

CURRITUCK COUNTY  
NORTH CAROLINA  
FEBRUARY 20, 2006

The Board of Commissioners met at 6:30 p.m. with residents of Eagle Creek to discuss Blackwater USA permit for firing range.

The Board of Commissioners met on Monday, February 20, 2006, at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman O'Neal, Vice Chair Martin, Commissioners Bowden, Miller, and Etheridge.

### **Invocation and Pledge of Allegiance**

Bob Henley was present to give the invocation and pledge of allegiance.

### **Approval of Agenda**

Commissioner Martin moved to amend the agenda by adding Item 3A and deleting Items 6 and 7. Commissioner Etheridge 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            Recognition of past Advisory Board members.
- Item 4            Chamber of Commerce to review proposal for July 4<sup>th</sup> Fireworks.
- Item 5            **PUBLIC HEARING AND ACTION** PB 87-56 Monterey Shores Section III (Corolla Bay): Amended Sketch Plan for Corolla Bay, Phase II to add 40 single family lots, located north of Monterey Shores to the west of NC 12. Poplar Branch Township - Outer Banks.
- Item 6            **Action PB 05-41 THOMAS CHRISTOPHER POPE AND DAVID JACKSON:**  
Rezone approximately 3.5 acres from Agriculture (A) to General Business (GB) on property located on the north side of Shortcut Rd. (US 158) approximately 1,480; west of the intersection with Gregory Rd. Tax Map 27, Lots 19A and 20A, Crawford Township
- Item 7            Discussion and consideration of proposed EMS re-organization.
- Item 8            Consideration of 2006 proposed contract for Ocean Rescue.
- Item 9            Discussion and possible action on Puddin Ridge Road traffic.
- Item 10           Appointment to Library Board
- Item 11           Consent Agenda:  
Budget Amendment  
Proclamation of Citizen-Soldier Support Program.  
Albemarle Mental Health Quarterly Report.  
Change Order Coinjock Fire Station.  
Resolution in opposition to State's Medicaid Plan.
- Item 12           Commissioner's Report
- Item 13           County Manager's Report
- Item 14           Closed Session to discuss litigation and personnel.  
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.

Mike Svede, Moyock, stated he was insulted by Blackwater's presentation at the last meeting and requested Board to study the proposal.

Tim Walter, Volunteer Fire & Rescue, requested a public hearing on the EMS re-organization.

John Snowden, Maple Road, had several questions regarding airport clearing and drainage. He also requested public records be given out in a more timely manner.

Juanita Krause, Summit Farms, expressed her concerns with the approval of Blackwater's special use permit and traffic on Puddin Ridge Road. She also asked the Board to rescind their vote.

Rhonda Ross, Summit Farms, questioned the notification of Blackwater's request to residents.

Corey Arnold, Va. Beach, expressed concerns with Blackwater.

Sam Nelson, Eagle Creek, expressed his concerns with the criteria that needed to be met by Blackwater and to rescind their vote.

Steve Rochelle, stated that there were concerns that needed to be addressed by the Board concerning Blackwater.

Troy Breathwaite, stated that the vote on Blackwater was a "sham" and their concerns need to be addressed.

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

**Language on Referendum for Unified Government**

Commissioner Etheridge moved to authorize the County Attorney, John Morrison, and School of Government to draft the language for Unified Government Referendum. Commissioner Martin seconded the motion. Motion carried.

**Recognition of past Advisory Board members.**

The Board recognized the following Board members for their dedicated service to the citizens of Currituck County.

Ray Griggs, Board of Adjustment

Ed Hawley, Planning Board

Horace Bell, Planning Board

**Chamber of Commerce to review proposal for July 4<sup>th</sup> Fireworks.**

David Palmer, Currituck Chamber, reviewed the proposal for the July 4<sup>th</sup> fireworks. He stated that the barge for the

fireworks was expensive and that the increase is 33% over last year.

Commissioner Martin moved for the county to enter into a contract with the Chamber and have the fireworks on land and not on the barge and to negotiate the final cost with the Chamber. Commissioner Bowden seconded the motion. Motion carried.

Chairman O'Neal requested that the contract be presented earlier next year.

**PUBLIC HEARING AND ACTION PB 87-56 Monterey Shores Section III (Corolla Bay): Amended Sketch Plan for Corolla Bay, Phase II to add 40 single family lots, located north of Monterey Shores to the west of NC 12. Poplar Branch Township - Outer Banks.**

Sworn testimony was given prior to making statements.

