



**BOARD OF COMMISSIONERS  
AGENDA**

**JANUARY 18, 2011**

# Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

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**Date:** Tuesday, January 18, 2011

**Time:** 7:00 PM

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## Work Sessions

6:00 p.m. Economic Development Board

## Regular Agenda

7:00 p.m. Invocation

Pledge of Allegiance

Item 1 Approval of Agenda

Item 2 Public Comment

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

Item 3 **Presentation of June 30, 2010, Audit**

Item 4 **Consideration of Airport Access Lease Agreement for Brady Landing**

Item 5 **Appointments to the Economic Development Board**

Item 6 **Appointment to Work Force Development Board**

Item 7 **Appointment of Commissioner** to Rural Planning Organization Advisory Committee

Item 8 **Consent Agenda:**

1. Approval of Mosquito Control Application for (possible) Cost-Share Funding
2. Budget Amendments
3. Resolution Providing for Electronic Listing and Extending the Time for Filing Electronic Listings of Personal Property for Property Tax Purposes
4. Approval of January 3, 2010, Minutes
5. Resolution declare Surplus Property of a blower at Ocean Sands

6. Award contract to Mancuso Development Inc for Corolla Visitor's Center renovations
7. Sussex Development Corp - Change Order #1; YMCA

Item 9 Commissioner's Report

Item 10 County Manager's Report

Adjourn

**CURRITUCK COUNTY REGIONAL  
AIRPORT ACCESS LICENSE AGREEMENT**

This Currituck County Regional Airport Access License Agreement, (the “Agreement”), is made and entered into the \_\_\_\_ day of \_\_\_\_\_, 2011, by and between the County of Currituck, North Carolina, a body corporate and politic existing pursuant to the laws of the State of North Carolina, (the “County”), and \_\_\_\_\_, (the “Licensee”).

**WITNESSETH:**

WHEREAS, the County is the owner of Currituck County Regional Airport, (the “Airport”); and

WHEREAS, Licensee is the owner of property in Brady Landing Residential Airpark and the beneficiary of an easement more particularly described in Deed Book 588, Page 394 of the Currituck County Registry allowing for Licensee’s through the fence access from Brady Landing Residential Airpark to the Airport.

NOW, THEREFORE, in consideration of the terms and provision set forth herein and other good and valuable consideration, the receipt, sufficiency, and adequacy of which is acknowledged, the parties mutually agree as follows:

- 1. Access to Airport:** The County hereby grants to Licensee, upon the terms hereinafter set forth, permission in the form of a license, (the “License”), to enter onto and exit from the Airport from and to Brady Landing Residential Airpark at the point and along a route designated by the County and described in the easement recorded in Deed Book 588, Page 394 of the Currituck County Registry, (the “Easement”). The point of entry and exit and route described in the easement may; be used only by the Licensee for the purpose of accessing and exiting the Airport’s public landing area and facilities and may not be used as a pass through point for other persons or entities.
- 2. Term:** The Term of this Agreement shall be twenty-five (25) years commencing \_\_\_\_\_, 2011 and terminating December 31, 2036 and may be renewed prior to the expiration of term for an additional ten (10) year term by mutual agreement of the County and Licensee.
- 3. Access License Fee:** Licensee shall pay to the County, as compensation for the privilege being granted by issuance of this License, an annual access fee, (the “Access License Fee”), with a minimum Access License Fee not less than the annual on-airport aircraft tie-down fee.
- 4. Fee Schedule:** The initial Access License Fee is payable upon execution of this Agreement. Subsequent annual fees to be paid during the term of this license shall be paid on or

before January 1 of each year and are subject to adjustment from time to time as deemed advisable by County's governing board. If this Agreement is terminated by County for any reason other than for a violation of this Agreement or the Easement by Licensee, the County shall prorate the annual Access License Fee over a twelve month period and shall return to Licensee a prorated portion representing the unused months remaining in the term. A termination by the County for violation of this Agreement, or any termination by Licenses, shall result in a forfeiture of the remaining balance of the annual Access License Fee paid.

**5. Compliance:** Licensee must comply with all Airport rules and regulations promulgated by the County, the terms and conditions of the Easement, and any requirements of existing or future Federal Aviation Administration, (the "FAA"), grant agreements, including the FAA Airport Compliance Manual, and will operate Licensee's aircraft in accordance with FAA rules and requirements and any other applicable governmental regulations. This Agreement is subordinate to the County's FAA grant assurances and federal obligations. Should any provision of this Agreement violate the County's FAA grant assurances or federal obligations, the County shall have the unilateral right to amend or terminate the Agreement to remain in compliance with its grant assurances and federal obligations.

**6. Security and Gates:** Licensee shall access the Airport at the point described in the Easement through a secured gate provided and maintained by Brady Landing Residential Airpark. Licensee shall close and secure the gate at the access point immediate after each use. The access point and route described in the Easement is limited to Licensee's aircraft only. The County, in its sole discretion, may deny access to the access point and route described in the Easement for any safety reason including, but not limited to, adverse weather conditions, runway and Airport repair and improvement projects.

**7. Conditions of License:** In addition to the terms and conditions set forth in the Easement, which terms and conditions are by reference incorporated herein, the following terms and conditions shall apply to this License:

- A. No aircraft may be moved from Brady Landing Residential Airpark to the Airport or from the Airport to Brady Landing Residential Airpark except as taxied by a licensed pilot or A & P qualified mechanic, or towed by a person qualified to do so.
- B. The Airport is a non-towered airport. Licensee, in utilizing this License, shall be and remain responsible and accountable for compliance with all local, state and federal safety operational requirements imposed on all aircraft using or utilizing the Airport.

**8. Termination:** The Licensee may terminate this License at any time and without cause upon thirty (30) days notice in writing to the County. The County may terminate this License (1) upon the failure of the Licensee to pay the Access License Fee on or before January 1 of each year or (2) Licensee's failure to comply with any condition of this Agreement or condition of the

Easement and has not corrected the noncompliance within ten (10) days of County's notice in writing to Licensee. When this License is terminated, Licensee shall immediately cease any further exercise of the License granted.

**9. Assignment or Transfer:** Neither this Agreement nor License granted herein, nor any right hereunder, may be sold, assigned or transferred in whole or in part by Licensee without the County's prior written approval. Any attempt to do so shall be deemed to effect an immediate termination of this License.

