



**BOARD OF COMMISSIONERS
AGENDA**

APRIL 16, 2012

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REVISED

Currituck County
Board of Commissioners Agenda
Historic Currituck County Courthouse

Date: Monday, April 16, 2012

Time: 7:00 PM

Work Sessions

6:00 p.m. Review Off-Road Study and other recommendations

7:00 pm Call to Order

- A) Invocation
- 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) **Proclamation for National Day of Prayer**
- B) **Keith Hamm, to discuss Mobile Crisis Service in Currituck**
- C) **Chris Kelly and Julie Walters with Outer Banks Relief Foundation**

New Business

- A) **Consideration and Action:** PB 11-02 Kitty Hawk Kites - Cotton Gin:
Request for a special use permit renewal for an outdoor recreation facility (tandem hang gliding training facility) located in Jarvisburg at 6997 Caratoke Highway (Immediately behind Cotton Gin), Tax Map 108, Parcel 39, Poplar Branch Township.
- B) **Board Appointments:**
 - 1. Appointment to Fire and EMS Advisory Board
 - 2. Appointment to Economic Development Board

C) Consent Agenda:

1. Proclamation-Employee Health and Fitness Day
2. Fireworks Resolution for July 4 Celebration
3. Resolution concerning Sea-Level Rise Reports and Policies
4. Resolution opposing Dominion Power Rate Increase
5. Budget Amendments
6. Approval of April 2, 2012 Minutes

D) Commissioner's Report

E) County Manager's Report

Adjourn

Special Meeting

Tourism Development Authority

TDA Budget Amendments

Adjourn

Dear Commissioners,

Please find attached a proposal for the Proclamation for the National Day of Prayer for Currituck County. The format and wording of this proclamation is the same as it has been in the past with exceptions to date and theme. As is stated in this document, the act of prayer has been an important part of Currituck County's history and we, the Christian community which live in Currituck, hope and pray you will continue to support the National Day of Prayer. If you would please place this item on an upcoming agenda and if possible, please contact me when this will be read, so I can be on the program to personally thank you. I would appreciate it.

Thank you for your service to our county and please know that there are people who pray for you on a regular basis. Also know that we would like to give you a special invitation to join us at the Currituck Governmental Center at 9:30 for early prayer and at 12:00 noon on Thursday, May 3, 2012, for a National Day of Prayer program, as we join together to pray for our Nation, Government, Churches, Families, Education, Media, Businesses, Military and for repentance. We hope you will be present and please share this information to all you come in contact with in the county. Enclosed poster may be copied for distribution.

If you would like more information about this event, please contact me at 435-6508 or email at jwadams@embarqmail.com. May the Almighty God grant you wisdom and health all year.

Because of Christ!

Janis Adams
National Day of Prayer Coordinator for Currituck County

**PROCLAMATION
NATIONAL DAY OF PRAYER
MAY 3, 2012**

WHEREAS, National Days of Prayer have been part of our country's heritage since the first one was declared by the Continental Congress in 1775; and

WHEREAS, May 3, 2012, marks the 61st consecutive Day of Prayer, as mandated by both Houses of Congress and by our President in Public Law 100-307; and May 3, 2012, has been set aside as our National Day of Prayer.

WHEREAS, it is good that we acknowledge that we are all God's handiwork and that it is appropriate to call upon Him in prayer; and

WHEREAS, National Day of Prayer's theme is "**One Nation Under God**," and the scripture is "Blessed is the Nation Whose God is the Lord." (Psalm 33:12)

WHEREAS, while American troops fight for democracy and freedom around the globe and battle the war on terror, citizens of the United States will gather on May 3, 2012, to worship and pray for the American troops, our nation, churches, families, education, businesses, media, government and for repentance, asking the Lord to grant us all wisdom for the challenges we face on a daily basis.

NOW, THEREFORE, the Board of Commissioners of Currituck County, North Carolina, does hereby proclaim May 3, 2012, as "**NATIONAL DAY OF PRAYER**" in Currituck, North Carolina, and urges its citizens to join together in their homes, places of work, and places of worship to pray for the unity of the hearts of all mankind, and to continue in prayer for our State and our Nation.

