

CURRITUCK COUNTY
NORTH CAROLINA
September 21, 2009

The Board met at 5:30 p.m. to discuss water line and fire hydrant policy with Eric Weatherly, Engineer.

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, Rorer, Nelms, Aydlett, Gregory, and Taylor.

Invocation and Pledge of Allegiance

The Reverend Scott Pollard, Moyock Assembly of God, was present for the invocation.

Presentation of the "Order of the Long Leaf Pine" to Robert Koontz.

Chairman Etheridge and Commissioners O'Neal, Aydlett, Taylor, Rorer, Nelms and Taylor presented this prestigious award to Robert Koontz, for his many years of service to the children and citizens of Currituck County.

Approval of Agenda

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

- 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 **Recognition of Communications Personnel**
- Item 4 **Ashley Stoop, Presentation on H1N1 Virus**
- Item 5 **Public Hearing and Action** PB 09-25 Outdoor Tour Operators: Request to amend the Unified Development Ordinance, Chapter 2: Zoning Districts, Chapter 3: Special Requirements, Chapter 17: Definitions, and Chapter 15: Administration to require a special use permit for outdoor tour operators and increase civil penalty amounts up to 500 dollars.
- Item 6 **Public Hearing and Action** PB 09-30 Currituck County Board of Commissioners: Request to amend the Currituck County Unified Development Ordinance, Chapter 10: Subdivision Requirements, to exempt property divisions transferred to a family member from the requirements of the ordinance.
- Item 7 **Public Hearing and Action** PB 09-31 Currituck County Board of Commissioners - Administrative Setback Waiver: Request to amend the Currituck County Unified Development Ordinance, Chapter 13 to allow administrative setback variances for proposed single family dwellings.
- Item 8 **Sustainability Resolution** Currituck Goes Green Effort

- Item 9 **Amendment to County Smoking Ordinance**
- Item 10 **Appointments to Carova Beach Road Service District Committee**
- Item 11 **Consent Agenda:**
1. Approval of September 8, 2009, Minutes
 2. Budget Amendments
 3. JCPC Revised Funding Plan for FY 2010
 4. Resolution Declaring Water Pump as Surplus and Authorizing Disposal
- Item 12 Commissioner's Report
- Item 13 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.

Charles Berry, Edgewater Drive, Grandy, commended the Sheriff and Chief Deputy Casey for attending the Walnut Island Community meeting.

Commissioner Nelms commented on the success of the Bike Show.

Commissioner Aydlett again, thanked Mr. Koontz for his service to the community.

Commissioner Rorer, commented on the success of the Fall Festival at Jarvisburg Church.

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

Recognition of Communications Personnel

Chairman Etheridge recognized Elizabeth Hodgis, Ruth Barefoot and Randall Edwards for their award and dedicated service to Currituck County.

Ashley Stoop, Presentation on H1N1 Virus

Jerry Parks, Albemarle Regional Health Department, presented the Board and Citizens with an update on the H1N1 virus and the importance of getting immunized.

Public Hearing and Action PB 09-25 Outdoor Tour Operators: Request to amend the Unified Development Ordinance, Chapter 2: Zoning Districts, Chapter 3: Special Requirements, Chapter 17: Definitions, and Chapter 15: Administration to require a special use permit for outdoor tour operators and increase civil penalty amounts up to 500 dollars.

Holly White, Planner, reviewed the request.

The enclosed text amendment submitted by the Currituck County Planning Department at the direction of the Board of Commissioners is intended to clarify the regulation of outdoor tour operators and establish civil penalty amounts up to 500 dollars. The amendment request includes an amortization period of four months from the date of adoption, requiring all vehicular outdoor tour operators to apply for a special use permit.

Currently the Unified Development Ordinance (UDO) does not directly address outdoor tour operators. The county has historically classified tour operators as outdoor recreation uses; however, this does not adequately represent the unique nature of a tour operation, particularly those located in the outer banks area. This amendment will clarify the conditions and standards under which an outdoor tour operator can exist and provide a clear permitting and approval process. In order to ensure all outdoor tour operators are treated equitably, this text amendment includes an amortization period of four months requiring existing tour operators to apply for a special use permit.

This amendment request also includes an increase in the maximum civil penalty amount from 100 dollars up to 500 dollars. The current maximum of 100 dollars is often an insufficient amount to achieve compliance with ordinance regulations. By increasing the civil penalty amount up to 500 dollars, staff feels enforcement of the ordinance will be more effective.

