

CURRITUCK COUNTY
NORTH CAROLINA
SEPTEMBER 20, 2004

The Currituck County Board of Commissioners met on Monday, September 20, 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: Commissioners Miller, Martin, Bowden and Gregory. Chairman O'Neal was absent.

The Reverend Glenn McCranie was present to give the invocation.

Approval of Agenda

Commissioner Bowden moved to amend the agenda and add Discussion of UNC petition to change its city of license and appointment to College of the Albemarle Board. Commissioner Gregory 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 on the proposed schedules, standards and rules for the 2005 revaluation.
New Business
- Item 4 Joe Freeman, Presentation on the Old Jarvisburg School.
Item 5 Michelle Pippin, Teen Court, to review program and read resolution.
Item 6 Public Hearing and Action on Currituck County Hazard Mitigation Plan.
Item 7 Public Hearing and Action on PB 04-12: Amendment to Section 940 of the UDO to allow patio homes within the planned unit developments.
Item 8 Further discussion on business license.
Item 9 Further discussion and direction on Shingle Landing Bridge.
Item 10 Consent Agenda:
Budget Amendments
Approval of August 16 and Sept 7, minutes
Resolution of appreciation for Lloyd Parker.
Amend Fire Chief Classification
Approval of sale of property in Beechwood Shores.
Resolution declaring Elizabeth Poyner Sanderlin Day.
Albemarle Mental Health monitoring report.
Capital Project Ordinance
- Item 11 Commissioner's Report
Item 12 County Manager's Report
Adjourn

Public Comment

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

Vice-Chairman Miller opened the public comment period.

Edna Baden, Director of the Whalehead Club, invited the Board and citizens to the Whalehead Excursion Day, October 3.

Kay Hannah, Walnut Island, expressed her concerns with the permit given to Barry Nelms to hold a bike rally.

There being no further comments, the public comment period was closed.

Action on the proposed schedules, standards and rules for the 2005 revaluation.

A public hearing was held on September 7 for comments. There being no further information, Commissioner Bowden moved to adopt the proposed schedules, standards and rules for the 2005 revaluation. Commissioner Martin seconded the motion. Motion carried.

New Business

Joe Freeman, Presentation on the Old Jarvisburg School.

Mr. Freeman, Architect, reviewed the cost of the renovation of the Historic Jarvisburg Colored School.

Commissioner Martin moved to proceed with funding of the project at an estimated cost of \$181,654. Commissioner Gregory seconded the motion. Motion carried.

Michelle Pippin, Teen Court, to review program and read resolution.

Michelle Pippin, reviewed the Currituck County Teen Program and presented a proclamation for adoption.

Public Hearing and Action on Currituck County Hazard Mitigation Plan.

Gary Ferguson, Planning Director, reviewed the purpose of the plan and mitigation goals and values.

Commissioner Martin moved to adopt the following resolution. Commissioner Gregory seconded the motion. Motion carried.

RESOLUTION
HAZARD MITIGATION PLAN
COUNTY OF CURRITUCK

WHEREAS, certain areas of Currituck County are subject to periodic flooding and other natural hazards with the potential to cause damages to people and properties within the area; and

WHEREAS, the County of Currituck desires to prepare and mitigate for such circumstances; and

WHEREAS, under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) and North Carolina Senate Bill 300 require that local jurisdictions have in place a FEMA-approved Hazard Mitigation Action Plan as a condition of receipt of certain future Federal and State disaster funding sources after November 1, 2004;

NOW, THEREFORE BE IT RESOLVED, that this Board of County Commissioners hereby:

Adopts the Currituck County Hazard Mitigation Plan; and

Vests the County Emergency Management Coordinator with the responsibility, authority, and the means to inform all concerned parties of this action and to promote the goals specified in the plan.

Appoints the County Emergency Management Coordinator to assure that the Hazard Mitigation Plan be reviewed at least annually and that any needed adjustment to the County's Hazard Mitigation Plan be developed and presented to the Board of Commissioners for consideration.

Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Public Hearing and Action on PB 04-12: Amendment to Section 940 of the UDO to allow patio homes within the planned unit developments.

Gary Ferguson, Planning Director, reviewed the amendment.

PB 04-12
UDO AMENDMENT REQUEST

The following amendment to the Currituck County Unified Development Ordinance has been requested:

PB 04-12 Amendment to Article 9, Section 940 of the UDO to allow Patio Home developments within all districts in Planned Unit Developments.

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 940 Design Standards and Development Criteria for Patio Home Developments within PUD's.

Patio Home Developments may be created within all districts in Planned Unit Developments. The following design standards and development criteria shall apply to all Patio Home Developments:

- 1. The minimum lot size shall be 3,000 square foot.**
- 2. The maximum allowable lot coverage shall be 80%.**
- 3. The maximum building height shall be set in accordance with Section 206.**
- 4. The following setbacks shall be required:**
 - (a) The minimum front setbacks from the edge of the roadway, or access easement, shall be twenty two (22) feet.**
 - (b) The minimum separation of principal structures shall be twenty (20) feet as measured wall to wall.**
 - (c) Setbacks to principal structures from NCDOT right-of-ways and exterior property lines shall be in accordance with Section 204.**

