



**BOARD OF COMMISSIONERS
AGENDA**

JULY 18, 2011

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Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

Date: Monday, July 18, 2011

Time: 7:00 PM

Work Sessions

6:00 p.m. Update on Technical Aviation Training Center

6:30 Department of Transportation to present the 2012 Secondary Road Program

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 **Public Hearing and Action:** PB 08-03 Backwoods Hideaway: Request for a preliminary plat/special use permit for 16 lots located on Northwest Backwoods Road, approximately 1.4 miles north of the intersection with South Mills Road, Tax Map 3, Parcel 3A, Moyock Township.

Item 4 **Public Hearing and Action:** PB 11-08 Denton E. Snider: Request to amend to the Unified Development Ordinance, Chapter 2: Zoning Districts and Chapter 3: Special Requirements to allow for the storage of vehicles, boats, and trailers on a vacant residential lot.

Item 5 **Consideration and Action:** Adoption of the Currituck County Comprehensive Transportation Plan in accordance with North Carolina General Statutes (136-66.2).

Item 6 **Corolla Fire Department request to purchase property**

Item 7 **Approval of Bid for Sheriff's Vault**

Item 8 **Designation of Voting Delegate to NCACC Annual Conference
August 18, 2011**

Item 9 **Consent Agenda:**

1. RESOLUTION opposing Elimination or Severe Reductions to the Parents as Teachers(PAT) Program in Currituck County
2. ECBA 11-12 Fiscal Monitoring Report
3. Charge Levy on Motor Vehicles for March Renewals
4. Approval of July 5, 2011, Minutes
5. Resolution approving Secondary Road Construction Program 2012

Item 10 Commissioner's Report

Item 11 County Manager's Report

Adjourn

**North Carolina Department of Transportation
Secondary Roads Construction Program**

Currituck County

FY 11-12 **Actual** Allocation

Highway Fund	\$	<u>181,939.99</u>
Trust Fund	\$	<u>142,157.55</u>
Total	\$	<u>324,097.54</u>

I. Paving Unpaved Roads

Programmed Paving Goal: 1.18 Miles

A. Subdivision Paving Priority

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
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**	1412	0.10	Owens Beach Road Ext., Drain, Base & Pave From End Pavmt to End Maint.	\$30,000
	ADDITION	0.31	Long Lane – Bring to Minimum NCDOT Standards From SR 1249 to End	\$25,000

Total Miles 0.41

Subtotal \$ 55,000

++Items previously funded from Prior Rating

Items previously on the 'Hold List'

**Items not rated as of Previous Rating

* In the event that any roads in priority have to be placed on the "Hold List" due to unavailable right of way or environmental review, or if additional funding becomes available, funds will be applied to the roads listed in priority order in the paving alternate list.

*** Subdivision Paving Improvements Alternatives**

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
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NONE				
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B. Rural Paving Priority

Priority Length
Number SR No. (Miles) Road Name and Description Est. Cost

##	1217	1.08	Cooper Garrett Road- Grade, Drain, Base & Pave From SR 1227 to 1.08 miles South Total Estimated Costs: \$325,000 (Partial Fund)	\$25,000
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Total Miles 1.08

Subtotal \$ 25,000

*** Rural Paving Improvements Alternatives**

Priority Length
Number SR No. (Miles) Road Name and Description Est. Cost

##	1217	1.08	Cooper Garrett Road- Grade, Drain, Base & Pave From SR 1227 to 1.08 miles South Total Estimated Costs: \$325,000 (Complete Funding)	\$300,000
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II. General Secondary Road Improvements

A. Paved Road Improvements

Map Length
Number SR No. (Miles) Road Name and Description Est. Cost

1	1215	0.73	Survey Road-Widen and Resurface NC 168 to Eagle Creek Complete Funding	\$100,000
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Subtotal \$ 100,000

Paved Road Improvements Alternatives

Map Length
Number SR No. (Miles) Road Name and Description Est. Cost

1	1216	1.44	Puddin Ridge Road-Widen & Strengthen Pavement From 20' to 22' From NC 168 to SR 1387 Previously Funded: \$628,000 (WBS#1C.027064) Total Estimated: \$700,000 (Partial Fund)	\$72,000
2	1218	1.05	South Mills Road-Level & Strengthen From SR 1227 to Camden Co.	\$225,000

			Total Est. Costs: \$225,000	
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C. Unpaved Road Spot Improvements

Subtotal \$ 50,000

IV. **Funds reserved for surveying, right of way acquisition, road additions, contingencies, departmental overhead, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.**

Subtotal \$ 94,097.54

GRAND TOTAL \$ 324,097.54

Status of Previously Funding Projects

<u>WBS Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>	<u>Status</u>
1C.027064	1233	0.40	Lou Sawyer Road-Grade, Drain, Base, & Pave From SR 1222 to End	\$150,000	Under Construction
1C.027067	1504	0.07	Perch Street-Grade, Drain, Base, & Pave From SR 1288 to End	\$25,000	Complete
1C.027068	1216	1.44	Puddin Ridge Road – Strengthen & Widen (20' to 22') From NC 168 to SR 1387	\$628,000	**

**Awaiting Spending Authority

Subtotal \$ 803,000

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 18, 2011
PB 08-03 Backwoods Hideaway**

ITEM: PB 08-03 Backwoods Hideaway, preliminary plat/special use permit.

LOCATION: Northwest Backwoods Road, approximately 1.4 miles north of the intersection with South Mills Road.

TAX ID: 0003-000-003A-0000

ZONING DISTRICT: Agricultural (A)

PRESENT USE: Vacant

OWNER: Old Brothers LLC and Swain and Temple, Inc

APPLICANT: Hyman and Robey
PO Box 339
Camden NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Vacant	A
SOUTH	Vacant	A
EAST:	Single Family Dwelling	A
WEST:	Vacant	A

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Conservation within the Moyock subarea.

SIZE OF SITE: 54.4 acres

NUMBER OF UNITS: 16 lots

PROJECT DENSITY: .29 units per acre

UTILITIES: Private wells and septic tanks. Water demands are expected to be between 360-480 gallons per day per dwelling.

I. NARRATIVE OF REQUEST:

This is a request for a 16 lot major subdivision. The developer has chosen to reduce minimum lot size for 12 of the lots in order to cluster the lots. The reduced square footage has been added to open space. The developer intends to build homes that will be 1,600 square feet or larger and have a minimum of 2 bathrooms and 3 bedrooms. The lot and home combinations are expected to have an average price of \$250,000.

II. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. Completeness of application.

Suggested Findings:

- a. The application is complete.

2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".

Suggested Findings:

- a. A major subdivision with single family dwellings is a permitted use in the A zoning district.

3. The conditions proposed meet or exceed the minimum requirements of this ordinance.

Suggested Findings:

- a. The conditions proposed meet or exceed the minimum requirements of this ordinance.

4. The special use will not endanger the public health or safety:

Suggested Findings:

- a. The request should have no impact on public health or safety.

5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located

Suggested Findings:

- a. The proposed residential subdivision should have no negative impact on adjoining property. The adjoining uses include low density single family dwellings and agricultural uses.
6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

The 2006 Land Use Plan classifies this site as Conservation within the Moyock subarea. The purpose of the Conservation class is to provide for the long-term management and protection of significant, limited, or irreplaceable areas. Proper management is needed to conserve the natural, cultural, recreational, scenic, or biologically productive values of these areas. Extremely low densities (1 unit per 3 acres) would be permitted.

The policy emphasis for the Moyock subarea states that it is not the County's intention to develop all of Moyock intensely but rather create specific service centers and to provide a buffer of Limited Service Areas at lower density development between Full Service Areas and those within the Rural and Conservation classifications.

The proposed use is in keeping with the policies of the plan, some of which are:

Policy AG2: Farms and woodlands shall be recognized as an integral part of the county's open space system. Efforts to keep these areas viable as part of the area's resource-based economic section, shall be encouraged.

Policy HN3: Currituck County shall especially encourage open space developments that cluster homes on less land, preserving permanently dedicated open space. The objective is to avoid traditional suburban sprawl in these areas.

7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. The subdivision should not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following:

1. The exempt subdivision plat creating the lot must be recorded prior to final plat approval.

2. Please provide an active recreational amenities plan. Parks and Recreation will approve active amenities based on expected demographics and the number of lots in a subdivision.
3. Please note on the plat that this property is located within an 'Unnumbered A flood zone' that will require base elevation calculations prior to building permit application. Base Flood Elevation must be determined according to Section 6.4.3 of the UDO. (*Applicant plans to determine base flood elevations prior to final plat approval*)
4. Please note that these 16 divisions will count towards the total number of lots to determine the required open space for further divisions of this property when either of the following situations exist:
 - a. The new subdivision uses common infrastructure and a common access point to a state road to create a subdivision; or,
 - b. The property is part of the same parcel as it existed April 2, 1989.
5. The subdivision will be subject to a cash deposit for the water lines at final plat. The amendment to the UDO allows the owner to substitute a surety bond or letter of credit if the water lines have not been put in within three years.
6. Pre-Construction submittal will require a Stormwater Management Plan (i.e. Stormwater Calcs, elevations, etc.)
7. More than one acre will be disturbed in the course of developing the infrastructure. An E & S plan must be approved prior to initiating any land disturbance associated with developed.
8. Any impacts to jurisdictional waters or wetlands regulated by the US Army Corps of Engineers will require prior approval by the Wilmington District Office.

IV. PLANNING STAFF RECOMMENDATION:

Staff recommends approval of this request subject to the findings of fact, TRC comments, and the following:

1. The applicant has indicated that all of the open space should be left as natural area. Considering the remote location, small number of lots, and Conservation classification, staff recommends all open space, with the exception of recreational amenities and stormwater infrastructure, be retained by the developer and placed into a conservation easement. This easement shall include a provision that no land disturbance or logging operations take place. The developer shall be responsible for contracting with a conservation receiving agency to hold the easement to the property.

V. PLANNING BOARD RECOMMENDATION:

The Planning Board **recommended approval** of the preliminary plat/special use permit with the findings of fact, staff recommendations, and one recommendation:

- Where the interconnectivity is proposed at the front and back of the development it be noted on these lots that there may be future development.

PLANNING BOARD DISCUSSION (6-14-11)

Mr. Bell asked will there be future development later.

Mr. Woody stated it is likely.

Mr. West asked what the soil type in the area is because it backs up to wetlands.

Mr. Dail stated the soil changes as it gets closer to the wetlands. The Health Department has deemed the soil suitable. The lots would be built up with 2 feet of fill. Mr. Dail has recommended that stormwater infrastructure be built in the open space in place of the recreational amenities.

Mr. Woody stated this is reasonable.

The Planning Board discussed interconnectivity, logging operations and flooding problems.

Mr. Dail stated some stormwater ponds will be added along with ditches around the perimeter of the property.

Mr. Rowland stated this property is wetlands and every time it rains the property is under water. The only drainage this property has is road front property.

Mr. Dail stated a portion of the property is located in a flood zone and the back half of the property is wetlands. Stormwater infrastructure will be installed on the site. A narrative has been provided on how the stormwater will be handled, touching on the pre and post runoff.

Mr. West stated he doesn't like filling lots to build on or adding fill for a septic system.

Mr. Rowland stated the soil type is peat and nothing but swamp.

