



**BOARD OF COMMISSIONERS  
AGENDA**

**MAY 21, 2012**

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# REVISED

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

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**Date: Monday, May 21, 2012**

**Time: 7:00 PM**

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### **Work Sessions**

6:00 p.m. Department of Transportation Secondary Road Improvement Plan

### **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:** PB 12-08 Coastal Explorations: Request for a special use permit for an Outdoor Tour Operator – Horse Tours. The property is located at 1118 Corolla Village Road, Tax Map 114, Parcel 36D, Poplar Branch Township (Beach).
- B) **Public Hearing and Action:** PB 12-07 Corolla Jeep Rentals & Tours: Request for a special use permit for an Outdoor Recreation Facility. The property is located in Corolla, NC, Tax Map 102, Parcels 23, 24, and 25, Fruitville Township (Beach).

### **Administrative Reports**

- A) **Presentation of the Currituck County FY 2012-13 Budget**

## **New Business**

### **A) Board Appointments:**

1. Appointment to Tourism Advisory Board

### **B) Consent Agenda:**

1. Resolution to acquire certain property of William Waters
2. Petition for Addition of Fox Lane to NCDOT System
3. Approval of May 7, 2012 Minutes
4. Barnhill Contracting Company: Change Order #1 to increase contract time and undercut/backfill quantity for Maple Commerce Park. Cost of change order is \$10,307.50.
5. Budget Amendments

### **C) Commissioner's Report**

### **D) County Manager's Report**

## **Special Meeting**

Tourism Development Authority

Presentation of Tourism Development Authority Budget

Budget Amendments

Adjourn

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

**Currituck County**

FY 12-13 **Actual** Allocation

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

**I. Paving Unpaved Roads**

**Programmed Paving Goal: 1.08 Miles**

**A. Subdivision Paving Priority**

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
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<b>##</b>	1217	1.08	Cooper Garrett Road-Grade, Drain, Base & Pave From SR 1227 to 1.08miles South WBS#1C.027071-Previous Funded: \$65,000 Total Estimated Costs: \$325,000(Partial Fund)	\$135,000
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Total Miles 1.08

Subtotal \$ 135,000

++Items previously funded from Prior Rating

## Items previously on the 'Hold List'

\*\*Items not rated as of Previous Rating

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

**\* Subdivision Paving Improvements Alternatives**

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
------------------------	---------------	-----------------------	----------------------------------	------------------

<b>##</b>	1217	1.08	Cooper Garrett Road-Grade, Drain, Base & Pave From SR 1227 to 1.08miles South WBS#1C.027071 Total Estimated Costs: \$325,000(Complete Funding)	\$125,000
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**B. Rural Paving Priority**

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

NONE				
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Total Miles 1.08 Subtotal \$ 0.00

**\* Rural Paving Improvements Alternatives**

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

NONE				
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**II. General Secondary Road Improvements**

**A. Paved Road Improvements**

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

	Various		Various Pipe Replacements	\$50,000
	Various		Pavement Preservation Activities on Various Secondary Routes	\$60,000

Subtotal \$ 50,000

**Paved Road Improvements Alternatives**

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

1	1296	0.29	Cowboy Trail- Strengthen Pavement From SR 1300 to SR 1321 Total Estimated:\$50,000	\$50,000
2	1297	1.10	Ranchland Drive- Strengthen Pavement From SR 1300 to SR 1325 Total Estimated:\$195,000	\$195,000

**C. Unpaved Road Spot Improvements**

Subtotal \$ 0

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

Subtotal \$ 79,097.54

GRAND TOTAL \$ 324,097.54

**Status of Previously Funding Projects**

<u>WBS Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>	<u>Status</u>
1C.027064	1233	0.40	Lou Sawyer Road-Grade, Drain, Base, & Pave From SR 1222 to End	\$150,000	Under Contract
1C.027070		0.31	Long Lane-Road Addition-Bring to minimum standards From SR 1249 to End	\$25,000	Complete
1C.027068	1216	1.44	Puddin Ridge Road – Strengthen & Widen (20' to 22') From NC 168 to SR 1387	\$700,000	Under Contract
1C.027069	1412	0.10	Owens Beach Rd. Ext-Grade, Drain, Base & Pave End Pavement to End Maintenance	\$30,000	Complete
1C.027071	1217	1.08	Cooper Garrett Road-Grade, Drain, Base & Pave From SR 1227 to 1.08 miles South	\$50,000	Awaiting Additional Funding

\*\*Awaiting Spending Authority

Subtotal \$ 955,000

S SUBDIVISION

20-May-10 03:41:21

County CURRITUCK

PR	SR	Road Name	From	To	Rural	Unpvd	Pvd	Date	Frozen	Hold	Date
"	"				-SubDiv	Len	Len	Paved		List	Programme

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~ RUM ~

20-May-10 03:41:54

County CURRITUCK

PR	SR	Road Name	From	To	Rural -SubDiv	Unpvd Len	Pvd Len	Date Paved	Frozen	Hold	Date
"											

5 SUBDIVISION HOLD LIST ~

20-May-10 03:40:36

County CURRITUCK

PR	SR	Road Name	From	To	Rural -SubDiv	Unpvd Len	Pvd Len	Date Paved	Frozen	Hold List	Date Programme
4	1103	HARBINGER RIDGE ROAD	END PVMT	DEAD END	S	0.10	0		X	Y	
11	1390	WHITE NECK LANE	NC615	EOM	S	0.31	0		X	Y	
14	1117	OWENS ROAD	1118	DE	S	0.20	0		X	Y	
1	1122	COLONIAL BEACH ROAD	END PVMT	DEAD END	S	0.03	0		X	Y	
10	1130	DOWDYS BAY ROAD	EOP	DE	S	0	0		X	Y	
7	1133	NEALS CREEK LANE	SR 1131	DEAD END	S	0.50	0		X	Y	
2	1143	HAMPTON ROAD	END PVMT	DEAD END	S	0.12	0		X	Y	
5	1185	COROLLA VILLAGE RD	END PVMT	END PVMT	S	0.05	0		X	Y	
14	1207	CENTRAL LANE	END OF PAV	DE	S	0.08	0		X	Y	
15	1208	MAPLE KNOLL RD	NC168	EOM	S	0.30	0		X	Y	
12	1239	LAUNCH LANDING ROAD	EOP	DE	S	0.05	0		X	Y	
13	1251	EAST GIBBS ROAD	END OF PAV	DE	S	0.25	0		X	Y	
6	1257	CASON POINT	1256	DE	S	0.40	0		X	Y	
9	1282	GUINEA MILL ROAD	1214	DE	S	0.08	0		X	Y	
8	1359	RICHARDSON LOOP	1251	1251	S	0.20	0		X	Y	
3	1110	SUMMERELL ROAD	SR 1107	DEAD END	S	0.30	0		X	Y	
						2.97	0				

~ RURAL - HOLD LIST ~

20-May-10 03:42:06

County CURRITUCK

PR "	SR	Road Name	From	To	Rural -SubDiv	Unpvd Len	Pvd Len	Date Paved	Frozen	Hold List	Date Programme
3	1112	WESTSIDE LANE	END PVMT	DEAD END	R	0	0		X	Y	
1	1115	SNOW'S LANE	END PVMT	DEAD END	R	0.54	0		X	Y	
6	1145	PINEY ISLAND ROAD	1142	DE	R	0.60	0		X	Y	
10	1153	LUKE BARCO ROAD	END PVMT	EOM	R	0.26	0		X	Y	
4	1202	BULLYARD ROAD PART 2	EP 0.1 S	BEG OF PVT	R	1.90	0		X	Y	
7	1279	LOU SAWYER ROAD	1232	DE	R	0.60	0		X	Y	
8	1212	MARKHAM FARM RD	1202	DE	R	0.50	0		X	Y	
2	1217	COOPER GARRETT ROAD	SR 1227	SR 1216	R	2.40	0		X	Y	
11	1233	LOU SAWYER ROAD	1222	DE	R	0.40	0		X	Y	6-Nov-08
5	1241	NORTH CURRITUCK RD	NC 168	DE	R	1.10	0		X	Y	
9	1252	STALLINS ROAD	1251	DE	R	0.40	0		X	Y	
12	1211	LEROY FARM RD	END PVMT	DE	R	0.74	0		X	Y	
						9.44	0				

