

CURRITUCK COUNTY
NORTH CAROLINA
MARCH 5, 2007

The Board of Commissioners met on Monday, March 5, 2007, 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 Nelms, Commissioners Bowden and Taylor. Commissioner Gregory and Etheridge were absent. They were attending a NACo conference in Washington, DC.

Invocation and Pledge of Allegiance

The Reverend Dave Coxson, Powells Point Christian Church, was present to give the invocation.

Approval of Agenda

- Item 1 Approval of Agenda
- Item 2 Public Comment
Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.
- Item 3 **Public Hearing and Action on PB 07-03 CURRITUCK RESERVE** PB 07-03 CURRITUCK RESERVE: Request to rezone approximately 631 acres from Agricultural (A) to Residential (R). The 20 properties are located between Caratoke Highway and Tulls Creek Road, north of Guinea Road, Tax Map 22F, Parcels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16; Tax Map 14, Parcels 23 and 18C; Tax Map 22, Parcels 62, 63D and 63Y; Moyock Township.
- Item 4 **Public Hearing & Action PB 07-06 JARVIS FARMS** Request to rezone approximately 44 acres from Agricultural (A) to Residential (R). The 2 properties are located at the intersection of Tulls Creek Road and Old Jury Road, Tax Map 22, Parcels 21 and 60C, Moyock Township.
- Item 5 **Public Hearing and Action on PB 88-66 VILLAGES AT OCEAN HILL** VILLAGES AT OCEAN HILL: Amended Sketch Plan to increase density by 4 lots on parcels that are former well sites. The two properties are located at the north end of Corolla Village Road Tax Map 114, Parcel 3M; and the intersection of Lakeside Drive and NC 12, Tax Map 114E, Parcel WEL, Block 1, Poplar Branch-Outer Banks Township.
- Item 6 **Public Hearing and Action on PB 07-01 UDO AMENDMENT REQUEST (TERM LIMITS)** amendment to Article 19, Administrative Mechanisms, Sections 1901, Appointments and Terms of Planning Board Members and 1907, Appointment and Terms of Board of Adjustment to remove the requirement for term limits.
- Item 7 **Action on Amendment to Code of Ordinances, Chapter 2 (Administration), Article III (Authorities, Boards and Commissions), Division 3 (Economic Development Board)** Amendment to eliminate term limits for members of the Economic Development Board (2nd reading)
- Item 8 **Consent Agenda:**
Budget Amendments
Resolution requesting discretionary funds -DOT
Advertise 2006 Tax Year Liens

Approval of February 5, minutes

Item 9 Commissioner's Report

Item 10 County Manager's Report

Item 11 Adjourn

Public Comment

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

Chairman Nelms opened the public comment period.

Bob Evans, Kitty Hawk, reviewed meeting held in Carova regarding the proposals for Sandfiddler Road. He requested the Board provide additional information on long term plan.

Tony Fallon, Grandy, invited the Board to attend a meeting of the Storm Booster Club, tackle football teams, on March 13, 2007.

Rufus Baldwin, Carova Beach, expressed concerns with proposed Sandfiddler Road.

Jerry Boguess, Carova Beach, expressed his concerns with proposed Sandfiddler Road.

John Snowden, Maple, expressed his concerns on how he was treated at the last meeting by the Chairman.

Chairman Nelms stated that another letter went to DOT requesting a stop light at Edgewater Drive.

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

Public Hearing and Action on PB 07-03 CURRITUCK RESERVE PB 07-03 CURRITUCK RESERVE: Request to rezone approximately 631 acres from Agricultural (A) to Residential (R). The 20 properties are located between Caratoke Highway and Tulls Creek Road, north of Guinea Road, Tax Map 22F, Parcels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16; Tax Map 14, Parcels 23 and 18C; Tax Map 22, Parcels 62, 63D and 63Y; Moyock Township.

Sarah Keifer, Planning Director, reviewed the request.

TYPE OF REQUEST: Rezone approximately 631 acres from Agricultural (A) to Residential (R)

LOCATION: Located between Caratoke Highway and Tulls Creek Road, north of Guinea Road.

