description of each response level and corresponding water reduction measures follow below.

Stage	Response	Description
1	Voluntary Reductions	Water users are encouraged to reduce their water use and improve Water use efficiency; however, no penalties apply for noncompliance. Water supply conditions indicate a potential for shortage.
2	Mandatory Reductions I	Water users must abide required water use reduction and efficiency measures, penalties apply for noncompliance. Water supply conditions are significantly lower than the seasonal norm and water shortage condition are expected to persist.
3	Mandatory Reductions II	Same as in Stage 2
4	Emergency Reductions	Water supply conditions are substantially diminished and pose an imminent threat to human health or environmental integrity.
5	Water Rationing	Water supply conditions are substantially diminished and remaining supplies must be allocated to preserve human health and environmental integrity.

In Stage 1, Voluntary Reductions, all water users will be asked to reduce their normal water use by 5%. Customer education and outreach programs will encourage water conservation and efficiency measures including: irrigating landscapes a maximum of one inch per week; preventing water waste, runoff and watering impervious surfaces; watering plants deeply to encourage root growth; washing only full loads in clothes and dishwashers; using spring loaded nozzles on garden hoses; and identifying and repairing all water leaks.

In Stage 2, Mandatory Reductions I, all customers are expected to reduce their water use by 10% in comparison to their previous month's water bill. In addition to continuing to encourage all voluntary reduction actions, the following restrictions apply: irrigation is limited to a half inch per week between 8PM and 8AM; outdoor use of drinking water for washing impervious surfaces is prohibited; and all testing and training purposes requiring drinking water (e.g. fire protection) will be limited.

In Stage 3, Mandatory Reductions II, customers must continue actions from all previous stages and further reduce water use by 20% compared to their previous month's water bill. All non-essential uses of drinking water are banned and garden and landscape irrigation must be reduced to the minimum amount necessary for survival. Additionally, in Stage 3, a drought surcharge of 1.5 times the normal water rate applies.

In Stage 4, Emergency Reductions, customers must continue all actions from previous stages and further reduce their water use by 25% compared to their previous month's water bill. A ban on all use of drinking water except to protect public health and safety is implemented and drought surcharges increase to 2 times the normal water rate.

The goal of Stage 5, Water Rationing, is to provide drinking water to protect public health (e.g. residences, residential health care facilities and correctional facilities). In Stage 5, all customers are only permitted to use water at the minimum required for public health protection. Firefighting is the only allowable outdoor water use and pickup locations for distributing potable water will be announced according to Currituck County's Emergency Response Plan. Drought surcharges increase to 5 times the normal water rate.

IV. Triggers

Southern Outer Banks Water's water source is groundwater. The following measures of well pumping times and well levels in relationship to pump intake levels trigger entry into corresponding water restriction stages.

Stage	Well Operating Conditions
1	Pumping time > 10 hrs. 20% reduction in seasonal normal distance from static water level and pump intake 20% increase pumping time for same output
2	Pumping time > 12 hrs. 40% reduction in distance from static water level and pump intake 40% increase pumping time for same output
3	Pumping time > 14 hrs. 60% reduction in distance from static water level and pump intake 60% increase pumping time for same output
4	Pumping time > 20 hrs. 80% reduction in distance from static water level and pump intake
5	Water level at pump intake elevation

Return to Normal

When water shortage conditions have abated and the situation is returning to normal, water conservation measures employed during each phase should be decreased in reverse order of the implementation. Permanent measures directed toward long-term monitoring and conservation should be implemented or continued so that the community will be in a better position to prevent shortages and respond to recurring water shortage conditions.

V. Enforcement

The provisions of the water shortage response plan will be enforced by Currituck County Utility Department and police personnel. Violators may be reported to the dedicated water conservation hotline. Citations are assessed according to the following schedule depending on the number of prior violations and current level of water shortage.