Sarah Keifer, Planning Director, reviewed the request.

**LOCATION:** Immediately north of Monterey Shores Phase 1, Section 3, and west of Whalehead Club Section 7, Poplar Branch - Outer Banks Township.

**ZONING DISTRICT:** R01

**Parcels**

<b>(Tax Map/Parcel):</b>	0115/03XA	0115-000-03XA-0000
	0115/03XB	0115-000-03XB-0000
	0115/03XC	0115-000-03XC-0000
	0115/03XD	0115-000-03XD-0000

**OWNER:**

Corolla Bay, LLC  
821 Ocean Trail  
Corolla, NC 27927

**APPLICANT/AGENT**

Coastal Engineering & Surveying  
934 W. Kitty Hawk Rd.  
Kitty Hawk, NC 27949

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

<b>NORTH:</b>	Corolla Light PUD - zoned R01
<b>SOUTH:</b>	Buck Island - zoned R01
<b>EAST:</b>	Whalehead Subdivision - zoned R01
<b>WEST:</b>	Currituck Sound

**Narrative:**

The Board of Commissioners approved an Amended Sketch Plan for Corolla Bay/ Monterey Shores Phase III on November 15, 2004. The allowed number of lots for Corolla Bay is 115.

The purpose of this request is to:

1. Change the alignment of the proposed streets from the 2004 plan.

2. Increase the number of lots in Section II from 33 to 40.
3. Decrease the number of lots in Section III from 44 to 39.
4. Increase the size of the utility open space needed to serve as a disposal area from 4.116 acres to 8.574. This area will be the disposal area for the treated water for the 83,600 Gallons Per Day (GPD) Corolla Bay Wastewater Treatment system.
5. Place 32 lots in Section III into utility open space, for a total of **83** available lots that can receive Preliminary Plat approval without an Amended Sketch Plan.

Notes:

1. Sections II and III are allowed to create 47 lots according to this Amended Sketch Plan.
2. Section I received Preliminary Plat approval for 36 lots on September 13, 2005.
3. The resulting density for Corolla Bay is 0.39 units per acre. The total density for Monterey Shores is 1.62 units per acre.

A review by County Consulting Engineer Pat McDowell determined the currently permitted Wastewater Treatment plant will not have the capacity to support any of the Section II or Section III home sites. The applicant's solution is to expand the permitted capacity of the wastewater plant to accommodate 79 single family lots and the 13 acres of commercial development. The total anticipated needs are 252,160 GPD of treatment, which is 168,560 GPD more than the Division of Water Quality (DWQ) has permitted.

In conjunction with the wastewater treatment system, and because no holding pond is proposed, a low-flow spray bed area is required. It is proposed to locate the spray bed in a temporary disposal area over 32 home sites which were originally allocated to Section III. According to the applicant's Development Impact Statement, the long term plan for wastewater disposal includes upgrading the plant to use water quality and spray irrigation throughout the development. This system has not been permitted by DWQ.

As noted on previous sketch plans, Herring Street is proposed to be improved and continue through Whalehead Club subdivision for vehicular traffic.

**PREVIOUS AMENDEMENTS TO THE MONTEARY SHORES SKETCH PLAN**

Original Sketch Plan approval was granted October 13, 1987 for 608 residential lots, 20 acres of commercial areas (5.6%) which was never entirely delineated on original plans, associated recreational amenities and common areas. At the time of approval, applicant was

allowed up to 10% (35.5 ac) of total land area (355.6 ac.) for commercial development. Density for the development was 1.94 units/acre.

Since that time, the Board has made the following Sketch Plan Amendments:

**CHANGES APPROVED BY BOC ON DECEMBER 6, 1999**

1. Decrease density from 658 units to 598 units (loss of 60 units). Overall density will be reduced from 2.36 units/acre to 2.14 units/acre which is below the 3 units/acre allowed within PUD's.
2. Increase of open space from 38.6% (137.22 ac.) to 39.3% (139.75 ac.) which exceeds the minimum 35% required within PUD's.
3. Increase commercial area from 20.05 ac. to 34.1 ac. which equals 9.59% (up to 10.0% allowed). Applicant also requested a LBH designation.
4. Addition of 2 amenities areas (1 at south end; 1 at north end) plus dedication of a sound access easement to Currituck County at the south end.
5. Proposed roadway connections with Whalehead Subdivision at both Herring and Perch Streets.