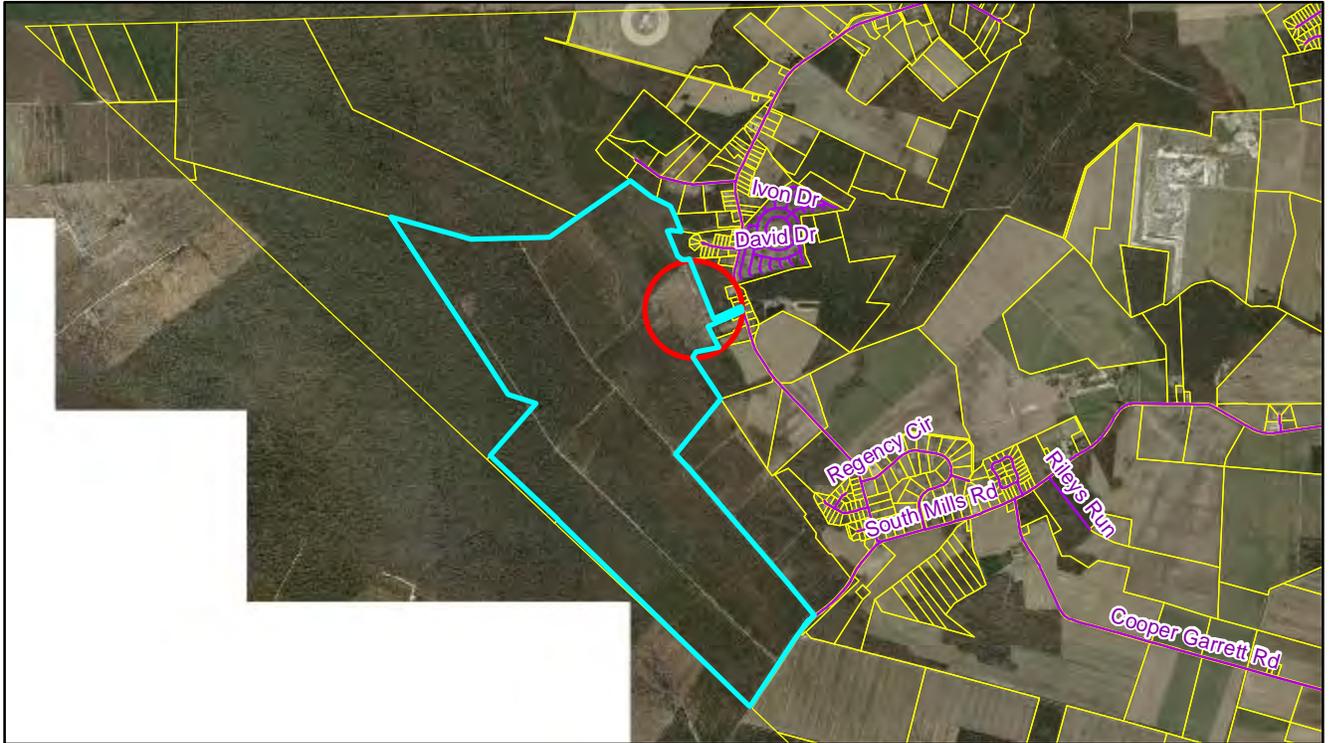
ACTION

Mr. Clark made a motion to deny the request but withdrew the motion.

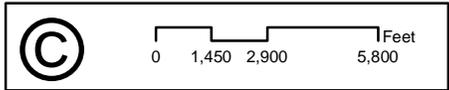
Mr. Kovacs moved to approve PB 08-03 with the findings of fact and staff recommendations included in the case analysis and the following conditions:

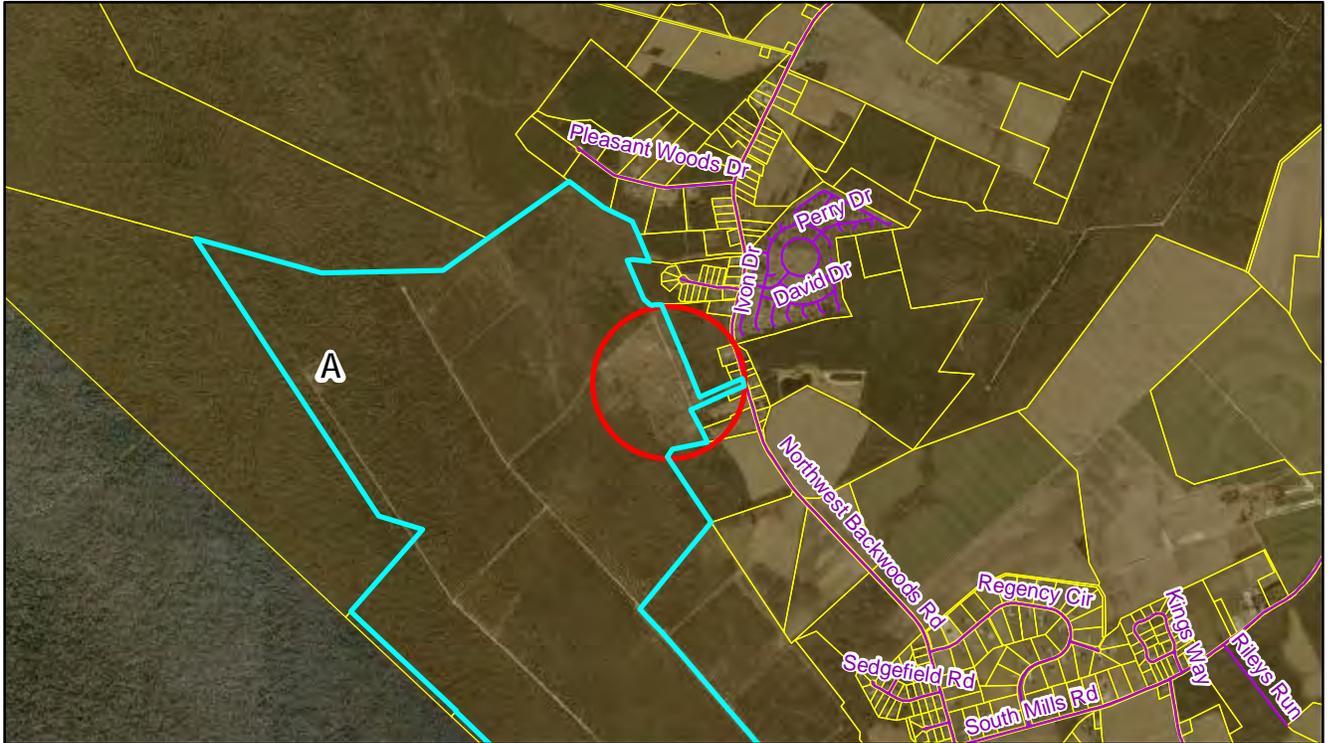
- Where the interconnectivity is proposed at the front and back of the development it be noted on these lots that there may be future development.

Ms. Newbern seconded the motion. Ayes: Mr. Bell, Ms. Newbern, Ms. Taylor, Ms. Wilson, Mr. Kovacs and Mr. Midgette. Nays: Mr. West and Mr. Clark.

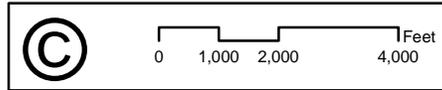


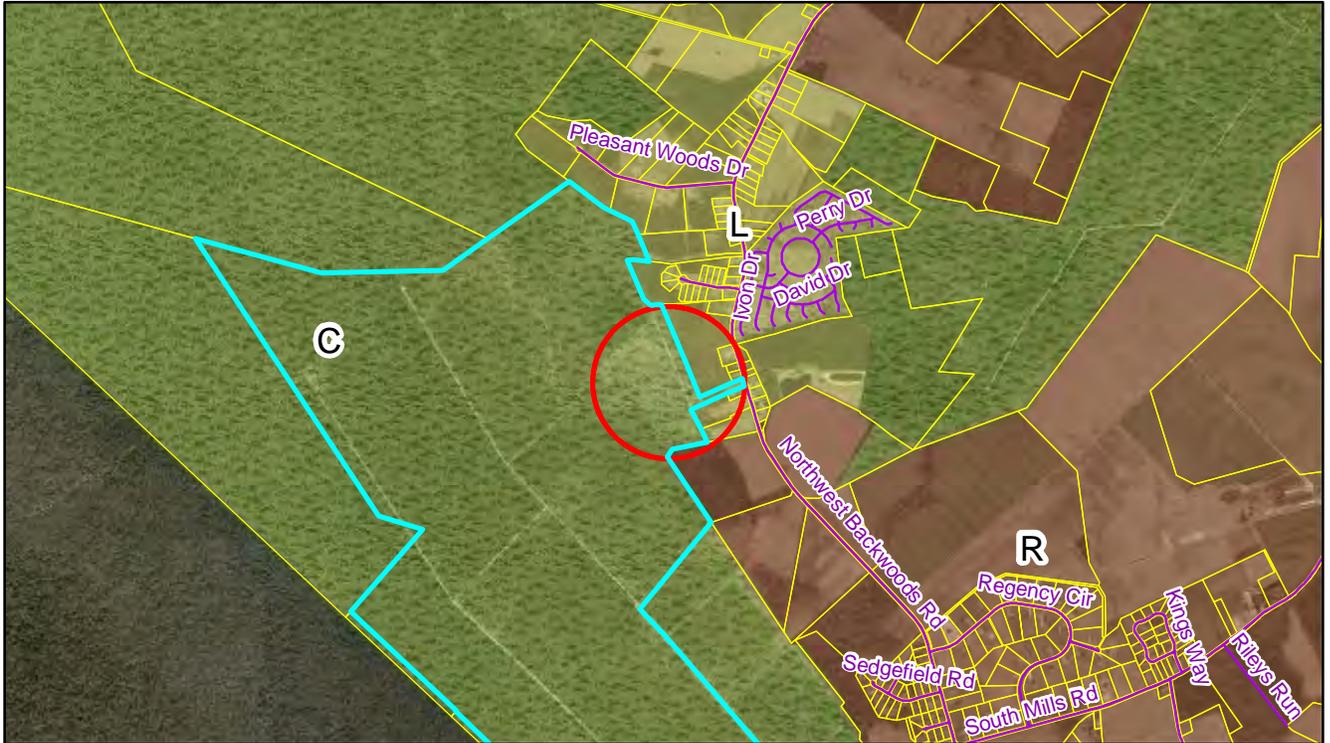
PB 08-03 Backwoods Hideaway
Preliminary Plat/SUP
Aerial Photography



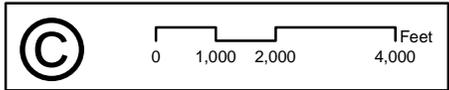


PB 08-03 Backwoods Hideaway
 Preliminary Plat/SUP
 Zoning Classification





PB 08-03 Backwoods Hideaway
 Preliminary Plat/SUP
 LUP Classification



Currituck County

Planning Department
Post Office Box 70
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

TO: Kim Old, Old Brothers LLC
Derek Dail, Hyman and Robey

FROM: Tammy Glave, CZO
Planner II

DATE: May 12, 2011

SUBJECT: Backwoods Hideaway, Preliminary Plat
May 18, 2011 TRC Comments

Your request for Backwoods Hideaway, Preliminary Plat, will be heard at the May 18, 2011 Technical Review Committee (TRC) meeting. Please see the attached agenda for the approximate time schedule. The following comments have been received. TRC comments are valid for six months from the date of the TRC meeting.

Zoning (Tammy Glave 252-232-6025):

Approved with required corrections:

1. The exempt subdivision plat creating the lot must be recorded prior to final plat approval.
2. The special use permit application is incomplete and must be resubmitted. N/A is not acceptable for the determination of specific findings of fact as required for the special use permit. *(Complete application received May 24th.)*
3. All 16 septic evaluations are deemed unsuitable. Environmental Health notes that the lots MAY be reclassified to provisionally suitable if fill is added. The UDO requires that lots must be classified as suitable or provisionally suitable. *(Letter received from ARHS on May 24th.)*
4. Call out the building setback lines on the revised plat. *(Complete)*
5. What active recreational amenities are planned? Parks and Recreation will approve proposed amenities based on the number of lots for a subdivision.
6. Remove Holly Ridge reference in Engineer Certification of Stormwater Improvements note. Remove "and approved by the Currituck County Planning Board" from the same note. *(Complete)*
7. Please note on the plat that this property is located within an 'Unnumbered A flood zone' that will require base elevation calculations prior to building permit application. Base Flood Elevation must be determined according to Section 6.4.3 of the UDO.
8. Please note that these 16 divisions will count towards the total number of lots to determine the required open space for further divisions of this property when either of the following situations exist:

- a. The new subdivision uses common infrastructure and a common access point to a state road to create a subdivision; or,
- b. The property is part of the same parcel as it existed April 2, 1989.

Recommendation:

The applicant has indicated that all of the open space should be left as natural area. Considering the remote location and small number of lots, staff recommends all open space be retained by the developer and placed into a conservation easement. This easement shall include a provision that no land disturbance or logging operations take place. The developer shall be responsible for contracting with a conservation receiving agency to hold the easement to the property.