Water Shortage Level	First Violation	Second Violation	Third Violation
Voluntary Reductions	N/A	N/A	N/A
Mandatory Reductions (Stages 2 and 3)	Warning	\$250	Discontinuation of Service
Emergency Reductions	\$250	Discontinuation of Service	Discontinuation of Service
Water Rationing	\$500	Discontinuation of Service	Discontinuation of Service

Drought surcharge rates are effective in Stages 3, 4 and 5

VI. Public Comment

Customers will have multiple opportunities to comment on the provisions of the water shortage response plan. First, a draft plan will be available at the Mainland Water Office for customers to view. A notice will be included in customer water bills notifying them of such. Also a draft plan will be published in Focus on Currituck and the County Website <http://www.co.currituck.nc.us/> all subsequent revisions to the draft plan will be published at least 30 days prior to an adoption vote by Currituck County's Board of Commissioners.

VII. Variance Protocols

Applications for water use variance requests are available from the County Office. All applications must be submitted to the County Water Department for review by the superintendent or his designee. A decision to approve or deny individual variance request will be determined within two weeks of submittal after careful consideration of the following criteria: impact on the water demand, expected duration, alternative source options, social and economic importance, purpose (i.e. necessary use of drinking water) and the prevention of structural damage.

VIII. Effectiveness

The effectiveness of the Southern Outer Banks Water System water shortage response plan will be determined by comparing the stated water conservation goals with observed water use reduction data. Other factors to be considered include frequency of plan activation, reductions attained and evaluation of demand reductions compared to the previous year's seasonal data.

IX. Revision

The water shortage response plan will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five years in conjunction with the updating of our Local Water Supply Plan. Further, a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any necessary improvements to the plan to Currituck County's Board of Commissioners. The Southern Outer Banks Water Superintendent is responsible for initiating all subsequent revisions.

RESOLUTION ESTABLISHING AND CREATING THE WATER SHORTAGE RESPONSE PLAN (the “WSRP”) FOR SOUTHERN OUTER BANKS WATER SYSTEM (SOBWS)

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department for review and approval; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for Southern Outer Banks Water System (SOBWS), Currituck County, North Carolina, has been developed and submitted to the Currituck County Board of Commissioners for approval; and

WHEREAS, the Currituck County Board of Commissioners finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for SOBWS, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners of SOBWS that the Water Shortage Response Plan entitled, Water Shortage Response Plan for Southern Outer Banks Water System dated September ___, 2018 is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Currituck County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

ADOPTED the ____ day of September, 2018.

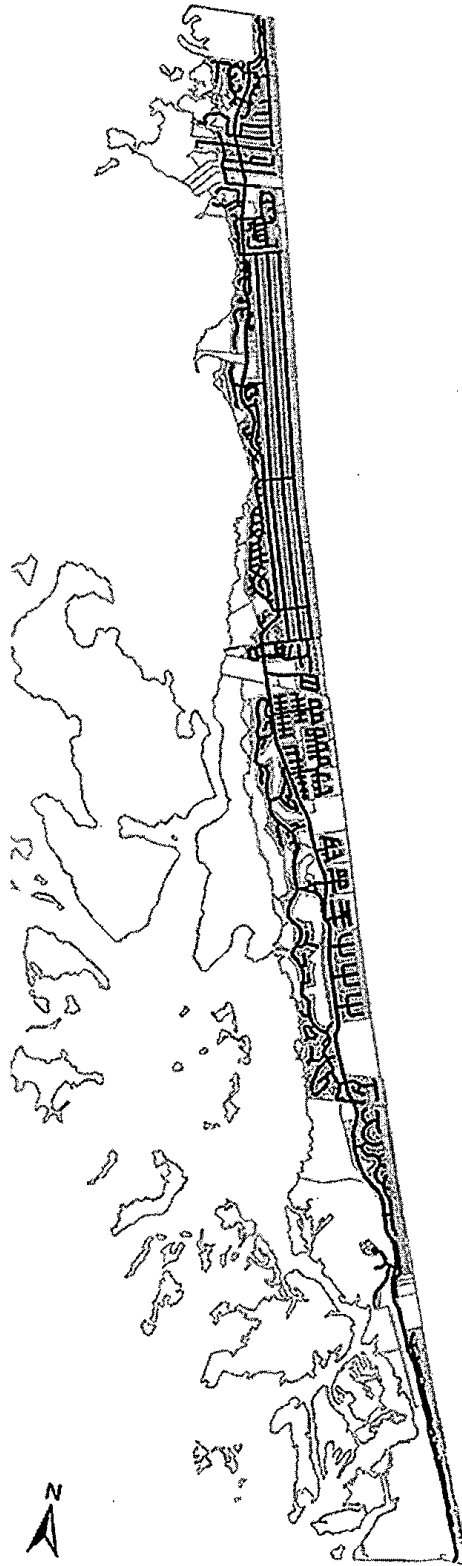
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Bobby Hanig, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board

