

CURRITUCK COUNTY
NORTH CAROLINA
February 2, 2009

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 David Blackman, Mt. Zion/Hebron Methodist Church was present to give the invocation.

Girl Scout Troop 2428 gave the Pledge of Allegiance.

Approval of Agenda

Commissioner O'Neal moved to approve the agenda by amending to continue Item 9, PB09-03 Wild Horse Adventure Tours. Commissioner Aydlett 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 **Presentation of "The Order of the Long Leaf Pine" to Ernie Bowden**
- Item 4 **Resolution Commending Mike Hoff, U.S. Fish and Wildlife Service**
- Item 5 **Presentation of Fiscal year 2008 Audit Report**
- Item 6 **Presentation by Healthy Carolinians of the Albemarle** 2008 State of the County Report by Amy Underhill and Ann Roach
- Item 7 **Presentation by the Whalehead Preservation Trust**
- Item 8 **Public Hearing and Action** PB 88-66 Villages at Ocean Hill, Phase 6C: Variance request regarding access for lots 267, 268, and 269. Located in Corolla, PINS 114E-000-WELL-0003 and 114E-000-098B-0000, Poplar Branch Township.
- Item 9 **Public Hearing and Action** PB 09-03 Wild Horse Adventure Tours: Request for a Special Use Permit for outdoor recreation. The property is located at 600 Currituck Club Drive, Corolla, Tax Map 126, Parcel 3D, Poplar Branch Township.
- Item 10 **Resolution amending a resolution** declaring its intention to consider the permanent closing a portion of Shark Lane, Shad Lane and Rock Lane
- Item 11 **Appointment to Senior Citizens Advisory Board**
- Item 12 **Appointments to Planning Board**
- Item 13 **Appointment to Stormwater Advisory Board**
- Item 14 **Appointment to Airport Advisory Board**
- Item 15 **Appointments to Recreation Advisory Board**

- Item 16 **Appointments to Economic Development Board**
- Item 17 **Appointments to Tourism Advisory Board**
- Item 18 **Reappoint Members of Farmland Preservation Agricultural Advisory Board**
- Item 19 **Consent Agenda:**
 - 1. Budget Amendments
 - 2. Corolla Volunteer Fire Department - Request to substitute approved Capital Outlay
 - 3. Charge to Tax Collector Levy on Motor Vehicles for October Renewals
 - 4. Approval of January 5, 2009, Minutes
 - 5. Resolution Opposing Insurance Rate Increase
 - 6. Resolution Supporting Repairs to Long Lane, Knotts Island
 - 7. Petition to NCDOT for Road Addition of Herman's Court, Moyock
- Item 20 Commissioner's Report
- Item 21 County Manager's Report

Adjourn

Public Comment

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

Chairman Etheridge opened the public comment period.

Elton Finnerty, Wedgewood Lakes, expressed his concerns with drugs in his neighborhood and the lack of service from the Sheriff's department.

Denise Hall, Moyock, expressed her concerns with a paid fire department and the increase in her tax.

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

Presentation of "The Order of the Long Leaf Pine" to Ernie Bowden

Sheila Tyler, Clerk of Superior Court, presented to Ernie Bowden the Order of the Long Leaf Pine, the highest civilian honor that can be granted in North Carolina. This is among the most prestigious awards presented by the Governor and is presented to individuals who have a proven record of extraordinary service to the State. Mr. Bowden was a Currituck County Commissioner for 24 years.

Resolution Commending Mike Hoff, U.S. Fish and Wildlife Service

Chairman Etheridge presented the following resolution to Mike Hoff, Manager of US Fish and Wildlife Service.

**Resolution
Commending Mike Hoff, Manager**

US Fish and Wildlife Service

WHEREAS, Currituck County received immediate response, assistance and accommodation from US Fish and Wildlife Service Manager Mike Hoff; and

WHEREAS, there was an unfortunate incident at the Knotts Island Volunteer Fire Station which caused the County to immediately relocate personnel due to safety of the structure; and

WHEREAS, Currituck County entered a non-binding agreement for temporary occupancy of a vacant residence on refuge property at no cost to the county; and

WHEREAS, this enabled prompt and efficient relocation of Fire-EMS, supplies, equipment and personnel; and

WHEREAS, this move was made possible with the continued partnership and collaboration of the Knotts Island Volunteer Fire Department and the US Fish and Wildlife Service.