# CURRITUCK COUNTY 2012-2013 Secondary Road Improvement Program



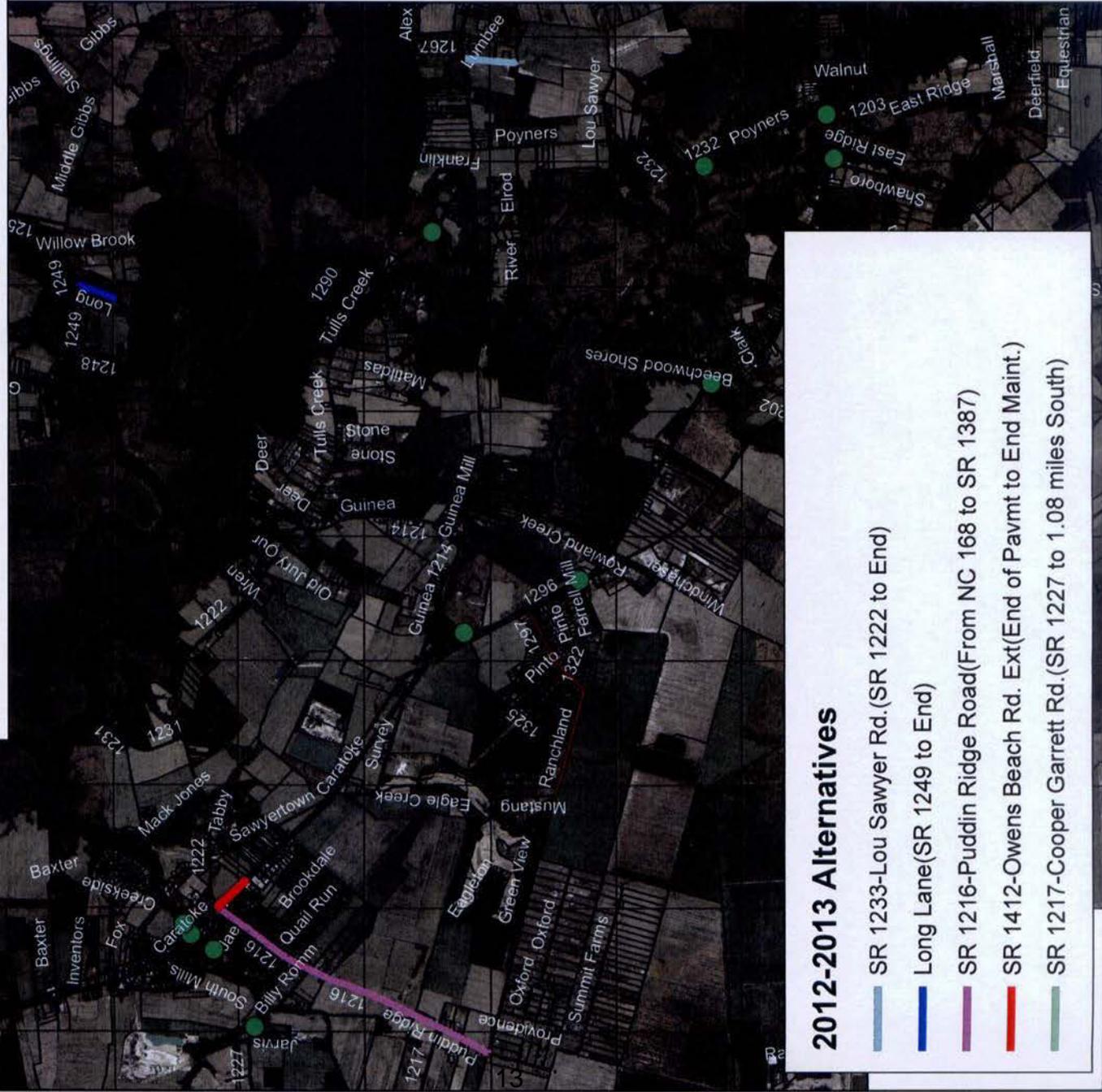
**2012-2013 Secondary Road Improvement Program**

- SR 1217-Cooper Garrett Rd.(SR 1227 to 1.08 miles South)

**2012-2013 Alternatives**

- SR 1217-Cooper Garrett Rd.(SR 1227 to 1.08 miles South)
- SR 1296-Cowboy Trail( SR 1297 to SR 1321)
- SR 1297-Ranchland Drive(SR 1300 to SR 1325)

# CURRITUCK COUNTY 2012-2013 Previously Funded Projects



## 2012-2013 Alternatives

- SR 1233-Lou Sawyer Rd. (SR 1222 to End)
- Long Lane (SR 1249 to End)
- SR 1216-Puddin Ridge Road (From NC 168 to SR 1387)
- SR 1412-Owens Beach Rd. Ext. (End of Pavtmt to End Maint.)
- SR 1217-Cooper Garrett Rd. (SR 1227 to 1.08 miles South)



CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
DATE: May 21, 2012  
PB 12-08 Coastal Explorations

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ITEM: PB12-08 Coastal Explorations – SUP Outdoor Tour Operator - Horse Tours

LOCATION: 1118 Corolla Village Road, Corolla

TAX ID: 0114-000-036D-0000

ZONING DISTRICT: CD-GB Conditional District- General Business

PRESENT USE: Special Use Permit for guided kayak tours  
Special Use Permit for Outdoor Recreation

OWNER: TFP, LLC  
PO Box 369  
Corolla, NC 27927

APPLICANT: Hadley Twiddy  
1118 Corolla Village Lane  
Corolla, NC 27927

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Vacant Lot	Zoned GB
SOUTH	Vacant Lot/Whalehead Boat House	Zoned RO1
EAST:	Residential Lots/Horse Museum	Zoned RO1/GB
WEST:	Currituck Sound	N/A

LAND USE PLAN

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

SIZE OF SITE: 10.87 acres

I. NARRATIVE OF REQUEST:

- a. The applicant seeks a Special Use Permit for Outdoor Tour Operator.
- b. The request is for one vehicle (1 guide & 6 patrons) to be used for guided horse tours. Passengers will load and unload at the Coastal Explorations site.
- c. The proposed addition of guided horse tours to the existing guided kayak and boat tours does not require a change to the facility. There are no proposed structures or facilities associated with this request.
- d. The Board of Commissioners has considered limiting the total number of horse tour vehicles; however, no action has been taken to date.
- e. There is an existing wastewater issue. The applicant must resolve this issue or establish an on-site septic system. There is an existing septic system on an

adjacent lot. Per the UDO, the permit issuing authority and the owner of two or more contiguous lots may agree to regard the lots as one lot if necessary or convenient to comply with any requirements of the ordinance. If the applicant opts to connect to the existing septic system, an easement must be recorded.

## II. QUESTION(S) BEFORE THE BOARD:

### Special Use Permit Criteria and Staff Findings:

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

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

1. Completeness of application.  
Suggested Findings:
  - a. The application is complete
2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".  
Suggested Findings:
  - a. Outdoor Tour Operators are permitted in the GB zoning district with a Special Use Permit.
3. The conditions proposed meet or exceed the minimum requirements of this ordinance.  
Suggested Findings:
  - a. The proposed conditions include all of the provisions for Outdoor Tour Operators in Section 3.7.3 of the Unified Development Ordinance.
  - b. Provided outstanding wastewater issues are resolved; this request will meet the requirements of the ordinance
4. The special use will not endanger the public health or safety:  
Suggested Findings:
  - a. Based on the submittal, the project will not endanger the public health or safety.
  - b. There are no proposed changes to the existing site.
5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located  
Suggested Findings:
  - a. The parcel is currently in a well established historical village commercial area that includes specialty retail shops, residences, Currituck Light and Heritage Park.
6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.  
Suggested Findings:

The 2006 Land Use Plan classifies this site as Conservation within the Corolla subarea. Insert LUP classification narrative. The proposed use is in keeping with the policies of the plan, some of which are:

- a. Policy ED1: new and expanding industries and businesses should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.
- b. Policy HP3: Development of the tourism and educational potential of the area's architectural, historic and cultural resources shall be encouraged.

The Corolla Village Small Area Plan designates this site as Conservation on the Future Land Use Map.

- c. Policy ED1: Promote the growth of existing businesses and the recruitment of new businesses that are compatible with the vision of the area.
7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. Approval of this request should have no impact on public facilities

**III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends **CONDITIONAL APPROVAL** subject to the following:

1. The applicant shall resolve the outstanding wastewater issues to the satisfaction of the County Engineer prior to commencement of this use and issuance of this Special Use Permit.
2. All tours must be guided from Memorial Day to Labor Day. Tag-a-long tours are permitted as long as the lead vehicle is operated by an employee of the tour company and subsequent vehicles are under the employee's supervision.
3. Tour/Rental vehicles shall be labeled with decals or paint markings that clearly display the company name. Label font size shall be a minimum of four inches.
4. Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with all State and Federal laws.
5. There shall be one parking space required for every vehicle seating 1-5 persons, two parking spaces required for every vehicle seating 6-10 persons etc., and one parking space required for every two employees. If any additional activities or uses occur on-site, additional parking may be required per the Unified Development Ordinance. Currently there is adequate parking available. Parking can be accommodated on-site based on the existing retail and apartment uses; however, if the approved additional retail and accessory apartment are constructed; satellite parking will need to be reviewed and approved.

