

CURRITUCK COUNTY
NORTH CAROLINA
APRIL 5, 2004

The Currituck County Board of Commissioners met on Monday, April 5, 2004, at 7:00 p.m. at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman O'Neal and Commissioners Miller, Martin and Gregory. Commissioner Bowden was attending the National Hurricane Conference.

Bob Henley was present to give the invocation.

Approval of Agenda

Commissioner Gregory moved to amend the agenda to add a closed session and resolution to appoint review officers. Commissioner Martin seconded the motion. Motion carried.

- Item 3 Action on PB 04-10 SEA HAWK ACRES: Sketch Plan/Special Use Permit approval for 9 lots located in Aydlett at 136 Elliot Road, Tax Map 92, Lot 30G, Poplar Branch Township.

- Item 4 Public Hearing and Action on Rural Operating Assistance program.

- Item 5 Public Hearing and Action PB 04-15 AREA STORAGE: Rezone 2.97 acres from Residential (R) to General Business (GB) located in Point Harbor at 9050 Caratoke Highway, Tax Map 132, Lot 138, Poplar Branch Township.

- Item 6 Public Hearing and Action PB 03-04 CTX, INC: rezone 190 acres from A (Agricultural) to Residential (R) on property located in Moyock at the intersection of Caratoke Highway and Tulls Creek Road, Tax Map 9, Parcel 29K, Moyock Township.

- Item 7 Public Hearing and Action PB 04-06: Amendment to Article 6 of the UDO regarding exterior lighting of nonresidential structures greater than twenty thousand (20,000) square feet.

- Item 8 Public Hearing and Action PB 04-13: Amendment to Article 13 and Article 25 of the UDO to permit privately owned airports in the R01 zoning district with a special use permit.

- Item 9 Public Hearing and Action PB 04-16 TURNPIKE PROPERTIES, INC.: Special Use Permit request for a privately owned airport on property located in Corolla within Pine Island, Tax Map 128, Lot 2D, Poplar Branch Township.

- Item 10 Public Hearing and Action PB 04-17 GRANDY ACRES, PHASE 2: Sketch Plan/Special Use Permit request for 7 lots located in Grandy at 105 Betsy Court, Tax Map 94, Lot 172N, Poplar Branch Township.
- Item 11 Discussion and consideration of proposal for restoration of Jarvisburg Colored School.
- Item 12 Discussion on meeting date for Board of Equalization and Review.
- Item 13 Consent Agenda:
- Budget Amendment
 - Approval of March 8 and 15 minutes.
 - Resolution in support of Dare County's request for federal funding of beach re-nourishment.
 - Approval of Crawford Fire Dept request to upgrade facilities at Maple Fire Station.
 - Order the Tax Collector to advertise the 2003 Tax Liens.
 - Request DOT to add Armstead Court to the State System.
 - Request DOT to reduce speed limit on NC 12 thru Corolla Light.
 - Carova Beach Fire & Rescue to purchase a generator.
 - Resolution to appoint review officers of plats.
- Item 14 Commissioner's Report
- Item 15 County Manager's Report
- Adjourn

Public Comment

Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.

Edith & Earl Brickhouse, Senior Tar Heel Representatives, reviewed the recent legislation approved by the General Assembly.

Commissioner Miller commended the students at the High School for the good job on their musical.

Commissioner Miller expressed his concerns with Moyock Commons drainage issues on Ms. Scaff's property.

There being no further comments, Chairman O'Neal closed the public comment period.

Action on PB 04-10 SEA HAWK ACRES: Sketch Plan/Special Use Permit approval for 9 lots located in Aydlett at 136 Elliot Road, Tax Map 92, Lot 30G, Poplar Branch Township.

Gary Ferguson, Planning Director, reviewed the request.

STAFF ANALYSIS FOR THE BOARD OF COMMISSIONERS

ITEM: PB 04-10 SEA HAWK ACRES, SKETCH PLAN FOR 9 SINGLE FAMILY LOTS

LOCATION: Off of Elliott Road, approximately 450' from its intersection with Aydlett Road, Poplar Branch Township.

ZONING DISTRICT: Residential

OWNER:	APPLICANT/AGENT
Rick Schneck & John Macko	Bill Owen
P.O. Box 3689	Seaboard Surveying
Kill Devil Hills, NC 27948	P.O. Box 58
	Nags Head, NC 27959

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH:	Residential & Vacant - zoned R
SOUTH:	Vacant - zoned R
EAST:	Residential & Vacant - zoned R
WEST:	Residential - zoned R

NARRATIVE OF REQUEST:

Rick Schneck & John Macko are seeking Sketch Plan/Special Use Permit approval for 9 single family lots through the major subdivision process. The total acreage of the entire development is approximately 10.95 acres.

This property is zoned Residential, therefore the minimum lot size required utilizing a conventional layout is 40,000 sq. ft. Lot sizes within this development range from 40,235 sq. ft. to 59,109 sq. ft.

OTHER IMPORTANT ELEMENTS TO THIS PLAN:

STREETS: All proposed lots will front on Elliott Road, an existing NCDOT maintained right-of-way.

WATER: Section 915 of the UDO requires that the developer install water mains if the development is within a certain distance

from an existing main (100' per unit for the first ten residential units plus an additional 20' for each additional unit). Within this development, there are 9 lots proposed within 450' of the existing 8" line on Aydlett Road. In addition, there is an existing 4" line along Elliott Road. The 4" line can adequately provide drinking water, however it will not be adequate for the installation of fire hydrants as required by Section 916 of the UDO.

FIRE: This development will be located within the jurisdiction of the Lower Currituck Volunteer Fire Department.

WASTEWATER: Individual, on-site septic systems are proposed. The property contains Conetoe loamy sand which consists of well drained soils that have moderately rapid permeability.