What follows are the minutes from the August 11 Planning Board meeting and a draft of the text amendment as described above. The Planning Board recommended unanimous approval of this request with the following condition: *"All vehicular outdoor tours must be accompanied by a guide. The independent rental of motor vehicles shall be prohibited."*

This request appears to be consistent with Policy OB7 of the 2006 Land Use Plan and is reasonable and in the public interest and promotes orderly growth and development.

PLANNING BOARD DISCUSSION (August 11, 2009)

Mr. West asked if someone was in violation of the SUP, in addition to the monetary penalty, could the SUP be pulled.

Mr. Woody stated there is some language in the ordinance that pertains to permits.

Mr. West stated that as part of the SUP approval the BOC could set the permit duration.

Mr. Woody stated after the penalty has been levied that everyone has the right to appeal the penalty and if an

applicant appeals and it was unsuccessful or didn't pay the penalty, then it is turned over to the county attorney.

Mr. West stated that all tours should be guided to enforce the regulations.

Ms. Robbins asked who would be responsible for issuing and enforcing the SUP.

Mr. Woody stated the Planning Department, but the sheriff's department would be involved if there were a trespassing violation.

Mr. Clark stated that a new ordinance, which was recently approved, states you cannot be within 50 ft. of the wild horses. Is there a separate fine?

Mr. Woody stated it would fall under the County Code of Ordinances.

ACTION

Mr. West motion to recommend approval with staff recommendations of PB 09-25 Outdoor Tour Operators text amendment with the following condition:

- All vehicular outdoor tours must be accompanied by a guide. The independent rental of motor vehicles shall be prohibited.

Mr. Clark seconded the motion. Motion carried unanimously.

**Currituck County
PB 09-25
UDO AMENDMENT REQUEST**

An amendment to Chapter 2: Zoning Districts, Chapter 3: Special Requirements, Chapter 17: Definitions, and Chapter 15: Administration, to require a special use permit for outdoor tour operators and increase civil penalty amounts up to 500 dollars.

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

Item 1: That Chapter 2: Zoning Districts, Section 2.5 Permitted Uses Table is amended by deleting the strikethrough language and adding the following underlined language:

Section 2.5 Permitted Uses Table

Use	LU C	Zoning Districts											Special Requireme nts
		A	R A	R	RO 1	RO 2	R R	G B	C	LB H	L M	H M	
Recreation & Entertainm ent													
Outdoor Tour Operators	II							<u>S</u>	<u>S</u>	<u>S</u>			<u>3.7.3</u>
Recreation Grounds	II I						S						3.7.3 <u>4</u>

Item 2: That Chapter 3: Special Requirements is amended by adding the following underlined language and renumbering accordingly:

3.7.3 Outdoor Tour Operators (Special Use Permit only)

The requirements of this section shall apply to the base operation and extended business operations of outdoor tour operators.

- A. When not in use, tour vehicles shall be parked in a properly marked space toward the rear of the principle structure to improve traffic flow and preserve roadside aesthetics.
- B. Tour vehicles shall be labeled with decals or paint markings that clearly display the company name. Label font size shall be a minimum of four inches.
- C. As part of the special use permit approval process, the Board of Commissioners may establish a maximum number of vehicles, hours of operation, and permit duration.
- D. All vehicular outdoor tour operators with a base operation within the jurisdiction of Currituck County shall apply for a special use permit within four months from the date of passage of this ordinance (effective September 21, 2009).

Item 3: That Chapter 17: Definitions is amended by adding the following underlined language alphabetically:

Outdoor Tour Operators

A company or individual that arranges travel tours associated with outdoor recreation. This shall include, but is not limited to, guided or independent horse, bicycle, segway, aviation, boat, or vehicle tours. For the purposes of this definition, the term vehicle includes any self-propelled device or structure used for transporting persons.

Item 4: That Chapter 15: Administration, Section 15.2.4 Penalties and Remedies for Violations is amended by deleting the strikethrough language and adding the following underlined language:

15.2.4 Penalties and Remedies for Violations

- B. Any act constituting a violation of the provisions of this ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or special use or conditional use permits, shall also subject the offender to a civil penalty of ~~100~~ up to 500 dollars for each day the violation continues. If the offender fails to pay this penalty within ten days after being cited for a violation, the penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation and did not take an appeal to the Board of Adjustment within the prescribed time. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.

Item 5: 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.

Chairman Etheridge opened the public hearing.

