



**BOARD OF COMMISSIONERS  
AGENDA**

**NOVEMBER 7, 2011**

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# Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

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**Date: Monday, November 07, 2011      Time: 7:00 PM**

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## Work Sessions

6:00 p.m. Beach Driving Recommendations

## 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            **Resolution Commemorating Veterans Day**

Item 4            **Public Hearing and Action:** PB 11-13 Bonnie K. Fulford-Nahas: Request to rezone 3.921 acres from Heavy Manufacturing to Agricultural. The property is located off Grandy Road approximately 150 north of the Nathan Drive cul de sac., Tax Map 108, Parcel 53C, Poplar Branch Township.

Item 5            **Public Hearing and Action:** PB 11-14 Pine Island Reserve: Request for a preliminary plat/special use permit for nine lots located on the east side of Ocean Trail approximately 140 feet north of the intersection with Audubon Drive, Tax Map 128, Parcel 1F, Poplar Branch Township.

Item 6            **Public Hearing and Action:** PB 11-15 Currituck County Community Center Campus: Request for a special use permit for an animal shelter, skate park, fire/rescue station, forestry building, and College of the Albemarle Regional Aviation and Technical Training Center. The property is located at 130 Community Way, Tax Map 52, Parcels 14A, 16, 17, 18, 19, 24 and Tax Map 60, Parcels 15 and 15A, Crawford Township.

- Item 7      **Presentation by North Carolina Power** on Transmission Line addition
- Item 8      **Resolution opposing Dominion Power rate increase**
- Item 9      **Approval of new Insurance Districts for Crawford, Moyock and Lower Currituck FD**
- Item 10     **Consent Agenda:**
  - 1. Approval of easement with Dominion Power for service line to Knotts Island VF structure and approval of County Manager to execute easement.
  - 2. Resolution Surplus Property Chain Link Fence, Moyock Commons
  - 3. Budget Amendments
  - 4. Reappoint Tracy Sample as County Assessor for a Four-Year Term to Expire June 30, 2015
  - 5. Consideration of license agreement with American Society of Composers , Authors and Publishers for use of music on county premises and at county events and functions
  - 6. Approval of October 17, 2011, Minutes
  - 7. Resolution to dispose of surplus vehicles
- Item 11     Commissioner's Report
- Item 12     County Manager's Report

Adjourn

**Special Meeting**

Tourism Development Authority

TDA Budget Amendments

Adjourn

**RESOLUTION  
COMMEMORATING VETERANS DAY**

**WHEREAS**, Veterans Day, originally called Armistice Day, is a federal holiday observed on November 11 annually in the United States to honor all military personnel, living and dead, who served their country during times of peace and war, and commemorates the end of World War I; and

**WHEREAS**, Veterans Day was first observed on November 11, 1919, the anniversary of the end of the war in response to a proclamation issued by President Woodrow Wilson that expressed pride in the heroism of those 4,000,000 Americans who served, including 375,000 who died, during the war; and

**WHEREAS**, during the 1920s and 1930s, many states made Veterans Day a state holiday, and in 1938, Congress declared Armistice Day a federal holiday; and

**WHEREAS**, Armistice Day was renamed Veterans Day in 1954 to honor American veterans of World War II and the Korean War, and today veterans of all wars are honored on the holiday; and

**WHEREAS**, from the Revolutionary War to the present day, the contributions made to America by her citizen soldiers who stand in our place to defend the freedoms we enjoy cannot be calculated; and

**WHEREAS**, every man, woman, and child in this great Nation owes a debt of gratitude to those who served and are still serving their country so selflessly;

**NOW, THEREFORE, BE IT RESOLVED** that the Currituck County Board of Commissioners recognizes the past and present sacrifices of the men and women of the United States Armed Forces, who willingly stood, and currently stand, in harm's way to protect the freedoms enjoyed by all who live in the United States of America; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners calls upon the citizens of Currituck County to observe November 11, 2011, as Veterans Day in respect for and to honor and remember the great sacrifices and contributions of these heroic men and women who valiantly served this nation and mankind during World War I and previous and subsequent wars.

**ADOPTED** this 7<sup>th</sup> day of November, 2011.

\_\_\_\_\_  
O. Vance Aydlett, Jr., Chairman

ATTEST:

\_\_\_\_\_  
Gwen H. Keene, CMC  
Clerk to the Board

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: November 7, 2011  
PB 11-13 Bonnie K. Fulford-Nahas**

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**ITEM:** PB 11-13 Rezone 3.921 acres from Heavy Manufacturing (HM) to Agricultural (A)

**LOCATION:** Off of Grandy Road approximately 150 feet north of the Nathan Drive cul de sac in the Poplar Branch Township.

**TAX ID:** Tax Map 108, Parcel 53C (PIN 0108000053C0000)

**OWNER:** Bonnie K. Fulford-Nahas  
7388 Chardon Court  
Manassas, VA 20111

**APPLICANT:** Bonnie K. Fulford-Nahas  
7388 Chardon Court  
Manassas, VA 20111

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Single Family Residence	Agricultural
<b>SOUTH</b>	Residential Subdivision (Oakwood)	Residential
<b>EAST:</b>	Weeping Radish Brewery	Light Manufacturing
<b>WEST:</b>	Undeveloped/Sparse Residential	Agricultural

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as Limited Service within the Grandy subarea.

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. While low-density development may continue to locate in these areas, it is recognized that soil limitations, flood prone areas, and a lack of infrastructure and services may prevent these areas from ever reaching an urban level of development. Residences in these areas usually employ wells and private septic tanks. Because many of the areas identified for Limited Service also include prime farmland efforts should be made to ensure that thriving agricultural operations are protected from encroaching development through the use of buffering, landscaping, and conservation oriented design.

Despite the overall low density of these areas, efforts should be made to encourage clusters of residential uses to preserve open space and to provide for a sense of a "community". Base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community. In the same instances where slightly higher density is considered appropriate a moderate mix of housing types such as semi-detached would also be considered reasonable.

With respect to nonresidential uses, it is essential that the existing community character be preserved. Design criteria should be established to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. In general, neighborhood commercial uses are more appropriate than large scale commercial complexes. However, business designed to serve the tourist industry such as small gift shops or agri-tourism related uses should not be prohibited provided the character and intensity of the use is in keeping with the character of the surrounding area.

Very limited municipal-type services, such as fire protection, emergency services, and community water, may be available; centralized sewage collection and treatment systems whether public or community may be appropriate for these areas.

**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 sector, shall be encouraged.

**POLICY ED1:** NEW AND EXPANDING INDUSTRIES AND BUSINESSES should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and (3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

**CURRENT ZONING:** Heavy Manufacturing

**PROPOSED ZONING:** Agricultural

**CURRENT USE:** Undeveloped/Wooded

**SIZE OF SITE:** 3.921 acres

**ZONING HISTORY:** The parcel was zoned Agricultural (A-40) in 1974. The parcel is shown as Manufacturing (M) on the 1985 zoning map. The current zoning map shows the parcel as Heavy Manufacturing (HM)..

- UTILITIES:** Public water is available.
- TRANSPORTATION:** The site is accessible by vehicle on Grandy Road.
- FLOOD ZONE:** The entire site is located in Flood Zone X.
- WETLANDS:** The Currituck County GIS mapping system shows some areas of Cleared Hardwood Flats and Managed Pinelands on the parcel indicating wetlands may be present. These areas comprise approximately 20 percent of the land area.
- SOILS:** The Currituck County Soils Map indicates the property contains (Mu-Munden loamy sand) and (Pt-Portsmouth fine sandy loam) soils, both of which are well suited for pasture forages.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends **approval** of the request to rezone 3.921 acres from Heavy Manufacturing (HM) to Agricultural (A) for the following reasons:

1. The applicant's request to "down zone" from (HM) to (A) effectively reduces the possible intensity of uses and density for the property making it more compatible with the surrounding Agricultural and Residential uses.
2. The parcel was previously zoned Agricultural and several of the surrounding properties have been rezoned from Heavy Manufacturing (HM) to less intense zoning districts such as Agricultural and Residential (Oakwood Subdivision).

**PLANNING BOARD RECOMMENDATION:**

The Planning Board **recommended approval** of PB 11-13 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.

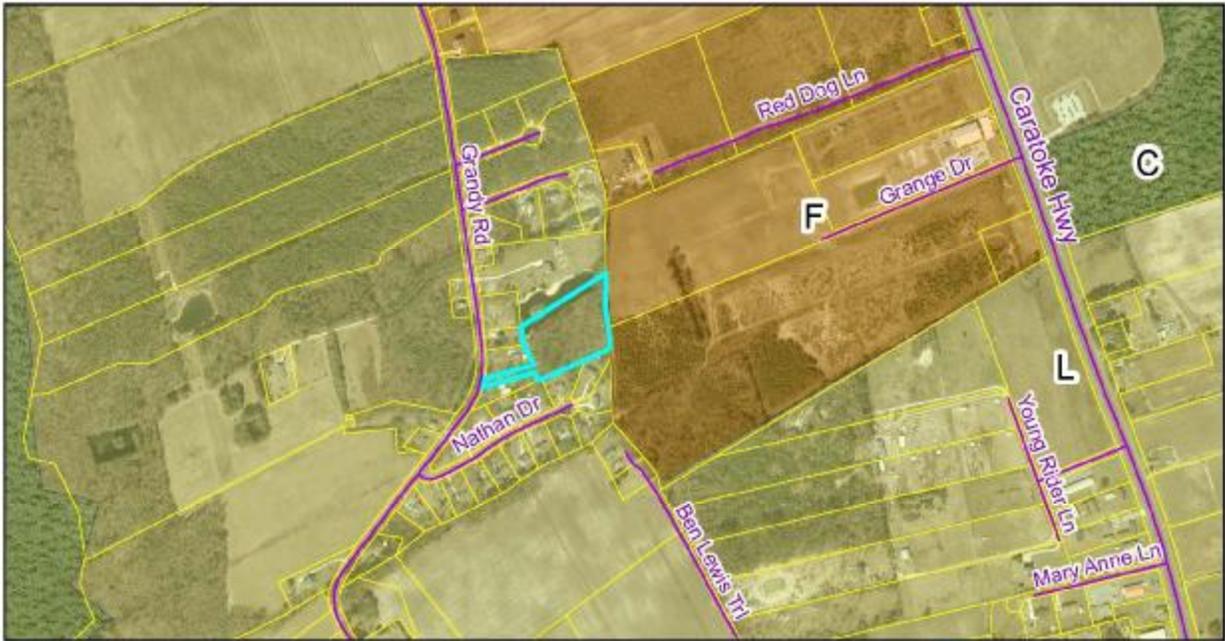
**PLANNING BOARD DISCUSSION (10/11/11)**

Mr. Wright asked the applicant if there would be any possible reason that the property would go back to Heavy Manufacturing if the request is approved.

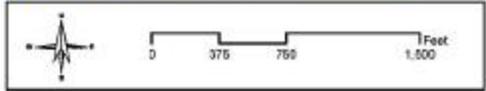
Ms. Fulford-Nahas stated no.

**ACTION**

Mr. Kovacs moved to approve PB 11-13 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. Ms. Wilson seconded the motion. Motion carried unanimously.

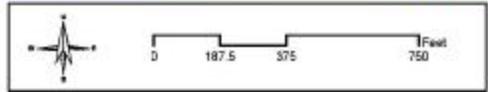


**PB 11-13**  
**Bonnie K. Fulford-Nadas**  
**FLU Map**





PB 11-13  
Bonnie K. Fulford-Nadas  
Zoning Map



CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: November 7, 2011  
PB 11-14 Pine Island Reserve

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ITEM: PB 11-14 Pine Island Reserve, Preliminary Plat/SUP.

LOCATION: East side of Ocean Trail approximately 140 feet north of the intersection with Audubon Drive, Poplar Branch Township.

TAX ID: 0128-000-001F-0000

ZONING DISTRICT: Limited Business Hotels Allowed (LBH)

PRESENT USE: Undeveloped.

OWNER: National Audubon Society  
225 Varick St Floor 7  
New York NY 10014-4396

APPLICANT: Pine Island Reserve, LLC  
1314 S Croatan Hwy Ste 301  
PO Box 90  
Kill Devil Hills NC 27948  
252-441-9003

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Pine Island Reserve, Phase 1	LBH
SOUTH	Pine Island Beach Access, Bathhouse, Swimming Pool	LBH
EAST:	Atlantic Ocean	n/a
WEST:	Undeveloped – Audubon Conservation	RO1

LAND USE PLAN

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

SIZE OF SITE: 8.49 acres

NUMBER OF UNITS: 9 lots

PROJECT DENSITY: 1.06 units/acre

UTILITIES: Public water will be provided by the Currituck County Southern Outer Banks system at a demand of 12,960 gallons per day. Public sewer will be provided by Pine Island Currituck, LLC. to serve a 12 bedroom house per lot.

I. NARRATIVE OF REQUEST:

Pine Island Reserve, LLC is proposing to construct a nine lot residential subdivision. The subject parcel is currently undeveloped and represents oceanfront in-fill development of the area located between the Hampton Inn Oceanfront and the Pine Island subdivision.

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. Chapter 10 of the UDO allows a major subdivision as a permissible use with a special use permit.

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

Suggested Findings:

- a. As presented, the subdivision meets or exceeds the minimum requirements of the ordinance.

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

Suggested Findings:

- a. The subdivisions should have little to 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 UDO indicates that an open space subdivision is allowed in the RO1 zoning district with a special use permit.
- b. The proposed residential lots are currently within a neighborhood with densities comparable to those proposed and should be in harmony with the 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 Corolla subarea. The policy emphasis of the plan is to allow for predominately medium density residential

development (2 to 3 units per acre) with minimal commercial development arranged in clusters. Development should be capable of being supported by the area's infrastructure and services. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY ES1: New development shall be permitted to locate only in areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available.

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.

The following policy does address growth concerns for the development of the subject property:

Policy ES8: Areas of the county identified for significant future growth shall avoid NATURAL HERITAGE AREAS (e.g. Great Marsh on Knotts Island, Currituck Banks/Swan Island Natural Area, Currituck Banks Corolla Natural Area, Pine Island/Currituck Club Natural Area, Northwest River Marsh Game Land, and many other marsh areas on the mainland).

