



**BOARD OF COMMISSIONERS  
AGENDA**

**FEBRUARY 20, 2012**

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# Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

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**Date: Monday, February 20, 2012      Time: 7:00 PM**

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## Work Sessions

5:00 Dinner

5:30 p.m. Unified Development Ordinance

## 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.*

## Public Hearings

- A) **Public Hearing and Action** on proposed amendment to Section 9-1 of the Code of Ordinances to allow as an exception to the ordinance prohibiting discharge of firearms "turkey shoots" held as fundraisers by not for profit organizations. **THIS ITEM HAS BEEN REMOVED FROM AGENDA**

## Administrative Reports

- A) **Presentation YMCA**

## New Business

- A) **Recommendation of award for finished water storage tank Southern Outer Banks Water System**

**B) Board Appointments:**

1. Appointment to Planning Board
2. Appointment to East Albemarle Library Board
3. Senior Citizen Advisory Board
4. Farmland Preservation Agricultural Advisory Board

**C) Consent Agenda:**

1. Approval of February 6, 2012, Minutes
2. Resolution North Carolina Ferry System
3. Corolla VFD request to replace HVAC at Pine Island station
4. Budget Amendments
5. Request to Dispose of Financial Records per Record Retention and Disposition schedule

**D) Commissioner's Report**

**E) County Manager's Report**

**Closed Session**

According to GS 143-318.11(3) to preserve the attorney client privilege

**Adjourn**

1     **AN ORDINANCE AMENDING SECTION 9-1 OF THE CURRITUCK COUNTY CODE**  
2     **OF ORDINANCES TO EXCEPT NOT FOR PROFIT GROUP “TURKEY SHOOT”**  
3     **EVENTS FROM DISCHARGE OF FIREARM PROHIBITION**  
4  
5

6             WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define,  
7 regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or  
8 welfare of its citizens; and  
9

10            WHEREAS, pursuant to N.C. Gen. Stat. §153A-129 a county may regulate the discharge  
11 of firearms at any time or place except when used to take birds or animals, when used in the  
12 defense of persons or property, or when used pursuant to the lawful directions of law  
13 enforcement officers.  
14

15            NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the  
16 County of Currituck as follows:  
17

18     **Part I. Section 9-1. Discharge of firearms prohibited.** of the Currituck County Code of  
19 Ordinances is amended to read as follows:

20            Sec. 9-1. - Discharge of firearms prohibited.

21            (a) Near residences. It is unlawful for any person to discharge a rifle, shotgun, handgun  
22 or any firearm within 100 yards of any regularly occupied residence without written permission  
23 of the regular occupant and owner of such residence which the person shall carry at all times  
24 relevant to this section.

25            (b) On or across roadways. It is unlawful for any person to discharge a rifle, handgun,  
26 shotgun or any firearm on or across any public road, highway, or public vehicular area.

27            (c) Firing near school. It shall be unlawful to discharge a center fire rifle within one-half  
28 mile of any school unless such discharge occurs with at least 200 yards of woodlands or forest  
29 intervening between such discharge and the school.

30            (d) Firing at targets. It shall be unlawful to discharge any rifle, handgun, shotgun or other  
31 firearm into any target which has a substantial backdrop within 100 yards of any subdivision  
32 with or without permission. However, it shall be lawful to discharge any rifle, handgun, shotgun  
33 or other firearm into any target which has a substantial backdrop, so long as said discharge is 300  
34 yards away from any regularly occupied residence, except by permission of the regular occupant  
35 and owner of such residence.

36            (e) Firing when not in woodlands. When firing a center fire rifle into any area of  
37 Currituck County not forested or woodlands, it shall be unlawful for any person to discharge or  
38 fire said rifle unless the level of the rifle be at least ten feet off the ground, or in a stand which is

39 at least eight feet high, or when standing on the top of a dog box situate in the bed of a truck  
40 when said dog box is at least two feet in height.

41 (f) Forest or woodlands. For purposes of this section forest or woodlands is defined as a  
42 large and thick collection of growing trees, preserving some or all of its primitive wildness and  
43 usually having game or wild animals in it.

44 (g) Impairing substances. It shall be unlawful to discharge any rifle, handgun, shotgun or  
45 any other firearm while under the influence of any impairing substance.

46 (h) Exception. This section shall not apply to the following: the use of firearms in  
47 defense of persons or property or the use of firearms by law enforcement officers in the  
48 performance of their duties, or in an indoor firing range.

49 (1) the use of firearms in the defense of persons or property.

50 (2) the use of firearms by law enforcement officers in the performance of their  
51 duties.

52 (3) the use of firearms in an indoor firing range.

53 (4) the discharge of firearms at “turkey shoots” when:

54 i. the “turkey shoot” is sponsored and conducted by a not-for-profit  
55 organization;

56 ii. no occupied house, building in use or roadway is located behind a  
57 target in the line of fire within a distance of 300 yards from the target;

58 iii. only shotguns are used during the “turkey shoot” with shot size #8 or  
59 less;

60 iv. no alcohol is consumed on the premises of the “turkey shoot” while  
61 the shoot is in progress;

62 v. no persons having the odor of alcohol are participating in the “turkey  
63 shoot”;

64 vi. the “turkey shoot” event occurs between the hours of 12:00 p.m. and  
65 8:00 p.m. on Friday or Saturday;

66 vii. the property where the “turkey shoot” is located is fenced, posted or  
67 otherwise restricted so that access to the site is controlled to insure safety  
68 of contestants, spectators and the general public; and

69 viii. a backstop is located behind the targets to stop all projectiles shot  
70 from the firing line to the target.

71 For purposed of this section, "turkey shoot" is defined as a shooting match or contest in  
72 which powder burning shotguns are used and prizes awarded for marksmanship.

73 (i) Penalty. Any violation of this section shall be a misdemeanor and upon conviction shall be  
74 punishable by fine of not more than \$500.00 or by imprisonment for not more than 30 days.

75 **PART II. Severability.** Should any section or provision of this ordinance be declared invalid or  
76 unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of  
77 the ordinance as a whole or any part thereof other than the part declared to be invalid or  
78 unconstitutional.

79 **PART III. Effective date.** This ordinance shall be effective immediately upon its adoption.

