

Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

Date: Monday, May 18, 2009

Time: 7:00 PM

Work Sessions

6:00 Corridor Enhancement

Regular Agenda

7:00 p.m. Invocation

Pledge of Allegiance

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 **Sheriff to Retire K-9 and Present Plaque to K-9 Handler**

Item 4 **Public Hearing and Action** PB 09-12 Billy Barnes/Dennis Anderson: Request to rezone 1.505 acres from Agricultural (A) to General Business (GB). The property is located at 6158 Caratoke Highway, Tax Map 94, Lot 88F, Poplar Branch Township.

Item 5 **Public Hearing and Action** PB 08-55 Christopher J. Susko: Text amendment to the UDO to allow a limousine service as a conditional use in the Agricultural zoning district and a permitted use in the General Business, Commercial, and Limited Business Hotels zoning districts.

Item 6 **Discussion and consideration of license agreement fee for Flight Instruction at airport**

Item 7 **Appointment to ABC Board**

Item 8 **Appointment to Fire & EMS Advisory Board**

Item 9 **Appointments to Library Board**

Item 10 **Consent Agenda:**

1. JCPC Funding plan for FY 2010
2. Budget Amendments
3. Approval of Contract for purchase of Stone property on Spot Road
4. Proclamation for the American Cancer Society's Relay for Life of Currituck County
5. Resolution Requesting Stimulus Funds for Construction of New Animal Shelter Building
6. Petition to NCDOT for Addition of Herring Street to State System
7. Revised JCPC Funding Plan for Current Fiscal Year
8. Barnhill Contract and CO#1 for Shawboro Elementary School
9. Approval of May 4, 2009, Minutes
10. McKenzie Change order 14 for the Shawboro Elementary School
11. Charge to Tax Collector Levy on Motor Vehicles for February Renewals

Item 11 Commissioner's Report

Item 12 County Manager's Report

Item 13 **Closed Session:**

1. 1.To prevent the disclosure of information that is privileged or confidential pursuant Chapter 132 of the North Carolina General Statutes pursuant to G.S. 143-318.11(a)(1);
2. 2.To consult with an attorney employed by the county in order to preserve the attorney-client privilege and to consider and give instructions concerning the handling of the matter entitled Currituck County v. Perry Construction and Holley Construction pursuant to G.S. 143-318.11(a)(3).

Adjourn

Gwen Keene

From: Sandy Casey
Sent: Wednesday, April 01, 2009 1:12 PM
To: Gwen Keene
Cc: Susan Johnson
Subject: May Commissioners Meeting

Gwen,

The Sheriff wants to be placed on the agenda for the second commissioners meeting during the month of May. The Sheriff would like to officially and publicly retire one of our K-9's that has turned 9 years of age and can no longer perform his duties. She is going to present a plaque to the K-9 handler and a steak to the K-9. Can you please schedule this and e-mail me once this has been done. As always, thank you for your help.

Sincerely,

Sandy Casey

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
MEETING DATE: May 18, 2009
Zoning Map Amendment:
PB 09-12 Billy Barnes**

TYPE OF REQUEST: To rezone 1.505 acres from A to GB

LOCATION: Located at 6158 Caratoke Highway

TAX ID: Tax Map 94, Parcel 88F
0094-000-088F-0000

OWNER: Dennis W. Anderson
5650 Caratoke Highway
Poplar Branch, NC 27965

APPLICANT: Billy Barnes
3823 Caratoke Highway
Maple, NC 27956

CURRENT ZONING: Agricultural (A)

PROPOSED ZONING: General Business (GB)

ZONING HISTORY: - The property was rezoned from A-30 to B-30 on September 6, 1988 with the condition that a 25 foot buffer is provided between adjacent residential uses and zones.

- The property was unintentionally mapped as Agricultural (A) when the Unified Development Ordinance was adopted in April 2, 1989.

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential	A
SOUTH:	Residential	GB
EAST:	Residential /Undeveloped	GB
WEST:	Undeveloped	A

EXISTING LAND USE: Single Family Residential

PROPOSED LAND USE: Any use permitted in the GB zoning district

COMMUNITY MEETING: A community meeting was not held.

**LAND USE PLAN
CLASSIFICATION:**

The 2006 Land Use Plan classifies the site as **Full Service** within the **Grandy Sub area**.

The purpose of the Full Service Area class is to provide areas preferred for community centers. Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available to the public and/or private sectors. With nonresidential uses, it is essential that the existing community character be preserved.

The policy emphasis of the Grandy Sub-Area is to allow Grandy to further evolve as a community center. Residential development densities should be medium to high depending upon available services.

The following Land Use Plan policies are also relevant to this request:

POLICY CD1: NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size. Appropriately designated, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

POLICY CD4. HIGHWAY ORIENTED COMMERCIAL USES should be clustered along segments of highways and contain land uses which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points, and to prevent unsightly, dysfunctional STRIP DEVELOPMENT.

**PUBLIC SERVICES
AND UTILITIES:**

Fire protection for this area is provided by the Grandy Fire Department. Public water is available to the site. On-site wastewater exists on the property.

FLOOD ZONE:

Flood Zone X.

WETLANDS:

The wetland inventory maps do not identify wetlands on the site.

SOILS:

The Currituck County Soils map indicates the front portion of the lot contains suitable soils, while the rear contains soils not-suitable for development.

STAFF

RECOMMENDATION:

Staff recommends **approval** of the request to establish a 1.505 acre tract from Agricultural (A) to General Business (GB) for the following reasons:

1. The proposed request is in general compliance with the Full Service designation of the 2006 Land Use Plan and the Grandy Sub-Area Policy Emphasis.
2. The property was previously approved for commercial zoning; however, due to a mapping error when the Unified Development Ordinance was adopted in 1989, the designation was changed to Agricultural (A).
3. Staff has typically discouraged additional GB zoning along the corridor due the high vacancy rate that exists and potential for exacerbating strip development (nearly 80% of land zoned GB is not actively used for commercial purposes). However, in light of the circumstances staff does feel this particular request is reasonable.

PLANNING BOARD DISCUSSION

Mr. Kovacs asked if this request should be agricultural to commercial.

Ms. White stated there is an existing residential structure on the property as well as a warehouse. Ms. White does not know the future uses of the property.

Mr. Barnes stated the property was previously approved for commercial zoning; however, due to a mapping error when the Unified Development Ordinance was adopted in 1989, the designation was changed to Agricultural (A).

ACTION

Mr. West motioned to recommend approval to rezone 1.505 acres from Agricultural (A) to General Business (GB) which is in compliance with 2006 Land Use Plan. Mr. Bell seconded the motion. Motion carried unanimously.



PB 09-12 Billy Barnes
Rezoning: A to GB

0 500 1,000 2,000 Feet
Currituck County Planning Department



Legend
Future Land Use
LUC

- Conservation
- Full Service
- Limited Service
- Rural

PB 09-12 Billy Barnes
Rezoning: A to GB

0 500 1,000 2,000 Feet
Currituck County Planning Department





Currituck County

Department of Planning
Post Office Box 70
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Board of Commissioners
From: Planning Department
Date: May 4, 2009
Re: PB 08-55 Christopher J. Susko Amendment

Christopher J. Susko is requesting a text amendment to the UDO to allow a limousine service as a permitted use in the Agricultural (A) zoning district. A limousine service is currently not addressed in the UDO and; therefore, is not a permitted use within Currituck County.

Initially Staff did not support allowing a taxi service business as a permitted use within the Agricultural (A) zoning district due to the potential intrusion into the residential and rural character of such areas. As an alternative, Staff proposed allowing taxi services as a permitted use in the General Business (GB), Commercial (C), and Limited Business-Hotel (LBH) zoning districts. During the Planning Board meeting, it was suggested that taxi services be permitted in the Agricultural (A) zone with a conditional use permit. Staff feels this alternative provides a reasonable compromise and subsequently supports the Planning Board's recommended changes.

While Mr. Susko submitted a generalized text amendment request, staff has proposed a more detailed version as recommended by the Planning Board which is attached hereto. Also find the Planning Board meeting minutes attached.

Should you have additional questions please contact Ben Woody at 232-6029.

PLANNING BOARD DISCUSSION

Mr. West asked how this would work since this was a home based operation in a residential area.

Mr. Woody stated the operation could be moved or the lot rezoned.

Mr. Susko stated that this request is for a home office use and he has two limousines. Mr. Susko stated he is legal to pick up passengers and take them to Virginia. To be able to pick up passengers in Virginia, the Virginia Department of Motor Vehicles application requires rezoning compliance verification, which he must comply with and that his home base operation is where he resides.

Mr. Midgette asked why this was presented as a text amendment and not a special use permit.

Mr. Woody stated that in the Permitted Uses Table it does not address limousine or taxi service.

The board discussed a limousine service business as a permitted use within the Agricultural zoning district vs. the property being rezoned to commercial or general business. The board was concerned with a commercial or general business zoning district in an agricultural area.

Mr. Woody stated that the options are to, (1) Allow by right in an Agricultural zoning district which is what the applicant requested; (2) To only allow in a commercial district which would require the property to be rezoned; or (3) To allow in an Agricultural district with a Conditional Use Permit (CUP).

The Planning Board discussed the length of time of the CUP.

ACTION

Mr. Keel motioned to recommend approval of the text amendment to the UDO to allow a limousine service as a permitted use in the Agricultural zoning district with the addition of a Conditional Use Permit and the limit of two vehicles. Mr. West seconded the motion. Motion carried unanimously.

**PB 08-55
UDO Amendment Request
Christopher J. Susko
Taxi Service**

An amendment to Chapter 2: Zoning Districts, Chapter 3: Special Requirements. and Chapter 17: Definitions to allow a taxi service as a permitted use.

BE IT ORDAINED by the Currituck County Board of Commissioners that the Unified Development Ordinance be amended as follows:

Item 1: That Section 2.5 Permitted Uses Table is amended by adding the following language:

Use	LUC	Zoning Districts											Special Requirements		
		A	RA	R	RO1	RO2	RR	GB	C	LBH	LM	HM			
<i>Office & Service</i>															
<u><i>Taxi Service</i></u>	<u><i>III</i></u>	<u><i>C</i></u>						<u><i>Z</i></u>	<u><i>Z</i></u>	<u><i>Z</i></u>					<u><i>3.5.9</i></u>

Item 2: That Section 3.5 Office and Service Uses is amended by adding the following language:

Section 3.5 Office and Service Uses

3.5.9 Taxi Service

A. The following special requirements shall apply in the GB, C, and LBH Districts:

1. The taxi shall display no form of advertising other than that of the taxi company itself.
2. When not in service, vehicles shall be stored in a secure compound, fully enclosed with a fence and gate. The compound surface area shall be paved or graveled to not less than three inches deep and compacted and graded for proper drainage.
3. The taxi service compound shall be fully screened from adjacent rights-of-way and residentially zoned properties using a combination of opaque fencing and/or evergreen plant materials.

B. The following special requirements shall apply in the A District:

1. The use shall not disturb or intrude on the residential character of the surrounding neighborhood.
2. No more than two motor vehicles associated with the taxi service shall be permitted on the subject property.

Item 3: That Section 17.2 Definitions is amended by adding in alphabetical order the following language:

Section 17.2 Definitions

Taxi Service

Transport by vehicle (ex. taxi, limousine) for a single passenger or small group of passengers between locations of their choice.

Item 4: The provisions of this ordinance are severable and if any of its provisions or any sentence, clause, or paragraph, or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 2008.