SCHOOL CAPACITIES: Using national averages for school age student generation from the *1987 American Housing Study*, one can expect .4243 elementary students, .084 Jr. high students and .1568 High school students per dwelling unit. (*Note: These figures were verified by a field check of Currituck subdivisions in 1994*). Based on these pupil generation figures, Currituck can expect 3 elementary students, 1 Jr. high student, and 1 high school student from this development.

OPEN SPACE: No open space is required or provided.

DRAINAGE: Roadside and property line swales/ditches will be used to address drainage for this property.

FLOOD ZONES: This development is within Flood Zone C (not within the 100 year flood area).

CAMA CLASS: The 1990 Land Use Plan classifies this site as Rural with Services. The purpose of the Rural with Services class is "to provide for low density land uses including residential use where limited water services are provided to avert an existing or projected health problem. Development within this class should be low intensity to maintain a rural character."

This proposal is consistent with the Land Use Plan.

STAFF COMMENTS:

- On January 8, 2004 Technical Review staff reviewed this application. Staff's concerns included the following:
 1. A small cemetery is located on this parcel in the vicinity of lots 9 and 3. The exact location of the cemetery should be determined by the applicant, and appropriate provisions must be made to ensure that the gravesites are not disturbed during development.
 2. Lot 9 is the lowest point on this property. Concerns regarding drainage and septic suitability for this lot were expressed during TRC and must be addressed during the Preliminary Plat process. In addition, the minimum setback requirements are not correctly shown on the plat (20' front, 15' side and 25' rear yard).
- In response to concerns expressed by the Board of Commissioners on March 8, 2004, the Sketch Plan has been revised to reflect the location of the existing cemetery with an easement allowing access to it and the relocation of the flag lot from the northwestern corner of the property to the northeastern corner of the property (lot 9).

QUESTION(S) BEFORE THE BOARD:

1. *Is the application complete?* Based on staff review all required information has been submitted for review.
2. *Does the proposal comply with the provisions in the UDO for Sketch Plan approval?* The proposal complies with all UDO requirements for Sketch Plan approval.
3. *Does the proposal comply with the general standards found in Section 1402(2) for a Special Use Permit/Sketch Plan?*
 - (a) *Will not endanger the public health or safety.* Public health and safety issues including fire protection, stormwater management, wastewater disposal and access for emergency services have been adequately addressed within this proposal.

- (b) *Will not injure the value of adjoining or abutting property. The proposed residential subdivision should have no negative impact on adjoining property;*
- (c) *Will be in harmony with the area in which it is located. The subdivision would consist of residential properties that would be in harmony with the surrounding area;*
- (d) *Will be in conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the Board. The proposal will be consistent with the CAMA Land Use Plan Rural with Services classification and with the Thoroughfare Plan;*
- (e) *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. Such facilities must be in place or programmed to be in place within 2 years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with Section 2015. Based on these pupil generation figures, Currituck can expect 3 elementary students, 1 Jr. high students and 1 high school students from this development.*

According to the current school population projections Griggs Elementary School has -41 additional student capacity after full development of currently approved subdivisions.

STAFF RECOMMENDATION:

Although this application meets the technical requirements for Sketch Plan/Special Use Permit approval, staff has concerns regarding the existence of adequate school facilities to serve the proposed development. The Board of Commissioners may deny this request if it concludes that the development will exceed the county's ability to provide adequate public facilities, including schools.

If approval of this request is granted, staff recommends the following conditions;

1. That applicant shall be required to meet all requirements of the UDO including, but not limited to installation of a 6" water line, fire hydrants, and adequate drainage facilities to serve the development;
2. That a Preliminary Plat shall be submitted for review within 24 months from the date the Sketch Plan is approved by the Board of Commissioners; and
3. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

PLANNING BOARD RECOMMENDATION:

On February 10, 2004, the Planning Board reviewed this request and recommended approval (8-0) subject to the staff recommended conditions.

Commissioner Gregory moved to approve. Commissioner Miller seconded the motion. Motion carried with Commissioner Martin voting no.

Public Hearing and Action on Rural Operating Assistance program.

County Manager Scanlon, there are three programs included in the ROAP application. Elderly & Disabled Transportation Assistance; Work First/Employment program; Rural General Public funds.

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Public Hearing and Action PB 04-15 AREA STORAGE: Rezone 2.97 acres from Residential (R) to General Business (GB) located in Point Harbor at 9050 Caratoke Highway, Tax Map 132, Lot 138, Poplar Branch Township.

Gary Ferguson, Planning Director, reviewed the request.

**Zoning Staff Report: PB 04-15
Area Storage Rezoning**

TYPE OF REQUEST:	Request for rezoning 2.97 acres from Residential (R) to General Business (GB).
LOCATION:	This site is located in Point Harbor along the south side of Griggs Acres Road, Tax Map 132, Parcel 159.
PROPERTY OWNER:	Area Storage, Inc.

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Residential	General Business
ZONING HISTORY:	Property was zoned Residential on the January 1, 1989 Official Zoning Map.	
SURROUNDING ZONING/LAND USE:		
	NORTH:	General Business/Area Storage
	SOUTH:	Residential/Residential
	EAST:	Residential/Residential
	WEST:	Residential/Agricultural & Vacant
EXISTING LAND USE:	Vacant	
PROPOSED LAND USE:	Extension of existing storage facility	
LAND USE PLAN CLASSIFICATION:		
	According to the 1990 Land Use Plan this area is designated Rural. The purpose of the rural class is "to provide for agriculture, forestry, mineral extraction and other allied uses traditionally associated with an agrarian region...Low density dispersed, single family residential uses at a gross density of approximately one unit per acre are also appropriate within rural areas where lot sizes are large and where densities do not require the provision of urban type services." This rezoning is consistent with the Rural classificaiton.	
PUBLIC SERVICES AND UTILITIES:		
	Lower Currituck Volunteer Fire Department provides fire protection for this area. Electric, telephone, County water and cable are currently available.	
TRANSPORTATION:	Property has access onto Griggs Acres Road, classified as a Minor Collector in the 1988 NCDOT Thoroughfare Plan.	
FLOOD ZONE:	According to FEMA maps, the property is located in Flood Zone C (outside of the 100 year flood plain).	
SOILS:	The property primarily consists of Conetoe loamy sand. Conetoe soils are well drained with moderate to rapid permeability.	