80  
81 ADOPTED the \_\_\_\_\_ day of February, 2012.

82  
83 \_\_\_\_\_  
84 John D. Rorer, Chairman

85  
86 ATTEST:  
87 \_\_\_\_\_  
88 Gwen H. Keene  
89 Clerk to the Board

90  
91 APPROVED AS TO FORM:  
92 \_\_\_\_\_  
93 Donald I. McRee, Jr.  
94 County Attorney

95  
96 Date adopted: \_\_\_\_\_

97  
98 Motion to adopt by Commissioner \_\_\_\_\_

99 Second by Commissioner \_\_\_\_\_

100 Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS

101



Eric T. Weatherly, P.E.  
County Engineer

## Currituck County

153 Courthouse Road, Suite 302  
Currituck, North Carolina 27929  
252-232-6035  
FAX 252-232-3298

Eric.Weatherly@CurrituckCountyNC.Gov

### MEMORANDUM

**Date:** February 13, 2012

**To:** Board of Commissioners  
Dan Scanlon

**From:** Eric T. Weatherly

**RE:** Recommendation of Award  
Finished Water Storage Tank  
Southern Outer Banks Water System

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#### Background:

The SOBWS water system is being expanded as a result of the purchases of the water systems in Corolla Light, Monteray Shores, Currituck Club and Pine Island. The improvements include:

- 1 million gallon/day expansion to the treatment process including building expansion
- 1.5 million gallon finished water storage tank to be located on the treatment plant site
- 2 new deep wells
- Raw water piping for the 2 new deep wells and raw water piping for the swallow wells along Hwy 12 recently acquired in the Monteray Shores system purchase
- Finished water piping connecting SOBWS to Currituck Club and Pine Island

#### Analysis:

Bids were received for the 1.5 million gallon finished water storage tank on February 8, 2012. The low bid was received from Crom Corporation of Gainesville, Florida. The bid amount was \$784,972. Attached is a Recommendation of Award letter from the design engineers which includes a summary of the bids.

#### Recommendation:

Staff requests Board of Commissioner approval for the recommendation of award of the 1.5 million gallon finished water storage tank to Crom Corporation in the amount of \$784,972. With Commissioner approval, staff will move forward with contract execution and construction of the project.

February 9, 2012

Mr. Eric T. Weatherly  
County Engineer  
Currituck County  
153 Courthouse Road, Suite 302  
Currituck, NC 27929

Re: Southern Outer Banks Water Treatment Plant  
Finished Water Storage Tank Addition  
Recommendation of Award

Dear Mr. Weatherly:

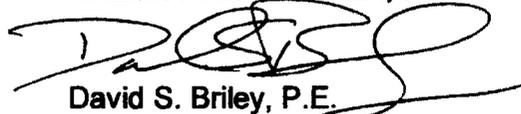
On January 27, 2012, the Currituck County received one bid for the Finished Water Storage Tank Addition project at the Southern Outer Banks Water Treatment Plant. The project was re-advertised and on February 8, 2012, two bids were received and opened. A certified Bid Tabulation for the bids received is attached. The lowest, responsive bid was submitted by the Crom Corporation in the amount of \$784,972.00.

We have reviewed the documentation submitted by the Crom Corporation and have personal knowledge of the character of their work as well as their capacity to perform. Based on this, we recommend that Currituck County award the project to the Crom Corporation contingent upon plan review approval by NC Public Water Supply Section.

If you have any questions or need any additional information from us, please do not hesitate to contact us.

Very truly yours,

**HAZEN AND SAWYER, P.C.**



David S. Briley, P.E.  
Associate

Copies: Patrick Irwin, Currituck County  
Maggie Hennessy, Hazen and Sawyer

**BID TABULATION**

**SOUTHERN OUTER BANKS WATER TREATMENT PLANT - FINISHED WATER STORAGE TANK ADDITION**  
**Bid Opening: Wednesday, February 8, 2012; 4:30 PM**

		Bid Bond		Addenda Acknowledged		The Crom Corporation 250 S.W. 36th Terrace Gainesville, FL 32607 License No. 3254		Precon Corporation 115 SW 140th Terrace Newberry, FL 32669 License No. 29278	
		5%		5%		5%		5%	
		1, 2		1, 2		1, 2		1, 2	
<b>BASE BID</b>									
Item No.	Description	Unit	Quantity	Unit Price Bid	Extended Total	Unit Price Bid	Extended Total	Unit Price Bid	Extended Total
1	Lump Sum Bid	LS	1	\$ 759,000	\$ 759,000	\$ 829,000	\$ 829,000	\$ 829,000	\$ 829,000
2	Install new fencing	LF	240	\$ 49	\$ 11,832	\$ 15	\$ 3,600	\$ 15	\$ 3,600
3	Asphalt Repair	SY	150	\$ 40	\$ 5,940	\$ 50	\$ 7,500	\$ 50	\$ 7,500
4	SCADA Intergration Allowance	LS	1	\$ 8,200	\$ 8,200	\$ 8,200	\$ 8,200	\$ 8,200	\$ 8,200
<b>TOTAL BASE BID</b>				<b>\$</b>	<b>784,972*</b>	<b>\$</b>	<b>848,300</b>	<b>\$</b>	<b>848,300</b>

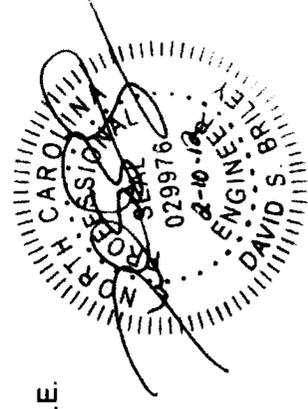
\* Total Base Bid for the Crom Corporation reflects the corrected sum of items 1-4.

**CERTIFICATION**

The Bids tabulated herein were opened and read aloud at 4:30 p.m. on the 8th day of February 2012, at the Currituck County Offices at 153 Courthouse Road, Suite 302, Currituck, N.C. 27929. The tabulation is correct in that it contains the bid prices as presented on the original Bid Form of each Bidder.

HAZEN AND SAWYER, P.C.