(COUNTY SEAL)



RESOLUTION AUTHORIZING THE PURCHASE OF CHASSIS, ASSOCIATED ACCESSORIES AND REMOUNTING OF WHEELED COACH AMBULANCES FROM SELECT CUSTOM APPARATUS THROUGH SOLE SOURCE PURCHASE

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and;

WHEREAS, to lengthen the service life of its Wheeled Coach ambulances the county Department of Fire and EMS is acquiring new ambulance chassis and associated accessories upon which the patient and equipment compartment is remounted; and;

WHEREAS, ninety percent of the ambulances operated by the county Department of Fire and EMS are Wheeled Coach ambulances and the department has previously contracted with Select Custom Apparatus, a Wheeled Coach dealer, for purchase of chassis, associated accessories and remount of patient and equipment compartments; and;

WHEREAS, crew familiarity and knowledge of the chassis, associated equipment and the patient and equipment compartment is critical to the success of the department's mission and patient safety as crews transition from one ambulance unit to another requiring standardization and compatibility of ambulances and associated equipment; and;

WHEREAS, the acquisition of chassis, associated accessories and remount of patient and equipment compartments by Select Custom Apparatus will assure standardization and compatibility of the ambulance fleet operated by the Currituck County Department of Fire and EMS, and;

WHEREAS, Select Custom Apparatus, is supplying the county with one (1) 2020 Freightliner M2 LP 4x2 chassis' for \$72,701.00, one (1) Wheeled Coach Ambulance module remount for \$62,496.29, Modification Additions for \$17,128.23, and Additional Harness Restraint System for the Bench Seat Area for \$3,346.00, and;

WHEREAS, the Board of Commissioners for Currituck County, North Carolina declares the following property as surplus and authorizes its use as a trade-in with \$2,500.00 trade-in allowance: Asset tag #6979, 2009 Freightliner M2 Ambulance, VIN #1FVACWDK09HAF8508 and;

WHEREAS, the total price of the 2020 Freightliner, module remount, modification additions and restraint system is \$155,671.52 minus the \$2,500.00 trade-in units for a total amount of \$153,171.52.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$153,171.52 with Select Custom Apparatus for the sole source purchase of chassis, associated accessories and remount of patient and equipment compartments on county ambulance numbers 530-17 and 530-20 in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement

with Select Custom Apparatus for the acquisition apparatus, materials, trade-in approval and equipment acquisition described in this resolution and the proposed contract.

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

This the _____th day of September, 2018.

Daniel F. Scanlon, II
County Manager

ATTEST:

Leeann Walton
Clerk to the Board of Commissioners

(COUNTY SEAL)



P.O. Box AP, 6100 N. Main St. Falkland, NC 27827
P (252) 757-3787 • F (252) 757-1639

SOLD & TITLED TO:

07/17/2018

6.F.7.b

County of Currituck

153 Courthouse Road

Currituck

N.C.

27929

Kevin Old

252-207-7011

PLEASE ENTER MY ORDER FOR THE FOLLOWING AMBULANCE/VEHICLE

YEAR 2020

MAKE Freightliner

MODEL OR
SERIES

M2 4x2

BODY
TYPE

Remount

COLOR

White

TRIM TBD

V.I.N. TBD

TO BE DELIVERED ON
OR ABOUT

TBD

SALESMAN

R. Daugherty

STOCK NO.