STAFF COMMENTS:

- Property is surrounded on 3 sides by Residential (R) and on the 4th side by General Business (GB).
- A similar rezoning request for this property was previously denied by the Board of Commissioners in October 2001.
- Adjoining property notices were mailed on March 19, 2004. A public hearing sign was posted on this property on March 23, 2004. Legal advertisements were published on March 19, 2004 and April 4, 2004.

STAFF

RECOMMENDATION:

The proposed rezoning would be consistent with the Rural Classification of the Land Use Plan. Therefore, staff recommends approval of this request.

PLANNING BOARD

RECOMMENDATION:

On March 9, 2004 the Planning Board reviewed this request and recommended approval (8-0).

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Gregory moved to approve. Commissioner Martin seconded the motion. Motion carried.

Public Hearing and Action PB 03-04 CTX, INC: rezone 190 acres from A (Agricultural) to Residential (R) on property located in Moyock at the intersection of Caratoke Highway and Tulls Creek Road, Tax Map 9, Parcel 29K, Moyock

Gary Ferguson, Planning Director, reviewed the request.

**Zoning Staff Report: PB 03-04
CTX, Inc.**

TYPE OF REQUEST: Request for rezoning 180 acres from Agricultural (A) to Residential (R).

LOCATION: This site is located on the east side of Caratoke Highway approximately 1500' northeast of Tulls Creek Road, Tax Map 9, Parcel 29E, Moyock Township.

PROPERTY OWNER: CTX, Inc.

CONTACT PERSON: Mark Bissell

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Agricultural	Residential (180 acres)

ZONING HISTORY: This property has been zoned Agricultural (A) since the adoption of the 1989 Zoning Map.

SURROUNDING ZONING/LAND USE:

NORTH:	Agricultural & Light Manufacturing Zone/Woodlands & Cultivated farmland
SOUTH:	Agricultural Zone/ Cultivated farmland & Residential
EAST:	Residential Zone/Moyock Run, Woodlands, Residential & Cultivated farmland
WEST:	General Business Zone/Vacant, Residential & Commercial

EXISTING LAND USE: Farmland and woodlands

PUBLIC SERVICES AND UTILITIES: Moyock Volunteer Fire Department provides fire protection for this area. Electric, telephone, county water and cable are currently available.

TRANSPORTATION: The ingress/egress for this property is on Caratoke Highway which is classified as a Minor Arterial in the 1988 NCDOT Thoroughfare Plan. Non-gated railroad tracks must be crossed when utilizing this access.

LAND USE PLAN**CLASSIFICATION:**

Property appears to be located within the *Rural* and *Conservation* classifications in the County's 1990 Land Use Plan. However, the maps are not clear due to a diminished scale and it is difficult to precisely determine the exact locations of these classifications on this property.

The purpose of the *Rural* classification is to provide for agriculture, forestry, mineral extraction and other allied uses traditionally associated with an agrarian region. Low density dispersed, single family residential uses at a gross density of approximately one unit per acre are also appropriate within rural areas where lot sizes are large and where densities do not require the provision of urban type services.

The purpose of the *Conservation* classification is to provide for the effective long-term management and protection of significant, limited or irreplaceable areas. According to the Land Use Plan, *Conservation* areas (if developable) should be done at densities of less than one unit per gross acre.

SOILS:

The property contains Roanoke, Augusta, Altavista, and State soils. These soils are marginally suitable to poor for septic tank installation. Swamp Forest wetlands are located along the eastern property line adjacent to Moyock Run.

FLOOD ZONE:

The property is in Flood Zones C (outside the 100 year flood plain) and A3 EL6 (within the 100 year floodplain with a 6 foot base flood elevation). 75' of frontage along Moyock Run is within the CAMA Area of Environmental Concern.

STAFF COMMENTS:

- Under the proposed rezoning, single family density could increase from 1 unit every 3 acres to 1 unit every 40,000 square feet.
- Consistency with the Land Use Plan is difficult to determine due to the fact

that the maps do not clearly indicate the classifications. In addition, the current Land Use Plan is dated and may not be valid.

- Staff has concerns regarding the soil suitability for the number of septic systems resulting from an increased density on the property. Due to the poor soil structures on this site, it is recommended that lot sizes for future residential development should not be less than 40,000 square feet.
- The property's ingress/egress is currently off of Caratoke Highway and requires crossing non-gated railroad tracks for access. The applicant has previously indicated that he is willing to install a gated railroad crossing to help mitigate safety concerns for future development.
- A rezoning for this property was previously requested in May 2003. That request was for 30 acres of General Business and 150 acres of Residential. The item was tabled at the Board of Commissioners level and was never voted on.
- A public hearing sign was posted on this property on March 23, 2004. Adjoining property notices were mailed on March 18, 2004. Legal advertisements were published on March 19, 2004 and April 4, 2004.

STAFF**RECOMMENDATION:**

This site is contiguous with an existing Residential zone and is located in an area that is experiencing concentrated growth. On this basis, staff recommends approval of this rezoning. However, staff is concerned about the impact that increasing density through residential rezoning may have on school capacity.

PLANNING BOARD

RECOMMENDATION: On March 9, 2004 the Planning Board reviewed this request and recommended approval (8-0).

Chairman O'Neal opened the public hearing.

Fletcher Humphries, supports request.

Commissioner Martin moved to recess the public hearing for further information until April 19, 2004, meeting. Commissioner Miller seconded the motion. Motion carried.

Public Hearing and Action PB 04-06: Amendment to Article 6 of the UDO regarding exterior lighting of nonresidential structures greater than twenty thousand (20,000) square feet.