Board of Commissioners' Chairman

Attest:

Gwen H. Keene
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: AYES _____ NAYS _____

PLANNING BOARD DATE: November 10, 2008
PLANNING BOARD RECOMMENDATION: _____
VOTE: AYES _____ NAYS _____
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____

A B C BOARD

**After initial term expires their successors
shall be appointed for a 3 year term**

Charles Eley, Chairman
P. O. Box 293
Moyock, NC 27958

Jan. 2007 – Jan. 2010
2nd term

David Myers *D.O. / B.M.*
1552 Waterlily Road *even*
Coinjock, NC 27923

April 3, 2006 – April 2009
1st term

Horace Bell, III. *H.E. Bell*
122 Carotauk Drive *J.R.*
Currituck, NC 27929
232-3310

May 15, 2006 – May 2009
1st term

Harold Capps
188 Blue Heron Lane
Knotts Island, NC 27950
429-9026

Aug. 2007 – Aug. 2010
1st term

Dave Webber
6970 Caratoke Hwy
Jarvisburg, NC 27947
491-2494

Jan. 2007 – Jan. 2010
1st term

FIRE AND EMS ADVISORY BOARD

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Hugh McCain-Corolla	District 1				4/1/2010
Rick Galganski - Corolla	District 2	Rick Galganski - Corolla	Aydlett	5/4/2009	4/1/2011
Carl Soltow-Grandy	District 3				4/1/2010
Albert Stegner-Bells Island	District 4	Albert Stegner-Bells Island	Etheridge	5/4/2009	4/1/2011
Mick Lasinski-Moyock	District 5				4/1/2010
Chris Dailey - Moyock		Chris Dailey - Moyock	Gregory	5/4/2009	4/1/2011
David Messina-Moyock	At-Large				
Greg Laput-Moyock	At-Large				4/1/2010



FIRE & EMS ADVISORY BOARD

CURRITUCK COUNTY



Contact Information

Dave Messina, Chairman
(252) 232-4604
(757) 434-1210
mercury@inteliport.com

Hugh McCain, Vice Chairman
(252) 453-4604 (Home)
jhmccain@embarqmail.com

Michael "Mick" Lesinski
(252) 435-6623 (Home)
mlesinsk@vol.com

Albert "Butch" Stegner
(252) 232-2726 (Home)
arstegner@hotmail.com

Carl Soltow
(252) 256-1946 (Cell)
(252) 491-8508 (Home)
(252) 335-6257 X 6258 (Work)
carladvboard@embarqmail.com

Chief Rick Galganski, Outer Bank Section Representative
(252) 619-4442 (Cell)
family4pak@aol.com

Chief Chris Dailey, Mainland Section Representative
(757) 647-7591 (Cell)
cld@constructionsolution.com

Captain Greg Laput, Northern Section Representative
(252) 619-2533 (Cell)
murphy127@earthlink.com

Commissioner Janet Taylor, BOC Liaison
(252) 455-5396 (Cell)
janet.taylor@co.currituck.nc.us

Chief Michael Carter, Secretary
(252) 232-7746 X 4096 (Work)/(757) 449-4574 (Cell)
mcarter@co.currituck.nc.us

Gwen Keene

From: Vicky Hagemeister [vhagemeister@earlibrary.org]
Sent: Tuesday, February 10, 2009 3:46 PM
To: Gwen Keene
Subject: Currituck Library Board members with terms due to expire

Gwen—The following Library Board members have terms that are due to expire in June 2009:

- Paul O'Briant—lives in Moyock - *not eligible*
- ✓Stephanie Miller (eligible for re-appointment)—lives on Knotts Island
- ✓Dr. Norman Dahm (eligible for re-appointment)—lives in Harbinger
- Ramona Humphries—lives in Moyock - *not*
- ✓Marita Powell (eligible for re-appointment, however, she is unable to come to the meetings because of her job)
- Susan Vakos—lives on Knotts Island - *not*

The members who are not eligible for re-appointment have already served the two consecutive terms allowed by the by-laws

Vicky Hagemeister
Currituck County Librarian
4261 Caratoke Highway
Barco, NC 27917
(252) 453-0492
vhagemeister@earlibrary.org
member East Albemarle Regional Library System

CURRITUCK COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES – Membership Revised Oct. 2008

POSITION	NAME	ADDRESS	EMAIL	HOME	WORK	CELL	1 ST term	2 ND term
CHAIR	Paul O'Briant	157 Launch Landing Rd Moyock, NC 27958	paul@obriant.net	232-3444			6/05	6/09
<i>Not eligible</i> SECRETARY	Stephanie Miller	172 Lands End Rd Knotts Is, NC 27950	carova_girl@yahoo.com	429-9177	429-3327	757-544-1416	6/09	
MEMBER	Rhonda Cheek	1131 Gray Court Corolla, NC 27927	sunseekers@earthlink.net	453-3064		202-4772	6/06	6/10
MEMBER	Dr. Norman Dahm	P. O. Box 207 Harbinger, NC 27941	Leenorm7777@juno.com	491-8339	491-8550	267-3064	6/09	
MEMBER	Ramona Humphries	P. O. Box 39 Moyock, NC 27958	Interiors- ramona@embargmail.com	232-2158	435-6376		6/05	6/09
MEMBER	Marita Powell	1581 Caratoke Hwy Moyock, NC 27958	mpowell@currituck.k12.nc.us	232-2529	453-2700		6/09	
MEMBER	Marion Thorn	P. O. Box 430 Moyock, NC 27958	Marion_thorn@embargmail.com	435-6323		757-630-4196	6/08	6/12
MEMBER	Dr. Alison Boone-Heyder	102 Continental Court Point Harbor, NC 27964	Alison_heyder@gmail.com	491-2550	261-7700		6/12	
VICE CHAIR	Susan Vakos	125 Foxx Lane Knotts Is, NC 27950	currituckbuilder@gmail.com	429-3141			6/05	6/09
<i>Not eligible</i> EX-OFFICIO	Vicky Hagemeister	115 Scotland Road Camden, NC 27921	vhagemeister@earlibrary.org	331-2026	453-8345	Fax 453-8717		
EX-OFFICIO	Nancy Bass	105 Streamdale Court Moyock, NC 27958	Nhbass105@hotmail.com	453-6910				
EX-OFFICIO	Jessica Wemer	P. O. Box 306 Corolla, NC 27927	ewemer@embargmail.com	457-0808				
EARL	Becky Callison	100 E. Colonial Ave. Elizabeth City, NC 27909	bcallison@earlibrary.org	335-0444	335-2511	340-4838		



APPLICATION FOR ADVISORY BOARDS & COMMITTEES

Date: 25 FEB 2008

Name: EDGAR DEAN BLOCK

Address: 473 EAST Ridge Rd

SHAWBORO NC 27973

Phone: 252-232-3306

Board(s) or Committee(s) on which you would like to serve:

✓ Please check

- | | |
|---|---|
| <input type="checkbox"/> ABC Board | <input checked="" type="checkbox"/> Nursing Home Advisory Committee |
| <input checked="" type="checkbox"/> Agricultural Advisory Board | <input checked="" type="checkbox"/> Planning Board |
| <input checked="" type="checkbox"/> Airport Advisory Authority | <input checked="" type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Senior Citizens Advisory Board |
| <input checked="" type="checkbox"/> Economic Development Board | <input type="checkbox"/> Social Services Board |
| <input type="checkbox"/> Game Commission | <input checked="" type="checkbox"/> Tourism Advisory Board |
| <input type="checkbox"/> Jury Commission | <input type="checkbox"/> Whalehead Preservation Trust |
| <input checked="" type="checkbox"/> Land Transfer Tax Appeals Board | <input type="checkbox"/> Workforce Development Board |
| <input checked="" type="checkbox"/> Library Board | <input checked="" type="checkbox"/> FIRE/EMS ADVISORY BOARD |

Qualifications and reasons you would like to serve:

HAVING RECENTLY MOVED TO CURRITUCK, I WOULD LIKE TO SERVE
MY NEW COMMUNITY. I HAVE 37 YEARS OF EXPERIENCE IN
LOCAL GOVERNMENT COVERING SUCH POSITIONS AS PUBLIC WORKS DIRECTOR,
BUDGET DIRECTOR AND DEPUTY CITY MANAGER.

Please return to: County Manager's Office
P.O. Box 39
Currituck, NC 27929



APPLICATION FOR ADVISORY BOARDS & COMMITTEES

Date: 1-13-09

Name: Suzanne M Everhart

Address: 759 South Bayview Rd

Jarvisburg, NC 27947

Phone: 491-2135 (B) 202-4316 Cell

Board(s) or Committee(s) on which you would like to serve:

✓ Please check

- ABC Board
- Agricultural Advisory Board
- Airport Advisory Authority
- Board of Adjustment
- Economic Development Board
- Game Commission
- Jury Commission
- Land Transfer Tax Appeals Board
- Library Board

- Nursing Home Advisory Committee
- Planning Board
- Recreation Advisory Board
- Senior Citizens Advisory Board
- Social Services Board
- Tourism Advisory Board
- Whalehead Preservation Trust
- Workforce Development Board

Qualifications and reasons you would like to serve:

- 2007-2008 Board of Directors of Abernathie Red Cross
Vice-Chairman 2nd Year
- 2007-2008 Board of Directors Southern Living Magazine
Custom Home Builders Program
- Vice-Chair of 2007 Octoberfest to benefit
Red Cross

Please return to: County Manager's Office
P.O. Box 39
Currituck, NC 27929

Co-Owner Edge Water Construction & Development

LIBRARY BOARD OF TRUSTEES

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Stephanie Miller *	District 1				6/30/2009
Dr. Norman Dahm *	District 2				6/30/2009
Ramona Humphries **	District 3				6/30/2009
Marita Powell *	District 4				6/30/2009
Paul O'Briant **	District 5				6/30/2009
Susan Vakos **	At-Large				6/30/2009
Rhonda Cheek	At-Large				6/30/2010
Marion Thorn					6/30/2012
Dr. Alison Boone-Heyder					6/30/2012

* COMPLETING FIRST TERM - ELIGIBLE FOR REAPPOINTMENT

** COMPLETING SECOND TERM - NOT ELIGIBLE FOR REAPPOINTMENT

6 OF THE 9 MEMBERS HAVE TERMS EXPIRING JUNE 2009

Currituck
DJJDP County Funding Plan

Available Funds: \$86,137 Local Match: \$21,320 Rate: 30%

A **Program Agreement Form** for each program listed below is included as an attachment to the Community Prevention and Intervention Plan.

#	Program Provider	DJJDP Funding	LOCAL FUNDING		OTHER	OTHER	Total
			Local Cash Match	Local In-Kind	State/Federal	Funds	
1	JCPC Certification	\$15,073					\$15,073
2	PASS	\$47,616	\$14,285				\$61,901
3	Teen Court	\$14,940	\$4,482				\$19,422
4	Restitution	\$8,508	\$2,553				\$11,061
5							\$0
6							\$0
7							\$0
8							\$0
9							\$0
10							\$0
TOTALS:		\$86,137	\$21,320	\$0	\$0	\$0	\$107,457

The above plan was derived through a planning process by the Currituck County
 Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2009-10 .

C

 Chairperson, Juvenile Crime Prevention Council (Date)

 Chairperson, Board of County Commissioners (Date)



N.C. Department of Juvenile Justice and Delinquency Prevention
Juvenile Crime Prevention Council Certification

Fiscal Year: 2009-10

County: **Currituck** Date: **3-10-2009**

CERTIFICATION STANDARDS

STANDARD #1: Membership

- A. Have the members of the Juvenile Crime Prevention Council been appointed by county commissioners? yes
 - B. Is the membership list attached? yes
 - C. Are members appointed for two year terms and are those terms staggered? yes
 - D. Is membership reflective of social-economic and racial diversity of the community? yes
 - E. Does the membership of the Juvenile Crime Prevention Council reflect the required positions as provided by N.C.G.A. 143B-543? yes
- If not, which positions are vacant and why?