Currituck County Emergency Management (James Mims, 252-232-4024)

Approved with corrections:

1. Need documentation for fire pond calculations. (*Will be provided at Preconstruction submittal*)
2. Please change storz coupling to National Standard Thread. (*Complete*)

Information Technology (Harry Lee, 252-232-2034)

Approved with comment:

1. Parcel ID Number is incorrect on application. (*Corrected*)
2. Address assignment sheet being forwarded to Tammy Glave, Planner II (attached). (*Given to applicant.*)
3. Street name (Hideaway Ln) previously approved.

Public Utilities (Pat Irwin, 252-232-2769)

Approved with comment:

1. The subdivision will be subject to a cash deposit for the water lines at final plat. The amendment to the UDO allows the owner to substitute a surety bond or letter of credit if the water lines have not been put in within three years.

Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)

Reviewed with comment:

1. CONSULT WITH KEVIN CARVER RS (252)232-6603 FOR SEPTIC SYSTEM AND PRIVATE WELL APPROVALS PER PROPOSED LOT.

Soil and Water (Mike Doxey, 252-232-3360)

Approved with corrections:

1. Provide short narrative explaining how the stormwater will be handled, touching on the pre & post runoff. (*Provided May 24th*)

NC State Archeology (Lawrence Abbott, 919-807-6554)

Reviewed with comment:

1. There are no archaeological sites recorded within the project area. An archaeological survey is not recommended.

Currituck County Building Inspections (Spence Castello, 252-232-6020)

Approved without comment.

NC Division of Coastal Management (Charlan Owens, 252-264-3901)

Reviewed without comment.

County Engineering Department (Eric Weatherly/Michelle Perry 252-232-6035)

Approved with comment:

1. At Pre-Construction we will require a Stormwater Management Plan (i.e. Stormwater Calcs, elevations, etc.)

Currituck County Economic Development (Peter Bishop, 252-232-6015)

Reviewed without comment.

NCDENR Land Quality (Pat McClain, 252-946-6481)

Reviewed with comment:

1. More than one acre will be disturbed in the course of developing the infrastructure. An E & S plan must be approved prior to initiating any land disturbance associated with developed.

US Army Corps of Engineers (Kyle Barnes, 910-251-4584)

Reviewed with comment:

1. Any impacts to jurisdictional waters or wetlands regulated by the US Army Corps of Engineers will require prior approval by the Wilmington District Office.

From: Derek Dail [mailto:derek.dail@hymanrobey.com]
Sent: Tuesday, July 12, 2011 1:11 PM
To: Tammy Glave
Subject: Backwoods Hideaway

Tammy,

I met with Tina McCutcheon and Scott Kemna last week about the entrance of the subdivision for Backwoods. Mrs. McCutcheon lives across the street from the entrance to the subdivision and Mr. Kemna lives immediately to the south of the entrance to the subdivision.

Mrs. McCutcheon is concerned about light glare from cars leaving the subdivision and Mr. Kemna was concerned about the proximity of the drive entrance to his property line.

Since the design plans did not show the house locations in relationship to the property lines, these concerns could not be addressed at the Board of Commissioner's meeting.

During my meeting with Mrs. McCutcheon I presented a drawing that had the drawing underlain with an aerial photo graph that depicted her house and its relationship to the entrance drive. To help minimize the glare of lights shining on her house I am moving the entrance drive to the north. I have attached a sketch that shows the entrance drive moved ten feet to the north. The sketch also shows edge of pavement projections through her property to demonstrate the alignment of the road in relationship to her house.

Mrs. McCutcheon expressed that she wants a privacy fence constructed along her front property line and to be paid for by the developer. We feel that the request is not justified and is not provided.

Mr. Kemna's main concern at the meeting was the closeness of the driveway entrance to his property line because the existing dirt path that serves as an entrance to the property is located immediately adjacent to his property line (approximately 10 feet). The new proposed edge of pavement will be located in excess of 60 feet from his property line which is significantly further than the existing dirt path.

Mr. Kemna also requested an entrance to his property off the new road. The request for the driveway does not meet the County requirements that limit single family residential driveway access to a single road and is not granted at this time.

An updated plan with more detail showing dimensions and radiuses is forthcoming

Please give me a call at 337-8924 if you have any questions.

Sincerely,

Derek A. Dail, P.E.

Project Engineer

Hyman & Robey, PC

150 US Hwy. 158 E.

PO Box 339

Camden, NC 27921

Phone : 252.335.1888 Ext. 824

Fax : 252.338.5552





Currituck County

Department of Planning
Post Office Box 70
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Board of Commissioners
From: Planning Staff
Date: June 30, 2011
Re: PB 11-08 Denton E. Snider – Text Amendment

The proposed text amendment submitted by Denton Snider would allow for the storage of vehicles, boats, and trailers on a vacant residential lot provided it meets certain requirements. Currently, the Unified Development Ordinance allows for an unlimited number of licensed vehicles and trailers, and up to four boats to be stored on a residential lot containing an inhabited single family dwelling. In this case the storage is accessory to the primary use of the lot, the single family dwelling. This text amendment would make vehicle, trailer, and boat storage a primary land use in residential areas.

In the proposal, Mr. Snider sets requirements on the number, use, and ownership of the vehicles/trailers/boats being stored. The proposal also requires the vehicles/trailers to be registered through DMV and maintain a setback from any public or private right-of-way. While these proposed requirements improve the text amendment, it is staff's opinion that storage should not be a primary use in residential areas.

As stated in the UDO, the residential zoning districts in the County are designed and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities. Specifically, the Basic Residential (R) district is designed to provide for low-density residential development. The purpose of residential zoning is to provide for single family dwellings as a primary use, not the storage of vehicles.

Another concern of this proposal is it may lead to storage of items or equipment that either are not allowed by the UDO, or do not meet the comfortable, healthy, safe, and pleasant environment of residential areas.

Because of the above factors, staff recommends **denial** of the proposed amendment. However, shall the proposal be approved, the board may consider an additional requirement limiting the size of the vehicles, boats, and trailers being stored along with a requirement to screen the vehicles from right-of-ways. Currently, accessory home occupations are allowed to store one vehicle or trailer not larger than 8' x 32'.

The Planning Board unanimously recommended denial at their June 14, 2011 meeting.

PLANNING BOARD DISCUSSION (6-14-11)

Mr. Snider stated he received a letter of violation from the county which indicated he was in violation of the UDO, Section 2.5 Outdoor Storage. Mr. Snider stated he has stored vehicles and trailers on a vacant lot in a residential area since 1998. Mr. Snider stated he could put all these cars and trailers in his front yard as long as they are licensed. The UDO limits the number of boats to four to be stored on a residential lot. Mr. Snider is proposing requirements on the number, use, and ownership of the vehicles/trailers/boats being stored. The proposal also requires the vehicles/trailers to be registered through DMV and maintain a setback from any public or private right-of-way. Mr. Snider stated the Board of Commissioners (BOC) saw this in February and they requested staff to make a change to the UDO for their consideration. Mr. Snider stated staff sent a change to the BOC for consideration but staff convinced the commissioners that it was done wrong and the BOC should not recommend the change so this is why he is requesting the text amendment. Mr. Snider stated it is his understanding if you had two lots under one deed then it would be allowable.

Mr. Midgette asked if the homeowner's association would have any limits on the number of vehicles, trailers and boats.

Mr. Snider stated there is no limitation in the covenants.

Ms. Overton presented a power point presentation providing an overview of Tulls Bay Colony. Ms. Overton is opposed to the request.

Mr. Fuciarelli stated he is opposed to the request.

Ms. Taylor asked how many vacant lots are in Tulls Bay Colony.

Mr. Fuciarelli stated approximately twenty lots.

Mr. Gregory stated to leave the ordinance like it is and he is opposed to the request.

Ms. Thayer stated she lives next door to Mr. Snider and the vehicles that are stored on the lot are never as neat as they are shown in the picture. Please keep the neighborhood clean. Ms. Thayer is opposed to the request.

Mr. Decastillia stated he has seen a lot of changes in Currituck. The county ordinance needs to be enforced. Mr. Decastillia is opposed to the request.

Ms. Decastillia stated she is concerned this request will decrease property value. Ms. Decastillia is opposed to the request.

Ms. Fuciarelli stated to protect property values and she is opposed to the request.

Mr. Thayer is opposed to the request.

Mr. West stated this request would apply countywide if approved.

Mr. Snider stated the vehicles and trailers are neat and this is the way they are going to stay. Mr. Snider would be willing to provide screening. Mr. Snider stated there are 330 lots in Tulls Bay Colony and only 240 houses.

Mr. Midgette asked what was submitted to the commissioners.

Mr. Woody stated staff put together some suggestions or ways that would allow storage on vacant lots. Staff did not receive direction from the commissioners to move forward with a text amendment.

ACTION

Mr. Kovacs moved to deny PB 11-08 due to its inconsistency with the 2006 Land Use Plan and that the request is not reasonable and not in the public interest and does not promote orderly growth and development and is not a proper use of land in a residential subdivision. Mr. Clark seconded the motion. Motion carried unanimously.

**Denton E. Snider
PB 11-08
UDO AMENDMENT REQUEST**

An amendment to Chapter 2 Zoning Districts and Chapter 3 Special Requirements to allow for the storage of vehicles, boats, and trailers on a vacant residential lot.

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, Permitted Uses Table is amended adding the following underlined language.

Use	LUC	Zoning Districts											Special Requirements
		A	RA	R	RO1	RO2	RR	GB	C	LBH	LM	HM	
Outdoor Storage	III			<u>Z</u>				Z	Z	Z	Z	Z	3.10.3

Item 2: That Section 3.10.3 B is amended by adding the following and renumbering accordingly:

5. **In the Residential (R) district, only vehicle, boat, and trailer storage is permitted. The following requirements shall apply to vehicle, boat, and trailer storage on a vacant lot:**
 - a. **The lot and vehicles, boats, or trailers being stored shall be under common ownership. The lot shall be located within the same subdivision, residential development, or general area in which the owner resides.**
 - b. **No more than four vehicles, boats, and trailers combined shall be stored.**
 - c. **No vehicle, boat, or trailer shall be stored that is used in association with any retail, service, or industrial use.**
 - d. **All vehicles and trailers stored shall be licensed and registered by the Department of Motor Vehicles, and all boats by the Division of Marine Fisheries. Registration shall be in the name of the property owner on which the vehicle or trailer is stored.**
 - e. **All vehicles, boats, and trailers shall be setback one hundred (100) feet from any public or private right-of-way, and 10 feet from side and rear property lines.**
 - f. **Unenclosed utility trailers stored shall not be used to store additional items or equipment.**

Item 3: 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.

Item 4: This ordinance amendment shall be in effect from and after the _____ day of _____, 2011.

Board of Commissioners' Chairman
Attest:

Gwen H. Keene
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: ____AYES____NAYS_____

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: ____AYES____NAYS_____

ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____

RESOLUTION ADOPTING A
COMPREHENSIVE TRANSPORTATION PLAN
FOR CURRITUCK COUNTY, NORTH CAROLINA

The following resolution was offered by Commissioner _____, seconded by Commissioner _____ and, upon being put to a vote, was carried _____ on the _____ day of _____, _____.