TAX ID:
Map 22F, Parcels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
Map 14, Parcels 23 and 18C
Map 22, Parcels 62, 63D and 63Y

001400000230000	022F00000040000	022F00000110000
002200000620000	022F00000050000	022F00000120000
0014000018C0000	022F00000060000	022F00000130000
0022000063D0000	022F00000070000	022F00000140000
0022000063Y0000	022F00000080000	022F00000150000
022F00000020000	022F00000090000	022F00000160000
022F00000030000	022F00000100000	

OWNERS:

Haywood and Cynthia Ward
714 Tulls Creek Road
Moyock, NC 27958

John Jennings, III
5 Chester Plaza
Chester, MD 21619

I.N. Wilson Estate
C/O I.N. Wilson
1502 Marsh Street
Norfolk, VA 23523

Debra Long
309 Great Bridge Blvd.
Chesapeake, VA 23320

Brian Gibson
121 Sailfish Street
Moyock, NC 27958

APPLICANT:

Richard Browner
131 Dances Bay Road
Elizabeth City, NC 27909

ENGINEER:

MSA P.C.
5033 Rouse Drive
Virginia Beach, VA 23462

ZONING:

Current Zoning
A (Agricultural)

Proposed Zoning
R (Residential)

ZONING HISTORY:
atlas.

The properties were zoned Agricultural (A) on the 1989 zoning

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Agricultural and Residential	A and R
SOUTH	Agricultural and Residential	A and R
EAST:	Agricultural and Residential	A
WEST:	Agricultural, Residential, Commercial	A, GB and C

EXISTING LAND USE: Agricultural and Low density residential (farm houses).

PROPOSED LAND USE: The application states the purpose of the request is to create a mixed use Planned Unit Development

LAND USE PLAN CLASSIFICATION:

The 2006 Land Use Plan classifies the subject property as both **Full Service and Rural** and within the Moyock sub-area. In the Full Service Area, , base residential development density is contemplated to be 2 units per acre but could be increased to 3-4 units per acre through overlay zoning depending upon services available and the potential impact on the surrounding area. A greater diversity in housing types (i.e. semi-detached, attached, multi-family) would be considered appropriate in the Full Service areas.

In the Rural Classification, population densities are generally very low and development density is anticipated at no more than 1 unit per 3 acres. While the overall Rural Classification does not necessarily support an up-zoning from Agricultural to Residential, the Moyock sub-area description does. The Moyock area is describes as the fastest growing part of the county, experiencing development pressure from the Tidewater Area of Virginia. The Land Use Plan further provides that it is not the intention of the county to develop all of Moyock intensely, but rather create service centers and various gradations of development.

The surrounding area, while zoned Agricultural, is emerging in a suburban low-density residential development pattern, particularly as evidenced by the Eagle Creek, Launch Landing and Creekside Estates Subdivisions. The permitted density in the Residential zoning district of 1 unit/ acre is in keeping with the surrounding area and appears to **comply** with the policies of the Land Use Plan.

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

TRANSPORTATION: The properties have access to Caratoke Highway, Guinea Road and Tulls Creek Road

FLOOD ZONE: The southern properties in the rezoning request adjacent to Caratoke Highway and Guinea Road are in Flood Zone AE (5). The remaining properties are in flood zone Shaded X, outside of the 100 year flood zone.

SOILS: The Currituck County Soils Map indicates all of these properties are un-suitable for on-site septic systems.

STAFF

RECOMMENDATION: Section 2406 of the Unified Development Ordinance provides the standards by which the Board shall evaluate proposed amendments to the Official Zoning Atlas. Specifically, the Ordinance provides that the “central issue before the board is whether the proposed amendment advances the public health, safety or welfare” of the county and further directs that “the Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.”

Upon evaluating the application, staff recommends **approval** for the following reasons:

- 1) The request complies with the 2006 Land Use Plan classification of Full Service and Rural.
- 2) The residential zone would be adjacent to an existing residential zone across Tulls Creek Road and a General Business zone along Caratoke Highway.
- 3) The character of the surrounding area will be in harmony with a medium density development.