STANDARD #2: Organization

- A. Does the JCPC have written Bylaws? yes
 - B. Bylaws are attached or on file (Select one.)
 - C. Bylaws contain Conflict of Interest section per JCPC policy and procedure. yes
 - D. Does the JCPC have written policies and procedures for funding and review? yes
 - E. These policies and procedures attached or on file. (Select one.)
 - F. Does the JCPC have officers and are they elected annually? yes
- JCPC has: Chair; Vice-Chair; Secretary; Treasurer.

STANDARD #3: Meetings

- A. JCPC meetings are considered open and public notice of meetings is provided. yes
- B. Is a quorum defined as the majority of membership and required to be present in order to conduct business at JCPC meetings? yes
- C. Does the JCPC meet bi-monthly at a minimum? yes
- D. Are minutes taken at all official meetings? yes
- E. Are minutes distributed prior to or during subsequent meetings? yes

STANDARD #4: Planning

- A. Does the JCPC conduct an annual planning process which includes a needs assessment, monitoring of programs and funding allocation process? _____ yes
- B. Is this Annual Plan presented to the Board of County Commissioners and to The Department of Juvenile Justice and Delinquency Prevention? _____ yes
- C. Is the Funding Plan approved by the full council and submitted to Commissioners for their approval? _____ yes

STANDARD #5: Public Awareness

- A. Does the JCPC communicate the availability of funds to all public and private non-profit agencies which serve children or their families and to other interested community members? (RFP, distribution list, and article attached) _____ yes
- B. Does the JCPC complete an annual needs assessment and make that information available to agencies which serve children or their families, and to interested community members? _____ yes

Briefly outline the plan for correcting any areas of standards non-compliance.

Having complied with the Standards as documented herein, the Juvenile Crime Prevention Council may use up to \$15,500 of its annual Juvenile Crime Prevention fund allocation to cover administrative and related costs of the council. Attach Line Item Budget Information and Budget Narrative sheets detailing the expenditure budget. **Must be received by June 30, 2008.**

**JCPC Administrative Funds
SOURCES OF REVENUE**

DJJDP	_____	\$15,073
Local	_____	
Other	_____	
Total	_____	\$15,073

JCPC Chairperson Date

Chairman, Board of County Commissioners Date

Secretary or Designee, Department of Juvenile Justice and Delinquency Prevention Date

Instructions: N.C.G.A. 143B-543 (2002 Session) specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

Specified Members (G.S. 147-33.61)	Name	Title	Designee	Race	Gender
1) School Superintendent or designee	Megan Doyle	Assistant Superintendent	<input checked="" type="checkbox"/>	w	f
2) Chief of Police	n/a		<input type="checkbox"/>		
3) Local Sheriff or designee	Sandy Casey	Chief Deputy	<input checked="" type="checkbox"/>	w	m
4) District Attorney or designee	Kim Pellini	Asst. DA	<input checked="" type="checkbox"/>	w	f
5) Chief Court Counselor or designee	Sherri Ellington	Chief	<input type="checkbox"/>	w	f
6) Director, AMH/DD/SA, or designee	Sarah Massey	System of Care Coordinator	<input checked="" type="checkbox"/>	w	f
7) Director DSS or designee	Patty Halstead	Social Worker	<input checked="" type="checkbox"/>	w	f
8) County Manager or designee	Sandra Hill	Finance Officer	<input checked="" type="checkbox"/>	w	f
9) Substance Abuse Professional	Ron Leigh	SADFS	<input checked="" type="checkbox"/>	b	m
10) Member of Faith Community	Keenan Goosman	Youth Pastor	<input type="checkbox"/>	w	m
11) County Commissioner	Gene Gregory	County Commissioner	<input type="checkbox"/>	w	m
12) Two Persons under age 18 (State Youth Council Representative, if available)	Kara Delorey	Student-Teen Court	<input type="checkbox"/>	w	f
			<input type="checkbox"/>		
13) Juvenile Defense Attorney	Bill Brumsey	Juv. Defense Attorney	<input type="checkbox"/>	w	m
14) Chief District Judge or designee	Hon. J.C. Cole & Hon. Edgar Barnes	District Court Judges	<input type="checkbox"/>	b	m
15) Member of Business Community	Cathy Midgett-Hatcher	Business Owner & School Board	<input type="checkbox"/>	w	f
16) Local Health Director or designee	Amy Cowan	Health Educator	<input checked="" type="checkbox"/>	w	f
17) Rep. United Way/other non-profit	Ellen Owens	Coop. Extension	<input type="checkbox"/>	w	f
18) Representative/Parks and Rec.	Jason Weeks	Director	<input type="checkbox"/>	w	m
19) County Commissioner appointee	Randy Matusko	Court Counselor	<input type="checkbox"/>	w	m
20) County Commissioner appointee	Paul Pollock	Court Counselor	<input type="checkbox"/>	w	m
21) County Commissioner appointee	Jean Snider	Citizen	<input type="checkbox"/>	w	f
22) County Commissioner appointee	Donald Cooper	Court Counselor	<input type="checkbox"/>	b	m
23) County Commissioner appointee	Sue Caeten-Ingram	PASS Program Manager	<input type="checkbox"/>	w	f
24) County Commissioner appointee	Angie Patterson	Clerk of Court	<input type="checkbox"/>	w	f
25) County Commissioner appointee	Alysia Bailey	School Social Worker	<input type="checkbox"/>	b	f

Currituck County Juvenile Crime Prevention Council By-Laws

Article I. Name and Purpose

1. The name of this Committee is the Currituck County Juvenile Prevention Council.
2. The Juvenile Crime Prevention Council is a county planning board, which operates under the authority of its Board of County Commissioners in accordance with General Statutes and administrative procedures developed by the Department of Juvenile Justice and Delinquency Prevention and the County Commissioners Association. The mission of the JCPC is to develop a comprehensive plan for the development of community programming for undisciplined and delinquent youth. To carry out this function the JCPC will engage annually in a need assessment, in program monitoring and in the budgeting process. In addition to this primary role the JCPC may choose a broader role in the community issues of families and youth.

The Council is responsible for:

- 2.1 Assessing the needs of youth in Currituck County with particular attention to the needs of delinquent and at-risk juveniles on a continuing basis.
- 2.2 Assisting the County in planning and administering programs which utilize JCPC, DJJDP and other appropriate funds.
- 2.3 Assisting with other coordinated efforts to improve services for county youth.
- 2.4 Evaluating programs developed by this JCPC for effectiveness and continuance and/or termination.

Article II. Membership

1. Members shall be approved by the Currituck County Board of Commissioners.

2. The Chairperson or Vice-Chairperson shall inform the Board of Commissioners of members who should be replaced because of resignation, limited interest, participation, or conflict of interest.
3. The membership shall include those people necessary to meet the membership requirement for the Juvenile Crime Prevention Council.
4. The membership shall be no less than 12 and no more than 26.

Article III. Officers

1. The officers shall include a Chairperson and Vice-Chairperson.
2. The offices of Chairperson and Vice-Chairperson shall be elected by the membership at the regular meeting in April or May; prior to the next JCPC fiscal year.
3. No elected officer can serve more than two consecutive terms in the same elected office.
4. When a member steps in to fill the vacancy of an office, they will fulfill the term of the person that has resigned. That person can run for another term if they so desire.

Article IV. Meetings

1. Regular Meetings
 - 1.1 The JCPC shall meet at least seven times each year at a time and place to be established.
 - 1.2 All meetings shall be open to the public and properly advertised except as otherwise designated. (see Special Meetings)
2. Special Meetings
 - 2.1 The Chairperson may call such special meetings as deemed necessary to carry out the duties of the JCPC.

- 2.2 The Chairperson may also call a meeting of the Executive Board as deemed necessary to carry out the duties of the JCPC.
3. A quorum shall consist of a simple majority of the appointed members.
4. A quorum shall be required to transact business that requires a vote.
5. A proxy may be provided by the member to the secretary or the chairperson prior to the meeting and shall be recorded in the minutes. No member shall hold more than two proxies. A proxy constitutes an excused absence.

Article V. Elections

1. The Chairperson shall appoint a nominating committee of 3 or 5 members at the meetings each April.
2. Additional nominations may be made from the floor at the regular meeting.
3. All officers are elected by a majority vote of the JCPC members present at a meeting or by mailed ballot provided a quorum exists to conduct business.

Article VI. Committees

1. Committees may be formed by the Chairperson as needed to carry out the work of the committee.
2. No program manager or anyone receiving JCPC funds shall serve on the monitoring or funding and review committees.

Article VII. Recruitment of New Members

1. Every effort shall be made by the council to recruit interested citizens as potential new members when deemed necessary.
2. Every effort shall be made by the council to ensure that the total membership represents the racial composition of the county.
3. Names of potential members shall be submitted to the JCPC.

Article VIII. Inactivity

Members shall be considered to be inactive when they have missed more than two consecutive meetings or three consecutive meetings without a written explanation or phone call to the Chairperson or Secretary, of significant reasons why they are unable to attend the meetings.

Article IX. Conflict of Interest

No member of the Juvenile Crime Prevention Council may receive directly or indirectly, any JCPC funds disbursed from the State of North Carolina, except for duly, authorized staff compensation and benefits or reimbursement for expenses actually incurred in connection with Council business.

Conflict of interest policies are communicated to members annually and full disclosure shall be recorded in the minutes of any real or perceived conflict of interest that may exist.

Council members shall not use their official affiliation with the JCPC to secure preferential treatment for any juvenile. Council members shall not use confidential information regarding juveniles or their families, JCPC agencies or other council members for personal gain or benefit.

Council members must disclose a (potential) conflict of interest when the council member:

1. Is related to a program staff member;
2. Is related to another JCPC member;
3. Has/may have personal, financial, professional, and/or political gain at the expense or benefit of the JCPC, other than the benefit of therapeutic intervention for the juveniles and families served by JCPC funded programs;
4. Or a council member's family member participates in activities of, is a member of, or is an employee of a business entity that may be viewed as having direct or indirect influence over the JCPC's business;
5. Or a council member's family member may be viewed as having direct or indirect financial gain from personal or business investments/interest in real property held by that council member;
6. Received honorarium or other compensation outside of the scope of employment and operations that creates or appears to create bias;
7. Secured employment with a competing applicant for JCPC funding; and

8. Has a relationship other than professional with a JCPC funded program or applicant for funding, or any staff member or volunteer working for the program/applicant.

Article IX. Amendments

1. The By-Laws may be amended at any regular meeting of the JCPC by a two-thirds vote of the members present, providing there is a quorum present.

Article X. Program Voting

1. Program managers or any member receiving JCPC funds shall abstain from voting on issues pertaining to the allocation of JCPC funds.
2. Any JCPC member who perceives a conflict of interest on any issue pertaining to the work of the council shall abstain from voting.
3. Each agency or program will have only one vote.

Approved: _____



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
61818-516000	Maintenance & Repair	\$ 25,355	
61360-467000	Sales and materials		\$ 25,355
		<u>\$ 25,355</u>	<u>\$ 25,355</u>

Explanation: Mainland Water (61818) - To record sales of materials charged to customers for this fiscal year.

Net Budget Effect: Mainland Water Fund (10) - Increased by \$25,355.

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Clerk to the Board



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
66868-533800	Chemicals	\$ 4,500	
66868-532000	Supplies	\$ 1,000	
66868-557100	Software License Fee	\$ 300	
66868-561000	Professional Services		\$ 300
66868-545000	Contract Services		\$ 5,500
		<u>\$ 5,500</u>	<u>\$ 5,500</u>

Explanation: Southern Outer Banks Water System (66868) - Operating transfer needed for the remainder of this fiscal year.