**10. Liability and Property Damage Insurance:** During the term of this Agreement, Licensee shall at Licensee's own expense maintain in full force and effect a policy or policies of comprehensive liability insurance, including property damage, written by one or more responsible insurance companies licensed to do business in the State of North Carolina that will insure the County and Licensee against liability for injury to person and property and for death of any person or persons occurring in relation to the Licensee's aviation related activity. The liability insurance shall not be less than the following:

Bodily Injury	\$ 100,000
Property	\$1,000,000
Each Accident	\$1,000,000

Licensee shall provide County with copies or certificates of all policies, including in each instance, an endorsement that such insurance shall not be cancelled except after thirty (30) days prior written notice to the County. Failure of the Licensee to maintain appropriate insurance coverage shall be considered a breach of this Agreement, resulting in termination of this Agreement and the License.

**11. Indemnity and Liability:** Licensee agrees to indemnify, hold harmless and defend the County, its officers, agents and employees, from and against all liability for any and all claims, liens, suits, demands or actions for damages, injuries to persons including death, property damage, and expenses, including court costs and attorney's fees and other costs arising out of or resulting from Licensee's acts, omissions or negligent acts in any way related to the use of the License and this Agreement.

**12. Rules and Regulations:** Licensee shall comply with rules and regulations concerning the Airport that County may establish from time to time. The violation of such rules and regulations by Licensee shall be deemed a breach of this Agreement by Licensee, affording the County all the remedies set forth in this Agreement.

**13. Default:** Licensee shall be considered in default if Licensee fails to comply with any provision of this Agreement.

**14. Entire Agreement:** This Agreement constitutes the entire Agreement between the parties. This Agreement may not be altered, changed or amended except by an instrument in writing signed by both parties.

**15. Interpretation:** Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, unless the context otherwise requires.

**16. Terms Binding:** The terms, provisions and covenants and conditions contained in this Agreement shall apply to, inure to the benefit of, and be binding upon, the parties hereto and upon their respective legal representatives, successors and permitted assigns, except as otherwise expressly provided in this Agreement.

**17. Captions:** The captions in this Agreement are inserted for convenience only and in no way define, limit or describe the scope or intent of this Agreement, or any provision in this Agreement, nor in any way affect the interpretation of this Agreement.

**18. Governing Law:** This Agreement shall be governed by the laws of the State of North Carolina.

**19. No Waiver:** No assent, express or implied, to any breach of any one or more of the covenants or conditions in this Agreement shall be deemed to be a waiver of any succeeding or other breach. The various rights, remedies, powers, options, and elections of the County reserved, expressed or contained in this Agreement are cumulative and no one of them shall be deemed to be exclusive of the others or of other rights, remedies, powers, options or election as are now or may hereafter be conferred upon the County by law.

IN WITNESS WHEREOF, the parties have executed this Access License Agreement on the date first-above written.

COUNTY OF CURRITUCK

By: \_\_\_\_\_  
County Manager

ATTEST:

\_\_\_\_\_  
Clerk to the Board of Commissioners

(COUNTY SEAL)

LICENSEE:

\_\_\_\_\_(SEAL)

\_\_\_\_\_(SEAL)

ECONOMIC DEVELOPMENT BOARD

<b>Incumbent</b>	<b>Nominated by</b>	<b>New Appointee</b>	<b>Nominated by</b>	<b>Date of Appointment</b>	<b>End of Term</b>
Elizabeth White	District 1		Vance Aydlett	Unexpired Term January 2009	January 2011
David Palmer	District 2		John Rorer	Unexpired Term February 2009	January 2011
Tameron Kugler	District 3		Barry Nelms	January 2009	January 2012
<b>Dr. Ed Cornet*</b>	<b>District 4</b>	<b>Ed Cornet</b>	<b>Owen Etheridge</b>	<b>Unexpired Term 1/2013</b>	<b>1/2013</b>
<b>Kevin Burwell*</b>	<b>District 5</b>	<b>Kevin Burwell</b>	<b>Janet Taylor</b>	<b>1/2010</b>	<b>1/2013</b>
H. D. Newbern	At-Large		Gene Gregory	January 2009	January 2011
Ken Edgar	At-Large		Paul O'Neal	Unexpired Term July 2009	January 2011

**Gwen Keene**

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**From:** Peter Bishop  
**Sent:** Monday, January 10, 2011 10:11 AM  
**To:** Shannon Kinser; 'Bobby Hanig'  
**Cc:** Wendy Jewett; Gwen Keene  
**Subject:** Mr. Bobby Hanig will accept nomination to NWDB!  
**Attachments:** image001.png

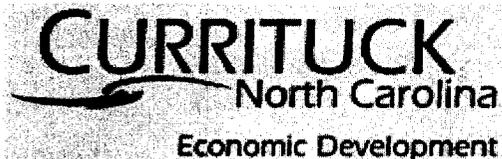
Shannon,

I spoke with Bobby Hanig of The Pool Guy / Brindley-Hanig Svc Friday and confirmed that he will accept a nomination to the NWDB.

If memory serves, you need to send something to the Board of Commissioners and NWDB via email/letterhead making this nomination official. We will place him on the 1/18/10 BOC meeting agenda for approval, and Wendy will take care of the NWDB side and all paperwork.

THANK YOU BOBBY!!

-Peter



Peter F. Bishop  
Director of Economic Development  
Currituck County, NC  
P: 252-232-6015 | M: 252-722-1556 | F: 252-232-3551  
[pbishop@thinkcurrituck.com](mailto:pbishop@thinkcurrituck.com) | [www.thinkcurrituck.com](http://www.thinkcurrituck.com)



# THE ALBEMARLE COMMISSION

LEAD REGIONAL ORGANIZATION FOR REGION R

Chairman, Barry Nelms  
Executive Director, Bert Banks

Member  
Governments

Camden  
Chowan  
Currituck  
Dare  
Gates  
Hyde  
Pasquotank  
Perquimans  
Tyrrell  
Washington

Columbia  
Creswell  
Edenton  
Elizabeth City  
Gatesville  
Hertford  
Kill Devil Hills  
Kitty Hawk  
Manteo  
Nags Head  
Plymouth  
Roper  
Southern Shores  
Winfall

December 13, 2010

Mr. Dan Scanlon, Manager  
Currituck County  
P. O. Box 39  
Currituck, NC 27929

Dear Mr. Scanlon:

As a result of the recent county elections, Gene Gregory's position on the Albemarle Regional Planning Organization (RPO) will have to be replaced. We are requesting your Board appoint a county commissioner to serve as a RPO Advisory Committee member.