NOW, THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners would like to thank Mr. Mike Hoff and the US Fish and Wildlife Service for their assistance and continued support of Currituck County.

Presentation of Fiscal year 2008 Audit Report

Chris Burton, CPA, Auditor, and Sandra Hill, Finance Director, presented the 2008 audit report.

Commissioner O'Neal requested a resolution from area agencies that the county appropriates funding present their audits to the County Managers. Commissioner Aydlett seconded the motion. Motion carried.

Presentation by Healthy Carolinians of the Albemarle 2008 State of the County Report by Amy Underhill and Ann Roach

Amy Underhill, Albemarle Regional Health, presented the State of the County. The mission is to be a community-based network of agencies and citizens dedicated to improving the quality of life through health and wellness.

Presentation by the Whalehead Preservation Trust

Edna Baden, Director, made a presentation to the Board on the progress and accomplishments over the past 16 years that have taken place at the Whalehead Club.

Public Hearing and Action PB 88-66 Villages at Ocean Hill, Phase 6C: Variance request regarding access for lots 267, 268, and 269. Located in Corolla, PINS 114E-000-WELL-0003 and 114E-000-098B-0000, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

Midatlantic Builders, LLC has requested a variance from the Unified Development Ordinance (UDO) to establish a legal access to a proposed three lot subdivision located off Windance Lane in the Villages at Ocean Hill subdivision. The three lot subdivision, referred to as Phase 6C, initially received sketch plan approval in 1994. Subsequently the county drilled a new well adjacent to the proposed subdivision that was approximately 10.25 feet south of the original location indicated on the 1994 sketch plan. The shifting of the well site effectively pinched the required right-of-way width of 30 feet, resulting in a substandard access width for the proposed subdivision. To rectify the situation, the applicant has proposed two variance options:

Option A

Grant a variance to allow direct access to lots 267 and 268 via a shared driveway from NC12. This would leave lot 269 with driveway access from Windance Lane. The UDO has historically limited access to major arterials such as NC 12. Most of the subdivisions that have developed on the Outer Banks, known as Planned Unit from Developments (PUD's), have required that access be taken interior streets to avoid increasing the number of curb cuts to NC 12, thereby increasing the general operational safety of the roadway. The UDO also provides that double frontage lots must provide a non-access easement on the most traveled roadway, which would be NC12 in this case. The Option A request seeks a variance from the above mentioned access restrictions to NC12. The applicant has already received approval from NCDOT for a shared driveway to serve lots 267 and 286. Please see the applicant's attached request for their reasoning for approval of this variance.

Option B

Grant a variance to allow access to lots 267, 268 and 269 from an 18.3 foot wide easement at its narrowest point. The UDO requires that lots have frontage on a public or private right-of-way. While each proposed lot has frontage on NC 12 or Windance Lane, the access prohibition to NC12 prevents a driveway for lots 267 and 268 to be taken from said right-of-way. This means these two lots would not be able to take access from the right-of-way they front onto. Due to the available lot width of only 18.3 feet adjacent to the well site, the applicant is not able to bring the required 30 foot right-of-way off Windance Lane. The Option B request seeks a variance from the above mentioned access provisions to allow a three lot subdivision to take access from a 18.3 foot wide easement at its narrowest point (rather than from a 30 foot right-of-way). The Fire Marshal has stated that per the North Carolina Fire Prevention Code access to a subdivision of three or more lots should be a minimum of 20 feet in width. Considering there is only 18.3 feet of width

available at the narrowest point, it appears the granting of this variance may be in conflict with the general requirements of the North Carolina Fire Prevention Code. Please see the applicant's attached request for their reasoning for approval of this variance.

Variance Requirements

In order to approve a variance request for a planned unit development, the Board of Commissioners must make the following findings. Additionally, in granting a variance the Board of Commissioners may attach additional conditions or requirements that will, in its judgment, secure the objective of the standards or requirements so varied or modified. The proposed variance:

1. Will not endanger the public health or safety;
2. Will not injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located;
4. Will be in conformity with the Land Use Plan, Thoroughfare Plan, or other plan officially adopted by the board; and,
5. 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 sketch plan.