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 nine lot subdivision will 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 plan corrections:

1. The typical "Lot Plan – Lot 9" layout submitted is for stormwater calculations only. Zoning compliance is not granted with this layout as minimum standards such as drive aisle widths are not met.
2. Consult with NC Division of Water Quality (Washing Regional Office) at (252)946-6481 for wastewater approval. (Albemarle Regional Health Services TRC Comment)
3. Any ground disturbance within a CAMA Area of Environmental Concern (AEC) will require a CAMA permit. (NC Division of Coastal Management TRC Comment)
4. As this part of a larger development, an approved erosion and sedimentation control plan will be required, even if less than one acre is to be disturbed. (NCDENR Land Quality TRC Comment)
5. (10/3/11 Engineering TRC Comment based on revised plans.) It is understood that the total available storage is 55,735 cf. Needed storage for roads and open space is 9358 cf leaving 46,377 cf for lot development or 5164 cf available per lot. 5164 cf per lot equates to a 40% coverage. An example was presented for a lot with 44.5% coverage with 1218 cf additional storage required. The lot as laid out has 7351 cf available. I assume the point being there is plenty of storage that can be sited on each lot.
  - a. Under the calculation for Typical Lot: Stormwater Feasibility Design, why wasn't the Simple Method used versus the Rational Method? Under the Simple Method I calculate needed storage of 5708 cf at 44.5% coverage. Why was 44.5% chosen as the example instead of 65%?
  - b. Provide the exact language to be incorporated into the POA documents. Provide documentation of all assumptions including:
    - i. Is the intent to use 2.5' msl as the seasonal high water table for all lots
    - ii. Is the intent to use 30% voids for all lots
    - iii. What is the required method to determine saturated hydraulic conductivity
    - iv. What is the required method to demonstrate draw-down in the lots basins
    - v. Provide example calculations using the Simple Method
    - vi. Provide narrative description on how to calculate storage volume provided
    - vii. Describe what is included in imperious coverage
  - c. I would like for Quible to develop guidelines that requires an engineer to develop the stormwater needs for each lot but is able to be checked by planning staff as well as the county engineer.

### IV. PLANNING STAFF RECOMMENDATION:

The planning staff recommends conditional approval of this request subject to all TRC comments being satisfactorily addressed, findings of fact, and the following:

1. This proposed phase of development is considered a Natural Heritage Area as identified in the Land Use Plan policy statement ES8 and significant growth shall avoid these areas.
2. Land Use Plan policy statement WQ5 encourages developments to preserve the natural features of the site including existing topography and significant existing vegetation.

3. Bulkheads or retaining walls shall not be allowed as a method to stabilize or contain fill, except bulkheads established for the purpose of shoreline protection or as otherwise permitted by the county engineer. This shall not include retaining walls used to stabilize or contain existing natural grade when a driveway or walkway is cut into a lot at an elevation lower than existing natural grade.

V. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended approval of PB 11-14 with the findings of fact and staff recommendations included in the case analysis.

**PLANNING BOARD DISCUSSION (10/11/11)**

The Planning Board discussed the definition of significant existing vegetation.

Mr. Kovacs asked if the fence will require buffering or screening.

Ms. Glave stated it is not required.

Mr. Dail stated it will be a small decorative fence.

Mr. Midgette asked Mr. Dail if he was in agreement with all staff recommendations.

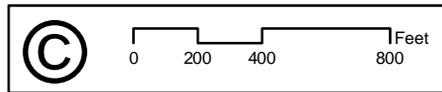
Mr. Dail stated yes.

**ACTION**

Ms. Taylor moved to approve PB 11-14 with the findings of fact and staff recommendations included in the case analysis. Ms. Newbern seconded the motion. Motion carried unanimously.

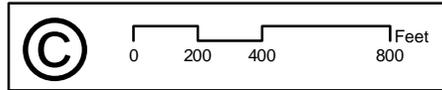


PB 11-14 Pine Island Reserve  
Preliminary Plat/SUP  
Aerial Photography





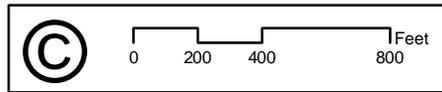
PB 11-14 Pine Island Reserve  
Preliminary Plat/SUP  
Zoning District



 Currituck County  
Planning Department



PB 11-14 Pine Island Reserve  
Preliminary Plat/SUP  
LUP Classification



## MEMORANDUM

To: Pine Island Reserve LLC  
National Audubon Society  
Derek Dail, Quible  
Mike Strader, Quible

From: Planning Staff

Date: September 14, 2011

Re: PB 11-14 Pine Island Reserve, Sketch Plan/Preliminary Plat/Special Use Permit

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The following comments have been received for the September 21, 2011 TRC meeting. In order to be scheduled for the October 11, 2011 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on September 26, 2011. TRC comments are valid for six months from the date of the TRC meeting.

Currituck County Planning (Tammy Glave, 252-232-6025):

Approved with corrections:

1. Label township as "Poplar Branch" in the title block. (Sketch Plan Only -Development Review Process Manual)
2. Label Lindsey Lane as public or private. (UDO Section 9.1.8.3)
3. Lindsey Lane must be a right-of-way, not an easement. (UDO Section 9.1.8)
4. Call out the zoning of adjacent properties.

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

Reviewed without comment.

Currituck County Engineer (Eric Weatherly, 252-232-6035)

Approved with corrections:

1. Provide a stormwater system which meets the county UDO requirements. I do not feel it is acceptable to put this burden on the property owner after they have purchased the lot from the developer. This also puts pressure on the county staff to develop a stormwater plan 9 times. I do not have an issue with developing a stormwater management system on each lot to make up the difference in storage provided by the developer and what is required in the UDO. It would be acceptable for the developers engineer to develop a typical lot layout, place this typical layout on each lot and demonstrate each lot has the space, topography, water table separation, etc to assure that each lot is suitable to provide the required stormwater system to meet the UDO requirements for a subdivision.
2. Provide easements for all stormwater facilities not located within the development.
3. Provide copy of all permits at construction drawing submittal.
4. Design the water system in accordance the DENR approved county specifications.
5. Show minimum pad and first floor elevations for each lot.

Currituck County GIS (Harry Lee, 252-232-2034)

Approved with comment:

1. Street name previously approved. Assigned Addresses:  
Lot 5: 359 Lindsey Ln  
Lot 6: 357 Lindsey Ln  
Lot 7: 355 Lindsey Ln  
Lot 8: 353 Lindsey Ln  
Lot 9: 351 Lindsey Ln  
Lot 10: 349 Lindsey Ln  
Lot 11: 347 Lindsey Ln  
Lot 12: 345 Lindsey Ln  
Lot 13: 343 Lindsey Ln

Currituck County Utilities (Pat Irwin, 252-232-2769)

Approved without comment.

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

Approved with Corrections:

1. When will the property line swales be installed? Will they along with the basin control the 10 yr., 24hr. storm?

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

Approved with comment:

1. CONSULT WITH NC DIVISION OF WATER QUALITY (WASHINGTON REGIONAL OFFICE) AT (252)946-6481 FOR WASTEWATER APPROVAL.

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

Approved with comment:

1. An archaeological survey is not recommended.

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

Reviewed with comment:

1. Any ground disturbance within a CAMA Area of Environmental Concern (AEC) will require a CAMA permit.

NC DENR Land Quality (Pat McClain, 252-946-6481)

Reviewed with comment:

1. As this part of a larger development, an approved erosion and sedimentation control plan will be required, even if less than one acre is to be disturbed.

Please note that comments were not received from the following:

Currituck County Building Inspections (Spence Castello, 252-232-6020)  
Currituck County Code Enforcement/CAMA (Stacey Smith, 252-232-6027)  
Currituck County Economic Development (Peter Bishop, 252-232-6015)  
Currituck County Local Volunteer Fire Department  
Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)  
Currituck County Schools (Allison Sholar, 252-232-2223)  
Currituck County Sheriff (Susan Johnson, 252-453-8204)

NC Wildlife, Maria Dunn  
NCDOT, Jim Hoadley  
NCDENR Public Water (Siraj Chohan, 919-715-3235)  
NCDENR Water Quality, (Kim Colson 919-733-5083, Ext. 540)  
NCDENR Environmental Management (Roger Thorpe, 252-948-3923)  
NCDENR Aquifer Protection, David May  
NCDENR Environmental Health/Onsite Wastewater, Bob Uebler  
NCDENR, Marine Fisheries, Kevin Hart  
NCDENR Water Quality/Surface Water Protection, Al Hodge  
US Army Corps of Engineers (Kyle Barnes, 910-251-4584)  
Centurylink, Kimberly Hoevenair  
Charter Communications, Sam Scilabba  
Dominion Power, Troy Lindsey  
Embarq, Hester Jones  
Navel Facilities Engineering Command, Community Plans Liaison Officer William DuFault

The following items are necessary for resubmittal:

- 5 - full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

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**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: November 7, 2011  
PB 11-15 Currituck County Community Center Campus**

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**ITEM:** PB 11-15 Currituck County Community Center Campus – Currituck County is seeking a special use permit for an animal shelter, skate park, fire/rescue station, forestry building, and College of the Albemarle Regional Aviation and Technical Training Center.

**LOCATION:** 130 Community Way Barco, Crawford Township.

**TAX ID:** 005200000160000, 005200000170000, 005200000180000, 005200000190000, 005200000240000, 0052000014A0000, 006000000150000, 0060000015A0000

**ZONING DISTRICT:** Agricultural, (A), General Business (GB), Heavy Manufacturing (HM)

**PRESENT USE:** Woodland, Cultivated Farmland, County facilities

**OWNER:** Currituck County

**APPLICANT:** Currituck County

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Airport/Wooded Area	A
<b>SOUTH</b>	Cultivated Farmland	A
<b>EAST:</b>	Cultivated Farmland/Wooded Area	A
<b>WEST:</b>	Single Family Dwellings/Airport/Wooded Area	A

**LAND USE PLAN**

**CLASSIFICATION:** The Maple Barco Small Area Plan classifies the site as Employment.

**SIZE OF SITE:** 627.9 Acres

**NUMBER OF UNITS:** NA

**UTILITIES:** The County will provide connection to a sanitary sewer facility onsite.

**I. NARRATIVE OF REQUEST:**

The applicant is requesting a special use permit for the following uses at the multi use, community center facility: College of the Albemarle Regional Aviation and Technical Training Center, Fire/Rescue/Forestry Building, Animal Shelter, and Skate Park. This community center will provide both recreation and educational opportunities. College of the Albemarle will construct a hands on aviation training center that utilizes aircraft to teach students. Construction of this multi use campus facility will mean relocating the current fire/rescue station. Other planned facilities include sports fields, picnic areas, and walking trails.

**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. The proposed use is allowed in the A, GB, & HM zoning district with a special use permit.

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

**Suggested Findings:**

- a. The proposed use meets the minimum requirements of the ordinance.

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

**Suggested Findings:**

- a. The proposed uses will be designed to meet all State, Local, and FAA requirements. This includes meeting height restrictions.

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 use should have no negative impact on the value of adjoining property.
- b. The proposed uses will be designed in conformance with the Maple Barco Small Area Plan and provide additional recreation and learning opportunities for nearby community.

6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

**Suggested Findings:**

- a. The Maple Barco Small Area Plan classifies the site as Employment. Areas designated as employment are anticipated for land uses that will generate economic activity or job growth. This includes uses such as offices, technology research and development, aviation related industries, and environmentally friendly manufacturing and industrial uses such as assembly, wholesaling, and distribution. Areas designated as employment should be encouraged to develop in a mixed use or campus like setting with generous, linked open space to maximize value, promote visual quality, and encourage pedestrian activity between employment areas and areas of supporting uses such as retail, restaurants, and residential.

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

Policy ED1: Actively promote and establish aviation related businesses in the Maple Commerce Park and Currituck Airport

Policy TR2: Promote interconnectivity among parcels to provide direct access to nearby roadways.

Policy LU1: Provide for a very low density development in close proximity to the airport and in designated approach zones. Additionally, promote an approximate mix of development types in the Maple/Barco area.

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 use should have no negative impact on public facilities.

**III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval.

**IV. PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of this request.

**V. PLANNING BOARD RECOMMENDATION:**

The Planning Board **recommended approval** of PB 11-15 as presented.

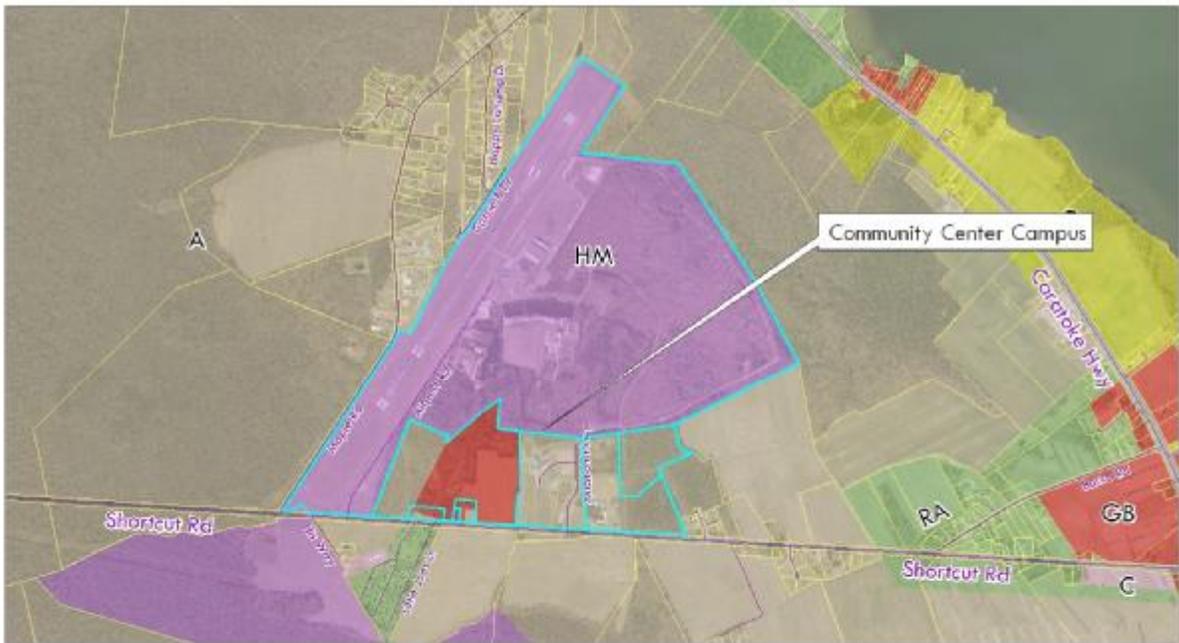
**PLANNING BOARD DISCUSSION (10/11/11)**

The Planning Board discussed property that will be sold later in the Maple Commerce Park and its use.