**CHANGES APPROVED BY BOC ON SEPTEMBER 11, 2000**

1. To show a 33,000 square foot. Food Store on northernmost commercial parcel;
2. To depict a minor variation in the overall commercial boundary ("404" wetland areas have been delineated and taken out of the original commercial area);
3. To convert 72 single-family lots to 24 multi-family and 48 Hotel units;
4. To show parking lot within area to be dedicated to Currituck County for public sound access; and,
5. Increase minimum lot area within all single-family lots.

**CHANGES APPROVED BY BOC ON JUNE 17, 2002**

1. Further defined development intent within the "Phase IV" commercial portion of Corolla Shores. Phase IV portion of the amended sketch plan showed approximately 75,000 square feet of retail/restaurant commercial complex within ten (10) proposed buildings. It should be noted that this did not represent an increase in overall commercial acreage within Corolla Shores as it remains at 14.05 acres.
2. Increased the total number of single family home sites from 92 to 116.
3. Reduced the total number of multi-family/hotel/lodge density from 72 to 48.
4. Reduced open space from 28.92 acres to 23.67 acres which still exceeds the minimum 35% required with PUD's.

**CHANGES APPROVED BY BOC ON DECEMBER 1, 2003**

1. The 10.07 acre site that Currituck County has purchased is reflected on the new Sketch Plan and has been designated residential. This area was previously designated as commercial.
2. The total amount of commercial area in Phase 3 was reduced from 14.05 acres to 13.95 acres.
3. The total number of single family home sites was reduced from 134 to 115 units.
4. Open space in Phase 3 was reduced from 23.67 acres to 14.28 acres. Under this proposal, the total amount of open space for Monterey Shores was 124.46 acres which meets the 35% minimum required.

**CHANGES APPROVED BY BOC ON NOVEMBER 15, 2004**

1. Phasing (Section) lines within Corolla Bay, Monterey Shores Phase III.;
2. Approval for 36 single family home sites located in Section 1.
3. To show the location of the wastewater treatment system. The wastewater treatment facility will serve the 36 home sites in Section 1 in addition to the 7.32 acre Commercial Site #1 in Section 1, and the future Food Lion site in Section V. The water for the development will be provided by Currituck County from the new SOBWS plant.

**THE PLANNING BOARD APPROVED A PRELIMINARY PLAT FOR COROLLA BAY, SECTION I ON SEPTEMBER 13, 2005 FOR:**

1. 36 Residential lots located on the west side of NC 12;
2. 7.32 acre site located on the East side of NC-12 to be developed commercially;
3. Construction of an 83,600 GPD wastewater treatment and disposal system to serve 24 eight bedroom homes, 12 seven bedroom homes, 30,000 sq. ft. retail space, and two 150 seat restaurants, and the proposed Food Lion site in Section V.
4. The construction of 1,700 linear feet of roadway called Cruz Bay; 280 linear feet of roadway called Devils Bay and approximately 970 feet of roadway called Herring Street which will tie into Corolla Drive in the Whalehead subdivision.

**OTHER IMPORTANT ELEMENTS OF THIS PLAN:**

**STREETS:** All lots will front on proposed roads built to NCDOT standards. However, these roads will remain private and be maintained by the Corolla Bay Homeowners Association.

**WATER:** Water will be provided by the County's Southern Outer Banks Water System (SOBW) the waterlines are specified as 8 inch PVC.

FIRE: The development will be served by the Corolla Fire & Rescue Station and fire hydrants will be installed in accordance with Volume 5 of the NC Building Code.

WASTEWATER: The proposal is to construct an 83,600 GPD wastewater treatment and disposal system to serve Section I of this subdivision. The developer proposes to expand the capacity of the treatment plant to accommodate the needs of Sections II and III. The applicant currently does not have any permission to expand the treatment facility beyond this capacity to accommodate more lots. The total anticipated needs are 252,160 GPD of treatment, which is 168,560 GPD more than the Division of Water Quality has permitted. The Corolla Bay, LLC will own the system. The system operator has not been identified.

OPEN SPACE: Open space in Phase 3 of Monterey Shores now called Corolla Bay has been reduced from 23.67 acres to 14.96 acres. Under this proposal the total amount of open space for all of Monterey Shores will be 125.14 acres which meets the 35% minimum required.

DRAINAGE: DWQ issued a "low density" permit for this development on June 27, 2005. The system of disposal will be by local infiltration within proposed swales which will also be augmented by a detention pond to insure a higher level of drainage.