David S. Briley, P.E.  
Associate



**HAZEN AND SAWYER**  
Environmental Engineers & Scientists

PLANNING BOARD  
3 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
James Clark	District 1		Vance Aydlett	January 2012	2nd Term 12/31/2014
Suzanne Everhart	District 2		John Rorer	January 2012	1st Term 12/31/2014
John Cooper	District 3		Butch Petrey	January 2012	Unexpired Term 12/31/2014
<b>Manly West**</b>	<b>District 4</b>		<b>Owen Etheridge</b>	<b>January 2009</b>	<b>2nd Term 12/31/2011</b>
Joe Kovacs	District 5		Marion Gilbert	January 2010	2nd Term 12/31/2012
Fannie Newbern	At-Large		Paul Martin	January 2012	2nd term 12/31/2014
John Wright	At-Large		Paul O'Neal	January 2010	1st Term 12/31/2012
Lynne Wilson	Outer Banks Alternate		Vance Aydlett	January 2012	2nd term 12/31/2014
Bobby Bell	Mainland Alternate		Paul O'Neal	January 2012	2nd term 12/31/2014

**\*To Be Replaced**

LIBRARY BOARD OF TRUSTEES  
4 Year Terms

<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>
Stephanie Miller	District 1		Vance Aydlett	5/18/2009	2nd 6/30/2013
Dr. Norman Dahm	District 2		John Rorer	5/18/2009	2nd 6/30/2013
Colleen Umphlett	District 3		Butch Petrey	3/1/2010	Unexpired Term 6/30/2013
Joann DiBello	District 4		Owen Etheridge	7/20/2009	1st 6/30/2013
Lisa Rose	District 5		Marion Gilbert	6/15/2009	1st 6/30/2013
George Gregory	At-Large		Paul Martin	5/18/2009	1st 6/30/2013
Rhonda Cheek	At-Large		Paul O'Neal		6/30/2012
Dr. Alison Boone-Heyder					1st 6/30/2012

**Gwen Keene**

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**From:** Vicky Hagemeister [vhagemeister@earlibrary.org]

**Sent:** Tuesday, February 07, 2012 1:24 PM

**To:** Gwen Keene

**Subject:** Library Board AppointmentsS

I have two appointments to library boards that will expire in June of this year.

Alison Boone-Heyder is a member of the Currituck Library Board. Her first term will expire in June 2012. She is eligible for reappointment. However, the Library Board currently has eight members and the Commissioners may prefer not to appointment someone to this position because, as I understand it, the other advisory boards only have seven members.

The other appointment needs to be made to the East Albemarle Regional Library Board. Ramona Humphries' second term will be expiring in June 2012. The EARL bylaws say that anyone appointment to their board must come from the people currently serving on the local library board. The members of the local board who are eligible for appointment to the EARL Board are:

Dr. Norman Dahm

Colleen Umphlett

Lisa Rose (however, because Lisa works in the school system it might be difficult for her to attend the EARL board meetings which are held on Wednesdays at 10:00 a.m.)

George Gregory

Rhonda Cheek

Vicky Hagemeister

Currituck County Librarian

4261 Caratoke Highway

Barco, NC 27917

(252) 453-0492

[vhagemeister@earlibrary.org](mailto:vhagemeister@earlibrary.org)

member East Albemarle Regional Library System

SENIOR CITIZEN ADVISORY BOARD  
3 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Shirley Falls*	District 1		Vance Aydlett		2nd 1/11/2012
Edith Meekins	District 2		John Rorer	7/5/2011	Unexpired Term 1st 7/20/2012
Rose Wright	District 3		Butch Petrey	3/1/2010	1st 1/14/2013
Doris Ballance	District 4		Owen Etheridge	9/7/2010	1st 11/1/2013
Rosalie Rose	District 5		Marion Gilbert	2/21/2011	2nd 2/1/2014
Marcia Steele	At-Large		Paul Martin	7/5/2011	Unexpired Term 1st 2/1/2014
Gerri Andrews	At-Large		Paul O'Neal	2/21/2011	2nd 2/1/2014

\* To Be Replaced

Commissioner Martin



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: 6/16/011

Name: HEIDI MONTALBINE

Address: 136 HUDGINS LANE  
KNOTTS ISLAND NC 27950

Phone: 252-429-3558 Email: hmontalbina@COX.NET

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 checked="" type="checkbox"/> Senior Citizens Advisory Board |
| <input 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:

I have worked with and for our  
Senior Citizens for a long time. I would  
like to continue doing so by serving on the  
ADVISORY Board.

Please mail the completed form to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929

*Sincerely, Heidi Montalbina*

FARMLAND PRESERVATION AGRICULTURAL ADVISORY BOARD  
 3 Year Terms  
 Begin July 1 and Expire June 30

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
	District 1				
Jerry Wright*	District 2	Charlie Dozier	John Rorer	January 2012 Term Beg.7/1/11	June 30, 2014
	District 3				
Harvey Roberts	District 4		Owen Etheridge	February 2009 Term Beg.7/1/09	June 30, 2012
Jamie Jarvis	District 5		Marion Gilbert	January 2012 Term Beg.7/1/11	Unexpired Term June 30, 2014
Wade Morgan	At-Large		Paul Martin	February 2009 Term Beg.7/1/09	June 30, 2012
Sidney Garrett	At-Large		Paul O'Neal	January 2012 Term Beg.7/1/11	June 30, 2014

\*Resigned-Appt. Needed

<b>FARMLAND PRESERVATION AGRICULTURAL ADVISORY BOARD</b>
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TERMS

	<u>Appointed</u>	<u>Expires</u>	
<b>Jamie Jarvis</b> 241 Shingle Landing Rd Moyock, NC 27958	757-435-6645(cell) (3 year term)	6/30/11 6/30/14	(3 year term)
<b>Sidney Garrett</b> 606 South Mills Rd Moyock, NC 27958 <u><a href="mailto:sbgarrett14@earthlink.net">sbgarrett14@earthlink.net</a></u>	435-6128 207-6128 (cell)	6/30/11 6/30/14	(3 year term)
<b>Jerry Wright (Vice-Chair)</b> PO Box 252 Jarvisburg, NC 27947 <u><a href="mailto:info@cottongin.com">info@cottongin.com</a></u>	491-8303 202-5679 (cell)	6/30/11 6/30/14	(3 year term)
<b>Charlie Dozier to fill unexpired term</b>			
<b>Wade Morgan</b> 627 Juniper Ridge Rd Shawboro, NC 27973 <u><a href="mailto:robertsbros@simflex.com">robertsbros@simflex.com</a></u>	232-2139 207-2888 (cell)	2/09 6/30/12	(3 year term)
<b>Harvey Roberts (Chair)</b> 489 N Indiantown Rd Shawboro, NC 27973 <u><a href="mailto:robertsridge1@hotmail.com">robertsridge1@hotmail.com</a></u>	336-4793 202-9665(cell)	2/09 6/30/12	(3 year term)

\*All terms begin July 1 and expire June 30.

