

CURRITUCK COUNTY  
NORTH CAROLINA  
January 19, 2010

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 O'Neal, Commissioners Etheridge, Rorer, Aydlett, Gregory, Nelms and Taylor.

### **Invocation**

Glenn McCranie was present to give the invocation.

### **Pledge of Allegiance**

Girl Scout Troop 2428 was present to lead the Pledge of Allegiance.

### **Approval of Agenda**

Chairman O'Neal moved to amend the agenda by adding a closed session and a resolution confirming appointment of Chairman to ABC Board. Item 3 was continued. 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            **Public Hearing and Action:** Amendment to the Unified Development Ordinance to separate boat storage for commercial fisherman from that of privately owned recreation facilities.
- Item 4            **Consideration of ordinance permitting and regulating golf carts on public roads.**
- Item 5            **Appointments to Recreation Advisory Board**
- Item 6            **Appointments to Planning Board**
- Item 7            **Discussion and Consideration of waiving building permit fees**
- Item 8            **Consent Agenda:**
1. Budget Amendments
  2. Policy to establish uniform Emergency Medical Service Revenue Recovery System
  3. North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement
  4. Charge to Tax Collector Levy on Motor Vehicles for October Renewals
  5. Approval of Job Description for Engineer Technician
  6. Approval of Job Description for Emergency Management Program Assistant
  7. Amendment to Airport Regulations regarding transient aircraft parking
  8. Approval of January 4, 2010, Minutes
- Item 9            Commissioner's Report
- Item 10           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 O'Neal opened the public comment period.

April Bennett, Bells Island, supports golf cart ordinance.

Jennifer Symonds, Aydlett, thanked Board for supporting their opposition to option B for the Mid-County Bridge and requested the Board look at other options.

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

**Public Hearing and Action: Amendment to the Unified Development Ordinance to separate boat storage for commercial fisherman from that of privately owned recreation facilities.**

Tabled

**Consideration of ordinance permitting and regulating golf carts on public roads.**

Ike McRee, County Attorney, reviewed the proposed ordinance regulating golf carts on public roads.

Commissioner Nelms stated that this ordinance would have problems for the traffic on the Outer Banks.

Commissioner Etheridge moved to continue for further review. Commissioner Gregory seconded the motion. Motion carried.

**Appointments to Recreation Advisory Board**

Commissioner Taylor moved to appoint Suzanne Everhart, Denise Fallon, Sam Casey and Cynthia Hampton. Commissioner Etheridge seconded the motion. Motion carried.

**Appointments to Planning Board**

Commissioner Nelms moved to appoint Susan Taylor, Joe Kovacs and John Wright. Commissioner Taylor seconded the motion. Motion carried.

**Discussion and Consideration of waiving building permit fees**

Commissioner Nelms stated that he would like for the Board to consider offering a stimulus for citizens to exempt building permit fees up to \$150,000 and to reduce the burden.

The Board directed staff to review and bring some options back for approval.

**Consent Agenda:**

1. Budget Amendments
2. Policy to establish uniform Emergency Medical Service Revenue Recovery System
3. North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement
4. Charge to Tax Collector Levy on Motor Vehicles for October Renewals
5. Approval of Job Description for Engineer Technician
6. Approval of Job Description for Emergency Management Program Assistant
7. Amendment to Airport Regulations regarding transient aircraft parking
8. Approval of January 4, 2010, Minutes
9. Resolution confirming ABC Board Chairman

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
20609-588000	Contingency	\$ 100,000	
20609-590000	Capital Outlay	\$ 1,838,632	
20609-587010	Transfer to Operating Fund	\$ 126,622	
20390-499900	Appropriated Fund Balance	\$ 500,000	
20609-545000	Contract Services		\$ 465,254
20390-490000	Proceeds from Debt Issuance		\$ 2,100,000
10900-582400	Notes Payable	\$ 126,622	
10390-495020	T F - Whalehead Watershed		\$ 126,622
		\$ 2,691,876	\$ 2,691,876

**Explanation:** Whalehead Watershed Drainage District (20690) - To record debt proceeds, first debt payment and set-up construction budget for to Whalehead Drainage Project approved by the Local Government Commission on January 5, 2010.