Net Budget Effect: Southern Outer Banks Water System Fund (66) - No change.

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Clerk to the Board



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> Decrease Revenue or Increase Expense	<u>Credit</u> Increase Revenue or Decrease Expense
10650-545000	Contract Services	\$ 13,580	
10650-514800	Fees Paid to officials		\$ 2,100
10650-532441	Technology < \$1,000		\$ 800
10650-590441	Technology > \$1,000		\$ 1,800
10650-532000	Supplies		\$ 1,000
10650-526000	Advertising		\$ 3,000
10650-516000	Maintenance & Repair		\$ 700
10650-514500	Training & Education		\$ 680
10650-514000	Travel		\$ 2,500
10650-511000	Telephone & Postage		\$ 1,000
		\$ 13,580	\$ 13,580

Explanation: Economic Development (10650) - Fees associated with foreign trade zone application.

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

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Clerk to the Board



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10793-532000	Supplies	\$ 3	
10793-514000	Travel		\$ 15
10793-511500	Printing & Binding	\$ 20	
10793-514500	Training & Education		\$ 8
		<u>\$ 23</u>	<u>\$ 23</u>

Explanation: Smart Start: Eat Smart, Mover More (10793) - To transfer funds to align with State funding approval.

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

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
61818-545100	Credit Card Fees	\$	2,500		
61818-545005	Purchase Water from others	\$	75,000		
61818-532000	Supplies	\$	1,500		
61818-561000	Professional Services			\$	1,500
61360-470000	Utilities Charges			\$	77,500
			<u>\$ 79,000</u>		<u>\$ 79,000</u>

Explanation: Mainland Water (61818) - To increase appropriations for increased use of credit cards by customers and for increased use of water from Camden. Also, to transfer funds for operations for the remainder of this fiscal year.

Net Budget Effect: Mainland Water (61) - Increased by \$77,500.

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Clerk to the Board



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-511000	Telephone & Postage	\$ 2,100	
10510-590000	Capital Outlay		\$ 2,100
		<u>\$ 2,100</u>	<u>\$ 2,100</u>

Explanation: Sheriff (10510) - To cover the cost of telephone and postage through the end of the fiscal year.

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

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Clerk to the Board



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10535-511010	Data Transmission	\$	350		
10535-513000	Utilities	\$	150		
10535-526000	Advertising			\$	500
		<u>\$ 500</u>		<u>\$ 500</u>	

Explanation: Communications (10535) - To transfer funds for operations for the remainder of this fiscal year.

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

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Number

2009117

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10750-511000	Telephone & Postage	\$ 1,900	
10750-514500	Training & Education		\$ 1,900
		<u>\$ 1,900</u>	<u>\$ 1,900</u>

Explanation: Social Services (10750) - To transfer funds for increased postage due to increase in case loads and clients.

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

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Clerk to the Board



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10660-532000	Supplies	\$ 598	
10660-526000	Advertising		\$ 598
		<u>\$ 598</u>	<u>\$ 598</u>

Explanation: Planning (10660) - To transfer fund for the planning annual report.

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

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BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-511000	Telephone & Postage	\$ 2,100	
10510-590000	Capital Outlay		\$ 2,100
		<u>\$ 2,100</u>	<u>\$ 2,100</u>

Explanation: Sheriff (10510) - To transfer for operations for the remainder of this fiscal year.

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

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Clerk to the Board



BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10530-532000	Supplies	\$ 1,850	
10380-483530	EMS Donations		\$ 1,850
		<u>\$ 1,850</u>	<u>\$ 1,850</u>

Explanation: Emergency Medical Service (10530) - To record EMS donations received this fiscal year. Funds will be used for awards and EMS week celebration.

Net Budget Effect: Operating Fund (10) - Increased by \$1,850.

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Clerk to the Board



Number

2009121

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10795-592000	Recreation projects	\$	800		
10795-516000	Maintenance & Repair	\$	1,000		
10795-590000	Capital Outlay	\$	1,884		
10795-576011	Adult Volleyball			\$	1,800
10795-576009	Youth Soccer			\$	1,884
		<u>\$</u>	<u>3,684</u>	<u>\$</u>	<u>3,684</u>

Explanation: Recreation (10795) - Transfer funds for 1/2 cost to repair irrigation pump on ball field and for soccer goal to prepare for hosting tournament.

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

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Clerk to the Board



Number

2009122

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10641-503000	Salaries - part time	\$	3,480		
10641-511500	Printing	\$	669		
10641-514300	Student Activities	\$	2,542		
10641-514500	Training & Education	\$	250		
10641-532000	Supplies	\$	2,728		
10641-502000	Salaries			\$	312
10641-506000	Insurance Expense			\$	338
10641-511000	Telephone & Postage			\$	219
10641-514000	Travel			\$	800
10641-545000	Contract Services			\$	8,000
		<u>\$</u>	<u>9,669</u>	<u>\$</u>	<u>9,669</u>

Explanation: Support Our Students (10641) - To adjust funds to State allocation.

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

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10461-532000	Supplies	\$ 300	
10461-514500	Training and Education		\$ 300
		\$ 300	\$ 300

Explanation: Public Utilities (10461) - Transfer for increased supply costs.

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

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
65858-532000	Supplies	\$ 3,000	
65858-545100	Credit Card Fees	\$ 300	
65858-561000	Professional Services		\$ 3,300
		\$ 3,300	\$ 3,300

Explanation: Moyock Commons (65858) - Transfer funds due to increased supply costs and credit card usage by customers.

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

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
60808-533201	Chemicals	\$ 5,000	
60808-532001	Supplies	\$ 2,000	
60808-545001	Contracted Services		\$ 7,000
		\$ 7,000	\$ 7,000

Explanation: Ocean Sands Water and Sewer (60808) - To transfer funds for operations.

Net Budget Effect: Ocean Sands Water and Sewer Fund (60) - No change.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10550-511000	Telephone & Postage	\$ 500	
10550-531002	Aviation Fuel	\$ 50,000	
10350-464500	Aviation Fees		\$ 10,500
10350-467100	Aviation Fuel Revenue		\$ 40,000
		\$ 50,500	\$ 50,500

Explanation: Airport (10550) - To increase appropriations due to increase in fuel sales and increase in rental fees at the airport.

Net Budget Effect: Operating Fund (10) - Increased by \$50,500.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of May 2009, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50548-545000	Contract Services	\$ 7,740	
50548-588000	Contingency		\$ 7,740
		<u>\$ 7,740</u>	<u>\$ 7,740</u>

Explanation: Knotts Island Fire Station (50548) - To transfer funds from contingency for ponf fountain and water parts.

Net Budget Effect: County Governmental Construction Fund (50) - No change.

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Clerk to the Board



*A Proclamation for the American Cancer Society's
Relay For Life of Currituck, County*

Whereas, Cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells which, if not controlled, can result in premature death; and

Whereas, Cancer is predicted to strike one out of every three Americans sometime in our lifetime with an estimated 133,225 new cases of cancer diagnosed in North Carolina in 2009; and

Whereas, The American Cancer Society is the nation's largest and most respected voluntary health organization since 1913 and has funded research which has contributed to every known method for detecting cancer and techniques for treating cancer: thereby increasing the cancer survival rates from 10% to over 65%; and

Whereas, The American Cancer Society is a voluntary community-based coalition of local citizens dedicated to eliminating cancer as a major health problem through financial support and education awareness; and

Whereas, the color purple is the signature color of the American Cancer Society's Relay For Life events signifying the passion that cancer survivors and their families and loved ones feel for the eradication of this disease, and

Whereas, the RELAY FOR LIFE event financially benefits the American Cancer Society's research and patient support programs, and educationally benefits our local citizens; and

Whereas, the American Cancer Society's Relay For Life in Currituck County is a community event that allows an opportunity to network with businesses, associates, family and friends, with the same goal of making a difference in the battle against cancer;

*Now therefore, We the Board of County Commissioners of Currituck, County, North Carolina DO HEREBY PROCLAIM the week of **May 23-30th, 2009** as **RELAY FOR LIFE** Week throughout Currituck, North Carolina. We further urge all citizens to recognize and participate in this anticancer campaign held in our community.*

Witnessed this _____ day of _____ 2009

Chairman, Board of Commissioners

Secretary to Board

Currituck Country Board of Commissioners:

Whereas, Currituck County has infrastructure needs, required to accommodate our growing population, since Currituck is the eighty-second fastest growing County in the nation, one of the fastest growing counties in North Carolina; and

Whereas, Currituck County contracts the operation of the County animal shelter with a 501(c) 3 cooperation, Animal Lovers Assistance League, Inc , in an outdated County owned , over-crowded building, below current North Carolina shelter standards; and

Whereas, the need for more space is at a critical juncture , in order to provide the proper care for animals surrendered to the shelter due to economic conditions, animal control services, stray animals and the need for pet owners educational activities ; and

Whereas, jobs are needed in Currituck County, the new animal shelter could provide employment with improved potential of a better variety of jobs and higher compensation , as well as, continuing the aspect of the rural cultural heritage, and it is necessary to move the current shelter due to future development of the airport and the lack of expansion room on the site; and

Whereas, the County fund for capital improvements has been allocated for other projects, the need for a new animal shelter is continuing, considering the number of animals cared for by ALAL,Inc, and the need for extended educational for pre-veterinarian training, technicians in veterinary medicine, high school student introduction to veterinarian careers and in animal services and hands-on training by providing volunteer and paid labor ; and

Whereas, this building could provide regional training experience with animals, through the local Community College for a new aspect of pre- veterinarian courses and animal services in Northeastern North Carolina, and could meet the requirements for a portion of the State's allocation of the Federal stimulus funds (\$-----) ;and

NOW, THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners support the construction of a new animal shelter building and the proposed educational projects by requesting funds that may be available through the stimulus fund.

BE IT FURTHER RESOLVED, that this resolution be forwarded to Governor Perdue, US Senators Burr and Hagen, Congressman Walter B Jones, Jr, NC Senate Pro Tem Basnight and NC Representative Owens.

ADOPTED this the-----

North Carolina Department of Transportation
Division of Highways
Petition for Road Addition

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: Herring St.
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Whalehead Length (miles): _____

Number of occupied homes having street frontage: — Location _____
miles miles N S E W of the intersection of Route _____ and Route _____
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of County in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Don Scanlon Phone Number: 232-2075
Street Address: 153 Courthouse Rd
Mailing Address: P.O. Box 39, Currituck, NC 27929

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
-------------	------------------------	------------------

REDUCTION TAKEN

Currituck
DJJDP County Funding Plan

Available Funds: \$86,137 Local Match: \$21,342 Rate: 30%

A **Program Agreement Form** for each program listed below is included as an attachment to the Community Prevention and Intervention Plan.

#	Program Provider	DJJDP Funding	LOCAL FUNDING		OTHER	OTHER	Total	
			Local Cash Match	Local In-Kind	State/Federal	Funds		
1	JCPC Certification	\$13,500					\$13,500	(\$1,500)
2	PASS	\$47,649	\$14,295				\$61,944	
3	Teen Court	\$14,979	\$4,494				\$19,473	
4	Restitution	\$5,959	\$2,553				\$8,512	(\$2,550)
5							\$0	
6							\$0	
7							\$0	
8							\$0	
9							\$0	
10							\$0	
TOTALS:		\$82,087	\$21,342	\$0	\$0	\$0	\$103,429	

The above plan was derived through a planning process by the Currituck County Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2008-09 .