Chairman Etheridge opened the public hearing.

Mark Bissell, Engineer, stated that joint access for lots would be on the interior streets, not on NC 12.

Jim Bickford, supports access.

Dan Hunt, VOH, thanked the County and developer for working out the access issue.

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

Commissioner Aydlett moved to grant variance, Plan B with findings of fact. Commissioner O'Neal seconded the motion. Motion carried

**Public Hearing and Action PB 09-03 Wild Horse Adventure
Tours: Request for a Special Use Permit for outdoor**

recreation. The property is located at 600 Currituck Club Drive, Corolla, Tax Map 126, Parcel 3D, Poplar Branch Township.

Continued

Resolution amending a resolution declaring its intention to consider the permanent closing a portion of Shark Lane, Shad Lane and Rock Lane

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

NORTH CAROLINA

CURRITUCK COUNTY

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CURRITUCK AMENDING A RESOLUTION DECLARING ITS INTENTION TO CONSIDER THE PERMANENT CLOSING OF A PORTION OF ROCK LANE IN FRUITVILLE TOWNSHIP

WHEREAS, a preliminary resolution declaring the intent of the Currituck County Board of Commissioners to close a portion of Rock Lane in Fruitville Township, more fully described below, was adopted at a regular meeting of the Currituck County Board of Commissioners on August 4, 2008 and a public hearing on the question was called for 7:00 P.M. on September 2, 2008 in the Historic Currituck Courthouse for the purpose of hearing objections to the closing of a portion of said street; and

WHEREAS, notice of such public hearing has been published once a week for three successive weeks in a newspaper published and having a general circulation in Currituck County, North Carolina and a notice of the closing and the public hearing has been prominently posted in at least two places along the portion of Rock Lane proposed for closure and abandonment; and

WHEREAS, the public hearing has been conducted at 7:00 P.M. on September 2, 2008 in the Historic Currituck Courthouse, and said public hearing was conducted for the purpose of hearing objections to the closing of the said portion of Rock Lane in Fruitville Township, at which time all parties and persons interested were given an opportunity to be heard; and

WHEREAS, the Currituck County Board of Commissioners, after considering all matters has determined that the closing of the hereinafter described portion of Rock Lane in Fruitville Township would not be detrimental to the public interest or to any individual property rights and further the Currituck County Board of Commissioners is satisfied that closing the hereinafter described portion of Rock Lane is not contrary to the public interest and no individual owning property in the vicinity of said portion of Rock Lane to be closed or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property;

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

Section 1. The Currituck County Board of Commissioners hereby declares the hereinafter described portion of Rock Lane located in Fruitville Township, Currituck County, North Carolina to be permanently closed and abandoned, and that the right, title and interest in the hereinafter described portion of Rock Lane be vested in the owners of the parcel of land adjoining said portion of Rock Lane which is hereby closed and abandoned, said portion of Rock Lane, which is hereby declared closed and abandoned being more particularly described as follows:

Rock Lane

Being a certain tract of land lying and situated in Fruitville Township, Currituck County, North Carolina and being further described as follows:

BEGINNING at a point situated at the northwest corner of Carova Beach Business Area, Lot A, Section 2, Carova Beach Subdivision recorded in Deed Book 115, Page 453 and Map Book 2, Page 125 of the Currituck Public Registry and also being located in the southwest corner of the intersection of Sandfiddler Road, a 60 foot right-of-way, and Rock Lane where Rock Lane becomes a 40 foot right-of-way; thence from the point of beginning North 01°45'00" West 20.00 feet to a point, cornering; thence North 88°15'00" East approximately 536.95 feet to a point, the Mean High Water Line of the Atlantic Ocean as observed on February 14, 2008; thence running with the Mean High Water Line of the Atlantic Ocean South 00°43'42" East approximately 20.01 feet to a point located in the southern right-of-way line of Rock Lane, said point also being on the northern boundary line of Carova Beach Business Area, Lot A, Section 2, Carova Beach

Subdivision recorded in Deed Book 115, Page 453 and Map Book 2, Page 125 of the Currituck Public Registry; thence from the Mean High Water Line of the Atlantic Ocean and running with the southern right-of-way line of Rock Lane and the aforementioned Carova Beach Business Area, Lot A, Section 2, Carova Beach Subdivision South 88°15'00" West approximately 536.24 feet to a point located at the intersection of the southern right-of-way line of Rock Lane and the eastern right-of-way of Sandfiddler Road said point being the point and place of beginning.