\*(3) Year Terms July 1-June 30.

\*Must be re-appointed by Board of Commissioners

Updated: 1/12

CURRITUCK COUNTY  
NORTH CAROLINA  
February 6, 2012

The Board of Commissioners met at 5:30 p.m. for a closed session to discuss personnel.

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 Ricky Bishop, Coinjock Baptist Church, was present for the invocation.

**C) Approval of Agenda**

Commissioner Etheridge moved to amend the agenda by adding a Resolution to establish the salary for the office of Register of Deeds, and by deleting item B under Public Hearings. Commissioner Gilbert seconded the motion. Motion carried.

**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.

Barbara Snowden, Historian, commented on the Celebration of the Civil War and events that will be taking place for the next few months.

Jill Rolfes, Moyock, commented on the current UDO rewrite and read the UN Agenda 21 resolution.

Ben Rolfes, Moyock, stated that the UDO rewrite was unacceptable because it follows the UN Agenda 21.

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

**Public Hearings**

**A) Public Hearing and Action on proposed amendment to Section 9-1 of the Code of Ordinances to allow as an exception to the ordinance prohibiting discharge of firearms "turkey shoots" held as fundraisers but not for profit organizations.**

Ike McRee, County Attorney, reviewed the amendment.

**AN ORDINANCE AMENDING SECTION 9-1 OF THE CURRITUCK COUNTY CODE OF ORDINANCES TO EXCEPT NOT FOR PROFIT GROUP "TURKEY SHOOT" EVENTS FROM DISCHARGE OF FIREARM PROHIBITION**

WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-129 a county may regulate the discharge of firearms at any time or place except when used to take birds or animals, when used in the defense of persons or property, or when used pursuant to the lawful directions of law enforcement officers.

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

**Part I. Section 9-1. Discharge of firearms prohibited.** of the Currituck County Code of Ordinances is amended to read as follows:

Sec. 9-1. - Discharge of firearms prohibited.

(a) Near residences. It is unlawful for any person to discharge a rifle, shotgun, handgun or any firearm within 100 yards of any regularly occupied residence without written permission of the regular occupant and owner of such residence which the person shall carry at all times relevant to this section.

(b) On or across roadways. It is unlawful for any person to discharge a rifle, handgun, shotgun or any firearm on or across any public road, highway, or public vehicular area.

(c) Firing near school. It shall be unlawful to discharge a center fire rifle within one-half mile of any school unless such discharge occurs with at least 200 yards of woodlands or forest intervening between such discharge and the school.

(d) Firing at targets. It shall be unlawful to discharge any rifle, handgun, shotgun or other firearm into any target which has a substantial backdrop within 100 yards of any subdivision with or without permission. However, it shall be lawful to discharge any rifle, handgun, shotgun or other firearm into any target which has a substantial backdrop, so long as said discharge is 300 yards away from any regularly occupied residence, except by permission of the regular occupant and owner of such residence.

(e) Firing when not in woodlands. When firing a center fire rifle into any area of Currituck County not forested or woodlands, it shall be unlawful for any person to discharge or fire said rifle unless the level of the rifle be at least ten feet off the ground, or in a stand which is at least eight feet high, or when standing on the top of a dog box situate in the bed of a truck when said dog box is at least two feet in height.

(f) Forest or woodlands. For purposes of this section forest or woodlands is defined as a large and thick collection of growing trees, preserving some or all of its primitive wildness and usually having game or wild animals in it.

(g) Impairing substances. It shall be unlawful to discharge any rifle, handgun, shotgun or any other firearm while under the influence of any impairing substance.

(h) Exception. This section shall not apply to the following: the use of firearms in defense of persons or property or the use of firearms by law enforcement officers in the performance of their duties, or in an indoor firing range.

(1) the use of firearms in the defense of persons or property.

(2) the use of firearms by law enforcement officers in the performance of their duties.

(3) the use of firearms in an indoor firing range.

(4) the discharge of firearms at "turkey shoots" when:

i. the "turkey shoot" is sponsored and conducted by a not-for-profit organization;

ii. no occupied house, building in use or roadway is located behind a target in the line of fire within a distance of 300 yards from the target;

iii. only shotguns are used during the "turkey shoot" with shot size #8 or less;

iv. no alcohol is consumed on the premises of the "turkey shoot" while the shoot is in progress;

v. no persons having the odor of alcohol are participating in the "turkey shoot";

vi. the "turkey shoot" event occurs between the hours of 12:00 p.m. and 8:00 p.m. on Friday or Saturday;  
vii. the property where the "turkey shoot" is located is fenced, posted or otherwise restricted so that access to the site is controlled to insure safety of contestants, spectators and the general public; and  
viii. a backstop is located behind the targets to stop all projectiles shot from the firing line to the target.  
For purposed of this section, "turkey shoot" is defined as a shooting match or contest in which powder burning shotguns are used and prizes awarded for marksmanship.

(i) Penalty. Any violation of this section shall be a misdemeanor and upon conviction shall be punishable by fine of not more than \$500.00 or by imprisonment for not more than 30 days.

**PART II. Severability.** Should any section or provision of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared to be invalid or unconstitutional.

Chairman Rorer opened the public hearing.

John Jasinski, American Legion Post 288, stated that he had tried to meet with the adjacent property owners, but they would not meet with him. Mr. Jasinski stated that he does not know what else he can do to come to some kind of agreement that everyone can work with.

Ken Green, Coinjock, stated that he opposes the amendment due to the noise and lack of respect for the community and other safety concerns. He submitted a petition with 25 signatures opposing this amendment.

