

CURRITUCK COUNTY  
NORTH CAROLINA  
June 7, 2004

The Currituck County Board of Commissioners met prior to the regular meeting at 5:00 p.m. with the Board of Education and the Tischler Group on impact fees.

The Currituck County Board of Commissioners met on Monday, June 7, 2004, at 7:00 p.m. for their regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman O'Neal and Commissioners Miller, Martin, Bowden and Gregory.

Reverend Charles Wellons was present to give the invocation.

### **Approval of Agenda**

Commissioner Gregory moved to approve agenda as amended to add closed session to discuss legal issues and delete Item 14. Commissioner Martin seconded the motion. Motion carried.

- Item 2            Public Comment  
*Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.*
- Item 3            **Old Business**  
Action PB 03-41 ROSE SWEENEY: Amendment to Section 1310 of the UDO to permit accessory apartments in the residential zone with a special use permit.
- Item 4            **New Business**  
Public Hearing and Action on formation of Northwest Watershed Improvement Service District.
- Item 5            Public Hearing and possible action on FY 04-05 Budget.
- Item 6            Public Hearing and Action on PB 04-24 Highland Properties Inc.: Rezone 101.14 acres from Agricultural (A) to Commercial (C) on property owned by Walter M. Poyner Estate located in Moyock on the east side of Caratoke Highway adjacent to Ranchland Subdivision, Tax Map 23, Lot 6, Moyock Township.
- Item 7            Public Hearing and Action on PB 04-26 Ronald Barrett: Rezone 5.23 acres from Agricultural (A) to General Business (GB) on property located in Powells Point at 8066 Caratoke Highway, Tax Map 123, Lot 58, Poplar Branch Township.
- Item 8            Public Hearing and Action on ordinance ordering demolition of Lot 6 & 7 Seagull Beach.
- Item 9            Public Hearing and Action on ordinance ordering demolition of lot 8 Seagull Beach.
- Item 10           Discussion on Moratorium on new Billboards.
- Item 11           Discussion on Incorporation of County.
- Item 12           Discussion on parking regulations on Outer Banks.
- Item 13           Discussion of subdivisions on the Outer Banks.
- Item 14           Consideration of Fire Hydrant Installation Contract.
- Item 15           Appointment to Economic Development Board.
- Item 16           Appointment to Land Transfer Tax Appeals Board.
- Item 17           Appointment to Agricultural Advisory Board.
- Item 18           Appointment to Whalehead Board to replace Nancy Wright.
- Item 19           Consent Agenda:
- Budget Amendments
  - Approval of May 3 and 17 Minutes
  - Appointment of Allen Ives to Whalehead Board
  - Approval of change orders 5,6, 7 for SOB Water System.
  - Resolution to declare surplus property
  - Resolution terminating the inter-county public transportation and a resolution of Albemarle Regional Health Services doing business as inter-county transportation authority.
  - Request DOT to add Perch Street, Tulls Bay Colony to state system.

Item 20            Commissioner's Report  
Item 21            County Manager's Report  
                  Adjourn

**Public Comment**

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

Chairman O'Neal opened the public comment period.

John Snowden, III, to discuss the American Red Cross role and responsibilities.

Sam Nelson, Eagle Creek, SaveMoyock rep., stated they had raised funds to appeal the Tidewater Auto Auction decision.

County Attorney Morrison, stated again for the record that the Board had nothing to do with the Tidewater Auto Auction decision.

Janet Land, opposes Tidewater Auto Auction.

Jerry Malesky, opposes Tidewater Auto Auction.

Ralph Land, opposes Tidewater Auto Auction.

Amanda Russo, Eagle Creek, opposes Tidewater Auto Auction.

Bill Russo, opposes Tidewater Auto Auction.

Carl Kuhn, opposes Tidewater Auto Auction

Joe Sorcic, opposes Tidewater Auto Auction.

Kim Lynch, opposes Tidewater Auto Auction.

Phil Wayland, opposes Tidewater Auto Auction.

Laura Wayland, opposes Tidewater Auto Auction.

Charles Slappey, opposes Tidewater Auto Auction.

