



**BOARD OF COMMISSIONERS  
AGENDA PACKET**

**APRIL 2, 2012**

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**REVISED**

**Currituck County**  
**Board of Commissioners Agenda**  
Historic Currituck County Courthouse

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**Date: Monday, April 02, 2012**

**Time: 7:00 PM**

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**Work Sessions**

5:00 p.m. Tour Operators, Off Road Area Study, Beach Driving Committee recommendations and Drainage

**7:00 pm Call to Order**

- A) Invocation-**Reverend Keith Hamm, Powells Point Christian Church**
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

**Administrative Reports**

- A) **Ron Lowe, East Carolina Behavioral Health**

**Old Business**

- A) **Consideration and Action:** PB 00-15 Soundside Recycling: Renewal of a special use permit for a demolition landfill operation and a mulch sales stockpile area located at 7565 Caratoke Highway, Tax Map 110, Parcels 38 and 39, Poplar Branch Township.

- B) ~~WR~~ Resolution to approve Branch Bank & Trust for financing of the Moyock Sewer in an amount of \$2,700,000 at a rate of 3.09% for 15 years.

**New Business**

**A) Board Appointments:**

1. Appointment to Airport Board

- B) Public Hearing and Action:** PB 12-05 Currituck County: Request to rewrite and adopt the Unified Development Ordinance to consolidate the county's zoning, subdivision, and flood damage prevention regulatory authority as authorized by the North Carolina General Statutes.

**C) Consent Agenda:**

1. Approval of March 19, 2012 Minutes
2. Disposal of Department of Social Services' files
3. Approval of the Mainland Water System's Wellhead Protection Plan
4. Budget Amendments
5. Utility Service Corp Change Order #1; \$5,700 - A new roof vent, a new door for the cellular pod, and holes in the hydro-pneumatic tanks had to be filled with epoxy - Corolla Light Water Tank.
6. Resolution Surplus property, Sheriff's Department
7. Juvenile Crime Prevention Control Funding Plan for FY 2013

**D) Commissioner's Report**

**E) County Manager's Report**

**Adjourn**



## Currituck County

Planning and Community Development Department  
153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929  
252-232-3055  
FAX 252-232-3026

### MEMORANDUM

To: Planning Board  
From: Planning Staff  
Date: March 23, 2012  
Re: Unified Development Ordinance - Rewrite

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In 2009, the Board of Commissioners directed county staff to move forward with the process of updating and modernizing the county's development regulations. The revised Unified Development Ordinance (UDO) is the primary implementation link between the adopted Land Use Plan and other local planning initiatives. The standards included in the UDO not only reflect the policies of the Land Use Plan, but also address current market trends and incorporate best practices.

Staff is requesting the redlined version of the UDO Public Hearing draft be adopted with a six month effective date. During this six month period, applicants will have the option of choosing which development ordinance to submit applications under. Staff will also use this time to develop revised applications and administrative procedures for inclusion in an Administrative Manual.

Enclosed for your convenience is a summary of major changes. The full public hearing draft of the UDO is available for review at the Historic Currituck Courthouse or at [www.newcodecurrituck.com](http://www.newcodecurrituck.com).

Currituck County and Clarion Associates have prepared a final draft of the new Unified Development Ordinance (UDO). The UDO includes the county’s zoning, subdivision, and environmental regulations. This effort is Currituck County’s first comprehensive rewrite of these regulations since the 1980’s. The objectives of the rewrite include:

- Implement the policies and goals of the CAMA Land Use Plan
- Make the UDO more user-friendly
- Improve development review procedures
- Integrate graphics, illustrations, and examples to more clearly communicate desired outcomes
- Remove outdated regulations and integrate best practices from around the country
- Include innovative approaches to foster sustainable development practices and economic diversity
- Include development regulations that balance growth with the provision of infrastructure
- Incorporate performance based regulations that encourage creativity in design
- Recognize geographic differences and create a sense of place
- Promote growth (community) centers to stimulate economic activity

The following table provides an overview of major changes to the UDO. The table is organized by chapter and includes section references to the public hearing draft. Standards that were carried forward or minor modifications are not included.

<b>Chapter 1. General Provisions</b>		
PUD Transition Standards	Section 1.8.6	- Approved planned unit development overlays may be developed consistent with the latest sketch plan approval (master plan). Modifications to the sketch plan or development of a vacant parcel or phase shall be in accordance with the standards outlined in this section. Standards for <u>new</u> planned developments are included in Chapter 3.
<b>Chapter 2. Administration</b>		
Standard Procedures	Section 2.3	- Standard procedural steps and rules for submitting a development application are consolidated into a single section. Specific review procedures (e.g., use permit, rezoning) include flow charts to illustrate the steps that apply to each development application.
Community Meetings	Section 2.3.3	- The requirement for a community meeting was broadened to include development applications for rezonings, conditional zonings, planned developments, use permits, and preliminary plats (major subdivisions) of 50 lots or more.
New Procedures/Applications	Section 2.4	- Several new procedures or development applications were added to the UDO. These include: major and minor site plan, sign permit, temporary use permit (e.g. special events), clear-cutting permit, administrative adjustment, and development agreement.
Site Plan	Section 2.4.7	- Two different types of site plans are established: major and minor. The Technical Review Committee on a monthly basis reviews major site plans. The Planning Director on a rolling basis reviews minor site plans.

Minor Subdivision	Section 2.4.8.D	- A minor subdivision is permitted only if the created lots front an existing NCDOT maintained public street or a private access street. Subdivisions that require construction of a new street are subject to the major subdivision review standards.
Family Subdivision	Section 2.4.8.D	- Family subdivisions lots must be conveyed solely to family members within two degrees of kinship (e.g. child, grandchild). Family subdivisions are exempt from NCDOT street standards and connection to the county water system.
Major Subdivision	Section 2.4.8.E	- There is no longer a requirement for sketch plan approval. Major subdivisions of less than 20 lots are reviewed administratively and do not require a public hearing.
Administrative Adjustment	Section 2.4.15	- Provides an administrative procedure for allowing deviations in building setbacks and height. This section can be expanded to include development and design standards.
<b>Chapter 3. Zoning Districts</b>		
Base Zoning Districts	Table 3.2.1	- Base zoning districts are established in Table 3.2.1. The acronyms for zoning districts have been modified; however, translations between new and old can be found in Table 1.7.5. New zoning districts include: Resource Conservation (RC), Single-Family Isolated (SFI), Mixed Residential (MXR), Community Center (CC), Village Center (VC), and Planned Development (PD-R, M, O). Deleted zoning districts include: Residential Recreational (RR), Commercial (C), Multi-family Overlay (RMF), and Outer Banks Overlay (OB).
Dimensional Standards	Residential	- Wetland/surface water and agricultural setbacks of 50' for new major subdivisions. Accessory structures prohibited in front of principal building. Increased densities in areas designated Full Service in Land Use Plan. Flexible setbacks and lot sizes for new conservation subdivisions.
Dimensional Standards	Commercial	Wetland/surface water and agricultural setbacks of 50' for development on commercial lots > 10 acres. Accessory structures prohibited in front of principal building. Use permit required for commercial structures > 5,000 square feet if proposed outside area designated Full Service in Land Use Plan. Metal siding prohibited on building facades facing major arterial streets.
Dimensional Standards	Mixed Use	- Wetland/surface water and agricultural setbacks of 50' for major subdivisions and development on commercial lots > 10 acres. Allows increased densities and reduced setbacks.
Dimensional Standards	Industrial	- Wetland/surface water and agricultural setbacks of 50' for development on industrial lots > 10 acres. Increased setback when abutting a residential district. Increased minimum lot size for new industrial subdivisions. Accessory structures prohibited in front of principal building. Metal siding prohibited on building facades facing major arterial streets.
Dimensional Standards	Planned Dev.	- New planned development districts allow increased flexibility in establishing dimensional requirements and development standards in exchange for higher quality development.
Conditional Zoning	Section 3.6	- Conditional zoning requests require a conceptual development plan.
<b>Chapter 4. Use Standards</b>		
Summary Use Table	Table 4.1.1	- The summary use table indicates what land uses (e.g., commercial, residential) are