This staff recommendation was made without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning and Inspections. The Board of Commissioners shall give considerable weight to public testimony received during public hearing in considering its decision in this matter.

PLANNING BOARD DISCUSSION

Mr. John Morrison, attorney for the owners and developers, appeared before the board.

Ms. Keifer presented the case analysis to the board.

Mr. Kovacs noted that soils were unsuitable for onsite septic.

Ms. Keifer agreed and stated that onsite community system would need to be installed.

Mr. John Morrison who represents the applicant described the development that is planned for this property and welcomed questions from the Board. He stated that the developers have held two meetings with adjoining property owners and have offered to help homeowners in the area with drainage issues.

Mr. Kovacs asked about the type of housing that will be offered.

Mr. Morrison stated that there will be a mixed development consisting of condos, single family homes, and an active adult community.

Mr. Dick Browner, the applicant also described the proposed development.

Ms. Keifer reminded the Board that this is currently a rezoning request only and a specific development plan should not be considered in making a decision. If the property were to be rezoning, any use permitted in the Residential zoning district would be permitted on the site.

PLANNING BOARD ACTION

Mr. Keel motioned to approve the request as presented per the staff recommendation. Ms. Turner seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing.

Sydney Lowe, Tulls Creek Road, expressed concerns with storm water runoff and flooding.

Richard Durban, Tulls Creek Road, expressed concerns with notice, traffic and drainage.

Keith Holder, Poyners Road, expressed his concerns with traffic.

Harold Holder, Poyners Road, expressed his concerns with traffic safety.

John Morrison, Attorney, representing the owner, stated the property is consistent with Land Use Plan.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Taylor moved to approve with staff and Planning Board recommendations, and it is compliant with the Land Use Plan. Commissioner Etheridge seconded the motion. Motion carried.

Public Hearing & Action PB 07-06 JARVIS FARMS Request to rezone approximately 44 acres from Agricultural (A) to Residential (R). The 2 properties are located at the intersection of Tulls Creek Road and Old Jury Road, Tax Map 22, Parcels 21 and 60C, Moyock Township.

Sarah Keifer, Planning Director, reviewed the request.

TYPE OF REQUEST: Rezone approximately 44 acres from Agricultural (A) to Residential (R)

LOCATION: Located at the intersection of Tulls Creek Road and Old Jury Road.

TAX ID: Map 22, Parcels 21 and 60C

OWNERS: Susan Coleman Kay
PO Box 22
Hampstead, NC 28443

Marco Ventures, LLC
(Martin Jarvis)
PO Box 609
Moyock, NC 27958

APPLICANT: Jarvis Farms, Inc.
PO Box 609
Moyock, NC 27958

ENGINEER: Quible and Associates, P.C.
Eduardo Valdivieso
PO Drawer 870
Kitty Hawk, NC 27949

ZONING: Current Zoning Proposed Zoning
A (Agricultural) R (Residential)

ZONING HISTORY: The property was zoned Agricultural (A) on the 1989 zoning atlas.

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential	A and R
SOUTH	Agricultural and Residential	A
EAST:	Agricultural and Residential	A
WEST:	Agricultural	A

EXISTING LAND USE: Agricultural and vacant woodland

PROPOSED LAND USE: The application states the purpose of the request is to create a residential zone. No specific plans were presented with the application.

LAND USE PLAN CLASSIFICATION:

The 2006 Land Use Plan classifies the subject property as **Rural** and within the Moyock sub-area. In the Rural Classification, population densities are generally very low and development density is anticipated at no more than 1 unit per 3 acres. While the overall Rural Classification does not necessarily support an up-zoning from Agricultural to Residential, the Moyock sub-area description does. The Moyock area is describes as the fastest growing part of the county, experiencing development pressure from the Tidewater Area of Virginia. The Land Use Plan further provides that it is not the intention of the county to develop all of Moyock intensely, but rather create service centers and various gradations of development.

The surrounding area, while zoned Agricultural, is emerging in a suburban low-density residential development pattern, particularly as evidenced by the Eagle Creek, Launch Landing

and Creekside Estates Subdivisions. The permitted density in the Residential zoning district of 1 unit/ acre is in keeping with the surrounding area and appears to **comply** with the policies of the Land Use Plan.