Jim Morrissey, opposes Tidewater Auto Auction.

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

**Old Business**

**Action PB 03-41 ROSE SWEENEY: Amendment to Section 1310 of the UDO to permit accessory apartments in the residential zone with a special use permit.**

Gary Ferguson, reviewed the request.

Ms. Rose Sweeney is requesting an amendment to the Table of Permitted Uses to allow a primary residence with accessory apartment within the Residential District.

In reviewing this request, staff is concerned that lots within the Residential zoning district will not be large enough to support the pervious surface coverages, adequate wastewater disposal and parking that would be required for accessory apartments. Based on these concerns, staff is recommending denial of the amendment as presented.

**PLANNING BOARD RECOMMENDATION**

On November 10, 2003, the Planning Board recommended denial (7 – 1) of this request.

ROSE SWEENEY  
PB 03-41  
UDO AMENDMENT REQUEST

Rose Sweeney requests the following amendment to the Currituck County Unified Development Ordinance:

PB 03-41 Amendment to Article 13, Section 1310 of the UDO to permit accessory apartments in the Residential zone 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 sections be amended:

**Section 1310 Table of Permissible Uses.**

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

USE #	DESCRIPTION	A	RA	R	RO1	RO2	RR	GB	C	LBH	LM	HM
1.200	Two-Family Residences											
	1.220 Primary Residence with Accessory Apartment		S	S				Z				

Commissioner Martin moved to deny. Commissioner Miller seconded the motion. Motion carried.

**New Business**

**Public Hearing and Action on formation of Northwest Watershed Improvement Service District.**

Mike Doxey, Soil and Water Conservation, reviewed the request.

Chairman O'Neal opened the public hearing.

Robert Lee, questioned what the district would do.

Edward Fritz, questioned tax rate.

Kevin Barlow, questioned district.

John Walston, questioned drainage issue.

Melvin Evans, supports the District.

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

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

**RESOLUTION  
ESTABLISHING A SERVICE DISTRICT  
TO BE KNOWN AS NORTHWEST WATERSHED IMPROVEMENT  
SERVICE DISTRICT**

WHEREAS, pursuant to Chapter 153A, Article 16, of the North Carolina General Statutes the Board of Commissioners for Currituck County does hereby define and establish a service district in order to finance, provide and maintain for the district, watershed improvements in addition to, and to a greater extent than those financed, provided and maintained for the entire county; and

WHEREAS, in determining whether to establish the proposed service district, the Board of Commissioners for Currituck County, among other things, considered:

- (a) the appraised value of property subject to taxation in the proposed district;
- (b) the present tax rates of the county,

- (c) the ability of the proposed district to sustain the additional taxes necessary to provide the services planned for the district; and
- (d) other matters believed by the board of commissioners to have a bearing on whether the district should be established; and

WHEREAS, the Board of Commissioners for Currituck County, after due notice and as provided by the General Statutes of North Carolina, held a public hearing and in all respects complied with the required provisions of law before adopting this resolution; and

WHEREAS, the Board of Commissioners for Currituck County upon the information evidence received, finds that:

- (a) there is a demonstrable need for providing in the said district water management and watershed improvements in order to preserve the water quality of Northwest Watershed Improvement Service District and protect residential and agricultural lands from detrimental flooding;
- (b) it is impossible or impracticable to provide those services on a county-wide basis;
- (c) it is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies;
- (d) there is a demonstrable demand for the proposed services by persons residing in the district; and
- (e) That all requirements for establishment of a service district in the county have been complied with.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR CURRITUCK COUNTY, that

1. A service district for water management and watershed improvements is hereby defined and established as described and shown on Exhibit "A" attached to this resolution and made a part hereof. The service district shall be named the Northwest Watershed Improvement Service District.
2. This resolution shall take effect at the beginning of the 2004-2005 Fiscal Year.

**Public Hearing and possible action on FY 04-05 Budget.**

County Manager Scanlon, reviewed the budget and amended to add the 3% tax for the Northwest Watershed Improvement Service District and funding for Special Olympics.

Chairman O'Neal opened the public hearing.