Mary Riley, Corolla, supports amendment. Ms. Riley read a letter from Sonia Mays also supporting request.

Kimberlee Hoey, Carova Beach, expressed concerns with safety and supports request.

Lynne Wilson, Carova Beach, expressed concerns for safety of the horses and supports request.

Wesley Stallings, WH Herd Manager, expressed the amount of traffic and safety of the horses.

Karen McCalpin, Director of the Corolla Wild Horse Fund, supports the request and commented on the amount of traffic on the beach.

Phyllis Castelli, requested the Board limit tours and expressed her concerns with traffic and safety.

Fran Hufnagle, Carova Beach, supports the request.

Richard Bell, Swan Beach, commented on the traffic congestion in the area.

Bob White, Tour Guide, commented on his business and concerns with limiting tours.

Berry Lane, Carova Beach, expressed concerns with traffic congestion on the beach.

Commissioner Aydlett, read a letter from the Swan Beach Homeowners Association, with concerns with the amount of traffic and supporting the fact that the County needs to do something to help with this situation.

Commissioner Taylor thanked Mr. Stallings for the tour of the area so she could see first hand the amount of traffic.

Commissioner O'Neal stated that the county needed to solve the traffic problems on the beach.

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

Commissioner Aydlett moved to approve amendment with Planning Board recommendations. Commissioner O'Neal seconded the motion. Motion carried.

Public Hearing and Action PB 09-30 Currituck County Board of Commissioners: Request to amend the Currituck County Unified Development Ordinance, Chapter 10: Subdivision Requirements, to exempt property divisions transferred to a family member from the requirements of the ordinance.

Holly White, Planner, reviewed the request.

The enclosed text amendment requested by the Currituck County Board of Commissioners is intended to create an exemption for the division of a tract or parcel transferred to a family member.

As proposed, the amendment will allow a parcel of land to be subdivided for the purposes of transfer to a child or grandchild. As an exempt subdivision lot, the newly created parcel is not subject to the provisions of the ordinance.

Currituck County
PB 09-30
UDO AMENDMENT REQUEST

An amendment to Chapter 10: Subdivision Requirements to exempt property divisions transferred to a family member from the requirements of the Currituck County Unified Development Ordinance.

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

Item 1: That Chapter 10: Subdivision Requirements is amended by adding the following underlined language.

10.1.4 Family Division Exemption

The division of a tract or parcel transferred to a family member within two degrees of kinship (e.g., child, grandchild) shall not be subject to the requirements and review processes of this ordinance provided no more than one lot is created out of the parent parcel. A maximum of one exemption shall be used on the parent parcel. The transferred parcel shall be a minimum of 40,000 square feet in size and share a common access with the original parcel.

Item 2: 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 violate 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.

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

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

Public Hearing and Action PB 09-31 Currituck County Board of Commissioners - Administrative Setback Waiver: Request to amend the Currituck County Unified Development Ordinance, Chapter 13 to allow administrative setback variances for proposed single family dwellings.

Holly White, Planner, reviewed the request.

The Currituck County Board of Commissioners is requesting a text amendment to the Unified Development Ordinance (UDO) to

allow an administrative variance option for single family dwellings proposed on nonconforming lots of record that due to the lot configuration or other constraints may not meet the minimum setbacks. Currently the Unified Development Ordinance (UDO) allows a similar procedure for existing or partially constructed buildings. If the amendment is approved it would offer another less complex option for citizens that demonstrate a particular hardship to setback regulations.

The purpose of the text amendment is to establish an administrative variance process for proposed single family dwellings on existing nonconforming lots of record that do not meet the minimum lot area or lot with standards.

This request appears to be consistent with Policy HN8 of the 2006 Land Use Plan.

Currituck County Board of Commissioners
PB 09-31
UDO AMENDMENT REQUEST

An amendment to Chapter 13: Board of Adjustment to allow administrative setback variances for proposed single family dwellings.