Marguerite Green, Coinjock, opposes turkey shoots, alcohol and is concerned about the welfare and safety of the residents.

Tammy Hamilton, Coinjock, has tried to meet with the residents to discuss what they can do to help address their concerns.

Sheriff Johnson, stated that they did receive one violation for noise.

Commissioner O'Neal stated that he had received several calls from residents on the noise and disturbing behavior.

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

Commissioner Petrey moved to table to meet with residents and the Legion to come up with a solution that both groups can agree to. Commissioner Aydlett seconded the motion. Motion carried.

**B) Public Hearing and Action on proposed appropriation and expenditure of county funds for an economic development project**

DELETED

**C) Public Hearing and action on Resolution authorizing the filing of an application for approval of a financing agreement not to exceed \$10,000,000 for the design and construction of an Aviation Technical and Training Facility that will be a partnership with the College of the Albemarle to be constructed in Maple, NC.**

Dan Scanlon, County Manager, reviewed the resolution and financing.

**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 construct an Aviation and Technical Training Center for the College of the Albemarle (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 6th day of February, 2012, make the following findings of fact:

1. The proposed contract is necessary or expedient because the County desires to construct a facility that will make vital vocational training available to its citizens and to Northeastern North Carolina;
2. The proposed contract is preferable to a bond issue for the same purpose this financing will be under the \$10,000,000 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 Sussex Development Corporation 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.

Chairman Rorer opened the public hearing.

Ben Rolfes, questioned the project and funding.

Tony Tabb, questioned how this was being paid for.

Commissioner O'Neal stated that the funding has already been budgeted and will come from sales tax.

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

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

**Administrative Reports**

**A) Meteorologist Bill Sammler, presentation on Storm Ready Community**

Bill Sammler, Meteorologist from Wakefield weather station, presented the award to Mary Beth Newns, Director of Emergency Management and Rebecca Christenbury.

**B) Discussion on Occupancy Tax Legislation**

Ike McRee, County Attorney, reviewed the legislation on occupancy tax, and the authority of the Board of Commissioners on how they can use this tax.

**C) Presentation on State Building Code, Change of Use**

Bill Newns, Building Inspector, made a presentation to the Board on the State Building Code and change of use.

**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 special use permit.

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 February 6, 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.

Commissioner O'Neal moved to extend permit for 60 days. Commissioner Etheridge seconded the motion. Motion carried.

**New Business**

**A) Consideration of Ordinance Amending Section 10-128 of the Currituck Code of Ordinances**

Ike McRee, County Attorney, reviewed the ordinance.

**AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING SECTION 10-128 OF THE CURRITUCK COUNTY CODE OF ORDINANCES**

WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county;

WHEREAS, the Board of Commissioners for the County of Currituck finds that it is advisable to amend Section 10-128 of the Currituck County Code of Ordinances to allow certain unattended property to remain on the beach at night.

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

PART I. Section 10-128 of The Code of Ordinances, Currituck County, North Carolina is amended by adding a new paragraph so that the section reads as follows :

Sec. 10-128. Unattended property on beach.

(a) It shall be unlawful for any person to leave between the hours of sunset and sunrise any property, including but not limited to volleyball, badminton and tennis nets, poles, tents, horseshoe stakes, croquet courses, grills, umbrellas and recreational equipment, cabanas, canopies, or any other personal property items on the beach strand as defined in section 10-51 of this Code of Ordinances.

(b) This section does not apply to life guard stands and containers for storage of rental items intended for use on the beach strand if such containers:

1. are placed at the dune line;
2. do not exceed a dimension of 4 feet in height by 4 feet in width by 8 feet in length;
3. are located in Poplar Branch Township;
4. are approved annually by a property owners' association; and
5. do not contain signage exceeding 8 square feet.

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

PART III. This ordinance is effective upon adoption.

Commissioner Etheridge moved to adopt. Commissioner O'Neal seconded the motion. Motion carried.

**B) Consideration and action on contract for purchase and sale of real property with Diane S. Owens for property located at 144 Gabbard Lane, Spot, NC**

Ike McRee, County Attorney, reviewed the purchase agreement.

Commissioner Petrey moved to approve purchase in the amount of \$112,000 with environmental analysis. Commissioner Gilbert seconded the motion. Motion carried.

**C) Award bid for the Corolla Greenway Trail Extension-Phase II**

Dan Scanlon, County Manager, reviewed the bids received.

Commissioner O'Neal moved to award the bid to RPC Construction in the amount of \$240,837. Commissioner Petrey seconded the motion. Motion carried

**D) Board Appointments:**

**1. Planning Board**

Commissioner Etheridge moved to approve the following appointments. Commissioner O'Neal seconded the motion. Motion carried.

Jim Clark  
Fannie Newbern  
Lynne Wilson  
John Cooper  
Bobby Bell  
Suzanne Everhart  
District 4 appointment tabled

**2. ED Board**

Commissioner Petrey moved to appoint C.A. Howard.  
Commissioner O'Neal seconded the motion. Motion carried

**Resolution to Establish Salary for the Office of Register of Deeds Pursuant to N.C. Gen. Stat. §153A-92**

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

**RESOLUTION TO ESTABLISH SALARY  
FOR THE OFFICE OF REGISTER OF DEEDS PURSUANT  
TO N.C. GEN. STAT. §153A-92**

**WHEREAS**, N.C. Gen. Stat. §153A-92(b)(2) provides that boards of county commissioners may reduce the salaries of elected officials only by a resolution adopted at least fourteen (14) days before the last day for filing notice of candidacy for the office; and

**WHEREAS**, once adopted the resolution may not be altered until the person elected to the office in the general election takes office; and

**WHEREAS**, the filing fee for the office shall be determined by reference to the reduced salary; and

**WHEREAS**, the Board of Commissioners finds that it is appropriate to establish the entry level annual salary for the Office of Register of Deeds commensurate with similar entry level salary in the region.

**NOW, THEREFORE, BE IT RESOLVED** by the Currituck County Board of Commissioners that

1. The annual salary for the Office of the Register of Deeds is hereby established at \$51,579.
2. The filing fee for the Office of the Register of Deeds shall be determined by the above referenced salary.
3. The annual salary for this office as established herein shall become effective upon adoption of this resolution.
4. Should the incumbent of the Office of Register of Deeds be re-elected and take office in December, 2012, she shall retain her compensation as previously established by the Board of Commissioners.