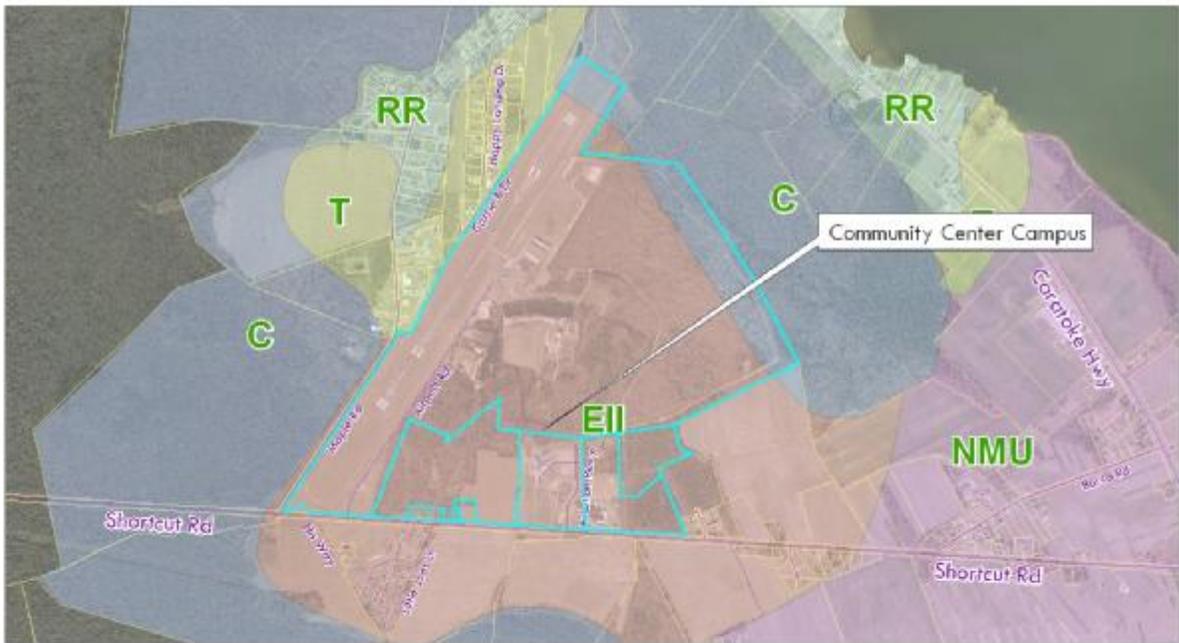
**ACTION**

Mr. Clark moved to approve PB 11-15 as presented. Mr. Bell seconded the motion. Motion carried unanimously.





**PB 11-15**  
 Currituck County Community Center Campus  
 Zoning



**PB 11-15**  
 Currituck County Community Center Campus  
 Maple-Barco SAP Future Land Use



MEMORANDUM

To: Sean Robey, Hyman & Robey Engineering

From: Holly B. White

Date: 9.21.11

Re: PB 11-15 Community Center Campus Special Use Permit

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The following comments have been received for the September 21, 2011 TRC meeting. In order to be scheduled for the October 11, 2011 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on September 26, 2011. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Holly White  
Approved

Currituck Soil and Water, Mike Doxey  
Approved

Currituck County Engineer, Eric Weatherly  
Approved

Currituck County Utilities, Pat Irwin  
Approved

Currituck County Emergency Management, James Mims  
Reviewed. No Comments in regards to use. Further review will be needed for detailed site approval.

Currituck County GIS, Harry Lee  
No comment.

NC Division of Coastal Management, Charlan Owens  
No comment.

NC DENR, Land Quality, Pat McClain  
Reviewed. This is a conceptual plan. However, as it is developed, each phase will require an approved erosion and sedimentation control plan.

NC State Archaeology, Lawrence Abbot  
No comment. An archaeological survey is not recommended. No Comment.

Albemarle Regional Health Services, Joe Hobbs

Reviewed. Consult with the NC Division of Water Quality (Washington Regional Office) at 252.946.6481 for Wastewater Approval.

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 - 11"x17" copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

**Please note that comments were not received from the following:**

Currituck County Schools  
Currituck County Local Volunteer Fire Department  
Currituck County Building Inspections, Spence Castello  
Currituck County Parks and Recreation, Jason Weeks  
Currituck County Economic Development, Peter Bishop  
Currituck County Sheriff, Susan Johnson  
Navel Facilities Engineering Command, Community Plans Liaison Officer William DuFault  
NCDOT, Jim Hoadley  
NCDENR Aquifer Protection, David May  
NCDENR Environmental Health/Onsite Wastewater, Bob Uebler  
NCDENR, Environmental Management, Roger Thorpe  
NCDENR, Marine Fisheries, Kevin Hart  
NCDENR, Public Water, Siraj Chohan  
NCDENR Water Quality, Kim Colson  
NCDENR Water Quality/Surface Water Protection, Al Hodge  
NC Wildlife, Maria Dunn  
Centurylink, Kimberly Hoevenair  
Charter Communications, Sam Scilabba  
Dominion Power, Troy Lindsey  
Embarq, Hester Jones  
US Army Corps of Engineers, Kyle Barnes



RESOLUTION OF THE BOARD OF COMMISSIONERS OF CURRITUCK COUNTY OPPOSING GENERAL RATE INCREASE REQUESTED BY DOMINION NORTH CAROLINA POWER

*WHEREAS*, Currituck County, and its neighbors throughout Northeast North Carolina within the Dominion service area, are experiencing protracted economic hardship and recession; and

*WHEREAS*, Currituck County residents and businesses continue to weather plummeting real estate values, decreased sales and revenues, record-breaking foreclosures, increased delinquencies in tax and utility payments and increases in unemployment insurance claims, food stamps and other public assistance; and,

*WHEREAS*, electricity service is one of the basic necessities required by all County residents regardless of economic condition to live a safe and healthy life; and,

*WHEREAS*, the proposed general rate increase and changes to the base fuel rates proposed by Dominion North Carolina Power will exacerbate the economic hardship already felt by the residents and businesses of Currituck County and Northeast North Carolina and place an undue burden on them; and,

*WHEREAS*, the hardships imposed by any rate increase at this time is easily demonstrated and the resulting, severe negative impact upon Currituck County's businesses and residents can be clearly forecast, and the proposed rate increase would needlessly provide additional, unreasonable profit to Dominion and its shareholders at a time when its North Carolina customer base can least afford it, Dominion's request for a general rate increase and modifications to base fuel rates should be denied: and

*WHEREAS*, County Staff shall be instructed to present this resolution and additional public comment to the North Carolina Utilities Commission and the office of the Attorney General of North Carolina.

*NOW, THEREFORE BE IT RESOLVED THAT* the Currituck County Board of Commissioners strongly opposes the rate increase and rate changes requested by Dominion North Carolina Power for its customers in Currituck County and throughout Northeast North Carolina and respectfully request that the North Carolina Utilities Commission deny Dominion's request.

ADOPTED the 7th day of November, 2011.

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O. Vance Aydlett, Jr. Chairman

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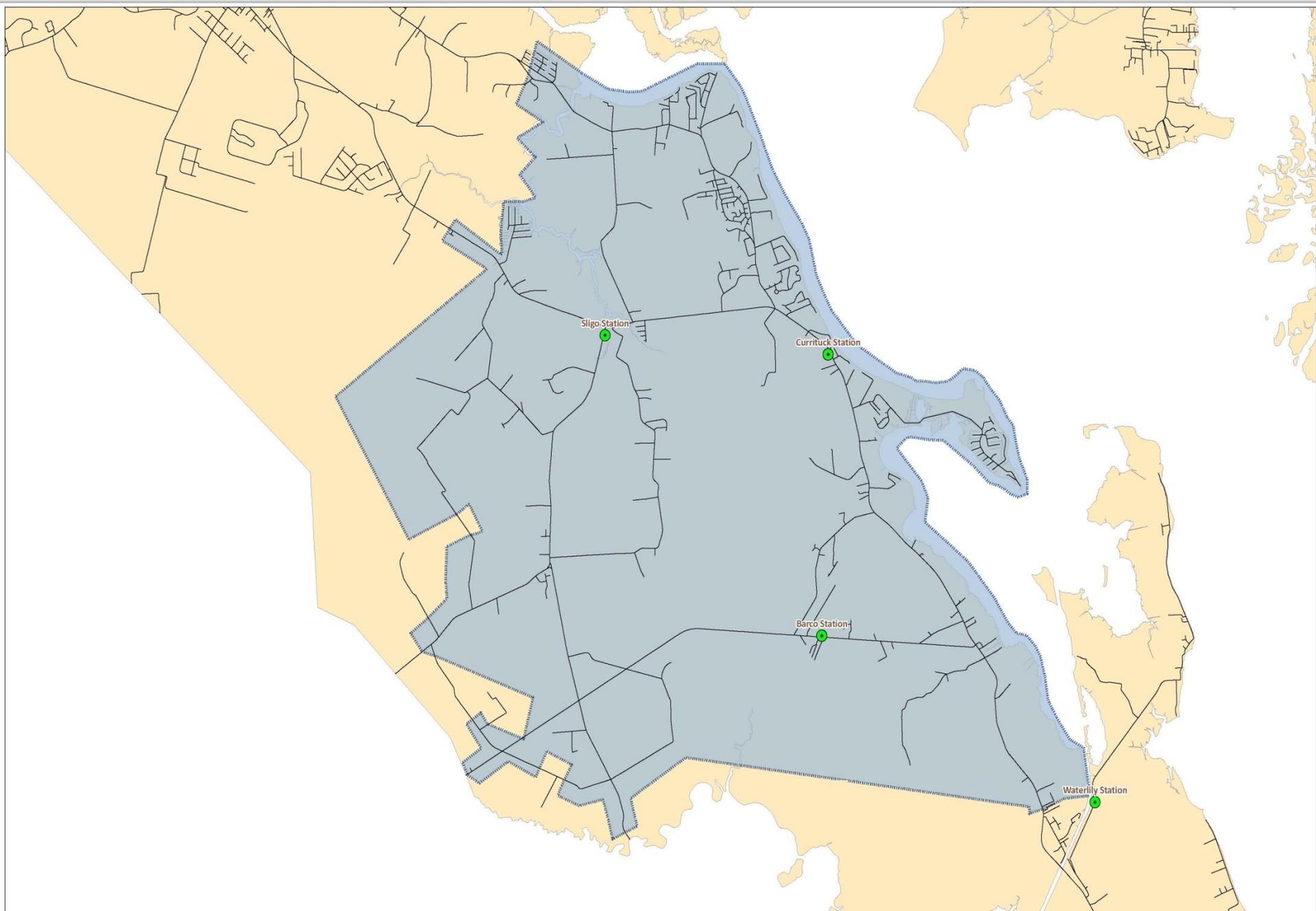
Gwen H. Keene, Clerk to the Board

ATTEST:

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Deputy Clerk to the Board

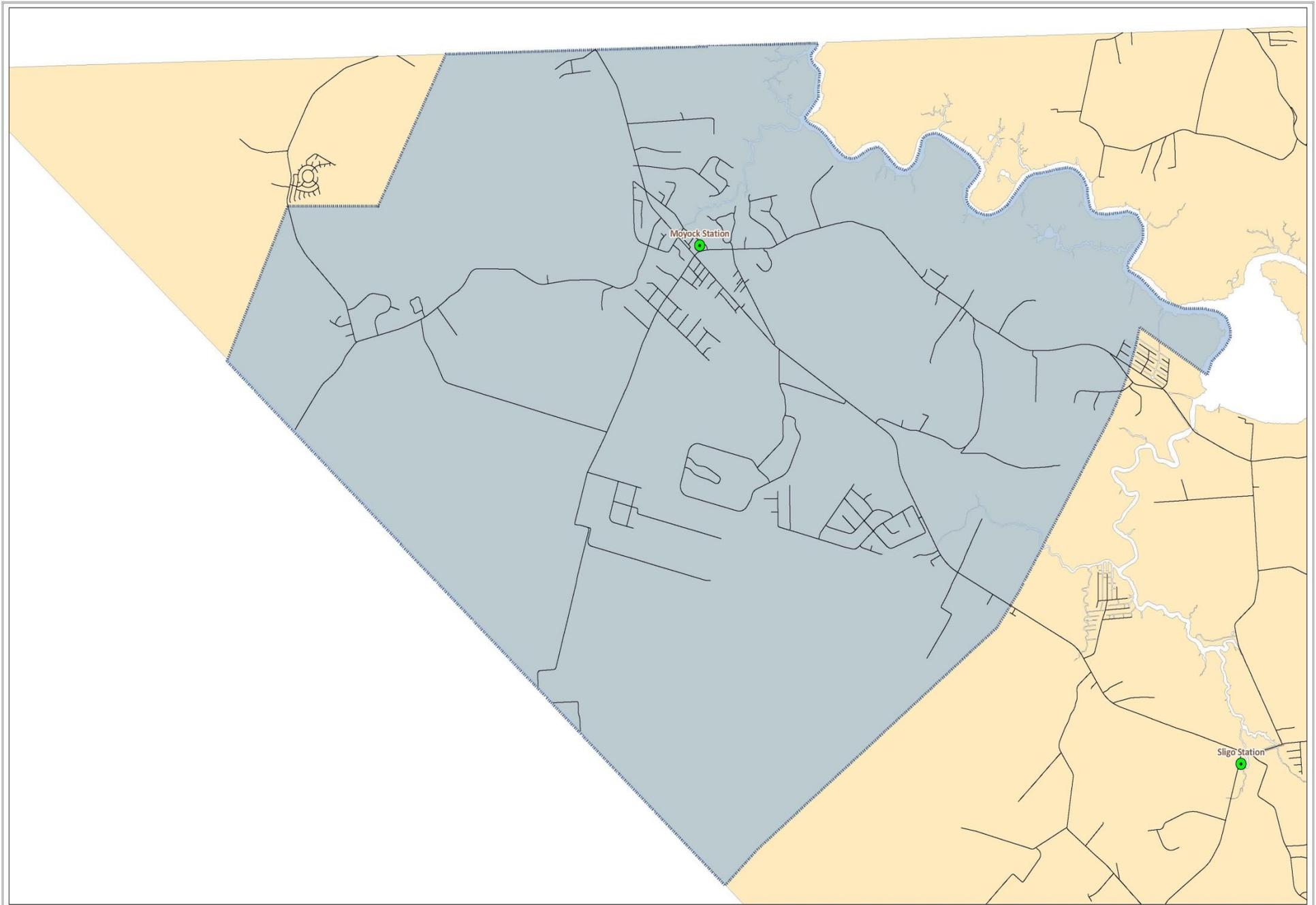
(COUNTY SEAL)