		<p>permitted in the county's zoning districts. This table allows a property owner to determine the types of land uses that are allowed on their property. Occasionally an owner will request a rezoning of their property to allow for a different range of permitted uses. For comparison purposes, the summary use table includes current and proposed uses.</p> <ul style="list-style-type: none"> <li>- To promote higher quality development along major arterial streets, industrial uses have been removed from commercial zoning districts.</li> <li>- To improve and expedite the development review process, the use permit procedure is diminished in lieu of increased administrative approvals.</li> </ul>
Use-Specific Standards	Section 4.2	<ul style="list-style-type: none"> <li>- Some uses are of a nature that require additional standards to minimize negative impacts on nearby properties. For example, a salvage yard requires additional screening and setbacks. These additional standards have been expanded to allow for more administrative approvals and to reduce the number of use permits.</li> </ul>
Accessory Uses	Section 4.3	<ul style="list-style-type: none"> <li>- Improves the accessory use standards and includes a table of common accessory uses.</li> </ul>
Temporary Uses	Section 4.4	<ul style="list-style-type: none"> <li>- Consolidates allowable temporary uses and establishes a permit process. Special events are approved administratively instead of requiring a use permit.</li> </ul>
<b>Chapter 5. Development Standards</b>		
Parking	Section 5.1	<ul style="list-style-type: none"> <li>- The parking standards ensure adequate parking is provided and configured to promote the safe movement of vehicles and pedestrians. For comparison purposes, the minimum parking standards (Table 5.1.3) include current and proposed parking requirements.</li> <li>- Reduction in the minimum parking requirements (including parking space size) and the establishment of a maximum number of spaces to reduce the amount of impervious coverage. This includes a parking reduction for both nonresidential uses and single family dwellings.</li> <li>- Requirement for cross-access between parking lots.</li> <li>- To provide additional flexibility, an alternative parking plan is allowed</li> </ul>
Landscaping	Section 5.2	<ul style="list-style-type: none"> <li>- Landscaping is concentrated around vehicular use areas (parking lots) and adjacent to major arterial streets. The current ordinance distributes landscaping more uniformly around the development site. Overall, the proposed UDO requires more landscape material than the previous ordinance.</li> <li>- Landscape buffers between properties are based on the adjacent zoning district and not required in all circumstances (e.g., landscape buffers are required between properties zoned commercial and residential).</li> <li>- To provide additional flexibility, an alternative landscape plan is allowed</li> </ul>
Exterior Lighting	Section 5.4	<ul style="list-style-type: none"> <li>- The requirement for full cut-off (shielded) light fixtures and maximum illumination levels is proposed as a countywide standard. Currently this requirement only applies to the Outer Banks and large commercial structures on the Mainland. Single family dwellings remain exempt from the full-cut off requirement. The intent of this section is to maintain the dark sky environment of a rural area.</li> <li>- Beachfront lots are subject to lighting limitations (bulb not directly visible from the beach).</li> </ul>

Multi-Family Design Stds. Nonresidential Design Stds. Shopping Center Design Stds.	Section 5.7 Section 5.8 Section 5.9	<ul style="list-style-type: none"> <li>- The proposed design standards are intended to establish a higher quality of development that enhances the appearance of buildings along major arterial streets and is more compatible with residential development.</li> <li>- The design standards include access and circulation, building placement, and building design (front facade, rooflines, materials).</li> <li>- Industrial development is exempt from the design standards.</li> </ul>
Community Compatibility	Section 5.10	<ul style="list-style-type: none"> <li>- Provides a transition and promotes compatibility between existing single family dwellings and other more intense development. Standards for new development include parking location, building design, and site features (loading and refuse areas, lighting, signage).</li> </ul>
Farmland Compatibility	Section 5.11	<ul style="list-style-type: none"> <li>- Requires a fifty-foot-wide vegetated buffer between new development and existing agricultural uses (also referenced in dimensional standards).</li> </ul>
Sustainability Incentives	Section 5.13	<ul style="list-style-type: none"> <li>- Allows for density bonuses, height increases, parking reductions, signage increases, and open space reductions for development that integrates sustainable development practices.</li> </ul>
<b>Chapter 6. Subdivision &amp; Infrastructure Standards</b>		
Homeowners Associations	Section 6.1.4	<ul style="list-style-type: none"> <li>- A homeowners association must be established for all major subdivisions. Once 51% of lots have sold, the association is responsible for maintaining common areas and infrastructure. Examples of maintenance items include streets and stormwater features.</li> <li>- Prior to transfer of common areas and infrastructure, the developer/subdivider must establish a maintenance reserve fund in the name of the association that contains a minimum balance and provide a report prepared by a licensed engineer indicating the subdivision's infrastructure elements meet the minimum standards of the UDO.</li> </ul>
Performance Guarantees	Section 6.3	<ul style="list-style-type: none"> <li>- Performance guarantees are allowed for public infrastructure and private site improvements. This allows a developer/subdivider to begin constructing houses or receive a certificate of occupancy prior to completing streets, sidewalks, landscaping etc.</li> </ul>
Conservation Subdivision	Section 6.4	<ul style="list-style-type: none"> <li>- Conservation subdivisions are proposed to be mandatory in the AG zoning district and are optional in the SFM district.</li> <li>- The maximum density in the AG district increases with additional open space set-aside. The maximum density in the SFM district is based upon the Land Use Plan designation.</li> <li>- Lot area, lot width, building setbacks, and lot coverage are established by the subdivider.</li> <li>- Minimum open space requirement of 50%, including screening from major arterial streets.</li> </ul>
Rec. and Park Area Dedication	Section 6.5	<ul style="list-style-type: none"> <li>- A subdivider is required to dedicate land or pay a fee in-lieu to the county for the development of new public recreation and park areas. Land dedications must be consistent with the Currituck County Recreation Master Plan, or a payment in-lieu may be required.</li> <li>- The recreation and park area dedication replaces the active recreation requirement that is included in the current ordinance.</li> </ul>
<b>Chapter 7. Environmental Protection</b>		
Open Space	Section 7.1	<ul style="list-style-type: none"> <li>- Minimum open space requirement of 30% for residential development and 20% for mixed use development.</li> </ul>