**E) Consent Agenda:**

1. Rates for Recreation Concessions
2. Revised Project Ordinance for Design, Construction and Sitework for the Aviation and Technical Facility at Maple
3. Rate Schedule for Parks & Recreation
4. Budget Amendments
5. Report of unpaid 2011 Real Estate Taxes
6. Order Advertisement of Tax Liens
7. Project Ordinance for Taxiway and Apron for the Maple Aviation and Technical Training Campus, Division of Aviation Grant 36244.10.5.1.
8. Resolution to file an application for financing of the Aviation Training and Technical Facility in Maple.
9. Approval of January 17 Minutes

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

**COUNTY OF CURRITUCK  
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**SECTION 1.** The project authorized is design and construction documents for the College of the Albemarle Aviation and Technical Training Center in Maple, North Carolina. (This ordinance is revised from August 1, 2011).

**SECTION 2.** The following amounts are appropriated for the project:

Professional Services	
Preconstruction & Design Services	\$ 456,830
Engineering Fees - Building	\$ 47,500
Engineering Fees - Other	\$ 88,900
	<u>\$ 593,230</u>
Construction	
Building	\$ 6,138,496
Earthwork	\$ 89,358
Water/Sewer Tap Fees	\$ 18,500
Testing & Inspection Services	\$ 35,000
	<u>\$ 6,281,354</u>
Match for Apron/Taxiway	\$ 111,111
Reimbursable Expenses	
Electric & Gas Utility Underground Fees	\$ 35,000
Bonds, Permits, Fee Allowances	\$ 35,000
Special Inspections Fees Allowance	\$ 65,000
Financing Fees	\$ 25,000
	<u>\$ 160,000</u>
Contingencies	\$ 741,842
	<u><u>\$ 7,887,537</u></u>

**SECTION 3.** The following revenues are available to complete this project:

Transfer from Capital Reserve	\$ 998,179
Transfer from Transfer Tax	\$ 89,358
Proceeds from Debt	\$ 6,800,000
	<u>\$ 7,887,537</u>

**SECTION 4.** The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

**SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS**

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to

One Thousand dollars (\$1,000).

**SECTION 6. CONTRACTUAL OBLIGATIONS**

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

**SECTION 7. USE OF BUDGET ORDINANCE**

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
20609-590000	Capital Outlay	\$ 60,000	
20380-481000	Investment Earnings Fund Balance		\$ 7,000
20390-499900	Appropriated		\$ 53,000
		\$ 60,000	\$ 60,000

**Explanation:** *Whalehead Subdivision Drainage(20609)* - To increase appropriations to purchase an easement for the stormwater drainage project.

**Net Budget Effect:** Whalehead Drainage District (20) - Increased by \$60,000.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10795-532500	Concessions	\$	10,000		
10795-545000	Contract Services	\$	400		
10795-576011	Volleyball	\$	2,900		
10350-465003	Recreation Concessions			\$	10,000
10350-469011	Volleyball			\$	2,900
10795-516000	Maintenance & Repair			\$	400
			<u>\$ 13,300</u>		<u>\$ 13,300</u>

**Explanation:** Recreation (10795) -Increase appropriations for Spring volleyball and to set up concession stand; to transfer funds to contract services due to price increases.

**Net Budget Effect:** Operating Fund (10) - Increased by \$12,900.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
66868-590000	Capital Outlay	\$	30,000		
66868-532000	Supplies	\$	2,595		
66868-532441	Technology < \$1,000	\$	669		
66868-511010	Data Transmission	\$	229		
66868-516400	Equipment Maintenance	\$	163		
66868-561000	Professional Services	\$	5,000		
66868-590441	Technology > \$1,000			\$	3,493
66868-513001	Utilities			\$	15,000
66868-516002	Repairs and Maintenance			\$	6,000
66868-533801	Chemicals			\$	6,000
66868-533802	Chemicals			\$	3,000
66868-511001	Telephone & Postage/CW			\$	5,163
			<u>\$ 38,656</u>		<u>\$ 38,656</u>

**Explanation:** Southern Outer Banks Water (66868) - Transfer funds to replace 42 membranes in RO train #2 and for additional costs associated with the purchase of the two existing water systems, to purchase a copier and maintenance and for an additional air card.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12546-511006	Telephone & Postage		\$ 1,000
12546-516106	Buildings & Grounds	\$ 12,000	
12546-532006	Supplies	\$ 5,000	
12546-532106	Fire Supplies		\$ 3,000
12546-536006	Uniforms		\$ 1,000
12546-536106	Personal Protective Equipment		\$ 3,000
12546-554006	Insurance		\$ 7,000
12546-561006	Professional Services		\$ 2,000
		<u>\$ 17,000</u>	<u>\$ 17,000</u>

**Explanation:** *Corolla Volunteer Fire Department (12546) - Operating transfers requested by the Corolla Volunteer Fire Department.*

**Net Budget Effect:** Fire Services Fund (12) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10640-514500	Training & Education	\$ 1,317	
10640-532005	Ag Supplies		\$ 400
10640-532003	4H Supplies		\$ 550
10640-532001	CRD Supplies		\$ 140
10640-532004	FCS Supplies		\$ 227
		<u>\$ 1,317</u>	<u>\$ 1,317</u>

**Explanation:** *Cooperative Extension (10640) - Transfer funds for additional training for the remainder of this fiscal year.*

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10330-445000	Emergency Mgmt		\$ 20,625
10531-545000	Contracted Svcs	\$ 4,000	
10531-536000	Uniforms	\$ 500	
10531-514000	Travel	\$ 2,000	
10531-532000	Supplies	\$ 14,125	
		\$ 20,625	\$ 20,625

**Explanation:** *Emergency Management (10531) - To increase appropriations for the 2011 Emergency Management Planning Grant.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$20,625.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
61818-590000	Capital Outlay	\$ 1,100	
61818-545000	Contracted Services		\$ 1,100
		\$ 1,100	\$ 1,100

**Explanation:** *Mainland Water (61818) - Transfer funds for a replacement circuit board for the high service pump.*

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-545000	PW-Contracted Services	\$ 2,953	
10460-592000	Courthouse Projects		\$ 2,953
		\$ 2,953	\$ 2,953