WHEREAS, Currituck County, Albemarle Rural Planning Organization, and the Transportation Planning Branch, North Carolina Department of Transportation, have actively worked to develop a Comprehensive Transportation Plan for Currituck County, North Carolina; and

WHEREAS, the County and the Department of Transportation are directed by North Carolina General Statutes 136-66.2 to reach agreement for a transportation system that will serve present and anticipated volumes of traffic in the County; and

WHEREAS, it is recognized that the proper movement of traffic within and through Currituck County is a highly desirable element of the comprehensive plan for the orderly growth and development of the County; and

WHEREAS, after full study of the plan and providing an opportunity for public comments, the County Commissioners feel it to be in the best interests of the County to adopt a plan pursuant to General Statutes 136-66.2;

NOW THEREFORE, BE IT RESOLVED: That the Currituck County Board of Commissioners hereby adopts the Currituck County Comprehensive Transportation Plan dated

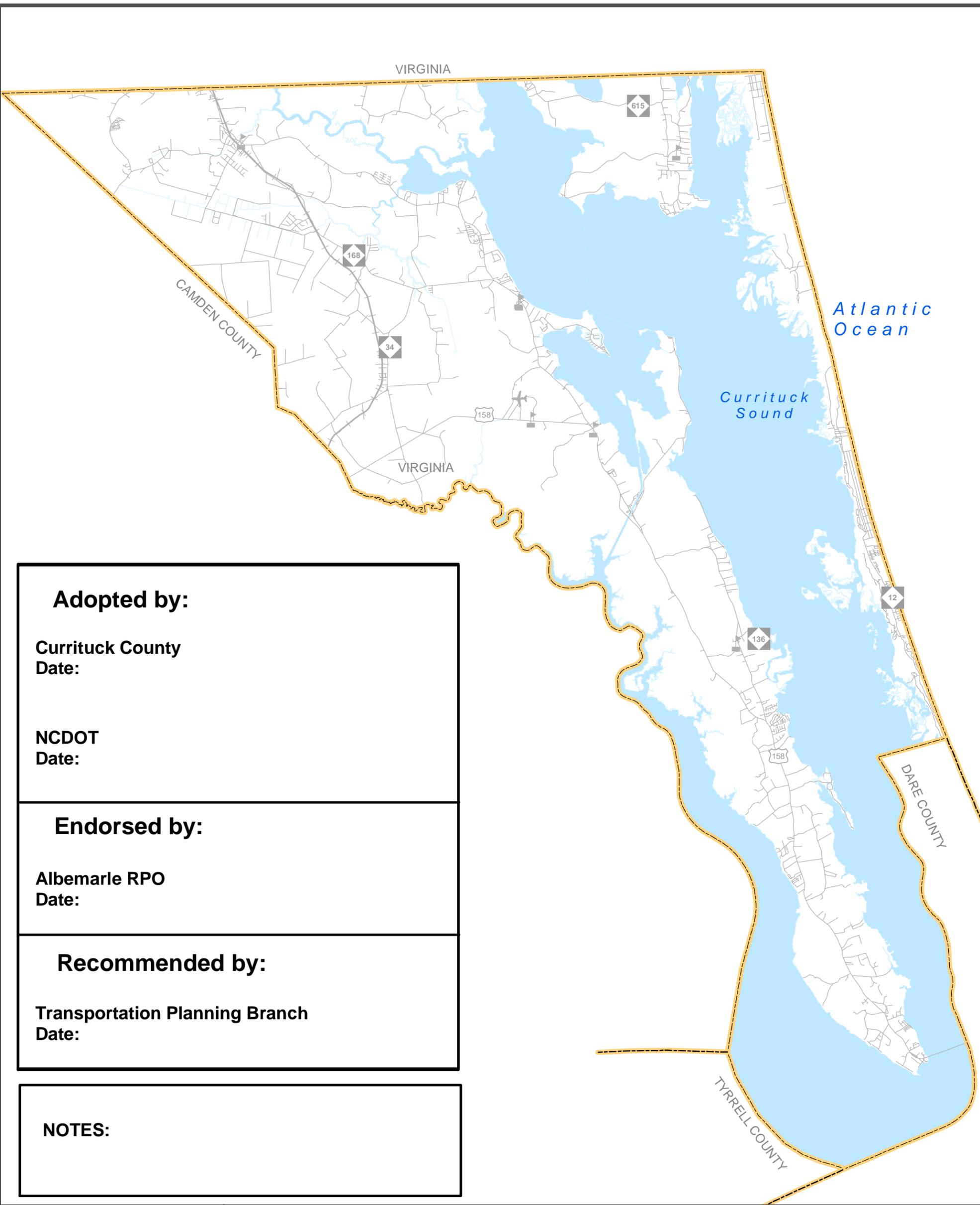
June 23, 2011, that is within its planning jurisdiction. This plan should be approved and adopted as a guide in the development of the transportation system in Currituck County and the same is hereby recommended to the North Carolina Department of Transportation for its subsequent adoption:

I, _____, Clerk of the County of Currituck, North Carolina, hereby certify that the above is a true and correct copy of the excerpts from the minutes of the County Board of Commissioners meeting of said County. WITNESS my hand and the official seal of the County this the _____ day of

_____, _____.

ATTEST (Seal)

Clerk



Adopted by:
 Currituck County
 Date:

NCDOT
 Date:

Endorsed by:
 Albemarle RPO
 Date:

Recommended by:
 Transportation Planning Branch
 Date:

NOTES:

Sheet 1	Adoption Sheet
Sheet 2	Highway Map
Sheet 3	Public Transportation and Rail Map
Sheet 4	Bicycle Map
Sheet 5	Pedestrian Map

Legend

- Airport
- County Boundary
- Schools
- Roads
- Railroads
- Water

0 0.5 1 2 3 Miles

Sheet 1 of 5

Base map date: August 2010

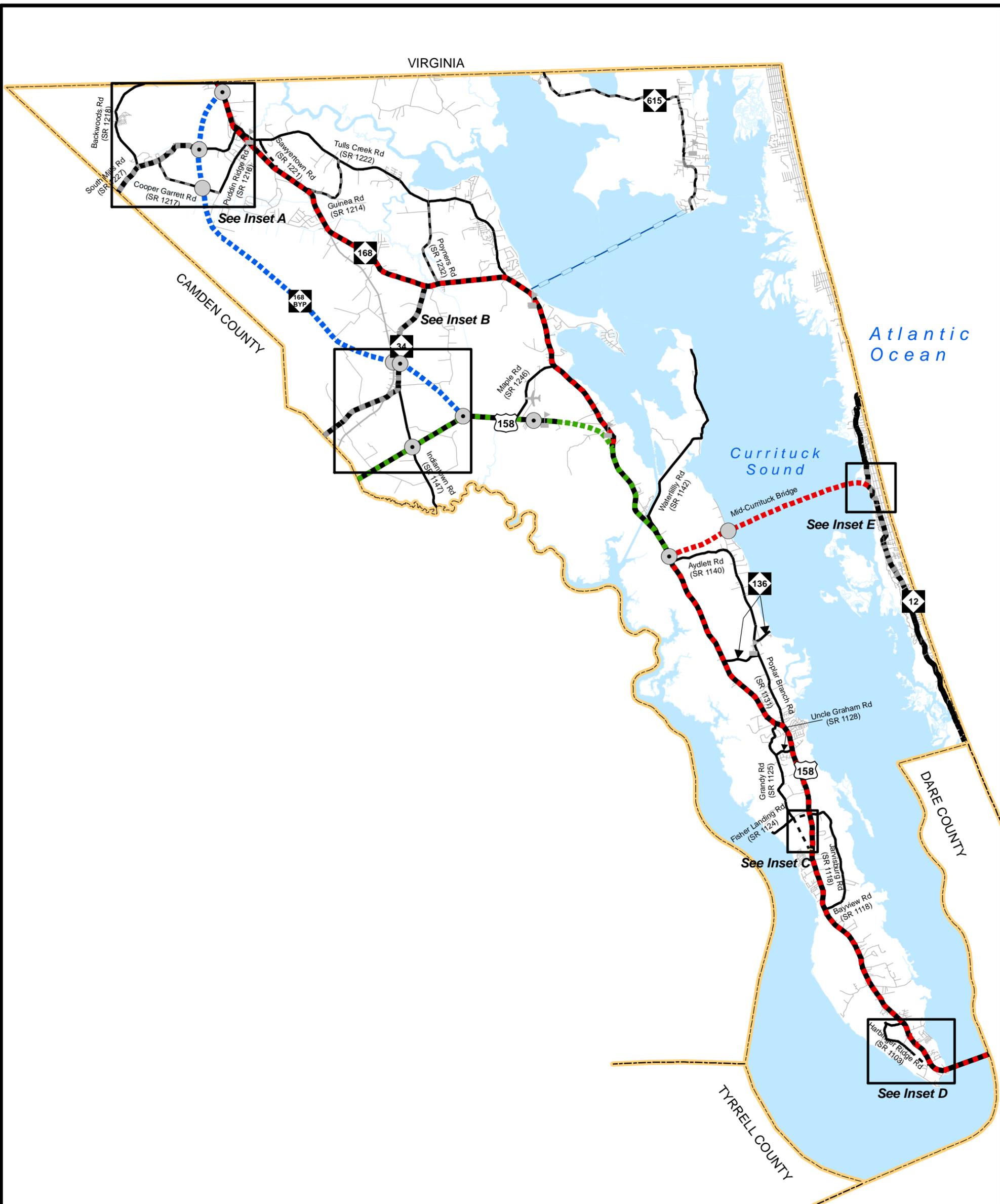
28 Refer to CTP document for more details

Currituck County
 North Carolina

DRAFT

**Comprehensive
 Transportation Plan**

Plan date: June 23, 2011



Freeways	Other Major Thoroughfares
Existing	Existing
Needs Improvement	Needs Improvement
Recommended	Recommended
Expressways	Minor Thoroughfares
Existing	Existing
Needs Improvement	Needs Improvement
Recommended	Recommended
Boulevards	Existing Interchange
Existing	Proposed Interchange
Needs Improvement	Existing Grade Separation
Recommended	Proposed Grade Separation
	Ferry Route