John D. Rorer, Chairman
Board of Commissioners

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board



Currituck County

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

To: Board of Commissioners
From: Planning Staff
Date: April 5, 2012
Subject: PB 11-02 Kitty Hawk Kites – Cotton Gin

The applicant is requesting renewal of the current special use permit for an outdoor recreation facility (Tandem Hang Gliding Training Facility) that expires on May 2, 2012.

Department of Planning
Post Office Box 70
Currituck, North Carolina 27929-0070
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: Jerry and Thomas Wright
PO Box 24
Jarvisburg, NC 27947

Applicant: John Harris
Kitty Hawk Kites
PO Box 1839
Nags Head, NC 27959

Property Location: 6997 Caratoke Highway

Project: PB 11-02 Kitty Hawk Kites – Cotton Gin – Special Use Permit

Proposed Use: Outdoor Recreation Facility (Tandem Hang Gliding Training Facility)

Meeting Dates: February 8, 2011 – Planning Board Recommendation
May 2, 2011 – Board of Commissioners' Public 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) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.

(B) 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.

(C) This special use permit shall remain valid for one (1) year so long as the conditions under which it was granted are met.

(D) Other conditions:

1. The landing area shall be limited to private use.
2. Instrument Flight Rule (IFR) procedures are not permitted.
3. Written documentation and/or a permit from the North Carolina Division of Aviation shall be provided.
4. Flight operations are limited to light sport aircraft and tandem hang gliders only.
5. Flight operations are only permitted from April 1 to October 1.

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.

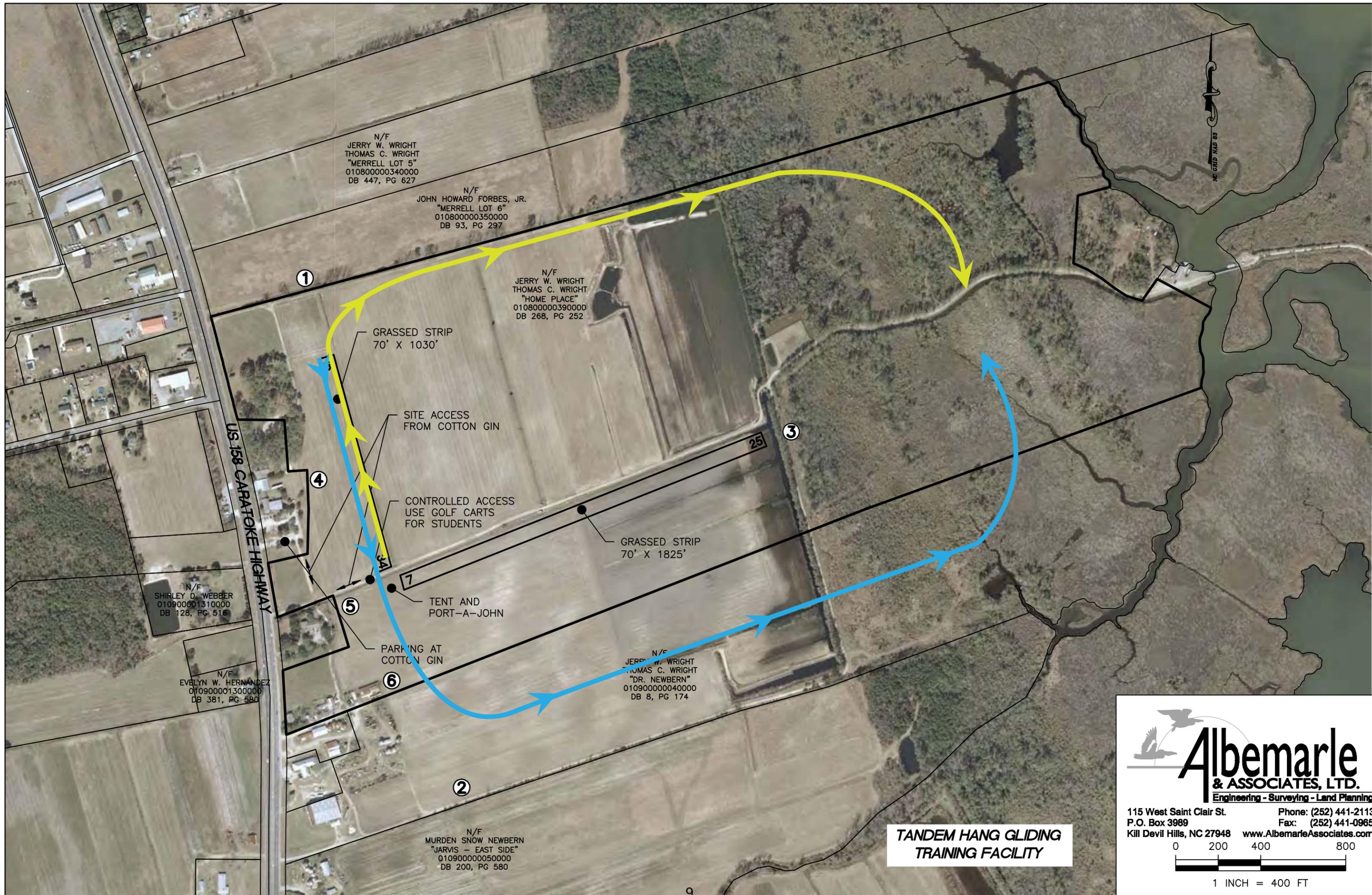
ATTEST:

_____(Seal)
Clerk to the Board

Chairman
Board of Commissioners

Date

(NOT VALID UNTIL FULLY EXECUTED)



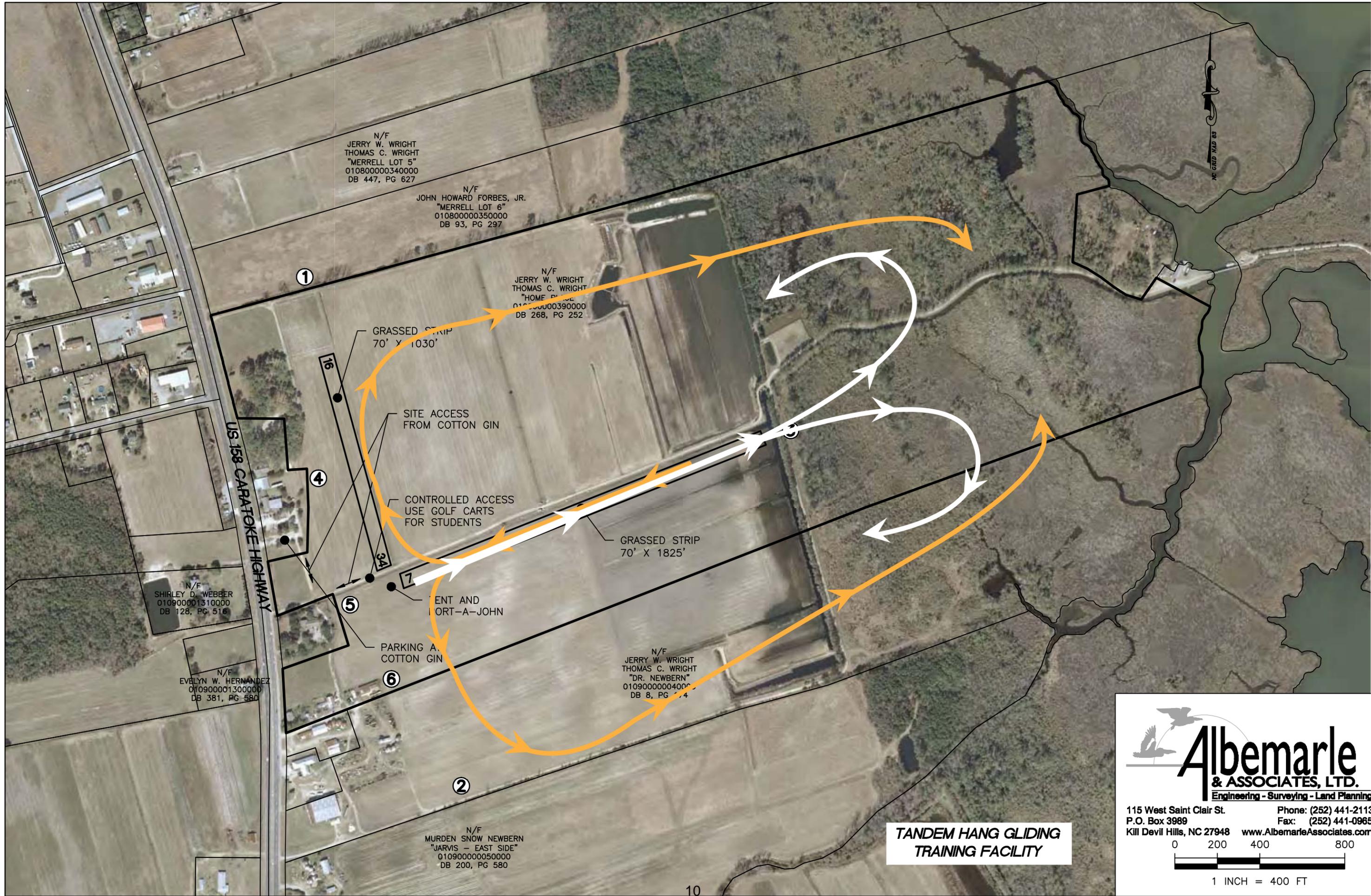
**TANDEM HANG GLIDING
TRAINING FACILITY**