- (d) **Where the rear lot line abuts a common open space area, the minimum rear yard may be reduced to not less than ten feet. For purposes of this section, common open space means land that (i) is owned by federal, state, or county government , or the developer of the lot in question or a homeowners association, or is a golf course (ii) is undeveloped for at least a distance of thirty (30) feet from the lot line, excluding golf courses, and (iii) is legally accessible to the owner of the lot in question. Land within a street right-of-way or street easement shall not be regarded as common open space.**
 - (e) **No eaves or gutters shall extend over the property line.**
 - (f) **Pools, either detached or attached, shall be setback a minimum of five (5) feet from buildings and lot lines.**
 - (g) **Any concrete or wooden deck, patio and sidewalk, if no portion of the same extends more than twelve (12) inches above the finished grade, shall be setback a minimum of two (2) feet from the property line.**
 - (h) **No portion of the front or rear of a structure shall be less than 40' from the rear or front of another principal structure.**
 - (i) **Accessory structures shall have a minimum 10' separation from another structure.**
5. **One structure, containing a maximum of four (4) bedrooms, is permitted on each lot.**
 6. **A minimum of two (2) parking spaces, meeting the dimensional requirements of Article IV, shall be required for each structure.**
 7. **Sidewalks, a minimum of four (4) foot wide shall be provided along at least one side of all roadways for pedestrian access.**
 8. **Additional fire hydrants shall be installed in accordance with recommendations made by the Currituck County Fire Marshall.**
 9. **Where easements are required to access structures, the easement shall have a minimum width of 24' and be marked "No Parking Fire Lane" and signs provided and maintained. Pavement length shall be 150' maximum.**

Vice-Chairman Miller opened the public hearing. There being no comments, he closed the public hearing.

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

Further discussion on business license.

Commissioner Miller discussed the need to keep an account of businesses located in the county.

Commissioner Martin supported business license for monitoring qualified businesses in the county.

Commissioner Gregory opposed any fee for businesses.

Commissioner Bowden stated that the administrative cost was prohibitive.

Appointment to College of the Albemarle Board

Commissioner Gregory moved to appoint Commissioner Martin for a 4 year term. Commissioner Miller seconded the motion. Motion carried.

UNC-TV request to change its city license.

County Manager Scanlon, stated that UNC-TV is currently licensed at Columbia and that is outside of the Hampton Roads "must carry" area for satellite reception. UNC-TV has petitioned to change their city of license from Columbia to Edenton. UNC-TV is requesting a letter of support.

Commissioner Gregory moved to send a letter of support. Commissioner Martin seconded the motion. Motion carried.

Further discussion and direction on Shingle Landing Bridge.

Commissioner Miller would like to schedule a work session with the Department of Transportation on closing this bridge and making it a pedestrian bridge only. Further discussion is needed before a decision is made.

Consent Agenda:

Budget Amendments

Approval of August 16 and September 7, minutes

Resolution of appreciation for Lloyd Parker.

Amend Fire Chief Classification

Approval of sale of property in Beechwood Shores.

Resolution declaring Elizabeth Poyner Sanderlin Day.

Albemarle Mental Health monitoring report.

Capital Project Ordinance

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

RESOLUTION OF APPRECIATION

WHEREAS, the Currituck County Board of Commissioners wishes to acknowledge and express its appreciation to Lloyd Parker for his dedicated service to the citizens of Currituck County while serving on the Planning Board.

NOW THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners commends Mr. Parker for exhibiting professionalism at its best and strong commitment to serving the citizens of Currituck County as a member of the Planning Board.

RESOLUTION DECLARING ELIZABETH POYNER SANDERLIN DAY

WHEREAS, Elizabeth Poyner Sanderlin was born in the village of Moyock, County of Currituck, on September 27, 1904; and

WHEREAS, Elizabeth Poyner Sanderlin devoted over three decades of her professional life to children, men and women through her service in the public schools, the Works Progress Administration, the Farmers' Home Administration and the North Carolina State University Agricultural Extension Service; and

WHEREAS, in each of these endeavors, Elizabeth Poyner Sanderlin distinguished herself by her unselfish commitment and faith in those she was seeking to help; and

WHEREAS, for almost two decades Elizabeth Poyner Sanderlin worked ceaselessly to develop leadership skills and self-confidence in a generation of Currituck women through her work with fourteen home demonstration clubs; and

WHEREAS, Elizabeth Poyner Sanderlin has been honored on the local, state and national levels for her selfless efforts on behalf of others – the most recent being the naming of the future North Carolina Cooperative Extension Currituck Center Auditorium in her honor; and

WHEREAS, Elizabeth Poyner Sanderlin is a renowned and beloved citizen of Currituck County.

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners and the citizens of Currituck County celebrate the long and fruitful life of Elizabeth Poyner Sanderlin and wish her many happy returns upon September 27, 2004, her 100th birthday.

BE IT FURTHER RESOLVED, that the Currituck County Board of Commissioners declares September 27 to be Elizabeth Poyner Sanderlin Day in honor of her many years of service to the county and its betterment.

ADOPTED this the 20th day of September, 2004.

**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 construction of a partial parallel taxiway and connector taxiway to the airport runway and and environmental assessment to be financed by currently available financial resources.

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

Partial Parallel Taxiway & Connector Taxiway	\$ <u>700,000</u>
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SECTION 3. The following revenues are available to complete this project:

State Aid to Airports	\$ 630,000
Transfer from Occupancy Tax	70,000
	<u>700,000</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.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DEBIT	CREDIT
50550-592004	Partial Taxiway & Connector	700,000	
50330-448000	State Aide to Airports		630,000
50390-495015	Transfer from Occupancy Tax		70,000
15781-587050	Transfer to Gov't Construction	70,000	
15320-415000	Occupancy Tax - 3%		70,000
		\$ 770,000	\$ 770,000

EXPLANATION: Governmental Construction (50) – To record grant funds and 10% matching funds for the construction of a partial taxiway and connector taxiway at the Currituck County Airport.

NET BUDGET EFFECT: Occupancy Tax Fund (15) – Increased by \$70,000
Gov't Construction Fund (50) – Increased by \$700,000.

Commissioner's Report

County Manager's Report

Adjourn