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

Item 1: That Chapter 13, Section 13.8.1 be amended by adding the following underlined language and removing the following stricken language:

13.8.1 Administrative Variances

- A. The administrator shall have the authority ~~shall have the authority,~~ as qualified below, to approve a reduction in the minimum setback requirements in the case of any building existing or partially constructed which does not comply with such requirements applicable at the time such building was erected or a single family dwelling proposed on a nonconforming lot of record. Such reduction may be approved in accordance with the following provisions:
1. The ~~error setback reduction~~ does not exceed ~~ten~~ twenty percent of the required setback measurement ~~that is involved,~~ or ~~one foot~~ two feet whichever is less;
 2. ~~The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the location of the building subsequent~~

~~to the issuance of a building permit, if such was required;~~

3. Such reduction will not impair the purpose and intent of the ordinance;
 4. The reduction will not be detrimental to the use and enjoyment of other property in the immediate vicinity;
 5. The reduction will not create an unsafe condition with respect to both other property and public streets;
 6. To enforce compliance with the minimum yard requirements would cause unreasonable hardship upon the owner; and,
 7. The reduction will not result in an increase in density or impervious surface coverage from that permitted by the ordinance.
- B. Applications for an administrative variance shall be submitted to the Planning Department. The application shall be in such form and contain such information and documentation as shall be prescribed from time to time by the department but shall in all instances contain at least the following:
1. The name, address, and phone number of the applicant. If the applicant is not the owner of the property in question, (i) the name, address, and phone number of the owner and (ii) the legal relationship of the applicant to the owner that entitles the applicant to make application.
 2. Three copies of an as-built survey for existing encroachments and a survey for proposed construction. The survey shall not to exceed 24" x 36" inches nor be less than 8.5" x 11". ~~The as-built survey and~~ shall be drawn on dimensionally stable reproducible sheets and shall be drawn to scale and shall be at a scale of one inch equals 50 feet or larger. The survey shall include the following:
 - a. Property lines, rights-of-way and easements within 50 feet as a minimum of adjoining parcels.
 - b. Current zoning of the subject site and adjacent properties; adjacent ~~platted and unplatted~~ parcels shall be identified with the legal description and owner's name.
 - c. Boundaries of the property with dimensions and with building setback lines on all sides.

- d. Existing and proposed streets with right-of-way dimension, lots, ~~reservations~~, easements and areas dedicated to public use.
 - e. Location of existing and proposed buildings; number of stories; gross square footage; retaining walls, fences, culverts, bridges, roadways.
 - f. Limits of existing flood hazard areas.
 - g. Location of existing and proposed utilities (water, septic/sewer, gas, electric, telephone) with related easements.
 - h. Location of power poles, guy wires and other major electrical equipment.
 - i. Location of existing and proposed parking; location of existing and proposed access and driveways.
 - j. Location, size and height of any signs.
 - k. Location and nature of existing and proposed fencing and/or screening and general landscaping.
 - l. North arrow, scale, acreage.
 - m. A clear designation of the features of the proposed development or use which require a variance and the extent of the variance requested.
 - n. Any other information that may be required to be shown on the site plan by the administrator to determine that the application is in compliance with the codes and ordinances of the county.
3. A statement of the particular requirements of the ordinance by citation and description.
 4. A statement of the characteristics of the subject property which prevents compliance with the requirements of the ordinance.
 5. A statement of the minimum variance of the requirements of the ordinance which would be necessary to permit the proposed activity.
 6. A statement of the exceptional or undue hardship which would result if said particular requirements of this ordinance were applied to the subject property.

7. Any additional information and documentation as the director or designee may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.
 8. Where a proposed administrative variance is for a rear or side setback, the applicant shall submit an affidavit from the owner of any abutting property expressing whether such owner accepts or opposes the proposed variance. If consent is not given, the adjustment shall be considered as a standard variance, reviewed, and decided by the Board of Adjustment as provided in this chapter.
 9. A review fee as determined by the Board of Commissioners and included in the Currituck County fee schedule.
- C. Upon receipt of a completed application the administrator shall determine whether the variance requested meets the criteria outlined above for an administrative variance. In any case where the variance requested does not meet the criteria listed above, the applicant may apply to the Board of Adjustment for hearing and decision as provided by the ordinance.
 - D. The administrator shall provide written notice to property owners within 200 feet of the subject property and accept written statements for ten working days from the date of mailing and shall grant or deny the administrative variance.
 - E. In taking any such action, the administrator shall be governed by all the procedures, standards, and limitations of this ordinance applicable to the Board of Adjustment in granting administrative variances, except the public hearing requirements.
 - F. Within 30 working days after the application for administrative variance is submitted and accepted, the administrator shall approve, conditionally approve, or deny the application. The administrator shall inform the applicant in writing of the conditions, if any, for approval or the reasons for disapproval. Such written notice shall also describe the process of appeals.
 - G. The decision of the administrator may be appealed by the applicant to the Board of Adjustment.