115 West Saint Clair St. Phone: (252) 441-2113
P.O. Box 3989 Fax: (252) 441-0965
Kill Devil Hills, NC 27948 www.AlbemarleAssociates.com



1 INCH = 400 FT



**TANDEM HANG GLIDING
TRAINING FACILITY**



115 West Saint Clair St. Phone: (252) 441-2113
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Kill Devil Hills, NC 27948 www.AlbemarleAssociates.com



1 INCH = 400 FT

FIRE AND EMS ADVISORY BOARD
2 Year Term

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

* To Be Replaced

** May Be Reappointed

Commissioner Aydlett

ECONOMIC DEVELOPMENT BOARD

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Elizabeth White	District 1		Vance Aydlett	Reappointed 1/2011	1/2014
Ron Rose	District 2		John Rorer	Unexpired Term 4/2011	1/2014
C. A. Howard	District 3		Butch Petrey	1st Term 2/2012	1/2015
Dr. Ed Cornet	District 4		Owen Etheridge	1st Term 1/2010	1/2013
Kevin Burwell	District 5		Marion Gilbert	1/2010	1/2013
Frances Walker*	At-Large	Lauren Berry	Paul Martin	1st Term 1/2011	1/2014
Ken Edgar	At-Large		Paul O'Neal	Reappointed 1/2011	1/2014

*** Resigned-To Be Replaced**

Commissioner Paul O'Neal



APPLICATION FOR ADVISORY BOARDS & COMMITTEES

Date: Oct 6, 2011

Name: Lauren I. Berry

Address: 102 West Canvasback Drive - District 4

Currituck NC 27929

Phone: 252-335-0582

Email: LBerry@agcarolina.com

Board(s) or Committee(s) on which you would like to serve:

✓ Please check

- | | |
|--|--|
| <input type="checkbox"/> ABC Board | <input type="checkbox"/> Nursing Home Advisory Committee |
| <input type="checkbox"/> Agricultural Advisory Board | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Senior Citizens Advisory Board |
| <input checked="" type="checkbox"/> Economic Development Board | <input type="checkbox"/> Social Services Board |
| <input type="checkbox"/> Game Commission | <input type="checkbox"/> Tourism Advisory Board |
| <input type="checkbox"/> Jury Commission | <input type="checkbox"/> Whalehead Preservation Trust |
| <input type="checkbox"/> Land Transfer Tax Appeals Board | <input type="checkbox"/> Workforce Development Board |
| <input type="checkbox"/> Library Board | |

Qualifications and reasons you would like to serve:

As a general appraiser I have over 10 years of real estate valuation experience in commercial, residential, as well as agricultural properties. With this working knowledge of the market in Currituck County; in addition to a Masters in business, I feel that I could help our community grow and prosper while continuing with the goals and future aspiration of the current Economic Development Board.

Please return to: County Manager's Office
153 Courthouse Road, Suite 204
Currituck, NC 27929
Gwen.Keene@CurrituckCountyNC.gov

CURRITUCK COUNTY
NORTH CAROLINA
April 2, 2012

The Board of Commissioners met at 5:00 p.m. to discuss Tour Operators, Off Road Area Study, Beach Driving Committee recommendations and Drainage.