Richard Barkalow, questioned funding for additional deputies in Sheriff's Office.

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

Commissioner Martin moved to adopt the FY 04-05 budget with amendments as stated by County Manager. Commissioner Gregory seconded the motion. Motion carried.

**Public Hearing and Action on PB 04-24 Highland Properties Inc.: Rezone 101.14 acres from Agricultural (A) to Commercial (C) on property owned by Walter M. Poyner Estate located in Moyock on the east side of Caratoke Highway adjacent to Ranchland Subdivision, Tax Map 23, Lot 6, Moyock Township.**

Gary Ferguson, Planning Director, reviewed the request.

**Zoning Staff Report: PB 04-24  
Highland Properties Rezoning**

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**TYPE OF REQUEST:** Request for rezoning 101.14 acres from Agricultural (A) to Commercial (C).

**LOCATION:** This site is located in Moyock along the east side of Caratoke Highway (US 168), Tax Map 23, Parcel 6.

**PROPERTY OWNER:** Walter M. Poyner Estate

**APPLICANT:** Highland Properties

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<b>ZONING:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Agricultural	Commercial

**ZONING HISTORY:** Property has been zoned Agricultural since 1989.

**SURROUNDING ZONING/LAND USE:**

NORTH:	Agricultural/primarily vacant
SOUTH:	Agricultural/vacant
EAST:	Agricultural/low density residential & vacant
WEST:	Commercial & Residential/vacant & residential

**EXISTING LAND USE:** Vacant

**PROPOSED LAND USE:** The applicant has stated that he wishes to provide a commercial facility, either offices or retail or a combination.

**LAND USE PLAN  
CLASSIFICATION:**

According to the 1990 Land Use Plan this property is designated 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 the class should be low intensity to maintain a rural flavor" This rezoning is not consistent with the Rural with Services class.

**PUBLIC SERVICES  
AND UTILITIES:**

Moyock Volunteer Fire Department provides fire protection for this area. County water, electric, telephone and cable are currently available at this location.

**TRANSPORTATION:**

Property has access onto Caratoke Highway (US 168) classified as a Minor Arterial in the 1988 NCDOT Thoroughfare Plan.

**FLOOD ZONE:**

According to FEMA maps, the property is located in Flood Zone A3 (within the 100 year flood plain, 6' elevation).

**SOILS:**

According to the Currituck County Soil Survey, the property consists of Roanoke fine sandy loam. Roanoke soils are poorly drained with slow permeability. A portion of the property consists of managed pineland and bottomland hardwood wetlands.

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**STAFF COMMENTS:**

- Property is located directly across Caratoke Highway from the proposed Tidewater Auto Auction site and north of the Ranchland Subdivision.
- Approximately 0.7 miles south on Caratoke Highway there are several parcels zoned General Business and Heavy Manufacturing.
- The current Land Use Plan was approved in 1990 and is dated and may not be valid. Across Caratoke Highway from the site the land classifications are Rural with Services and Limited Transition.
- A goal of the 1994 Highway Corridor Plan is to promote economic development along NC 168 in such a manner as to minimize negative impacts to the traveling public. According to the Corridor Plan, the site is proximate to one of the business nodal areas designated in the 1986 Business Nodal Policy. This rezoning will create a commercial node on Caratoke Highway with Tidewater Auto Auction and this site.

- The purpose of the business nodes is to minimize the effects of strip commercial development. It should be noted that the shape of the site, in addition to limited street frontage on Caratoke Highway, does not render the site to a strip commercial type of development.

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**STAFF**

**RECOMMENDATION:**

The rezoning is consistent and compatible with the existing and proposed nearby land uses. The site is located directly across Caratoke Highway from the Tidewater Auto Auction site and is located in an area that has been experiencing concentrated growth. On this basis, staff recommends approval of this rezoning.

**PLANNING BOARD**

**RECOMMENDATION:**

On May 11, 2004 the Planning Board reviewed this request and recommended approval (8-0).

Chairman O'Neal opened the public hearing.

Sam Nelson, Eagle Creek, opposes the rezoning.

