

CURRITUCK COUNTY
NORTH CAROLINA
September 20, 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, Gregory, Rorer, Nelms, Aydlett and Taylor.

Invocation and Pledge of Allegiance

The Reverend Sandy Martin, Coinjock Baptist Church, was present to give the invocation.

Approval of Agenda

Commissioner Aydlett, moved to amend the agenda by deleting Item 8 and adding to consent agenda easement agreement for Dominion Power. Commissioner Gregory 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 **Travis Burke, Northeast District Extension Director, introduction of new Cooperative Extension Director**
- Item 4 **Roy Wilson, Area Director, East Carolina Behavioral Health** report on Fiscal Monitoring and ECBH FY 09-10 initiatives
- Item 5 **Discussion on process for bidding on County Public Work Projects**
- Item 6 **Discussion on funding EMS for Lower Currituck Volunteer Fire Department**
- Item 7 **Consideration and Action** to prohibit issuance of Development Permits when taxes are delinquent
- Item 8 **Consideration and Action** on ordinance modifying penalties for Code of Ordinance Violations - Deleted
- Item 9 **Consent Agenda:**
1. Report of Rural Fire Conditions - Lower Currituck VFD & Corolla Fire & Rescue
2. Budget Amendments
3. Approval of September 7, 2010, Minutes
4. Approval of easement agreement for Dominion Power for Airport Project
- Item 10 Commissioner's Report
- Item 11 County Manager's Report
- Item 12 **Closed Session:**
1. According to GS 143-318.11(5) to discuss land acquisition, Winslow Property, Moyock, NC.

Adjourn

Special Meeting

Tourism Development Authority

Budget Amendments - Occupancy Tax

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.

David Palmer, Barco, questioned why the county would purchase prime retail property for a sewer plant and take it out of the market.

Edna Baden, Whalehead Club, reminded citizens of Heritage Day on October 3.

Marion Gilbert, commented on the support advisory boards provide to the Board and that the Airport Board would continue to meet monthly.

Julia Folwick, expressed her concerns and opposition for the proposed Rachel's Ranch.

Wes Liverman, LCVFD, invited citizens to their 50th anniversary October 2.

Rachel Younts, requested the Board allow her to have an easement over Ferebee Lane for her project.

Roy Etheridge stated that he accesses his property over Ferebee Lane.

Chairman O'Neal read a letter from the Attorney General's office concerning the Dominion Power rate increase.

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

Travis Burke, Northeast District Extension Director, introduction of new Cooperative Extension Director

Dr. Burke, Northeast District Extension Director, introduced Cameron Lowe as Currituck County's new Extension Director.

Roy Wilson, Area Director, East Carolina Behavioral Health, report on Fiscal Monitoring and ECBH FY 09-10 initiatives

Roy Wilson, Area Director, reviewed the East Carolina Behavioral Health Report and was present to answer questions.

Joy Futrell, reviewed the fiscal monitoring report.

Chairman O'Neal recommended staff meet with Mr. Wilson for a workshop to review the program and to include Camden.

Discussion on process for bidding on County Public Work Projects

Ike McRee, County Attorney, reviewed bidding process and the laws that need to be followed for bidding.

Commissioner Etheridge directed staff to hold a seminar with our local contractors to review the process of bidding on county projects. Commissioner Nelms seconded the motion. Motion carried

Discussion on funding EMS for Lower Currituck Volunteer Fire Department

Dan Scanlon, County Manager, reviewed the options for funding to be addressed for the next budget year. In the meantime, the county will continue using the 5th unit at the Powells Point Station.

Commissioner Nelms moved to appoint Chief Glover as the Director of EMS and to freeze the Deputy position. Commissioner Gregory seconded the motion. Motion carried.

Commissioner Aydlett requested a pilot program for EMS operations in our remote areas of the county.

Consideration and Action to prohibit issuance of Development Permits when taxes are delinquent

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

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 2, ARTICLE I OF THE CODE OF ORDINANCES TO PROHIBIT ISSUANCE OF A LAND USE PERMIT OR BUILDING PERMIT TO A DELINQUENT TAXPAYER

WHEREAS, pursuant to Session Law 2010-30, amending N.C. Gen. Stat. §153A-340, Currituck County may by ordinance prohibit issuance of a special use permit or conditional use permit to a person who owes delinquent property taxes; and

WHEREAS, pursuant to Session Law 2010-30, amending N.C. Gen. Stat. §153A-357(c)(2), Currituck County may by ordinance prohibit the issuance of a building permit to a person who owes delinquent property taxes; and

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

PART I. Chapter 2, Article I of the Code of Ordinances, Currituck County, North Carolina is amended by adding a new section to read as follows:

Sec. 2-4. Issuance of permits when taxes delinquent prohibited.

No special use permit, conditional use permit or building permit may be issued to a person who owes delinquent property taxes, determined under G.S. 105-360, on property owned by the person.