Use	Parking Requirement	Quantity	Parking Total
Horse Tour Rentals	Tour vehicle seating 6-10 persons = 1 space per vehicle	1	2
Employees (Horse tours)	1 space/2 employees	1	1
Existing Retail Space	1 space/ 400 sq. ft.	528 sq. ft.	2
Existing Accessory Apartment	2 spaces/dwelling unit	1	2
Total Available:	7	Total Proposed	7

6. Vehicles held in reserve in the event of inclement weather or breakdowns may be used as long as the parking requirements and all other conditions of this permit are met. Reserve vehicles must be stored at an approved location.
7. This special use permit shall be reviewed administratively on an annual basis and a report shall be filed with the Currituck County Board of Commissioners detailing the nature of any complaints received by the Planning Department. At the discretion of the Code Enforcement Officer or Board of Commissioners, the special use permit shall be subject to revocation or modification by the permit issuing authority following a public hearing.
8. The Board of Commissioners may establish a maximum number of vehicles as part of the special use permit approval process.

**IV. PLANNING BOARD RECOMMENDATION:**

The Planning Board recommended approval of PB 12-08 with the Findings of fact and staff recommendations included in the case analysis and the following condition:

- Provided outstanding wastewater issues are resolved; this request will meet the requirements of the ordinance.

PLANNING BOARD DISCUSSION *(April 10, 2012)*

Mr. Eadus stated they have three options for wastewater: the existing system is tied into the Corolla Light system and permit a new line, an on-site system on the adjacent property, or tie into the Ocean Hill system. Mr. Eadus stated they will have a resolution for the wastewater issue by the time this goes before the Board of Commissioners.

Ms. Everhart asked for clarification on the tag-a-long tours.

Ms. Twiddy stated they will have one vehicle with 6 people.

**ACTION**

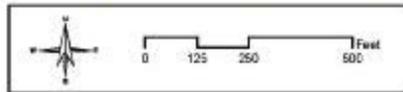
Ms. Everhart moved to approve PB 12-08 with the findings of fact and staff recommendations included in the case analysis and the following condition:

- Provided outstanding wastewater issues are resolved; this request will meet the requirements of the ordinance.

Mr. Cartwright seconded the motion. Motion carried unanimously.

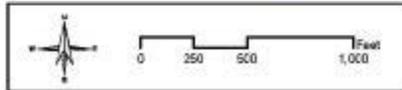


PB 12-08  
Coastal Explorations, LLC  
Aerial

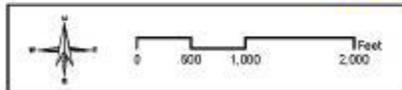




**PB 12-08**  
**Coastal Explorations, LLC**  
**Zoning**

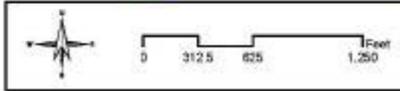


**PB 12-08**  
**Coastal Explorations, LLC**  
**LUP Map**





PB 12-08  
 Coastal Explorations, LLC  
 Corolla Village Small Area Plan FLU



MEMORANDUM

To: Hadley Twiddy

From: Planning Staff

Date: March 15, 2012

Re: PB12-08 Coastal Explorations  
SUP – Horse Tours

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The following comments have been received for the March 21, 2012 TRC meeting. In order to be scheduled for the April 10, 2012 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on March 26, 2012. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Newbern

Reviewed

9. All tours must be guided from Memorial Day to Labor Day. Tag-a-long tours are permitted as long as the lead vehicle is operated by an employee of the tour company and subsequent vehicles are under the employee's supervision.
10. Tour/Rental vehicles shall be labeled with decals or paint markings that clearly display the company name. Label font size shall be a minimum of four inches.
11. Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with all State and Federal laws.
12. There shall be one parking space required for every vehicle seating 1-5 persons, two parking spaces required for every vehicle seating 6-10 persons etc., and one parking space required for every two employees. If any additional activities or uses occur on-site, additional parking may be required per the Unified Development Ordinance.
13. Vehicles held in reserve in the event of inclement weather or breakdowns may be used as long as the parking requirements and all other conditions of this permit are met. Reserve vehicles must be stored at an approved location.
14. This special use permit is valid for one year from the date of approval and shall remain valid so long as the conditions under which it is granted are met.
15. The Board of Commissioners may establish a maximum number of vehicles as part of the special use permit approval process.

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly

Denied/Resubmit

1. Please address sewer issues. Sewer agreement expired December 31, 2009.

Corolla Fire & Rescue/Ocean Rescue, Chief Rick Galganski

Approval with corrections

Still need some piping for use to extinguish any type of boat or fuel fire at the end of the pier. I asked for this before and still do not see it. Stone parking and driveway must be able to handle my heaviest apparatus which is 74,000 lbs

Albemarle Regional Health Services, Joe Hobbs

WILL RESTROOMS BE PROVIDED FOR CUSTOMERS NEAR HORSE TOURING AREAS AND WHERE WILL THE CLOSEST PUBLIC RESTROOMS BE LOCATED?

Currituck County Economic Development, Peter Bishop

Reviewed

Currituck County Utilities, Pat Irwin

Reviewed

Currituck County Emergency Management, James Mims

Approved – I am concerned that careful monitoring must be done by the client in regards to blocking access to the structure and/or fire suppression appliances

Currituck County GIS, Harry Lee

Reviewed – Double-check PIN# on application

Currituck County Parks and Recreation, Jason Weeks

Reviewed – It should be noted that Carova Beach Park should not serve as a private business's restroom facility. Please make plans to allow patrons to use restroom facilities at the place of business.

NC Division of Coastal Management, Charlan Owens

No Comment

NC State Archaeology, Lawrence Abbot

No Comment –No previously recorded archaeological sites noted in the project area. An archaeological survey is not recommended. No Comment.

Currituck County Sheriff, Susan Johnson

Currituck County Building Inspections, Spence Castello

Currituck County Schools

Currituck County Local Volunteer Fire Department

Navel Facilities Engineering Command, Community Plans Liaison Officer William DuFault

NCDOT, Jim Hoadley

NC DENR Aquifer Protection, David May

NC DENR, Land Quality, Pat McClain

NC DENR Environmental Health/Onsite Wastewater, Bob Uebler

NC DENR, Environmental Management, Roger Thorpe

NC DENR, Marine Fisheries, Kevin Hart

NC DENR, Public Water, Siraj Chohan

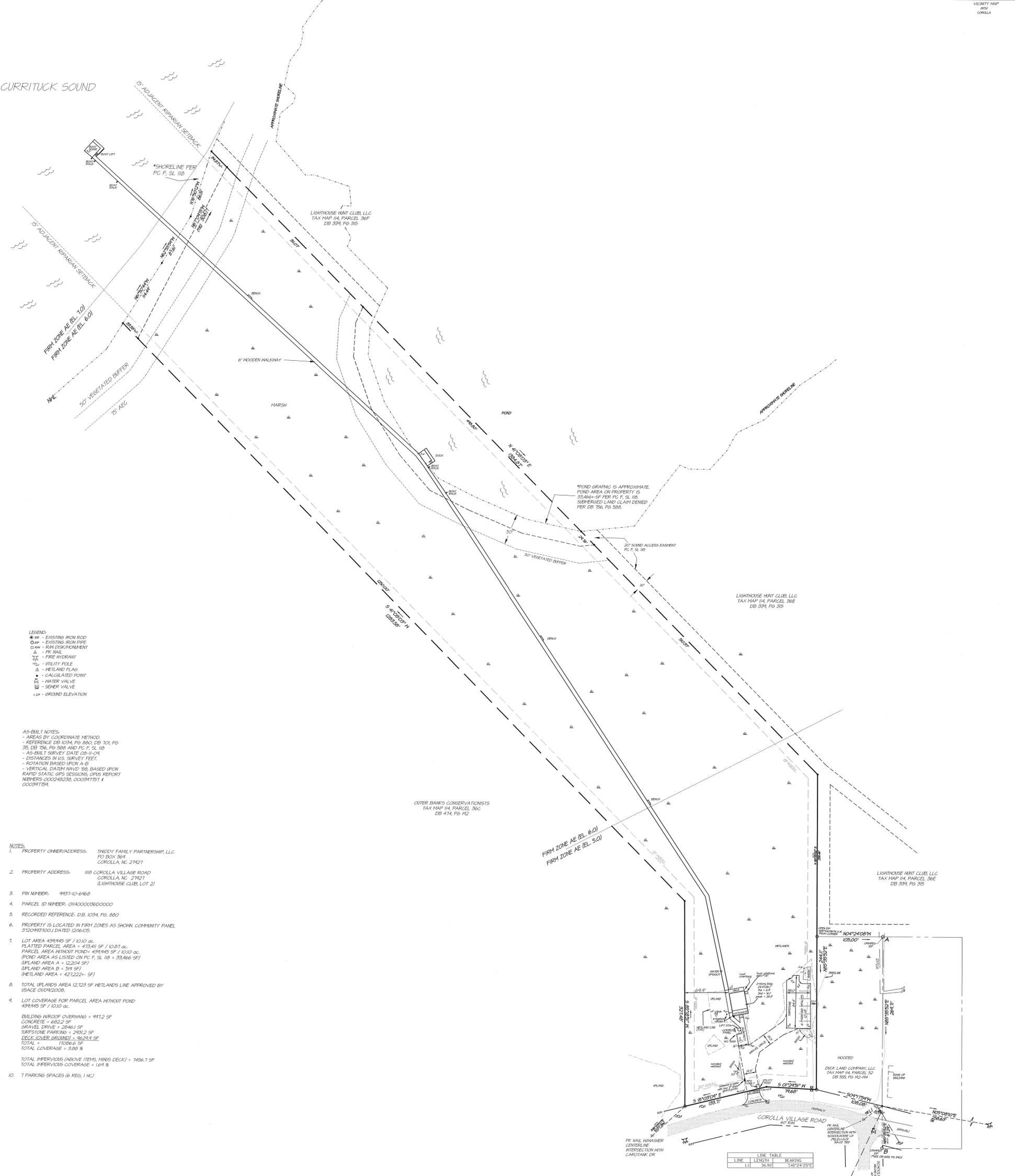
NC DENR Water Quality, Kim Colson

NC DENR Water Quality/Surface Water Protection, Al Hodge

NC Wildlife, Maria Dunn  
Centurylink, Kimberly Hoevenair  
Charter Communications, Sam Scilabba  
Dominion Power, Troy Lindsey  
Embarq, Hester Jones  
US Army Corps of Engineers, Kyle Barnes