Section 2. This resolution shall be effective on the date and at the time a final plat for that subdivision application dated August 21, 2008 entitled in part "Carova Beach Business Block, Section 2, Proposed Open Space Subdivision" is filed for record in the Currituck County Registry and on that date and at that time the Clerk to the Board of Commissioners shall record a certified copy of this resolution in the Currituck County Registry.

Section 3. This resolution supersedes and replaces the resolution pertaining to Rock Lane adopted on September 2, 2008.

NORTH CAROLINA

CURRITUCK COUNTY

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CURRITUCK AMENDING A RESOLUTION DECLARING ITS INTENTION TO CONSIDER THE PERMANENT CLOSING OF A PORTION OF SHARK LANE IN FRUITVILLE TOWNSHIP

WHEREAS, a preliminary resolution declaring the intent of the Currituck County Board of Commissioners to close a portion of Shark Lane in Fruitville Township, more fully described below, was adopted at a regular meeting of the Currituck County Board of Commissioners on August 4, 2008 and a public hearing on the question was called for 7:00 P.M. on September 2, 2008 in the Historic Currituck Courthouse for the purpose of hearing objections to the closing of a portion of said street; and

WHEREAS, notice of such public hearing has been published once a week for three successive weeks in a newspaper published and having a general circulation in

Currituck County, North Carolina and a notice of the closing and the public hearing has been prominently posted in at least two places along the portion of Shark Lane proposed for closure and abandonment; and

WHEREAS, the public hearing has been conducted at 7:00 P.M. on September 2, 2008 in the Historic Currituck Courthouse, and said public hearing was conducted for the purpose of hearing objections to the closing of the said portion of Shark Lane in Fruitville Township, at which time all parties and persons interested were given an opportunity to be heard; and

WHEREAS, the Currituck County Board of Commissioners, after considering all matters has determined that the closing of the hereinafter described portion of Shark Lane in Fruitville Township would not be detrimental to the public interest or to any individual property rights and further the Currituck County Board of Commissioners is satisfied that closing the hereinafter described portion of Shark Lane is not contrary to the public interest and no individual owning property in the vicinity of said portion of Shark Lane to be closed or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property.

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

Section 1. The Currituck County Board of Commissioners hereby declares the hereinafter described portion of Shark Lane located in Fruitville Township, Currituck County, North Carolina to be permanently closed and abandoned, and that the right, title and interest in the hereinafter described portion of Shark Lane be vested in the owner of the parcel of land adjoining said portion of Shark Lane which is hereby closed and abandoned, said portion of Shark Lane, which is hereby declared closed and abandoned being more particularly described as follows:

Shark Lane

Being a certain tract of land lying and situated in Fruitville Township, Currituck County, North Carolina and being further described as follows:

BEGINNING at a set iron rod situated in the northwest corner of Business Area A, Section 5, Carova Beach Subdivision recorded in Deed Book 353, Page 652 and Map Book 2, Page 139 of the Currituck County Registry, said point also being located in the eastern right-of-way of Sandfiddler Road, thence from the point of beginning North 01° 45'00" West 10.00 feet to a point, cornering; thence North 88°15'00" East approximately 639.62 feet to a point, the Mean High Water Line of the Atlantic Ocean as observed on February 14, 2008, cornering; thence running with the aforementioned Mean High Water Line South 01°49'58" East 10.00 feet to a point situated in the northern line of Business Area A, Section 5, Carova Beach Subdivision recorded in Deed Book 353, Page 652 and Map Book 2, Page 139 of the Currituck County Registry, cornering; thence leaving the Mean High Water Line of the Atlantic Ocean South 88°15'00" West approximately 639.65 feet to a set iron rod located in the eastern right-of-way of Sandfiddler Road, the place and point of beginning containing 6,396 square feet more or less.