**Explanation:** *Public Works (10460) - Transfer funds for contract price increases.*

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense	
10750-532000	Supplies	\$	11,000		
10750-561000	Professional Services	\$	10,000		
10750-519503	Domestic Violence	\$	994		
10750-519502	TANF 200% Funds			\$	500
10750-519800	TANF Transportation			\$	1,000
10750-526000	Advertising			\$	500
10750-553100	Verifications			\$	500
10750-558200	Independent Living			\$	3,000
10750-590441	Technology over \$1,000			\$	2,200
10750-516200	Vehicle Maintenance			\$	3,000
10750-531000	Gas, Oil, Etc.			\$	3,000
10750-540000	Workers Compensation			\$	2,000
10330-430000	DSS Miscellaneous			\$	1,122
10330-431000	DSS Admin			\$	3,172
10380-482000	Miscellaneous Revenue			\$	2,000
			<u>\$ 21,994</u>		<u>\$ 21,994</u>

**Explanation:** SOCIAL SERVICES ADMIN (750) - *Supplies*-Increase due to the higher client traffic in the eligibility programs and the extra printing required because the state converted to online forms that have to printed in our office. *Professional Services*-Increased due to the foster care caseload changes and the phsycological testing needed for those cases. Also, the Clerk of Court fees and the Sheriff Dept. fees are higher than originally anticipated. *Domestic Violence*-Adjust to the state funding authorization.

**Net Budget Effect:** Operating Fund (10) - Increased by \$6,294.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense	
10790-532001	Library Materials	\$	2,549		
10790-532441	Technology < \$1,000	\$	3,000		
10790-513000	Utilities			\$	3,000
10790-545000	Contract Services			\$	2,549
			<u>\$ 5,549</u>		<u>\$ 5,549</u>

**Explanation:** Library (10790) - To transfer funds to upgrade the library staff computers to Windows 7 and to purchase additional children's books.

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

**COUNTY OF CURRITUCK  
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**SECTION 1.** The project authorized is design and construction of an Airport Taxiway and Apron for the College of the Albemarle Aviation and Technical Training Center in Maple, North Carolina - Division of Aviation Grant 36244.10.5.1.

**SECTION 2.** The following amounts are appropriated for the project:

COA Taxiway/Apron	\$ 86,184
	<u>\$ 86,184</u>

**SECTION 3.** The following revenues are available to complete this project:

Transfer from School Capital Construction Fund	\$ 8,618
State Aid to Airports	<u>77,566</u>
	<u>\$ 86,184</u>

**SECTION 4.** The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

**SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS**

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

**SECTION 6. CONTRACTUAL OBLIGATIONS**

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

**SECTION 7. USE OF BUDGET ORDINANCE**

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

**F) Commissioner's Report**

Commissioner Petrey reminded citizens to register to vote. Commissioner Martin commented on the Business EXPO. Commissioner O'Neal commented on the article in the State Magazine on Frank Carter. Chairman Rorer thanked everyone for their thoughts and well wishes on his wife's passing.

**G) County Manager's Report**

No comments

**Adjourn**

There being no further business, the meeting adjourned

**Special Meeting**

Tourism Development Authority

**Budget Amendments - TDA**

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

**Debit**

**Credit**

<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or <u>Increase Expense</u>	Increase Revenue or <u>Decrease Expense</u>
15442-590441	Technology over \$1,000	\$ 5,135	
15442-545000	Contract Services		\$ 4,500
15442-513000	Utilities		\$ 635
		<u>\$ 5,135</u>	<u>\$ 5,135</u>

**Explanation:** Occupancy Tax: Promotion (15442) - To transfer funds for a security system.

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

**Adjourn**

There being no further business, the meeting adjourned.



**RESOLUTION**

**WHEREAS**, the State of North Carolina has proposed imposing or increasing fees on those who utilize the ferry system in North Carolina; and

**WHEREAS**, the ferries in question are essential to transportation not only for residents but to the economic well-being of the coast which is, in general, much poorer than the Piedmont area of the State; and

**WHEREAS**, the State of North Carolina has invested heavily in economic development projects in other areas of the State, e.g. Biotechnology Center, the Research Triangle Park, and the Global Transpark, just to name a few; and

**WHEREAS**, road construction in the Piedmont areas of the State is consuming immense quantities of transportation funding to alleviate traffic congestion caused by vigorous economic growth there; and

**WHEREAS**, the ferries exist in many cases in the East because of a lack of investment in bridge construction in eastern North Carolina; and

**NOW, THEREFORE, BE IT RESOLVED**, Currituck County does hereby join with our sister counties, cities and organizations in eastern North Carolina in protesting this egregious use of State power which is in direct opposition to the economic well-being of this region and the welfare of its citizens.

Adopted this the 20<sup>th</sup> day of February, 2012.

ATTEST:

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John D. Rorer, Chairman

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Clerk to the Board



# COROLLA



## FIRE & RESCUE

February 1, 2012

Currituck County Board of Commissioners  
c/o Sandra Hill, Director of Finance  
153 Courthouse Road  
Currituck, North Carolina 27929

Dear Commissioners:

Early this year we were advised that one of the fire bay heat pump systems at our Pine Island station had suffered major damage resulting from a corrosion leak. The cost effective recommendation was to replace the system as detailed in the attached proposal.

The total cost was estimated to be \$5,035, which would be paid out of our current budget. The new unit will carry a ten (10) year warranty.