PUBLIC SERVICES AND UTILITIES:

The Moyock Volunteer Fire Department provides fire protection for this area. Electric service, telephone, county water and cable are currently available for this site.

TRANSPORTATION:

The properties have access to Tulls Creek Road and Old Jury Road (gravel)

FLOOD ZONE:

The property is in flood X and Shaded X, outside of the 100 year floodplain.

SOILS:

Approximately 27.5 acres have marginal soils and 16.5 acres of the properties contain unsuitable soils for on-site septic systems.

STAFF RECOMMENDATION:

Section 2406 of the Unified Development Ordinance provides the standards by which the Board shall evaluate proposed amendments to the Official Zoning Atlas. Specifically, the Ordinance provides that the “central issue before the board is whether the proposed amendment advances the public health, safety or welfare” of the county and further directs that “the Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.”

Upon evaluating the application, staff recommends **approval** for the following reasons:

- 1) The request complies with the 2006 Land Use Plan classification of Rural and the Moyock sub-area recommendations for a density of 1 unit per acre.
- 2) The residential zone would be adjacent to an existing residential zone across Tulls Creek Road.
- 3) The subject site is adjacent to a full service area.
- 4) The permitted density is in keeping with the character of the surrounding area.

This staff recommendation was made without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning and Inspections. The Board of Commissioners shall give considerable weight to public testimony received during public hearing in considering its decision in this matter.

PLANNING BOARD DISCUSSION

Eddie Valdivieso, Quible and Associates, appeared before the board.

Ms. Keifer presented the case analysis to the board.

Mr. Kovacs commented on the soils in the area.

Mr. Valdivieso stated that there will be engineered systems in that area.

PLANNING BOARD ACTION

Mr. Bell motioned to approve the request as presented per the staff recommendation. Ms. Turner seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Taylor moved to approve with staff, Planning Board recommendations and it is compliant with the Land Use Plan. Commissioner Bowden seconded the motion. Motion carried.

Public Hearing and Action on PB 88-66 VILLAGES AT OCEAN HILL Amended Sketch Plan to increase density by 4 lots on parcels that are former well sites. The two properties are located at the north end of Corolla Village Road Tax Map 114, Parcel 3M; and the intersection of Lakeside Drive and NC 12, Tax Map 114E, Parcel WELL, Block 1, Poplar Branch-Outer Banks Township.

Sworn testimony was given prior to making statements.

Sarah Keifer, Planning Director, reviewed the request. Ms. Keifer stated that she had received 2 e-mails from residents regarding drainage.

TAX ID: Tax Map 114E, Parcel WELL, Block 1 (114E-000-WELL-0001)
Tax Map 114E, Parcel 3M (0114-000-003M-0000)

ZONING DISTRICT: RO1/PUD

PRESENT USE: Reserve Utility Lots

PLAN DATE: January 9, 2007

OWNER:
Midlantic Builders
(James Bickford)
PO BOX 2225
Kitty Hawk, NC 27949

ENGINEER:
Bissell Professional Group
PO Box 1068
Kitty Hawk, NC 27949

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

Corolla Village Road Property

	Land Use	Zoning
NORTH:	Residential/Villages at Ocean Hill	RO1/PUD
SOUTH	Residential/Corolla Village	RO1
EAST:	Wastewater Treatment Plan Green Area	RO1/ PUD
WEST:	Vacant Wetlands/ Currituck Sound	RO1

Lakeside Drive Property

	Land Use	Zoning
NORTH:	Vacant-State of NC Nature Preserve	RO1
SOUTH	Residential/ Villages at Ocean Hill	RO1/ PUD
EAST:	Residential/ Villages at Ocean Hill	RO1/ PUD
WEST:	Residential/ Villages at Ocean Hill	RO1/ PUD

SCHOOL DISTRICT: Poplar Branch (Griggs)

FIRE DISTRICT: Corolla V.F.D.