Our next RPO Advisory Committee meeting is scheduled for February 23<sup>rd</sup> and I plan to meet with all new members prior to this meeting to make them aware of their responsibilities.

If you would notify us in writing who your Board appoints to serve in this position, it would be appreciated.

We look forward to hearing from you.

Sincerely,

Steve Lambert  
RPO Coordinator

CC: Gwen Keene  
Clerk to the Board

1.00  
Alb. Comm.  
Noted quarterly

**RESOLUTION TO BE ADOPTED BY THE BOARD OF COMMISSIONERS  
DESIGNATING OFFICIAL TO SIGN PAPERS AND TO OTHERWISE REPRESENT  
THE BOARD IN CONNECTIONS WITH MOSQUITO CONTROL**

Upon motion of \_\_\_\_\_,  
(Name)

seconded by \_\_\_\_\_,  
(Name)

it is here by ordered that \_\_\_\_\_,  
(Name)

as agent for \_\_\_\_\_,  
(Governmental Unit)

is hereby authorized and empowered to sign and execute all papers and documents necessary in connection with the request made to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, for aid in control of mosquitoes. (S) He is further authorized and required to carry out all agreements stipulated in the project application submitted by us to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, and to perform other acts that are proper and necessary in connection with the operation of this project. Acts of said person on behalf of said

\_\_\_\_\_, are in all respects validated, approved and confirmed.  
(Governmental Unit)

The undersigned \_\_\_\_\_,  
(Name)

clerk of the \_\_\_\_\_, hereby certifies that the  
(Governing Unit)

foregoing is a true copy of the resolution of the

\_\_\_\_\_ at  
(Governing Unit)

a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Clerk

# REQUESTING AUTHORITY FROM COUNTY BOARD OF COMMISSIONER

**CURRITUCK COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Name of County Board

By: \_\_\_\_\_  
**Signature of Authorized Official**

\_\_\_\_\_  
**Typed Name of Authorized Official**

\_\_\_\_\_  
**Typed Official Title of Above**

Date: \_\_\_\_\_, 2011

If your proposed mosquito control work plan involves the use of chemicals, you must list the name and license number of your public health pesticide applicator below. If your proposed work plan does not include the use of any chemicals, then you do not need to list the applicator.

**Greg Badders #5288, Randy Chauvin # 032-5770, Jim Hunter # 032-5771**

\_\_\_\_\_  
Name of Licensed Applicator

**as noted above following each applicator's name**

\_\_\_\_\_  
North Carolina License Number

You must complete DENR Form 1239 "Resolution to be Adopted by the Board of Commissioners Designating Official to Sign Necessary Papers and to Otherwise Represent Board in Connection with Mosquito Control" and submit it with this application.

*Note: All required signatures on this page **must** be secured or this application will **not** be processed.*

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of January, 2011 ,  
 passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or</u>
60808-533801	Chemicals	\$ 6,000	
60808-533201	Lab Tests	\$ 6,000	
60808-513001	Utilities	\$ 4,000	
60808-545001	Contracted Services		16,000
		<u>\$ 16,000</u>	<u>\$ 16,000</u>

**Explanation:** *Ocean Sands Water and Sewer District (60808)* - Transfer funds for increased chemical, lab tests and utilities costs at the Ocean Sands Sewer Treatment plant.

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

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of January, 2011 ,  
 passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or</u>
50795-545000	Contracted Services	\$ 156,612	
50795-561000	Professional Services	\$ 458,179	
50795-588000	Contingency		\$ 614,791
		<u>\$ 614,791</u>	<u>\$ 614,791</u>

**Explanation:** *Community Center/YMCA (50795) - Transfer funds for Sussex Change Order #1, Wildlife Garden at site and Professional Services for the YMCA of South Hampton Roads.*

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

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Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of January, 2011 ,  
 passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or</u>
66868-545000	Contracted Services	\$ 3,000	
66868-533200	Lab Tests	\$ 2,000	
66868-533800	Chemicals		\$ 5,000
		<u>\$ 5,000</u>	<u>\$ 5,000</u>

**Explanation:** *Southern Outer Banks Water (66868)* - To transfer funds for directional bores and lab testing supplies for the Southern Outer Banks Water System.

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

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Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of January, 2011 ,  
 passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or</u>
61818-513000	Utilities	\$ 50,000	
61818-511000	Telephone Postage	\$ 2,000	
61818-533800	Chemicals		\$ 52,000
		<u>\$ 52,000</u>	<u>\$ 52,000</u>

**Explanation:** *Mainland Water (61818)* - To transfer funds for anticipated utilities and postage for the remainder of this year.

**Net Budget Effect:** Mainland Water (61) - No change.

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\_\_\_\_\_  
 Clerk to the Board

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 passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or</u>
10441-514000	Travel	\$ 1,000	
10441-514500	Training and Education		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

**Explanation:** *Information Technology Services (10441)* - Transfer funds for increased travel.

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

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Journal # \_\_\_\_\_

\_\_\_\_\_  
 Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of January, 2011 ,  
 passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or</u>
65858-590441	Technology over \$1,000	\$ 1,830	
65858-511000	Telephone & Postage		\$ 500
65858-533200	Lab Tests		\$ 1,000
65858-561000	Professional Services		\$ 330
		<u>\$ 1,830</u>	<u>\$ 1,830</u>

**Explanation:** *Moyock Commons Sewer (65858) - Transfer funds to replace computer for the SCADA sewer telemetry system.*

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

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Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

**RESOLUTION PROVIDING FOR ELECTRONIC LISTING AND EXTENDING THE  
TIME FOR FILING ELECTRONIC LISTINGS OF PERSONAL PROPERTY FOR  
PROPERTY TAX PURPOSES**

WHEREAS, North Carolina General Statute § 105-304 authorizes Counties to permit electronic listing of personal property, and

WHEREAS, North Carolina General Statute § 105-307 permits the Board of County Commissioners to extend the deadline for filing electronic listings of personal property under G.S. § 105-304 to June 1, and

WHEREAS, North Carolina General Statute 105-311(b) authorizes electronic signature of personal property listings which are submitted electronically,

NOW THEREFORE BE IT RESOLVED as follows:

Section 1. **The Currituck** County Board of Commissioners hereby authorizes personal property listings to be submitted and signed electronically.