Sheet 2 of 5

Base map date: August 2010

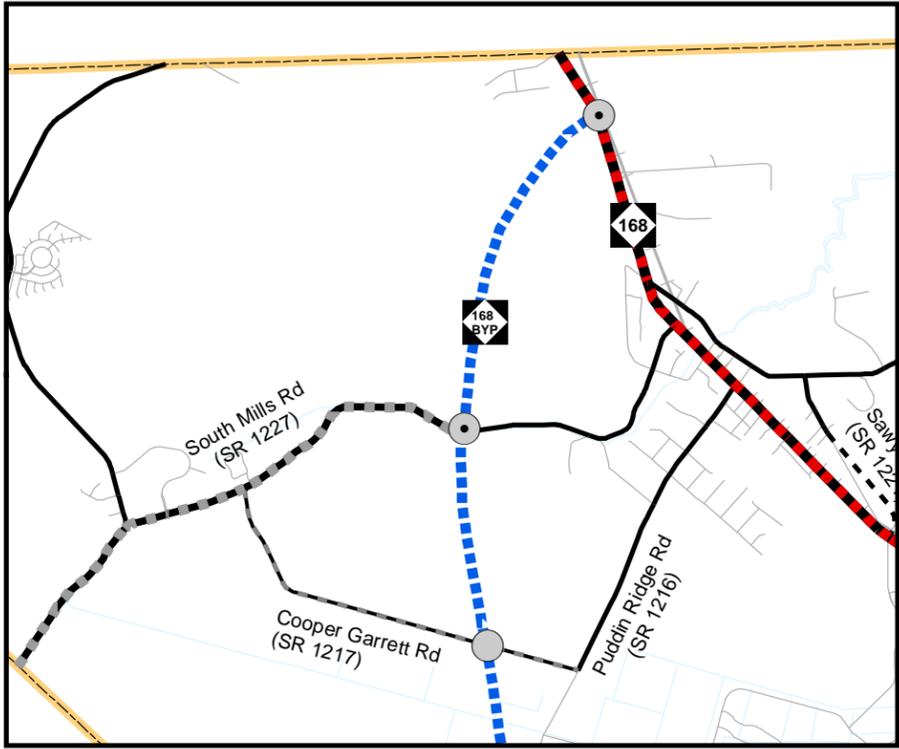
Refer to CTP document for more details

DRAFT
Highway Map

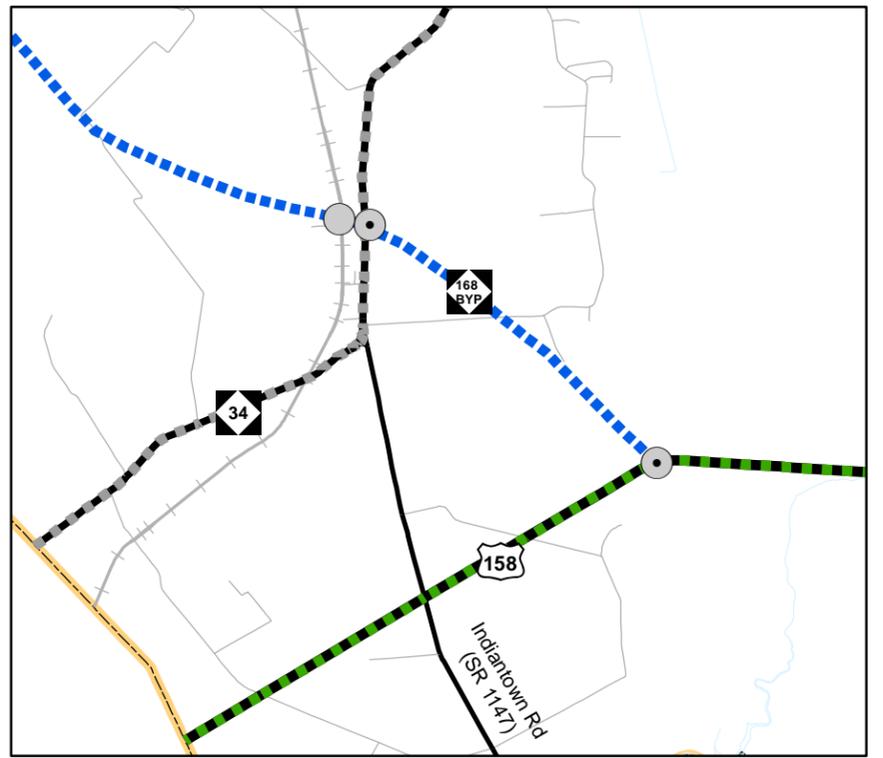


Currituck County
Comprehensive
Transportation Plan

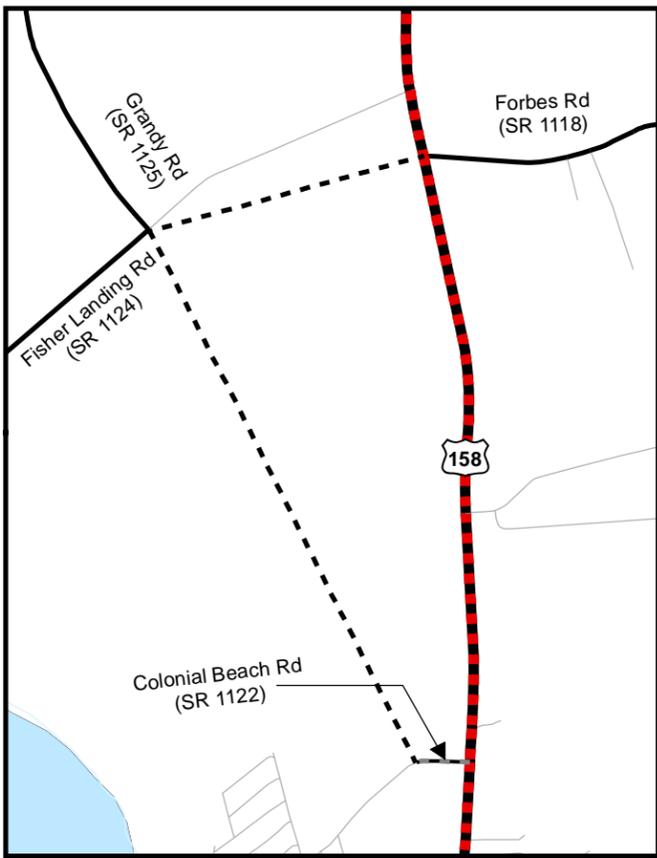
Plan date: June 23, 2011



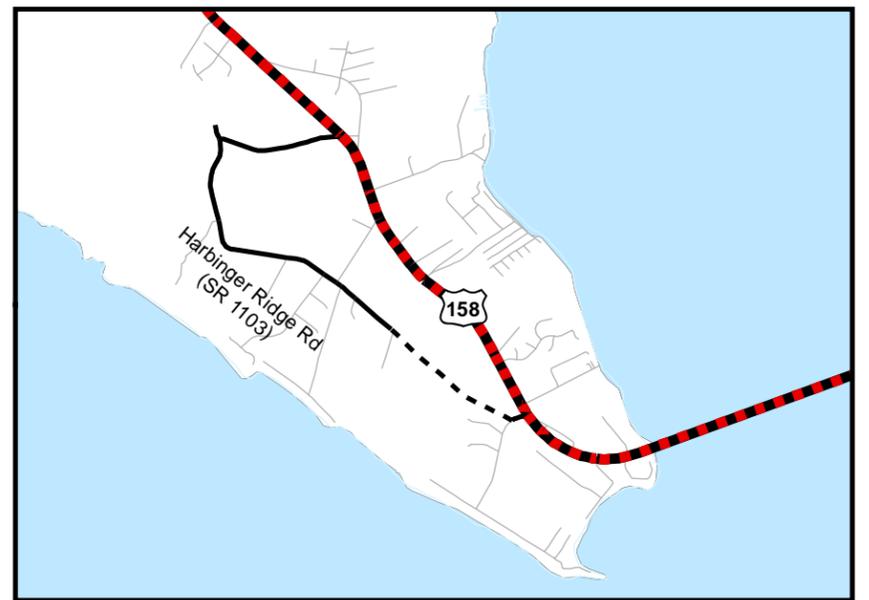
Inset A



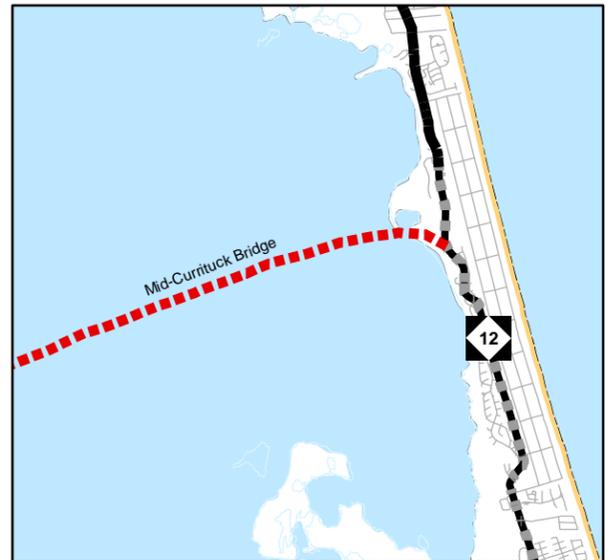
Inset B



Inset C

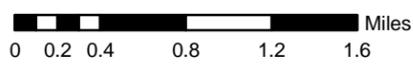


Inset D



Inset E

Freeways	Other Major Thoroughfares
Existing	Existing
Needs Improvement	Needs Improvement
Recommended	Recommended
Expressways	Minor Thoroughfares
Existing	Existing
Needs Improvement	Needs Improvement
Recommended	Recommended
Boulevards	Existing Interchange
Existing	Proposed Interchange
Needs Improvement	Existing Grade Separation
Recommended	Proposed Grade Separation
	Ferry Route



Sheet 2A of 5

Base map date: August 2010

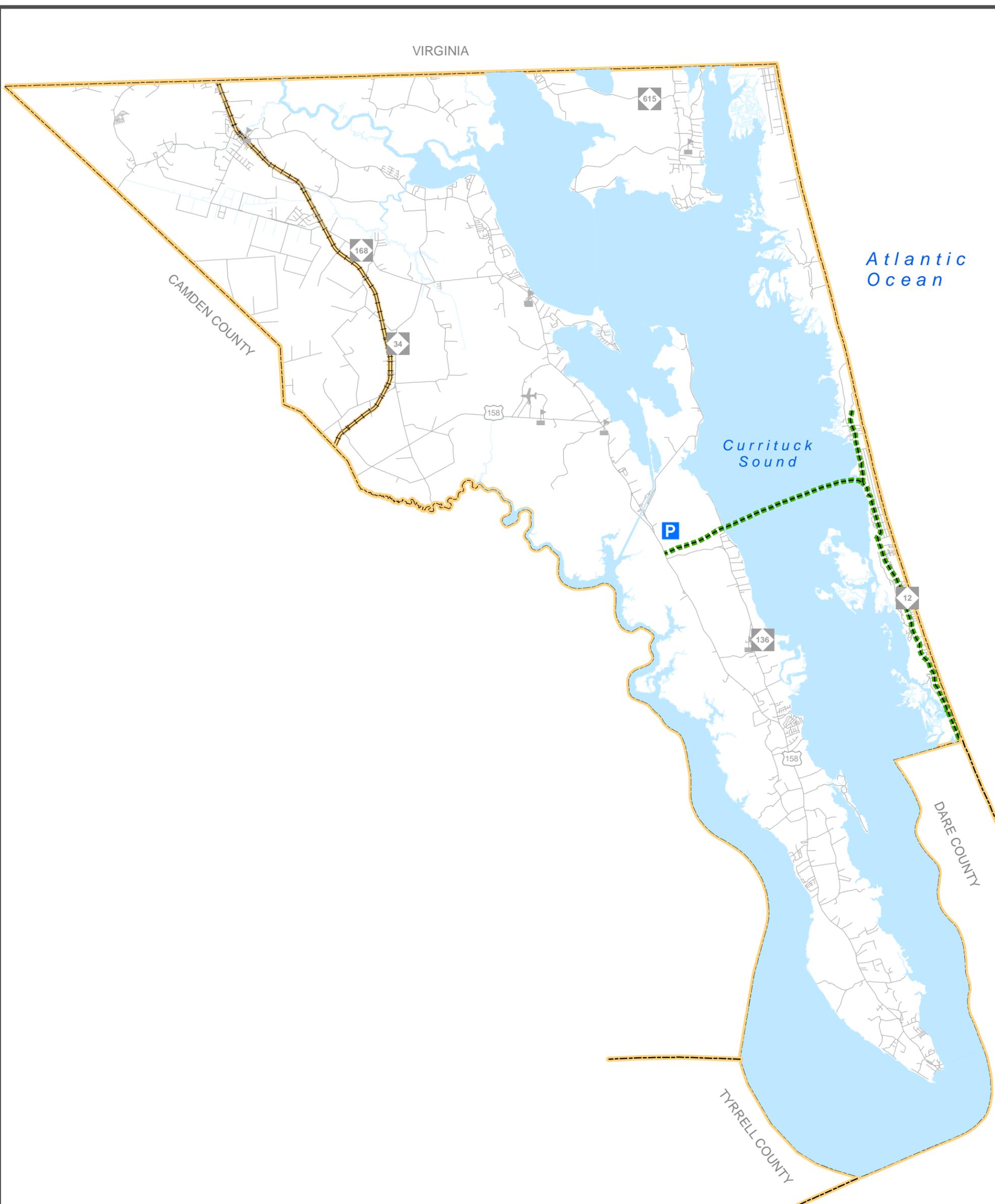
Refer to CTP document for more details

DRAFT
Highway Map



Currituck County
Comprehensive
Transportation Plan

Plan date: June 23, 2011



Bus Routes Existing Needs Improvement Recommended	Rail Corridor Active Inactive Recommended	Existing Grade Separation Proposed Grade Separation
Fixed Guideway Existing Needs Improvement Recommended	High Speed Rail Corridor Existing Recommended	Intermodal Connector Existing Recommended
Operational Strategies Existing Needs Improvement Recommended	Park and Ride Lot Existing Recommended	Rail Stops Existing Recommended