Janet Land, opposes the rezoning.

Jerry Malesky, opposes the rezoning.

Ralph Land, opposes the rezoning.

Richard Barkalow, stated that more signs were needed on the property to let people know about the hearing.

Amanda Russo, opposes the rezoning.

Bill Russo, opposes the rezoning.

Joe Sorcic, opposes the rezoning.

Kim Lynch, opposes the rezoning.

Kyle Stanton, opposes the rezoning.

Rollo Koch, opposes the rezoning.

April Bairdain, opposes the rezoning.

Sara Koch, opposes the rezoning.

Laura Wayland, opposes the rezoning.

Ann Klucznik, opposes the rezoning.

Kelly Roberts, opposes the rezoning.

Charles Slappey, opposes the rezoning.

Jim Morrissey, opposes the rezoning.

James Innes, Attorney, and representing the developer, stated that he was not developing the property like Tidewater Auto Auction and stated that they had a right to develop their property.

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

Commissioner Martin moved to table to the next meeting and Mr. Innes to continue discussion with the community. Commissioner Gregory seconded the motion. Motion carried.

**Public Hearing and Action on PB 04-26 Ronald Barrett:  
Rezoning 5.23 acres from Agricultural (A) to General Business (GB) on property located in Powells Point at 8066 Caratoke Highway, Tax Map 123, Lot 58, Poplar Branch Township.**

Gary Ferguson, Planning Director, reviewed the request.

**Zoning Staff Report: PB 04- 26  
Ronald Barrett Rezoning**

**TYPE OF REQUEST:** Request for rezoning 5.23 acres from Agricultural (A) to General Business (GB).

**LOCATION:** This site is located in Poplar Branch along the west side of Caratoke Highway, Tax Map 123, Parcel 58.

**PROPERTY OWNER:** Ronald C. Barrett

<b>ZONING:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Agricultural	General Business

**ZONING HISTORY:** Property has been zoned Agricultural since 1975.

<b>SURROUNDING ZONING/LAND USE:</b>	NORTH:	Agricultural/woodlands
	SOUTH:	General Business/commercial
	EAST:	Agricultural/residential
	WEST:	General Business/vacant

**EXISTING LAND USE:** Agricultural & Residential

**PROPOSED LAND USE:** Commercial Uses allowed in the GB district

**LAND USE PLAN**

**CLASSIFICATION:**

According to the 1990 Land Use Plan this property is designated Limited Transition. The purpose of the Limited Transition class is "to provide for development in areas that will have some services, but are suitable for lower densities than those associated with the urban transition class...This class also contains nonresidential areas along major transportation routes" In addition, the Land Use Plan notes that "Along 158/168 it is not intended that the urban transition area be used as strip commercial development." This rezoning is not consistent with the Limited Transition classification.

**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 Caratoke Highway (US 158), classified as a Minor Arterial 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 consists of primarily of Munden loamy sand which are moderately well drained soils that have moderate permeability. Augusta fine sandy loam, State fine sandy loam and Conetoe loamy sand are also present on the site.

**STAFF COMMENTS:**

- Property is adjacent to General Business on the south and east side.

**STAFF RECOMMENDATION**

Staff cautiously recommends approval of this request for the following reasons:

1. The property is contiguous to General Business (GB) zoning to the south and east; and
2. This property if left Agricultural (A) would be sandwiched between a GB zoning district and a few hundred feet to the north a Heavy Manufacturing zoning district; and
3. Property has direct access and frontage on Caratoke Highway (US 158).

**PLANNING BOARD RECOMMENDATION**

On May 11, 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 Bowden moved to approve. Commissioner Gregory seconded the motion. Motion carried.

**Public Hearing and Action on ordinance ordering demolition of Lot 6 & 7 Seagull Beach.**

Gary Ferguson, Planning Director, reviewed the request.

Chairman O'Neal opened the public hearing.

Chuck Sowers, supported action.

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

Commissioner Bowden moved to adopt the ordinance. Commissioner Gregory seconded the motion. Motion carried.

Commissioner Gregory requested staff to review the septic permit.