TBD

CASH PRICE OF UNIT	(1) 2020 Freightliner M2 LP 4x2 per attached specifications	\$ 72,701.00
F.O.B. FACTORY OR DESINATION:	Falkland, NC	
	(1) Wheeled Coach Ambulance module remount – per attached specifications	\$ 62,496.29
	(1) Additions – Per attached Modification Document	\$ 17,128.23
	(1) Addition of Harness Restraint System – Bench Seat area only	\$ 3,346.00

MSO/TITLE TO BE FILLED OUT AS FOLLOWS:

SEND MSO/TITLE TO:

Same as above

Same as above

PHONE:

USED VEHICLE TRADE-IN AND /OR OTHER CREDITS				CASH SALE PRICE OF DESCRIBED MOTOR VEHICLE:	\$ 155,671.52
MAKE OF TRADE-IN Freightliner				STATE AND LOCAL TAXES	Customer
YEAR 2009 MODEL M2 BODY N/A				LICENSE, LICENSE TRANSFER, TITLE REGISTRATION FEE	Customer
V.I.N. TBD				1. TOTAL PRICE OF THE UNIT	\$ 155,671.52
BALANCE OWED TO:				2. DOWN PAYMENT:	(\$ 2,500.00)
ADDRESS				consisting of \$ 0 in cash	
USED TRADE-IN ALLOWANCE \$ 2,500.00				and/or \$ 2,500.00 net trade in	
BALANCE OWED ON TRADE-IN 0				allowance on trade-in; see statement in	
NET ALLOWANCE ON USED TRADE-IN \$ 2,500.00				left hand column for details.	
DEPOSIT OR CREDIT BALANCE 0				Delivery Charge	
DOWN PAYMENT (Trans. to Right Col.) 0					
EXPIRATION DATE August 17, 2018				3. UNPAID CASH BALANCE DUE ON DELIVERY (difference between items 1 and 2)	\$ 153,171.52

ALL WARRANTIES, IF ANY, BY A MANUFACTURER OR SUPPLIER OTHER THAN SELECT CUSTOM APPARATUS, INC. (SCA) ARE THEIRS, NOT SCA, AND ONLY SUCH MANUFACTURER OR SUPPLIER SHALL BE LIABLE FOR PERFORMANCE UNDER SUCH WARRANTIES, UNLESS SCA FURNISHES BUYER WITH A SEPARATE WRITTEN WARRANTY OR SERVICE CONTRACT MADE BY SCA ON ITS BEHALF, SCA HEREBY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR PURPOSE: (A) ON ALL GOODS AND SERVICES SOLD BY SCA, AND (B) ON ALL USED VEHICLES WHICH ARE HEREBY SOLD "AS IS - NOT EXPRESSLY WARRANTED OR GUARANTEED".

IF THIS ORDER IS FOR A USED VEHICLE, THE INFORMATION YOU SEE ON THE (FEDERAL TRADE COMMISSION) WINDOW FORM IS PART OF THIS CONTRACT. INFORMATION ON THE WINDOW FOR OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE.

The front and back of this Order comprise the entire agreement affecting the purchase and no other agreement or understanding of any nature concerning same has been made or entered into, or will be recognized. I hereby certify that no credit has been extended to me for the purchase of this motor vehicle except as appears in writing on the face of this agreement. I have read the matter printed on the back hereof and agree to it as a part of this order the same as if it were printed above my signature. I certify that I am of legal age, and hereby acknowledge receipt of a copy of this order.

ACCEPTED BY:

Robert M. Daugherty

PURCHASER'S SIGNATURE

DATE

SELECT CUSTOM APPARATUS AUTHORIZED REPRESENTATIVE

Attachment: Select Custom Ambulance Cost Sheet (Select Custom Apparatus Sole Source Ambulance Purchase)

RESOLUTION

WHEREAS, THE Board of Commissioners of the County of Currituck, North Carolina during its regularly scheduled meeting authorized the following, pursuant to G.S. 160A and 270(b) that the property listed below will be used as a trade-in.

County Asset Tag	Description (Year Make Model)	Mileage	Serial Number
6979	2009 Freightliner M2 Ambulance	203,039	1FVACWDK09HAF8508


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

ADOPTED, this 20th day of March, 2017.