		<ul style="list-style-type: none"> <li>- An open space set-aside is required for all major subdivisions (&gt; 6 lots). The current ordinance requires open space for subdivisions greater than 20 lots. This change will evenly distribute required open space among all phases of a subdivision.</li> <li>- Environmentally sensitive areas are prioritized for open space set-aside. To reduce the future maintenance burden for a homeowners association, reforestation or other uses may be required for upland areas of the open space set-aside.</li> </ul>
Tree Protection	Section 7.2	<ul style="list-style-type: none"> <li>- Heritage trees are subject to tree protection standards. A heritage tree is defined as a Live Oak with a diameter breast height (DBH) of six inches or greater, as well as all other trees with a DBH of 18 inches or greater.</li> <li>- The removal of trees on platted single family lots, for agricultural or silvicultural purposes, or dead and diseased trees are exempt from the tree protection standards.</li> <li>- The removal of a heritage tree is allowed in order to develop a site and meet the other standards of the ordinance; however, removal of a heritage tree requires replacement trees to be planted.</li> <li>- Tree preservation incentives are available to encourage the preservation of as many trees as practical. The credit allows for a reduction in required landscaping and parking.</li> </ul>
Riparian Buffers	Section 7.6	<ul style="list-style-type: none"> <li>- Requires a fifty-foot-wide vegetated buffer between new development and existing surface waters, estuarine waters, and wetlands (also referenced in dimensional standards).</li> </ul>
<b>Chapter 8. Nonconformities</b>		
Casualty Damage	Section 8.1.7	<ul style="list-style-type: none"> <li>- Outside of a flood zone, nonconforming structures or uses damaged greater than 50% of the assessed value must be restored in a manner that conforms to the ordinance. However, nonconforming single family dwellings damaged greater than 50% of the assessed value may be rebuilt to their previous form.</li> <li>- Inside of a flood zone, nonconforming structures damaged greater than 50% of the assessed value during any 5-year period must be restored in a manner that conforms to the Flood Damage Prevention standards (Section 7.4.6).</li> </ul>
Campground Standards	Section 8.2.6	<ul style="list-style-type: none"> <li>- Campgrounds are no longer a permitted use in the ordinance. The existing campgrounds are nonconforming and subject to the standards included in this section.</li> <li>- Campground subdivisions are modified to allow greater flexibility in establishing single family dwellings on camper lots.</li> </ul>
Nonconforming Sites	Section 8.6	<ul style="list-style-type: none"> <li>- Nonconforming site features such as parking, landscaping, buffers, screening, and lighting are corrected in proportion to the value of an addition and assessed value of the structure.</li> </ul>
<b>Chapter 9. Enforcement</b>		
Remedies and Penalties	Section 9.6	<ul style="list-style-type: none"> <li>- Several enforcement remedies are outlined, including the use of civil penalties.</li> </ul>
<b>Chapter 10. Definitions and Measurement</b>		
Rules of Measurement	Section 10.3	<ul style="list-style-type: none"> <li>- This section clarifies how dimensional standards (e.g., setbacks, lot coverage, height) and other measurements are calculated.</li> </ul>



## Currituck County

153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929  
252-232-3055  
FAX 252-232-3026  
[www.currituckgovernment.com](http://www.currituckgovernment.com)

### MEMORANDUM

**Date:** March 27, 2012  
**To:** Board of Commissioners  
**From:** Planning Staff  
**Re:** **PB 00-15 Soundside Recycling**

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On December 6, 2010, the Board of Commissioners granted Soundside Recycling a one-year extension of the Special Use Permit (SUP) for a demolition landfill (recycling center). This extension required that all state permits needed to relocate operations east of the power transmission lines be issued within one year and that the applicant comply with all county ordinances within 90 days of the extension.

According to quarterly updates and recent correspondence with Racy Newbern, the State permit for the relocation of materials and operations was issued in March 2011. A pre-operative condition of the State permit is to provide a surety guarantee prior to operation of the new facility. The surety guarantee was secured in November 2011. Mr. Newbern stated that improvements to the site are underway to achieve compliance with the relocation requirement of the special use permit.

Prior to the April 2, 2012 Board of Commissioners meeting, staff will inspect the property to ensure the site complies with the relocation requirement of the SUP. A summary will be provided at the public hearing.

This special use permit was extended to April 2, 2012 and the applicant is requesting a renewal. The current special use permit and site plan are enclosed. Should you have any questions, do not hesitate to contact Ben Woody at 232-3055.

Department of Planning  
153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929  
Telephone (252) 232-3055 / Fax (252) 232-3026

### **SPECIAL USE PERMIT GRANTED**

On the date(s) listed below, the Board of Commissioners for the County of Currituck met and held a public hearing to consider the following application:

Owner: HD/Marlene Newbern  
7519 Caratoke Hwy.  
Jarvisburg, NC 27947

Applicant: HD (Racy) Newbern IV  
7565 Caratoke Hwy.  
Jarvisburg, NC 27947

Property Location: East side of Caratoke Hwy. approximately 200' south of the intersection with SR 1156 (North Rover Road)

Project: PB 00-15 Soundside Recycling – Special Use Permit Renewal

Proposed Use: Demolition Landfill

Meeting Date: December 6, 2010 – Board of Commissioners' Hearing/Action

Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

- (A) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- (B) This special use permit was approved for a one-year extension, December 6, 2010 – December 6, 2011, as the conditions under which it was granted are met.
- (C) Other conditions:

1. The applicant shall maintain the development strictly in accordance with the plan submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.

Approximate Acreages:

Recycling Area	3.4 acres
Compost Area	2.0 acres
Hurricane Storage Area	8.5 acres

2. That the mulch sales storage area not exceed 6' in height, 100' in length and 60' in width.
3. That no demolition storage pile areas exceed 15' in height.
4. That the applicant maintain substantially high berms to effectively conceal all debris piles from public view from Caratoke Highway (US 158). The height of these berms shall be a minimum of 12 feet but may be higher depending on the height of debris piles.
5. That the berm height shall be uniform, complete, and continuous.
6. That the applicant will be permitted one (1) permanent sign and one (1) temporary sign for the business.
7. That no transportation equipment (tractors or trailers with or without debris) be parked or stored outside the designated area as shown on the attached site plan.
8. That the following comments from the county's Fire Marshall be incorporated within this approval:
  - a. No Smoking except in designated areas is allowed. Signage should indicate appropriate areas.
  - b. Fire operations will require an all weather surface and 20' access width to all areas of the compound. Would recommend 2 ingress/egress points.
  - c. Each fuel-fired vehicle shall be equipped with a 2-A:20-B:C or higher fire extinguisher.
  - d. A fire hydrant shall be within 400' of all portions of any structure.
  - e. Plant growth shall be maintained in order to prevent wind blown debris escaping the site.
9. That the hours of operation be set at 7:30 a.m. to 5:00 p.m. weekdays and 7:30 a.m. to 12 noon on Saturdays with no operations allowed on Sundays.
10. That all material must be kept on site at all times and that necessary steps are taken to keep material from blowing off the property.
11. Suggested Staff Findings of Fact:

a. **OWNER**  
HD(Racy)Newbern IV  
7565 Caratoke Hwy.  
Jarvisburg, NC 27947  
(252) 491-5744