- Fire Station
- ▭ Crawford Township Fire Insurance District

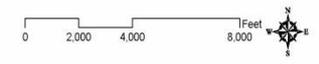
Crawford Fire Insurance District: 6 Miles  
Currituck County, North Carolina  
November 7, 2011

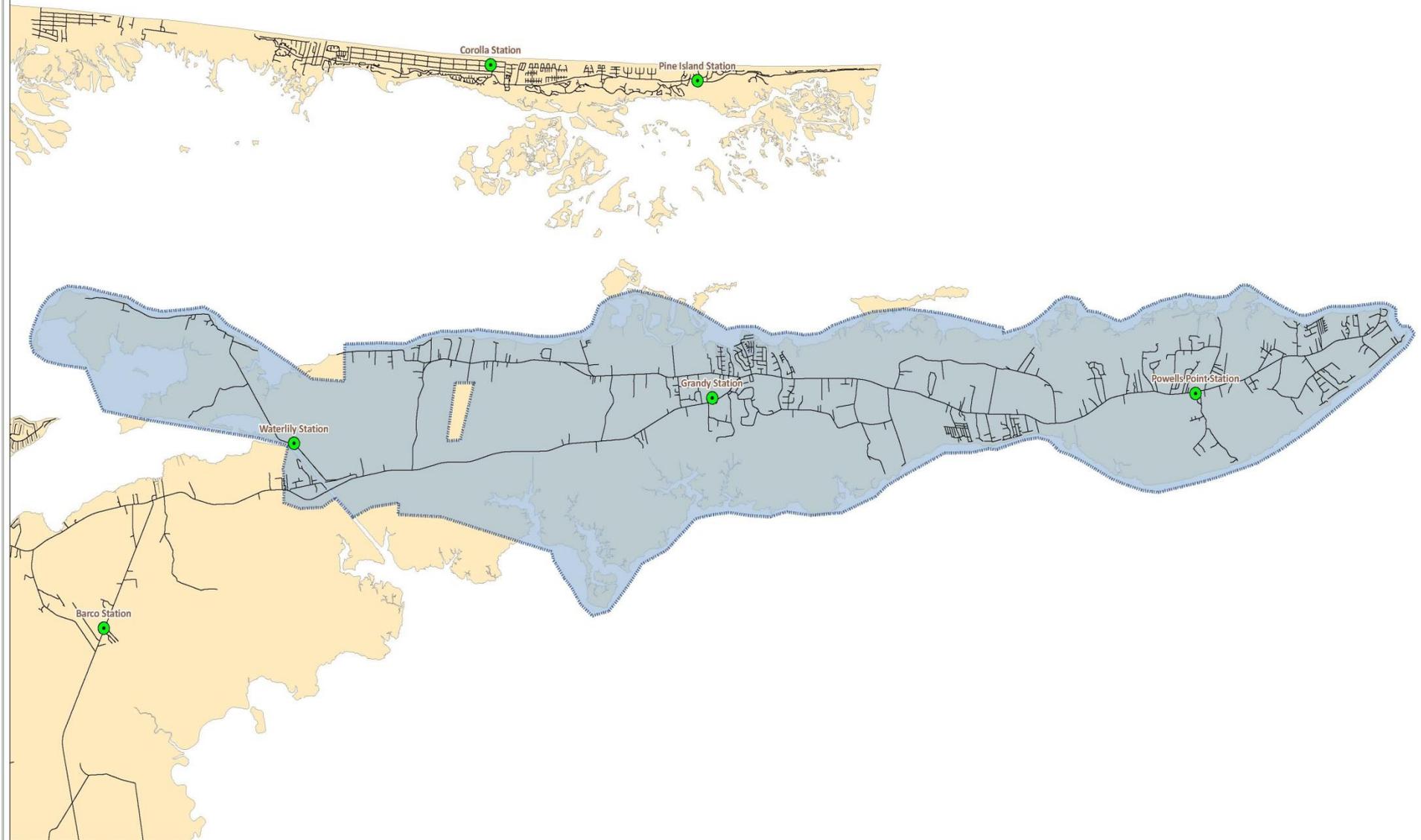




- Fire Station
- ▬ Moyock Fire Insurance District

Moyock Fire Insurance District: 6 Miles  
Currituck County, North Carolina 36  
November 7, 2011





Corolla Station

Pine Island Station

Grandy Station

Powells Point Station

Waterlily Station

Barco Station

- Fire Station
- ▭ Lower Currutuck Fire Insurance District

Lower Currutuck Fire Insurance District: 6 Miles  
Currituck County, North Carolina  
November 7, 2011



**Moyock Fire Station  
Fire Response Area**

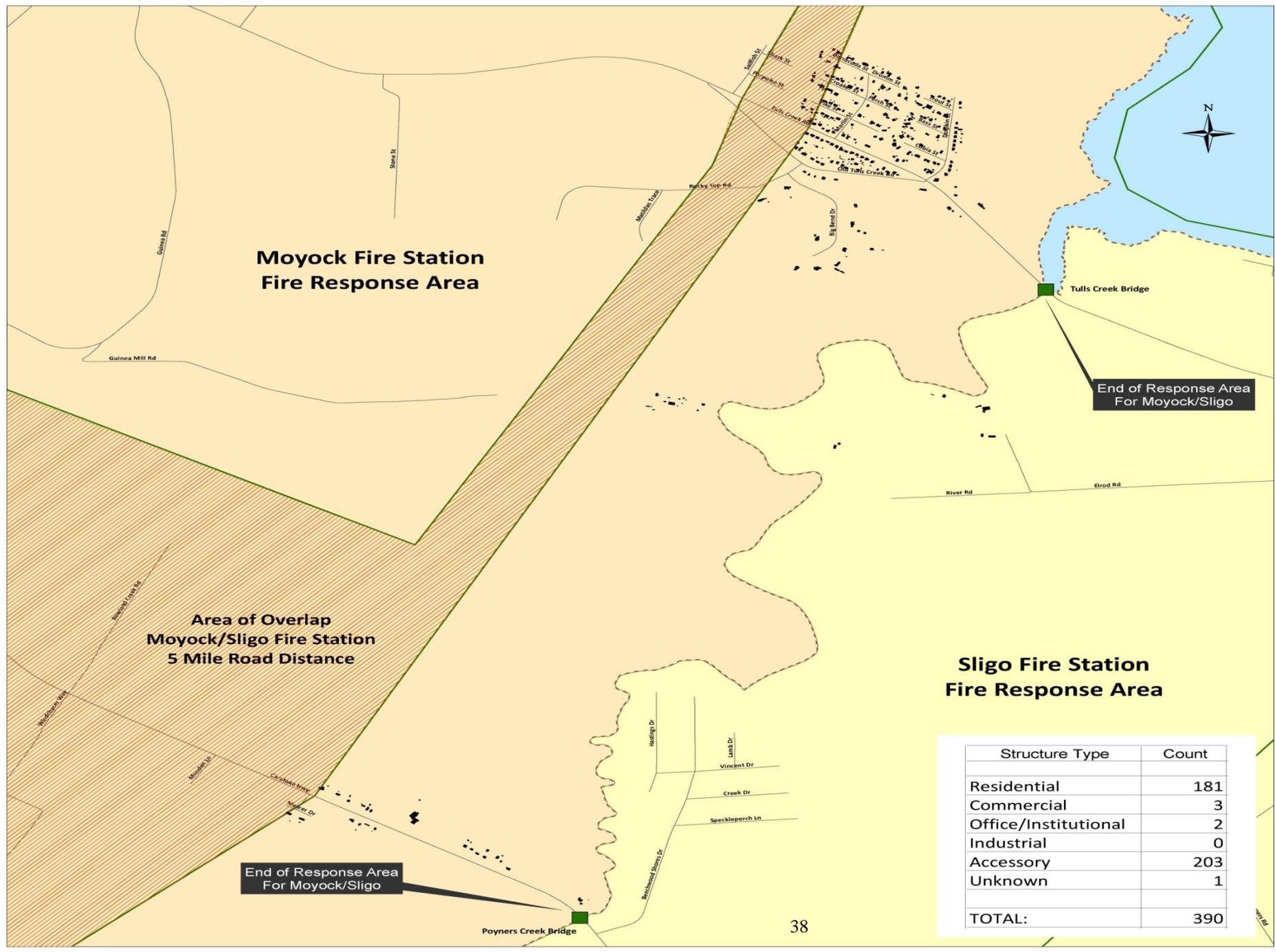
**Area of Overlap  
Moyock/Sligo Fire Station  
5 Mile Road Distance**

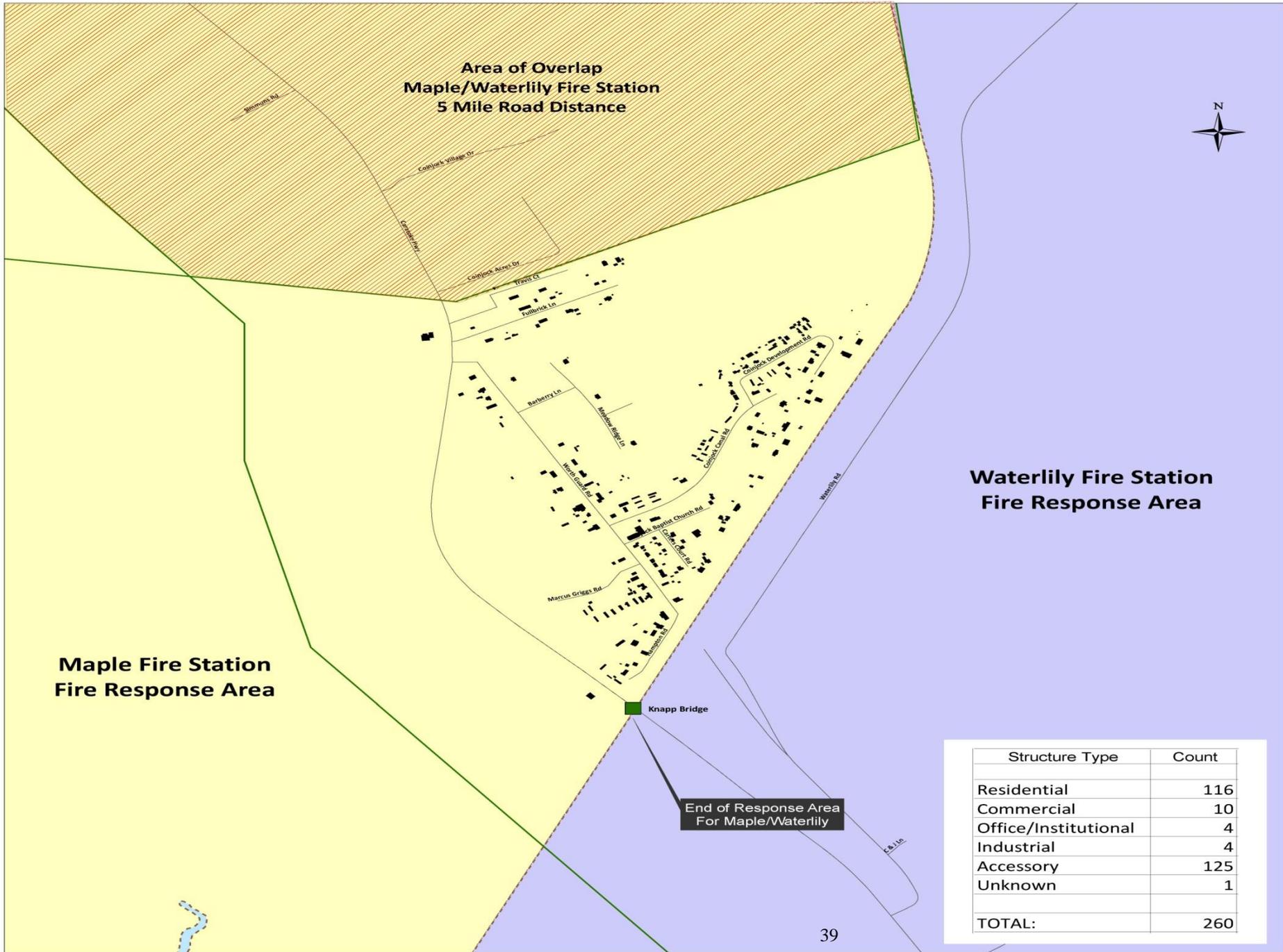
**Sligo Fire Station  
Fire Response Area**

End of Response Area  
For Moyock/Sligo

End of Response Area  
For Moyock/Sligo

Structure Type	Count
Residential	181
Commercial	3
Office/Institutional	2
Industrial	0
Accessory	203
Unknown	1
<b>TOTAL:</b>	<b>390</b>





**Area of Overlap  
Maple/Waterlily Fire Station  
5 Mile Road Distance**



**Waterlily Fire Station  
Fire Response Area**

**Maple Fire Station  
Fire Response Area**

**End of Response Area  
For Maple/Waterlily**

Structure Type	Count
Residential	116
Commercial	10
Office/Institutional	4
Industrial	4
Accessory	125
Unknown	1
<b>TOTAL:</b>	<b>260</b>



October 12, 2011

Dear Mr. Thorn:

In order for the easement to be acceptable, please note the following:

Have the appropriate person(s), Trustees, Officers, etc. sign the easement exactly as listed, below the signature line **in black ink**.

Have the signatures notarized **in black ink**.

Initial the drawing and all pages of document at the bottom.

Retain a copy for your records.

Return the original copy of the easement agreement to:

Dominion North Carolina Power  
4901 Princess Anne Rd.  
Virginia Beach, VA. 23462

Attention: Lauryn Harris

Sincerely,

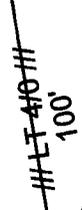
A handwritten signature in black ink, appearing to be "LH", with a long horizontal line extending to the right.