CURRITUCK SOUND



- LEGEND:**
- - EXISTING IRON ROD
  - - EXISTING IRON PIPE
  - - RUN DISK/MONUMENT
  - △ - IRON NAIL
  - ✕ - FIRE HYDRANT
  - - UTILITY POLE
  - - NETLAND FLAG
  - - CALCULATED POINT
  - - WATER VALVE
  - - SINKER VALVE
  - ▲ - GROUND ELEVATION

**AS-BUILT NOTES:**

- AREAS BY COORDINATE METHOD
- REFERENCE DB 1034, PG. 000, DB 701, PG. 35, DB 756, PG. 500 AND PC F, SL 110
- AS-BUILT SURVEY DATE 08-11-09
- DISTANCES IN U.S. SURVEY FEET
- ROTATION BASED IRON NAILS
- VERTICAL DATUM NAVD 83, BASED UPON RAPID STATIC GPS SESSIONS, CPUS REPORT NUMBERS 000245236, 000247151 & 000247154

- NOTES:**
1. PROPERTY OWNER/ADDRESS: TWIDDY FAMILY PARTNERSHIP, LLC  
PO BOX 364  
COROLLA, NC 27927
  2. PROPERTY ADDRESS: 1110 COROLLA VILLAGE ROAD  
COROLLA, NC 27927  
(LIGHTHOUSE CLUB, LOT 2)
  3. PIN NUMBER: 9437-10-6460
  4. PARCEL ID NUMBER: 01400002000000
  5. RECORDED REFERENCE: D.B. 1034, PG. 000
  6. PROPERTY IS LOCATED IN FIRM ZONES AS SHOWN. COMMUNITY PANEL 3120491001 DATED 12/16/05.
  7. LOT AREA 494,945 SF / 10.10 ac.  
PLATTED PARCEL AREA = 433,411 SF / 10.01 ac.  
PARCEL AREA WITHOUT POND = 434,945 SF / 10.10 ac.  
(POND AREA AS LISTED ON PC F, SL 110 = 33,466 SF)  
(WETLAND AREA A = 12,204 SF)  
(WETLAND AREA B = 514 SF)  
(NETLAND AREA = 421,222 SF)
  8. TOTAL WETLANDS AREA 12,718 SF NETLANDS LINE APPROVED BY USACE 01/04/2008.
  9. LOT COVERAGE FOR PARCEL AREA WITHOUT POND 494,945 SF / 10.10 ac.  
BUILDING W/ROOF OVERHANGS = 997.2 SF  
CONCRETE = 6832.5 SF  
GRAVEL DRIVE = 2846.1 SF  
TURFSTONE PARKING = 2491.2 SF  
DECK COVER (6820 IN) = 9626.8 SF  
TOTAL = 17086.8 SF  
TOTAL COVERAGE = 3.08 %  
TOTAL IMPERVIOUS (ABOVE ITEMS, MINUS DECK) = 7456.7 SF  
TOTAL IMPERVIOUS COVERAGE = 1.61 %
  10. 7 PARKING SPACES (6 REG, 1 HC)

OUTER BANKS CONSERVATIONISTS  
TAX MAP 114, PARCEL 36G  
DB 474, PG 142

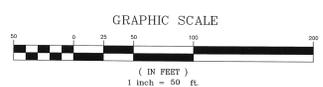
LIGHTHOUSE HUNT CLUB, LLC  
TAX MAP 114, PARCEL 36E  
DB 334, PG 315

LIGHTHOUSE HUNT CLUB, LLC  
TAX MAP 114, PARCEL 36E  
DB 334, PG 315

CITY OF COROLLA  
RECORDING # 1047240874

DUCK LAND COMPANY, LLC  
TAX MAP 114, PARCEL 36J  
DB 555, PG 142-144

LINE	LENGTH	BEARING
L1	36.92'	S 40° 24' 25" E



\*THIS IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED FOR RECORDATION OR CONVEYANCE.

KATHERINE C. MARCHELLO CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN EXISTING RECORDS AND THAT THIS MAP MEETS THE REQUIREMENTS OF N.C. TITLE 21, CHAPTER 56, SECTION 1800 AS AMENDED. WITNESS MY HAND AND SEAL THIS 18<sup>TH</sup> DAY OF August, 2017.

KATHERINE C. MARCHELLO LIC#4378

REVISIONS	INT	DATE
REV1	INT	///
REV2	INT	///
REV3	INT	///
REV4	INT	///
REV5	INT	///

COMMISSION NO.	07094
DESIGNED BY	KCM
DRAWN BY	KCM
CHECKED BY	KCM
CAD FILE	07094-000.dwg
ISSUE DATE	08/18/09

**AS-BUILT SURVEY**

**TWIDDY FAMILY PARTNERSHIP, LLC**  
**TAX MAP 114, PARCEL 36D**

POPLAR BRANCH TOWNSHIP      CURRITUCK COUNTY      NORTH CAROLINA

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ENVIRONMENTAL SCIENCES • SURVEYING

8 JUNIOR TRAIL TO DRAWER 870  
KITTY HAWK, NORTH CAROLINA 27849  
Phone: (252) 281-0200 Fax: (252) 281-1200  
Email: info@quibleandassociates.com

CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
DATE: May 21, 2012  
PB 12-07 Corolla Jeep Rentals & Tours

---

ITEM: PB 12-07 Corolla Jeep Rentals & Tours – Outdoor Recreation

LOCATION: Corolla, NC

TAX IDs: 0102-000-0025-0000, 0102-000-0024-0000, 0102-000-0023-0000

ZONING DISTRICT: RO2 - Outer Banks Limited Access Residential District

PRESENT USE: Vacant Land

OWNER: Banks Meredith  
1070 Ocean Trail  
Corolla, NC 27927

APPLICANT: Banks Meredith  
1070 Ocean Trail  
Corolla, NC 27927

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Vacant Land/Penny's Hill	RO2
SOUTH	Vacant Land	RO2
EAST:	Residential	RO2
WEST:	Residential	RO2

LAND USE PLAN

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

SIZE OF SITE: 39.7 acres

I. NARRATIVE OF REQUEST:

- a. The applicant is requesting a Special Use Permit for a Private Outdoor Recreational Facility that includes launching Kayak and Outdoor Utility Vehicle (OUV) tours. Outdoor Utility Vehicles are similar to ATVs.
- b. All tours will originate from the Corolla Jeep Rentals & Tours property at 1070 Ocean Trail in vehicles approved by SUP PB10-05 Corolla Jeep Rentals & Tours Outdoor Tour Operator.
- c. There are no proposed structures.
- d. The applicant is proposing four (4) kayak tours per day with a maximum of 8 persons on a 2-hour tour; and four (4) OUV tours per day with a maximum of 8 persons on a 2-hour tour.
- e. Kayaks and OUVs are proposed to be stored on the property.

- f. The Currituck County Code of Ordinances regulates ATVs, Motorcycles & Mopeds in the RO2 area and limits the number of yearly ATV permits to two (2) per property owner. OUVs are considered ATVs by the Sheriff's Department.
- g. The applicant is proposing to traverse Penny's Hill and launch kayaks from the Southwest side. A geological analysis of the impact on the significant dune may be required to address this use per Section 4.7.5 of the UDO. The applicant has indicated that he will provide the geological analysis to demonstrate compliance with the UDO.
- h. Planning Staff has requested proof of legal access to the property and has offered the following guidance to satisfy the request: 1. Provide a deed of easement to use Munson Lane (private ROW) or Malbon Lane (private ROW) or 2. Provide documentation and a legal opinion that the ocean access easement shown on the submitted site plan is at least 20' wide per the UDO Section 2.6.1 and the Fire Marshall's requirement.