**APPLICANT**  
HD/Marlene Newbern  
7519 Caratoke Hwy.  
Jarvisburg, NC 27947  
(252) 453-3032

- b. The tract is located on the east side of Caratoke Hwy. approximately 200' south of the intersection with SR 1156 (North River Rd.) in Powells Point, Tax Map 110, parcels 38 & 39, Poplar Branch (ML) Township.
  - c. The property is being utilized as a recycling center.
  - d. The applicant received the original special use permit on May 1, 2000 and a renewals on April 16, 2001, June 17, 2002, and June 6, 2005 to temporarily store untreated demolition waste (treated & untreated wood products, cardboard, plastic, vinyl, wallboard, metal and shingles) on two (2) acres of land in an "Agriculture" zoning district which is permitted in an A district with a SUP.
  - e. The applicant currently recycles demolition waste using a tub grinder. Since the UDO does not specifically list this use in the Table of Permissible Uses, the staff determined this use had impacts similar to a demolition landfill which required a special use permit in an "A" zoning district.
  - f. According to county Zoning Maps, the nearest dwelling to the existing recycling area is approximately 300 feet west.
  - g. The mulch stockpile sales area will be located east of the power line right-of-way.
  - h. No burning of waste will be permitted on the site unless a special use permit is granted for an incinerator. Further, all necessary state permits must be obtained prior to burning waste.
  - i. The site is surrounded by the following land uses:  
 West (Front) Commercial (Antique Store)-zoned "GB"  
 East (Rear) Farmland - zoned "A"  
 North (Side) Farmland (agricultural operations) - zoned "A"  
 South (Side) Farmland - zoned "A"
  - j. The 1990 Land Use Plan classifies this land as "Limited Transition".
  - k. The proposed site is located along a Minor Arterial in the County's Thoroughfare Plan.
  - l. According to the application, the storage area will not increase the county's ability to provide facilities in anyway.
12. All State permits needed to move the operation east of the power transmission lines shall be issued within one year.
13. Quarterly progress reports shall be filed with the Planning Department.
14. The applicant shall be in compliance with all county ordinances within 90 days.

IN WITNESS WHEREOF, the County has caused this permit to be issued in its name, and the property owners/applicants of the property above described, do hereby accept this Special Use Permit together with all its conditions, as binding on them and their successors in interest.

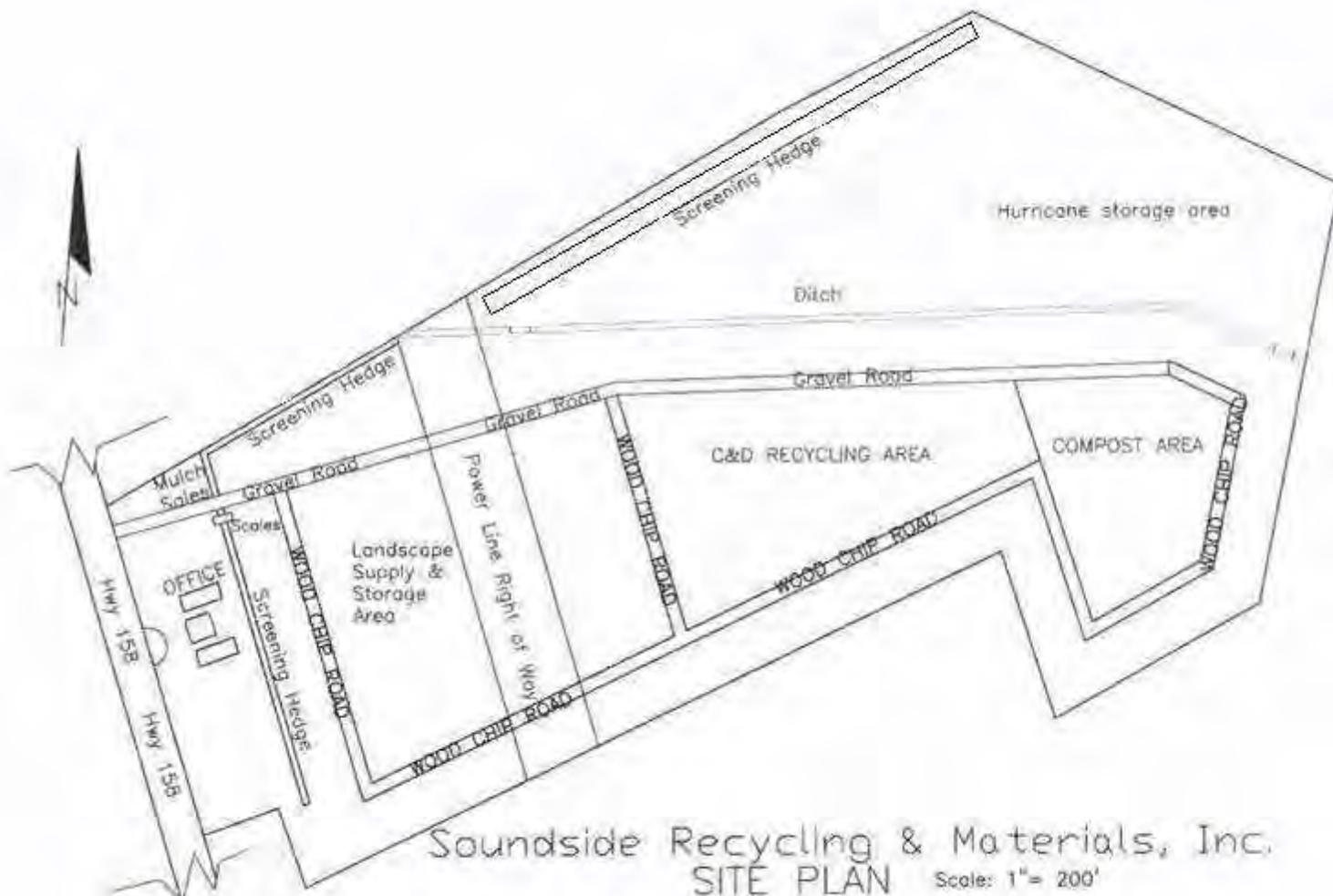
ATTEST:

\_\_\_\_\_(Seal)  
Clerk to the Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman  
Board of Commissioners

(NOT VALID UNTIL FULLY EXECUTED)



Soundside Recycling & Materials, Inc.  
 SITE PLAN Scale: 1" = 200'

AIRPORT ADVISORY BOARD  
3 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Alvin Keel*	District 1		Vance Aydlett	3/2011	1/2013
John Snowden	District 2		John Rorer	1/2010	1/2013
Jerry Malesky	District 3		Butch Petrey	1/2010	1/2013
Ed Ish	District 4		Owen Etheridge	1/2011	1/2014
Denise Hall	District 5		Marion Gilbert	1/2010	1/2013
Barbara Courtney	At-Large		Paul Martin	1/2011	1/2013
Kenneth Norris	At-Large		Paul O'Neal	1/2011	1/2014