*** Represents \$4,050 reduction of JCPC funds.**

Chairperson, Juvenile Crime Prevention Council (Date)

Chairperson, Board of County Commissioners (Date)

OWNER-CONTRACTOR AGREEMENT

Reduced Scope Construction Contracts

PROJECT NUMBER: 591

THIS AGREEMENT is made this 4th day of March, 2009 by and between the Currituck County Schools (herein referred to as the "Owner"), whose mailing address is 2958 Caratoke Hwy., Currituck, North Carolina 27929 and Barnhill Contracting Company (herein referred to as the "Contractor"), whose mailing address is P.O. Box 1050, Kitty Hawk, North Carolina 27949. Correspondence, submittals, and notices relating to or required under this contract shall be sent in writing to the above addresses unless either party is notified in writing by the other of a change in address.

WITNESSETH:

WHEREAS, it is the intent of the Owner to obtain the services of the Contractor in Connection with the earthwork to install means for additional drainage and establish a soccer / softball area at Shawboro Elementary School (hereinafter referred to as the "Project" or the "Work"): and

WHEREAS, the contractor desires the perform such construction in accordance with the terms and conditions of this agreement.

NOW, THEREFORE, in consideration of the promises made herein and other good and valuable consideration, the following terms and conditions are hereby mutually agreed to, by and between the Owner and Contractor:

1. Scope of Service. The Contractor shall perform the Work in accordance with the terms of this Agreement, in accordance with any plans and specifications prepared for this project, and as specifically identified and described in Exhibit 1 attached hereto, all of which are incorporated into and made a part of this Agreement. The Contractor shall provide and pay for all materials, tools, equipment, and labor, and shall perform all other acts and supply all other services and things necessary to fully and properly perform and complete the Work as required by this Agreement.

The Contractor shall perform the work in compliance with all government laws and regulations, including all applicable local, state and federal rules and regulations.

2. Time. The Contractor shall commence the work promptly upon the date established in the Notice to Proceed, the date of this Agreement, or such other date as may be established by the Owner. Time is of the essence. The Contractor shall perform work in a timely manner and achieve Substantial Completion on or before July 15, 2009 and final Completion on or before August 15, 2009.

3. Insurance. The Contractor shall obtain and maintain in effect during the term of this Agreement, a general liability insurance policy and an automobile liability insurance policy in which the Owner and the Contractor shall each be named as the insured parties, which policies shall protect the Owner and the Contractor from claims in an amount not less than \$1,000,000 for personal injury, including death, to any one person and in an amount not less than \$1,000,000 for any one occurrence, and from claims for property damage in an amount of not less than \$1,000,000 for each occurrence arising from any act or omission of Contractor, its agents, employees or subcontractors.

The Contractor shall obtain and maintain in effect during the terms of this Agreement, a policy of workers' compensation liability insurance in which the policy shall protect the Owner and the Contractor from claims in an amount not less than the state statutory amounts.

The Contractor shall promptly furnish to the Owner certificates of insurance evidencing such insurance coverage. Insurance required hereunder shall be maintained by insurance companies properly licensed by the Insurance Department of the State of North Carolina and rated "A" or better by "Best's Insurance Guide."

4. Hold Harmless. The Contractor shall indemnify and hold the Owner harmless from an against any and all losses, liabilities, claims, lawsuits, judgments, and demands whatsoever, including costs of investigation (Including reimbursement of reasonable legal fees and all costs) which may arise out of or be caused by any negligent act or omission or intentional wrongdoing of the Contractor or it's agent, employees or subcontractors, or which may arise out of or be caused by the maintenance, presence, use, location or removal of any equipment or other property owned or operated by the Contractor or it's agents, employees or subcontractors. The Owner shall not be responsible for any damage to the Contractor's property, business, agents or employees.

5. Payments. Provided that the Contractor shall strictly and completely perform all of its obligations under this agreement, the Owner shall pay to the Contractor, in the installments hereinafter specified, the base bid sum of thirty four thousand six hundred and eleven dollars (\$34,611.00) (herein referred to as the "Contract Base Sum"). Additional fill if required will be provided for \$10.15 per cubic yard.

***** FINAL PAYMENT. Final payment will be withheld until a contractors North Carolina sales and use tax report is received listing any and all sales and use tax paid on materials for entire job.

6. Progress Payments. Progress payment, if any, made by the Owner to the Contractor will be made only after certification that the work is complete and will be based upon a payment schedule designed by the Owner. Under no circumstances will the Owner make more than one payment per month. The Owner will retain ten percent (10%) of the amount of any progress payments and /or the Contract Sum until the work is finally completed and accepted, whether or not the Owner has occupied any or all of the Project before such time
7. Termination for Convenience. Owner may terminate this Agreement at any time in its' complete discretion upon twenty (20) days written notice. In addition, all finished or unfinished work and materials provided pursuant to this Agreement shall be turned over to the Owner and become its property. If the Agreement is terminated by Owner in accordance with this section, Owner will pay the Contractor for all Work performed and all materials delivered to the site as of the date of termination.
8. Termination for Default. At any time, Owner may terminate this Agreement upon five (5) days notice if Owner is dissatisfied with the quality or timeliness of the Work performed.
9. Warranties. The Contractor guarantees and warrants to the Owner all Work as follows: that all materials and equipment furnished under this Contract will be new and the best of its respective kind unless otherwise specified; that all the Work will be good quality in accordance with the industry standards for reputable contractors; that the work will be free of omissions and faulty, poor quality, imperfect and defective material and workmanship; that the work, including but not limited to, mechanical and electrical machines, devices and equipment, shall be fit and fully usable for its intended and specified purpose and shall operate satisfactorily with ordinary care; and that the products or materials incorporated in the work will not contain asbestos.

If, within one year after the Date of Substantial Completion of the work or designated portion thereof or within one year after acceptance by the Owner of designated equipment or within such longer period of time as may be prescribed by law or by the terms of any applicable special warranty required by this Agreement, any of the work is found to be defective, not in accordance with this Agreement, or not in accordance with the guarantees and warranties specified in this Agreement, the Contractor shall correct it within five (5) working days or such other period as mutually agreed, after receipt of a written notice from the Owner to do so unless the previously given the Contractor a written acceptance of such condition. For items which remain incomplete or uncorrected on the date of Substantial completion, the one year warranty shall begin on the date of Final Completion of the Work.

10. Liquidated Damages. Should the Contractor fail to substantially complete the work on or before the date stipulated for Substantial Completion, or such later date as may result from extension of time granted by Owner, he shall pay the Owner, as liquidated damages, the sum of Five Hundred Dollars (\$500.00) for each consecutive calendar day the terms of the contract remain unfulfilled beyond the date allowed by the contract, which sum is agreed upon as a reasonable and proper measure of damages which the Owner will sustain per day by failure of the Contractor to complete Work within time as stipulated; it being recognized by the Owner and the Contractor that the injury to the Owner which could result from a failure of the Contractor to complete on schedule is uncertain and cannot be computed exactly. In no way shall costs for liquidated damages be construed as a penalty on the Contractor.

For each consecutive calendar day that the Work remains incomplete after the date established for Final Completion, the Contractor shall pay the Owner, as liquidated damages, the sum of Two Hundred Fifty Dollars (\$250.00). This amount is the minimum measure of damages the Owner will sustain by failure of the Contractor to complete all remedial work, correct deficient work, clean up the project and other miscellaneous tasks as required to complete all work specified. This amount is in addition to the liquidated damages prescribed above for Substantial Completion.

The amount of liquidated damages set forth above shall be assessed cumulatively. This provision for liquidated damages does not bar Owner's right to enforce other rights and remedies against Contractor, including but not limited to, specific performance or injunctive relief.

11. Applicable Laws. Contractor represents that it is aware of and in compliance with Immigration Reform and Control Act, and that it will collect properly verified I-9 forms from each employee providing services under this Contract. Contractor shall not employ any individuals to provide services to Owner who are not authorized by federal law to work in the United States. Contractor also acknowledges that G.S. § 14-208.18 prohibits anyone required to register as a sex offender under Article 27A of Chapter 14 of the General Statutes from knowingly being on the premises of any school. This prohibition applies to persons required under Article 27A who have committed any offense in Article 7A of Chapter 14 or any offense where the victim of the offense was under the age of 16 years at the time of the offense. Contractor shall comply with these and all applicable laws and regulations in providing services under this Contract. This Contract and the relationship of the parties shall be governed by the laws of the state of North Carolina.
12. Criminal Background Checks. The Contractor shall conduct criminal background checks on each of its employees who, pursuant to this Contract, engage in any services on the Owner's property. The Contractor shall provide documentation that criminal background checks were conducted on each of its employees prior to allowing them to enter upon the Owner's property. Such check shall include an annual check of the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry. The Contractor shall not allow any person convicted of a felony or any other crime, whether misdemeanor or felony, that indicates the person poses a threat to the safety or well-being of students, school personnel or others to provide any services on the Owner's property. Contractor also shall not assign any employee or agent to provide services on the Owner's property if (1) said worker appears on any of the listed registries; or (2) said worker has been convicted of a felony. Owner reserves the right to prohibit any individual employee of Contractor from providing services on the Owner's property if the Owner determines, in its sole discretion, that such employee poses a threat to the safety or well-being of students, school personnel or others.
13. Entire Agreement. All of the representations and obligations of the parties are contained herein, and no modification, waiver or amendment of this Agreement or of any of its conditions or provisions shall be binding upon a party unless in writing signed by that party. The waiver by any party of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent

breach of that provision by the same party, or of any other provision or condition of the Agreement

14. Severability. If any section, subsection, term or provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of said section, subsection, term or provision of the Agreement or the application of the same to parties or circumstances other than those to which it was held invalid or unenforceable, shall not be affected thereby and each remaining section, subsection, term or provision of this Agreement shall be valid or enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, the Owner has caused these presents to be signed and the Contractor has caused these presents to be signed by a person with the authority to enter this Agreement, as hereinafter attested, all as of the day and year first above written.

Currituck County Schools

_____(Seal)
C. Michael Warren
Superintendent

Contractor (_____)

_____(Seal)
President/Owner

Attest: _____(Seal)

breach of that provision by the same party, or of any other provision or condition of the Agreement

14. Severability. If any section, subsection, term or provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of said section, subsection, term or provision of the Agreement or the application of the same to parties or circumstances other than those to which it was held invalid or unenforceable, shall not be affected thereby and each remaining section, subsection, term or provision of this Agreement shall be valid or enforceable to the fullest extent permitted by law.

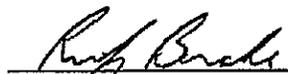
IN WITNESS WHEREOF, the Owner has caused these presents to be signed and the Contractor has caused these presents to be signed by a person with the authority to enter this Agreement, as hereinafter attested, all as of the day and year first above written.

Currituck County Schools

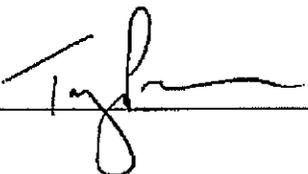


C. Michael Warren (Seal)
Superintendent

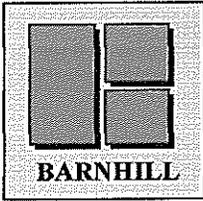
Contractor (Barnhill Contr.)