FLOOD ZONES: Approximately 35% of the property is in the 100 year flood plain.

STAFF COMMENTS:

- This plan has been reviewed by Planning Staff and the County's Consulting Engineer Pat McDowell with the conclusion that no wastewater capacity exists for any more lots beyond the approved Preliminary Plat for Section I.
- UDO Section 917, Sewage, requires the following for Preliminary Plat approval:
  - (a) A detailed explanation of who shall be responsible for the perpetual maintenance and upkeep of the facility;
  - (b) State approval of the proposed system;
  - (c) The expected life of the facility and the establishment of a reserve fund to support the continued maintenance, upkeep and replacement of the facility.

**STAFF RECOMMENDATION:** Staff recommends approval subject to the following conditions:

1. In accordance with UDO Section 917, Sewage, no other Preliminary Plats may be granted for any residential lots or commercial buildings until adequate wastewater treatment is permitted through an expansion of the plant capacity or allocation from another wastewater plant.
2. Show the Sight triangles (70' x 10) at intersections with existing streets.
3. Show approximate locations of exiting utilities (wells, culverts, utility lines...)
4. Show approximate locations of Fire Hydrants locations.
5. In the Notes, indicate the Flood zones on the property with map/ panel numbers.
6. Show the flood zone lines shown, including the Base Flood Elevations.
7. Indicate the PIN numbers with ownership information for each of the 4 existing parcels to shown on the Sketch Plan.
8. Update the ownership of all adjoining lots- for example; Commercial Site # 2 should be Food Lion.
9. Indicate the zoning of the site and adjacent properties.
10. Indicate the Control Corner, Monumentation /Pins, and Tie lines.
11. Statement noting the existence of "404 wetlands" and CAMA wetlands on property.
12. Correct the wetland lines in Section I to match what is on the approved Preliminary Plat for Section I, the wetland lines for lots 11 through 16 appear to be incorrect.
13. Correct the open space summary in the notes to indicate what open space # 6 is. (non-CAMA wetlands minus piers)
14. Add a note that indicates the minimum lot size is 7,500 square feet, with 3,750 square feet allowed to be in wetlands.
15. Indicate the state route number for Ocean Trail.
16. Correct any references to Cruz Bay Lane to Cruz Bay Court.
17. Provide the street approval forms to the GIS Coordinator Harry Lee for review and approval.
18. Provide a development summary in the notes for the following:
  - a. The number of lots (116)
  - b. How many lots are in the disposal areas
  - c. Total area of the disposal area.
  - d. Note that Sections II and III cannot receive Preliminary Plan Approval until the NC Department of Environment and Natural Resources issues a permit for additional capacity for the wastewater treatment facilities.

19. Add the following to the notes to indicate the changes being made, titled "Changes from previously approved Sketch Plan, dated November 15, 2004"
  - a. Section II now has 40 lots. The 11-15-04 plan showed 33 lots in Section II.
  - b. Section III now has 7 lots outside of the utility open space disposal area.
  - c. Lots 94-116 are designated as a temporary utility open space. These lots shall not be approved for Preliminary Plat unless an Amended Sketch Plan is approved that indicates the removal of these lots from a utility open space.
20. Correct the 404 wetlands lines in Section II to match the lines recorded and accepted by the Corps of Engineers.
21. Indicate where pedestrian circulation or walking trails will be located.
22. Indicate the active recreation improvements and their locations.
23. Indicate where an access easement for Open Space 3 will be from Herring Street.

Chairman O'Neal opened the public hearing.

John Norris, Coastal Engineer, reviewed the waste water and water supply will come from the SOB water system.

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

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

**Action PB 05-41 THOMAS CHRISTOPHER POPE AND DAVID JACKSON: Rezone approximately 3.5 acres from Agriculture (A) to General Business (GB) on property located on the north side of Shortcut Rd. (US 158) approximately 1,480; west of the intersection with Gregory Rd. Tax Map 27, Lots 19A and 20A, Crawford Township**

**deleted**

**Discussion and consideration of proposed EMS re-organization.**

**deleted**

**Consideration of 2006 proposed contract for Ocean Rescue.**

Marshall Cherry, Corolla Fire Chief, presented the proposed contract for 3 additional life guard stands and 4 additional personnel at a total cost of \$381,880.

Commissioner Etheridge moved to approve the request. Commissioner Martin seconded the motion. Motion carried.