\* Resigned-To Be Replaced

Commissioner Gilbert

FIRE AND EMS ADVISORY BOARD  
2 Year Term

<b>Incumbent</b>	<b>Nominated by</b>	<b>New Appointee</b>	<b>Nominated by</b>	<b>Date of Appointment</b>	<b>End of Term</b>
<b>Hugh McCain-Corolla*</b>	<b>District 1</b>		<b>Vance Aydlett</b>	<b>3/1/2010</b>	<b>2nd 4/1/2012</b>
George Bergamini	Outer Banks		Fire Department Appointment	5/2/2011	5/1/2013
<b>Charles Berry**</b>	<b>District 3</b>		<b>Butch Petrey</b>	<b>8/16/2010</b>	<b>4/1/2012</b>
Paul Beaumont	District 4		Etheridge	5/2/2011	5/1/2013
<b>Mick Lesinski-Moyock*</b>	<b>District 5</b>		<b>Marion Gilbert</b>	<b>3/1/2010</b>	<b>2nd 4/1/2012</b>
Mitch Copeland	Mainland		Fire Department Appointment	5/2/2011	5/1/2013
<b>Stanley Griggs**</b>	<b>At-Large</b>		<b>Paul O'Neal</b>	<b>3/1/2010</b>	<b>1st 4/1/2012</b>
John Wheeler	Northern		Fire Department Appointment	1/12/2012	5/1/2013

\* To Be Replaced

\*\* May Be Reappointed

Commissioner Aydlett

CURRITUCK COUNTY  
NORTH CAROLINA  
March 19, 2012

The Board of Commissioners met at 5:00 p.m. for dinner,  
Cooperative Extension's Report to the People.

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

**A) Invocation**

**B) Pledge of Allegiance**

The Reverend Dan Bergey, New Life Church, was present to  
give the invocation.

**C) Approval of Agenda**

Commissioner O'Neal amended the agenda to move new business  
A and B before public comments. Commissioner Aydlett  
seconded the motion. Motion carried.

**New Business**

**A) Recognition of Girl Scouts and adopt Proclamation**

The Board adopted the following resolution and presented to  
the Girl Scouts.

**PROCLAMATION**

**100<sup>th</sup> ANNIVERSARY OF GIRL SCOUTS**

WHEREAS, Juliette Gordon Low founded Girl Scouts of the USA  
on March 12, 1912; and,

WHEREAS, Girl Scouting has been inspiring and teaching  
girls for 100 years; and,

WHEREAS, throughout its distinguished history, Girl Scouting has welcomed girls and women from every background to join and has inspired them with courage, confidence, and character to make the world a better place; and,

WHEREAS, through the Girl Scout Leadership Experience, girls develop the skills and lessons that will serve them throughout their lives so that they may contribute to their communities; and,

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of the opportunities in math, science, sports, technology, and many other fields of interest that can expand their horizons;

NOW, THEREFORE, the Currituck County Board of Commissioners does hereby applaud the commitment made by the Girl Scouts of the Girl Scout Council to serve girls in Currituck County and proudly proclaims the month of March 2012 as Girl Scout Month in Currituck.

**B) Carolyn J. Self, Executive Director, American Red Cross, Proclamation**

The Board approved the following resolution and presented to Ms. Self.

**PROCLAMATION**

**AMERICAN RED CROSS MONTH 2012**

The American Red Cross has touched many lives in Currituck County, as well as across the country and around the world.

During American Red Cross Month, we thank those who contribute to the mission of the Red Cross, whether through time, money, or blood, and we invite others to support the Red Cross in helping people in need down the street, across the country and around the world.

The American Red Cross is synonymous with helping people, and has been doing so for more than 130 years. Throughout the past year, the American Red Cross launched hundreds of disaster relief operations in the United States to help people affected by fires, floods, hurricanes and tornadoes. The American Red Cross also supported major international disasters, including the Japan

earthquake and tsunami response, while continuing its work on the 2010 Haiti earthquake response and recovery.

In Currituck County, the Red Cross works tirelessly through its 1 employee and 65 volunteers to support us when disaster strikes, when someone needs life-saving blood or the comfort of a helping hand. It provides 24-hour support to members of the military, veterans and their families and provides training in CPR, aquatics safety and first aid.

For nearly 100 years, United States presidents have called on the American people to support the Red Cross and its humanitarian mission. Our community depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times - which impact the Red Cross and many people in our community and across the nation.

NOW, THEREFORE, the Currituck County Board of Commissioners hereby proclaims March 2012 as American Red Cross Month. It encourages all Americans to support this organization and its noble humanitarian mission.

**D) Public Comment**

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

Chairman Rorer moved to open the public comment period.

Earl White, commended Mr. Woody, Planning Director, and Commissioner Petrey for their assistance with residents and their issues in Walnut Island.

Jill Rolfes, Moyock, expressed concerns with the process taken with the UDO and thanked the Board for meeting with them earlier.

Toni Tabb, Moyock, expressed concerns with the UDO and the very harsh treatment of the speakers during an earlier meeting.

Commissioner O'Neal reminded citizens of the Ducks Unlimited dinner Saturday at the Hampton Lodge.

Commissioner Etheridge stated that the Shawboro Ruritans will have a prime rib dinner this Saturday.

Commissioner Gilbert, Moyock Ruritans hosting the meeting on incorporation and there will be a pancake breakfast and the Easter Bunny at the Moyock Fire Department.

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

**Public Hearings**

**A) Public Hearing and Action: PB 99-13 Brady Landing, Lot 9A: Request for an amended preliminary plat/special use permit for one additional lot, located at 136 Happy Landing, Tax Map 52C, Parcel 9A, Crawford Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
DATE: March 19, 2012  
PB 99-13 Brady Landing, Phase 1, Lot 9A  
Residential Airpark Subdivision**

---

**ITEM:** PB 99-13 Brady Landing, Phase 1, Lot 9A, Amended Preliminary Plat/Special Use Permit, for one additional lot.

**LOCATION:** In Maple, adjacent to the Currituck County Airport and within Brady Landing, Phase I, Crawford Township.

**TAX ID:** 052C-000-009A-0000

**ZONING**

**DISTRICT:** Airport Overlay Compatible Use Zone 3

**PRESENT USE:** Single Family Dwelling

**OWNERS:** Kingfisher Cove, Inc.  
PO Box 66  
Currituck NC 27929

**ENGINEER:** Hyman and Robey, PC  
PO Box 339  
Camden NC 27921

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

**SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Single Family Dwelling	RAD
<b>SOUTH</b>	Vacant	RAD
<b>EAST:</b>	Single Family Dwelling	RAD
<b>WEST:</b>	Vacant	RAD

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as **Full Service** within the **Barco-Coinjock-Airport** subarea.