Sheet 3 of 5

Base map date: August 2010

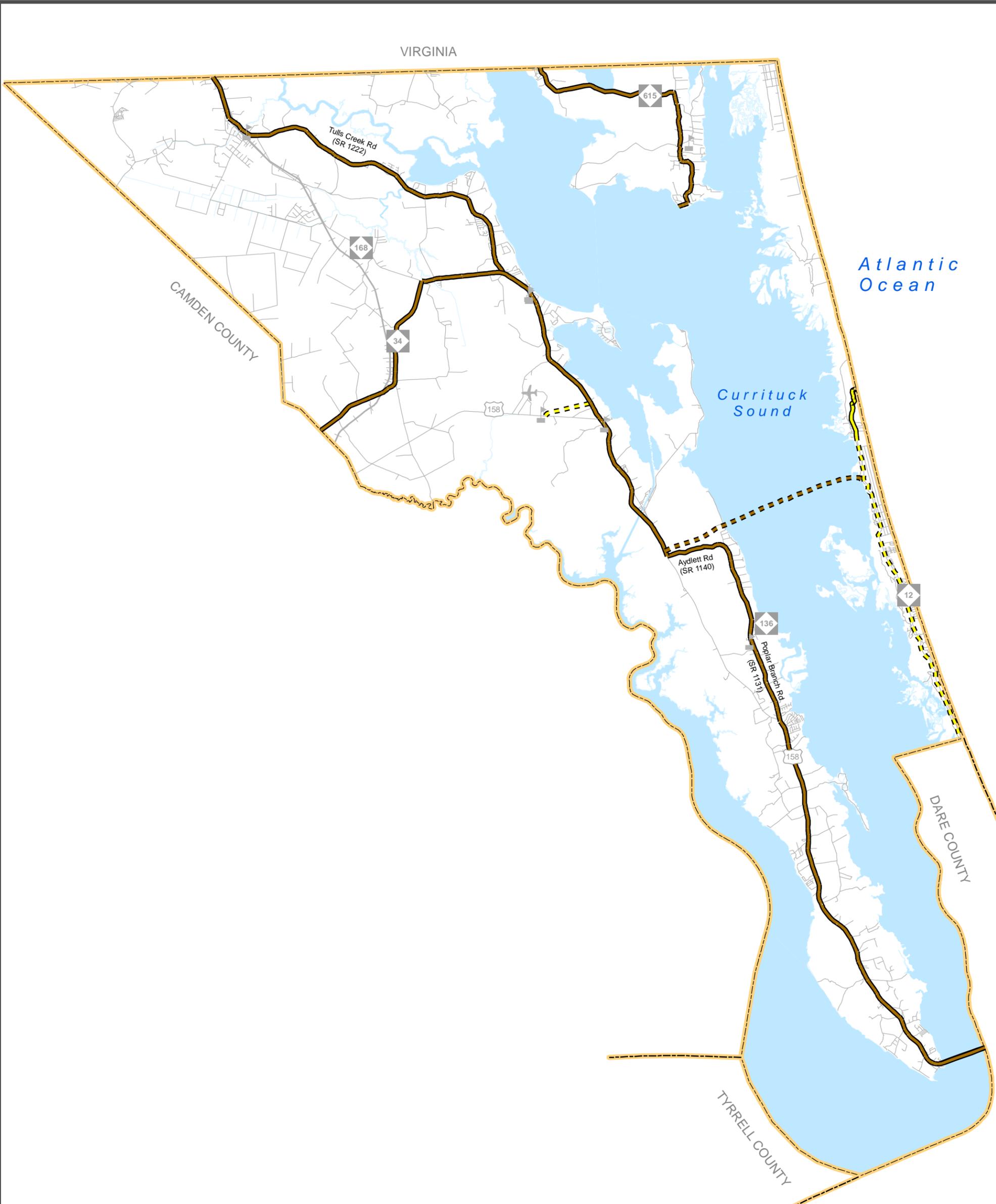
Refer to CTP document for more details

DRAFT
Public Transportation and Rail Map



Currituck County
Comprehensive Transportation Plan

Plan date: June 23, 2011



On-road

- Existing
- Needs Improvement
- Recommended

Off-road

- Existing
- Needs Improvement
- Recommended

Multi-Use Paths

- Existing
- Needs Improvement
- Recommended

- Existing Grade Separation
- Proposed Grade Separation



Sheet 4 of 5

Base map date: August 2010

Refer to CTP document for more details

**DRAFT
Bicycle Map**



**Currituck County
Comprehensive
Transportation Plan**

Plan date: June 23, 2011

COROLLA



FIRE & RESCUE

To: Board of Commissioners and County Manager

Re: Request of incurring debt

Corolla Fire and Rescue Squad Inc. is considering the acquisition of a property somewhat proximate to our Whalehead location. We are quickly outgrowing our usable space at the Whalehead Station, both in terms of fire and ocean rescue operations. Corolla Ocean Rescue has also begun to compete for space in the bays with Corolla Fire. Ocean Rescue has grown from one bay to two, and is still in need of additional storage area.

As you may recall, we have been seeking utilization of the county lot which is located diagonally across from the station. Understanding that building are limited on that property it would be of tremendous advantage just to use it as parking for members and employee vehicles. Additionally Ocean Rescue Rescue is able to attract qualified lifeguards because it provides an affordable housing option for employees. The current house next door to the station has reached maximum capacity. Our officer level personnel have had to seek alternative housing, simply because there is no room available.

We have been working to create an option that would not only be financially responsible, but also provide a measurable solution to both problems. A great opportunity has come before us which will satisfy both needs. There is a property for sale on the corner of Corolla Drive and Dolphin Street that sits just to the west of the county owned lot. This property is contiguous to the county lot with a buffer zone between the two lots. There is a well maintained house on the lot that would provide housing for our seasonal personnel. Additionally, the lot is large enough to allow some storage space for Ocean Rescue vehicles and personal vehicles which would alleviate some of the burden at the Whalehead Station. The location is ideal in that it is close enough to the Station to readily store, prep, and retrieve equipment in an expedient and effective manner.

With continuing support from the community, Corolla Fire and Rescue has access to funds and funding to acquire the property without impacting our operating budgets or requiring additional county funding. We would, however, finance the purchase by way of a short term obligation, not unlike a commercial loan, so as not to unnecessarily draw down reserves. We would like to inquire about the appropriate procedure to request approval of such a transaction.

It is important that we move on this opportunity as soon as possible. The house is currently listed at a very attractive price but has had some interest. The house is a rental, and is booked through August of 2011. While we would be required to honor rentals for 180 days after closing, we would also be the recipients of the rental proceeds starting the day of closing. Although we would not have use of the property this season, we would benefit from any rental proceeds received post-closing. More importantly we would like to be in a position to close before any more rentals are booked for next.

Thank you for your time and courtesies. We would welcome your feedback.

Chief Rick Galganski
Corolla Fire and Rescue / Ocean Rescue
Corolla, North Carolina 27927
827 Whalehead Drive
Corollafireandrescue.com
Cell-252-619-4442

Gwen Keene

From: Dan Scanlon
Sent: Tuesday, July 12, 2011 8:28 AM
To: Gwen Keene
Subject: FW: Sheriff's Evidence Vault Bids

Attachments: bidtab.pdf



bidtab.pdf (8 KB)

-----Original Message-----

From: Brenda McQueen
Sent: Friday, July 08, 2011 1:01 PM
To: Dan Scanlon
Subject: Sheriff's Evidence Vault Bids

I concur with Ed Virgili's recommendation.

-----Original Message-----

From: Ed Virgili [mailto:evirgili@cox.net]
Sent: Friday, July 08, 2011 12:04 PM
To: Brenda McQueen
Subject: Re: Sheriff's Evidence Vault Bids

Brenda,
Enclosed is a copy of the Bid Tab that I have sent to the construction news companies.

I recommend that A.R. Chessson be awarded the contract and that Alternate #1 be accepted for a contract total of \$347,393.

I normally send a letter of bid acceptance to the Contractor selected; just let me know when you would like that sent.

--

Sincerely,
Ed Virgili
Architect
720 Norfolk Ave.
Va Beach, VA 23451
(757) 437-4418 PH
(252) 255-2286 PH
(757) 353-4644 FAX

Bid Tabulation

Currituck Co.
Sheriff's Office Evidence Building
Maple, NC

7 July 2011, 3:00 PM

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate #1</u>	<u>Total</u>
John E. Bassett, Inc. Edenton, NC	<u>(no bid received)</u>		
A.R. Chesson Construction Co., Inc.* Elizabeth City, NC	<u>\$343,443.00</u>	Add <u>\$3,950.00</u>	<u>\$347,393.00</u>
Manning Contracting, LLC Williamston, NC	<u>\$377,253.00</u>	Add <u>\$5,100.00</u>	<u>\$382,353.00</u>
Narrow Shores Development, Inc. Aydlett, NC	<u>(no bid received)</u>		
Premiere Contracting, Inc. Kitty Hawk, NC	<u>(no bid received)</u>		

*apparent low bidder

**JOINT RESOLUTION
OPPOSING ELIMINATION or SEVERE REDUCTIONS
TO THE PARENTS AS TEACHERS (PAT) PROGRAM IN CURRITUCK COUNTY**

WHEREAS, Currituck County has contributed in-kind resources to support and operate a model Parents As Teachers (PAT) program at Knotts Island which provides valuable services to the students and families of this remote, geographically isolated community, funded by Smart Start since 2000; and

WHEREAS, the Knotts Island PAT program has served 25 to 30 families and 35 to 38 students through home visits, evening programs, and a 2 day per week PreK class each year since its inception; and

WHEREAS, the Knotts Island PAT program has proven to be successful in providing information to parents on early childhood development and parenting, linkages to resources within the community, early developmental screenings, and transition to school for 4 year olds; and

WHEREAS, the Knotts Island PAT program, the only PAT program sponsored by Smart Start in Currituck County, is facing elimination and/or severe reductions due to a 20% reduction in the Smart Start budget; and

WHEREAS, House Bill 22, Section 10.5.(a) state “The NC Partnership for Children, Inc. shall not reduce the allocation for counties with less than 35,000 in population by more than 20% of their current allocation/State funding level; and

WHEREAS, Smart Start’s proposal to provide one day of service each week to the families of Knotts Island, representing a 90% reduction to the current program, will negatively impact families and all but eliminate the program as it has been designed and implemented; and

WHEREAS, members of both the Board of Education and Board of Commissioners of Currituck County have contacted the Smart Start Director and our legislative representative, Bill Owens, to advocate for the preservation of the PAT Program;

NOW, THEREFORE, BE IT RESOLVED, the Currituck Board of Education and the Currituck Board of Commissioners jointly oppose the plan to reduce the Knotts Island PAT Program to one day per week as it will have an adverse effect on the student success in school in the future;

FURTHER, BE IT RESOLVED, that the Currituck Board of Education and the Currituck Board of Commissioners jointly oppose any plan that reduces the Knotts Island PAT program more than 20% as would be aligned with the cuts to the Smart Start budget reduction.

Adopted this the 11th day of July, 2011.

Bill Dobney, EdD
Chairman, Currituck Board of Education

Vance Aydlett
Chairman, Currituck Board of Commissioners



Currituck County Schools

A Beacon for Excellence in Education

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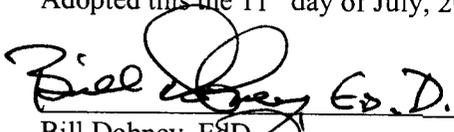
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Bill Dobney, EdD
Chairman, Currituck Board of Education

Vance Aydlett
Chairman, Currituck Board of Commissioners

Division of Mental Health, Developmental Disabilities & Substance Abuse Services
 Quarterly Fiscal Monitoring Report

for the period ending: July 1, 2011 Area Program

of month in the fiscal year: 0
 (July = 1, August = 2, . . . , June = 12)

1. REPORT OF BUDGET VS. ACTUAL

ITEM	Basis of Accounting:		PRIOR YEAR		CURRENT YEAR		ANNUALIZED PERCENTAGE **	
	Cash	Accrual	2010-2011		ACTUAL	BALANCE		
	(1)	(2)	BUDGET	ACTUAL	BUDGET	YR-TO-DATE		
REVENUE	X							
Client Fees					-	-		
Medicaid - "Regular Fee-for-Service"			9,000,000		-	9,000,000	#DIV/0!	
Medicaid - CAP/MRDD			800,000		-	800,000	#DIV/0!	
Medicare					-	-		
Insurance					-	-	#DIV/0!	
Other Local			231,528		-	231,528	#DIV/0!	
Appropriation of Fund Balance *			6,970,264		-	6,970,264	#DIV/0!	
Total Local Funds			-	-	17,001,792	-	17,001,792	#DIV/0!
County Appropriations (by county):								
Beaufort County					173,599	-	173,599	#DIV/0!
Bertie County					49,390	-	49,390	#DIV/0!
Camden County					24,744	-	24,744	
Chowan County					37,111	-	37,111	
Craven County					274,827	-	274,827	#DIV/0!
Currituck County					60,300	-	60,300	
Dare County					69,644	-	69,644	
Gates County					39,434	-	39,434	#DIV/0!
Hertford County					84,250	-	84,250	#DIV/0!
Hyde County					12,414	-	12,414	
Jones County					31,268	-	31,268	#DIV/0!
Martin County					51,962	-	51,962	
Northampton County					81,614	-	81,614	#DIV/0!
Pamlico County					33,593	-	33,593	#DIV/0!
Pasquotank County					92,506	-	92,506	
Perquimans County					29,602	-	29,602	
Pitt County					708,000	-	708,000	#DIV/0!
Tyrrell County					8,750	-	8,750	
Washington County					29,562	-	29,562	
Total County Funds			-	-	1,892,570	-	1,892,570	#DIV/0!
Service Management Funds					6,878,035	-	6,878,035	#DIV/0!
Service Delivery Funds					41,887,988	-	41,887,988	#DIV/0!
All Other State/Federal Funds					1,161,845	-	1,161,845	#DIV/0!
Total State and Federal Funds			-	-	49,927,868	-	49,927,868	#DIV/0!
TOTAL REVENUE			-	-	68,822,230	-	68,822,230	#DIV/0!
EXPENDITURES:								
Service Management					7,437,681	0	7,437,681	#DIV/0!
Directly Provided Services								
Provider Payments					51,314,372	-	51,314,372	#DIV/0!
All Other					10,070,177	-	10,070,177	#DIV/0!
TOTAL EXPENDITURES			-	-	68,822,230	-	68,822,230	#DIV/0!
CHANGE IN CASH BALANCE								
Beginning Unrestricted Fund Balance								
Current Estimated Unrestricted Fund Balance and percent of budgeted expenditures			#VALUE!	#VALUE!				