NORTH CAROLINA  
CURRITUCK COUNTY

"An Ordinance Ordering Demolition of

**Property Located at, Lot 7 Seagull Beach in the  
Fruitville Township Pin # 101c-000-0007-0000**

WHEREAS, Article 19 of Chapter 160A of the North Carolina General Statutes authorizes counties to adopt an ordinance providing for minimum housing standards and by such ordinance exercise police power to repair, close or demolish dwellings found to be unfit for human habitation; and

WHEREAS, pursuant to Article 19 of Chapter 160A of the North Carolina General Statutes the Board of Commissioners for the County of Currituck adopted an ordinance on October 4, 1988 entitled "Ordinance Establishing Minimum Housing Standards and Adopting the Repair, Closing and Demolition Conditions of N.C.G.S. 160A-443" which is now codified as Chapter 4, of Article IV of the Code of Ordinances of Currituck County; and

WHEREAS, pursuant to the ordinance and following a hearing on November 18,2003 the Chief Building Inspector issued an Order on November 18,2003 in which, **David Riso and Alicia Riso, owners of a dwelling located in Fruitville Township, Seagull subdivision, Lot 6&7 Pin # 101c-000-0007-0000** Mr. Mr. & Mrs. Riso were represented by George Wood and via Mr. Wood, were ordered to obtain all necessary permits including Health, CAMA, Zoning and Building to comply with the North Carolina State Building Code within 60 days of this order;

WHEREAS, the owners have failed to comply with the Order of the Chief Building Inspector even though additional time was granted in order to give ample time to obtain permits.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina that the following ordinance be enacted:

Section 1. The Chief Building Inspector is ordered to proceed to effectuate the intent of the Ordinance Establishing Minimum Housing Standards and his order issued November 18,2003(a copy of which is attached to this ordinance as Appendix "A") by causing the dwelling located on property owned by David Riso and found to be unfit for human habitation to be demolished and removed from its location in Fruitville Township, Currituck County, North Carolina more precisely described as Lot 6&7 Seagull Beach

Section 2. A lien in the amount of the cost of demolition and removal of the dwelling from its location described in Section 1 shall be placed against the real property and filed in the Office of the Register of Deeds of Currituck County. The Chief Building Inspector is authorized to sell materials of the dwelling and any personal property fixtures or appurtenances found in or personal property fixtures or appurtenances found in or attached to the dwelling and shall credit the proceeds of the sale against the cost of the demolition and removal and any balance remaining shall be deposited with the Currituck County Clerk of Superior Court to be secured and distributed by the court to those entitled to those monies by final decree of the court.

Section 3. The Clerk to the Board shall file this ordinance with the Register of Deeds of Currituck County and it shall be indexed in the name of the property owners, David Riso and Alicia Riso in the grantor index.

**Public Hearing and Action on ordinance ordering demolition of lot 8 Seagull Beach.**

Gary Ferguson, Planning Director, reviewed the request.

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

Chairman O'Neal moved to adopt ordinance. Commissioner Martin seconded the motion. Motion carried.

NORTH CAROLINA  
CURRITUCK COUNTY

"An Ordinance Ordering Demolition of

**Property Located at, Lot 8 Seagull Beach in the  
Fruitville Township Pin # 101c-000-0008-0000**

WHEREAS, Article 19 of Chapter 160A of the North Carolina General Statutes authorizes counties to adopt an ordinance providing for minimum housing standards and by such ordinance exercise police power to repair, close or demolish dwellings found to be unfit for human habitation; and

WHEREAS, pursuant to Article 19 of Chapter 160A of the North Carolina General Statutes the Board of Commissioners for the County of Currituck adopted an ordinance on October 4, 1988 entitled "Ordinance Establishing Minimum Housing Standards and Adopting the Repair, Closing and Demolition Conditions of N.C.G.S. 160A-443" which is now codified as Chapter 4, of Article IV of the Code of Ordinances of Currituck County; and