**SMALL AREA PLAN**

**CLASSIFICATION:** The 2009 Maple-Barco Small Area Plan classifies the site as **Transitional**.

**SIZE OF SITE:** Total Development: 2.34 acres

**NUMBER OF UNITS:** 2 residential lots (Bringing total to 16 lots for Phase 1)

**PROJECT DENSITY:** 1.17 units/ acre

**STREETS:** The streets are built to NCDOT design and construction standards.

**UTILITIES:** The development will be served by county water. The proposed water usage is 720 gpd. The applicant is proposing on-site wastewater systems for the new lot.

**OPEN SPACE:** The UDO does not require this subdivision to dedicate open space.

**I. NARRATIVE OF REQUEST:**

- The applicant is seeking amended preliminary plat/SUP approval for one additional lot within an approved residential airpark subdivision.
- The sketch plan/SUP for this phase was approved on September 10, 2004.

**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 an SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. COMPLETENESS OF THE 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. The conditions proposed meet the minimum requirements of this ordinance.

4. THE SPECIAL USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY:

**Suggested Findings:**

a. The proposed subdivision 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 Unified Development Ordinance indicates that a residential airpark development is allowed in the RAD overlay zoning district with a special use permit.
  - b. The parcel is currently within a neighborhood with densities similar to those proposed and should be in harmony with that neighborhood.
6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

**Suggested Findings:**

- a. The 2006 Land Use Plan classifies this site as Full Service within the Barco-Coinjock, Airport subarea and the proposed use is in keeping with the policies of the plan, some of which are:
    - i. This area has many of the ingredients in place to become a significant community center for the mainland over the next 10 to 15 years.
    - ii. The policy emphasis of this plan is for this subarea to emerge as the principal community center serving the central area of the mainland and is therefore included as a Full Service Area.
    - iii. Policy ES1: New development shall be permitted to locate only in areas with suitable soil and where adequate infrastructure is available.
    - iv. Policy HN1: Currituck County shall encourage development to occur at densities appropriate for the location.
    - v. Policy HN8: To protect the county's tax base and to ensure the long-term viability of the county's neighborhoods and housing stock, the county will continue to enforce appropriate construction and site development standards for residential developments.
  - b. The 2009 Maple-Barco Small Area Plan classifies this site as Transitional and the proposed use is in keeping with the policies of the plan, including:
    - i. LU1: Provide for very low density development in close proximity to the airport facility and in designated approach zones. Additionally, promote an appropriate 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 county should have adequate public facilities to service this subdivision.

**III. STAFF RECOMMENDATION:**

Since the submittal appears to meet all of the requirements for preliminary plat/SUP approval, **staff recommends approval** of this amended plat/SUP as presented. Prior to **final plat** approval, the following items must be addressed:

1. Show minimum finished floor elevation on the plat.
2. Pay tap fee for Lot 9A-2.

Eddie Hyman, Engineer, was present to answer questions.

Chairman Rorer opened the public hearing. There being no comments, he closed the public hearing.

Commissioner O'Neal moved to approve. Commissioner Aydlett seconded the motion. Motion carried.

**B) Public Hearing and Action: PB 11-01 Monterey Greens: Requests a special use permit amendment to increase the height of miniature golf course features as measured from natural grade (SUP condition #12) located at 810 Ocean Trail in Monterey Shores and Buck Island, Tax Map 116, Parcel 3W and Tax Map 116D, Parcel 3D, Poplar Branch Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

John DeLucia, Albemarle and Associates, is requesting an amendment to PB 11-01 Monterey Greens special use permit. The Board of Commissioners approved the permit on March 7,

2011 and included a condition to restrict the maximum height of golf course features. The permit condition states:

# 12 Maximum height limit, excluding buildings, shall be 15' from natural grade as it currently exists.

The elevations of the features are as follows:

Feature	Existing (Natural) Grade Elevation	Proposed Grade Elevation	Feature Height	Proposed Feature Height Above Natural Grade	<b>As-Built Height Above Natural Grade</b>
Lighthouse	10'	9'	13'	12'	<b>16.1</b>
Rock Cave	5.35'	11'	9'	14.65'	<b>17.25'</b>

Chairman Rorer opened the public hearing.

John DeLucia, Engineer, requested the Board to consider the mistake that was made and allow for the variance due to the time it would take to correct.

Dennis Umberger, Corolla, requested county to survey the site and opposes the request.

Earl Wemer, Corolla, stated that this is a height issue which was the action of the applicant.

Fran Rosemary, requested the Board to hold firm the standard that was agreed to.

Commissioner Petrey questioned how the error occurred.

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

Commissioner Petrey moved to deny the request for a variance. Commissioner Aydlett seconded the motion. Motion carried.

**C) Public Hearing Community Development Block Grant:  
Currituck County is accepting citizens comment on the  
grant application. A list of applicants will be  
presented at the hearing.**

Ben Woody, Planning Director, stated that this is the second CDBG public hearing and is required to allow citizens an opportunity to comment on the grant application going forward to NC Commerce. The County is considering the submittal of a \$400,000 Scattered Site Housing (SSH) application to assist low income (50% or less of area median income) homeowners with major home repairs including reconstruction/replacement of homes beyond repair.

The County advertised the housing assistance program and received 18 applications for assistance. Applications had to include proof of income and proof of ownership. Applications were ranked for assistance based on several rating factors including income, elderly, physically handicapped, minor children, and single parent status.

The highest ranked households were interviewed at their homes, a housing needs assessment was completed, photos were taken, and an estimated construction cost was developed by a rehabilitation specialist. SSH funds will be sufficient to complete from 3 to 5 houses depending on severity of housing need and rehabilitation costs.

Attached is a list of 11 applicants (includes alternates) for consideration. Alternates are necessary in case a household elects at a later date not to participate or is determined to not be eligible.

**Name Address**

**Beneficiary List**

Mable S. McLane 729 S. Bayview Road  
Gladys B. Dunston 509 NW Backwoods Road  
Sylvia S. Outlaw 6315 Caratoke Highway  
Katie J. Ware 4322 Caratoke Highway

**Alternate List**

Icey S. Owens 5665 Caratoke Highway  
Edna Mae Winslow 189 N River Landing Road  
Lena A. Gallop 144 Snow's Lane  
Sandra F. Harvey 111 Colonial Beach Road  
Laura R. Saunders 155 Macedonia Church Road  
Eugenia Taylor-Perkins 2072 Caratoke Highway  
Norma J. Owens 5665A Caratoke Highway

Chairman Rorer opened the public hearing. There being no comments, he closed the public hearing.

Commissioner O'Neal moved to submit grant application and authorize Chairman to sign. Commissioner Etheridge seconded the motion. Motion carried.