Bobby Hanig
County of Currituck, Board of Commissioners

LeeAnn Walton
Clerk to the Board

(Seal)

	ADMINISTRATIVE PROCEDURES		
	SUBJECT: Board of Commissioners Out of County Travel		
	EFFECTIVE DATE: September 4, 2018	SUPERSEDES: All previously issued Board of Commissioners Out of County Travel procedures.	APPROVED BY: Board of Commissioners

PURPOSE

Currituck County recognizes that its board of commissioners may at times receive value from attending workshops, conferences, and events. This policy establishes uniform guidelines to approve and reimburse commissioners for reasonable expenses incurred while traveling out of the County on official business for the benefit of the County.

GENERAL

Attending workshops, conferences, and events can be an important and valuable function of a commissioner. The commissioners may appropriate funds in the annual budget for registration and out of county travel, lodging, and meal costs incurred while traveling on official business for the benefit of the County. A commissioner traveling on official County business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, circuitous routes, delays, or luxury accommodations and services unnecessary, unjustified, or for the convenience or personal preference of the commissioner in the performance of official County business are prohibited. Travel that would not directly benefit the County will not be reimbursable.

PROCEDURES

- A. Attendance at a workshop, conference or event shall be approved in advance by the Board at an open meeting for travel costs to qualify for reimbursement.
- B. Requests for attendance must include a statement of the official business, direct benefit of the County, and an estimated cost.
- C. No reimbursements will be made for attendance at events sponsored by, or affiliated with, political parties.
- D. The County may make payments in advance for airfare, lodging and registration if specifically approved by the Board. Otherwise all payments will be made as reimbursements to the commissioner.

- E. The County will reimburse for transportation, lodging, meals, registration, and incidental costs using the same procedures, limitations and guidelines outlined in the Currituck County Personnel Policy for County employees.
- F. A County vehicle may be available and should be secured in advance. Mileage will be reimbursed at the approved IRS rate. If two or more commissioners travel together by car, only the driver will receive reimbursement. The commissioner must use the most cost-efficient mode of travel available, taking into consideration reasonable time constraints. Airfare will be reimbursed at coach rate.
- G. Receipts are required for lodging and airfare and should accompany an expense report form. It is not necessary to have receipts for meals if being reimbursed on the per diem basis outlined in the Currituck County Personnel Policy. Receipts for group meals must be remitted and must be a detailed receipt including items purchased, tax, tip and total. All persons attending the group meal should be listed on the back of the receipt along with a brief description of the group meal purpose. The expense report form must be submitted to the County for payment.
- H. The County will not reimburse for alcoholic beverages, personal telephone calls, entertainment, costs associated with the attendance of a family member, rental of luxury vehicles, and meal expenses included in the cost of registration and/or hotel amenities, or recreational expenses such as golf or tennis.
- I. Limitations may be imposed on paying for expenses for a commissioner who has announced intention to resign, not to seek re-election, or who has been defeated in an election.
- J. The County may request an oral or written report from the commissioner on the results of the trip.
- K. The Commissioner must make available to the County or other commissioners material related to the workshops, conferences, and events so that it may be copied if desired.
- L. Requests for reimbursement shall be filed within 7 days after the travel period ends for which the reimbursement is being requested, except for an unforeseen cause.

Number

TDA2019007

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15447-587050	T T - Co Govt Construction	\$ 41,650	
15320-415000	Occupancy Tax		\$ 41,650
		<u>\$ 41,650</u>	<u>\$ 41,650</u>

Explanation: Occupancy Tax - Tourism Related (15447) - Increase appropriations for cash match to Airport grants 36244.10.7.1 N Aircraft Apron Pavement Rehab and 36237.8.14.1 ALP Update & 18B Survey.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$41,650.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BAs_Sept 4_TDA (Special Meeting-TDA Budget Amendments)

Number

TDA2019008

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15442-526200	Tourism Promotion	\$ 50,000	
15320-415000	Occupancy Tax		\$ 50,000
		<u>\$ 50,000</u>	<u>\$ 50,000</u>

Explanation: Occupancy Tax - Promotion(15442) - Increase appropriations to provide funding for 350th Anniversary celebration activities.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$50,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BAs_Sept 4_TDA (Special Meeting-TDA Budget Amendments)