**Discussion and possible action on Puddin Ridge Road traffic.**

Commissioner Miller requested staff to meet with Blackwater and DOT on an alternate route to South Mills Road. Commissioner Etheridge seconded the motion. Motion carried.

Commissioner Miller moved to adopt a resolution opposing the transfer of Highway Trust Funds to the General fund of the State of NC. Commissioner Miller seconded the motion. Motion carried.

**RESOLUTION OPPOSING THE TRANSFER OF FUNDS FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND**

WHEREAS, the State Highway Trust Fund was established in 1989 to ensure a dependable source of financing for certain designated intrastate highway sections and urban loop highways, for aid to municipalities for local road improvements in North Carolina; and

WHEREAS, the State Highway Trust Fund is funded by excise taxes on highway motor fuels and by highway user fees; and

WHEREAS, the North Carolina Long-Range Statewide Multimodal Transportation Plan identifies a nearly \$30 billion shortfall between transportation revenue and the projected cost of transportation needs across the state by 2030; and

WHEREAS, numerous projects in the State Transportation Improvement Program have suffered delays due to funding shortages; and

WHEREAS, numerous projects in the State Transportation Improvement Program have suffered delays due to funding shortages; and

WHEREAS, monies in the amount of approximately \$3.2 billion have been transferred from the State Highway Trust Fund to the General Fund since 1990.

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners opposes the use or transfer of funds from the State Highway Trust Fund to the General Fund for non-transportation projects.

**Appointment to Library Board**

Commissioner Martin moved to appoint Stephanie Miller. Commissioner Etheridge seconded the motion. Motion carried.

**Consent Agenda:**  
**Budget Amendment**  
**Proclamation of Citizen-Soldier Support Program.**  
**Albemarle Mental Health Quarterly Report.**  
**Change Order Coinjock Fire Station.**  
**Resolution in opposition to State's Medicaid Plan.**

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10490-545000	Contract Services - Other	\$ 1,612	
10490-545003	Contract Services - Ct		
	Fac	\$ 6,063	
10490-590003	Capital Outlay		\$ 7,675
		<u>\$ 7,675</u>	<u>\$ 7,675</u>

**Explanation:** Court Facilities (10490) - Transfer budgeted line items from undesignated capital outlay to contract services to cover increase in landscaping costs for the Judicial Center under new contract.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10330-432800	Child Daycare	\$ 59,215	
10750-557700	Crisis Intervention	\$ 8,027	
10752-519601	Smart Start	\$ 7,761	
10330-431000	DSS Administration		\$ 8,027
10752-519600	Child Daycare		\$ 66,976
		<u>\$ 75,003</u>	<u>\$ 75,003</u>

**Explanation:** Social Services (750) & Public Assistance (752) - To adjust budgeted line items to reflect changes in State funding.

**Net Budget Effect:** Operating Fund (10) - Decreased by \$51,188.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-531000	Gas, Oil, etc.	\$ 5,500	
10460-532006	Supplies - Mosquito Control	\$ 2,500	
10460-514500	Training & Education	\$ 850	
10460-514000	Travel	\$ 1,500	
10460-590000	Capital Outlay		\$ 10,350
		\$ 10,350	\$ 10,350

**Explanation:** Public Works (460) - Transfer budgeted line items for additional travel and training for the engineer, mosquito control operators and sewer operator, increases in cost of fuel and increases in cost for mosquito control.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
65858-533800	Chemicals	\$ 1,500	
65858-513000	Utilities		\$ 1,500
		\$ 1,500	\$ 1,500

**Explanation:** Moyock Commons Sewer District (65858) - Transfer budgeted funds for additional chemicals needed for operations.

**Net Budget Effect:** Moyock Commons Sewer District Fund (65) - No change.



<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10535-545000	Contract Services	\$ 5,100	
10310-400005	Ad Valorem Taxes - 2005 Levy		\$ 5,100
		<u>\$ 5,100</u>	<u>\$ 5,100</u>

**Explanation:** Communications (535) - Increase appropriations to relocate and upgrade internal wiring in the communications building.

**Net Budget Effect:** Operating Fund (10) - Increased by \$5,100.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10531-545000	Contract Services	\$ 1,524	
10531-532000	Supplies	\$ 737	
10330-445000	Emergency Management		\$ 2,261
		<u>\$ 2,261</u>	<u>\$ 2,261</u>

**Explanation:** Emergency Management (531) - Funds will be used to co-sponsor an incident command system (ICS) class and to purchase a ham radio. Funds will be reimbursed by the State from our allotted 2003/2004 Homeland Security Grants.