Said parcel of land being the southern 10' feet of the 20' public pedestrian beach access extending from the east right of way line of Sandfiddler Road to the Mean High Water Line of the Atlantic Ocean.

Section 2. This resolution shall be effective on the date and at the time a final plat for that subdivision application dated August 21, 2008 entitled in part "Carova Beach Business Block, Section 5, Proposed Open Space Subdivision" is filed for record in the Currituck County Registry and on that date and at that time the Clerk to the Board of Commissioners shall record a certified copy of this resolution in the Currituck County Registry.

Section 3. This resolution supersedes and replaces the resolution pertaining to Shark Lane and adopted on September 2, 2008.

**A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY
OF CURRITUCK AMENDING A RESOLUTION DECLARING ITS INTENTION
TO CONSIDER THE PERMANENT CLOSING OF A PORTION OF SHAD
LANE IN FRUITVILLE TOWNSHIP**

WHEREAS, a preliminary resolution declaring the intent of the Currituck County Board of Commissioners to close a portion of Shad Lane in Fruitville Township, more fully described below, was adopted at a regular meeting of the Currituck County Board of Commissioners on August 4, 2008 and a public hearing on the question was called for

7:00 P.M. on September 2, 2008 in the Historic Currituck Courthouse for the purpose of hearing objections to the closing of a portion of said street; and

WHEREAS, notice of such public hearing has been published once a week for three successive weeks in a newspaper published and having a general circulation in Currituck County, North Carolina and a notice of the closing and the public hearing has been prominently posted in at least two places along the portion of Shad Lane proposed for closure and abandonment; and

WHEREAS, the public hearing has been conducted at 7:00 P.M. on September 2, 2008 in the Historic Currituck Courthouse, and said public hearing was conducted for the purpose of hearing objections to the closing of the said portion of Shad Lane in Fruitville Township, at which time all parties and persons interested were given an opportunity to be heard; and

WHEREAS, the Currituck County Board of Commissioners, after considering all matters has determined that the closing of the hereinafter described portion of Shad Lane in Fruitville Township would not be detrimental to the public interest or to any individual property rights and further the Currituck County Board of Commissioners is satisfied that closing the hereinafter described portion of Shad Lane is not contrary to the public interest and no individual owning property in the vicinity of said portion of Shad Lane to be closed or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property;

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

Section 1. The Currituck County Board of Commissioners hereby declares the hereinafter described portion of Shad Lane located in Fruitville Township, Currituck County, North Carolina to be permanently closed and abandoned, and that the right, title and interest in the hereinafter described portion of Shad Lane be vested in the owners of the land adjoining said portion of Shad Lane which is hereby closed and abandoned, said portion of Shad Lane, which is hereby declared closed and abandoned being more particularly described as follows:

Shad Lane

Being a certain tract of land lying and situated in Fruitville Township, Currituck County, North Carolina and being further described as follows:

BEGINNING at a point situated on the southwest boundary of Business Area A, Section 5, Carova Beach Subdivision recorded in Deed Book 115, Page 453 and Map Book 2, Page 125 of the Currituck Public Registry and also being situated on the northeast corner of the intersection of Sandfiddler Road, a 60' public right-of-way and Shad Lane, a 60' public right-of-way; thence from the point of beginning along the eastern right-of-way line of Sandfiddler Road South 01°45'00" East approximately 70.00 feet to a point, cornering; thence North 88°15'00" East approximately 531.51 feet to a point, the Mean High Water Line of the Atlantic Ocean as observed on February 14, 2008; thence running with the Mean High Water Line of the Atlantic Ocean North 01°45'00" West 30.00 feet to a point situated on the northern right of way line of the aforementioned Shad Lane, said point also being on the southern boundary of Business Area A, Section 5, Carova Beach Subdivision recorded in Deed Book 115, Page 453 and Map Book 2, Page 125 of the Currituck Public Registry; thence leaving the High Water Line of the Atlantic Ocean and running along the northern right-of-way line of the aforementioned Shad Lane and the southern line of the aforementioned Business Area A, Section 5, Carova Beach Subdivision South 88°15'00" West approximately 491.51 feet to a point; thence North 43°15'00" East 56.57 feet to a point, the point and place of beginning.