Lauryn Harris  
Project Designer

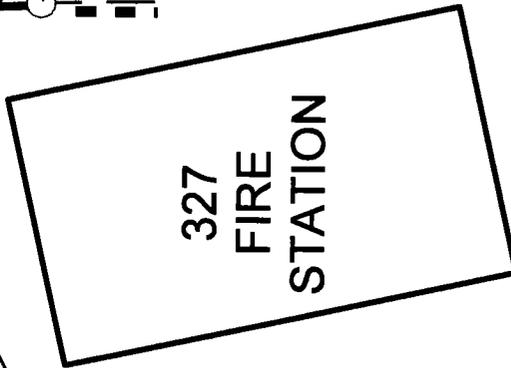
Enclosures

**SCOTT MORRISON 252-429-3536**  
 485AF457  
 TL40  
 3 - 10 N ABC

SK96  
 3 - 25 ABC



SK95  
 1 - 25 A  
 T = 100'  
 C = 100'+36'



485AF415  
 SK77  
 1 - 10 N B

**Initial Sag Table**  
 Slack Span  
 Conductor Size: = # 0 1/0 AL  
 R.S. = 50'

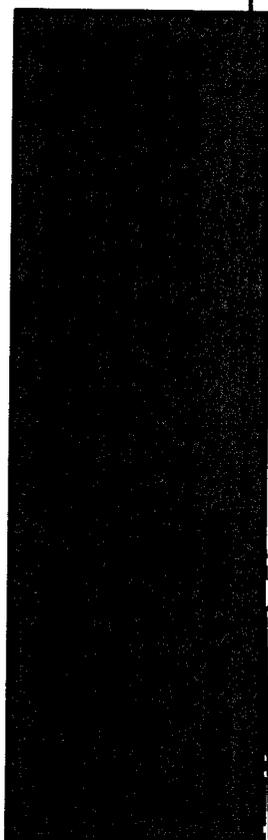
Degrees	Inches
30°	9"
45°	10"
60°	12"
75°	12"
90°	13"

WL 1  
 N1301 SK96  
 45' Class 3 - NJU  
**INSTALL:**  
 VDEP1F (4")  
 P10AL (50)  
 N10ALDE (50)  
 DESHOE10 (2)  
 SDE1 (56")

WL 2  
 N1301 SK95  
 40' Class 4 - NJU  
**INSTALL:**  
 VDEP1 (4")  
 DESHOE10 (2)  
 T7625TV  
 SDE1 (96")  
 SWIREXFERA  
 RSP4  
 LTUG40 (100)  
 KTB24 (100)  
 M240200  
 LABENGR (6)  
**SCRAP:**  
 RSP3

# Ground Rods: \_\_\_\_\_  
 Ohms: \_\_\_\_\_

GARAGE

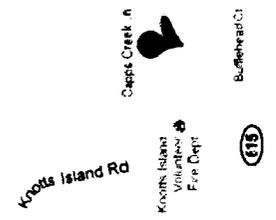


485AF511  
 RK92  
 1 - 40 N A

485AF512  
 RK97  
 1 - 40 N B

RK10

Volts 120/240	Amps 200	Phase A	ADC Map # 9986 B5	Co. Grid # N1301	Scale 1 inch = 111 feet
Voltage Drop 1.03	Flicker 2.05		Circuit # 485	Substation WEST LANDING	
Fault Current 4114	Est. Demand 22 KW		Tax District 72531	Miss U # ULOC	
Easement # 25-11-0078	TRS # 25 485AF559		WR Name KNOTTS ISLAND VOLUNTEER FIRE		
POC LAURYN C. HARRIS	Phone # 757-671-3522		NEW MUNICIPAL UNDERGROUND SERVICE		
Designer LAURYN2	Phone # 757-671-3522				
Work Request # 7409077	Date 10/11/2011		Location 327 KNOTTS ISLAND RD GARAGE KNOTTS ISLAND NC		





## Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between

### THE COUNTY OF CURRITUCK

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in North Carolina as Dominion North Carolina Power, with its principal office in Richmond, Virginia ("GRANTEE").

### WITNESSETH:

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

Initials: \_\_\_\_\_

**This Document Prepared by Virginia Electric and Power Company and should be returned to:**  
Dominion North Carolina Power, 1601 Hamilton Avenue Portsmouth VA 23707.

(Page 1 of 5 Pages)  
DNCPIDNo(s). 25-11-0078

Form No. 721043A1(Jan 2011)  
© Dominion Resources Services, Inc.

## Right of Way Agreement

1.2 to construct, operate and maintain a pole line including, without limitation, all wires, poles, attachments, ground connections one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time deem advisable, equipment, accessories and appurtenances desirable in connection therewith, including the right to increase or decrease the number of wires; the width of said easement shall extend 30 (THIRTY) feet in width across the lands of **GRANTOR**.

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in , North Carolina, as more fully described on Plat(s) Numbered 25-11-0078, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

Initials: \_\_\_\_\_

(Page 2 of 5 Pages)

DNCPIDNo(s). 25-11-0078

Form No. 721043A2(Apr 2006)  
© Dominion Resources Services, Inc.

## Right of Way Agreement

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE's** option, for other damage done to **GRANTOR's** property inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE's** facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE's** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE's** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE's** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE's** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such of its facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE** shall have the right to assign or transfer, without limitation, to any public service company all or any part of the perpetual right, privilege and easement granted herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: \_\_\_\_\_

(Page 3 of 5 Pages)

DNCPIDNo(s). 25-11-0078

Form No. 721043A3(Apr 2006)  
© Dominion Resources Services, Inc.



## Right of Way Agreement

11. **GRANTOR** covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of **GRANTOR** warrants that **GRANTOR** is a corporation duly organized and existing under the laws of the state hereinabove mentioned and that he or she has been duly authorized to execute this easement on behalf of said corporation.

**IN WITNESS WHEREOF**, **GRANTOR** has caused its corporate name to be signed hereto by its authorized officer or agent, described below, on the date first above written.

Corporate Name: THE COUNTY OF CURRITUCK

By: \_\_\_\_\_

Its: COUNTY ADMINISTRATOR  
(Title)

State of North Carolina

County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public for the jurisdiction aforesaid  
(Notary's Name)

do hereby certify that \_\_\_\_\_ personally came  
(Name of Signatory)

before me and acknowledged that he (or she) is \_\_\_\_\_, of  
(Title)

\_\_\_\_\_, a corporation, and  
(Corporation Name)

that, he (or she), as COUNTY ADMINISTRATOR, being authorized to do so, executed the  
(Title)

foregoing on behalf of the corporation.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public (Print Name)

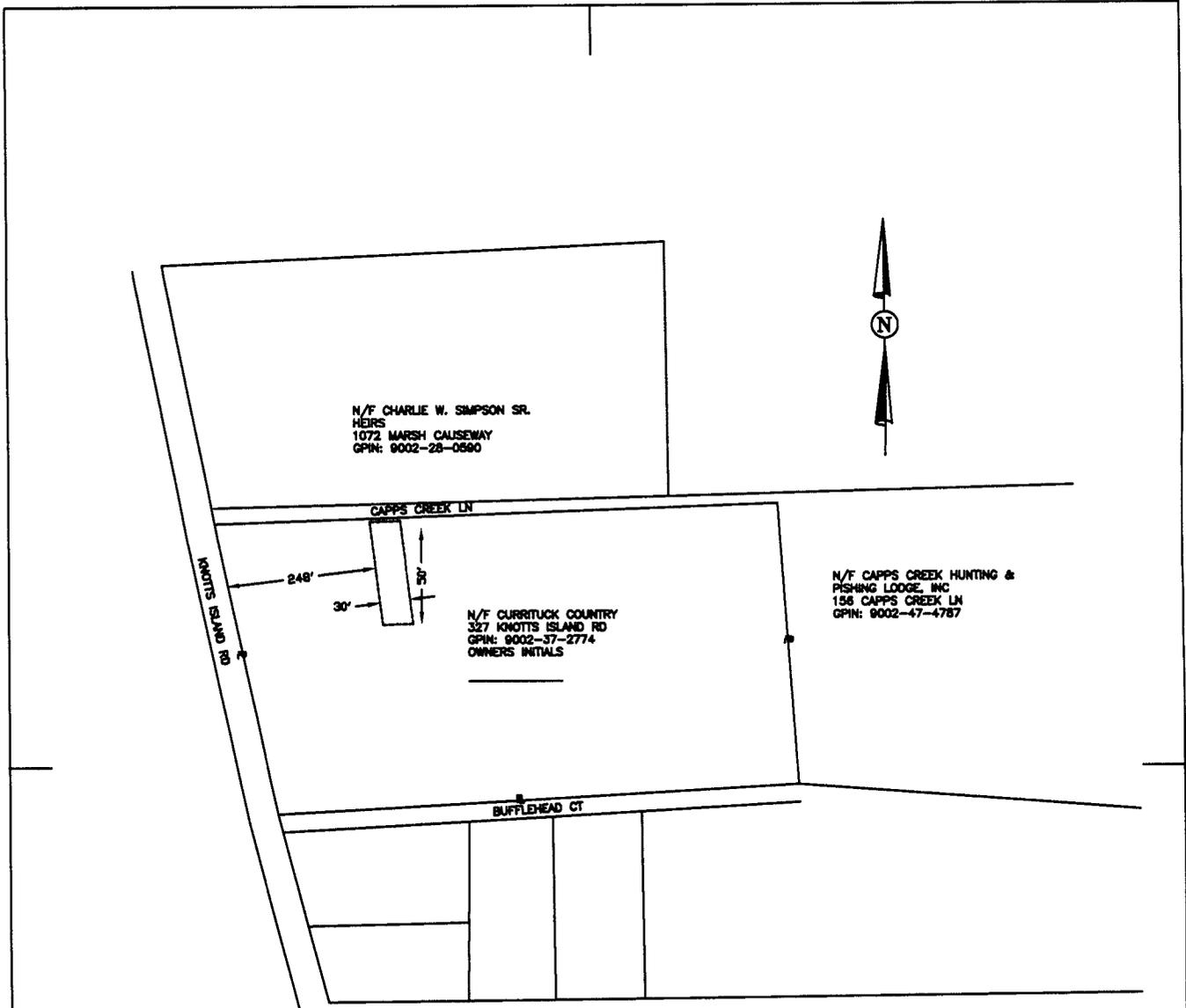
\_\_\_\_\_  
Notary Public (Signature)

My commission expires: \_\_\_\_\_.

(Page 4 of 5 Pages)

DNCPIDNo(s). 25-11-0078

Form No. 720965A(Jan 2008)  
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**Legend**

- Location of Boundary Lines of Right-of-Way 30' in Width.
- ==|== Indicates Property Line is Right-of-Way Boundary 30' in Width.

<b>Plat to Accompany Right-of-Way Agreement</b>		
VIRGINIA ELECTRIC AND POWER COMPANY doing business as <b>Dominion Virginia Power OH</b>		
District VA BEACH		
District-Township-Borough KNOTT ISLAND	County-City CURRITUCK	State NC
Office VA BEACH	Plat Number 25-11-0076	
Estimate Number 7409077	Grid Number N1301	
Date	By	



**October 12, 2011**

County of Currituck  
Attention: Bill Thorn  
327 Knotts Island Rd  
Knotts Island, NC 27950

**RE: New Underground Service For Garage at 327 Knotts Island Rd  
Customer Reference Number: 7409077**

Dear Mr. Thorn:

The estimated cost for the above work is \$3,054.62. This cost estimate is valid for 60 days from the date of this letter. In the event the actual cost varies from this, final billing will be rendered upon completion of the work. If payment is not received by the invoice due date a late payment charge of 1% North Carolina will apply.

If the County of Currituck *desires* Dominion **North Carolina Power** to proceed with the work, please have an authorized representative of Currituck County provide *Authorization to Proceed by reviewing the attached construction plans, reading, completing and executing the following and returning this authorization within 120 days from {date} in the enclosed self addressed envelope. Once we have received the Authorization below, and after any additional requirements have been satisfied, e.g. right of way agreements; we will begin procurement of the material and equipment, and the work scheduling necessary to accomplish this project.*

---

---

### **AUTHORIZATION TO PROCEED**

I understand the estimated cost of the requested work will be \$3,054.62, and will be performed on an actual cost basis with final billing rendered upon completion of work. As an authorized representative of the County of Currituck, I hereby provide authorization for Dominion **North Carolina Power** to proceed with the work and confirm the County of Currituck agreement to reimburse Dominion **North Carolina Power** the total cost referenced above upon completion of the work. In the event the requested work is canceled, the County of Currituck agrees to reimburse Dominion **North Carolina Power** its costs incident to implementing this authorization.

*The County of Currituck* requests the bill for the non-service project work described above should be mailed to the following address for payment:

Entity Name: \_\_\_\_\_  
Attention Name: \_\_\_\_\_  
Purchase Order #: \_\_\_\_\_  
Street Address/P.O. Box: \_\_\_\_\_  
City, State; Zip: \_\_\_\_\_

I confirm with my signature below that the information contained and provided within this Authorization to Proceed is true and correct.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Entity: \_\_\_\_\_

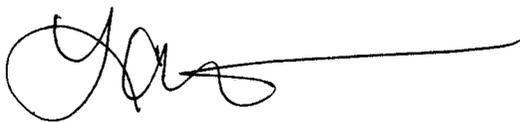
Title: \_\_\_\_\_

Date: \_\_\_\_\_

---

Should you have any further questions, please call me at 757-671-3522.

Sincerely,



**Lauryn Harris**  
**Designer**

**R E S O L U T I O N**

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on \_\_\_\_\_ authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be disposed of:

Asset 6297 Chain link fence around Moyock Commons Sewer Plant beyond repair to be disposed of

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of County of Currituck reserves the right to reject any and all bids.

**ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
O Vance Aydlett Jr  
Currituck County Board of  
Commissioners

ATTEST:

\_\_\_\_\_  
Gwen H. Keene, CMC  
Clerk to the Board

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 7th day of November , 2011, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2012.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10410 507000	Retirement	\$	30.00		
10415 507000	Retirement	\$	22		
10430 507000	Retirement	\$	8		
10440 507000	Retirement	\$	22		
10441 507000	Retirement	\$	24		
10445 507000	Retirement	\$	10		
10446 507000	Retirement	\$	4		
10450 507000	Retirement	\$	30		
10460 507000	Retirement	\$	44		
10461 507000	Retirement	\$	11		
10480 507000	Retirement	\$	22		
10510 507000	Retirement	\$	299		
10510 508000	Retirement	\$	9		
10511 507000	Retirement	\$	107		
10512 507000	Retirement	\$	13		
10530 507000	Retirement	\$	363		
10531 507000	Retirement	\$	7		
10535 507000	Retirement	\$	51		
10540 507000	Retirement	\$	35		
10541 507000	Retirement	\$	5		
10550 507000	Retirement	\$	6		
10606 507000	Retirement	\$	9		
10640 507000	Retirement	\$	9		
10650 507000	Retirement	\$	7		
10660 507000	Retirement	\$	46		
10750 507000	Retirement	\$	161		
10775 507000	Retirement	\$	33		
10790 507000	Retirement	\$	27		
10795 507000	Retirement	\$	33		
10796 507000	Retirement	\$	7		
10390-499900	Appropriated Fund Balance			\$	1,454
61818 507000	Retirement	\$	49		
61390-499900	Appropriated Retained Earnings			\$	49
66868 507000	Retirement	\$	33		
66390-499900	Appropriated Retained Earnings			\$	33
		<u>\$</u>	<u>1,536</u>	<u>\$</u>	<u>1,536</u>

**Explanation:** *Various Departments* - To record additional .01% retirement mandated for law enforcement effective October 1, 2011 and matching funds for employees not in law enforcement.