President/Owner/Project Manager (Seal)

Attest: 

(Seal)



BARNHILL CONTRACTING COMPANY

P.O. BOX 1050
KITTY HAWK, NORTH CAROLINA 27949-1050
phone 252 261-2207
fax 252 261-1093

job name

SHAWBORO SCHOOL

CHANGE PROPOSAL

CHANGE ORDER #1

date

25-Mar-09

Item No.	Item Description	Quantity	Unit	Unit Price	Price
1	Add two sidewalks 10 ft x 5 ft each	100.00	SF	\$ 6.00	\$ 600.00
2	Clay for softball field	145.00	CY	\$ 21.00	\$ 3,045.00
2	Install 4 goals	4.00	EA	\$ 350.00	\$ 1,400.00
		total		ADD	\$ 5,045.00

original contract		\$	34,611.00
revised total before this change order		\$	34,611.00
amount this change order	ADD	\$	5,045.00
new total contract to date		\$	39,656.00

Barnhill Contracting

date

3-25-09

Owner
acceptance

date

NOTES:

Import sandfill will be added to the above prices as required

CURRITUCK COUNTY
NORTH CAROLINA
May 4, 2009

The Board of Commissioners met at 6:00 p.m. to discuss Fire Hydrant Policy. The Board requested staff to bring back a policy for commercial use at the June 15 meeting.

The Board of Commissioners met 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 Etheridge, Commissioners O'Neal, Aydlett, Nelms, Rorer, Gregory and Taylor.

Invocation and Pledge of Allegiance

The Reverend Walter Gallop was present for the invocation.

Approval of Agenda

Commissioner O'Neal moved to approve. Commissioner Taylor 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 **Barbara Snowden to discuss "Currituck Day" at the Museum of the Albemarle**
- Item 4 **Proclamation for the National Day of Prayer**
- Item 5 **Public Hearing and Action** PB 08-56 Julia Loening: Request to establish a Conditional District - General Business (CD-GB) Overlay Zone on 1.5 acres. The property is located at 200 Barnard Road, Tax Map 94, Lot 25, Poplar Branch Township.
- Item 6 **Public Hearing and Action** PB 09-05 Dave Holton: Request to amend the Currituck County Unified Development Ordinance, Chapter 3, Section 3.10.7.3.A and Section 3.10.7.3.B regarding telecommunication towers and structure setbacks on the subject property.
- Item 7 **Public Hearing and Action** PB 09-11 Outer Banks Community Development Corporation: Request to amend the Currituck County Unified Development Ordinance, Chapter 3: Special Requirements, Chapter 10: Subdivision Requirements, and Chapter 17: Definitions to provide a density bonus for attached workforce housing developments in the General Business zoning district.
- Item 8 **Public Hearing and Action** PB 00-44 Holly Ridge: Preliminary Plat/Special Use Permit for 33 lots located on the northwest side of Guinea Road (SR 1214), approximately 200' north of the intersection with Guinea Mill Road (SR1282), Tax Map 22, Parcel 71X, Moyock Township.
- Item 9 **Appointments to ABC Board**

- Item 10 **Appointments to Fire & EMS Advisory Board**

- Item 11 **Consent Agenda:**
 - 1. Budget amendments
 - 2. Petition to NCDOT for Addition of Pine Circle to State System
 - 3. Approval of April 20, 2009, Minutes

- Item 12 Commissioner's Report

- Item 13 County Manager's Report

- Item 14 **Closed Session:**
 - 1. According to 143-318(5) land acquisition, Donald Stone, Spot Road, to be used for any public purpose

Adjourn

Special Meeting

Tourism Development Authority Meeting

Budget Amendments

Public Comment

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

Chairman Etheridge opened the public comment period.

Mitch Copeland, LCFD, expressed his concerns with budget proposed by the County.

Commissioner O'Neal stated that Mr. Copeland should meet with County Manager to review their budget.

John Snowden, stated that the Airport Board has scheduled a special meeting to meet with the County Attorney to review his findings at the airport.

Jim Winebarger, Chairman of Airport Board, was upset with article in paper about the findings at the airport and that he has not misused airport hangars.

Ike McRee, County Attorney, explained the airport lease policy.

Commissioner Gregory stated that he blamed some of the commissioners for the problem at airport.

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

Barbara Snowden to discuss "Currituck Day" at the Museum of the Albemarle

Barbara Snowden, invited the Board and public to attend the "Currituck Day" at the Museum of the Albemarle on Sunday, May 17 from 2:00 p.m. to 5:00 p.m.

Proclamation for the National Day of Prayer

Commissioner O'Neal moved to adopt the proclamation.
Commissioner Aydlett seconded the motion. Motion carried.

NATIONAL DAY OF PRAYER

MAY 7, 2009

**BY THE CURRITUCK COUNTY BOARD OF COMMISSIONERS OF THE
STATE OF NORTH CAROLINA**

A PROCLAMATION

WHEREAS, National Days of Prayer have been part of our country's heritage since the first one was declared by the Continental Congress in 1775; and

WHEREAS, leaders of our Nation have relied upon the power of prayer throughout American history; and

WHEREAS, May 7, 2009, marks the 58th consecutive observance of the National Day of Prayer, as mandated by both Houses of Congress and by our President in Public Law 100-307; and May 7, 2009 has been set aside as our National Day of Prayer.

WHEREAS, it is good that we acknowledge that we are all God's handiwork and that it is appropriate to call upon Him in prayer; and

WHEREAS, "National Day of Prayer's theme is 'Prayer: America's Hope' and the scripture is "May your unfailing love rest upon us, O Lord, even as we put our hope in you."
-Psalm 33:22.

WHEREAS, while American troops fight for democracy and freedom around the globe and battle the war on terror, citizens of the United States will gather on May 7, 2009, to worship and pray for the American troops, our nation, churches, families, schools and governmental leaders, asking the Lord to grant them wisdom for the challenges they face on a daily basis;

NOW, THEREFORE, the Board of Commissioners of Currituck County, North Carolina, do hereby proclaim May 7, 2009, as **"NATIONAL DAY OF PRAYER"** in Currituck, North Carolina, and urge our citizens to join together in their homes, places of work, and places of worship, to pray for the unity of the hearts of all mankind and to continue in prayer for our State and our Nation.

Public Hearing and Action PB 08-56 Julia Loening: Request to establish a Conditional District - General Business (CD-GB) Overlay Zone on 1.5 acres. The property is located at 200 Barnard Road, Tax Map 94, Lot 25, Poplar Branch Township.

Ben Woody, Planning Director, reviewed the request.

TYPE OF REQUEST: To rezone 1.50 acres from C to CD-GB.

LOCATION: Located at 200 Barnard Road, on the north side of the intersection of NC 158, Caratoke Highway.

TAX ID: Tax Map 94, Parcel 25
0094-000-0025-0000

OWNER: Matthias and Julia Loening
1422B Duck Road
Duck, NC 27949

APPLICANT: Matthias and Julia Loening
1422B Duck Road
Duck, NC 27949

CURRENT ZONING: Commercial (C)

PROPOSED ZONING: Conditional District-General Business (CD-GB)

ZONING CONDITIONS: The applicant has excluded the following uses from the conditional district:

- Tattoo and Body Piercing Studios
- Landfills, Demolition
- Landfills, Reclamation

ZONING HISTORY: The property was rezoned from Agricultural (A) to Commercial (C) on November 15, 2004.

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential	GB
SOUTH:	Residential	A
EAST:	Residential/Outdoor Storage	GB/A
WEST:	Residential	A

EXISTING LAND USE: The existing building was previously used as a church.

PURPOSE LAND USE: Residential and commercial uses.

LAND USE PLAN CLASSIFICATION: The 2006 Land Use Plan classifies the site as **Full Service** within the **Grandy Sub area**.

The purpose of the Full Service Area class is to provide areas preferred for community centers. Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available to the public and/or private sectors. With nonresidential uses, it is essential that the existing community character be preserved.

The policy emphasis of the Grandy Sub-Area is to allow Grandy to further evolve as a community center. Residential development densities should be medium to high depending upon available services.

The following Land Use Plan policies are also relevant to this request:

POLICY CD1. NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size. Appropriately designated, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

POLICY CD4. HIGHWAY ORIENTED COMMERCIAL USES should be clustered along segments of highways and contain land uses which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points, and to prevent unsightly, dysfunctional STRIP DEVELOPMENT.

PUBLIC SERVICES AND UTILITIES: The Lower Currituck Fire Department provides fire protection for this area. Electric, telephone, cable television, and public water are available. On-site wastewater exists on the property.

FLOOD ZONE: Flood Zone X.

WETLANDS: The wetland inventory maps do not identify wetlands on the site.

SOILS: The Currituck County Soils map indicates the property contains suitable soils.

STAFF

RECOMMENDATION:

Staff recommends **approval** of the request to establish a 1.5 acre tract from Commercial (C) to Conditional District-General Business (CD-GB) based on the following reasons:

1. The proposed request is in general compliance with the Full Service designation of the 2006 Land Use Plan and the Grandy Sub-Area Policy Emphasis.
2. The proposed zoning conditions are consistent with the objectives of the Currituck County Unified Development Ordinance and 2006 Land Use Plan and promote compatibility between the subject property and surrounding area (LUP Policies CD5 and OB5)

Outstanding Staff Concerns: The conditional zoning process provides an opportunity for an applicant to propose use limitations or development conditions that ensure development proposals are consistent with the policies set forth in adopted plans. Staff feels the following concerns could be appropriately addressed through the conditional zoning process.

1. The 2006 Land Use Plan discourages the placement of adjacent incompatible land uses (LUP Policy HN9 and CD5). Such incompatible land uses could include large-scale commercial uses or automobile-oriented commercial uses such as service stations, car lots, car washes, drive through restaurants, and the like. Staff recommends the following automobile-oriented commercial uses be excluded from the property:
 - a. Automobile Rental, Service and Repair
 - b. Boat Rental, Service and Repair
 - c. Heavy Equipment Rental, Service and Repair
 - d. Car Washes

PLANNING BOARD ACTION

Mr. West motioned to approve the request to rezone 1.50 acres from Commercial to Conditional District-General Business due to its consistency with the 2006 Land Use Plan and with the following conditions:

1. The following uses shall be excluded:
 - a. Boat Rental, Service and Repair
 - b. Heavy Equipment Rental, Service and Repair
 - c. Car Washes
2. Lighting shall meet the standards of the Outer Banks overlay requirements
3. Outdoor storage screening will be provided

Ms. Newbern seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION

Ms. Loening stated they do not agree with all of the excluded uses for a conditional district as recommended by staff. They are in agreement to Tattoo and Body Piercing Studios, Landfills, Demolition, and Landfills, Reclamation. Ms. Loening asked that no more limitations are put on the property. If they should have to sell the property in the future it will make it more difficult with so many excluded uses. Ms. Loening stated the reason they are asking for this request is so they could have residential on site.

Mr. Midgette asked what they are planning to do with the property.

Ms. Loening stated office space for medical or dental.

Mr. West stated that with a conditional zoning request the applicant has the option of what you won't do with property or what you will do with the property. The Planning Board's desire is to have more of an indication of what will be done with the property. Mr. West stated the zoning and limitations would go with the property if you were to sell it; then the next person could put these items which have not been excluded.

Ms. Loening stated they are asking for General Business so they can have residential on the site. They would like to have offices on the first floor and residential on the second floor.

Mr. Kovacs stated that what ever is put on the property it will affect the properties across the street which is residential.

Mr. Woody stated that the property is currently zoned commercial. Conditional zoning is a tool which has been adopted by the Board of Commissioners. Since the adoption of this the Board has given the direction to clean up the corridors of the county.

Mr. Kovacs stated that access to the property was Barnard Road and not the highway.

Ms. White stated they could apply for access to the property from the highway.

Mr. Clark asked Mr. Woody that since the property is zoned commercial now and they are asking to change it to general business (GB), does this mean they can have the same exact businesses on this lot now with the only exception under GB they can have residential.

Mr. Woody stated yes but there may be a few differences.