Item 2: 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.

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

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

Sustainability Resolution Currituck Goes Green Effort

Holly White, Planner, reviewed the resolution.

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

Currituck County Sustainability Resolution

WHEREAS, Sustainability means focusing on the environmental, economic, and social characteristics of our community in order to meet the needs of the present without compromising the needs of future generations;

WHEREAS, the County is committed to lead by example, through its operations and policies, demonstrating the benefit of sustainable practices through financial savings from increased operational efficiencies and reduced energy costs;

WHEREAS, the County continues to support and be involved in the Currituck Goes Green initiative that will work to save tax dollars, assure clean land, air and water, improve working and living environments, and allow the county to thrive in the future;

WHEREAS, the County is committed to the design of more environmentally conscientious facilities, promoting LEED or other similar certified facilities; and,

WHEREAS, the County staff should be a leader in Currituck in setting policies, guidelines, goals, and strategic actions that will result in:

- a more sustainable community,
- energy, water and cost savings through the location, construction, operation and maintenance of high performance buildings and landscapes,
- increased recycling and materials reuse,
- a healthier and more productive staff and work environments,
- reduced environmental risk and liability, and
- better educated staff, elected officials, and community.

NOW, THEREFORE, BE IT RESOLVED That the Board of Commissioners of Currituck County, North Carolina, authorizes County staff to develop policies, guidelines, and strategic actions for becoming a more sustainable County;

That the Board of Commissioners directs County staff to provide continual training and education opportunities for staff and the community to further sustainable stewardship;

That in order for the County to fully achieve the above initiatives, the Board requests that staff explore the feasibility of developing a Sustainability Plan; and

BE IT FURTHER RESOLVED that the County through all the initiatives described above hereby acknowledges its commitment to the residents of Currituck County to provide a more stable, sustainable future for its residents that will ensure lasting social, economic, and environmental prosperity.

Amendment to County Smoking Ordinance

Commissioner Taylor moved to adopt. Commissioner Gregory seconded the motion. Motion carried.

AN ORDINANCE AMENDING SECTION 9-3 OF THE CURRITUCK COUNTY CODE OF ORDINANCES TO PROHIBIT THE USE OF TOBACCO PRODUCTS IN COUNTY BUILDINGS AND TRANSPORTATION VEHICLES

WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens; and

WHEREAS, pursuant to N.C. Gen. Stat. §130A-498 a county may adopt and enforce ordinances restricting or prohibiting smoking that apply in county government buildings, on county government grounds, in county owned vehicles or in public places; and

WHEREAS, in 1993 a Currituck County ordinance was enacted prohibiting the use of tobacco products in specifically named county owned buildings or on specifically named county owned property and since 1993 additional properties have been acquired by the county.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck as follows:

Part I. **Section 9-3. Smoking prohibited in certain county buildings.** of the Currituck County Code of Ordinances is rewritten to read as follows:

Sec. 9-3. Smoking prohibited in certain county buildings and transportation vehicles.

(a) It shall be unlawful for any person to ~~smoke~~ use tobacco products, ~~to cause or allow smoke to be emitted from tobacco products or to use smokeless tobacco products within the following county buildings, except in designated smoking areas where feasible as determined by the county manager:~~ in all of the following:

~~Currituck County Courthouse and accessory buildings~~

~~Currituck County Public Library~~

~~Currituck County Department of Social Services and Senior Citizens Center~~

~~Currituck County Health Department~~

~~Currituck County Satellite Office Building~~

~~The Old Mental Health Building~~

~~Currituck County Mental Health Facility (Southern Shores Realty Building)~~

~~Currituck County Water Department~~

~~Powells Point Community Building~~

~~Whalehead Club Property~~

~~Animal Control Office~~

~~Scales Office at Landfill~~

(1) buildings that are owned, leased as lessor, or the area leased as lessee by Currituck County.

(2) any place in a passenger-carrying vehicle owned, leased or otherwise controlled by Currituck County and assigned permanently or temporarily to a Currituck county employee or agency for official Currituck County business.

(b) ~~It shall be unlawful for any person to leave tobacco product ashes or residue, cigarettes or cigarette butts upon any floor, stairway, windowsill, or any other surface within the county buildings except in designated smoking areas, named in paragraph (a) above.~~ For purposed of this section, the term “tobacco products” shall mean any product that contains tobacco and is intended for human consumption.