* "Appropriation of Fund Balance" represents the Area Program Fund Balance that has been incorporated as part of the Approved Budget. Actual Yr-To-Date should reflect Fund Balance utilized to date and an explanation needs to be provided for the specific uses of fund.
 ** annualized Revenue percentage less than 90% and Expenditure percentages greater than 110% must be explained on the attachment and submitted with the Fiscal Monitoring Report

2. CURRENT CASH POSITION:	(1)	(2)	(3)	(4)	(5)	Receivables net of Allowance for Uncollectible Receivables
	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS	TOTAL	
Accounts Payable (Accrual Method)						
Account Receivable (Accrual Method)						
Current Cash in Bank						

3. SERVICE EXCEPTIONS: (Provided Based on System Capability)

Services authorized but not billed		
------------------------------------	--	--

* We certify (a) this report to contain accurate and complete information, (b) explanations are provided for any expenditure item with an annualized expenditure rate greater than 1 and for any revenue item with an annualized receipt rate of less than 90%, and (c) a copy of this report has been provided to each county manager in the catchment area".

Area Director date Area Finance Officer date Area Board Chair date
 CC: County Manager for each county within the catchment area.

**Division of Mental Health, Developmental Disabilities & Substance Abuse Services
Quarterly Fiscal Monitoring Report - Explanation of Revenue and Expenditure Variances**

enter LME name East Carolina Behavioral Health Local Management Entity

for the period ending: July 1, 2010

ITEM
Revenues

Explanation

Expenditures



COUNTY OF CURRITUCK

Tax Department
P.O. Box 9
Currituck, North Carolina 27929

Tracy Sample, Tax Administrator
(252) 232-3005
(252) 232-3568 (FAX)

July 5th, 2011

MEMORANDUM

TO: Board of County Commissioners

FROM: Tax Office *TS*

DATE: July 5th, 2011

SUBJECT: Charge Levy on Motor Vehicles for March Renewals

Please charge to the Tax Collector the levy on motor vehicles for March.
The following is a breakdown of the assessment and the total tax due.

ASSESSMENT

\$18,762,310

TAX AMOUNT

\$60,050.58

TS/saa

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
0010 OPERATING FUND	2012 1	10116	07/05/2011	TAXES RECEIVABLE - 2011 LEVY	60,039.36	60,039.36
10000-111011				DEFERRED REVENUE - TAXES REC		
10000-228100						
				FUND TOTAL	60,039.36	60,039.36
0065 MOYOCK COMMONS SEWER DISTRICT	2012 1	10116	07/05/2011	TAXES RECEIVABLE - 2011 LEVY	11.22	11.22
65000-111011				DEFERRED REVENUE - TAXES REC		
65000-228100						
				FUND TOTAL	11.22	11.22

** END OF REPORT - Generated by Sarah Alford **

2011 MOTOR VEHICLE SUMMARY

TAX CHARGES

2009	COUNTY WIDE \$0.32	VALUE:	19,995	LEVY:	63.99	TAX:	63.99
G01	COUNTY WIDE \$0.32	VALUE:	18,742,315	LEVY:	59,975.37	TAX:	59,975.37
M02	MOYOCK COMMONS	VALUE:	4,580	LEVY:	11.22	TAX:	11.22

GRAND TOTALS VALUE: 18,762,310 LEVY: 60,050.58 TAX: 60,050.58

** END OF REPORT - Generated by Sarah Alford **

CURRITUCK COUNTY
NORTH CAROLINA
July 5, 2011

The Board met at 6:00 p.m. prior to the regular meeting to discuss the Maple Airport Overlay district.

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 O'Neal, Gilbert, Martin, Etheridge, Petrey, and Rorer.

Invocation and Pledge of Allegiance

Bobbie Henley, was present to give the invocation.

Approval of Agenda

Commissioner Martin moved to amend the agenda by adding to consent agenda a Resolution approving retiree insurance for Albemarle Mental Health and Tideland Mental Health and a closed session. Commissioner Gilbert 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 **Certificate of Appreciation for Paul O'Briant, Interim Superintendent**
- Item 4 **Presentation by Project Graduation Committee**
- Item 5 **Public Hearing and Action** PB 08-03 Backwoods Hideaway: Request for a preliminary plat/special use permit for 16 lots located on Northwest Backwoods Road, approximately 1.4 miles north of the intersection with South Mills Road, Tax Map 3, Parcel 3A, Moyock Township.
- Item 6 **Public Hearing and Action** PB 04-15 Shingle Landing Farm: Request for an amended preliminary plat/special use permit for 11 lots within Shingle Landing Farms subdivision located in Moyock at 116, 121, 122, 125, and 126 Fox Lane, Tax Map 9C, Parcels 3,4,5,6, and 7, Moyock Township.
- Item 7 **Appointments to Senior Citizen Advisory Board**
- Item 8 **Appointment of Senior Tar Heel Legislature Delegate and Alternate**
- Item 9 **Consent Agenda:**
 - 1. Approval of June 20, 2011, Minutes
 - 2. Approval of contract to purchase property owned by the State of NC, on Maple Road and U.S. Highway 158, Maple, NC.

3. Approval of contract to purchase property owned by Serena Breckinridge and Julia Harris, located on 592 Shortcut Road, Barco, NC,
4. Approval of Board of Equalization and Review Minutes
5. Request DOT to add Cooper Landing Drive to State system
6. Request DOT to add Creekside Estates roads to State system
7. Resolution supporting House Resolution 715 to Observe Firefighters Week in NC
8. Resolution approving retiree insurance for Albemarle Mental Health and Tideland Mental Health.

Item 10 Commissioner's Report

Item 11 County Manager's Report

Closed Session

Adjourn

Public Comment

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

Josh Bass, President of Currituck Chamber of Commerce, thanked the Board for their support at the Ace Hardware grand opening.

Commissioner Etheridge commended staff and volunteers with the July 4th celebration.

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

Certificate of Appreciation for Paul O'Briant, Interim Superintendent

The Board presented Paul O'Briant a certificate of appreciation for his service as Interim Superintendent.

Presentation by Project Graduation Committee

Sandy Kinzel, Assistant Superintendent, along with Teresa Brinkley and Chrystal Shultz thanked the Board for its support for Project Graduation.

Public Hearing and Action PB 08-03 Backwoods Hideaway: Request for a preliminary plat/special use permit for 16 lots located on Northwest Backwoods Road, approximately 1.4 miles north of the intersection with South Mills Road, Tax Map 3, Parcel 3A, Moyock Township.

Sworn testimony was given prior to making comments.

Chairman Aydlett opened the public hearing.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 5, 2011
PB 08-03 Backwoods Hideaway**

ITEM: PB 08-03 Backwoods Hideaway, preliminary plat/special use permit.

LOCATION: Northwest Backwoods Road, approximately 1.4 miles north of the intersection with South Mills Road.

TAX ID: 0003-000-003A-0000

ZONING DISTRICT: Agricultural (A)

PRESENT USE: Vacant

OWNER: Old Brothers LLC and Swain and Temple, Inc

APPLICANT: Hyman and Robey
PO Box 339
Camden NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Vacant	A
SOUTH:	Vacant	A
EAST:	Single Family Dwelling	A
WEST:	Vacant	A

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Conservation within the Moyock subarea.

SIZE OF SITE: 54.4 acres

NUMBER OF UNITS: 16 lots

PROJECT DENSITY: .29 units per acre

UTILITIES: Private wells and septic tanks. Water demands are expected to be between 360-480 gallons per day per dwelling.

I. NARRATIVE OF REQUEST:

This is a request for a 16 lot major subdivision. The developer has chosen to reduce minimum lot size for 12 of the lots in order to cluster the lots. The reduced square footage has been added to open space. The developer intends to build homes that will be 1,600 square feet or larger and have a minimum of 2 bathrooms and 3 bedrooms. The lot and home combinations are expected to have an average price of \$250,000.

II. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. Completeness of application.

Suggested Findings:

a. The application is complete.

2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".

Suggested Findings:

a. A major subdivision with single family dwellings is a permitted use in the A zoning district.

3. The conditions proposed meet or exceed the minimum requirements of this ordinance.

Suggested Findings:

a. The conditions proposed meet or exceed the minimum requirements of this ordinance.

4. The special use will not endanger the public health or safety:

Suggested Findings:

- a. The request should have no impact on public health or safety.
- 5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located

Suggested Findings:

- a. The proposed residential subdivision should have no negative impact on adjoining property. The adjoining uses include low density single family dwellings and agricultural uses.
- 6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

The 2006 Land Use Plan classifies this site as Conservation within the Moyock subarea. The purpose of the Conservation class is to provide for the long-term management and protection of significant, limited, or irreplaceable areas. Proper management is needed to conserve the natural, cultural, recreational, scenic, or biologically productive values of these areas. Extremely low densities (1 unit per 3 acres) would be permitted.

The policy emphasis for the Moyock subarea states that it is not the County's intention to develop all of Moyock intensely but rather create specific service centers and to provide a buffer of Limited Service Areas at lower density development between Full Service Areas and those within the Rural and Conservation classifications.

The proposed use is in keeping with the policies of the plan, some of which are:

Policy AG2: Farms and woodlands shall be recognized as an integral part of the county's open space system. Efforts to keep these areas viable as part of the area's resource-based economic section, shall be encouraged.

Policy HN3: Currituck County shall especially encourage open space developments that cluster homes on less land, preserving permanently dedicated open space. The objective is to avoid traditional suburban sprawl in these areas.

- 7. The special use will not exceed the county's ability to provide adequate public facilities, including, but

not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. The subdivision should not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following:

1. The exempt subdivision plat creating the lot must be recorded prior to final plat approval.
2. Please provide an active recreational amenities plan. Parks and Recreation will approve active amenities based on expected demographics and the number of lots in a subdivision.
3. Please note on the plat that this property is located within an 'Unnumbered A flood zone' that will require base elevation calculations prior to building permit application. Base Flood Elevation must be determined according to Section 6.4.3 of the UDO. (*Applicant plans to determine base flood elevations prior to final plat approval*)
4. Please note that these 16 divisions will count towards the total number of lots to determine the required open space for further divisions of this property when either of the following situations exist:
 - a. The new subdivision uses common infrastructure and a common access point to a state road to create a subdivision; or,
 - b. The property is part of the same parcel as it existed April 2, 1989.
5. The subdivision will be subject to a cash deposit for the water lines at final plat. The amendment to the UDO allows the owner to substitute a surety bond or letter of credit if the water lines have not been put in within three years.
6. Pre-Construction submittal will require a Stormwater Management Plan (i.e. Stormwater Calcs, elevations, etc.)
7. More than one acre will be disturbed in the course of developing the infrastructure. An E & S plan must be approved prior to initiating any land disturbance associated with developed.

8. Any impacts to jurisdictional waters or wetlands regulated by the US Army Corps of Engineers will require prior approval by the Wilmington District Office.

IV. PLANNING STAFF RECOMMENDATION:

Staff recommends approval of this request subject to the findings of fact, TRC comments, and the following:

1. The applicant has indicated that all of the open space should be left as natural area. Considering the remote location, small number of lots, and Conservation classification, staff recommends all open space, with the exception of recreational amenities and stormwater infrastructure, be retained by the developer and placed into a conservation easement. This easement shall include a provision that no land disturbance or logging operations take place. The developer shall be responsible for contracting with a conservation receiving agency to hold the easement to the property.