Ms. White stated if the board was to allow general business maybe a compromise is to allow the applicant to provide outdoor storage screening and lighting that would meet the standards of the Outer Banks overlay requirements.

Ms. Loening stated she is fine with these conditions.

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

Commissioner Nelms moved to approve with staff recommendations and findings of fact. Commissioner Taylor seconded the motion. Motion carried.

Public Hearing and Action PB 09-05 Dave Holton: Request to amend the Currituck County Unified Development Ordinance, Chapter 3, Section 3.10.7.3.A and Section 3.10.7.3.B regarding telecommunication towers and structure setbacks on the subject property.

Ben Woody, Planning Director, reviewed the request.

Mr. Holton is requesting a text amendment to Chapter 3, Section 3.10.7.3 of the UDO regarding telecommunication tower setback requirements from structures. The current ordinance does specify a tower setback provision from property lines and existing dwellings on adjacent properties. However, there is no reference to setbacks from existing or proposed dwellings located on the subject property. This amendment request will clarify that there is not a setback requirement between a telecommunication tower and a structure located on the same individual parcel. This amendment request does not absolve the UDO requirement that telecommunication towers exceeding 50' in height receive a conditional use permit.

Staff feels the proposed text amendment is reasonable and recommends approval as the request simply clarifies the existing setback language in the UDO. Attached please find the Planning Board meeting minutes and recommendation for approval, proposed text amendment, and copy of the application.

Should you have any questions, please contact Ben Woody, Planning Director, at 232-6029

PLANNING BOARD DISCUSSION

Mr. Kovacs asked if this was for new construction of a dwelling or an existing structure on the property.

Ms. White stated it does not specify new or existing so it would be for both.

Mr. Kovacs asked about the liability if the owner sells the property.

Mr. Holton stated he has looked into if there would be any additional insurance requirements. Mr. Holton stated there are no direct comments made to cell towers in North Carolina. It does affect the beach plan under wind damage in a hurricane. The county does not have any extended liability. Mr. Holton stated this text amendment will bring it in line with what they are finding in other areas.

The board discussed minimum setbacks and fall areas.

Mr. West stated that the text amendment is saying you can build next to a tower on your own property, but you still have the setback from adjoining properties.

Mr. Kovacs asked what the height of the tower is in questioned.

Mr. Holton stated 185 feet.

ACTION

Mr. West motioned to recommend approval of the text amendment regarding telecommunication towers and structure setbacks on the subject property as presented. Mr. Etheridge seconded the motion. Motion carried unanimously.

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

Chairman Nelms moved to approve with staff findings of fact. Commissioner O'Neal seconded the motion. Motion carried.

Public Hearing and Action PB 09-11 Outer Banks Community Development Corporation: Request to amend the Currituck County Unified Development Ordinance, Chapter 3: Special Requirements, Chapter 10: Subdivision Requirements, and Chapter 17: Definitions to provide a density bonus for attached workforce housing developments in the General Business zoning district.

Ben Woody, Planning Director, reviewed the request.

The enclosed text amendment submitted by the Outer Banks Community Development Corporation (OBX-CDC) is intended to provide for workforce housing in Currituck County. The amendment will establish a 20 percent density bonus for workforce housing units that meet specific management and design requirements. The density bonus is derived from individual workforce housing units and is not applied to market-rate dwellings.

Considering the County's estimated 2007 median home value was \$233,800, planning staff feels there is a real need for workforce housing in Currituck County. By comparison the nationwide median home value was \$181,800. In partnering with the OBX-CDC, this text amendment provides a reasonable mechanism to provide workforce housing. The density bonus will help lessen the impact of land costs, thereby lowering the overall cost of a home. At the same time, the ordinance provides safeguards to ensure the housing is properly managed and offered to those most in need.

While this amendment request addresses workforce housing on a basic level, there are other issues that may warrant further consideration. Currently the county does not adequately provide for accessory dwelling units, which may offer additional housing options for elderly parents

or older children. Some jurisdictions have also provided fee waivers or fast-tracking options for legitimate workforce housing projects.

The implementation of workforce housing provisions is supported by the 2006 Land Use Plan and staff does recommend approval of this request.

The Planning Board recommendation for approval and minutes from the April 14, 2009 meeting are attached, as well as the proposed text amendment.

PLANNING BOARD DISCUSSION

Mr. West asked for clarification on whether you could not charge over 80% of the median home value.

Mr. Woody stated the home has to be affordable to a family with a gross annual income of 80% of the median income for Currituck County.

Mr. Poe stated the median income for a family of four is a little over \$60,000.

Mr. West asked if the house is valued on income or the median home value.

Mr. Woody stated it is valued on the income.

Mr. West asked what happens when the income goes up or down.

Mr. Poe stated there is an annual income recertification of the rent for the home. The developer can adjust the rent as long as it does not exceed 80% of their income. If they exceed that 80% level there is no conduit to evict the family.

Mr. West asked if the income starts coming down will the rent be adjusted.

Mr. Poe stated yes. Mr. Poe stated Jarvis Landing is a tax credit project with a minimum rent that is set based on the cash flow of the project. Mr. Poe said that during the annual income recertification this gives them the opportunity to also do an inspection of the property.

Mr. Woody stated this applies to rental and ownership of the property.

Mr. Poe discussed a blended community which would be a mixture of rental and ownership of property. Mr. Poe stated Dare County and Kill Devil Hills has one workforce housing project. In Kill Devil Hills there were twenty units approved. They have built out the first two buildings for which ten units have sold. In Dare County there are twenty-one units that are presently under construction. Five units are rented and a contract on two for sale.

The board discussed the language be revised or clarified stating you are presently residing in Currituck County for more than 1 year. The board also discussed if workforce housing brings down adjoining property owners values.

Mr. Kovacs asked that in Item B the 1.2 be changed to reflect 20%.

Ms. Wilson asked if priority could be given to people who work in the Outer Banks.

Mr. Poe stated that in the management of these units the Outer Banks Community Development Corporation can submit a management admission criteria requesting this, which can outline priorities.

ACTION

Mr. Kovacs motioned to recommended approval of the text amendment with the two changes as presented. Mr. West seconded the motion. Motion approved unanimously.

Chairman Etheridge opened the public hearing.

Chuck Poe, reviewed the conditions and restrictions for housing.

Commissioner O'Neal and Commissioner Rorer had several questions and concerns.

Sarah Alford, opposes affordable housing in General Business if the county is going to clean up the corridor.

Commissioner Etheridge closed the public hearing.

Commissioner O'Neal moved to table to June 1 meeting. Commissioner Rorer seconded the motion. Motion carried.

**Public Hearing and Action PB 00-44 Holly Ridge:
Preliminary Plat/Special Use Permit for 33 lots located on
the northwest side of Guinea Road (SR 1214), approximately
200' north of the intersection with Guinea Mill Road
(SR1282), Tax Map 22, Parcel 71X, Moyock Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**PB 00-44 Holly Ridge, Preliminary Plat/Special Use Permit, for a 33 lot
subdivision.**

LOCATION: On the northwest side of Guinea Road (SR 1214), approximately 200' north of the intersection with Guinea Mill Road (SR 1282), Moyock Township.

TAX ID: Tax Map 22, Parcel 71X

**ZONING
DISTRICT:** Residential (R)

PRESENT USE: Agricultural

OWNERS: Old Brothers, LLC.
Attn: Kim Old
101 Commerce Drive
Moyock, NC 27958

ENGINEER: Mel Hopkins Engineering
204 Walden Dr.
Yorktown, VA 23692

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

	Land Use	Zoning
NORTH:	Low density residential uses/farmland	A
SOUTH	Low density residential uses//farmland	A
EAST:	Low density residential/farmland	A
WEST:	Farmland	A

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as **Full Service** within the **Moyock** subarea.

SIZE OF SITE: Total Development: 53.29 acres

NUMBER OF UNITS: 33 total residential lots

PROJECT DENSITY: 1.62 units/ acre

STREETS: The streets will be built to NCDOT design and construction standards.

UTILITIES: The development will be served by county water. The proposed water usage is 12,600 gpd. The applicant is proposing on-site wastewater systems for each lot.

OPEN SPACE: The UDO requires this subdivisions to dedicate 30 percent of the net area as open space. The required open space for this development is 15.99 acres, and the proposed preliminary plat indicates 17.51 acres as open space.

I. NARRATIVE OF REQUEST:

- The applicant is seeking preliminary plat/SUP approval for 33 lots within a proposed conventional subdivision.
- This subdivision was formerly known as Clover Bend.
- In January 2004, the Board of Commissioners granted sketch plan approval for 17 residential lots.
- In December 2005, the Board of Commissioners granted amended sketch plan approval for 16 residential lots.
- In October 2007, the Board of Commissioners rezoned this property from Agricultural (A) to Residential (R).
- In January 2008, the Board of Commissioners granted amended sketch plan to allow 33 lots in this subdivision.

II. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve an SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. COMPLETENESS OF THE APPLICATION

Suggested Findings:

a. The application is complete.

2. THE PROPOSED USE IS AMONG THOSE LISTED IN THE TABLE OF PERMISSIBLE USES AS A SPECIAL USE INDICATED WITH AN "S".

Suggested Findings:

a. Chapter 10 of the UDO allows a major subdivision as a permissible use with a special use permit.

3. THE CONDITIONS PROPOSED MEET OR EXCEED THE MINIMUM REQUIREMENTS OF THIS ORDINANCE.

Suggested Findings:

a. The conditions proposed meet the minimum requirements of this ordinance.

4. THE SPECIAL USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY:

Suggested Findings:

a. The proposed subdivision should have little to no impact on public health or safety.

5. THE SPECIAL USE WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING PROPERTY AND WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS LOCATED

Suggested Findings:

a. The Unified Development Ordinance indicates that a conventional major subdivision is allowed in the R zoning district with a special use permit.

b. The parcel is currently within a neighborhood with densities similar to those proposed and should be in harmony with that neighborhood.

6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

a. The 2006 Land Use Plan classifies this site as Full Service within the Moyock subarea and the proposed use is in keeping with the policies of the plan, some of which are:

i. Policy ES1 states "New development shall be permitted to locate only in areas with suitable soil." The soils map indicates that the majority of the soils on this lot are either marginal or not suitable. Engineering solutions may be supported provided that environmental concerns are fully addressed.

ii. Policy HN1 states "Currituck County shall encourage development to occur at densities appropriate for the location." The proposed subdivision is within the densities allowed for the location.

iii. The Moyock subarea policy emphasizes properly managing the increased urban level of growth that this area is to experience. Residential densities should be limited to one to

two units per acre where on-site wastewater is proposed and other county services are limited.

7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. The county should have adequate public facilities to service this subdivision.

III. STAFF RECOMMENDATION:

Since the submittal appears to meet all of the requirements for preliminary plat/SUP approval, **staff recommends approval** of this plat/SUP subject to the following conditions:

1. The preliminary plat dated March 20, 2009 shall be approved subject to the following:
 - a. Correct open space calculations in notes to match that which is shown on the plat.
 - b. Provide perk test for lots 1, 10, and 11. These lots were previously shown as open space.
2. Tap fees shall be due prior to final plat approval for each lot.
3. Interconnectivity shall be dedicated to the adjacent parcel currently owned by Lyman Sawyer, Louis Sawyer, and Minnie Arnold (Tax Map 22, Parcel 60) and shall be recorded on the final plat for the development .
4. All street connections shall be paved to the property line with signs installed indicating connection to future development. A note shall be added to the final plat that indicates that the adjacent land owner or developer may connect to this street and will not restrict or prevent the interconnection and infrastructure improvements within this dedicated right-of-way.