II. QUESTION(S) BEFORE THE BOARD:  
Special Use Permit Criteria and Staff Findings:

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

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

- 1. Completeness of application.  
Suggested Findings:
  - a. The application is complete.
- 2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".  
Suggested Findings:
  - a. Private Outdoor Recreational Facilities are permitted in the RO2 zoning district with a Special Use Permit.
- 3. The conditions proposed meet or exceed the minimum requirements of this ordinance.  
Suggested Findings:
  - a. Provided access concerns are addressed, the proposed use meets the ordinance.
- 4. The special use will not endanger the public health or safety:  
Suggested Findings:
  - a. Provided access concerns are addressed, the use will not endanger the public health or safety.
  - b. There are no permanent structures and the site will remain in its natural state.
- 5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located

Suggested Findings:

- a. Staff has not received or reviewed any information or documents in order to suggest a finding; it is unclear what the impacts will be.
  - b. There are no permanent structures and the site will remain in its natural state.
6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

The 2006 Land Use Plan classifies this site as Conservation within the Carova subarea. The proposed use is in keeping with the policies of the plan, some of which are:

- a. Policy ED1: New and expanding businesses should be especially encouraged that: 1) diversify the local economy 2) train and utilize a more highly skilled labor force and 3) are compatible with the environmental quality and natural amenity based economy of Currituck County
  - b. Policy PA1: Public access to the sound and ocean waters of Currituck County is essential to the quality of life of residents and visitors, as well as the economy of the area. The County supports the establishment of ADDITIONAL PUBLIC AND PRIVATE ACCESS opportunities to the waters of Currituck County. (Also see Outer Banks Policy Section.)
  - c. Policy PA2: The County supports MANY FORMS OF "ACCESS" to the water, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals
  - d. Policy HP3: Development of TOURISM AND EDUCATIONAL POTENTIAL of the area's architectural, historic and cultural resources shall be encouraged.
7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

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

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends **CONDITIONAL APPROVAL** subject to the following:

- 1) The applicant shall provide proof of the required 20' legal access.
- 2) The applicant shall address the access concerns and obtain approval of the Fire Marshall.

- 3) This Special Use Permit is valid only in conjunction with a valid Special Use Permit for Outdoor Tour Operator issued to Corolla Jeep Rentals & Tours at 1070 Ocean Trail in Corolla, NC. (PB10-05)
- 4) All tours will originate from the property at 1070 Ocean Trail in vehicles approved by SUP PB10-05 Corolla Jeep Rentals & Tours - Outdoor Tour Operator. All commercial transactions shall occur at the Corolla Storefront at 1070 Ocean Trail.
- 5) There shall be a maximum of four (4) kayak tours and four (4) OUV tours per day. In accordance with the Currituck County Code of Ordinances there shall be no more than two (2) OUV's.
- 6) Kayaks and OUV's shall be labeled with decals or paint markings that clearly display the company name.
- 7) Tours shall operate during daylight hours only.
- 8) Tour patrons have access to restrooms at the Corolla Jeep Rentals & Tours location at 1070 Ocean Trail.
- 9) Tour participants shall not enter upon private property along the canals or the Currituck Sound.
- 10) Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with State and Federal Laws.

#### IV. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended denial of the special use permit due to one of the special use permit criteria not being met; the special use will injure the value of adjoining or abutting property; and will not be in harmony with the area in which it is located.

## PLANNING BOARD DISCUSSION (April 10, 2012)

Mr. Meredith provided the board with a geological assessment, legal opinion regarding access easement, and copy of the deed.

The Planning Board discussed the 20' easement, route and description of the OUVs which are considered an ATV, trails being marked, and the decibel readings for the OUVs.

Mr. Meredith stated the low impact use will cause minimal or no disturbance to property and surrounding neighbors will see little or no change. These tours will be guided and structure for 2 hours stopping at points of interest, i.e. boat building, duck blinds.

Ms. Wilson stated that the property owners have a great deal of opposition to the request.

Mr. Cooper asked how close these tours will come to an adjacent property line.

Mr. Meredith stated 40 to 50 feet.

Ms. Wilson stated that these property owners had an expectation of private road access and property zoned residential that would not be used for commercial purposes. Most tours go on public roads. The residents are concerned with the land disturbance happening over the past 2 years.

Mr. Meredith stated he wants to keep the natural vegetation and keep the trails natural.

Ms. Beasley stated she owns property which adjoins the request and is in opposition of the request. Ms. Beasley stated she objects to the tours being on her property and showing her home.

Mr. Norris stated he is a friend of the family of Ms. Beasley and may purchase the property next year from Ms. Beasley. He is opposed to the tours showing Ms. Beasley's home. He is concerned with the noise from the vehicles to be used for the tours.

Mr. Meredith apologized to Ms. Beasley and Mr. Norris for any miscommunication. Mr. Meredith stated he did try to stay in touch with Ms. Beasley's son to keep him abreast of his plans. Mr. Meredith stated he would not be doing any tours which were not on his property; and does not want to cause any problems with surrounding properties and be respectful of all property rights.

Mr. Cooper asked Mr. Meredith to confirm that he has no plans to use Ms. Beasley's home as part of a tour.

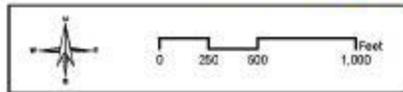
Mr. Meredith stated that is correct.

## ACTION

Ms. Wilson moved to deny PB 12-07 due to one of the special use permit criteria not being met; the special use will injure the value of adjoining or abutting property and will not be in harmony with the area in which it is located. Ms. Newbern seconded the motion. Ayes: Ms. Wilson, Ms. Everhart, Ms. Newbern, and Mr. Kovacs. Nays: Mr. Cooper and Mr. Cartwright.

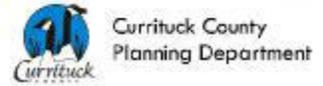
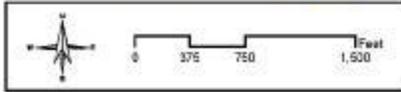


PB 12-07  
Corolla Jeep Rentals and Tours  
Aerial

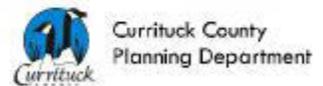
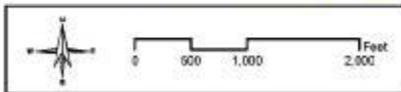




**PB 12-07**  
**Corolla Jeep Rentals and Tours**  
**Zoning**



**PB 12-07**  
**Corolla Jeep Rentals and Tours**  
**LUP Map**



## MEMORANDUM

To: Banks Meredith  
From: Planning Staff  
Date: March 15, 2012  
Re: PB12-07 Corolla Jeep Rentals & Tours  
SUP – Outdoor Recreation

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The following comments have been received for the March 21, 2012 TRC meeting. In order to be scheduled for the April 10, 2012 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on March 26, 2012. TRC comments are valid for six months from the date of the TRC meeting.

### Planning, Jennie Newbern

#### Reviewed

1. Complete the "Procedure for Delayed Request" section of the SUP application.
2. Pay delinquent 2011 taxes in the amount of \$5,084.30 per Chapter 2 Section 2-4 of the Currituck County Code of Ordinances.
3. Please provide proof that you have valid legal access to the properties.
4. Provide the number of tours that will be operated each day, capacity for each tour, duration of tour on the property; be specific for each type of tour.
5. ATV tours in the RO2 Zoning District were amortized by the BOC at the September 3, 2002 meeting.
6. Further define OUV, include pictures, manner of propulsion, operating noise levels, capacity. Is an OUV a vehicle that may be licensed for road use?
7. Label the OUV route from start to finish.
8. Will the OUV's be transported to and from the site with each tour group or will they be stored on the property? If stored on the property, please provide the storage location on the site plan.
9. Will the kayaks be transported to and from the site with each tour group or will they be stored on the property? If stored on the property, please provide the storage location on the site plan.
10. Label the loading/unloading zones and the parking spaces for the tour vehicles
11. Show the exact locations of the food plot areas, Guggenheim/O'Neal Hunt Club building, duck blind, and juniper skiffs on the site plan. Do you have permission to enter the Hunt Club?
12. Must comply with Section 4.7.5 of the Currituck County Unified Development Ordinance.
13. All tours must originate from the Corolla Storefront and only those tour vehicles approved as part of Special Use Permit PB10-05 are permitted.
14. All commercial transactions shall occur at the Corolla storefront at 1070 Ocean Trail.
15. Kayak and tour participants shall not enter upon private property along the canals or the Currituck Sound.
16. Tours shall operate during daylight hours only.

17. Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with State and Federal Laws.

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly

Approved

Currituck County Utilities, Pat Irwin

Reviewed

Currituck County Emergency Management, James Mims

Reviewed – I am concerned that we are pushing the increased public access to an area that by code does not have adequate access to Fire/EMS/LE. (this would include a proper documented access of at least 20' of well maintained driving surface free from pot holes, standing water, and encumbrances of brush) following the review of the above criteria I would have to have approval by the volunteer fire chief that this is an acceptable alternative to what the fire code requires.

Currituck County GIS, Harry Lee

Reviewed - None

Currituck County Parks and Recreation, Jason Weeks

Reviewed – What is an OUV? Will this damage the natural landscape?