**Net Budget Effect:** Operating Fund (10) - Increased by \$126,622.  
Whalehead Watershed Drainage District (20) - Increased by \$1,600,000.

<u>Account</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease

<u>Number</u>			<u>Expense</u>
10441-532000	Supplies	\$ 892	
10441-590000	Capital Outlay	\$ 8,079	
10511-516000	Maintenance & Repair	\$ 2,227	
10535-516000	Maintenance & Repair	\$ 2,409	
10535-545000	Contract Services	\$ 105,508	
10535-590000	Capital Outlay	\$ 52,531	
10535-590441	Technology over \$1000	\$ 6,795	
10380-484001	Insurance Recovery		\$ 178,441
		<u>\$ 178,441</u>	<u>\$ 178,441</u>

**Explanation:** Information Technology (10441) & Communications (10535) - To increase appropriations for repairs and equipment replacement for lightning damage. This will be covered by insurance.

**Net Budget Effect:** Operating Fund (10) - Increased by \$178,441.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
10750-557700	Crisis Intervention	\$ 7,108	
10330-431000	DSS Admin		\$ 7,108
		<u>\$ 7,108</u>	<u>\$ 7,108</u>

**Explanation:** Social Services Administration (750) - To adjust budgeted line items to State Funding Authorizations.

**Net Budget Effect:** Operating Fund (10) - Increased by \$7,108.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
62828-533200	Lab Tests	\$ 2,120	
62828-561000	Professional Services		\$ 2,120
		<u>\$ 2,120</u>	<u>\$ 2,120</u>

**Explanation:** Newtown Road Sewer (62828) - To transfer funds for additional State required testing.

**Net Budget Effect:** Newtown Road Sewer District Fund (62) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10410-521000	Equipment Lease	\$ 39	
10410-532000	Supplies		\$ 39
10430-545000	Contract Services	\$ 660	
10430-553000	Dues & Subscriptions	\$ 42	
10430-503000	Salaries - Part-time		\$ 702
10445-514500	Training & Education	\$ 327	
10445-553000	Dues & Subscriptions		\$ 327
10461-511010	Data Transmission	\$ 517	
10461-514500	Training and Education		\$ 517
10480-521000	Equipment Lease	\$ 1,000	
10480-545100	Data Processing		\$ 1,000
10490-532000	Supplies - Other	\$ 1,500	
10490-532003	Supplies - Court Facilities	\$ 2,000	
10490-513003	Utilities - Court Facilities		\$ 3,500
10510-511000	Telephone & Postage	\$ 250	
10510-557100	Software License Fee	\$ 1	
10510-516200	Vehicle Maintenance	\$ 10,000	
10510-514000	Travel		\$ 251
10510-590000	Capital Outlay		\$ 10,000
10512-516000	Repairs & Maintenance	\$ 600	
10512-516200	Vehicle Maintenance	\$ 400	
10512-531000	Gas	\$ 1,500	
10512-545000	Contract Services	\$ 100	
10512-511010	Data Transmission		\$ 1,000
10512-526000	Advertising		\$ 500
10512-561000	Professional Services		\$ 1,100
10530-502100	Salaries - Overtime	\$ 105,000	
10530-503500	Salaries - Temp Services	\$ 45,000	
10530-502000	Salaries - Regular		\$ 150,000
10531-532000	Supplies	\$ 1,739	
10531-557100	Software License Fee	\$ 229	
10531-514500	Training & education		\$ 229
10531-545000	Contract Services		\$ 1,739
10541-511010	Data Transmission	\$ 2,600	
10541-553000	Dues & subscriptions	\$ 100	

10541-514600	Public Education		\$	2,700
		<u>\$</u>		<u>173,604</u>
			<u>\$</u>	<u>173,604</u>