**Net Budget Effect:** Operating Fund (10) - Increased by \$2,261.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15446-526200	Promotional Efforts	\$ 108,000	
15446-532000	Supplies	\$ 7,600	
15446-514000	Travel	\$ 1,200	
15446-514500	Training & Education	\$ 1,448	
15446-590000	Capital Outlay	\$ 2,500	
15320-415000	Occupancy Tax		\$ 120,748
		<u>\$ 120,748</u>	<u>\$ 120,748</u>

**Explanation:** Occupancy Tax (15446) - Increase appropriations for additional services to be

provided this year with the anticipated increased revenues generated from the increase in the Occupancy Tax rate as proposed by the Tourism Development Authority.

**Net Budget**

**Effect:** Occupancy Tax Fund (15) - Increased by \$120,748.

**COUNTY OF CURRITUCK  
CAPITAL PROJECT ORDINANCE**

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

**SECTION 1.** The project authorized is the design and environmental survey for an additional aviation hangar, aircraft parking apron and auto parking lot to be financed by currently available financial resources.

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

Professional services	\$ 71,600
	<u>\$ 71,600</u>

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

Transfer from Occupancy Tax	\$ 71,600
	<u>\$ 71,600</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.

### **Commissioner's Report**

Commissioner Etheridge stated that the County has 21 advisory boards with 150 members.

Commissioner Martin stated that the County has received the prescription discount cards for citizens without insurance. He also commented on unified government.

Chairman O'Neal requested staff to have Waste Management at the next meeting to discuss increase in rates.

The Board directed staff to draft a resolution opposing the Hyde County Mega landfill.

## **RESOLUTION REQUESTING FEDERAL REVIEW OF PROPOSAL OF MEGA LANDFILL TO BE LOCATED IN HYDE COUNTY, NORTH CAROLINA**

WHEREAS, there is a proposed Mega Landfill to be constructed in Hyde County that will bring barges of trash through the Intra Coastal Waterway in Currituck County; and

WHEREAS, this Mega landfill will affect more than one county in Northeastern North Carolina; and

WHEREAS, the potential for contamination is a serious endangerment of the public health, safety, and welfare of all the citizens in Northeastern North Carolina.

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

1. Assert standing as an interested and affected party to the permit proceedings for the landfill being proposed in Hyde County by the North Carolina Department of Environment and Natural Resources ("DENR").

2. Seek an environmental impact statement for the landfill project under the National Environmental Policy Act to determine the likelihood and extent of adverse impact on federal lands; discharge of contaminated run-off into federal waters; contaminated surface and sheet water flow into the Currituck Sound and negative impact on the public use of federally funded projects.
3. Seek the support and aid of the U.S. Congress in protecting and promoting Currituck County's vital interests in the location of the proposed Hyde County landfill, as well as important federal interests.
4. Seek the support, aid and intervention of the Governor of North Carolina, the North Carolina General Assembly and the Secretary of Natural Resources in protecting Currituck County and the State from potential adverse impact from the landfill and promoting the health, safety and welfare of the residents of North Carolina.
5. Challenge adverse decisions of Hyde County and DENR to the extent allowed by law and supported by fact.
6. Require Hyde County to demonstrate to DENR, Currituck County and other Northeastern North Carolina counties that these barges that will travel through the Intra Coastal Waterway will not harm the environment.
7. Consider whether public emergency services are adequate to respond in case of an emergency generated by the barges filled with trash, such as spill, fire or accidents with other vessels traveling through the waterway.
8. Take any other action that will promote the best interests of the County of Currituck and its citizens.

Chairman O'Neal requested staff to have an Executive Summary to the Board by March on the Planning & Inspections Report. He also requested staff to meet with Dare County to request if they would consider enrolling the Corolla students into their system.

Chairman O'Neal requested that combining the Airport Board and Economic Development Board be considered at the next meeting.

Commissioner Miller commended the Sheriff's Department and staff on the roadside trash pick-up.

### **County Manager's Report**

Dan Scanlon, County Manager, stated that the SOB Water System received an Engineering Award for Excellence from the State.

**Closed Session to discuss litigation and personnel.**

Commissioner Martin moved to go into closed session.  
Commissioner Etheridge seconded the motion. Motion carried.

**Adjourn**

After reconvening from closed session, no action was taken.

There being no further business, the meeting adjourned.