**Net Budget Effect:** Operating Fund (10) - Increased by \$1,454.  
 Mainland Water Fund (61) - Increased by \$49.  
 Southern Outer Banks Water Fund (66) - Increased by \$33.

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

## BUDGET AMENDMENT

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10540-516200	Vehicle Maintenance	\$ 1,000	
10540-532000	Supplies		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

**Explanation:**     *Inspections (10540)* - To transfer funds to repair water pump on 2002 Ford F150.

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

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Clerk to the Board

## BUDGET AMENDMENT

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10750-557701	LIEAP	\$ 18,957	
10750-561000	Professional Services	\$ 13,000	
10752-519600	Child Daycare	\$ 43,268	
10752-532003	Supplies-Special Adopt	\$ 45	
10752-545003	Contract Serv-Special Adopt		\$ 5,705
10752-561003	Prof Services-Special Adopt		\$ 1,134
10330-431000	DSS Admin	\$ 13,251	
10330-432800	Daycare		\$ 43,268
10390-499900	Fund Appropriated Balance		\$ 38,414
		<u>\$ 88,521</u>	<u>\$ 88,521</u>

**Explanation:** **SOCIAL SERVICES ADMIN (750)** - Adjust budget for New LIEAP Program Allocation and Child Support Service Fees. **PUBLIC ASSISTANCE (752)** - Adjust budget for Special Adoption Funding adjustments and the Daycare State Funding Authorization. **REVENUE (330)**-Adjust to the State Funding Authorizations for DSS Admin funds.

**Net Budget Effect:** Operating Fund (10) - Increased by \$68,431.

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10480-514000	Travel	\$ 500	
10480-516000	Maintenance & Repair		\$ 250
10480-540000	Worker's Compensation		\$ 49
10480-545700	Microfilm Processing		\$ 201
		\$ 500	\$ 500

**Explanation:** *Register of Deeds (10480)* - To transfer budgeted funds to attend annual Register of Deeds conference.

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

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-532160	PW - Maint Supplies	\$ 10,000	
10460-592000	PW - Courthouse Projects	\$ 29,000	
10460-516000	PW - Repairs & Maint		\$ 10,000
10380-484001	Insurance Proceeds		\$ 29,000
		<u>\$ 39,000</u>	<u>\$ 39,000</u>

**Explanation:** *Public Works (10460)* - To increase appropriations to upgrade the roof replacement of the Historic Courthouse damaged in Hurricane Irene.

**Net Budget Effect:** Operating Fund (10) -Increased by \$29,000.

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
66868-582000	Interest on Debt	\$ 74,872	
66868-582200	Loan Principal		\$ 550,000
66868-582400	Note Principal	\$ 425,000	
66868-554000	Insurance	\$ 8,506	
66390-499900	Appropriated Retained Earnings	\$ 1,523	
66390-495056	T F - SOBWS Construction		\$ 1,159,901
66390-490300	Contributed Capital	\$ 1,200,000	
		<u>\$ 1,709,901</u>	<u>\$ 1,709,901</u>

**Explanation:** *Southern Outer Banks Water (66868)* - To record actual loan balances after closing loan from BB & T.

**Net Budget Effect:** Southern Outer Banks Water Fund (66) -Decreased by \$41,622.

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> <u>Decrease Revenue or Increase Expense</u>	<u>Credit</u> <u>Increase Revenue or Decrease Expense</u>
10790-532001	Library Materials	\$ 1,347	
10790-545000	Contracted Services		\$ 1,347
		<u>\$ 1,347</u>	<u>\$ 1,347</u>

**Explanation:**     *Library (10790)* - Transfer funds due to EARL paying circulation system licensing for FY 2012.

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

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Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of November , 2011, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2012.

<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
68888-511000	Telephone & Postage	\$ 4,000	
68888-513000	Utilities	\$ 6,000	
68888-516000	Repairs & Maintenance	\$ 12,000	
68888-531000	Gas	\$ 1,200	
68888-532000	Supplies	\$ 5,000	
68888-533200	Lab Tests	\$ 1,200	
68888-533800	Chemicals	\$ 1,200	
68888-545000	Contract Services	\$ 35,400	
68888-545100	Credit Card Fees	\$ 200	
68888-553000	Dues & Subscriptions	\$ 1,200	
68888-557000	Refunds	\$ 300	
68888-554000	Insurance	\$ 5,400	
68888-561000	Professional Services	\$ 50,000	
68888-561900	Administration	\$ 5,000	
68888-590000	Capital Outlay	\$ 78,713	
68330-448800	Walnut Island Sanitary District Funds		\$ 100,000
68330-449900	Grant Funds		\$ 106,813
		<u>\$ 206,813</u>	<u>\$ 206,813</u>

**Explanation:** *Walnut Island Sewer District (68888)* - Initial County budget for the Walnut Island Sewer District. Capital Outlay is for final payments for sewer construction project.

**Net Budget Effect:** Walnut Island Sewer District (68) - Increased by \$206,813.

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



**CURRITUCK COUNTY BOARD OF COMMISSIONERS**

**ITEM TO BE CONSIDERED**

Meeting Date:  Agenda #

**SUBJECT:**

**REQUESTED ACTION:**

Submitted by:  Department:

Date submitted:  Attachments:  No

**REVIEW PROCESS:**

	Approved	
County Manager	Yes <input type="checkbox"/>	No <input type="checkbox"/>
County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Finance Director	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="text"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**REVIEW COMMENTS:**



October 5, 2011

Mr. Daniel F. Scanlon  
County of Currituck, NC  
Room: Ste 204  
153 Courthouse Rd  
Historic County Courthouse  
Currituck, NC 27929-9653

Dear Mr. Scanlon:

ASCAP's more than 421,437 songwriter and publisher members thank you for using music. As you know, music plays an important part in many government activities and services including, concerts, arts & craft fairs, parades, First Night and New Year's Celebrations, fireworks, carnivals, music-on-hold, swimming pools, community center dances, aerobics classes, . . . and the list goes on and on. It is also important to note that music is a valuable intellectual property. Ownership of this property remains with those who create it. To publicly perform copyrighted music legally, you must obtain permission from the copyright owners or their representatives, such as ASCAP.

The International Municipal Lawyers Association (IMLA) recognized that local governments should be aware of the responsibility to obtain permission for music at the next municipal concert, festival or in any number of other events or within governmental facilities. Until now most communities had to negotiate licenses for each event or use. For this reason, IMLA and ASCAP negotiated a license that would serve the needs of local governmental entities. The negotiations were marked by a spirit of goodwill and provide an efficient and affordable method for local governments to receive a license to use music. In addition, it ensures your local government's compliance with the copyright law while recognizing the rights of ASCAP's composers, authors, and publishers.

Enclosed is a brochure that discusses the copyright law and key provisions of the local government agreement, a copy of the agreement, and a reporting form. The brochure also contains information on ASCAP's members, the variety of music in the ASCAP repertory, and the resources available to those seeking more information on ASCAP's members and their repertory. Additional information regarding this license may be found at the IMLA website ([www.imla.org](http://www.imla.org)). You can also visit our website at [www.ascap.com](http://www.ascap.com).

Some local government entities may already have various ASCAP agreements in effect. If this situation pertains to your local government, outstanding fees due under any preexisting ASCAP license agreement must be brought current.

Please complete, sign and return the enclosed Agreement and report form to ASCAP; an executed copy will be returned for your files. Please contact me at the number below, if you have questions. I will be happy to provide any additional information you need. Thank you in advance for your prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Michele McKinney". The signature is written in a cursive, flowing style.

Michele McKinney  
(888) 852-1432

Enclosures: License, Rate Schedule, Report Form, Invoice, Enclosure - An ASCAP License, Enclosure - IMLA Fact Sheet, Enclosure - ASCAP Keeps You In Tune With Copyright Law

ASCAP, PO Box 331608-7515, Nashville, TN 37203-9998  
(Voice) (888) 852-1432 (Fax) (615) 691-7752 [mmckinney@ascap.com](mailto:mmckinney@ascap.com)

## LICENSE AGREEMENT - LOCAL GOVERNMENTAL ENTITIES

# Agreement

between American Society of Composers, Authors and Publishers ("SOCIETY"), located at  
2 Music Square West, Nashville, TN 37203

and County of Currituck, NC

("LICENSEE"), located at

Room: Ste 204  
153 Courthouse Rd  
Historic County Courthouse Currituck NC 27929-9653

as follows:

### 1. Grant and Term of License

- (a) ASCAP grants and LICENSEE accepts a license to perform publicly on the "Premises" and at "Events" and "Functions," and not elsewhere or otherwise, non-dramatic renditions of the separate musical compositions in the "ASCAP repertory." The performances licensed under this Agreement may be by means of "Live Entertainment" or "Mechanical Music". For purposes of this Agreement,
- (i) "LICENSEE" shall include the named entity and any of its constituent bodies, departments, agencies or leagues.
  - (ii) "Mechanical Music" means music which is performed at the Premises by means other than by live musicians who are performing at the Premises, including, but not limited to (A) compact disc, audio record or audio tape players (but not including "jukeboxes"), (B) videotape, videodisc or DVD players; (C) the reception and communication at the premises of radio or television transmissions which originate outside the Premises; and which are not exempt under the Copyright Law; or (D) a music-on-hold telephone system operated by LICENSEE at the Premises.
  - (iii) "Live Entertainment" means music that is performed at the Premises by musicians, singers or other performers.
  - (iv) "Premises" means buildings, hospitals, airports, zoos, museums, athletic facilities, and recreational facilities, including, but not limited to, community centers, parks, swimming pools, and skating rinks owned or operated by LICENSEE and any site which has been engaged by LICENSEE for use by LICENSEE.
  - (v) "ASCAP repertory" means all copyrighted musical compositions written or published by ASCAP members or members of affiliated foreign performing rights societies, including compositions written or published during the term of this Agreement and of which ASCAP has the right to license non-dramatic public performances.
  - (vi) "Events" and "Functions" means any activity conducted, sponsored, or presented by or under the auspices of LICENSEE. Except as set forth in paragraph 2.(d) below, "Events" and "Functions" shall include, but are not limited to, aerobics and exercise classes, athletic events, dances and other social events, concerts, festivals, arts and crafts fairs, and parades held under the auspices of or sponsored or promoted by LICENSEE on the Premises.
  - (vii) "Special Events" means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" of such Special Event exceeds \$25,000 (as defined in paragraph 4.(d) below).
- (b) This Agreement shall be for an initial term of one year, commencing October 1, 2011, which shall be considered the effective date of this Agreement, and continuing thereafter for additional terms of one year each. Either party may give notice of termination to the other no later than thirty (30) days prior to the end of the initial or any renewal term. If such notice is given, the agreement shall terminate on the last day of the term in which notice is given.

### 2. Limitations On License

- (a) This license is not assignable or transferable by operation of law or otherwise. This license does not authorize LICENSEE to grant to others any right to perform publicly in any manner any of the musical compositions licensed under this agreement, nor does it authorize any public performances at any of the Premises in any manner except as expressly herein provided.
- (b) This license does not authorize (i) the broadcasting, telecasting or transmission or retransmission by wire, Internet, website or otherwise, of renditions of musical compositions in ASCAP's repertory to persons outside of the Premises, other than by means of a music-on-hold telephone system operated by LICENSEE at the Premises; and (ii) performances by means of background music (such as *Muzak*) or other services delivered to the Premises. Nothing in this paragraph shall be deemed to limit LICENSEE's right to transmit renditions of musical compositions in the ASCAP repertory to those who attend Events or Functions on the Premises by means of teleconferencing, videoconferencing or similar technology.
- (c) This license is limited to non-dramatic performances, and does not authorize any dramatic performances. For purposes of this agreement, a dramatic performance shall include, but not be limited to, the following:
- (i) performance of a "dramatico-musical work" (as hereinafter defined) in its entirety;

- (ii) performance of one or more musical compositions from a “dramatico-musical work (as hereinafter defined) accompanied by dialogue, pantomime, dance, stage action, or visual representation of the work from which the music is taken;
  - (iii) performance of one or more musical compositions as part of a story or plot, whether accompanied or unaccompanied by dialogue, pantomime, dance, stage action, or visual representation;
  - (iv) performance of a concert version of a “dramatico-musical work” (as hereinafter defined).  
The term “dramatico-musical work” as used in this Agreement, shall include, but not be limited to, a musical comedy, opera, play with music, revue, or ballet.
- (d) This license does not authorize performances:
- (i) at any convention, exposition, trade show, conference, congress, industrial show or similar activity presented by LICENSEE or on the Premises unless it is presented or sponsored solely by and under the auspices of LICENSEE, is presented entirely on LICENSEE'S Premises, and is not open to the general public;
  - (ii) by or at colleges and universities;
  - (iii) at any professional sports event or game played on the Premises;
  - (iv) at any permanently situated theme or amusement park owned or operated by LICENSEE;
  - (v) by any symphony or community orchestra;
  - (vi) by means of a coin operated phonorecord player (jukebox) for which a license is otherwise available from the Jukebox License Office.

### 3. License Fee

- (a) In consideration of the license granted herein, LICENSEE agrees to pay ASCAP a license fee which includes the total of the “Base License Fee” and any applicable “Special Events License Fees”, all of which shall be calculated in accordance with the Rate Schedule attached to and made part of this Agreement. For purposes of this Agreement,
- (i) “Base License Fee” means the annual fee due in accordance with Schedule A of the Rate Schedule and based on LICENSEE’S population as established in the most recent published U.S. Census data. It does not include any fees due for Special Events.
  - (ii) “Special Events License Fees” mean the amount due in accordance with Schedule B of the Rate Schedule when Special Events are presented by or on behalf of LICENSEE. It does not include any Base License Fees due.
  - (iii) LICENSEES who are legally organized as state municipal and/or county leagues or state associations of municipal and/or county attorneys shall be required to pay only the fee under Schedule C of the Rate Schedule. Such leagues or associations are not subject to Schedule A or Schedule B of the Rate Schedule. Fees paid by such leagues or associations do not cover performances of the municipality, county or other local government entity represented by the league or association. Schedule C fees are not applicable to municipal, county or other local government entities.