(c) The violation of this section shall be ~~a misdemeanor~~ an infraction and upon conviction shall be punishable by a fine ~~not more than \$500.00~~ or by imprisonment for not more than 30 days, in the amount of fifty dollars (\$50.00).

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance is effective upon its adoption.

Appointments to Carova Beach Road Service District Committee

Commissioner O’Neal moved to appoint the following members. Commissioner Aydlett seconded the motion. Motion carried.

Mark Pinner, Randall Spencer, Bob Brett, Len Alphin, Bill Vann, Deputy Chief Robert Glover and Deputy Jason Banks.

Consent Agenda:

1. Approval of September 8, 2009, Minutes
2. Budget Amendments
3. JCPC Revised Funding Plan for FY 2010
4. Resolution Declaring Water Pump as Surplus and Authorizing Disposal

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 <u>Increase Expense</u>	Increase Revenue or <u>Decrease Expense</u>
10380-487001	DSS Donations-Curr Kids		\$ 1,200
10760-585001	Donations-Currituck Kids	\$ 1,200	
10760-532900	FC Supplement		\$ 60,702
	Telephone & Postage-Spec		
10752-511003	Adopt	\$ 250	
10752-514003	Travel-Spec Adopt	\$ 5,000	
10752-514503	Training & Ed-Spec Adopt	\$ 3,000	
10752-526003	Advertising-Spec Adopt	\$ 3,000	
10752-532003	Supplies-Spec Adopt	\$ 8,402	
10752-545003	Contract Serv-Spec Adopt	\$ 15,000	
10752-553003	Dues & Sub-Spec Adopt	\$ 200	
10752-561003	Prof Services-Spec Adopt	\$ 25,850	
		<u>\$ 61,902</u>	<u>\$ 61,902</u>

Explanation: PUBLIC ASSISTANCE (752) - Carry forward the balance of the Special Adoptions Funds from FY 2008/2009. COUNTY ASSISTANCE (760) - Grant funds received from

non-profit organizations, Currituck Kids.

Net Budget Effect: Operating Fund (10) - Increased by \$1,200.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10330-447000	JCPC Grant	\$ 4,307	
10794-545000	PASS		\$ 657
10794-545001	Teen Court		\$ 500
10794-545002	Restitution		\$ 500
10794-545005	JCPC Council		\$ 2,650
		<u>\$ 4,307</u>	<u>\$ 4,307</u>

Explanation: *Juvenile Crime Prevention Control (10794)* - To reduce appropriations to reflect reduction in State allocation.

Net Budget Effect: Operating Fund (10) - Decreased by \$4,307.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10330-448700	Support Our Students Grant	\$ 80,000	
10641-502000	Salaries		\$ 24,913
10641-503000	Salaries - Part time		\$ 8,926
10641-505000	FICA		\$ 2,589
10641-506000	Insurance		\$ 5,904
10641-507000	Retirement		\$ 2,456
10641-511000	Telephone & Postage		\$ 800
10641-511500	Printing		\$ 1,500
10541-514000	Travel		\$ 3,500
10641-514200	Transportation		\$ 3,500
10641-514300	Student Activities		\$ 6,690
10641-514500	Training & Education		\$ 2,500
10641-532000	Supplies		\$ 7,000
10641-540000	Workers Compensation		\$ 179
10641-545000	Contracted Services		\$ 9,543
		<u>\$ 80,000</u>	<u>\$ 80,000</u>

Explanation: *Support Our Students (10641)* - To reduce appropriations to reflect State budget

cut. This program was funded 100% through grant funds.

Net Budget Effect: Operating Fund (10) - Decreased by \$80,000.

R E S O L U T I O N

WHEREAS the Board of Commissioners of Currituck County North Carolina during its regularly scheduled meeting held On September 21, 2009, authorized the following, pursuant to GS 160A and 270(b) that the property listed below be disposed of as scrap at local landfill.

Water pump, Weinman Model 4L1 s/n T1265974. Unit beyond feasible repair.

Commissioner's Report

Commissioner Rorer reviewed the Airport Advisory Board meeting last week. All hangars are leased and more are needed. The Board agreed to purchasing with NCFlyPorts funding a new ice machine, golf cart and pressure washer. He also stated that they were to purchase security cameras.

Commissioner Rorer also requested residents that have any complaints about jet noise to please report it.

Chairman Etheridge stated that he has been elected the At Large Director for the North Carolina Association of County Commissioners (NCACC).

County Manager's Report

No comments

Adjourn

There being no further business, the meeting adjourned.