Sec. 2. The following procedures will apply to electronic tax filings. Electronic listings must be submitted online. Facsimiles will not be accepted as electronic listings. In order to file electronically, the taxpayer must use an electronic listing application approved by the County. To request an extension to electronically file personal property listings after the normal listing period, the taxpayer must file an online request for extension of time prior to the end of the listing period, and must provide an Account ID provided by the County and associated with the location for which the extension is requested. Once an extension of time has been granted by the assessor the electronic filing must be received by the **Currituck** County Assessor no later than April 15 in order to avoid late list penalties.

Sec. 3. This resolution shall be recorded in the minutes of the **Currituck** County Board of Commissioners and notice of the procedure and extension of time for electronic filing of personal property listings shall be published as required by G.S. § 105-296(c).

Sec. 4. This resolution is effective for all tax years after its adoption and at such time as the Assessor has the ability to implement a system for electronic listing.

CURRITUCK COUNTY  
NORTH CAROLINA  
January 3, 2011

The Board of Commissioners met at 6 p.m. to discuss the sign ordinance.

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 Aydlett, Commissioners Etheridge, O'Neal, Rorer, Gilbert, Etheridge and Martin.

### **Invocation and Pledge of Allegiance**

The Reverend Paul Bopp, Truth Alive Church, was present to give the invocation.

### **Approval of Agenda**

Commissioner Rorer moved to amend the agenda by deleting Item 6 and 7 and add to consent agenda approval of job description for Captain in Sheriff's Department. Commissioner Martin 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            **Public Hearing and Action:** PB 10-30 Eagle Creek Home Association: Request to amend the Unified Development Ordinance, Chapter 7, Section 7.2 to establish an electronic informational subdivision sign as a permissible sign in Currituck County and to set development standards for that type of sign.
- Item 4            **Public Hearing and Action:** PB 10-29 Mark Minor: Request to amend the Unified Development Ordinance, Chapter 3, Section 3.5.4. and Chapter 17, Section 17.2 Definitions to modify the criteria in which a bed and breakfast inn is established.
- Item 5            **Consideration of**    Identity Theft Prevention Ordinance
- Item 6            **Consideration of Fixed Base Operator at Airport (Tabled)**
- Item 7            **Appointment to Workforce Development Board (Tabled)**
- Item 8            **Appointment of two At Large and District 4 Appointments to Airport Board**
- Item 9            **Appointment of Commissioner to the following Boards:**

**Commissioner Gilbert**

Recreation Board

Airport Board

**Commissioner Rorer**

Work Force Development Committee

EIC Board

Albemarle Commission

**Commissioner Etheridge**

Albemarle Regional Health

Extension Advisory Board

Albemarle Mental Health

**Commissioner Martin**

COA Board

Senior Citizens Board

Juvenile Crime Prevention Committee

**Commissioner Petrey**

Social Service Board

Whalehead Board

Whalehead Drainage Board

**Commissioner O'Neal**

Economic Development Board

Tourism Board

**Chairman Aydlett**

Fire & EMS Board

Albemarle Solid Waste

Item 10

**Consent Agenda:**

1. Approval of December 6, 2010, Minutes
2. Request to hire Jon Dennis at Detention Center
3. Resolution to declare surplus property, public works
4. Approval of 2010 Order of Tax Collections
5. Budget Amendments
6. Approval of Resolution RC&D
7. Approval of Grant for Rural Center
8. Change orders 1 & 2, Baker Construction - Judicial Roof
9. Approval of job description for Captain in Sheriff's Department

Item 11

Commissioner's Report

Item 12

County Manager's Report

Adjourn

**Special Meeting**

**Tourism Development Authority**

- Item 1            Consideration of "Buy Local" Campaign
- Item 2            Request for additional Marketing funds from Occupancy Tax
- Item 3            TDA Budget Amendments

Adjourn

**Public Comment**

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

Chairman Aydlett opened the public comment period.

Charles Berry, Walnut Island, thanked the Board for their help at Christmas.

Bob Henley, Coinjock, requested that the new sign ordinance exempt non profits from permits and permit fees.

Savannah Koneval, requested the Board to support her proposal for a maintenance facility at the Airport.

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

**Public Hearing and Action: PB 10-30 Eagle Creek Home Association: Request to amend the Unified Development Ordinance, Chapter 7, Section 7.2 to establish an electronic informational subdivision sign as a permissible sign in Currituck County and to set development standards for that type of sign.**

The applicant was not present so item could not be heard.

Greg Gould, resident, opposed the ordinance.

Commissioner Rorer moved to table. Commissioner Petrey seconded the motion. Motion carried.

**Public Hearing and Action: PB 10-29 Mark Minor: Request to amend the Unified Development Ordinance, Chapter 3, Section 3.5.4. and Chapter 17, Section 17.2 Definitions to modify the criteria in which a bed and breakfast inn is established.**

Ben Woody, Planning Director, reviewed the request. The enclosed text amendment requested by Mark Minor is intended to allow bed and breakfast establishments in single family dwellings built since November 5, 1984. The date restriction was originally placed in the ordinance by reference as the approval date of a text amendment that allowed bed and breakfast establishments.

Typically, bed and breakfast establishments are converted single family dwellings that have historical features or significance. However, many communities also allow bed and breakfast establishments in single family dwellings that do not have historical features or significance. Staff notes that a bed and breakfast establishment located in a single family dwelling that contains more than five guest rooms for rent is not considered a single family dwelling for purposes of complying with the NC Residential Code.

The Planning Board recommended unanimous approval at their December 14, 2010 meeting.

It appears this request is consistent with the Land Use Plan and staff supports the text amendment as submitted.

**PLANNING BOARD DISCUSSION (12-14-10)**

Mr. Minor stated he has been experiencing and enjoying Currituck County for 10 years. The bed and breakfast inn will help the taxpayers in the county.

Mr. Kovacs asked how many bedrooms will be at the bed and breakfast inn.