Gary Ferguson, Planning Director, reviewed the request. Enclosed is a draft of an UDO amendment requested by the Board of Commissioners for a lighting ordinance for structures greater than 20,000 square feet in heated floor space. This draft of the ordinance proposes the following:

- This ordinance would regulate the exterior light levels for the entire site of large structures or "Big Box" retail buildings.
- The regulations would be for the Currituck Mainland only. The existing ordinance for the R01 zoned area will remain in effect.
- The allowable foot-candle measurement at the property line is doubled from the ordinance in the R01 zone, from 1.5 to 3 foot-candles.
- The intent is to reduce illumination to surrounding properties and avoid illumination of the night sky.
- An Engineer or Architect would have to certify the lighting meets the ordinance before a Certificate of Occupancy is issued.
- Lighting of outdoor recreational facilities is not a part of this draft ordinance.
- Gas station canopies and large parking lots are not covered if the building does not exceed 20,000 SF in heated area.

On March 9, 2004 the Planning Board reviewed this amendment and recommended approval (7-1).

Currituck County Commissioners

PB 04-06

UDO AMENDMENT REQUEST

Currituck County Commissioners, requests the following amendment to the Currituck County Unified Development Ordinance:

PB 04-06. An amendment to the Currituck County Unified Development Ordinance, Article 6, regarding exterior lighting of

nonresidential structures containing greater than twenty thousand (20,000) square feet of heated space.

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:

Part 1. That Article 6 be amended as follows:

Article 6
UTILITIES

PART IV LIGHTING REQUIREMENTS FOR NONRESIDENTIAL STRUCTURES
GREATER THAN TWENTY THOUSAND (20,000) SQUARE FEET, EXCLUDING THE
OUTER BANKS OVERLAY DISTRICT IN POPLAR BRANCH TOWNSHIP

Part 2. That Sections 628-636, Lighting Requirements for Nonresidential Structures Greater Than Twenty Thousand (20,000) Square Feet, excluding the Outer Banks Overlay District in Poplar Branch Township, be added as follows:

Section 628 Purpose for Regulation of Lighting for Buildings with Greater than 20,000 Square Feet of Heated Space.

1. The intent of these regulations is to allow installation of exterior lighting that provides adequate illumination for the performance of necessary tasks in the illuminated areas while reducing a dangerous or disabling glare, avoiding the illumination of adjacent or nearby properties, streets and roadways, and avoiding the illumination of the night sky. It is also the intent of these regulations to require the conservation of energy and to preclude a utility emergency.
2. The lighting regulations will only apply to buildings that are greater than 20,000 square feet of heated space. For all other lighting requirements, see sections 608 and 609, and sections 617-627 of the Currituck County Unified Development Ordinance.

Section 629 Definitions.

1. Disabling Glare. The sensation produced by a luminaire within the visual field, which is substantially greater than the level the eyes adapt to that can create annoyance, discomfort, or loss in visual performance and visibility.
2. Foot-candle. The international unit of illumination produced on a surface and equal to one lumen per square foot.
3. Light loss factor. The light output of a luminaire after losses due to decrease in lamp efficiency, dirt

- accumulation and other factors that lower the effective output with time.
4. Light trespass. Unwanted light that falls beyond the property line or area intended to be illuminated which is often called spill light. The maximum illumination measured in foot-candles at the property line shall not exceed 3 foot-candles measured at ground level by a measuring device.
 5. Luminaire. A complete lighting unit or fixture (including the lamp, housing, reflectors, lenses and shields) excluding the support pole or mounting bracket.
 6. Nonresidential Structures Greater Than Twenty Thousand (20,000) Square Feet. Any non-residential structure that is regulated by the Currituck County Unified Development Ordinance that includes over twenty thousand square feet of heated space. This includes one or more structures on the same parcel that combined exceeds 20,000 square feet of heated space and are being used for nonresidential purposes.

Section 630 Lighting Prohibited.

1. Light fixtures that imitate an official highway or traffic control light or sign are prohibited.
3. Light fixtures in the direct line of vision with any traffic control light or sign are prohibited.
4. Light fixtures that have a flashing or intermittent pattern of illumination, except for time and temperature displays are prohibited.
5. Privately owned light fixtures located in the public right-of-way are prohibited.
6. Light fixtures that are a source of glare by their design, orientation or intensity are prohibited.
7. Searchlights are prohibited except when used by federal, state or local authority.

Section 631 Compliance.

1. All new lighting fixtures installed after the effective date of this ordinance for Nonresidential Structures Greater Than Twenty Thousand (20,000) Square Feet shall be in compliance with the requirements of this ordinance. Any lighting in existence before the effective date of this ordinance that does not comply with the requirements of

- this ordinance shall be considered legally nonconforming and may remain. All nonconforming lighting shall be governed by the requirements of this article and not Article 15 Nonconforming Situations.
2. All Nonresidential structures in the Outer Banks Overlay District in Poplar Branch Township shall be regulated under Article 6, Part II.
 3. When poles and support structures are removed and replaced they must be replaced with poles, support structures and luminaires that comply with the requirements of this article.
 4. When luminaires are replaced, they must be replaced with luminaires that comply with all provisions of this article.
 5. All additions to vehicular accommodation areas shall comply with the requirements of this article.
 6. When a building addition, after the effective date of this ordinance, to a nonresidential structure creates a structure that exceeds 20,000 square feet in heated floor area, it shall comply with this lighting ordinance.
 7. Whenever the permit issuing authority allows or requires a deviation from the presumptive lighting requirements set forth in this ordinance, such deviation shall be allowed solely for health, safety and crime prevention. The deviation shall be in accordance with the light levels, fixture style and placement governed by the Illumination Engineering Society of North America (IESNA) Lighting Handbook 2000 Edition. Certification from a North Carolina Licensed Engineer shall be required for any deviation from this ordinance.
 8. Lighting for signage shall be governed by the requirements contained in Article 17 and not the requirements of this article.