SIZE OF SITE: Villages at Ocean Hill Total = 153.50 acres
 Corolla Village Road Property
 0.264 acre
 Lakeside Drive Property
 0.915 acre

NUMBER OF LOTS: 4 requested for this approval to bring the total approved Sketch Plan lots to 273. Previous Sketch Plans had approved 269 lots. 245 lots have received Final Plat approval.

DENSITY: 1.77 units per acre (3 units/acre permitted)
 Density is required to be 3 units/ acre or less.

MINIMUM LOT SIZE: 11,493 SF

MAXIMUM LOT SIZE: 13,376 SF

AVERAGE LOT SIZE: 12,850 SF

STREETS: The streets will be built to NCDOT Construction standards and private street design standards. The streets will be private and maintained by the Property Owners’ Association.

WATER: The sites will be served by the Southern Outer Banks Water Plant.

WASTEWATER: Centralized wastewater treatment is proposed. Enviro-Tech has allotted 533 gallons per day per home from the Villages at Ocean Hill wastewater plant.

OPEN SPACE: No additional open space is required for these 4 lots. The PUD currently has over 55% open space (84.162), exceeding the required 35%.

DRAINAGE: The preliminary drainage plan indicates the lots will drain to road side ditches.

FLOOD ZONES: The property on Corolla Village Road is in Flood Zone AE(5). The property on Lakeside Drive is in Flood Zone Shaded X, outside the 100 year flood zone.

LAND USE PLAN CLASSIFICATION: The 2006 Land Use Plan classifies this property as Full Service. Planned Unit Developments are appropriate in the Full Service class.

NARRATIVE OF REQUEST:

Midlantic Builders is seeking Amended Sketch Plan approval to increase the density of the Villages at Ocean Hill by 4 lots. These properties appeared on previous Sketch Plans as well sites. Currituck County has decreased the areas in the Villages at Ocean Hill needed for wells for the Southern Outer Banks Water System and has released these sites for residential development.

HISTORY OF APPROVALS:

1. Original sketch plan was approved by the Board of Commissioners on January 3, 1989 for 314 units with a density of 2.04 units per net acre. Initial approval was delayed over 1 year because the developer was cited by the Corps of Engineers for unauthorized filling of wetlands.
2. Amended Sketch Plan approved was granted on February 17, 1992 reducing total number of units to 299.
3. Amended Sketch Plan approval was granted on August 2, 1994 reducing the total number of units from 299 to 268 (1.75 units/acre) and to increase the commercial acreage from 2.0 acres to 10.76 acres (7%).
4. On August 16, 1999 the BOC granted Amended Sketch Plan approval to increase commercial area to 11.23 acres with a total density of 268 units.
5. At the applicant's request, on April 16, 2001 the BOC tabled and never acted on a request to decrease the commercial areas and increase the density by five units to allow for apartments.
6. On February 19, 2003, Planning Director Gary Ferguson administratively approved a additional lot by well site #3 to be off-set by creating additional open space in Phase 5. This increased the total units to 269, for a density of 1.75 units/ acre.

TECHNICAL REVIEW STAFF:

On December 20, 2006 Technical Review staff reviewed this application. The following comments were made on the re-submittal:

1. **Currituck County Public Works** – Approved as is.
2. **Soil & Water Conservation** - Approved as is.
3. **Currituck County Fire Services**– Approved with the following comment: The new cul-de-sac should be 96' diameter pavement with no structures or utilities in the middle of the cul-de-sac,

4. **Albemarle Regional Health Services** – No comments received, not within their regulatory jurisdiction.
5. **Currituck County Water Department, Southern Outer Banks System:** Approved as is. These 4 lots can be served by the system.
6. **Currituck County GIS** - Approved with no comment, street names we previously approved.
7. **County Parks & Recreation Department** - reviewed with no comments
8. **Emergency Management** – no comments received
9. **Corolla VFD**– no comments received
10. **NC Department of Transportation:** Approved with the following comment: Lots 270 & 272 will not access to NC 12.
11. **US Army Corps of Engineers:** (Tom Steffens) –No comments received.
12. **NC Department of Natural Resources, Division of Coastal Management** – Approved with the following comments: For Lot 273, it appears that jurisdictional wetlands may be located on the site. A wetland delineation was not provided. (Planning staff notes a 404 delineation will be required at Preliminary Plat submission)
13. **NC Department of Natural Resources, Division of Environmental Health, Public Water Supply:** No comments received. Permit will be required at Preliminary Plat submittal.
14. **NC Department of Natural Resources, Division of Water Quality**-No comments received. Permit will be required at Preliminary Plat submittal.
15. **NC Department of Natural Resources, Division of Land Resources** – No comments received. Permit will be required at Preliminary Plat submittal.
16. **Currituck County Superintendent of Schools**- No comments received.
17. **N C Dominion Power** - No comments received.
18. **Sprint Telephone** – No comments received.
19. **Charter Communications Cable** - No comments received.