Mr. Minor stated three.

**ACTION**

Mr. West moved to approve PB 10-29 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Mr. Kovacs seconded the motion. Motion carried unanimously.

Chairman Aydlett opened the public hearing.

Mark Minor, applicant, was present to answer questions.

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

Commissioner O'Neal moved to approve due to its consistency with the 2006 Land Use Plan and the request is reasonable

and in the public interest and promotes orderly growth and development. Commissioner Martin seconded the motion. Motion carried.

**Consideration of Identity Theft Prevention Ordinance**

Ike McRee, County Attorney reviewed the ordinance.

Commissioner Martin moved to adopt. Commissioner Etheridge seconded the motion. Motion carried.

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING CHAPTER 2 OF THE CURRITUCK COUNTY CODE OF ORDINANCES TO ESTABLISH IDENTITY THEFT PREVENTION PROGRAM AS REQUIRED BY THE FEDERAL TRADE COMMISSION**

WHEREAS, pursuant to rules adopted by the Federal Trade Commission, referred to as "Red Flag" rules, creditors are required to implement identity theft prevention programs to detect, prevent and mitigate identity theft activity in covered accounts; and

WHEREAS, the County of Currituck maintains accounts as defined by the Federal Trade Commission rules that include deposit accounts or the extension of credit for services involving deferred payment such as utility payments that are paid after delivery of service and is therefore subject to the Federal Trade Commission rule requiring the adoption and implementation of an identity theft protection program.

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

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by adding new sections and division to Chapter 2, Article I to read as follows:

DIVISION 2. IDENTITY THEFT PREVENTION PROGRAM

**Sec. 2-4 Title.**

This ordinance may be known and may be cited as the "Currituck County Identity Theft Prevention Ordinance.

**Sec. 2-5 Purpose and authority.**

The purpose of this ordinance is to provide an identity theft prevention program that complies with Federal Trade Commission regulations set forth in 16 CFR 168.2 and is enacted pursuant to authority conferred by Federal Trade Commission regulation 16 CFR 168.2, and for the purpose of complying with federal regulations requirement that a creditor establish an identity theft prevention program which will use red flags to detect, prevent and mitigate identity theft related information used in covered accounts.

**Sec. 2-6 Definitions.**

For purposes of this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Account means continuing relationship established by a person with a financial institution or creditor to obtain a product or service for personal, family, household or business purposes. Account includes:

(1) An extension of credit, such as the purchase of property or services involving a deferred payment; and

(2) A deposit account.

Covered account means:

(1) An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions, such as a credit card account, mortgage loan, automobile loan, margin account, cell phone account, utility account, checking account, or savings account; and

(2) Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation, or litigation risks.

County means the County of Currituck

Credit means the right granted by a creditor to a debtor to defer payment debt or to incur debts and defer its payment or to purchase property or services and payment therefore.

Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit and includes utility companies and telecommunications companies.

Customer means a person that has a covered account with a financial institution or creditor.

Identity theft means a fraud committed or attempted using identifying information of another person without authority.

Person means a natural person, a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

Personal identifying information means a person's credit card account information, debit card information, bank account information and drivers license information and for a natural person includes their social security number, mother's birth name, and date of birth.

Red flag means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

Service provider means a person that provides a service directly to the county.

**Sec. 2-7 Identity theft prevention program.**

The Federal Trade Commission (FTC) requires creditors to implement an identity theft program. The FTC requirement and regulation is necessary in order to comply with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

**Sec. 2-8 Establishing a covered account.**

(a) To open an account a customer shall provide a valid government issued identification card with a valid photo ID.

(b) The customer will be issued a random account number to be associated with the covered account information.

**Sec. 2-9 Access to covered account information.**

(a) Access to customer accounts shall be password protected and shall be limited to authorized county personnel.

(b) Password(s) shall be changed on a regular basis, and in accordance with the county's Information Technical Services password security policy.

(c) Any unauthorized access to or other breach of customer accounts is to be reported to the relevant department head, Information Technical Services Department and Finance Department.

(d) Any requests for customer account information, other than from a properly identified customer, shall be reported to the relevant department head, Information Technical Services Department and Finance Department.

**Sec. 2-10 Credit card payments.**

(a) A vendor that processes credit card payments over the Internet shall certify that it has an identity theft program prevention program which meets the requirements of the Federal Trade and Regulation requirements under 16 CFR 168.2.

(b) Credit card payments made by telephone shall be entered immediately into the computer database for customer account information.

(c) Account statements, receipts and invoices for covered accounts shall include four digits of the credit card or debit card or the bank account used for payment of the covered account.

**Sec. 2-11 Identifying red flags.**

All employees responsible for or involved in the process of opening a covered account, restoring a covered account or accepting

payment for a covered account shall check for red flags as indicators of possible identity theft and such red flags may include:

(a) Consumer reporting agencies, fraud detection agencies or service providers. For example:

(1) Notice of credit freeze;

(2) Notice of address discrepancy;

(3) Pattern of activity in a consumer report that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:

(a) Increase in number of inquiries;

(b) Increase in recent credit relationships;

(c) Closed account due to abuse of account privileges.

(b) Suspicious documents.

(1) Documents that appeared altered or forged;

(2) Identification that appears altered or information is inconsistent with information provided by customer;

(3) Applications that appear altered or forged.

(c) Suspicious personal identification, such as suspicious address change.

(1) Personal identification information inconsistent with information reported from a financial institution;

(2) Personal identification has been previously identified and flagged as fraudulent;

(3) Fictitious mailing address, phone numbers, etc.;

(4) Social security number does not match that of the customer or applicant.

(d) Unusual use of or suspicious activity relating to a covered account.

(1) An inactive account is used after a prolonged inactive period;

(2) Noticeable change in pattern of account activity;

(3) Customer notifies the Finance Director or her designee of unauthorized charges or transactions in connection with a customer's account.

(e) Notice from customers, law enforcement, victims or other reliable sources regarding possible identity theft relating to covered accounts.

**Sec. 2-12. Prevention and mitigation of identity theft.**

If a county employee suspects or confirms that a security breach has occurred, the employee shall:

(a) Contact Information Technical Services Department, Finance Department and the County Attorney's Office. Information Technical Services Department and the County Attorney's Office will assist the employee with notifying the customer and law enforcement agency.