Section 632 Design Standards.

1. Exterior lighting for Nonresidential Structures Greater Than Twenty Thousand (20,000) Square Feet in heated floor area, excluding security lighting, shall be reduced by a minimum of 50% after operating hours to decrease unneeded lighting.
2. When practicable, all lighting installations will include timers, dimmers and sensors to reduce overall energy consumption.

3. Vehicular accommodation area lighting (parking area) shall be designed to provide minimum lighting necessary to ensure adequate vision and safety. Such lighting shall not cause disabling glare or direct illumination onto adjacent properties.
4. The maximum height for exterior light fixtures shall be 25 feet above natural grade; but, shall not exceed the building height if the Nonresidential Structure Greater Than Twenty Thousand (20,000) Square Feet in heated floor area is less than 25 feet.

Section 633 Interior lighting.

1. Where interior lighting shining through glass areas is excessive and it illuminates the exterior areas adjacent to the structure, then exterior lighting regulations shall apply when such interior lighting is considered to create an annoying, dangerous or disabling glare.

Section 634 Measurements.

1. Lighting levels shall be measured in foot-candles.
2. All lighting fixtures, excluding street lighting, shall be designed, installed and maintained to prevent light trespass. The maximum illumination at the property line shall not exceed 3 foot-candles measured at ground level by a measuring device.
3. The maximum permitted foot-candle shall not exceed 25 at any location.
4. Measurements of newly installed light fixtures shall account for a light loss factor of .75 figured into the calculation. For example, a newly installed fixture that has a meter reading of one initial foot-candle and a light loss factor of .75 would calculate to .75 maintained foot-candle.

Section 635 Lighting Plan.

1. Applicants regulated by this ordinance shall submit a lighting plan produced by the lighting manufacturer, registered architect or engineer as part of the site plan review process. The lighting plan shall include:
 - (a) a site plan drawn to a scale of not more than one (1) inch equaling fifty (50) feet indicating areas to be illuminated, including but not limited to, building(s), sign(s), vehicular accommodation areas

- and the locations of all proposed exterior light fixtures;
- (b) drawings of proposed building elevations showing the building height and location and type of light fixtures;
- (c) proposed mounting height of all exterior light fixtures;
- (d) specifications and descriptions for all proposed exterior light fixtures.
- (e) locations and descriptions of all proposed exterior light fixtures and hours of operation,
- (f) Analysis and illuminance level plans in the form of an iso foot candle or point-by-point grid diagram drawn to scale. The submitted grid plan shall plot lighting levels at ten-foot intervals or less. The iso foot candle diagram shall plot foot candles in increments of one-half (0.5) foot-candle or less.

2. The installation of the lighting and footcandle readings at the property line shall be certified by a registered architect or engineer before a certificate of occupancy is issued for the structure.

Section 636 Exemptions.

1. Holiday lighting during the months of November, December and January shall be exempt from the lighting requirements of this article provided the lighting does not create disabling glare onto adjacent rights-of-way.

Chairman O'Neal opened the public hearing.

John Snowden, supports the ordinance.

There being no further comments, Chairman O'Neal closed the public hearing.

Commissioner Martin moved to approve. Commissioner Miller seconded the motion. Motion carried with Commissioner Gregory voting no.

Public Hearing and Action PB 04-13: Amendment to Article 13 and Article 25 of the UDO to permit privately owned airports in the R01 zoning district with a special use permit.

Gary Ferguson, Planning Director, reviewed the request.

PB 04-13
UDO AMENDMENT REQUEST

The following amendments to the Currituck County Unified Development Ordinance have been requested:

PB 04-13 Amendments to Sections 1310 and 2501 of the UDO to permit privately owned airports in the R01 zoning district with a Special Use Permit.

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:

Part 1. That the following section be amended:

Section 1310 Table of Permissible Uses.

(Z - Zoning Permit; C -Conditional Use Permit;
S - Special Use Permit)

USE #	DESCRIPTION	A	RA	R	RO 1	RO 2	RR	GB	C	LB H	LM	HM
15.200	Airports and Airstrips											
15.220	Privately Owned Airport	S			S						S	S

Part 2. That the following section be amended:

Section 2501 Definition of Basic Terms.

Privately Owned Airport. An area of land or water, located on private property, that is designed or used on a recurring basis for the landing and take-off of aircraft and where no additional commercial activities occur.

A text amendment request has been made to allow privately owned airports to operate within the R01 zoning district with a Special Use Permit. Currently, privately owned airports are permitted by Special Use Permit in the Agricultural, Light Manufacturing and Heavy Manufacturing zones. Also included within this proposal is a basic definition for privately owned airports.

In conjunction with this amendment request, Turnpike Properties has applied for a Special Use Permit to utilize the Pine Island airstrip for a commercial air service (i.e. a privately owned airport). The existing airstrip has been utilized since the 1970's, prior to the development of Pine Island P.U.D. Use of the airstrip has previously been limited to Pine Island and Sanderling guests and homeowners. Turnpike Properties is proposing to continue using the airstrip for the landing and departure of air planes, however they are requesting to transport passengers who wish to travel to the beach, with no restrictions on where the users are staying.

Staff recommends approval of this request.

On March 9, 2004, the Planning Board reviewed this request and recommended approval (8-0).

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Miller moved to approve. Commissioner Gregory seconded the motion. Motion carried.

Public Hearing and Action PB 04-16 TURNPIKE PROPERTIES, INC.: Special Use Permit request for a privately owned airport on property located in Corolla within Pine Island, Tax Map 128, Lot 2D, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Gary Ferguson, Planning Director, reviewed the request.

Turnpike Properties, Inc.
1100-C S. Stratford Road, Ste 102
Winston-Salem, NC 27103

PURPOSE OF REQUEST

The applicant requests Special Use Permit approval for a privately owned airport located in Corolla, within Pine Island P.U.D. There is an existing airstrip at this location that has been utilized prior to the development of Pine Island, P.U.D.