The Board directed staff to follow up recommendations discussed and bring back to the Board for further discussion.

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 Keith Hamm, Powells Point Christian Church was present for the invocation.

C) Approval of Agenda

Commissioner Gilbert moved to amend the agenda by deleting Appointment to Fire and EMS Board under Board Appointments and discuss #3, 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, in the consent agenda under Old Business. Commissioner Aydlett seconded the motion. Motion carried.

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) 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. 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. **MOVED TO OLD BUSINESS FOR DISCUSSION AND ACTION**
4. Approval of the Mainland Water System's Wellhead Protection Plan
5. Budget Amendments
6. 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.
7. Resolution Surplus property, Sheriff's Department
8. Juvenile Crime Prevention Control Funding Plan for FY 2013

- D) **Commissioner's Report**

- E) **County Manager's Report**

Adjourn

D) Public Comment

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

Chairman Rorer opened the public comment period.

Commissioner Gilbert stated that this was "Domestic Violence Month" and reported on the efforts of Albemarle Hopeline.

Commissioner O'Neal requested staff to send another letter to Dominion Power opposing an additional rate increase when they just received one in November. Commissioner Aydlett seconded the motion. Motion carried.

Marie Long, Carova Beach, opposes the request for a safe zone on the northern beaches.

Commissioner Etheridge stated he also attended the Albemarle Hopeline breakfast.

Kim Old, Moyock, stated that the water tap fee for minor subdivisions is not fair since the county cannot provide water at this time. He requested the Board to waive the fee for minor subdivisions.

Commissioner O'Neal moved to waive the water tap fee for minor subdivisions until the text amendment was brought forward and acted upon. Commissioner Petrey seconded the motion. Motion carried.

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

Administrative Reports

A) Ron Lowe, East Carolina Behavioral Health

Mr. Lowe, with Recovery Innovations, reviewed their program. This program provides recovery education to people in the community by partnering with key health and human service agencies. Currituck County's class and meeting place is at the Currituck County Detention Center.

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.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director reviewed the request.

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.

Commissioner Aydlett moved to approve with the following conditions: The use will operate in compliance with the State Permit; All required site modifications will be completed within six months; All previously approved conditions shall be included in the permit. Commissioner O'Neal seconded the motion. Motion carried.

B)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.

Chairman Rorer requested the County Manager to review in detail #3 moved from the Consent Agenda.

Dan Scanlon, County Manager, reviewed the financing of the Moyock Sewer and completion date. He will bring the rate structure back to the Board for review at a later date.

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

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.

New Business

A) Board Appointments:

1. Appointment to Airport Board

Commissioner Aydlett appointed Robin Hutchings.
Commissioner O'Neal seconded the motion. Motion carried.

2. Appointments to Fire & EMS Board

Tabled

Commissioner Etheridge moved to have all the advisory boards have a voting member. Commissioner Gilbert seconded the motion. Motion carried.

**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.**

Ben Woody, Planning Director, reviewed the request.

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.

The full public hearing draft of the UDO is available for review at the Historic Currituck Courthouse or at www.newcodecurrituck.com

Chairman Rorer opened the public hearing.

Theresa Norrell, Moyock, addressed some of the questions and opposed the UDO.

Mattie Lawson, Kill Devil Hills, questioned sustainable development as defined by the Planning Director. She opposes the approval of the UDO because of UN Agenda 21.

Jill Rolfes, Moyock, opposes the UDO as more government and questioned the Planning Board's decision to approve.

Toni Tabb, Moyock, opposes the UDO and consider the issues in the UN Agenda.

Paul Beaumont, Shawboro, supports the new UDO because it streamlines the existing UDO and supports proceeding forward. He commended staff for their good work on this process.

Jim Owens, Maple property owner, supports the UDO and commends the Commissioners and Staff for a good job that encourages quality development.

Marie Long, Carova, supports staff and the UDO.

Rick Willis, stated that this represents the best effort by staff and supports the UDO.

Lynne Wilson, supports the new UDO.

Ben Rolfes, Moyock, stated that he is pro business but questions the process and requested the Board to re-evaluate.

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

Chairman Rorer 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 Gilbert seconded the motion. Motion carried.