Unless otherwise limited by law, LICENSEE shall pay a finance charge of 1.5% per month from the due date, or the maximum amount permitted by law, whichever is less, on any required payment that it is not made within thirty days of its due date.

### 4. Reports and Payments

- (a) Upon the execution of this Agreement, LICENSEE shall submit:
- (i) a report stating LICENSEE’S population based on the most recent published U.S. Census data. The population set forth in the report shall be used to calculate the Base License Fee under this Agreement; and (ii) a report containing the information set forth in paragraph 4.(d) below for all Special Events that were presented between the effective date of this Agreement and the execution of this Agreement.
- (b) The Base License Fee for the first year of this Agreement and any license fees due for Special Events that were presented between the effective date of this Agreement and the execution of this Agreement shall be payable upon the execution of this Agreement.
- (c) Base License Fees for subsequent years shall be due and payable within 30 days of the renewal date of this Agreement and shall be accompanied by a statement confirming whether any Special Events were presented during the previous calendar year.
- (d) Ninety days after the conclusion of each Special Event, LICENSEE shall submit to ASCAP payment for such Special Event and a report in printed or computer readable form stating:
- (i) the date presented;
  - (ii) the name of the attraction(s) appearing;
  - (iii) the “Gross Revenue” of the event. “Gross Revenue” means all monies received by LICENSEE or on LICENSEE’S behalf from the sale of tickets for each Special Event. If there are no monies from the sale of tickets, “Gross Revenue” shall mean contributions from sponsors or other payments received by LICENSEE for each Special Event;
  - (iv) the license fee due for each Special Event.
- (e) If LICENSEE presents, sponsors or promotes a Special Event that is reportable under Rate Schedule B with another person or entity licensed under an ASCAP License Agreement, LICENSEE shall indicate the name, address, phone number and ASCAP account number of the other person(s) or entity(ies) and the party responsible for payment for such Special Event. If the other party is not

licensed by ASCAP, LICENSEE shall pay the license fee due hereunder, notwithstanding any agreement to the contrary between LICENSEE and the other party.

(f) LICENSEE agrees to furnish to ASCAP, where available, copies of all programs of musical works performed, which are prepared for distribution to the audience or for the use or information of LICENSEE or any department thereof. The programs shall include all encores to the extent possible. LICENSEE shall be under no obligation to furnish programs when they have not been otherwise prepared.

(g) ASCAP shall have the right to examine LICENSEE'S books and records at LICENSEE'S place of business during normal business hours to such extent as may be necessary to verify the reports required by paragraph 4.(d) above. ASCAP shall have the right to adjust LICENSEE'S Base License Fee based upon the most recently available revised population figures and Population Estimates Program provided by the U.S. Census Department.

**5. Breach or Default**

Upon any breach or default by LICENSEE of any term or condition herein contained, ASCAP may terminate this license by giving LICENSEE thirty days notice to cure such breach or default, and in the event that such breach or default has not been cured within said thirty days, this license shall terminate on the expiration of such thirty-day period without further notice from ASCAP. In the event of such termination, ASCAP shall refund on a pro-rata basis to LICENSEE any unearned license fees paid in advance.

**6. Interference in Operations**

ASCAP shall have the right to terminate this license upon thirty days written notice if there is any major interference with, or substantial increase in the cost of, ASCAP'S operations as the result of any law in the state, territory, dependency, possession or political subdivision in which LICENSEE is located which is applicable to the licensing of performing rights. In the event of such termination, ASCAP shall refund to LICENSEE on a pro-rata basis any unearned license fees paid in advance.

**7. Non-Discrimination**

LICENSEE recognizes that ASCAP must license all similarly situated users on a non-discriminatory basis. LICENSEE agrees that any modifications to this Agreement by ASCAP, which are required by local, state or federal law for other municipalities, counties and other governmental entities shall not constitute discrimination between similarly situated users. Examples of such modifications are statements of equal employment opportunity or nondiscrimination on the basis of race, creed, color, sex or national origin.

**8. Notices**

ASCAP or LICENSEE may give any notice required by this Agreement by sending it by certified United States Mail, by generally recognized same-day or overnight delivery service or by electronic transmission (i.e., Mailgram, facsimile or similar transmission) to the appropriate person/office as listed herein. Each party agrees to notify the other of any change in contact information, such as change of address, change of person/office responsible, etc. within 30 days of such change.

AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS

LICENSEE County of Currituck, NC

By \_\_\_\_\_

TITLE \_\_\_\_\_

By \_\_\_\_\_

(Fill in capacity in which signed: (a) If corporation, state corporate office held; (b) If partnership, write word "partner" under signature of signing partner; (c) If individual owner, write "individual owner" under signature.)



# LOCAL GOVERNMENT ENTITIES

## 2011 Rate Schedule

### SCHEDULE A: Base License Fee

Population Size			Base License Fee
1	to	50,000	\$309.00
50,001	to	75,000	\$615.00
75,001	to	100,000	\$740.00
100,001	to	125,000	\$986.00
125,001	to	150,000	\$1,233.00
150,001	to	200,000	\$1,603.00
200,001	to	250,000	\$1,972.00
250,001	to	300,000	\$2,343.00
300,001	to	350,000	\$2,713.00
350,001	to	400,000	\$3,083.00
400,001	to	450,000	\$3,452.00
450,001	to	500,000	\$3,823.00
500,001	and over		*** \$4,685.00

\*\*\* \$4,685.00 plus \$500 for each 100,000 of population above 500,000 to a maximum fee of \$61,652

### SCHEDULE B: Special Events

The rate for Special Events shall be 1% of Gross Revenue.

"Special Events" means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" of such Special Event exceeds \$25,000.

"Gross Revenue" means all monies received by LICENSEE or on LICENSEE'S behalf from the sale of tickets for each Special Event. If there are no monies from the sale of tickets, "Gross Revenue" shall mean contributions from sponsors or other payments received by LICENSEE for each Special Event.

### SCHEDULE C: State Municipal and/or County Leagues or State Associations of Attorneys

The annual license fee for LICENSEES who are legally organized as state municipal and/or county leagues or state associations of municipal and/or county attorneys shall be \$309.

#### License Fee for Year 2012 and Thereafter

For each calendar year commencing 2012, all dollar figures set forth in Schedules A, B and C above (except for \$500 add-on for populations of 500,001 or more) shall be the license fee for the preceding calendar year, adjusted in accordance with the increase in the Consumer Price Index - All Urban Consumers (CPI-U) between the preceding October and the next preceding October. Any additional license fees due resulting from the CPI adjustment shall be payable upon billing by ASCAP.



**American Society of Composers, Authors and Publishers**  
**PO Box 331608-7515, Nashville, TN 37203-9998**

**INVOICE**

<p>County of Currituck, NC Room: Ste 204 153 Courthouse Rd Historic County Courthouse Currituck, NC 27929-9653</p> <p>Re: County of Currituck, NC Room: Ste 204 153 Courthouse Rd Historic County Courthouse Currituck, NC 27929-9653</p> <p>Billing Period: October 1, 2011 Thru September 30, 2012</p>	<p>October 5, 2011</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------

Annual Rate: \$309.00
Amount Due \$309.00

<p>The only credit cards ASCAP accepts are MasterCard and VISA</p>	
<p>Payment Amount: \$ _____</p>	
<p>*Check No: _____</p>	
<p>Credit Card No: _____</p>	<p>Expiration Date: _____</p>
<p>VISA _____</p>	<p>Mastercard _____</p>
<p>Name exactly as on Card: _____</p>	
<p>Signature: _____</p>	
<p>Cardholder acknowledges receipt of good and/or services in the amount of the total shown herein and agrees to perform the obligations set forth in the Cardholder's Agreement with the Issuer.</p>	

**\*Please note:** "When you provide a check as payment, you authorize ASCAP to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution. However the transaction will appear on your bank statement. If we cannot post the transaction electronically, we may present a copy of your check for payment."

**License fees due and payable in advance. Retain bottom portion for your records.**

County of Currituck, NC  
Room: Ste 204  
153 Courthouse Rd  
Historic County Courthouse  
Currituck, NC 27929-9653

Billing Period: October 1, 2011 Thru September 30, 2012

Annual Rate: \$309.00
Amount Due \$309.00



## ASCAP LOCAL GOVERNMENT FACT SHEET

### Benefit of License: 1 Comprehensive Agreement - 1 annual fee & single report !

- Covers almost any municipal activity
- Removes potential liability
- Automatically covers additional uses without extra fees/reports\*\*
- Cheap – cost less than individual rates

\* \*\*Monitoring or Tracking only of events with gross revenue in excess of \$25,000.00

### What's Covered:

#### 1.) All Government Owned Buildings & Property

- Examples:
- Background Music in Municipal Buildings
  - Music On Hold in Municipal Buildings
  - Employee Functions, parties
  - City Buses & Trains
  - Libraries
  - Swimming Pools (Water Aerobics)
  - Municipal-owned shops
  - Senior Center Dances & Classes
  - Golf & Tennis Center Snack Bars
  - Community/Recreation Center Activities (Dances, classes)
  - Arena & Convention-Centers (when not "rented out" to others)
  - Airports
  - Museums
  - Ice & Roller Rinks
  - Skate parks
  - Zoos & Aquariums
  - Hospitals
  - Carousels
  - Public Parks

#### 2.) Also covers events sponsored by or presented solely by municipality:

- Examples:
- Arts & Crafts Fairs
  - Festivals
  - First Night/New Year's Celebrations
  - Amateur Athletic Leagues
  - Non-exempt elementary & secondary school performances
  - Parades
  - Concerts
  - Carnivals
  - City Sponsored Conventions

### Restrictions/Not Covered:

- Examples:
- Coin-Operated Jukeboxes
  - Performances by or at Colleges & Universities
  - Performances at any professional sports event/game
  - Theme & Amusement Parks
  - Community or Symphony Orchestras
  - Conventions presented by outside entities
  - Broadcast radio or TV, Cable, Satellite or internet (except closed circuit)

CURRITUCK COUNTY  
NORTH CAROLINA  
October 17, 2011

The Board met at 5:00 p.m. at the Cooperative Extension Center with COA Board of Trustees to review design of Technical Training Center.

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 Gilbert, Martin, Etheridge, Petrey, and Rorer. Commissioner O'Neal was absent.

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

Kimberly Ferebee, New Bethlehem Church of Christ, was present to give the invocation.

### **Approval of Agenda**

Commissioner Gilbert moved to approve the Agenda. Commissioner Rorer 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            **Presentation and discussion by Dominion North Carolina** Power regarding a transmission line addition.
- Item 4            **Public Hearing and Action:** PB 11-06 Currituck County: Request to amend the Unified Development Ordinance, Chapter 4: Overlay Districts to establish an Airport Overlay District and an amendment to the zoning map.
- Item 5            **Public Hearing and Action:** PB 11-07 Bissell Professional Group: Request to amend Chapter 4 of the Unified Development Ordinance to modify the age restriction language for the Planned Adult Retirement Overlay District (RET).
- Item 6            **Consent Agenda:**
  - 1. Consideration of Lease Agreement with Sentara Life Care as Tenant in Currituck County Community Center
  - 2. Approval of October 3, 2011, Minutes
  - 3. Budget Amendments
- Item 7            Commissioner's Report
- Item 8            County Manager's Report
- Item 9            Adjourn

Special Meeting

Call to Order

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.

Teresa McPherson, Walnut Island, thanked the Board for their support with Community Pride Day and reviewed the events scheduled.

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

**Presentation and discussion by Dominion North Carolina Power regarding a transmission line addition.**

Michael Thompson, Dominion Power, reviewed the rate increase proposed. He also reviewed the need for an additional line especially during a storm when service is interrupted.

Commissioner Rorer stated that this was a 10% increase not a 6% increase as stated. He strongly opposes the increase.

Commissioner Martin thanked Mr. Thompson for his presentation.

**Public Hearing and Action: PB 11-06 Currituck County: Request to amend the Unified Development Ordinance, Chapter 4: Overlay Districts to establish an Airport Overlay District and an amendment to the zoning map.**

Ben Woody, Planning Director, reviewed the request.

**Currituck County – Airport Overlay District  
PB 11-06  
UDO AMENDMENT REQUEST**

An amendment to the Unified Development Ordinance Chapter 4: Overlay Districts to establish and Airport Overlay District.

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 4: Overlay Districts, Section 4.4 is amended by deleting the Residential Airpark Development Overlay provisions and adding the following language:

#### **Section 4.4 Airport Overlay (AO)**

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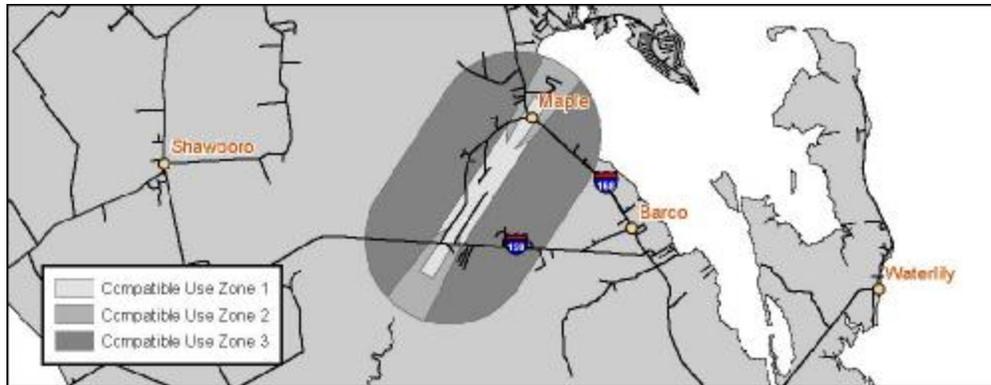
##### **4.4.1 Purpose**

The purpose of the Airport Overlay District is to protect and preserve the Currituck County Regional Airport and surrounding properties from incompatible land uses and to:

- A. Protect and promote the general health, safety, welfare, and economy of the airport area;
- B. Promote and encourage aviation related industries and compatible nonresidential uses to locate in close proximity to the airport;
- C. Protect the character and stability of existing land uses in the vicinity of the airport;
- D. Promote interconnectivity among parcels that encourages the use of multimodal transportation and creates an integrated transportation network;
- E. Preserve natural resources that may be affected by harmful land uses or airport operations;
- F. Promote sustainable development patterns that are consistent with the Maple-Barco Small Area Plan and Airport Layout Plan Update.