Currituck County Economic Development, Peter Bishop

Reviewed

NC Division of Coastal Management, Charlan Owens

No Comment

NC State Archaeology, Lawrence Abbot

No Comment – There are no previously recorded archaeological sites noted in the project area. The undertaking is low impact. An archaeological survey is not recommended. No Comment.

Albemarle Regional Health Services, Joe Hobbs

WILL RESTROOMS BE PROVIDED FOR CUSTOMERS AT OUTDOOR RECREATION AREA AND WHERE ARE CLOSEST PUBLIC RESTROOMS LOCATED?

Currituck County Sheriff, Susan Johnson

Currituck County Building Inspections, Spence Castello

Currituck County Schools

Currituck County Local Volunteer Fire Department

Navel Facilities Engineering Command, Community Plans Liaison Officer William DuFault

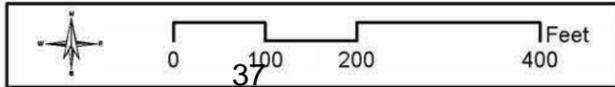
NCDOT, Jim Hoadley

NC DENR Aquifer Protection, David May

NC DENR, Land Quality, Pat McClain

NCDENR Environmental Health/Onsite Wastewater, Bob Uebler  
NCDENR, Environmental Management, Roger Thorpe  
NCDENR, Marine Fisheries, Kevin Hart  
NCDENR, Public Water, Siraj Chohan  
NCDENR Water Quality, Kim Colson  
NCDENR Water Quality/Surface Water Protection, Al Hodge  
NC Wildlife, Maria Dunn  
Centurylink, Kimberly Hoevenair  
Charter Communications, Sam Scilabba  
Dominion Power, Troy Lindsey  
Embarq, Hester Jones  
US Army Corps of Engineers, Kyle Barnes





TOURISM ADVISORY BOARD  
3 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Petrina Ramey	District 1		Vance Aydlett	4/4/2011	November 2013
<b>Lori London*</b>	<b>District 2</b>	<b>Shearl B. Bell</b>	<b>John Rorer</b>	<b>11/16/09</b>	<b>November 2012</b>
Ted Jagucki	District 3		Butch Petrey	Appointed 11/21/11	November 2014
Paul Robinson	District 4		Owen Etheridge	Reappointed 11/21/11	November 2014
Jeff Nelson	District 5		Marion Gilbert	Appointed 5/2/11	May 2013
Don Cheek	At-Large		Paul Martin	Reappointed 11/16/09	November 2012
Leslie Daughtry	At-Large		Paul O'Neal	Appointed 1/3/2012	January 2015

\* Resigned-To Be Replaced

Commissioner O'Neal



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

**Date:** May 11, 2012

**Name:** Shearl B. Bell

**Address:** 114 Nathan Drive, Grandy, North Carolina 27939

**Phone:** 252-202-3200 cell **Email:** sdesigns@centurylink.net

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

Please check

- |  |  |
|--|--|
| <input type="checkbox"/> ABC Board                       | <input type="checkbox"/> Library Board                     |
| <input type="checkbox"/> Agricultural Advisory Board     | <input type="checkbox"/> Nursing Home Advisory Committee   |
| <input type="checkbox"/> Airport Advisory Board          | <input type="checkbox"/> Planning Board                    |
| <input type="checkbox"/> Board of Adjustment             | <input type="checkbox"/> Recreation Advisory Board         |
| <input type="checkbox"/> Economic Development Board      | <input type="checkbox"/> Senior Citizens Advisory Board    |
| <input type="checkbox"/> Fire & EMS Advisory Board       | <input type="checkbox"/> Social Services Board             |
| <input type="checkbox"/> Game Commission                 | <input checked="" 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       |

**Qualifications and reasons you would like to serve:**

I am a native Tarheel and lived on the Outer Banks for 39 years. I have been a resident of Currituck County for 5 years, and a homeowner for the past 3. I have owned my own business for 10 years, and am currently the sole proprietor of Shearl Designs. I believe that I could serve my county as a member of the Currituck County Tourism Advisory Board for the following reasons:

1- All my life I have tried to give back. As an addendum to this paper, I have a list of activities I have been involved in, many of which have a direct bearing on the citizens of Currituck County.

2- I believe in public service, many of us are able to help those less fortunate. I have been pleased to be able to play a part in the success of a number of fund-raising events that enabled those who need help to receive it.

3- I would be honored to be able to "market" our lovely area.

4- I have performed a myriad of tasks in support of my charitable activities, and each and everyone taught me something new. I can do publicity, planning, logistics, vendor communications, trash removal, organization, trash removal and just about any other job that needs to be done.

5- I believe in the potential growth that will be part of this county's future, and would welcome a chance to be a part of it.

Please know that however favorable or unfavorably you see my credentials for this most worthy position, I will continue supporting my county and pressing for its inclusion as a vibrant and exciting part of the fabric of Eastern North Carolina.

Partial list of activities for Shearl Bell  
 Outer Banks Relay for Life - 10 years Logistics Chair  
 First Flight Transitional Team, assisting in the transfer of students from Mantoloking High School to First Flight High School  
 Beach Music Festival  
 Outer Banks Cancer Support Group  
 Get plinked Fashion Show  
 Outer Banks Hospital Gala - Townebank Red Nose Wine Festival, Chair(current) Assisting in all facets of Logistics, Sponsorship, Beverage, Publicity, Volunteers and Security Committees.

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

**RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE  
CERTAIN PROPERTY OF WILLIAM WATERS**

WHEREAS, the Board of Commissioners for the County of Currituck, North Carolina hereby determines that it is necessary and in the public interest to acquire an easement over certain property owned by William Waters for the following purpose:

To locate, construct, repair, maintain and improve an underground utility line; and

WHEREAS, the proper officials or representative of the County of Currituck sought to acquire the needed interest in that certain property of William Waters by negotiated conveyance; and

WHEREAS, unable to acquire the needed interest in that certain property William Waters by negotiated conveyance it is necessary to acquire the needed interest through proceedings established by Chapter 40A of the General Statutes of North Carolina.

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

Section 1. The County of Currituck shall acquire through the exercise of eminent domain, for the purposes stated above, the necessary easement for the public purpose described above over property owned by William Waters and located in Moyock Township more particularly described in that deed recorded at Deed Book 998, Page 71 of the Currituck County Registry and the county attorney shall institute the necessary proceedings under Chapter 40A of the General Statutes of North Carolina to acquire an easement over, upon, on and through said property.

Section 2. This resolution is effective upon its adoption.

ADOPTED the 21st day of May, 2012.

\_\_\_\_\_  
John D. Rorer, Chairman  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Clerk to the Board of Commissioners

(COUNTY SEAL)



# Transmittal

<b>Date</b>	5/8/2012	<b>Number of pages including cover sheet</b>		n/a
<b>To</b>	Gwen H. Keene, CMC <del>PO Box 39</del> 153 Courthouse Rd. Currituck, NC 27929	<b>Phone</b>	(252) 232-2075 x4003	
		<b>Fax</b>	(252)232-3551	
<b>From</b>	Douglas A. Abbott, PE Project Engineer doug@hymanrobey.com	<b>Phone</b>	(252) 337-8926	
		<b>Fax</b>	(252) 338-5552	
<b>Subject/ Project #</b>	Fox Lane Roadway Acquisition 110292	<b>Sent Via</b>	Hand Delivered	
<b>Enclosures</b>	1 copy of the NCDOT Petition of Roadway Acquisition and 1 copy of each approved subdivision plat (Fox Run & Shingle Landing Farm)			

REMARKS:								
<input type="checkbox"/>	<input type="checkbox"/>	Please call for further discussion	<input type="checkbox"/>	For your review and comment	<input type="checkbox"/>	For your Approval	<input type="checkbox"/>	As you requested
<input type="checkbox"/>	<input type="checkbox"/>	As we discussed	<input type="checkbox"/>	For your Files	<input type="checkbox"/>	For your use	<input checked="" type="checkbox"/>	Other

**Message:**

Ms. Keene,

Please accept this petition for roadway acquisition for consideration at the next commissioner's meeting. Please let me know if you have any questions or need any additional information.

Thank you

Cc: Eldon L. Miller, III  
Gretchen Byrum. NCDOT

<b>Date</b> 05-08-12		<b>Number of pages including cover sheet</b>		
<b>To</b> Gretchen Byrum, PE	NCDOT District Engineer Elizabeth City, NC	<b>Phone</b>		
		<b>Fax</b>		
<b>From</b> Doug Abbott, PE	Hyman & Robey Camden, NC	<b>Phone</b>	(252) 337-8926	
		<b>Fax</b>	(252) 338-5552	
<b>Subject/ Project #</b>  110292	Fox Lane R/W Acquisition	<b>Sent Via</b>	Hand Delivered	
<b>Enclosures</b>				

REMARKS:							
		Please call for further discussion		For your review and comment	X	For your Approval	As you requested
		As we discussed	X	For your Files	X	For your use	Other

**Message:**

Enclosed are the documents and maps for Fox Lane (located in Fox Run and Shingle Landing Farm, Currituck County) R/W acquisition. Please note that the Fox Run portion of Fox Lane (first 700' – first 5 lots) was constructed & recorder without stormwater & erosion and sediment control permits. See "List of enclosed documents" for details of enclosures.