LOCATION OF PROPERTY

The site of the proposed development is located between NC 12 and the Audubon Sanctuary. The property is shown on Tax Map 128, Parcels 2D, Poplar Branch - Outer Banks Township.

EXISTING CONDITIONS

This property is zoned R01. The 3,000' airstrip is located on 28 acres with an entrance off of NC12. The airstrip shall also utilize the existing Pine Island Tennis Center driveway. Six parking spaces exist on the site and no new construction is proposed. The airstrip is not lighted, so operations will be limited to daylight only.

Article 13 of the UDO currently allows privately owned airports in the Agricultural, Light Manufacturing and Heavy Manufacturing Districts. In conjunction with this request, a text amendment has been submitted that would allow privately owned airports within the R01 District with a Special Use Permit.

STAFF FINDINGS:

Criteria: (a) Does the applicant meet the standards established in the Unified Development Ordinance (UDO) for the proposed use?

Findings: The applicant is requesting a Special Use Permit for a privately owned airport in the R01 district. Approval of this permit shall be predicated upon approval of the proposed text amendment.

Criteria: (b) Will the proposed use materially endanger the public health or safety?

Findings: The property has been utilized as a private airstrip since the 1970's. There will not be a change in use of the property, only in a change of users of the air service. All operations of this airport must be regulated and approved by the FAA.

Criteria: (c) Will the proposed use substantially injure the value of adjoining or abutting property?

Findings: The surrounding land uses for the property include:

North: NC 12, Residential & Commercial & LBH	Zone: R01
South: Vacant (National Audubon Society)	Zone: R01
East: Pine Island Tennis Center	Zone: R01
West: Vacant (National Audubon Society)	Zone: R01

Criteria: (d) Will the proposed use be in harmony with the particular neighborhood or area in which it is to be located?

Findings: The site is currently an amenity to the Pine Island and Sanderling communities. No additional commercial activities shall occur.

Criteria: (e) Will the proposed use be in general conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the board?

Findings: The 1990 Land Use Plan classifies the property as Limited Transition. The Limited Transition class is to provide for development in areas that have some services, but are suitable for lower densities than those associated with the urban transition class, and/or geographically remote from existing towns and municipalities. The proposed use is consistent with the Limited Transition classification.

Access for the property is from NC 12, a major collector street according to the 1988 Thoroughfare Plan.

Criteria: (f) 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.

Findings: Approval of this request should have no impact on public facilities.

STAFF COMMENTS

Adjoining property notices were mailed on March 19, 2004. A public hearing sign was posted on this property on March 25, 2004. Legal advertisements were published on March 19, 2004 and April 4, 2004.

STAFF RECOMMENDATION

In consideration of the suggested Findings of Fact, staff recommends approval with the following conditions:

1. All operations must be conducted in accordance with FAA regulations.
2. No additional commercial activity, other than the use of the airstrip, shall occur.
3. No additional structures or buildings on this property, including hangers or fuel tanks, shall be permitted.
4. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

PLANNING BOARD RECOMMENDATION

On March 9, 2004 the Planning Board reviewed this request and recommended approval (8-0).

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Martin moved to approve. Commissioner Gregory seconded the motion. Motion carried.

Public Hearing and Action PB 04-17 GRANDY ACRES, PHASE 2: Sketch Plan/Special Use Permit request for 7 lots located in Grandy at 105 Betsy Court, Tax Map 94, Lot 172N, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Gary Ferguson, Planning Director, reviewed the request.

**STAFF ANALYSIS FOR THE BOARD OF COMMISSIONERS
MEETING DATE: April 5, 2004**

ITEM: **PB 04-17 GRANDY ACRES, SKETCH PLAN FOR 7
SINGLE FAMILY LOTS**

LOCATION: At the end of Betsy Court, approximately
450' from its intersection with Poplar
Branch Road, Poplar Branch Township.

ZONING DISTRICT: Residential

OWNER: Johnny R. McCandless P.O. Box 111 Jarvisburg, NC 27947	APPLICANT/AGENT Hyman & Robey, PC 150-A U.S. Hwy 158 East Camden, NC 27921
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LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH: Vacant - zoned R
SOUTH: Residential - zoned R
EAST: Residential - zoned R
WEST: Vacant - zoned R & GB

NARRATIVE OF REQUEST:

Johnny McCandless is seeking Sketch Plan/Special Use Permit approval for 7 single family lots through the major subdivision process. The total acreage of the entire development is approximately 7.57 acres.

This property is zoned Residential, therefore the minimum lot size required utilizing a conventional layout is 40,000 sq. ft. Lot sizes within this development are proposed to range from 40,010 sq. ft. to 56,539 sq. ft.

OTHER IMPORTANT ELEMENTS TO THIS PLAN:

STREETS: Access is proposed to be provided by an extension of Betsy Court. Betsy Court is an existing private right-of-way that will be improved to NCDOT standards.

WATER: An 8" water main currently exists on Poplar Branch Road (approximately 450' away from the proposed lots). Under Section 915 of the UDO, the developer will be required to install a six inch water line, with fire hydrants, to serve this subdivision.

- FIRE:** This development will be located within the jurisdiction of the Lower Currituck Volunteer Fire Department.
- WASTEWATER:** Individual, on-site septic systems are proposed. The property contains Portsmouth Fine Sandy Loam which consists of very poorly drained soils that have moderate permeability.
- SCHOOL CAPACITIES:** Using national averages for school age student generation from the *1987 American Housing Study*, one can expect .4243 elementary students, .084 Jr. high students and .1568 High school students per dwelling unit. (*Note: These figures were verified by a field check of Currituck subdivisions in 1994*). Based on these pupil generation figures, Currituck can expect 3 elementary students, 1 Jr. high student, and 1 high school student from this development.
- OPEN SPACE:** No open space is required or provided.
- DRAINAGE:** Roadside and property line swales/ditches will be used to address drainage for this property.
- FLOOD ZONES:** This development is within Flood Zone C (not within the 100 year flood area).
- CAMA CLASS:** The 1990 Land Use Plan classifies this site as Rural with Services. The purpose of the Rural with Services class is "to provide for low density land uses including residential use where limited water services are provided to avert an existing or projected health problem. Development within this class should be low intensity to maintain a rural character." This proposal is consistent with the Land Use Plan.
- STAFF COMMENTS:**
- On February 12, 2004 Technical Review staff reviewed this application. Staff's concerns included the following:
 1. Interconnectivity has not been provided for in accordance with Section 914(f) of the UDO.