Said parcel of land being a portion of Shad Lane, a 60' public right of way including the intersection triangle with Sandfiddler Road extending from the east right of way of Sandfiddler Road to the Mean High Water Line of the Atlantic Ocean.

Section 2. This resolution shall be effective on the date and at the time a final plat for that subdivision application dated August 21, 2008 entitled in part "Carova Beach Business Block, Section 2, Proposed Open Space Subdivision" is filed for record in the Currituck County Registry and on that date and at that time

the Clerk to the Board of Commissioners shall record a certified copy of this resolution in the Currituck County Registry.

Section 3. This resolution supersedes and replaces the resolution pertaining to Shad Lane and adopted on September 2, 2008.

Appointment to Senior Citizens Advisory Board

Commissioner O'Neal moved to appoint Peggy Stewart. Commissioner Taylor seconded the motion. Motion carried.

Appointments to Planning Board

Commissioner Nelms nominated Bren Robbins. Commissioner Gregory nominated Fannie Newbern. Commissioner O'Neal seconded the nominations. They were appointed by acclamation.

Appointment to Stormwater Advisory Board

Commissioner Aydlett moved to appoint Mike Cherry to fill unexpired term of Don Cheek. Commissioner O'Neal seconded the motion. Motion carried.

Appointment to Airport Advisory Board

Commissioner Rorer moved to appoint John Snowden. Commissioner Aydlett seconded the motion. Motion carried with Commissioner Gregory and Nelms voting no.

Commissioner O'Neal moved to appoint Marion Gilbert. Commissioner Aydlett seconded the motion. Motion carried.

Commissioner Taylor moved to appoint Denise Hall. Commissioner Gregory seconded the motion. Motion carried.

Appointments to Recreation Advisory Board

Commissioner Aydlett nominated Donna McCloud. Commissioner Rorer nominated Horace Bell. Commissioner Nelms nominated Denise Fallon. Chairman Etheridge nominated Sam Casey. Commissioner Taylor nominated Laurie Peters. Commissioner Aydlett seconded these nominations. They were appointed by acclamation.

Appointments to Economic Development Board

Commissioner Rorer nominated David Palmer. Chairman Etheridge nominated Greg Wirth. Commissioner Taylor seconded the nominations. Motion was approved with Commissioner Nelms voting no.

Appointments to Tourism Advisory Board

Commissioner Aydlett moved to appoint Katrina Rainey to replace Don Austin. Commissioner Rorer seconded the motion. Motion carried.

Reappoint Members of Farmland Preservation Agricultural Advisory Board

Commissioner Nelms moved to reappoint Martin Jarvis, Sidney Garrett, Jerry Wright, Wade Morgan, and Harvey Roberts. Commissioner O'Neal seconded the motion. Motion carried.

Consent Agenda:

1. Budget Amendments
2. Corolla Volunteer Fire Department - Request to substitute approved Capital Outlay
3. Charge to Tax Collector Levy on Motor Vehicles for October Renewals
4. Approval of January 5, 2009, Minutes
5. Resolution Opposing Insurance Rate Increase
6. Resolution Supporting Repairs to Long Lane, Knotts Island
7. Petition to NCDOT for Road Addition of Herman's Court, Moyock

Commissioner Aydlett moved to approve. Commissioner Gregory 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
60808-533601	System Supplies	\$ 4,000	
60808-545001	Contracted Services		\$ 4,000
		\$ 4,000.00	\$ 4,000.00

Explanation: Ocean Sands Water & Sewer District (60808) - Transfer funds due to increased costs of supplies.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10640-526000	Advertising	\$ 271	
10640-532004	Supplies - Home Economics	\$ 4,200	
10640-532000	Supplies		\$ 271

10330-449900	Miscellaneous Grants	\$	4,200
		\$	4,471
		\$	4,471

Explanation: Cooperative Extension (10640) - To transfer funds for advertising and to record SHIP grant from NC Dept of Insurance.

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

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-590000	Capital Outlay	\$ 4,000	
10510-532000	Supplies		\$ 4,000
		\$ 4,000	\$ 4,000
		\$ 4,000	\$ 4,000

Explanation: Sheriff (10510) - To transfer funds to purchase shotguns for new officers.