C) Consent Agenda:

1. Approval of March 19, 2012 Minutes
2. Disposal of Department of Social Services' files
3. **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. MOVED TO OLD BUSINESS.**
4. Approval of the Mainland Water System's Wellhead Protection Plan
5. Budget Amendments
6. 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.
7. Resolution Surplus property, Sheriff's Department
8. Juvenile Crime Prevention Control Funding Plan for FY 2013

Commissioner O'Neal approved the consent agenda. Commissioner Martin seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
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.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
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.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
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 totter decals and informational magnets in the Whalehead Solid Waste District.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10796-545000	Contract Services	\$ 3,190	
10796-590000	Capital Outlay		\$ 3,190
		\$ 3,190	\$ 3,190

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.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10531-590441	Technology over \$1,000	\$ 3,000	
10531-532000	Supplies		\$ 3,000
		\$ 3,000	\$ 3,000

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

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
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		\$ 41,825
26390-499900	Appropriated Fund Balance		\$ 52,588
		\$ 94,413	\$ 94,413

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
	\$ 94,413

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

<u>Account Number</u>	<u>Account Description</u>	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10750-532441	Technology under \$1,000	\$ 1,300	
10750-590000	Capital Outlay		\$ 1,300
		\$ 1,300	\$ 1,300

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.

<u>Account Number</u>	<u>Account Description</u>	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10535-545000	Contract Services	\$ 2,500	
10535-516000	Repairs & Maintenance		\$ 2,500
		\$ 2,500	\$ 2,500

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

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
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.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
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.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10460-545000	Contract Services	\$	17,600		
10460-532160	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>\$</u>	<u>30,170</u>
		<u>\$</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.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
60808-532000	Supplies	\$	1,000		
60808-516000	Maintenance & Repair	\$	1,000		
60808-588000	Contingency			\$	2,000
		<u>\$</u>	<u>2,000</u>	<u>\$</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.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
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>\$</u>	<u>6,500</u>	<u>\$</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.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
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			\$	30,186
66868-545002	Contract Services			\$	2,814
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.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
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.

RESOLUTION

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>
6326	Cir-Microchip 967000001082801

D) Commissioner's Report

Board of Commissioners wished everyone a Happy Easter.

Commissioner Aydlett requested funding for the repair of the Gibbs Woods Community Center and Voting place.

Commissioner Gilbert commented on the Currituck County school performance.

E) County Manager's Report

No comments

Adjourn

There being no further business, the meeting adjourned.

RESOLUTION

CONCERNING NORTH CAROLINA'S SEA-LEVEL RISE REPORTS, POLICIES, AND MONITORING EFFORTS

WHEREAS, the NC Division of Coastal Management, under the auspices of the NC Department of Environment & Natural Resources is developing a sea-level rise policy predicated by a "Literature Search" issued in 2010 by the State Science Panel on Coastal Hazards entitled, "*North Carolina Sea Level Rise Assessment Report*," and

WHEREAS, the NC Division of Coastal Management, under the auspices of the NC Department of Environment & Natural Resources is developing a sea-level rise policy predicated by a report issued in 2010 by the State Science Panel on Coastal Hazards entitled, "*North Carolina Sea Level Rise Assessment Report*," and

WHEREAS, also the NC Division of Emergency Management, under the auspices of the NC Department of Crime Control & Public Safety, is preparing a separate study report entitled, "*North Carolina Sea Level Rise Impact Study*" under the directives of the federal 2009 Department of Homeland Security Appropriations Bill that furnished \$5 million for the study report; and

WHEREAS, the NC Division of Emergency Management is utilizing the Science Panel's 2010 "*North Carolina Sea-Level Rise Assessment Report*" as a basis for their study report, and

WHEREAS, there has been considerable controversy and widespread disagreement regarding the sea-level rise projections provided in the Science Panel's 2010 Report and the embellishment of sea-level rise data provided in the historical record; and

WHEREAS, Currituck County wishes to go on record with its concern to how exaggerated sea-level rise projections and resulting policy/rules can cause irreparable economic harm to the coastal plain of North Carolina by adversely changing land/property values, uses, insurances, and construction/maintenance costs of both private and public infrastructure; and

WHEREAS, the current draft of the NC Division of Coastal Management sea-level rise policy and draft materials for the NC Division of Emergency Management's study report both include directives calling for additional sea-level monitoring and the re-visitation/re-establishment of sea-level rise rates at periodic intervals, and

WHEREAS, considering the impacts to human health and economies in the region that are associated with understanding and reporting sea-level, and the fact there continues to be a great deal of uncertainty regarding future sea-level rates.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners that Currituck County requests the development of protocols articulating the precise methodology to how sea-level is to be measured, recorded, interpreted, and reported.