WHEREAS, pursuant to the ordinance and following a hearing on November 18,2003 the Chief Building Inspector issued an Order on November 18,2003 in which, **John O. Wilson & Jacqueline Davey, owners of a dwelling located in Fruitville Township, Seagull subdivision, Lot 8** Mr. Wilson and Ms. Davey were represented by George Wood and via Mr. Wood, were ordered to obtain all necessary permits including Health, CAMA, Zoning and Building to comply with the North Carolina State Building Code within 60 days of this order;

WHEREAS, the owners have failed to comply with the Order of the Chief Building Inspector even though additional time was granted in order to give ample time to obtain permits.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina that the following ordinance be enacted:

Section 1. The Chief Building Inspector is ordered to proceed to effectuate the intent of the Ordinance Establishing Minimum Housing Standards and his order issued November 18,2003(a copy of which is attached to this ordinance as Appendix "A") by causing the dwelling located on property owned by John Wilson and Jacqueline Davey and found to be unfit for human habitation to be demolished and removed from its location in Fruitville Township, Currituck County, North Carolina more precisely described as Lot 6&7 Seagull Beach Pin # 101c 000-0008-0000

Section 2. A lien in the amount of the cost of demolition and removal of the dwelling from its location described in Section 1 shall be placed against the real property and filed in the Office of the Register of Deeds of Currituck County. The Chief Building Inspector is authorized to sell materials of the dwelling and any personal property fixtures or appurtenances found in or personal property fixtures or appurtenances found in or attached to the dwelling and shall credit the

proceeds of the sale against the cost of the demolition and removal and any balance remaining shall be deposited with the Currituck County Clerk of Superior Court to be secured and distributed by the court to those entitled to those monies by final decree of the court.

Section 3. The Clerk to the Board shall file this ordinance with the Register of Deeds of Currituck County and it shall be indexed in the name of the property owners, John O. Wilson & Jacqueline Davey in the grantor index.

Section 4. This ordinance shall take effect upon its adoption.

**Discussion on Moratorium on new Billboards.**

Chairman O'Neal stated he would like to have a moratorium on any new billboards in the county. Not on any existing billboards.

Gary Ferguson, Planning Director, stated that there is a difference between billboards and off premise signs.

Commissioner Gregory agreed not to eliminate the existing signs.

Commissioner Bowden questioned nonconforming signs.

The County Attorney will research and have a written report on options the Board can consider at the next meeting.

**Discussion on Incorporation of the County.**

County Attorney Morrison, presented the Board with a complete study on his facts and findings of how a county can incorporate. The Board was advised to appoint a local commission to further study incorporation.

The Board authorized the County Attorney to proceed with what needed to be done for the next meeting.

**Discussion on parking regulations on Outer Banks.**

Chairman O'Neal requested to review the current rules and prepare other ideas or suggestions to improve the regulations adopted by the Board. Staff will review and bring suggestions back at the July board meeting.

**Discussion of subdivisions on the Outer Banks.**

Commissioner Bowden expressed his concerns with subdivisions in the R02 district and information not being shared on proposed subdivisions.

**Consideration of Fire Hydrant Installation Contract.**

**Deleted**

**Appointment to Economic Development Board.**

Commissioner Miller moved to reappoint Bob Henley, Norris Austin, Gerry Forbes, Eldon Miller, III, and H. D. Newbern. Commissioner Gregory seconded the motion. Motion carried.

**Appointment to Land Transfer Tax Appeals Board.**

Commissioner Miller moved to appoint George Gregory and re-appoint Ronnie Cooper, Milton Etheridge and Wade Morgan. Commissioner Gregory seconded the motion. Motion carried.

**Appointment to Agricultural Advisory Board.**

Commissioner Miller moved to re-appoint Sidney Garrett and Harvey Roberts. Commissioner Gregory seconded the motion. Motion carried.

**Appointment to Whalehead Board to replace Nancy Wright.**

Commissioner Martin moved to appoint Allen Ives. Commissioner Gregory seconded the motion. Motion carried.