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

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50790-596100	Professional Services	\$ 24,481	
50790-588000	Contingency		\$ 24,481
		\$ 24,481	\$ 24,481
		\$ 24,481	\$ 24,481

Explanation: Moyock Library (50640) - To transfer funds to adjust The Design Collaborative professional services after library construction contracts were approved.

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

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10430-514801	Fees Paid to Precinct Officials	\$ 5,662	
10430-521000	Rent	\$ 166	
10430-532100	Ballot programs & Imprint		\$ 1,314
10430-545000	Contract Services		\$ 4,514
		\$ 5,828	\$ 5,828
		\$ 5,828	\$ 5,828

Explanation: Elections (10430) - To transfer funds cover costs of the November election. Contract services includes maintenance on election equipment that will be covered by the State.

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
10760-585000	DSS Donations	\$ 2,473	
10380-487000	DSS Donations		\$ 2,473
		\$ 2,473	\$ 2,473

Explanation: Social Services County Assistance (10760) - To increase appropriations to record additional donations collected for Social Services.

Net Budget Effect: Operating fund (10) - Increased by \$2,473.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10760-532900	Foster Care Supplement	\$ 18,000	
10330-430200	Adoption Assistance		\$ 18,000
		\$ 18,000	\$ 18,000

Explanation: County Assistance (760) - Adjust line item to reflect additional Special Child Adoption funds received from the state.

Net Budget Effect: Operating Fund (10) - Increased by \$18,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10490-545003	Contract Services - Ct Facilities	\$ 2,510	
10330-424000	Officer Fees		\$ 2,510

\$	2,510	\$	2,510
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Explanation: Court Facility Fees (10490) - To increase appropriations due to increases in maintenance contract costs to maintain the Judicial Building for this fiscal year.

Net Budget Effect: Operating Fund (10) - Increased by \$2,510.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense		
10750-557700	Crisis Intervention	\$	17,316		
10390-499900	Fund Appropriated Balance	\$	2,686		
10330-431000	DSS Administration - Rev.			\$	20,002
		\$	20,002	\$	20,002

Explanation: Social Services Administration (750) - To adjust budgeted line items to State Funding Authorizations dated 1/14/2009.

Net Budget Effect: Operating Fund (10) - Increased by \$17,316.

**Resolution
Opposing Rate Increase
Requested by Insurance Companies**

WHEREAS, Currituck County, as well as other counties in Coastal North Carolina, is experiencing the hard economic times that are now gripping our nation; and

WHEREAS, insurance coverage is required in order to purchase a home or business and is vital to the recovery of our home construction industry and our economy; and

WHEREAS, any increase in the cost of insurance makes it more difficult for middle and low income families to purchase homes, start businesses and participate in and fuel our economic recovery; and

WHEREAS, given these difficult economic times and the severe negative impact an increase in the cost of insurance will have on our citizens and our economic recovery, and given the low claims history of Currituck County, the insurance industry's request for a rate increase should be denied.

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners opposes the rate increase requested by the insurance industry for its customers in Currituck County and requests that the North Carolina Insurance Commission deny the insurance industry's request.

**RESOLUTION REQUESTING
SECONDARY ROAD IMPROVEMENT FUNDING**

WHEREAS, Long Lane, Knotts Island, is in need of repairs to bring the road to minimum NCDOT standards; and

WHEREAS the total estimated cost for the repairs is \$30,000;

NOW, THEREFORE, BE IT RESOLVED the Currituck County Board of Commissioners supports spending Secondary Road Improvement funds in the amount of \$30,000 for Long Lane, Knotts Island.

Commissioner's Report

Commissioner Taylor clarified that she was not asking for a tax increase for Fire and EMS.

Commissioner Aydlett commented that he did not appoint himself to the Whalehead Board.

Commissioner O'Neal requested a letter for audits from agencies to which the county provides funding.

Chairman Etheridge thanked staff for support during board retreat.

County Manager's Report

Mr. Scanlon stated that the OLF meeting had been rescheduled for February 28.

Adjourn

There being no further business, the meeting adjourned