V. PLANNING BOARD RECOMMENDATION:

The Planning Board **recommended approval** of the preliminary plat/special use permit with the findings of fact, staff recommendations, and one recommendation:

- Where the interconnectivity is proposed at the front and back of the development it be noted on these lots that there may be future development.

PLANNING BOARD DISCUSSION (6-14-11)

Mr. Bell asked will there be future development later.

Mr. Woody stated it is likely.

Mr. West asked what the soil type in the area is because it backs up to wetlands.

Mr. Dail stated the soil changes as it gets closer to the wetlands. The Health Department has deemed the soil suitable. The lots would be built up with 2 feet of fill. Mr. Dail has recommended that stormwater infrastructure be built in the open space in place of the recreational amenities.

Mr. Woody stated this is reasonable.

The Planning Board discussed interconnectivity, logging operations and flooding problems.

Mr. Dail stated some stormwater ponds will be added along with ditches around the perimeter of the property.

Mr. Rowland stated this property is wetlands and every time it rains the property is under water. The only drainage this property has is road front property.

Mr. Dail stated a portion of the property is located in a flood zone and the back half of the property is wetlands. Stormwater infrastructure will be installed on the site. A narrative has been provided on how the stormwater will be handled, touching on the pre and post runoff.

Mr. West stated he doesn't like filling lots to build on or adding fill for a septic system.

Mr. Rowland stated the soil type is peat and nothing but swamp.

ACTION

Mr. Clark made a motion to deny the request but withdrew the motion.

Mr. Kovacs moved to approve PB 08-03 with the findings of fact and staff recommendations included in the case analysis and the following conditions:

- Where the interconnectivity is proposed at the front and back of the development it be noted on these lots that there may be future development.

Ms. Newbern seconded the motion. Ayes: Mr. Bell, Ms. Newbern, Ms. Taylor, Ms. Wilson, Mr. Kovacs and Mr. Midgette. Nays: Mr. West and Mr. Clark.

Tina McCutcheon, adjoining property owner, had concerns with street location into the development.

Scott Kemna, also expressed his concerns with the street location.

Eric Dail, Engineer, commented on street right of way.

Commissioner Gilbert moved to table public hearing until next meeting so staff could meet with property owners and work out issues. Commissioner Rorer seconded the motion. Motion carried.

Public Hearing and Action PB 04-15 Shingle Landing Farm: Request for an amended preliminary plat/special use permit for 11 lots within Shingle Landing Farms subdivision located in Moyock at 116, 121, 122, 125, and 126 Fox Lane, Tax Map 9C, Parcels 3,4,5,6, and 7, Moyock Township.

Sworn testimony was given prior to making comments.

Chairman Aydlett opened the public hearing.

Ben Woody, Planning Director, reviewed the request.

CASE ANALYSIS FOR THE BOARD OF COMMISSIONERS

DATE: July 5, 2011

PB 04-15 Shingle Landing Farms

ITEM: PB 04-15 Shingle Landing Farms amended preliminary plat/special use permit approval for 11 residential lots.

LOCATION: Moyock, Fox Lane which is located approximately 1300 feet southeast of the intersection of Caratoke Highway and Tulls Creek Road, Moyock Township.

TAX ID: 009C-000-0003-0000
009C-000-0004-0000
009C-000-0005-0000
009C-000-0006-0000
009C-000-0007-0000

ZONING DISTRICT: CD-R 10-15

PRESENT USE: Residential Subdivision

OWNER: EKMS, Inc.
Eldon L. Miller, III
PO Box 729
Moyock, NC 27958
252-435-6116

APPLICANT: Hyman & Robey, PC
PO Box 339
Camden, NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Vacant/Assisted Living	GB
SOUTH:	Residential	GB/A
EAST:	Cropland/Woodland	R
WEST:	Commercial	GB

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Moyock subarea.

SIZE OF SITE: 15 acres

NUMBER OF LOTS: 11 (reconfiguration of 5 lots)

PROJECT DENSITY: .73 units per acre (reconfigured area)

UTILITIES: The development will be served by county water and individual on-site septic systems. The estimated maximum water demand for the new lots will be 2,880 gpd.

V. NARRATIVE OF REQUEST:

The developer obtained amended sketch plan approval on August 16, 2010 for the reconfiguration of 5 (3 acre) residential lots into 11 (40,000+sf) residential lots. The amended plan includes an extension of Fox Lane. A supplementary cul-de-sac was added to meet the maximum road length requirements.

VI. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. Completeness of application.
Suggested Findings:
 - a. The application is complete.

2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".
Suggested Findings:
 - a. Chapter 10 of the UDO requires a special use permit for major subdivisions.

3. The conditions proposed meet or exceed the minimum requirements of this ordinance.
Suggested Findings:
 - a. The conditions proposed will meet the minimum requirements of the ordinance.
 - b. Conditional rezoning of the property was approved June 21, 2010 (CD-R 10-15).

4. The special use will not endanger the public health or safety:
Suggested Findings:
 - a. The proposed development should have little to no negative impact on the public health or safety.
 - b. The property is located within a residential subdivision.

5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located
Suggested Findings:
 - a. The proposed development is located within a residential subdivision with similar lot sizes.
 - b. The single family subdivision, as proposed, will maintain harmony with the existing single family neighborhood.

6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.
Suggested Findings:
 The 2006 Land Use Plan classifies this site as Full Service within the Moyock subarea. Full Service areas provide for a base development density of 2 units per acre but could be increased to 3-4 units per acre through overlay zoning depending upon services available and the potential impact on the surround area. The Moyock subarea policy emphasis is to manage growth and provide for development densities of 1-2 units per acre in areas where on-site wastewater is proposed. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY ES2: NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON-TITAL WETLANDS, shall be

conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the US Army Corps of Engineers in protecting such wetlands, through the Section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. It appears the county has adequate public facilities to service this development.

VII. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends conditional approval subject to the following:

Planning Department

1. Expired maintenance bonds must be renewed or infrastructure must be accepted by the homeowner's association prior to approval of the preliminary plat.

IV. PLANNING STAFF RECOMMENDATION:

The proposed development meets the criteria for granting a special use permit and therefore staff recommends conditional approval provided the following items are addressed:

1. Expired maintenance bonds must be renewed or infrastructure must be accepted by the homeowner's association prior to approval of the preliminary plat.

V. PLANNING BOARD RECOMMENDATION:

The Planning Board **recommended approval** of the amended preliminary plat/special use permit with findings of fact and staff recommendations.

Eldon Miller, III, applicant was present to answer questions.

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

Commissioner O'Neal moved to approve with finding of facts and staff recommendations. Commissioner Etheridge seconded the motion. Motion carried.

Appointments to Senior Citizen Advisory Board

Commissioner Martin moved to appoint Marcia Steele. Commissioner Rorer seconded the motion. Motion carried.

Commissioner Rorer moved to appoint Edith Meekins. Commissioner Martin seconded the motion. Motion carried.

Appointment of Senior Tar Heel Legislature Delegate and Alternate

Commissioner Martin moved to appoint Rosalie Rose as delegate and Joanne DiBello as alternate. Commissioner O'Neal seconded the motion. Motion carried.

Consent Agenda:

1. Approval of June 20, 2011, Minutes
2. Approval of contract to purchase property owned by the State of NC, on Maple Road and U.S. Highway 158, Maple, NC.

3. Approval of contract to purchase property owned by Serena Breckinridge and Julia Harris, located on 592 Shortcut Road, Barco, NC,
4. Approval of Board of Equalization and Review Minutes
5. Request DOT to add Cooper Landing Drive to State system
6. Request DOT to add Creekside Estates roads to State system
7. Resolution supporting House Resolution 715 to Observe Firefighters Week in NC
8. Resolution approving retiree insurance for Albemarle Mental Health and Tideland Mental Health.

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

**Resolution Supporting
House Resolution 715
Encouraging the citizens of North Carolina to Observe Firefighters Week in North
Carolina**

WHEREAS, Representative Graham introduced House Resolution 715 to recognize the duties and services that firefighters provide by observing Firefighters Week; and

WHEREAS, Currituck County Firefighters provide valuable services to the citizens of Currituck County.

NOW, THEREFORE, BE IT RESOLVED, that Currituck County Board of Commissioners would like to support HR 715 and encourage the citizens of Currituck County to observe the week in September of each year containing September 11, as Firefighters Week in North Carolina.

**MEMORANDUM OF AGREEMENT
PROVISION OF HEALTH INSURANCE BENEFITS
for QUALIFIED RETIREES OF ALBEMARLE MENTAL HEALTH
and TIDELAND MENTAL HEALTH**

WHEREAS, July 1, 2007, four counties from Tideland Mental Health (Tideland) merged with the six counties comprising Albemarle Mental Health (Albemarle); and

WHEREAS, certain qualified employees retired from Albemarle and Tideland and therefore were and are entitled to post retirement health insurance benefits as set forth in policies approved by the Boards of each of those agencies; and

WHEREAS, neither Albemarle or Tideland is an ongoing entity; and

WHEREAS, the ten counties that were the remaining member counties of Albemarle Mental Health upon its dissolution are Camden, Chowan, Currituck, Dare, Hyde, Martin, Pasquotank, Perquimans, Tyrrell, and Washington; and

WHEREAS, funds were provided by Tideland at the time of merger for the purpose of funding the post retirement health insurance benefits for qualified Tideland employees and funds were provided by the State of North Carolina at the time of dissolution to assist with the funding of these benefits for both Albemarle and Tideland retirees; and

WHEREAS, Martin County has agreed to handle the administration of providing the retiree health insurance and therefore Martin County has possession of the funds available for same and Martin county is willing to do so for no compensation but also has no individual liability to provide these benefits in the event the funds set aside for this purpose are exhausted; and

WHEREAS, Martin County will provide a financial report to each of the county managers no later than July 31st each year which will include at a minimum the beginning balance of the fund, charges to the fund and the ending balance of the fund; and

WHEREAS, in the event the funds are exhausted prior to the retirees no longer being eligible for coverage the counties will determine what action to take and if it is to make up the shortfall it shall be done on a per capita basis for each county; and

WHEREAS, the county managers of each county are collectively given the authority to make any necessary administrative decisions regarding these funds with the exception of decisions regarding funds being exhausted.

NOW, THEREFORE BE IT RESOLVED that each of the counties named below evidenced by the signature of the Chairman of the Board of Commissioners hereby agrees to the recitals above regarding the provision of post retirement health insurance benefits to those eligible former employees of Albemarle Mental Health and Tideland Mental Health.

Commissioner's Report

Commissioner Martin commented on his trip to the Veterans Memorial Park in Fayetteville.

Commissioner Etheridge requested an explanation of why boat basin and ramp at the Whalehead Club were closed all day July 4th.

Commissioner O'Neal wanted to know if the boat ramp could be closed only part of the day on July 4th. He also recognized Eldon Miller, III, for cleaning up the ditches along the railroad property in Moyock. Commissioner O'Neal requested thank you letters to all board members that have served on county advisory boards.

Chairman Aydlett, requested contacting Congressman Jones to request help with the dredging project at the Whalehead Club property.

Commissioner Rorer recognized the new businesses that have come to Currituck.

Commissioner Petrey commended the staff for their work on getting water to the Outer Banks over the weekend.

Commissioner Gilbert commended staff on the July 4th celebration.

County Manager's Report

Dan Scanlon, County Manager, thanked the Board for commending staff and SOB Water System staff for working over the holiday to restore water to the Outer Banks.

Closed Session according to GS 143-318.11(3)(6) to consult with attorney on attorney client privilege and personnel.

Commissioner Rorer moved to go into closed session as stated. Commissioner Gilbert seconded the motion. Motion carried.

After reconvening from closed session, the following action was taken.

Whalehead Trust

Commissioner O'Neal moved to forward a draft of property license agreement for operation and management of the Currituck County Heritage Park to the Whalehead Trust. Commissioner Petrey seconded the motion. Motion carried.

ALAL contract

The Board agreed to extend the Animal Lovers Assistance League contract for 30 days.

Adjourn

There being no further business, the meeting adjourned.