Please let me know if there is anything else you need.

Thank You.

**North Carolina Department of Transportation  
Division of Highways  
Petition for Road Addition**

**ROADWAY INFORMATION:** (Please Print/Type)

County: Currituck Road Name: Fox Lane  
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Fox Run & Shingle Landing Farm Length (miles): 0.33

Number of occupied homes having street frontage: 8 Located (miles): 0.25

miles N  S  E  W  of the intersection of Route NC168 and Route 1222.  
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Fox Run & Shingle Landing Farm

Currituck County, do hereby request the Division of Highways to add the above described road.

**CONTACT PERSON:** Name and Address of First Petitioner. (Please Print/Type)

Name: Eldon L. Miller, III Phone Number: 252-435-6116

Street Address: 103 Oak Street., Moyock, NC 27958

Mailing Address: PO Box 729, Moyock, NC 27958

**PROPERTY OWNERS**

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
Lester E. & Delois G. Sutton	102 Fox Lane	(252) 435-6227
Jason M. Reed	104 Fox Lane	Not Listed
Merlin O. & Ellen M. Waldron	106 Fox Lane	(252) 435-6504
Brian M. Waldron & Robert D. Malkowski	108 Fox Lane	(252) 232-5263
George Bryan & Janice Lee Proctor	109 Fox Lane	(252) 435-2671
EKMS, Inc	110,116,121, 122,125,126 Fox Lane	(252) 435-6116
Michael Bartley	111 Fox Lane	(252) 435-0597

- continued on separate sheet -

**INSTRUCTIONS FOR COMPLETING PETITION:**

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach four (4) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

**FOR NCDOT USE ONLY:** Please check the appropriate block

- Rural Road     Subdivision platted prior to October 1, 1975     Subdivision platted after September 30, 1975

**REQUIREMENTS FOR ADDITION**

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 (see page 29 for Statute) states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
Fox Lane	8	0.33 mi.			

Continuation of Home Owners for Fox Lane (Fox Run & Shingle Landing Farm):

<u>Owner Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
<u>Darla S. Bastian (112 Fox Lane)</u>	<u>265 Gibbs Road, Knotts Island, NC 27950</u>	<u>(252) 455-2282</u>
<u>Celia F. Stephan &amp; Mildred F. Uber</u>	<u>113 Fox Lane</u>	<u>(252) 435-0650</u>
<u>John W. &amp; Hope L. Godfrey (114 Fox Lane)</u>	<u>1340 Pamlico Blvd, Chesapeake, VA 23322</u>	<u>(757) 482-3566</u>

CURRITUCK COUNTY  
NORTH CAROLINA  
May 7, 2012

The Board of Commissioners met as the Board of Equalization and Review at 6:00 p.m.

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**

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

**B) Pledge of Allegiance**

Boy Scout Troop 169, Moyock, NC, presented the Pledge of Allegiance

**C) Approval of Agenda**

Commissioner Gilbert moved to approve the agenda.  
Commissioner O'Neal 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, Historical Society, updated the Board on the Civil War Events that will be celebrated on May 14<sup>th</sup>. There will also be an event in June on the War of 1812.

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

**Administrative Reports**

**A) Hunter Forehand, to accept proclamation for Asthma Awareness Month**

The Board presented the proclamation to Hunter Forehand.

**PROCLAMATION  
SUPPORTING  
ASTHMA AWARENESS MONTH  
MAY 2012**

**WHEREAS**, there is an epidemic of asthma in the United States, affecting 33 million people; and

**WHEREAS**, asthma is the leading cause of childhood long term illness, hospitalization and school absenteeism; and

**WHEREAS**, asthma affects up to 11% of children in the Currituck County Schools; and

**WHEREAS**, asthma is a treatable and controllable disease; and

**WHEREAS**, there are simple steps people can take to monitor and prevent asthma attacks and effective treatments to control asthma;

**NOW, THEREFORE**, the Currituck County Board of Commissioners hereby proclaims May 2012 as "***Asthma Awareness Month***" for the County of Currituck.

**B) Recognition of Eagle Scouts, Joshua and Jeremiah Fulford**

The Board recognized Joshua and Jeremiah Fulford.

**RESOLUTION  
RECOGNIZING  
EAGLE SCOUT, JOSHUA FULFORD**

**WHEREAS**, the Currituck County Board of Commissioners would like to take this opportunity to congratulate Joshua Fulford for having attained the coveted rank of Eagle Scout, and

**WHEREAS**, Joshua Fulford is one of only 4% of overall Scout membership who have claimed the rank of Eagle Scout; and

**WHEREAS**, Joshua is a member of Scout Troop 169 sponsored by the Moyock Ruritan Club; and

**WHEREAS**, this is also the culmination of the patriotic concern and devoted efforts of numerous adult Scout leaders and caring parents who have worked with Joshua to this end.

**NOW, THEREFORE BE IT RESOLVED**, the Currituck County Board of Commissioners joins with others in the recognition of Joshua Fulford for his outstanding accomplishment and wishes him continued success in his life's endeavors.

**RESOLUTION  
RECOGNIZING  
EAGLE SCOUT, JEREMIAH FULFORD**

**WHEREAS**, the Currituck County Board of Commissioners would like to take this opportunity to congratulate Jeremiah Fulford for having attained the coveted rank of Eagle Scout, and

**WHEREAS**, Jeremiah Fulford is one of only 4% of overall Scout membership who have claimed the rank of Eagle Scout; and

**WHEREAS**, Jeremiah is a member of Scout Troop 169 sponsored by the Moyock Ruritan Club; and

**WHEREAS**, this is also the culmination of the patriotic concern and devoted efforts of numerous adult Scout leaders and caring parents who have worked with Jeremiah to this end.

**NOW, THEREFORE BE IT RESOLVED**, the Currituck County Board of Commissioners joins with others in the recognition of Jeremiah Fulford for his outstanding accomplishment and wishes him continued success in his life's endeavors.

**Old Business**

- A) **Consideration and Action: PB 07-33 Shingle Landing, Phase 2: Request for a preliminary plat/special use permit for 25 additional lots within the Shingle Landing subdivision located in Moyock along Moyock Landing Drive, Tax Map 9, Parcels 29R and 29T, Moyock Township.**

Sworn Testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: May 7, 2012  
PB 07-33 Shingle Landing, Phase 2**

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**ITEM:** PB 07-33 Shingle Landing, Phase 2, preliminary plat/special use permit for 25 additional lots including 24 residential lots and 1 nonresidential lot.

**LOCATION:** Moyock, along Moyock Landing Drive, Moyock Township

**TAX ID:** 0009-000-029T-0000  
0009-000-029R-0000

**ZONING DISTRICT:** General Business (GB)

**PRESENT USE:** Undeveloped

**OWNER:** CTX, Inc.  
378 Caratoke Hwy  
Moyock, NC 27958

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

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Undeveloped	LM
<b>SOUTH</b>	Low Density Residential	CD-R/R
<b>EAST:</b>	Low Density Residential	R
<b>WEST:</b>	Undeveloped	GB

**LAND USE PLAN**

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

**SIZE OF SITE:** 36.93 acres

**NUMBER OF UNITS:** 25 lots (24 Residential Lots and 1 Nonresidential Lot)  
82 existing residential lots in Phase 1

**PROJECT DENSITY:** 1.7 residential units/acre in Shingle Landing  
1.54 residential units/acre proposed in Phase 2  
1.76 residential units/acre in Phase 1

**UTILITIES:** The development is served by an existing 8" water line along Moyock Landing Drive. Wastewater will be treated by individual on-site septic systems. The estimated water

consumption is 8,640 to 11,520 GPD based on 3 to 4 bedrooms per dwelling.

**I. NARRATIVE OF REQUEST:**

- o The applicant is requesting preliminary plat/special use permit approval of Shingle Landing, Phase 2. The proposed development consists of 24 residential lots and 1 nonresidential lot.
- o The proposed development is served by existing infrastructure.
- o According to the preliminary plat, interconnectivity will be provided from Moyock Landing Drive to the proposed Tulls Creek Landing subdivision by way of Gees Drive. The applicant is not proposing to construct the connection at this time due to the potential maintenance liability for the association. A funding source should be identified to install the connection should the board allow bonding of Gees Drive.
- o The proposed open space (12.37 acres within this phase) will consist of areas reforested with pines planted in accordance with NC Forestry specifications.
- o The proposed development provides 1.5 acres of reserve utility open space.
- o According to the Soil Survey for Currituck County, the soils within the development are considered marginal and unsuitable for conventional septic systems.
- o The active recreation is provided in Phase 1. The recreational areas include:
  - o 3.75 acres dedicated to Currituck County and contain the WRC boat ramp and parking;
  - o 25.55 acres dedicated to Currituck County

**II. QUESTION(S) BEFORE THE BOARD:**

**Special Use Permit Criteria and Staff Findings:**

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

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

1. Completeness of application.

**Suggested Findings:**

- a. The application is complete.