**Consent Agenda:**

- **Budget Amendments**
- **Approval of May 3 and 17 Minutes**
- **Approval of change orders 5,6, 7 for SOB Water System.**
- **Resolution to declare surplus property**
- **Resolution terminating the inter-county public transportation and a resolution of Albemarle Regional Health Services doing business as inter-county transportation authority.**
- **Request DOT to add Perch Street, Tulls Bay Colony to state system.**

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

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10535-502100	Overtime	6,000	
10535-503500	Temporary Services		6,000
		\$ 6,000	\$ 6,000

**EXPLANATION:** Communications (535) – Transfer budget moneys from temporary services to overtime to approve overtime through June 30, 2004 for communications personnel to cover vacancies due to termination and resignations.

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

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10510-502100	Overtime	80,000	
10510-503000	Salaries - Part time	5,000	
10510-503500	Temporary Services		5,000
10510-502000	Salaries - Regular		30,000
10510-509000	Capital Outlay		50,000
		\$ 85,000	\$ 85,000

**EXPLANATION:** Sheriff (510) – Transfer budget moneys into part-time salaries and overtime to accommodate for court, ATV duty, and routine patrol need for the remainder of this fiscal year.

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

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10530-503500	Temporary Services	10,000	
10530-531000	Gas, Oil, Etc	4,000	
10530-561200	Billing Fees	6,000	
10530-590000	Capital Outlay	2,280	
10340-450000	Ambulance Service		6,000
10530-502000	Salaries		10,000
10530-514000	Travel		1,000
10530-514500	Training & Education		3,000
10530-544000	Volunteer Assistance		2,280
		\$ 22,280	\$ 22,280

**EXPLANATION:** Emergency Medical Services (530) – Transfer funds from Salaries to Temporary services to accommodate temporary employees to cover vacancies, increase capital outlay for vehicle tax and title fees not covered by insurance for replacement ambulance and increase gas, oil, etc and billing fees for operations for the remainder of this year.

**NET BUDGET EFFECT:** Operating Fund (10) – Increase by \$6,000.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10480-521000	Equipment Lease	2,500	
10480-557300	Excise Tax on Deeds	120,000	
10320-410000	Deed Stamp Excise Taxes		122,500
		\$ 122,500	\$ 122,500

**EXPLANATION:** Register of Deeds (480) – Increase equipment lease due to cost increase and increase Excise Tax due to revenues collected exceeding anticipated amount.

**NET BUDGET EFFECT:** Operating Fund (10) – Increase by \$122,500.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10490-513000	Utilities - Other	5,000	
10490-532003	Supplies - Court Facilities	2,000	
10330-422000	Court Facilities Fees		7,000
		\$ 7,000	\$ 7,000

**EXPLANATION:** Court Facilities (490) – Increase budgeted line items necessary for Court operations for the remainder of this fiscal year.

**NET BUDGET EFFECT:** Operating Fund (10) – Increase by \$7,000.

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
10550-531002	Aviation Fuel	10,000	
10550-590000	Capital Outlay	2,200	
10350-467100	Aviation Fuel		10,000
10380-482000	Miscellaneous Revenue		1,700
10390-499900	Fund Balance Appropriated		500
		\$ 12,200	\$ 12,200

**EXPLANATION:** Airport (550) – Increase budget line item to purchase additional aviation fuel for this year, which will be funded through sales. Also, increase capital outlay to purchase a receipt printer at the aviation fuel tank that was destroyed by lightning. The County should recover cost, less the \$500 deductible on the printer.

**NET BUDGET EFFECT:** Operating Fund (10) – Increase by \$12,200.

**RESOLUTION**

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on June 7, 2004 authorized the following, pursuant

to GS 160A and 270(b), that the property listed below, be declared surplus and will be sold to Camden County at a cost of \$6,000:

- **Ditch Witch , County asset \_\_\_\_\_,**  
**Serial Number \_\_\_\_\_**
- **Ditch Witch Trailer, County asset \_\_\_\_\_,**  
**Serial Number \_\_\_\_\_**
- **Backhoe attachment, County asset \_\_\_\_\_,**  
**Serial Number \_\_\_\_\_**

**Commissioner's Report**

No comments.

**County Manager's Report**

No Comments.

**Closed Session to discuss legal issues.**

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

**Adjourn**

There being no further business, the meeting adjourned.