Number

TDA2019009

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of September 2018, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2019.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15447-590000	Capital Outlay	\$ 63,500	
15320-415000	Occupancy Tax		\$ 63,500
		<u>\$ 63,500</u>	<u>\$ 63,500</u>

Explanation: Occupancy Tax - Tourism Related - Increase appropriations to design and construct camping platforms along Northwest River on Wildlife game lands.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$63,500.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BAs_Sept 4_TDA (Special Meeting-TDA Budget Amendments)

Currituck County, North Carolina

2017 Tourism Economic Impact Fact Sheet

Yearly 2017 Tourist Activity in Currituck

- Generated **\$230,860,000** per year in direct tourist spending
- Produced **\$42,910,000** per year in worker income & paychecks
- Generated **\$13,310,000** per year in local county tax revenues
- Generated **\$10,810,000** per year in state tax revenue
- Generated **\$24,120,000** per year in combined state & local taxes
- Created **2090 jobs** per year
- 2017 Tourist spending increased by **2.77%** over 2016

Source: [1]

On an Average Day in 2017

Tourist Spending in Currituck County:

- Generated **\$66,082** in combined state and local tax revenues
- Created **\$36,466** in local tax revenues
- Created **\$29,616** in state tax revenues
- Generated **\$117,562** in worker paychecks

Source: [1], [2]

2017 Tourism Tax Relief for Currituck Residents & Households

As a result of taxes generated by tourist spending in Currituck County

- Each resident* of Currituck County pays **\$906.30** less in local and state taxes: **+\$14.40** from 2016.
- Each household unit** pays **\$2,517** less in local & state taxes

* 2016: population estimated at 25,809

**2016: household units estimated at 9,582 (2.62 per household)

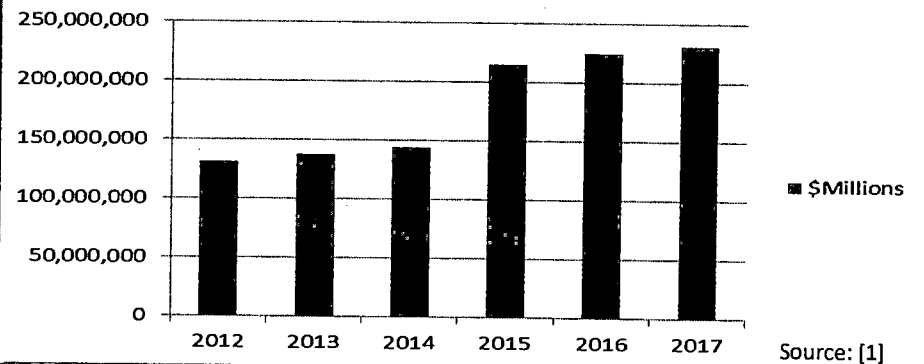
Source: [1], [2], [3]



Tameron T. Kugler, Director
 Currituck County Dept. of Travel & Tourism
 106 Caratoke Highway, Moyock, NC 27958
 tel: 252.435.2947 fax: 252.435.2996
 tkugler@visitcurrituck.com



\$Millions



Sources:

- [1] Prepared for Visit NC by the Research Department of the US Travel Association using the Travel Economic Impact Model (TEIM)
- [2] Additional analysis prepared by Tameron Kugler, Director, Currituck County Department of Travel & Tourism
- [3] Data USA, # of Household Units in North Carolina Counties, 2016; datausa.io/profile/geo/currituck-county-nc/#intro

Tourism Economic Impact Numbers & Chart

Year	\$Millions
1990	17,430,000
1991	18,510,000
1992	20,910,000
1993	28,330,000
1994	32,250,000
1995	38,010,000
1996	44,070,000
1997	40,810,000
1998	63,390,000
1999	70,340,000
2000	72,590,000
2001	73,720,000
2002	90,380,000
2003	99,820,000
2004	99,650,000
2005	109,450,000
2006	120,250,000
2007	120,010,000
2008	112,660,000
2009	113,500,000
2010	117,120,000
2011	121,340,000
2012	131,150,000
2013	137,710,000
2014	144,180,000
2015	214,860,000
2016	224,640,000
2017	230,860,000