##### **4.4.2 Establishment and Applicability**

- A. Development and use of properties within the Airport Overlay District shall be subject to the standards of this district. In the case of conflict between the standards of the Airport Overlay District and other standards of this Ordinance, the overlay standards shall control.
- B. The following map depicts the approximate location of the Airport Overlay District. In the case of conflict between the map in this subsection and the Official Zoning Map, the Official Zoning Map shall control.



**4.4.3 Airport Compatible Use Zone Requirements**

In order to promote and encourage aviation related industries and compatible nonresidential uses to locate in close proximity to the airport, the Airport Overlay District is hereby further divided into compatible use zones as recommended by the Federal Aviation Administration and depicted on the Official Zoning Map. The zones and special requirements are hereby established as follows:

- A. Compatible Use Zone 1: Those areas located within the airport runway protection zone.
  - 1. Major subdivisions shall have a maximum gross density of .25 dwelling units per acre. The maximum gross density may be increased to .5 dwelling units per acre provided residential construction techniques are designed and certified by an acoustical professional to achieve a minimum outside to inside noise reduction level of 25 decibels (dB). This performance measure shall be achieved by any suitable combination of building design, materials, or construction standards and shall be recorded with the final plat and as a restrictive covenant.
  - 2. Allowable uses shall be limited to detached single-family dwellings, conservation, agriculture, agriculture-supporting businesses, airport operations, aviation related uses, or nonresidential uses that do not exceed an occupancy of ten people per acre.
  
- B. Compatible Use Zone 2: Those areas located within the airport approach zone.
  - 1. Major subdivisions shall have a maximum gross density of .33 dwelling units per acre. The maximum gross density may be increased to .66 dwelling units per acre provided residential construction techniques are designed and certified by an acoustical professional to achieve a minimum outside to inside noise reduction level of 25 decibels (dB). This performance measure shall be achieved by any suitable combination of building design, materials, or construction standards and shall be recorded with the final plat and as a restrictive covenant.
  - 2. Allowable uses shall be limited to detached single-family dwellings, conservation, agriculture, agriculture-supporting businesses, airport

operations, aviation related uses, or nonresidential uses that do not exceed an occupancy of 40 people per acre.

- C. Compatible Use Zone 3: Those areas located within the airport traffic pattern zone.
  - 1. The subdivision of land for residential purposes shall be subject to the maximum gross density requirements of the base zoning district.
  - 2. Allowable uses shall be limited to those permitted in the base zoning district.

**4.4.4 Overlay Special Requirements**

The following general standards shall apply to all development in the Airport Overlay District:

A. Lighting

- 1. Floodlights, spotlights, recreational lighting, or other lighting devices that are not shielded or angled to prevent illumination in an upward direction are prohibited. Exterior luminaries installed or utilized for nonresidential uses shall be full cut-off fixtures.



- 2. Lighting that makes it difficult for pilots to identify airport lights, results in glare in the eyes of pilots using the airport, impairs visibility in the vicinity of the airport, or otherwise endangers or interferes with the landing, takeoff, or maneuvering of aircraft intending to use the airport is prohibited.
- 3. The provisions of this subsection shall not apply to airport lighting used for navigational purposes in accordance with Federal Aviation Administration requirements.

B. Interference

- 1. Electronic impulses or signals that interfere with radio communications between aircraft and the airport or that interfere with established navigation aids are prohibited.

2. Any operation or use that emits smoke, dust, visible fumes or vapors into the atmosphere that would interfere with the safe navigation of aircraft using the airport is prohibited.

C. Disclosures

1. Final subdivision plats, master plans, site specific development plans, or any other document filed as part of any approval process with Currituck County shall contain the following disclosure statement: "All or a portion of this property lies within the Airport Overlay District. Persons on the premises may be exposed to noise and other effects as may be inherent in airport operations. Currituck County has placed certain restrictions on development and use of property within this overlay."
2. Real estate transactions involving properties either wholly or partially located within the Airport Overlay District shall give full written disclosure of the restrictions on development and use of property within this overlay to the prospective purchaser in accordance with the N.C. Residential Property Disclosure Act (NCGS 47E). An Airport Overlay Disclosure Form is available in the Currituck County Development Review Process Manual.

D. Multimodal Transportation

1. An interconnected multimodal transportation system is necessary to promote alternate forms of travel, allow the safe movement of pedestrians between destinations, and provide for passive recreational opportunities. Multimodal connectivity shall be provided to existing or planned street networks, sidewalks, trail systems, or pedestrian destinations as determined by the Technical Review Committee.
2. Within all subdivisions or nonresidential developments, sidewalks shall be required along one side of proposed streets or private drives. The Technical Review Committee may approve an alternative circulation plan provided similar connectivity and accessibility is achieved within the development.
3. Prior to the issuance of any permit for development, parcels abutting US 158 shall reserve a 20 foot public access easement along the property line adjoining the roadway.

E. Natural Resources

1. In no case shall hazardous materials or other harmful substances be stored, handled, treated, used, produced, recycled, or disposed of in a way that would pose a significant hazard to any surface or groundwater resource.

2. The development and use of land shall meet the requirements of the Currituck County Wellhead Protection Plan. Any use or activity determined by the Administrator to pose a significant groundwater hazard to the county's mainland public water supply shall be prohibited.
  3. Stormwater management facilities shall be designed, engineered, constructed, and maintained to detract waterfowl. This may include but is not limited to the use of riparian buffers, vegetative benches, wire gridding, or other techniques approved by the Technical Review Committee.
- F. Height Restrictions: in order to carry out the height requirements of this subsection there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the airport. The location and boundaries of the height restriction zones established by this ordinance are shown on a geographic coverage layer "Airport Height Restriction Zones" that is maintained as part of the County's geographic information system (GIS) under the direction of the Planning Director. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones and height limitations are hereby established and defined as follows:

Zone	Description
Run-way Approach Zone	The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
	Height Restriction
	Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
Transitional Zones	Description
	The transitional zones are the areas beneath the transitional surfaces.
	Height Restriction
Slope seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 18 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical	

	zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.
Horizontal Zone	Description
	The horizontal zone is established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transition zones.
	Height Restriction
	One hundred fifty feet above the established airport elevation.
Conical Zone	Description
	The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of 4,000 feet.
	Height Restriction
	Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

**4.4.5 Nonconformities**

- A. Any Residential Airpark Development having been given preliminary plat approval prior to October 17, 2011 shall be deemed legally nonconforming and subject to the following requirements:
  - 1. Minimum lot size is 40,000 square feet.
  - 2. Accessory structures (aircraft hangers) shall not be occupied until the principle structure has received a certificate of occupancy.
  - 3. Right-of-ways shall be a minimum of 60 feet in width, accommodate both aircraft and vehicles, and must be properly maintained by the developers of the residential airpark or their assigns.
  - 4. Any associated improvements onto airport property shall be paved and maintenance shall be the responsibility of the developers of the residential airpark or their assigns.

**Chapter 17 Definitions**

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**Airport Approach Zone**

An area that is longitudinally centered on the runway centerline and extends outward and upward from each end of the primary surface. An approach zone is applied to each end of each runway based on the type of approach available or planned for that runway end.

**Airport Compatible Use Zone**

Defined areas on and off airport property that are zoned to ensure airport compatible land uses. In "Land Use Compatibility and Airports," the Federal Aviation Administration recommends this approach to identify and implement land use controls for low-activity airports without significant aircraft noise exposure contours. The compatible use zones include the airport runway protection zone, the airport approach zone, and the airport traffic pattern zone.

**Airport Runway Protection Zone**

An area centered along the extended runway centerline that is used to enhance the safety of aircraft operations. The runway protection zone dimensions are functions of the design aircraft, airport conditions, and future development projections.

**Airport Traffic Pattern Zone**

An area centered on the runway protection zone that is used to enhance the compatibility of uses in close proximity to an airport. The traffic pattern protection zone dimensions are based on total runway length and airport capacity.

**Item 2:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Commissioner Petrey moved to recuse Commissioner Etheridge. Commissioner Martin seconded the motion. Motion carried.

Chairman Aydlett opened the public hearing.

Teresa Martin, adjacent property owner, expressed concerns with the overlay and the taking of property. Ms. Martin and her family that own 550 acres, oppose this request.

Andy Keeney, Attorney, for Doc Etheridge family, stated that this overlay would split the Etheridge land in half and would impact the value. He requested the Board to continue request.

Mack McKinney, Brady Landing Airpark, made a presentation on how the Airport will grow and the need for the overlay district. If this is not approved we could end up like Oceana NASA in Virginia Beach, with lawsuits, relocations and miserable homeowners. He supports the proposed Overlay District.

Keith Darden, this request will diminish the value of his land.

Mark Leuzinger, Airpark, stated that the airport will grow and there will be a safety and noise concern and staff has done a great job with the proposed overlay.

Ben Taylor, property owner, supports the proposed overlay as presented.

Commissioner Rorer stated that there will need to be a compromise and the need to protect public interest.

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

Commissioner Gilbert 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 Rorer seconded the motion. Motion carried.

**Public Hearing and Action: PB 11-07 Bissell Professional Group: Request to amend Chapter 4 of the Unified Development Ordinance to modify the age restriction language for the Planned Adult Retirement Overlay District (RET).**

Commissioner Etheridge returned to meeting.

Ben Woody, Planning Director, stated that he had no further input since last meeting.

Chairman Aydlett opened the public hearing.

Mark Bissell, Engineer, stated that he has contacted the Bank and is still working on a meeting with the residents.

Commissioner Petrey is opposed to delaying this item any longer.

Commissioner Rorer would like for staff to poll all the residents and property owners on what they would like to happen.

Chairman Aydlett closed the public hearing.

Commissioner Martin moved to continue this until December 7 and polling the property owners. Commissioner Rorer seconded the motion. Motion carried with Commissioner Petrey voting no.

**Consent Agenda:**

1. Consideration of Lease Agreement with Sentara Life Care as Tenant in Currituck County Community Center
2. Approval of October 3, 2011, Minutes
3. Budget Amendments

Commissioner Etheridge moved to approve. Commissioner Martin 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
60808-590001	Capital Outlay	\$ 5,261	
60808-516001	Repairs and Maintenance		\$ 5,261
		\$ 5,261	\$ 5,261

**Explanation:** Ocean Sands Water and Sewer Fund (60808) - Transfer funds to replace one lift pump and have one for a back-up. There are 8 pumps required to operate the system.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-502000	Salary		\$ 7,595
10750-545000	Contracted Services	\$ 7,595	
		\$ 7,595	\$ 7,595

**Explanation:** SOCIAL SERVICES ADMINISTRATION (10750) - Contract with a temporary staffing agency for SW II Intake worker while current employee is out on FMLA.

**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
10330-433000	Sr Center Grants	\$ 1,748	
10775-531000	Gas, Oil, etc		\$ 1,000
10775-516200	Vehicle Maintenance		\$ 748
		\$ 1,748	\$ 1,748

**Explanation:** *Senior Citizens Centers - To record reduction in Albemarle Commission General Purpose Grant of \$1,554 and Tital IIID Grant of \$194.*

**Net Budget Effect:** Operating Fund (10) - Decreased by \$1,748.

**Commissioner's Report**

Commissioner Gilbert, commented on the Airport event.

Commissioner Petrey, thanked Teresa McPherson for her work in Walnut Island.

Commissioner Etheridge commented on the people that have passed away in Currituck and to keep the families in their prayers.

Commissioner Rorer commented on the event that was sponsored by Dennis Anderson and thanked him for all his efforts.

Chairman Aydlett stated that the county has received the Army Corps permit for the road maintenance in Carova. He also requested staff to get status on boat ramp on Knotts Island and Carova Beach.

**County Manager's Report**

**No comments**

**Adjourn**

There being no further business, the meeting adjourned.

**Special Meeting**

Call to Order

Budget Amendments

Commissioner Etheridge moved to approve. Commissioner Gilbert 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
15447-545002	Historic Preservation	\$ 41,235	
15447-561000	Professional Services	\$ 3,635	
15447-592000	Whalehead Projects	\$ 97,681	
15390-499900	Appropriated Fund Balance		\$ 142,551
		<u>\$ 142,551</u>	<u>\$ 142,551</u>

**Explanation:** Occupancy Tax - Tourism Related Expenses (15447) - To carry-forward funds for purchase orders outstanding as of June 30, 2011.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$142,551.

<b>20110441</b>	Barbara Snowden	Historic Overviews	\$ 2,000
<b>20110443</b>	Mary Greene Malvasi	Historic Overviews Schematic	\$ 8,000
<b>20110444/694</b>	Hagersmith Design	Design/Jail	\$ 16,451
<b>20110445</b>	Penne Smith Sandbeck	Historic Overviews	\$ 5,000
<b>20110824</b>	RRMM Architects PC	Jarvisburg School	\$ 9,784
<b>20111416</b>	Hazen & Sawyer	OBX Wastewater Whalehead Dredging	\$ 3,635 \$ 97,681

**Adjourn**

There being no further business, the meeting adjourned.

**R E S O L U T I O N**

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on November 7, 2011 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be disposed of by auction on GovDeals:

<b>ASSET</b>	<b>YEAR</b>	<b>MAKE</b>	<b>VIN#</b>
2991	1994	FORD F150	1FTDF15Y4RNA48153
3322	1995	FORD TAURUS	1FALP52U0SA121572
5662	2002	DODGE INTREPID	2B3HD46R72H210681

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of County of Currituck reserves the right to reject any and all bids.

**ADOPTED**, this 7th day of November, 2011.

\_\_\_\_\_  
O. Vance Aydlett, Chairman  
Currituck County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Gwen H. Keene, CMC  
Clerk to the Board



## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 7th day of November, 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 Decrease Expense</u>
15442-507000	Retirement	\$ 29	
15320-415000	Occupancy Tax		\$ 29
		<u>\$ 29</u>	<u>\$ 29</u>

**Explanation:** Occupancy Tax - Promotion (15442) - To provide additional 0.01% retirement to match the mandated law enforcement increase that became effective 10/1/2011.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$29.

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

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

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

## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 7th day of November, 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 Decrease Expense</u>
15447-532160	Occ. Tax - Maint Supplies	\$ 9,000	
15447-516000	Occ. Tax - Repairs & Maint.		\$ 9,000
		<u>\$ 9,000</u>	<u>\$ 9,000</u>

**Explanation:** Occupancy Tax - Tourism Related (15447) -To transfer budgeted funds to maintenance supplies.

**Net Budget Effect:** Occupancy Tax Fund (15) -No change.

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

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

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