BE IT FURTHER RESOLVED, that these protocols must be developed and approved with the strong aid of local governments and other stakeholders.

BE IT FURTHER RESOLVED, that the aforesaid State Agencies discontinue promotion, education, and implementation of any Sea-Level Rise policies, until there is verifiable scientific proof of the current rate of sea-level rise and an acceleration of this rate is observed by the methods agreement upon as stated immediately above, and are found to be hazardous to future uses of coastal property in North Carolina.

ADOPTED, this the 16th day of April, 2012.

ATTEST:

John D. Rorer, Chairman
Board of Commissioners

Gwen H. Keene, CMC
Clerk to the Board



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

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 of approximately 15% on the average residential customer proposed by Dominion North Carolina Power, North Carolina Utilities Commission Docket E-22 Sub 479, 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, earlier in 2012, The North Carolina Utilities Commission Public Staff reached a settlement with Duke Energy to cut a proposed rate increase on 1.8 million customers from 17% to 7%; Still, the North Carolina Attorney General appealed the 7% rate increase, citing NC GS 62-133(b)(4) that Duke Energy failed to address 'changing economic conditions and other factors' such as customers' economic strife.

WHEREAS, The actions of the Public Staff in the Duke Energy case to deny the requested rate increase and propose a settlement, and of the North Carolina Attorney General to appeal the final ruling and reduction negotiated by the North Carolina Utilities Commission, should lead to similar conclusions regarding Docket E-22 Sub 479, Dominion North Carolina Power's request for a net 15% increase in rates for 2013, and the increase should be denied.

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 requested by Dominion North Carolina Power. We respectfully request that the North Carolina Utilities Commission deny Dominion's request, and request that North Carolina Attorney General Roy Cooper and the Consumer Protection Division intervene on behalf of Dominion's Northeast North Carolina customer base.

ADOPTED the 16th day of April, 2012.

John D. Rorer, Jr. Chairman

Gwen H. Keene, Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th 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>
10510-590000	Capital Outlay	\$ 25,812	
10510-540000	Worker's Comp		\$ 7,831
10511-540000	Worker's Comp		\$ 2,700
10512-540000	Worker's Comp		\$ 127
10330-449900	Misc Grants		\$ 12,906
10390-495015	T F - Occupany Tax		\$ 2,248
		<u>\$ 25,812</u>	<u>\$ 25,812</u>

Explanation: *Sheriff (10510);Jail (10511); Animal Control (10512)* - Transfer funds and increase appropriations for bullet proof vests for deputies. This program is funded with a 50% matching grant from the US Dept of Justice.

Net Budget Effect: Operating Fund (10) - Increased by 15,154.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th 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>
10640-514500	Training & Education	\$ 400	
10640-532005	Supplies - AG	\$ 250	
10640-532004	Supplies - FCS		\$ 400
10330-449900	Miscellaneous Grants		\$ 250
		<u>\$ 650</u>	<u>\$ 650</u>

Explanation: *Cooperative Extension (10640)* - To record the NC Soybean Growers grant and to transfer funds for additional training.

Net Budget Effect: Operating Fund (10) - Increased by \$250.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th 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>
10540-532000	Supplies	\$ 250	
10540-511000	Telephone & Postage		\$ 250
		<u>\$ 250</u>	<u>\$ 250</u>

Explanation: *Inspections (10540)* - Transfer funds to replace the fax machine in the Inspections Dept.

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 16th 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>
10430-545000	Contract Services	\$ 4,800	
10320-411004	Medicaid Hold Harmless		\$ 4,800
		<u>\$ 4,800</u>	<u>\$ 4,800</u>

Explanation: *Elections (10430)* - Increase appropriations to repair roof at voting precinct in Gibbs Woods.