STAFF RECOMMENDATION:

Because it appears the application has satisfied the criteria for granting an Amended Sketch Plan within a PUD staff recommends **approval** of the application in accordance with the Technical Review Agencies' comments and subject to the following conditions:

Code and Amended Sketch Plan Requirements:

1. The required improvements shall be installed and accepted prior to submission for Final Plat approval.

2. The center islands within the cul-de-sacs shall remain clear of any structures and be planted with low growth plant materials for emergency vehicle access.
3. Any development or filling of 404 wetlands will require a site specific plan approved by the US Army Corps of Engineers.
4. Lots 257 and Future Lot 217 should be labeled as "Not a Lot of Record." on the Preliminary Plat and Final Plat. Lot 257 was labeled as "Not a Part of Phase 5A" on the recorded plat due to a Corps of Engineers fill permit being required to construct a residence.
5. Future Lot 217 should be labeled as "Not a Lot of Record." Lot 217 was created as a utility lot by deed on September 21, 2001 (Book 546/ Page 207) when Ocean Hill Properties transfer land and development rights to Midlantic Builders. The creation of this parcel violated the UDO because the parcel was less than 10 acres in size and did not receive county approval. This property cannot be developed at this time due to a U.S. Army Corps of Engineers violation for unauthorized wetlands fill issued February 9, 2006.
6. A legend is needed for the utility symbols on sheet 2 to be included on the Preliminary Plat.
7. Correct the Plat Summary Table on the Final Plat to indicate lot 257 did not receive Final Plat approval. The number of platted lots in 245.
8. The deed book and ownership of adjoining properties shall be updated on the Preliminary Plat.
9. The applicant shall complete the development strictly in accordance with the plans submitted to, and approved by the Board of Commissioners.
10. As a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

Chairman Nelms opened the public hearing. There being no comments, he closed the public hearing.

Chairman Nelms moved to approve. Commissioner Bowden seconded the motion. Motion carried.

Public Hearing and Action on PB 07-01 UDO AMENDMENT REQUEST (TERM LIMITS) amendment to Article 19, Administrative Mechanisms, Sections 1901, Appointments and Terms of Planning Board Members and 1907, Appointment and Terms of Board of Adjustment to remove the requirement for term limits.

Sarah Keifer, Planning Director, reviewed the amendment that was presented at the last meeting.

Chairman Nelms opened the public hearing.

Tim Cody, Dogwood Drive, opposed eliminating term limits.

John Snowden, opposed eliminating term limits.

There being no further comments, Chairman Nelms closed the public hearing.

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

Action on Amendment to Code of Ordinances, Chapter 2 (Administration), Article III (Authorities, Boards and Commissions), Division 3 (Economic Development Board) Amendment to eliminate term limits for members of the Economic Development Board (2nd reading)

Kate McKenzie, Attorney, reviewed the ordinance and that this was the 2nd reading.

Commissioner Taylor moved to approve. Chairman Nelms seconded the motion. Motion carried.

Consent Agenda:

Budget Amendments

Resolution requesting discretionary funds -DOT

Advertise 2006 Tax Year Liens

Approval of February 5, minutes

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10775-545000	Contracted services	\$ 12,000	
10380-481000	Investment earnings		\$ 12,000
		<u>\$ 12,000</u>	<u>\$ 12,000</u>

Explanation: Sr Citizens Centers (775) - Increase appropriations for meal overages at all three nutrition sites.