"This subdivision contains a right-of-way that is platted with the intent of being extended and continued to and from adjoining properties. Access within the right of way for streets and utilities shall not be restricted."
5. Maintenance access drainage easements are required along all ditches. The easement shall include the width of the ditch from top of embankment to top of embankment and shall include an additional 25 foot wide maintenance area extending from the top of the embankment. (Section 9.6)

PLANNING BOARD ACTION

Mr. Kovacs motioned to recommend approval with staff recommendations and that applicant/developer meet with Parks and Recreation to determine the best recreation use on this property. Mr. Clark seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION

Mr. Kovacs stated that he was concerned with the appropriateness of a soccer field in the center of the open space for this development which is a 33 lot subdivision.

Mr. Woody stated that the Parks and Recreation Advisory Board has been meeting recently to discuss the development of open space and how it will relate to a recreation master plan.

Mr. Hopkins stated it could or may not be a soccer field.

Mr. Kovacs asked if the applicant would be willing to work with the parks and recreation department to provide something that would be more suitable for this subdivision.

Mr. Old stated yes but within reason.

Mr. Kovacs asked if the ponds are detention or retention.

Mr. Hopkins stated retention and it will be six feet deep.

Mr. Kovacs asked if the ponds will be aerated.

Mr. Hopkins stated that ponds that are usually six feet deep do well.

Mr. Clark stated that he worked for a company for three years and his job was stormwater pond management. Most of these ponds are not aerated with a large pump. These ponds require monthly maintenance either by the developer or the homeowner's association. A stormwater pond is not made to have cat tails, willow trees or any foreign object to grow in them. The water surface is to remain completely open because it is a stormwater pond and it can't do its job unless it is completely open.

Mr. West asked how much of the property will need to be filled.

Mr. Old stated they will have fill where the septic drain field area is located and where the house pad will need to be raised.

Mr. Clark stated if this is recommended for approval that the stormwater pond be maintained either by the developer or homeowner's association.

Mr. Woody stated that the county ordinance requires that the maintenance be transferred to the homeowner's association once fifty percent of the lots have been sold. The county sets up the framework for these ponds to be maintained, but does not over see if they are being properly maintained. Mr. Woody suggested having the county's engineer come to a work session and talk to the board about stormwater infrastructure.

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

Commissioner O'Neal moved to approve with findings of fact and staff recommendations. Commissioner Taylor seconded the motion. Motion carried.

Appointments to ABC Board

Commissioner O’Neal moved to reappoint David Myers.
Commissioner Nelms seconded the motion. Motion carried.

Chairman Etheridge moved to table his appointment.
Commissioner Rorer seconded the motion. Motion carried.

Appointments to Fire & EMS Advisory Board

Commissioner Rorer moved to reappoint Rick Galganski,
Albert Stegner and Chris Dailey. Commissioner Gregory
seconded the motion. Motion carried.

Commissioner O’Neal moved to table his appointment.
Commissioner Taylor seconded the motion. Motion carried.

Consent Agenda:

1. Budget amendments
2. Petition to NCDOT for Addition of Pine Circle
to State System
3. Approval of April 20, 2009, Minutes

Commissioner Gregory moved to approve. Commissioner
Aydlett 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
10660-532000	Supplies	\$ 1,000	
10660-526000	Advertising		\$ 1,000
		\$ 1,000	\$ 1,000

Explanation: Planning (10660) - To transfer funds to purchase public notice signs.

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
10512-513000	Utilities	\$ 1,300	

10512-590000	Capital Outlay	\$	100		
10512-561000	Professional services			\$	1,400
				<u>\$</u>	<u>1,400</u>
				<u>\$</u>	<u>1,400</u>

Explanation: Animal Control (10512) - To transfer funds for operations for the remainder of this fiscal year.

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	
10530-531000	Gas,Oil, Tires	\$	9,000		
10530-513000	Utilities	\$	650		
10530-516000	Repairs & Maintenance	\$	4,457		
10380-484001	Insurance Recovery			\$	4,457
10530-544000	Volunteer Services			\$	9,000
10530-526000	Advertising			\$	250
10530-532000	Supplies			\$	400
10541-531000	Gas,Oil, Tires	\$	600		
10541-514500	Training & Education			\$	600
		<u>\$</u>	<u>14,707</u>	<u>\$</u>	<u>10,250</u>

Explanation: Emergency Medical Services (530) - Transfer funds and increase appropriations to accommodate budget overruns due to increase in prices, personnel and use of facilities.

The increase to repairs and maintenance is for damage incurred to ambulance in accident. This will be covered by third party insurance.

Net Budget Effect: Operating Fund (10) - Increased by \$4,457.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10511-516000	Maintenance & Repair	\$	15,000		
10511-545000	Contract services			\$	15,000
		<u>\$</u>	<u>15,000</u>	<u>\$</u>	<u>15,000</u>

Explanation: Jail (10511) - Repairs to HVAC and plumbing in the jail.
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	
50790-596100	Professional Services	\$	7,417		
50790-594500	Contract Services	\$	2,023		
50790-590000	Furnishings & Fixtures			\$	9,440
		<u>\$</u>	<u>9,440</u>	<u>\$</u>	<u>9,440</u>

Explanation: Moyock Library Construction (50790) - To transfer budgeted funds for dirt removal and arbitration fees.
Net Budget Effect: County Governmental Construction (50) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10531-545000	Contract Services	\$	8,000		
10531-590000	Capital Outlay	\$	15,337		
10330-445000	Emergency Mgmt Grant			\$	23,337
		<u>\$</u>	<u>23,337</u>	<u>\$</u>	<u>23,337</u>

Explanation: Emergency Management (10531) - To record Emergency Management Planning Grant to complete the repeater move to the Corolla radio tower and to purchase a high frequency radio modem to be used in conjunction with the Emergency Operations center amateur radio (approx \$4000). This will make our amateur radio more roust by adding an internet type connection which will be important to have if all other communications is lost during a catastrophic event. The remaining amount in Capital outlay will be for future EM improvements as required by the grant.

Net Budget Effect: Operating Fund (10) - Increased by \$23,337.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
61818-545000	Contract Services	\$ 57,710	
61360-471000	Tap & connection fees		\$ 57,710
		\$ 57,710	\$ 57,710

Explanation: Mainland Water Operations (61818) - To increase appropriations for DOT betterment costs to upgrade water lines on Tulls Creek Road from Bridge #4 over Tulls Creek to SR 1214.

Net Budget Effect: Mainland Water Fund (61) - Increased by \$57,710.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10511-545000	Contract services	\$ 45,000	
10380-484001	Insurance Recovery		\$ 44,000
10380-482000	Miscellaneous		\$ 1,000
		\$ 45,000	\$ 44,000

Explanation: Jail - To increase appropriations to replace pumps and other damage caused by lightning strike on 4/20/2009.

Net Budget Effect: Operating Fund (10) - Increased by \$45,000.

Commissioner's Report

Commissioner Nelms stated that the Albemarle Commission denied appeal and contract was awarded to Currituck vendor.

Commissioner O'Neal requested a letter sent to DOT regarding the poor conditions of roads on Bells Island, Waterlily and Aydlett.

Commissioner Aydlett stated that he will have a Corolla Town Meeting on May 21 at the Whalehead Fire Station.

County Manager's Report

Dan Scanlon, County Manager, updated the Board on the Beach Plan and rate increase.

Closed Session:

1. According to 143-318(5) land acquisition, Donald Stone, Spot Road, to be used for any public purpose

Commissioner Nelms moved to go into closed session as stated. Commissioner Aydlett seconded the motion. Motion carried.

Adjourn

After reconvening from closed session the Board directed staff to prepare a purchase and sales agreement for property owned by Donald Stone on Spot road adjacent to the 4-H Cultural Life Center.

There being no further business, the meeting adjourned.

Special Meeting

Tourism Development Authority Meeting

Chairman Etheridge called the Tourism Development Authority meeting to order.

Budget Amendments

Commissioner Aydlett moved to approve. Commissioner O'Neal seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
15442-526200	Promotional Efforts	\$ 26,750	
15442-532000	Supplies	\$ 5,000	
15442-514500	Training and Education		\$ 5,000
15350-465002	Co-op advertising		\$ 26,750
		\$ 31,750	\$ 31,750

Explanation: Tourism Promotion (15442) - To transfer funds to supplies for operations and to record Co-op payments for advertising.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$26,750.

There being no further business, the meeting adjourned.

CHANGE ORDER

CONSTRUCTION MANAGEMENT EDITION

PROJECT: North Elementary School 370 Shawboro Road Moyock, NC 27958	CHANGE ORDER NUMBER: 14
TO: McKenzie Construction Corporation 1711 Mediterranean Ave. Virginia Beach, VA 23451	INITIATION DATE: April 1, 2009
	ARCHITECT'S PROJECT NO: 06-611
	CM'S PROJECT NO: 6069.02
	CONTRACT FOR: SP Contract
	CONTRACT DATE: June 6, 2007

You are directed to make the following changes in this Contract:

Credit for cost of replacing and re-design of sanitary pumps for the Lift Station Deduct (\$3,950.00)

Total This Change Deduct (\$3,950.00) (P)

Not valid until signed by the Owner, the Architect and the Construction Manager.

Signature of the Contractor indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time.

The original Contract Sum was	\$15,961,456.00
Net change by previously authorized Change Orders	\$199,590.09
The Contract Sum prior to this Change Order was	\$16,161,046.09
The Contract Sum will be increased by this Change Order	(\$3,950.00)
The new Contract Sum including this Change Order will be	\$16,157,096.09
The Contract Time will be unchanged by	0 Days.
The Date of Substantial Completion as of the date of this Change Order therefore is October 7, 2008.	

Recommended:

M.B. Kahn Construction Company, Inc.
Construction Manager
101 Flintlake Drive, Columbia, SC 29223
Address

By *Robert H. McKenzie, Jr.* 4/1/09 Date

Agreed To:
McKenzie Construction Corporation
Contractor

1711 Mediterranean Ave., Virginia Beach, VA 23451
Address

By *Robert H. McKenzie, Jr.* 04/06/09 Date 82

Approved:

Walter, Robbs, Callahan & Pierce Architects PA
P.O. Box 202 Winston Salem, NC 27120-20275
Address

By *Walter Robbs* 4-1-09 Date

Authorized:
Currituck County Board of Education
Owner

29258 Caratoke Highway, Currituck, NC 27929
Address

By *Michael Wain* 4-21-09 Date



COUNTY OF CURRITUCK

Tax Department
P.O. Box 9
Currituck, North Carolina 27929

Tracy Sample, Tax Administrator
(252) 232-3005
(252) 232-3568 (FAX)

MEMORANDUM

TO: Board of County Commissioners

FROM: Tax Office *TS*

DATE: May 4, 2009

SUBJECT: Charge Levy on Motor Vehicles for February Renewals

Please charge to the Tax Collector the levy on motor vehicles for February. The following is a breakdown of the assessment and the total tax due.

ASSESSMENT

\$ 16,799,020

TAX AMOUNT

\$ 53,756.73

TS/lew

2007-2008 11.30 COUNTY OF CHRISTIAN MOTOR VEHICLE TAX SUMMARY - 07002

IPB 8
IMVDCST1

TAX CHARGES

2007	COUNTY WIDE	50.32	VALUE:	35,130	LEVY:	112.42	TAX:	112.42
2008	COUNTY WIDE	50.32	VALUE:	16,753,890	LEVY:	53,644.31	TAX:	53,644.31

GRAND TOTALS	VALUE:	16,799,020	LEVY:	53,756.73	TAX:	53,756.73
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** END OF REPORT - Generated by Lillian Wilson **