Net Budget Effect: Operating Fund (10) - Increased by \$4,800.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th 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>
10795-532000	Supplies	\$ 4,000	
10795-545000	Contract Services	\$ 14	
10795-590000	Capital Outlay	\$ 480	
10795-516001	Maintenance & Repairs		\$ 4,000
10795-576003	Flag Football		\$ 14
10795-576001	Baseball/Softball		\$ 480
		<u>\$ 4,494</u>	<u>\$ 4,494</u>

Explanation: *Parks & Recreation (10795) - Transfer funds for operations for the remainder of this fiscal year.*

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 16th 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>
10531-532000	Supplies	\$ 4,000	
10531-545000	Contract Services		\$ 4,000
		<u>\$ 4,000</u>	<u>\$ 4,000</u>

Explanation: *Emergency Management (10531)* - Move EMPG funds for Hurricane exercise and to move the satellite dish from the EM truck to the mobile command post.

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

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Clerk to the Board

Currituck County Employee Health and Fitness Day

Proclamation

WHEREAS, Currituck County Government is concerned about the health of its employees; and

WHEREAS, May 4, 2012, is designated Currituck County Employee Health and Fitness Day; and

WHEREAS, heart disease and cancer are the two leading causes of death in Currituck and are largely affected by what we eat and how physically active we are; and

WHEREAS, employers with highly effective health and productivity management programs have cost increases that are: 5 times lower for sick leave; 4.5 times lower for long-term disability; 4 times lower for short-term disability; and 3.5 times lower for general health care coverage.

WHEREAS, regular physical activity has curative and protective health benefits and can improve the quality of life for everyone; and

WHEREAS, a healthier populace means long-term cost savings for our county government; and

WHEREAS, County government shall encourage more physical activity opportunities for their employees; and

WHEREAS, County employees are becoming more aware of the need to eat smart and move more to improve their quality of life and reduce health care costs; and

WHEREAS, more fitness and nutrition educational programs shall be offered to county employees that support and encourage physical activity, healthy eating and worksite wellness;

NOW, THEREFORE, the Currituck Board of Commissioners hereby proclaims May 4, 2012, as Currituck County Employee Health & Fitness Day.

This the 16th day of April, 2012.

John D. Rorer
Chairman

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board

**RESOLUTION
APPROVING THE EXHIBITION, USE AND DISCHARGE OF
PYROTECHNICS AT THE WHALEHEAD CLUB IN
COROLLA, NORTH CAROLINA**

WHEREAS, pursuant to N.C. Gen. Stat. §14-410 and §14-413, a display operator that will exhibit, use or discharge pyrotechnics at a public exhibition must receive written authority for such public exhibition from the board of commissioners for a county; and

WHEREAS, a display operator must provide proof of insurance in the amount of at least \$500,000.00; and

WHEREAS, Dominion Fireworks, Inc. is under contract with Currituck County to provide an exhibition of fireworks at the county's property known as The Whalehead Club in Corolla, North Carolina, on July 4, 2012, which will be a public exhibition, and Dominion Fireworks, Inc. has provided a certificate of insurance evidencing insurance coverage in an amount in excess of \$500,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina that:

Section 1. Dominion Fireworks, Inc. is authorized to exhibit, use or discharge pyrotechnics for public exhibition at that property known as The Whalehead Club in Corolla, North Carolina on July 4, 2012.

Section 2. This resolution shall be effective upon adoption.

ADOPTED this 16th day of April, 2012.

John D. Rorer, Chairman

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 16th 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>
15447-587010	T T - Operating Fund	\$ 2,248	
15390-499900	Appropriated Fund Balance		\$ 2,248
		<u>\$ 2,248</u>	<u>\$ 2,248</u>

Explanation: Occupancy Tax; Tourism Related Expenditures (15447) - Increase appropriations for bulletproof vest for the Outer Banks deputies. This will be funded through a 50% US Dept of Justice grant and 50% local funds.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$2,248.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 16th 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>
15447-590000	Capital Outlay	\$ 40,000	
15447-561000	Professional Services		\$ 10,000
15390-499900	Appropriated Fund Balance		\$ 30,000
		<u>\$ 40,000</u>	<u>\$ 40,000</u>

Explanation: Occupancy Tax; Tourism Related Expenditures (15447) - Increase appropriations for parking lots at Bonito and Sailfish in Corolla.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$30,000.

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Clerk to the Board