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

PART III. This ordinance is effective upon adoption.

Consideration and Action on ordinance modifying penalties for Code of Ordinance Violations

Deleted

Consent Agenda:

1. Report of Rural Fire Conditions - Lower Currituck VFD & Corolla Fire & Rescue
2. Budget Amendments
3. Approval of September 7, 2010, Minutes
4. Approval of easement agreement for Dominion Power for Airport Project

Commissioner Aydlett moved to approve. Commissioner Rorer 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
10460-516300	Street Signs	\$ 495	
10460-592000	Public Works Projects	\$ 158,010	
10530-590441	Technology over \$1,000	\$ 2,790	
10650-545000	Contract Services	\$ 10,000	
10660-561000	Professional Services	\$ 222,740	
10796-545000	Contract Services	\$ 7,650	
10390-495015	T F - Occupancy Tax		\$ 17,650
10390-499900	Appropriated Fund Balance		\$ 384,035

29690-590000	Capital Outlay	\$	162,606		
29390-499900	Appropriated Fund Balance			\$	162,606
60808-545001	Contract Services - Sewer	\$	20,020		
60808-561001	Professional Services - Sewer	\$	27,000		
60390-499900	Appropriated Retained Earnings			\$	47,020
61818-561000	Professional Services	\$	317,881		
61390-499900	Appropriated Retained Earnings			\$	317,881
65858-545000	Contract Services	\$	3,500		
65390-499900	Appropriated Retained Earnings			\$	3,500
			<u>\$ 932,692</u>		<u>\$ 932,692</u>

Explanation: Various Departments - Carry-forward contracts and purchase orders in process from FY 2010 as follows:

<u>Purchase Order Number</u>	<u>Description</u>	<u>Amount</u>
20101824	Street Signs	\$ 495
20101828	MLEF Flood Abatement	4,485
20101842	MLEF Bldg Demo	10,175
20101690	Sheriff Vault	143,350
20101564	EMS Exchange Server licenses	2,790
20100564	Foreign Trade Zone	10,000
20100850	UDO Re-write	143,272
20101775	Stormwater Manual	79,468
20100800	Rural Center Design	7,500
20101663	Rural Center Elev Cert	150
20101661	Corolla truck rebuild	162,606
20100412	Ocean Sands Sewer engineering	20,020
201001347	Sea Loft Village Sewer	27,000
20100661 & 664	ECU RO Assessment	317,881
20101809	Clearing at Moy Commons	13,490

Net Budget Effect: Operating Fund (10) - Increased by \$401,685.
 Fire Equipment Replacement Fund (29) - Increased by \$162,606.
 Ocean Sands Water and Sewer Fund (60) - Increased by \$47,020.
 Mainland Water Fund (61) - Increased by \$317,881.
 Moyock Commons Sewer Fund (65) - Increased by \$3,500.

Debit	Credit
Decrease Revenue or	Increase Revenue or

<u>Account Number</u>	<u>Account Description</u>	<u>Increase Expense</u>	<u>Decrease Expense</u>
10430-526000	Advertising	\$ 500	
10430-516000	Repairs & Maintenance		\$ 500
		<u>\$ 500</u>	<u>\$ 500</u>

Explanation: Elections (10430) - Transfer funds to increase advertising for required general elections advertising.

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

Commissioner's Report

Commissioner Gregory urged citizens to contact Dominion Power opposing rate increase.

Commissioner Nelms, commented on his meeting with the Albemarle Commission, which stated that the next year's budget will be much worse than this year and to look for many state cuts.

County Manager's Report

County Manager commended the Communication Staff for winning an award from the state and the IT Department for their award.

Closed Session: According to GS 143-318.11(5) to discuss land acquisition, Winslow Property, 312 Caratoke Highway, Moyock, NC.

Commissioner Nelms moved to go into closed session. Commissioner Gregory seconded the motion. Motion carried.

Adjourn

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

Special Meeting

Tourism Development Authority

Budget Amendments - Occupancy Tax

Commissioner Etheridge 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
15447-587010	T T - Operating Fund	\$ 17,650	
15442-526200	Promotional Efforts	\$ 3,706	
15447-545002	Historic Preservation	\$ 20,803	
15447-592000	Whalehead Projects	\$ 99,493	
15390-4999900	Appropriated Fund Balance		\$ 141,652
		\$ 141,652	\$ 141,652

Explanation: Tourism Promotions and Tourism Related Expenditures - To carry-forward contracts and purchase order in process from FY 2010 as follows:

20100564	Foreign Trade Zone	10,000
20100800	Rural Center Design	7,500
20101663	Rural Center Elev Cert	150
20101221	Historic Markers	3,706
20100640	Historic Jarvisburg Colored School	4,828
20100642, 799, 802 & 1012	Historical documentation Whalehead Dredging	15,975 99,493

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$141,652.

Adjourn