**New Business**

**C) Consent Agenda:**

1. Resolution to approve filing an application for a Financing Agreement to the Local Government Commission for the Moyock Sewer Project to correct contractor from Sussex Development Corp to George Raper & Son Inc.
2. Approval of March 5, 2012 Minutes

**RESOLUTION**

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the County of Currituck, North Carolina desires to design, construct and interconnect Central Sewer in Moyock, NC (the "Project") to better serve the citizens of the County of Currituck; and

WHEREAS, The County of Currituck desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioner of Currituck, North Carolina, meeting in regular session on the 19<sup>th</sup> of March 2012, make the following findings of fact:

1. The proposed contract is necessary or expedient because the County desires to design and construct a Central Sewer System in Moyock, NC and to interconnect system with existing sewer systems in Moyock, NC;
2. The proposed contract is preferable to a bond issue for the same purpose this financing will not exceed \$3,000,000 which is under the threshold for bank qualified debt. In the current rate environment, bank qualified debt is more favorable than a bond issue due to costs involved with a bond issue. In addition, the process of having a bond referendum and going through the approval process would delay the project by six to eight months and the County desires to move forward with the installment purchase contract.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the County has reviewed the Design/Build contract proposed by George Raper & Son Inc and concurs that the costs are acceptable for the proposed project.
4. The County of Currituck's debt management procedures and policies are good because the County has identified revenue sources to make debt payments and invests and monitors all funds to assure that debt payments are made when due.
5. The County does not anticipate an increase in property tax due to this financing.
6. The County of Currituck is not in default in any of its debt service obligations.
7. The attorney for the County of Currituck has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to act on behalf of the County of Currituck in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

Commissioner Aydlett moved to approve the consent agenda. Commissioner Etheridge seconded the motion. Motion carried.

**D) Commissioner's Report**

Commissioner O'Neal requested staff to contact Congressman Jones in support of overturning Beach Driving Permits and include the Currituck Northern Beaches in the bill. Commissioner Etheridge seconded the motion. Motion carried.

**E) County Manager's Report**

**No comments**

**Adjourn**

There being no further business, the meeting adjourned.



CURRITUCK COUNTY BOARD OF COMMISSIONERS AGENDA ITEM #

Meeting Date

**ITEM TO BE CONSIDERED**

**SUBJECT**

Purge Department of Social Services' Files

**REQUESTED ACTION**

Permission for Department of Social Services to purge the files listed on the attachment. These files are listed in the "DHHS Records and Retention and Disposition Schedule for Grants" dated September 2011 as eligible for purging.

Submitted By

Department

Date

Attachments: Yes  No

**REVIEW PROCESS**

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

**REVIEW COMMENTS**

Department of Social Services files authorized for purging according to the DHHS Controller's Office "DHHS Records and Retention and Disposition Schedule for Grants" dated September 2011.

Medicaid Program files	through 6/2000
Day sheets	through 6/2000
Low Income Energy Assistance	through 6/2004
Child Abuse and Neglect	through 6/02
Food and Nutrition Services	through 6/05
FRR and BEERS reports	through 6/09
Child Care subsidy	through 6/03
Adult Services ( Adult Protective Services, Guardianship, placement services)	through 6/05
HCCBG in home services	through 6/06
TANF	through 6/97
Adult Care Homes (Family Care Homes) Licensing files	prior to 6/96

**Resolution Approving Financing Terms**

**WHEREAS:** The County of Currituck (the "County") has previously determined to undertake a project for financing of design and construction of a Central Sewer Project in Moyock, NC (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated March 23, 2012. The amount financed shall not exceed \$2,700,000, the annual interest rate shall not exceed 3.09%, and the financing term shall not exceed fifteen (15) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

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

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

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

SEAL

COUNTY OF CURRITUCK  
Moyock Sewer  
Bid Opening 2:00 PM, March 23, 2012

Amount to be Financed: \$2,700,000  
Term: 10 and 15 years

Bank	Interest Rate		Principal	Interest	Fees	Total Cost	Prepayment Penalty
BB & T	2.13%	10 yr	\$ 2,700,000	\$ 312,049	\$ 2,700	\$ 3,014,749	1% remaining balance
BB & T	3.09%	15 yr	\$ 2,700,000	\$ 694,329	\$ 2,700	\$ 3,397,029	1% remaining balance

Carlyle Capital Markets Inc Responded with No Bid

Bid came in at 2:20 PM - Bids due at 2:00

Towne Bank	2.98%	10 yr	\$ 2,700,000	\$ 438,066	\$ 6,000	\$ 3,144,066	None
Towne Bank		15 yr	No Bid			\$ -	None

I propose to finance this project for 15 years with BB & T. Although this is the most expensive solution in the long run, I believe the sewer district can support an annual debt service of \$226,289. The annual debt service for the 10 year term would be \$301,205.



## MEMORANDUM

To: Board of Commissioners

From: Patrick Irwin  
Public Utilities Director

Ref: Approval of the Mainland Water System's  
Wellhead Protection Plan

Date: April 2, 2012

### Background

In 1986, Safe Water Drinking Act (SWDA) amendments added Section 1428, "State Programs to Establish Wellhead Protection Areas", which requires each state to develop a program to "protect wellhead areas within their jurisdiction from contaminants which may have any adverse affects on the health of persons." The term wellhead protection area is defined in the law as "the surface and subsurface area surrounding, a water well or well field, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field."

### Analysis

The Currituck County Utilities Department has been working with the NC Rural Water Association over the past year to put together a Wellhead Protection Plan that covers the Currituck Mainland Drinking Water Wells.

### Conclusion

The County's Public Utilities Departments recommends the approval of the Wellhead Protection Plan in order to monitor and protect the Currituck Mainland Water System's Wells from potential contamination.

Date: April 2, 2012

Mr. M. Gale Johnson, L.G.  
Public Water Supply Section  
1634 Mail Service Center  
Raleigh, NC 27699-1634  
Phone 919-715-2853  
Fax 919-715-4374

Dear Mr. Johnson,

Currituck County's Wellhead Protection Committee has reviewed and approved the Wellhead Protection Plan dated August 3, 2011. The Director of Public Utilities has been granted authority by the Board of Commissioners to implement the Plan and to approve any revisions necessary for plan approval.

Sincerely,

---

Mr. John D. Rorer  
Currituck County  
Chairman Board of Commissioners

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
20609-590000	Capital Outlay	\$ 434,201	
20390-499900	Appropriated Fund Balance		\$ 434,201
		<u>\$ 434,201</u>	<u>\$ 434,201</u>

**Explanation:** *Whalehead Subdivision Drainage District (20609)* - Increase appropriations for Dominion Power and Instrulogic for Phase II completion and for Engineering and Design for Phase III of the Whalehead Drainage Project.

**Net Budget Effect:** Whalehead Drainage District (20) - Increased by \$434,201.

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

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

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
43848-590000	Capital Outlay	\$ 122,000	
43390-499900	Appropriated Fund Balance		\$ 122,000
		<u>\$ 122,000</u>	<u>\$ 122,000</u>

**Explanation:** *Land Banking Fund (43838)* - Increase appropriations to purchase property on Gabbard Lane to include survey and other closing costs.

**Net Budget Effect:** Land Banking Fund (43) - Increased by \$122,000.

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

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

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
17838-532000	Supplies	\$ 7,500	
17838-545000	Contract Services		\$ 7,500
		<u>\$ 7,500</u>	<u>\$ 7,500</u>

**Explanation:** *Whalehead Solid Waste District (17838)* - Transfer funds for toter decals and informational magnets in the Whalehead Solid Waste District.