Enclosures:

Sincerely,



Richard Galganski,  
Chief





**QUOTE**

Your Heating, Air Conditioning & Indoor Air Quality Specialist

[www.OuterBanksMaintenance.com](http://www.OuterBanksMaintenance.com)

<b>DATE</b>	<b>QUOTE #</b>	<b>CUST #</b>
12/29/2011	0000003226	0000199

**BILL TO:**

Corolla Fire and Rescue  
827 Whalehead Drive  
Corolla NC 27927

**SHIP TO:**

470 Ocean trail  
470 Ocean Trail  
Corolla NC 27927

P.O. NUMBER	TERMS	
cfd470	COD	
DESCRIPTION	AMOUNT	
Disconnect and dispose of existing 3 ton heat pump system.	5,300.00	
Installation of a new 3 ton, 13 SEER, R410a Comfortmaker Coastal heat pump system.		
Installation includes:		
1- 3 ton heat pump.		
1-3 ton air handler.		
1- 10 kilowatt auxiliary heater.		
1- Digital heat pump thermostat.		
The air handler will be located over a sheet metal auxiliary drain pan with a overflow safety device. New supply and return air plenums will be installed to attach new equipment to the existing duct system. The heat pump will be installed on the existing salt treated platform. All mechanical and electrical permits are included along with any miscellaneous materials needed to properly install new equipment.		
*Comfortmaker Coastal heat pumps are designed and built to withstand the harsh effects of coastal environments. This upgrade is offered at no additional charge.		
Warranty:		
10 year parts.		
10 year duct system.		
1 year labor.		
5% Discount	-265.00	
<b>TOTAL</b>	<b>\$5,035.00</b>	



Your Heating, Air Conditioning & Indoor Air Quality Specialist

[www.OuterBanksMaintenance.com](http://www.OuterBanksMaintenance.com)

**QUOTE**

<b>DATE</b>	<b>QUOTE #</b>	<b>CUST #</b>
12/29/2011	0000003225	0000199

**BILL TO:**

Corolla Fire and Rescue  
827 Whalehead Drive  
Corolla NC 27927

**SHIP TO:**

470 Ocean trail  
470 Ocean Trail  
Corolla NC 27927

P.O. NUMBER	TERMS	
cfd470	COD	
DESCRIPTION		AMOUNT
<p>Customer called and reported that the heat pump for the garage area was not operating.</p> <p>Technician arrived and found that the system was out of refrigerant due to a leak at the heat pump muffler. The system was running without refrigerant because of this and damaged the compressor. The muffler and the compressor at the heat pump need to be replaced to correct the issue.</p> <p>The following is a estimate to perform the noted repairs.</p> <p>Remove damaged heat pump compressor and install new. Remove damaged heat pump muffler and install new. Installation of 3/4 and 1/2 inch rotolock fittings. Installation of 3/8 bi-flow filter drier. 1- System evacuation. 7- lbs R-22 refrigerant. Verify refrigerant charge and proper operation.</p> <p>The equipment warranty expired in 2008 and the noted repairs are only under warranty for 90 days. Because of the repair cost with a limited warranty, we have also attached a quote to replace the system. The new equipment will come standard with a 10 year parts warranty and may be a better long term solution.</p>		
<b>TOTAL</b>		

PO Box 3392 Kitty Hawk, NC 27949 - Office (252)491-5334 - eFax 1+(252)558-1321 - HomePro@allinonemech.com

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 20th day of February , 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>
10535-511000	Telephone & Postage	\$ 1,080	
10535-514500	Training & Education		\$ 1,080
		<u>\$ 1,080</u>	<u>\$ 1,080</u>

**Explanation:** Communications (10535) - Transfer funds for increased telephone and postage costs.

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

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10640-532005	Supplies - AG	\$ 600	
10640-521100	Equipment Lease	\$ 542	
10640-532000	Supplies		\$ 542
10330-449900	Miscellaneous Grants		\$ 600
		<u>\$ 1,142</u>	<u>\$ 1,142</u>

**Explanation:** Cooperative Extension (10640) - To increase appropriations for grants from Corn Growers Association of NC Inc and Farm Bureau. To transfer funds for lease costs for MacBook Pro.

**Net Budget Effect:** Operating Fund (10) - Increased by \$600.

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10750-557700	Crisis Intervention	\$ 32,201	
10750-557701	LEIAP	\$ 7,862	
10750-519503	Domestic Violence	\$ 771	
10390-499900	Fund Balance Appropriated	\$ 3,711	
10330-431000	DSS Admin		\$ 44,545
		<u>\$ 44,545</u>	<u>\$ 44,545</u>

**Explanation:** Social Services Administration (10750) - To adjust to State allocations.

**Net Budget Effect:** Operating Fund (10) - Increased by \$40,834.

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<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10660-502000	Salaries - Regular	\$ 16,100	
10660-505000	FICA	\$ 1,232	
10660-507000	Retirement	\$ 1,940	
10320-411000	Article 39 Sales Tax		\$ 19,272
		<u>\$ 19,272</u>	<u>\$ 19,272</u>

**Explanation:** Planning (10660) - To reclassify the Planning Director as part of the Community Development departmental reorganization.

**Net Budget Effect:** Operating Fund (10) - Increased by \$19,272.

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<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10540-516200	Vehicle Maintenance	\$ 3,000	
10540-514000	Travel		\$ 1,000
10540-514500	Training & Education		\$ 2,000
		<u>\$ 3,000</u>	<u>\$ 3,000</u>

**Explanation:** Inspections (10540) - Transfer funds for unanticipated vehicle repairs.

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

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10330-445000	Emergency Mgmt		\$ 1,856
10531-532000	Supplies	\$ 1,856	
		<u>\$ 1,856</u>	<u>\$ 1,856</u>

**Explanation:** Emergency Management (10531) - Increase appropriations to record grant for this year's hurricane exercise.

**Net Budget Effect:** Operating Fund (10) - Increased by \$1,856.

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Clerk to the Board

Memorandum

TO: Dan Scanlon

From: Sandra Hill

Date: February 8, 2012

Subject: Record Disposal

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The Finance Office would like permission to dispose of the following records, which are scheduled for disposal as per the record retention schedule.

<u>Time Period</u>	<u>Description</u>	<u>Approximate number of records</u>
July 1, 2001- June 30, 2002	1099 Report	1
July 1, 2002- June 30, 2003	1099 Report	1
July 1, 2003- June 30, 2004	1099 Report	1
July 1, 2005- June 30, 2006	1099 Report	1
July 1, 2007 - June 30, 2008	Accounts Payable Invoices	15,545
	Bank Statements	180
	Bank Reconciliation Reports	180
	Deposit Slips	7,500
	Accounts Receivable Files	2,800
	Daily Receipts	15,161
	Budget Amendments	154
	Journal Vouchers	8,496
	NC Sales Tax Summary Reports	12
	Sales Tax Refund Report	1
	Investment Records	574