2. Betsy Court is an existing gravel road. In accordance with Section 914, the developer will have to pave this street to NCDOT standards.
 3. A 6" water line and hydrants will have to be installed along Betsy Court (Section 915).
- Adjoining property notices were mailed on March 19, 2004. A public hearing sign was posted on this property on March 23, 2004. Legal advertisements were published on March 19, 2004 and April 4, 2004.

QUESTION(S) BEFORE THE BOARD:

1. *Is the application complete?* Based on staff review all required information has been submitted for review.
2. *Does the proposal comply with the provisions in the UDO for Sketch Plan approval?* The proposal complies with all UDO requirements for Sketch Plan approval.
3. *Does the proposal comply with the general standards found in Section 1402(2) for a Special Use Permit/Sketch Plan?*
 - (a) *Will not endanger the public health or safety.* Public health and safety issues including fire protection, stormwater management, wastewater disposal and access for emergency services have been adequately addressed within this proposal.
 - (b) *Will not injure the value of adjoining or abutting property.* The proposed residential subdivision should have no negative impact on adjoining property;
 - (c) *Will be in harmony with the area in which it is located.* The subdivision would consist of residential properties that would be in harmony with the surrounding area;
 - (d) *Will be in conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the Board.* The proposal will be consistent with the CAMA Land Use Plan Rural with Services classification and with the Thoroughfare Plan;
 - (e) *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. Such facilities must be in place or programmed to be in place within 2 years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with Section 2015. Based on these pupil generation figures, Currituck can expect 3 elementary students, 1 Jr. high students and 1 high school students from this development.

According to the current school population projections Griggs Elementary School has -41 additional student capacity after full development of currently approved subdivisions.

STAFF RECOMMENDATION:

This application does not meet the interconnectivity requirements within Section 914 of the UDO. In addition, staff has concerns regarding the existence of adequate school facilities to serve the proposed development. The Board of Commissioners may deny this request if it concludes that the development will exceed the county's ability to provide adequate public facilities, including schools.

If approval of this request is granted, staff recommends the following conditions;

1. That applicant shall be required to meet all requirements of the UDO including, but not limited to installation of a 6" water line, fire hydrants, and adequate drainage facilities to serve the development;
2. That a Preliminary Plat shall be submitted for review within 24 months from the date the Sketch Plan is approved by the Board of Commissioners; and
3. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

PLANNING BOARD RECOMMENDATION:

On March 9, 2004, the Planning Board reviewed this request and recommended approval (8-0) with the conditions recommended by staff.

Chairman O'Neal opened the public hearing.

Craig Forest, expressed concerns with drainage issues.

There being no further comments, Chairman O'Neal closed the public hearing.

Commissioner Martin moved to approve. Commissioner Gregory seconded the motion. Motion carried.

Discussion and consideration of proposal for restoration of Jarvisburg Colored School.

Commissioner Martin moved to approve the proposal for \$25,520 and funds will come from occupancy tax. Commissioner Gregory seconded the motion. Motion carried.

Discussion on meeting date for Board of Equalization and Review.

The Board agreed to meet the first meeting in May.

Consent Agenda:

- **Budget Amendment**
- **Approval of March 8 and 15 minutes.**
- **Resolution in support of Dare County's request for federal funding of beach re-nourishment.**
- **Approval of Crawford Fire Dept request to upgrade facilities at Maple Fire Station.**
- **Order the Tax Collector to advertise the 2003 Tax Liens.**
- **Request DOT to add Armstead Court to the State System.**
- **Request DOT to reduce speed limit on NC 12 thru Corolla Light.**
- **Carova Beach Fire & Rescue to purchase a generator.**
- **Resolution appointing the Review Officers for plats.**

Commissioner Gregory moved to approve. Commissioner Martin seconded the motion. Motion carried.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
10660-561000	Professional Services	\$ 20,000	
10330-447500	Planning Grants		19,500
10340-456000	Planning Fees		500
		\$ 20,000	\$ 20,000

EXPLANATION: Planning and Inspections (660) – To increase budgeted line items to record planning grant to update the land use plan. This grant is \$30,000 for this fiscal year and will be funded by \$19,500 grant from the Department of Coastal Management and \$10,500 local match; \$10,000 of the local match was budgeted in the initial budget process.

NET BUDGET EFFECT: Operating Fund (10) – Increased by \$20,000.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
61818-561000	Professional Services	\$ 74,285	\$
61818-514000	Travel	2,000	
61818-516000	Repairs & Maintenance	20,000	
61818-590000	Capital Outlay		22,000
61360-471000	Tap & Connection Fees		74,285
		\$ 96,285	\$ 96,285

EXPLANATION: Mainland Water (818) – Increase professional services for environmental assessment for reverse osmosis discharge and ground water assessment for the mainland water system; increase travel for additional training for new employees; and increase repairs and maintenance to replace aging parts in Tulls Creek and Walnut Island areas.

NET BUDGET EFFECT: Mainland Water Fund (61) – Increased by \$74,285.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
65858-516000	Repair & Maintenance	\$ 3,000	\$
65858-533200	Lab Tests	7,000	
65858-545000	Contract Services	4,000	
65360-470000	Utilities Charges		14,000
		\$ 14,000	\$ 14,000

EXPLANATION: Moyock Commons (858) – Increase repair & maintenance to maintain aging sewer plant; increase lab tests for additional tests required by the State in addition to increase in cost of testing; and increase contract services due to increases in hauling sludge.