**Net Budget Effect:** Whalehead Solid Waste District (17) - No change.

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

\_\_\_\_\_  
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>
10796-545000	Contract Services	\$ 3,190	
10796-590000	Capital Outlay		\$ 3,190
		<u>\$ 3,190</u>	<u>\$ 3,190</u>

**Explanation:** *Rural Center (10796)* - Transfer funds for site plan work for the Rural Center boardwalk, picnic pavilion and kayak launch program.

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

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

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

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
10531-590441	Technology over \$1,000	\$ 3,000	
10531-532000	Supplies		\$ 3,000
		<u>\$ 3,000</u>	<u>\$ 3,000</u>

**Explanation:**     *Emergency Management (10531)* - To transfer funds to purchase RUOK software.

**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 2nd day of April , 2012, 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>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
26535-532441	Technology under \$1,000	\$ 386	
26535-545000	Contracted Services	\$ 3,118	
26535-557100	Software License Fee	\$ 7,869	
26535-590000	Capital Outlay	\$ 83,040	
26535-588000	Contingency		\$ 94,413
		<u>\$ 94,413</u>	<u>\$ 94,413</u>

**Explanation:** *Emergency Telephone System (26535)* - Transfer funds from contingency for the following items needed for an additional call taker station and to replace the UPS for communications.

Wireless amplifier	386
Surge Suppressor	1,300
Electrical Work	1,818
CAD License	3,600
PROQA Cardsets	4,269
Wrightline Dispatch Console	18,421
Motorola Dispatch Console	38,737
24/7 Intensive Use Chair	1,570
UPS	24,312
	<u>\$ 94,413</u>

**Net Budget Effect:** Emergency Telephone System Fund (26) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
10750-532441	Technology under \$1,000	\$ 1,300	
10750-590000	Capital Outlay		\$ 1,300
		<u>\$ 1,300</u>	<u>\$ 1,300</u>

**Explanation:** *Social Services (10750)* - Transfer funds to purchase a replacement computer and software for the Social Services.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
10535-545000	Contract Services	\$ 2,500	
10535-516000	Repairs & Maintenance		\$ 2,500
		<u>\$ 2,500</u>	<u>\$ 2,500</u>

**Explanation:**     *Communications (10535)* - Transfer funds for contract to repair a generator.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
10510-516200	Vehicle Maintenance	\$ 9,264	
10380-484001	Insurance Recovery		\$ 9,264
		<u>\$ 9,264</u>	<u>\$ 9,264</u>

**Explanation:**     *Sheriff (10510)* - Increase appropriations to repair vehicles covered by insurance claims.

**Net Budget Effect:** Operating Fund (10) - Increased by \$9,264.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
10540-514000	Travel	\$ 500	
10540-514500	Training & Education	\$ 150	
10540-553000	Dues & Subscriptions		\$ 100
10540-526000	Advertising		\$ 150
10540-511000	Telephone & Postage		\$ 200
10540-531000	Gas		\$ 200
		<u>\$ 650</u>	<u>\$ 650</u>

**Explanation:** *Inspections (10540)* - Transfer funds for staff development training and certification.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-545000	Contract Services	\$ 17,600	
10460-5321600	Maintenance Supplies	\$ 8,000	
10460-592000	Courthouse Projects	\$ 4,545	
10460-561000	Professional Services	\$ 25	
10460-531400	Equipment Fuel		\$ 1,000
10460-516000	Maintenance & Repair		\$ 21,070
10460-590000	Capital Outlay		\$ 8,100
		<u>\$ 30,170</u>	<u>\$ 30,170</u>

**Explanation:** *Public Works (10460)* - Transfer funds for increases in contract renewals and for new facilities for the remainder of this fiscal year.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
60808-532000	Supplies	\$ 1,000	
60808-516000	Maintenance & Repair	\$ 1,000	
60808-588000	Contingency		\$ 2,000
		<u>\$ 2,000</u>	<u>\$ 2,000</u>

**Explanation:** *Ocean Sands Water and Sewer (60808)* - Transfer funds for operations for the remainder of this fiscal year.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
61818-511000	Telephone & Postage	\$ 2,000	
61818-533800	Chemicals	\$ 3,250	
61818-531000	Gas	\$ 1,000	
61818-526000	Advertising	\$ 250	
61818-545000	Contract Services		\$ 3,500
61818-516200	Vehicle Maintenance		\$ 3,000
		<u>\$ 6,500</u>	<u>\$ 6,500</u>

**Explanation:** *Mainland Water (61818) - Transfer funds for operations for the remainder of this fiscal year.*

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

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Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
66868-516000	Repairs & Maintenance	\$ 3,500	
66868-516001	Repairs & Maintenance - CW	\$ 7,500	
66868-532001	Supplies	\$ 7,500	
66868-590000	Capital Outlay	\$ 35,000	
66868-545001	Contract Services		\$ 33,000
66868-533201	Lab Tests		\$ 3,000
66868-513000	Utilities		\$ 6,000
66868-514000	Travel		\$ 1,500
66868-513002	Utilities - PI		\$ 10,000
		<u>\$ 53,500</u>	<u>\$ 53,500</u>

**Explanation:** *Southern Outer Banks Water (66868)* - To transfer funds for operations for the remainder of this year and to replace an additional 72 membrances.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 2nd day of April , 2012, 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>
10790 503500	Temporary Salaries	\$ 2,624	
10790 505000	FICA	\$ 201	
10790-540000	Worker's Compensation		\$ 64
10790-516000	Maintenance & Repair		\$ 1,000
10790-511000	Telephone & Postage		\$ 500
10790-545000	Contract Services		\$ 1,261
		<u>\$ 2,825</u>	<u>\$ 2,825</u>

**Explanation:**     *Library (10790) - Transfer funds for additional temporary service hours from April 2 - June 30, 2012.*

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

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## MEMORANDUM

To: Board of Commissioners

From: Patrick Irwin  
Public Utilities Director

Ref: Corolla Light Elevated Tank Rehabilitation  
Change Order #1.

Date: April 2, 2012

### Background

Currituck County purchased the Corolla Light Water System in July 2011. The Corolla Light Elevated Water Tower was in need of maintenance repairs and painting.

### Analysis

When the painting contractor Utility Service Company, Inc. began the rehabilitation project they found additional items that needed to be repaired. These items include: A new roof vent, a new door for the cellular pod, and holes in the hydro-pneumatic tanks had to be filled with epoxy.

### Conclusion

The County's Public Utilities Departments recommends the approval of these additional repairs for a thorough and complete elevated tank rehabilitation.

**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 April 2, 2012, authorized the following, pursuant to GS 160A and 270(b), that the law enforcement dog listed below be given to Bryan Bradley. This dog was retired on March 15, 2012.

<u>Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
6326	Cir - Microchip	967000001082801

**ADOPTED**, the 2<sup>nd</sup> day of April, 2012.

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John Rorer  
Currituck County Board of  
Commissioners

ATTEST:

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Gwen H. Keene, CMC  
Clerk to the Board