Net Budget Effect: Operating Fund (10) - Increased by \$12,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10606-531000	Gas, Oil, Etc	\$ 500	
10606-592000	Conservation Projects		\$ 500
		<u>\$ 500</u>	<u>\$ 500</u>

Explanation: Soil Conservation (606) - Transfer budgeted funds to Gas, Oil, etc. needed for operations for the remainder of the year. The fuel appropriation has been depleted due to the rising cost of gasoline.

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10750-545000	Contracted Services			\$	17,300
10750-511000	Telephone & Postage	\$	1,200		
10750-514000	Travel	\$	10,000		
10750-519005	IV-E Waiver Foster Care	\$	4,600		
10750-531000	Gas, Oil & Etc.	\$	1,500		
10752-519100	Title IV-E Foster Care			\$	14,000
10752-519000	Medicaid Transportation	\$	5,000		
10752-519005	State Foster Care & Boarding	\$	9,000		
			<u>\$ 31,300</u>		
				<u>\$ 31,300</u>	

Explanation: **Social Services (750): Telephone & Postage**-Increased cost to mail state required documentation to clients. **Travel**-Increased cost in required transportation of foster children. **IV-E Waiver Foster Care**-100% reimbursed funds through the IV-Waiver program. **Gas, Oil & Etc.**-Increased cost of fuel and amount of required transportation for foster children. **Public Assistance (752): Medicaid Transportation**-Increase number of Medicaid eligible clients utilizing Medicaid transportation services. **State Foster Care & Boarding**-Increased number of State Foster Home funding eligible children in foster care.

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10960-554000	Insurance & Bonds Fund Balance	\$	71,804		
10390-499900	Appropriated			\$	71,804
			<u>\$ 71,804</u>		
				<u>\$ 71,804</u>	

Explanation: Central Services (960) - To reimburse NC Department of Crime Control and Public Safety for overpayment of DSR 741-0 for Hurricane Isabel. This project was initially listed as a separate project and was combined with another project with the final audit from FEMA and NC Emergency Management. This amount was reimbursed under both projects. All Hurricane Isabel reimbursements were received in fiscal years 2003 through 2006.

Net Budget Effect: Operating Fund (10) - Increased by \$71,804.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-516000	Maintenance & Repair	\$ 33,615	
10510-531000	Gas, Oil, etc	\$ 15,000	
10510-554000	Insurance & Bonds	\$ 10	
10510-557500	Crime Control	\$ 35,000	
10330-421500	Crime Control revenue		\$ 9,176
10350-465100	Sheriff reimbursements		\$ 8,125
10380-484001	Insurance Claims		\$ 10,090
10390-499900	Fund balance appropriated		\$ 25,824
10510-553000	Dues & Subscriptions		\$ 10
10510-590000	Capital Outlay		\$ 30,400
		<u>\$ 83,625</u>	<u>\$ 83,625</u>

Explanation: Sheriff (510) - Increase maintenance and repairs for necessary repairs and maintenance to Sheriff vehicles. This will be funded through existing capital outlay funds and revenues received from Dominion Power for securing power line sites and revenues received from insurance claims. To transfer funds from unobligated capital outlay to gas, oil, etc and insurance and bonds for operations for the remainder of this fiscal year. To increase crime control line item to reflect collections exceeding the budgeted amount and to carry forward amounts from prior fiscal years. Crime control revenues are restricted for law enforcement activities.

Net Budget Effect: Operating Fund (10) - Increased by \$53,215.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10511-502100	Salaries - Overtime	\$ 5,500	
10511-502200	Holiday Pay	\$ 4,400	
10511-514000	Travel	\$ 4,000	
10511-516000	Maintenance & repairs	\$ 5,000	
10511-547000	Meals	\$ 10,000	
10511-531000	Gas, oil, etc	\$ 2,500	
10511-513000	Utilities		\$ 5,500
10511-545000	Contract services		\$ 25,900
		<u>\$ 31,400</u>	<u>\$ 31,400</u>