NET BUDGET EFFECT: Moyock Commons Sewer (65) – Increased by \$14,000.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
10740-545500	Contract Services	\$ 4,000	\$
10330-412000	ABC \$0.05 Bottle Tax		4,000
		\$ 4,000	\$ 4,000

EXPLANATION: Mental Health (740) – Increase budgeted line items for payments to Albemarle Mental Health. These payments are based on the collection of the ABC Bottle Tax.

NET BUDGET EFFECT: Operating Fund (10) – Increased by \$4,000.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
10480-590000	Capital Outlay	\$ 3,500	
10340-453000	Register of Deeds Fees		3,500
		\$ 3,500	\$ 3,500

EXPLANATION: Register of Deeds (480) – Increase capital outlay to purchase:

Paper Shredder \$2,000
 Industrial Drill Hole Punch 1,500

The paper shredder in the Register of Deeds office was six years old and earlier in the year stopped working. The County had another shredder that was not in use and it was transferred to the Register of Deeds office. This shredder was also several years old and it has also stopped working. Due to the high volume of instruments being recorded, this office also needs an industrial drill hole punch to punch the recorded instruments to file in the deed books.

NET BUDGET EFFECT: Operating Fund (10) – Increased by \$3,500.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
10531-514000	Travel	\$ 3,400	
10531-532000	Supplies	2,070	
10531-545000	Contract Services	21,955	
10531-590000	Capital Outlay	56,400	
10330-445000	Emergency Mgmt Grants		83,825
		\$ 83,825	\$ 83,825

EXPLANATION: Emergency Management (531) – To record the following Emergency Management grants:

Emergency Management program grant - \$9,880 funded 100% through the NC Dept of Crime Control & Public Safety, Division of Emergency Management to be used for:

- Travel to attend National Hurricane Conference - \$3,400
- Supplies for ID maker - 480
- Debris plan - 4,000
- Laptop Computer for EM operations 2,000

Part II – Homeland Security Grant - \$55,990 funded 100% through the US Department of Homeland Security to be used for:

- Mobile radios - \$ 519
- Dual band antenna 100
- Portable radio 971
- 2 projectors for EOC operations 4,400
- Server to host EOC Software 4,000
- Generator for communication 11,000
- WebEOC software package 35,000

The above items will be used during activation of EOC or for WMD (weapons of Mass Destruction) or CBERN (Chemical, Biological, Explosive, Radiological, or Nuclear) incidents.

Emergency Operations Planning Grant - \$17,955 funded 100% through the NC Dept of Crime Control & Public Safety, Division of Emergency Management for outside contractors to prepare a Debris Assessment and Plan.

NET BUDGET EFFECT: Operating Fund (10) – Increased by \$83,825.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
10390-499900	Fund Balance Appropriated	\$ 155,000	\$
10330-432800	Child Day Care		118,499
10752-519600	Day Care		30,705
10752-519601	Smart Start Day Care		5,796
		\$ 155,000	\$ 155,000

EXPLANATION: Public Assistance (752) – To record adjustment in State funding for Child Care services.

NET BUDGET EFFECT: Operating Fund (10) – Decreased by \$36,501.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
10660-531000	Gas, Oil, Etc.	\$ 2,700	\$
10660-590000	Capital Outlay		2,700
		\$ 2,700	\$ 2,700

EXPLANATION: Planning & Inspections (660) – Transfer capital outlay funds remaining from vehicle purchase to gas, oil, etc. Additional funds are needed in this account due to the continued increase in fuel prices this year.

NET BUDGET EFFECT: Operating Fund (10) – No change.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
66868-526000	Advertising	\$ 1,500	\$
66868-557100	Software License Fees		1,500
		\$ 1,500	\$ 1,500

EXPLANATION: Southern Outer Banks Water System (868) – The SOBWS is anticipated to begin operating a portion of the new water plant this July. In anticipation of this plant opening, we request to create a Chief Water Plant Operator position, which can be funded this year through the existing salaries budget since the Superintendent position was not hired until late in the year. In addition, we request a transfer of funds for additional funds to advertise for this Chief Water Plant Operator position and also to advertise for two Water Plant Operators to begin work in July, which will be funded in the FY 2005 budget.

NET BUDGET EFFECT: Southern Outer Banks Water System (66) – No change.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
15780-545002	Historic Preservation	\$ 25,520	\$
15320-415000	Occupancy Tax (3%)		25,520
		\$ 25,520	\$ 25,520

EXPLANATION: Occupancy Tax: Tourism (15780) – To appropriate funds for architect services the restore the Old Jarvisburg Colored School.

NET BUDGET EFFECT: Occupancy Tax (15) – Increased by \$25,520.

RESOLUTION

WHEREAS, GS 47-30.2 requires the Board of Commissioners in each county, by resolution, to appoint one or more persons as review officers to review plats before they are recorded; and

WHEREAS, appointed review officers shall certify that the plat meets the statutory requirements for recording; and

WHEREAS, the persons appointed as review officers should be experienced in mapping or land records management.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals serving in the positions indicated are hereby designated as review officers as required by GS 47-30.1.

- Gary Ferguson, Planning & Inspections
Director
- Shelley Cox, Chief Planner
- Cheryl Eggar, Planner
- Tracy Sample, Tax Administrator
- Donna Voliva, Planner
- Lucy Cardwell, Tax Office

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the individuals listed above, the Director of Planning & Inspections, Chief Planner and Planner and the Currituck County Register of Deeds.

Commissioner's Report

No comments.

County Manager's Report

No comments.

Closed Session to discuss litigation.

Commissioner Gregory moved to go into closed session to discuss possible litigation. Commissioner Martin seconded the motion. Motion carried.

Adjourn

After reconvening from closed session, the Board took no action. There being no further business, the meeting adjourned.