(b) Upon confirming an unauthorized use or access, Information Technical Services Department shall change any account numbers, passwords, security codes, or other security devices that permit access to the account; or close the account.

(c) The county department with the assistance of the Information Technical Services Department, shall determine date of the breach and collect charges for the account that are attributable to the customer.

(d) Any other appropriate action to prevent or mitigate identity theft.

**Sec. 2-13 Updating the program.**

There shall be an annual review of this division, or as more often as required by either the Finance Director or the County Attorney to update the identity theft program when the passage of new laws, statutes or discovered risks that may affect the county's compliance with the Federal Trade Regulation requirements.

**Sec. 2-14 Program administration.**

(a) The county identity theft prevention program shall be administered by the Finance Director who is responsible for the oversight, implementation and administration of the identity theft program. The County Attorney's office is responsible for reviewing reports prepared by the Finance Director for the purpose of monitoring compliance and recommending material changes to the program. The Board of County Commissioners shall approve any changes.

(b) The Finance Director will report at least annually on compliance with the Federal Trade Commission regulations to the Board of County Commissioners, or its designee. The report shall address the effectiveness of current policies and procedures, service provider arrangements and recommendations for material changes to the program.

(c) The Finance Director is responsible for training employees responsible for or involved in opening a new covered account, restoring existing accounts or accepting payment for a covered account.

**Sec. 2-15 Vendor and service providers.**

In the event that the county engages a service provider to perform an activity in connection with one or more covered accounts the Finance Director shall exercise the Finance Director's discretion in reviewing such arrangements in order to ensure, to the best of the Finance Director's ability, that the service provider's activities are conducted in accordance with policies and procedures, agreed upon by contract, that are designed to detect any red flags that may arise in the performance of the service provider's activities and take appropriate steps to prevent or mitigate theft.

PART II. . The heading to Chapter 2, Article I of the Code of Ordinances, Currituck County, North Carolina is amended as follows:

**ARTICLE I. ~~IN GENERAL~~**

DIVISION 1. IN GENERAL

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

**Consideration of Fixed Base Operator at Airport**

Tabled

**Appointment to Workforce Development Board**

Tabled

**Appointment of two At Large and District 4 Appointments to Airport Board**

Commissioner Martin nominated Barbara Courtney;  
Commissioner O'Neal nominated Ken Norris; Commissioner Etheridge nominated Ed Ish.

Commissioner Gilbert moved to approve nominations.  
Commissioner Petrey seconded the motion. Motion carried.

**Appointment of Commissioner to the following Boards:**

Commissioner O'Neal moved to approve as submitted.  
Commissioner Rorer seconded the motion. Motion carried.

**Commissioner Gilbert**

Recreation Board

Airport Board

**Commissioner Rorer**

Work Force Development Committee

EIC Board

Albemarle Commission

**Commissioner Etheridge**

Albemarle Regional Health

Extension Advisory Board

Albemarle Mental Health

**Commissioner Martin**

COA Board

Senior Citizens Board

Juvenile Crime Prevention Committee

**Commissioner Petrey**

Social Service Board

Whalehead Board

Whalehead Drainage Board

**Commissioner O'Neal**

Economic Development Board

Tourism Board

**Chairman Aydlett**

Fire & EMS Board

Albemarle Solid Waste

**Consent Agenda:**

1. Approval of December 6, 2010, Minutes
2. Request to hire Jon Dennis at Detention Center
3. Resolution to declare surplus property, public works
4. Approval of 2010 Order of Tax Collections
5. Budget Amendments
6. Approval of Resolution RC&D
7. Approval of Grant for Rural Center
8. Change orders 1 & 2, Baker Construction - Judicial Roof
9. Approval of job description for Captain in Sheriff's Department

Commissioner Rorer moved to approve. Commissioner Petrey seconded the motion. Motion carried.

**Debit**

**Credit**

<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or <u>Increase Expense</u>	Increase Revenue or <u>Decrease Expense</u>
60808-557100	Software License Fee	720	
60808-516001	Repairs and Maintenance		720
61818-545100	Credit Card Fees	5,500	
61818-557100	Software License Fee	3,041	
61818-590003	Fire Hydrants		8,541
65858-545100	Credit Card Fees	55	
65858-557100	Software License Fee	29	
65858-532000	Supplies		29
65858-533200	Lab Tests		55
66868-532000	Supplies	10,000	
66868-557100	Software License Fee	564	
66868-516000	Maintenance & Repair		9,000
66868-533200	Lab Tests		564
66868-545000	Contract Services		1,000
		<u>\$ 19,909</u>	<u>\$ 19,909</u>

**Explanation:** *Ocean Sands Water & Sewer (60808); Mainland Water (61818); Moyock Commons Sewer (65858); Southern Outer Banks Water (66868) - Transfer funds for increased software license, credit card fees and system supplies.*

**Net Budget Effect:** Ocean Sands Water and Sewer Fund (60) - No change.  
 Mainland Water Fund (61) - No change.  
 Moyock Commons Sewer Fund (65) - No change.  
 Southern Outer Banks Water Fund (66) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit  Decrease Revenue or <u>Increase Expense</u>	Credit  Increase Revenue or <u>Decrease Expense</u>
65858-590000	Capital Outlay	\$ 12,000	
65858-561000	Professional Services		\$ 12,000
		<u>\$ 12,000</u>	<u>\$ 12,000</u>

**Explanation:** *Moyock Commons Sewer (65858) - Replace control panels, monitoring system and pump controls for Moyock Commons.*

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

**Debit**

**Credit**

<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or <u>Increase Expense</u>	Increase Revenue or <u>Decrease Expense</u>
10480-590441	Technology over \$1,000	\$ 1,768	
10480-532000	Supplies		\$ 1,768
		<u>\$ 1,768</u>	<u>\$ 1,768</u>

**Explanation:** *Register of Deeds (10480) - Transfer funds to replace workstation in Register of Deeds office.*

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

<u>Account Number</u>	<u>Account Description</u>	Debit  Decrease Revenue or <u>Increase Expense</u>	Credit  Increase Revenue or <u>Decrease Expense</u>
10441-532000	Supplies	\$ 163	
10441-590000	Capital Outlay	\$ 3,790	
10380-484001	Insurance Recovery		3,953
		<u>\$ 3,953</u>	<u>\$ 3,953</u>

**Explanation:** *Information Technology (10441) - Increase appropriations to replace a fax machine and computer network switches damaged by lightning.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$3,953.