Explanation: Jail (511) - Increase overtime due to additional OSSI training, increase holiday pay for additional 12 hour shifts that were budgeted for 8 hour shifts, increase travel and gas, oil, etc. for increased transports, increase maintenance & repairs for operations and increase meals due to increased jail occupancy.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10775-514000	Travel	\$ 1,000	
10775-561300	Instructor fees		\$ 500
10775-516000	Repairs & maintenance		\$ 500
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

Explanation: Senior Citizens Centers (775) - To transfer funds for workshops and Module training for Senior Center Managers.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10512-531000	Gas, Oil, Etc	\$ 4,150	
10512-532000	Supplies	\$ 1,350	
10512-514000	Travel		\$ 500
10512-514500	Training & Education		\$ 750
10512-526000	Advertising		\$ 900
10512-516000	Maintenance & Repair		\$ 1,000
10512-590000	Capital Outlay		\$ 2,350
		<u>\$ 5,500</u>	<u>\$ 5,500</u>

Explanation: Animal Control (512) - Transfer budgeted needed to cover the cost of gasoline for the remainder of this fiscal year and to use unobligated capital outlay to purchase supplies for tranquilizer guns.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10641-514300	Student Activities	\$ 1,438	
10641-532000	Supplies	\$ 2,560	
10641-503000	Salaries - Part time		\$ 1,119
10641-505000	FICA Expense		\$ 1,292
10641-506000	Insurance Expense		\$ 487
10641-511000	Telephone & Postage		\$ 100
10641-545000	Contract Services		\$ 1,000
		<u>\$ 3,998</u>	<u>\$ 3,998</u>

Explanation: Support Our Students (641) - To transfer funds to match State authorization approved 1/30/2007.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
22690-545003	Carova Beach Contract	\$ 210,000	
	Fund Balance		
22390-499900	Appropriated		\$ 210,000
		<u>\$ 210,000</u>	<u>\$ 210,000</u>

Explanation: Carova Beach VFD (22690) - To carry-forward appropriation of funds approved on 4/3/2006 for a Fire Service Vacuum Tanker for Carova Beach VFD. Bids on the tanker ranged from \$275,174 to \$301,597 and the remainder of the funding will come from the fire department's funds on hand.

Net Budget Effect: Fruitville Fire District Tax (22) - Increased by \$210,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10410-532000	Supplies	\$ 1,000	
10410-545200	Records Management		\$ 1,000
		\$ 1,000	\$ 1,000

Explanation: Administration (410) - Transfer funds from records management to supplies to replace desk in clerk's office and for additional supplies needed. A portion of the records management is now handled in house rather than outsourcing.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10530-502000	Salaries - Regular	\$ 150,728	
10530-505000	FICA	\$ 11,531	
10530-507000	Retirement Expense	\$ 14,741	
10390-499900	Fund Balance Appropriated		\$ 177,000
		\$ 177,000	\$ 177,000

Explanation: Emergency Services (530) - Increase budgeted line items to reclassify paramedic positions by increasing salaries by 2 grades and to include funding for annual training. These reclassifications would become effective for the current pay period that began on February 17, 2007.

Net Budget Effect: Operating fund (10) - Increased by \$177,000.

**RESOLUTION
DEPARTMENT OF TRANSPORTATION**

WHREAS, Currituck Heritage Park in Corolla is quickly becoming an Outer Banks Destination; and

WHEREAS, people come to visit the Whalehead Club, the Outer Banks Center for Wildlife Education and the Currituck Beach Lighthouse; and

WHEREAS, last year NC 12 was backed up in excess of a mile during many of the activities that take place at these locations; and

WHEREAS, there are safety issues associated with an increase of traffic entering the park from NC 12; and

NOW, THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners would like to request that discretionary funds be used to help with the cost of installing a left turn lane into the Park.

Commissioner's Report

Commissioner Taylor stated that she read to the kindergarten class at Moyock Elementary school.

Commissioner Bowden requested that more information be sent to the Carova Beach residents about Sandfiddler Road.

Chairman Nelms stated that the Board met with Senator Basnight and Representative Owens this week on the bridge and storm water.

County Manager's Report

County Manager Scanlon updated the Board on new construction, the extension center and the jail kitchen. They are on schedule and within budget.

Adjourn

There being no further business, the meeting adjourned.