**Explanation:** Transfers for operations within various departments.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-590000	Capital Outlay	\$ 29,329	
10330-449900	Miscellaneous Grants		\$ 29,329
		<u>\$ 29,329</u>	<u>\$ 29,329</u>

**Explanation:** Sheriff (10510) - To record grant funds for in-car cameras.

**Net Budget Effect:** Operating Fund (10) - Increased by \$29,329.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-502000	Salaries	\$ 19,129	
10460-505000	FICA	\$ 1,463	
10460-506000	Insurance	\$ 1,886	
10460-507000	Retirement	\$ 1,968	
10531-502000	Salaries		\$ 19,129
10531-505000	FICA		\$ 1,463
10531-506000	Insurance		\$ 1,886
10531-507000	Retirement		\$ 1,968
		<u>\$ 24,446</u>	<u>\$ 24,446</u>

**Explanation:** Public Works (10460); Emergency Management (10531) - To reclassify the Deputy Emergency Management Coordinator position to an Emergency Management Program Assistant; reclassify the Emergency Services Secretary I to a Secretary II; eliminate the Secretary II in Emergency Management and add an Engineering Technician to the Public Works Department.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-557700	Crisis Intervention	\$ 25,008	
10330-431000	DSS Administration		\$ 25,008
		\$ 25,008	\$ 25,008

**Explanation:** Social Services Administration (10750) - To record State funding authorizations.

**Net Budget Effect:** Operating Fund (10) - Increased by \$25,008.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-516200	Vehicle Maintenance	\$ 9,342	
10380-484001	Insurance Recovery		\$ 9,342
		\$ 9,342	\$ 9,342

**Explanation:** Sheriff (10510) - To increase appropriations for automobile repair that will be covered by insurance claims.

**Net Budget Effect:** Operating Fund (10) - Increased by \$9,342.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10760-585000	Donations	\$ 11,968	
10380-487000	DSS Donations		\$ 11,968
		\$ 11,968	\$ 11,968

**Explanation:** County Assistance (10760) - To increase appropriations for Social Services donations collected during the holiday season.

**Net Budget Effect:** Operating Fund (10) - Increased by \$11,968.

**Emergency Medical Service Revenue Recovery System**

PURPOSE

To establish a uniform and competitive Emergency Medical Services (EMS) revenue recovery system.

GENERAL

Currituck County, through the Department of Fire-EMS, uses EMS Billing to obtain financial claims and recover revenue on EMS services rendered within the county.

PROCEDURES

A. Rates

EMS revenue recovery rates shall be one hundred twenty five percent (125%) of the Medicare insurance allowable rate to all end users.

B. Billing

A Third Party Administrator (TPA) may be utilized to undertake the County's EMS revenue recovery program subject to the following procedures:

- 1) The County's EMS revenue recovery program will be in compliance with all applicable federal, state and local rules, regulations, and ordinances.
- 2) Currituck County Department of Fire-EMS (CCFEMS) personnel will enter all Patient Care Reports (PCR) via computer utilizing a National EMS Information System (NEMESIS) and State Office of EMS compliant program. CCFEMS will then export all data, at least weekly, to ensure that the TPA has an appropriate time to process the claims.
- 3) The County's third party billing agency will invoice all patients who utilize the Emergency Medical Services (EMS) in Currituck County.
- 4) The third party billing agency may follow standard methods for collecting payment, up to and including collection agencies; however, consideration will be given to residents and property owners of Currituck County in view of the fact that they contribute to the operation of EMS through payment of taxes.
- 5) According to the mutual aid agreement between the City of Virginia Beach and Currituck County, in lieu of directly billing patients for services provided in Virginia Beach, Currituck County will send the invoices to the City of Virginia Beach Department of Emergency Medical Services. The City of Virginia Beach will not directly bill patients for service provided in Currituck County, North Carolina, but

will invoice Currituck County Fire-EMS annually for an amount equal to the total of all invoices received from Currituck County during that particular year.