<u>Account Number</u>	<u>Account Description</u>	Debit  Decrease Revenue or <u>Increase Expense</u>	Credit  Increase Revenue or <u>Decrease Expense</u>
50795-545000	Contract Services	\$ 2,216,647	
50795-561000	Professional Services		\$ 160,000
50795-570000	Reimbursable Expenses	\$ 429	
50795-588000	Contingency	\$ 562,941	
50795-590000	Furnishings & Fixtures		605,000
50795-594500	Site Work		2,015,017
		<u>\$ 2,780,017</u>	<u>\$ 2,780,017</u>

**Explanation:** *Community Center/YMCA/Senior Center (50795) - To transfer budgeted funds per amendment contracts.*

**Net Budget Effect:** County Governmental Construction (50) - 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
10550-503000	Salaries - Part time	\$ 14,372	
10550-502000	Salaries - Regular		\$ 14,372
		\$ 14,372	\$ 14,372

**Explanation:** *Airport (10550) - Transfer budgeted funds from regular to part-time salaries due to full-time vacancy from July through October 2010.*

**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
10960-539000	Unemployment Compensation	\$ 12,760	
10960-554000	Insurance & Bonds		\$ 12,760
		\$ 12,760	\$ 12,760

**Explanation:** *Central Services (10960) - To increase appropriation for actual unemployment charges for charging year July 31, 2010.*

**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	\$ 33,700	
10390-495015	T F - Occupancy Tax		\$ 33,700
		\$ 33,700	\$ 33,700

**Explanation:** *Sheriff (10510) - Increase appropriations to purchase three ATVs and one 21' Caribbean Skiff with motor and trailer for the Sheriff's Department. These are replacements. The 19' Maycraft will be used as a trade-in for the boat.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$33,700.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
20609-545000	Contract Services	\$ 12,950	
20609-588000	Contingency		\$ 12,950
		\$ 12,950	\$ 12,950

**Explanation:** *Whalehead Watershed Service District (20609) - Clear right-of-ways on six streets; repair potholes and lawncare in the Whalehead Watershed Service District.*

**Net Budget Effect:** Whalehead Watershed Service District (20) - 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
10510-557500	Crime Control Act Appropriated Fund	\$ 20,000	
10390-499900	Balance		\$ 20,000
		\$ 20,000	\$ 20,000

**Explanation:** *Sheriff (10510) - To carry-forward funds collected from Crime Control Act.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$20,000.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50550-592011	Partial Parallel Taxiway 36244.10.4.1	\$ 3,404	
50330-448000	State Aid to Airports		\$ 3,064
50550-592010	Airport Non-match County Funds		340
		\$ 3,404	\$ 3,404

**Explanation:** *Airport Construction (50550) - To increase appropriations for Airport grant 36244.10.4.1 per grant funding allocation.*

**Net Budget Effect:** County Governmental Construction (50) - Increased by \$3,064.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10530-502100	Salaries - Overtime	\$ 150,000	
10530-503500	Salaries - Temp Services	\$ 70,000	
10530-502000	Salaries		\$ 200,000
10530-502200	Holiday Pay		20,000
		<u>\$ 220,000</u>	<u>\$ 220,000</u>

**Explanation:** *Emergency Medical Services (10530) - To transfer budgeted funds to accommodate budget overruns in overtime and temporary services due to multiple open positions and increased staffing of Medic 1.*

**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
50512-596100	Professional Services	\$ 20,000	
50390-495040	T F - Capital Improvements		\$ 20,000
40750-587050	T T - County Govt Construction	20,000	
40390-499900	Appropriated Fund Balance		20,000
		<u>\$ 40,000</u>	<u>\$ 40,000</u>

**Explanation:** *Animal Shelter (50512) - Initial appropriation for feasibility study and design of Animal Shelter.*

**Net Budget Effect:** Co Govt Construction Fund (50) - Increased by \$20,000.  
Capital Improvements Fund (40) - increased by \$20,000.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or
10640-545000	Contract Services	\$ 4,100	
10390-499900	Appropriated Fund		\$ 4,100

Balance

\$	4,100	\$	4,100
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**Explanation:** *Cooperative Extension (10640) - Increase appropriations to fill FSA vacant position.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$4100.

**Commissioner's Report**

Commissioner Gilbert, stated that the Moyock Fire Department, will have breakfast on 2<sup>nd</sup> Sunday each month.

Commissioner Rorer, stated that the Board will have a retreat on January 14 and will be attending a School of Government class in New Bern on January 26.

Commissioner Martin, would like to identify local service members and have them recognized on a monument. Mr. Kohler has agreed to help with this effort.

Commissioner Petrey moved to have Commissioner Martin proceed with this effort for local service members. Commissioner O'Neal seconded the motion. Motion carried.

Commissioner Etheridge reminded the Board that they need to decide if there was any local legislation for the up coming General Assembly.

**County Manager's Report**

**No comment**

Adjourn

There being no further business, the meeting was adjourned.

**Special Meeting**

**Tourism Development Authority**

- Item 1                    Consideration of "Buy Local" Campaign
- Item 2                    Request for additional Marketing funds from Occupancy Tax
- Item 3                    TDA Budget Amendments

Diane Nordstrom, Tourism Director, reviewed the use for additional marketing funds and the buy local campaign.

Commissioner Etheridge moved to approve the above items.  
 Commissioner Rorer 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
15447-513000	Utilities	\$ 19,500	
15447-526201	Playground Incentive		\$ 19,500
		\$ 19,500	\$ 19,500

**Explanation:** *Tourism Related Expenditures (15447)* - Transfer funds for tap fees to the Southern Outer Banks Water System for the Outer Banks Facilities.