- 6) The County Manager or his/her designee will have the ability to negotiate with the TPA for contract changes, updates, renewals and/or percentage changes.

C. Requests for legal documentation

- 1. Requests for patient care reports and associated bills will be handled through the legal department of the TPA. These types of requests will follow all applicable laws concerning privacy.
- 2. Requests for patient care reports and/or associated bills will be documented in the security log.

D. Waiving Payment

- 1. The County Manager will have the authority to adjust, pursue or waive EMS revenue recovery invoices.
- 2. If a request is made to the billing company or to the County to waive fees, the Fire-EMS Secretary will be notified and will send this request to the County Manager for his/her consideration.
- 3. County Employees who receive an EMS revenue recovery invoice will be exempt from payment.

**Charge to Tax Collector Levy on Motor Vehicles for October Renewals**

The following is a breakdown of the assessment and the total tax due

ASSESSMENT	TAX AMOUNT
\$14,601,135	\$46,733.08

**Amendment to Airport Regulations regarding transient aircraft parking**

PURPOSE

To establish uniform parking practices for all transient aircraft at Currituck County Regional Airport

GENERAL

The County recognizes the need to reserve and apportion some of the available aircraft parking area to those that visit our airport on an infrequent basis and of a limited duration.

PROCEDURES

- A. The Airport Manager may designate and reserve a portion of the available aircraft parking area for transient use.
- B. Any aircraft that has not contracted for hangar or tie-down space is permitted to park in a designated transient parking space for no more than seven days in a 60 day period.

The fee for exceeding the seven day period, without being granted an exception, is \$7.00 per day to be paid to Currituck County. An individual has the option to pay \$10.00 for an entire month if he/she would park in the non-transient tie down area. The owner/operator will be required to sign a short form holding the county harmless from any and all liability or loss as a result of parking in the non-transient tie down area. If any aircraft is expected to be at the airport for longer than 30 days, the owner/operator is required to sign a longer term lease.

Violation of this section may result in removal and storage of the aircraft at the expense of the owner or operator, denial of use of the Airport, termination of lease agreements, and/or civil or criminal action for trespass.

This policy will be incorporated in the Airport Rules and Regulations during the next update of that document.

**RESOLUTION OF THE BOARD OF COMMISSIONERS FOR CURRITUCK COUNTY, NORTH CAROLINA CONFIRMING APPOINTMENT OF CHAIRMAN FOR THE CURRITUCK COUNTY ABC BOARD**

WHEREAS, N. C. Gen. Stat. §18B-700(a) provides that the board having authority to appoint members for a county ABC Board shall designate one member of the ABC Board as chairman; and

WHEREAS, the Currituck County Board of Commissioners is the appointing authority for the Currituck County ABC Board which board at its January 14, 2010 meeting elected Gene A. Gregory as chairman.

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

Section 1. Gene A. Gregory is hereby designated and confirmed as chairman for the Currituck County ABC Board and

all acts of Gene A. Gregory since January 14, 2010 acting as chairman for the Currituck County ABC Board are hereby ratified.

**Commissioner's Report**

Commissioner Taylor expressed sympathy to the family of Diane Barker.

Commissioner Nelms commented on the Albemarle Commission job training meeting.

Commissioner Aydlett commented on Bob Koontz being inducted into the Southeastern Babe Ruth Hall of Fame.

Chairman O'Neal stated there was a dip in the road in front of the Jarvisburg Elementary School and requested staff to contact DOT. He also wanted the County Attorney to begin assessing fines to the Railroad for not cleaning up the area in front of Moyock Baptist Church.

**County Manager's Report**

Dan Scanlon, County Manager, commented on the gypsy moth spraying in the area.

**Closed Session**

Chairman O'Neal moved to go into closed session according to GS 143-318.11(3) to preserve attorney client privilege. Commissioner Rorer seconded the motion. Motion carried.

**Adjourn**

After reconvening from closed session, no action was taken. There being no further business, the meeting adjourned.