**Net Budget Effect:** Occupancy Tax Fund (15) - 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
15442-539000	Unemployment Compensation Appropriated Fund	\$ 1,405	
15390-499900	Balance		\$ 1,405
		\$ 1,405	\$ 1,405

**Explanation:** *Tourism Promotion (15442)* - Increase appropriations for unemployment compensation for the charging year ending July 31, 2010.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$1,405.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15442-514000	Travel	\$ 3,400	
15442-526200	Promotional Efforts	\$ 350,700	
15442-514500	Training & Education		\$ 3,400

15350-465002	Co-Op Advertising Appropriated Fund	\$	6,700
15390-499900	Balance	\$	344,000
		<u>\$</u>	<u>354,100</u>
		<u>\$</u>	<u>354,100</u>

**Explanation:** *Tourism Promotion (15442)* - Increase appropriations proposed additional marketing funds per proposal and for co-op advertising. Also to transfer funds from training & education to travel to attend additional travel shows rather than attending educational conferences.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$350,700.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>  Decrease Revenue or Increase Expense	<b>Credit</b>  Increase Revenue or Decrease Expense
15447-587010	T T - Operating Fund	\$ 33,700	
15320-415000	Occupancy Tax		\$ 33,700
		<u>\$ 33,700</u>	<u>\$ 33,700</u>

**Explanation:** *Tourism Related Expenditures (15447)* - To transfer funds from Occupancy Tax to the Operating Fund for ATVs and boat for the Sheriff Department.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$33,700.

**Adjourn**

There being no further business, the meeting adjourned.



Michelle Perry, E.I.T.  
Engineer Technician

## Currituck County

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Currituck, North Carolina 27929  
252-232-6034  
FAX 252-232-3298

Michelle.Perry@CurrituckCountyNC.Gov

### MEMORANDUM

**Date:** January 7, 2011

**To:** Board of Commissioners  
County Manager  
Finance Director

**From:** Michelle Perry

**RE:** Recommendation of Award  
Renovations to Currituck Outer Banks Visitor Center

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This project consists of Renovations to the Currituck Outer Banks Visitor Center restroom facilities and lobby area. Presently, the restroom facilities have one stall and this project will upgrade the restrooms to three stalls each, in the men and women's restrooms. The lobby area will be remodeled with tile floors, new ceilings, and painted walls. The proposed work is scheduled to be completed within two months. The design of this project was performed in house by myself and Eric.

On January 5<sup>th</sup>, bids were received in the County Engineer's office. Attached is a bid tabulation. The low bidder for this project was Mancuso Development, Inc. of Corolla, NC, in the amount of \$58,750.00.

We are recommending to the Board of Commissioners that the Renovations to the Currituck Outer Banks Visitor Center be awarded to Mancuso Development for the amount of \$58,750.00. With your concurrence, we will move forward with finalizing contracts to begin construction.

## BID TABULATION

### RENOVATIONS TO CURRITUCK OUTER BANKS VISITOR CENTER

January 4, 2011 - 3:00PM

Currituck County Public Works Department

Contractor	Addendum		Base Bid Amount
	1	2	
Mancuso Development, Inc.	X	X	\$58,750.00
Premiere Contracting, Inc.	X	X	\$62,675.00
Alee Construction Services, LLC	X	X	\$72,024.00
Beach Realty & Construction	X	X	\$73,500.00
Ocean Builders, LLC	X	X	\$74,800.00
Narrow Shores Development, Inc.	X	X	\$112,750.00



This Bid Tabulation is certified to be true and correct.

BY *Eric T. Weatherly* 1/6/11  
 Eric T. Weatherly, P.E. Date  
 County Engineer, Currituck County



**AIA**<sup>®</sup>

# Document G701™ - 2001

## Change Order

<b>PROJECT</b> (Name and address):	<b>CHANGE ORDER NUMBER:</b> 001	<b>OWNER:</b> <input checked="" type="checkbox"/>
Currituck County Family YMCA and Community Center	<b>DATE:</b> 01/05/11	<b>ARCHITECT:</b> <input checked="" type="checkbox"/>
130 Community Way		<b>CONTRACTOR:</b> <input checked="" type="checkbox"/>
Currituck, North Carolina 27929		<b>FIELD:</b> <input type="checkbox"/>
<b>TO CONTRACTOR</b> (Name and address):	<b>ARCHITECT'S PROJECT NUMBER:</b>	<b>OTHER:</b> <input checked="" type="checkbox"/>
Sussex Development Corporation	<b>CONTRACT DATE:</b> 10/28/10	
1604 Hilltop West Exec. Center #300	<b>CONTRACT FOR:</b> General Construction	
Virginia Beach, VA 23451		

### THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

RFC#1: Credit for Building Permit Fees	-\$26,806.00
RFC#2: Increase in Builder's Risk policy costs	27,093.40
RFC#3: Drawing changes per approved building permit set	23,846.48
RFC#4: Changes to civil plans from 09/23/10 to 11/04/10	79,495.45
RFC#5: Changes to civil plans from 11/04/10 to 11/18/10	34,468.51
RFC#6: Undercut and backfill beneath building pad	44,038.96
RFC#7: Upgrade to ornamental fencing at pools	6,744.35
RFC#8: Delete landscaping from contract	-34,870.00

The original Contract Sum was	\$	11,879,247.00
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	11,879,247.00
The Contract Sum will be increased by this Change Order in the amount of	\$	154,011.15
The new Contract Sum including this Change Order will be	\$	12,033,258.15

The Contract Time will be unchanged by Zero (0) days.  
The date of Substantial Completion as of the date of this Change Order therefore is unchanged

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

### NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<u>Woodard Design, P.C.</u> <b>ARCHITECT</b> (Firm name)	<u>Sussex Development Corporation</u> <b>CONTRACTOR</b> (Firm name)	<u>County of Currituck, North Carolina</u> <b>OWNER</b> (Firm name)
<u>1100 Granby Street, Suite 201</u> <u>Norfolk, VA 23510</u> <b>ADDRESS</b>	<u>1604 Hilltop West Exec. Ctr., #300</u> <u>Virginia Beach, VA 23451</u> <b>ADDRESS</b>	<u>153 Courthouse Road</u> <u>Currituck, NC 27929</u> <b>ADDRESS</b>
 <b>BY</b> (Signature)	 <b>BY</b> (Signature)	 <b>BY</b> (Signature)
<u>Mark Woodard</u> (Typed name)	<u>Harry L. Davis, III</u> (Typed name)	<u>Dan Scanlon, County Manager</u> (Typed name)
<u>1/5/11</u> <b>DATE</b>	<u>6/05/11</u> <b>DATE</b>	 <b>DATE</b>

WAS SCANLON  
YMCA  
Const. Mgr