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

**Suggested Findings:**

a. Chapter 10 of the Unified Development Ordinance indicates a special use permit is required for preliminary plats in all major subdivisions.

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

**Suggested Findings:**

a. Provided the Technical Review Committee conditions are adequately addressed the request will meet the minimum requirements of the ordinance.

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

**Suggested Findings:**

a. The proposed development should have little to no negative impact on public health or safety.

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

**Suggested Findings:**

a. The proposed development will predominately consist of single family residential lots that are being developed at a size compatible with the existing residential lots within the area.

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

**Suggested Findings:**

The 2006 Land Use Plan classifies this site as Full Service within the Moyock subarea. The Full Service area contemplates a residential base development density to be two units per acre and increases can be achieved through overlay zoning. The Moyock subarea policy emphasis suggests residential densities should be medium to high depending on available services. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.

POLICY AG3: County ACTIONS CONCERNING INFRASTRUCTURE (e.g. schools, parks, and utilities) and regulations shall serve to direct new development first to targeted growth areas near existing settlements indicated as Full Service Areas on the Future Land Use Map, rather than "leapfrogging" to locations in the midst of farmland and greenspace identified as Rural and Conservation areas on the Future land Use Map.

POLICY ML1: Currituck County recognizes the particular interest of residents and property owners in the Mainland Area in PRESERVING FARMLAND AND OPEN SPACE. The County shall exercise diligence in applying policies, plans, and

actions that will encourage compact growth and the preservation of farmland and open space in the Mainland Area.

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

**Suggested Findings:**

- a. The proposed development will not exceed the county's ability to provide adequate public facilities.

**III. TECHNICAL REVIEW COMMITTEE/PLANNING STAFF RECOMMENDATION:**

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

Planning Department (Donna Voliva 252-232-6032)

1. Please provide an update regarding the plan of action for the stormwater maintenance of the subdivision (see letter dated October 11, 2011 to NCDENR). \*Staff can not recommend approval of the proposed development until such time as the site is in compliance of the NCDENR stormwater permit. *Staff commentary: As of the February 14, 2012 Planning Board meeting, the existing stormwater maintenance is not in compliance with the state permit.*
2. Please provide an update regarding the road maintenance of the streets in the subdivision. *Staff commentary: The developer contacted NCDOT to indicate areas of pavement that must be replaced or repaired. The developer is requesting the Board approve a performance bond to complete the necessary road improvements for NCDOT acceptance. The improvements will be completed when the weather is warmer and dryer. If the Board allows the performance bond, the staff suggests all work be complete by September 1, 2012. The bond must be reviewed and approved by the county attorney.*
3. Note #13 indicates Gees Drive will not be constructed at this time. Given the fact the road/sidewalk does not provide access to a parcel at this time staff will support the installation at a later date; however, a funding source shall be identified for the installation of the street. *(i.e. cash bond to be held until the future connection is installed)*
4. The existing drainage ditch (Winslow Ditch) located along the northern property line of lot 107 shall contain a 50 foot maintenance easement measured from the top of bank.
5. The 2011 property taxes must be paid prior to issuance of the special use permit.

**IV. TECHNICAL REVIEW COMMITTEE/PLANNING STAFF RECOMMENDATION  
(UPDATED 4/30/2012):**

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

Planning Department (Donna Voliva 252-232-6032) UPDATED  
4/30/2012

1. Please provide an update regarding the road maintenance of the streets in the subdivision. *Staff commentary: The developer contacted NCDOT to indicate areas of pavement that must be replaced or repaired. A drainage as-built was prepared by Hyman and Robey and indicates required re-grading of the roadside swales. The developer is requesting the Board approve a performance bond to complete the necessary road improvements for NCDOT acceptance. If the Board allows the performance bond, the staff suggests all work commence immediately and be complete in a timely manner (Engineering is recommending all work be complete in 30-60 days see below). The bond must be reviewed and approved by the county attorney.*
2. Note #13 indicates Gees Drive will not be constructed at this time. Given the fact the road/sidewalk does not provide access to a parcel at this time staff will support the installation at a later date; however, a funding source shall be identified for the installation of the street. *(i.e. cash bond to be held until the future connection is installed)*
3. The existing drainage ditch (Winslow Ditch) located along the northern property line of lot 107 shall contain a 50 foot maintenance easement measured from the top of bank.

Engineering Department (Eric Weatherly 252-232-6035) UPDATED  
4/30/2012

1. Phase II of the improvements involves bonding the remaining road and drainage improvements in accordance to the DOT letter and plans prepared by Hyman and Robey dated 4-24-12.
2. I have received the Hyman and Robey plans dated 4-24-12 which require re-grading approximately 8000 feet of swales along the roadways in the development. The developer, DOT, DWQ, and Hyman and Robey should agree on the exact method and grass to stabilize all new work.
3. I have received a copy of the attached unexecuted proposal from C&L Concrete Works. A bond for the C&L work should be received by the Planning & Community Development Department. I recommend requiring 30-60 days to complete the work.
4. Provide an update on the remaining DOT items in the letter from last August. Of particular concern should be providing documentation that the subdivision has permission to cross the railroad right-of-way.

NCDENR, DWQ (Scott Vinson 252-948-3848) UPDATED 4/30/2012)

1. On April 17, 2012 Scott Vinson, NCDENR, inspected the stormwater infrastructure for compliance. The swales of the site are in compliance with the terms and conditions of the stormwater permit. A few minor eroded and bare areas need to be stabilized and reseeded with grassed vegetation.
2. The updated partial certification and ownership change must be submitted to the Division of Water Quality.

**V. PLANNING BOARD RECOMMENDATION:**

The Planning Board recommended denial of PB 07-33 due to the application is not complete. Motion carried unanimously.

Chairman Rorer opened the public hearing.

Eddie Hyman, Engineer, reviewed what has been done to date to correct some of the issues that were brought up at the last meeting. He also stated that he has a bond for the roads and sidewalks that have not been addressed.

Commissioner Martin stated that they have not completed Phase 1 and expressed concerns with moving to Phase II.

April Baer, Launch Landing, stated that the roads have not been repaved and the bond has expired. There is also a hazardous waste dump on the site.

Joanne Goumenis, stated that they have been waiting for the roads to be repaired and time is running out.

Tommy Hardison, stated that the grass in the ditches has not been mowed.

Terry Wadleigh, stated that Mr. Old does not want to finish what he has started.

Roxanne Crocker, stated that some progress has been made.

Commissioner Gilbert questioned the amount of the Bond.

Kirk Berkhimer, stated that the bond was not being tracked and this is a compliance issue with staff along with code violations.

Commissioner Etheridge questioned the bonds on Phase I and this being turned over to the HOA.

Commissioner Martin moved to deny. Commissioner Aydlett seconded the motion.

Commissioner O'Neal stated that the County had no recourse to have developer to fix the roads in Phase I without placing these conditions for approval on Phase II.

Commissioner Martin withdrew his motion to deny and moved to continue for 60 days. Commissioner O'Neal seconded the motion. Motion carried.

**New Business**

**A) Board Appointments:**

**1. Reappointment of Bobby Hanig to the Northeastern Workforce Development Board.**

Commissioner O'Neal moved to appoint Bobby Hanig. Commissioner Etheridge seconded the motion. Motion carried.

**2. Appointments to Game Commission**

Commissioner O'Neal moved to approve appointments; Richard Williams, Jeremy Midgette and Andy Newbern. Commissioner Gilbert seconded the motion. Motion carried.

**3. Appointments to Land Transfer Tax Appeals Board**

Commissioner Petrey moved to appoint Manly West and reappointment Ronnie Cooper, Wade Morgan and John Whitehurst, Jr. Commissioner Gilbert seconded the motion. Motion carried.

**4. Appointment to College of the Albemarle Board of Trustees**

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

**B) Consent Agenda:**

1. Approval of Currituck Regional Airport Transportation Improvement Program (TIP) 2013-2017 Project Listing
2. Approval of April 16, 2012 Minutes

3. SBA Towers II LLC lease agreement for the Jarvisburg tower
4. Change Order #3, Community Center, deduction in contract amount
5. Change Orders #1 Sheriff's Evidence building for \$1,529; CO#2, \$3,135; CO#3, \$1,500; CO#4, \$7,073.
6. A Resolution that there exists significant public interest in the nature and extent of public trust rights under NC Law and the nature and extent of local government regulations of ocean beaches within their jurisdictions

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

**A RESOLUTION THAT THERE EXISTS SIGNIFICANT PUBLIC INTEREST IN THE NATURE AND EXTENT OF PUBLIC TRUST RIGHTS UNDER NORTH CAROLINA LAW AND THE NATURE AND EXTENT OF LOCAL GOVERNMENT REGULATION OF OCEAN BEACHES WITHIN THEIR JURISDICTIONS**

**WHEREAS**, the County of Currituck, North Carolina has areas of ocean beach or other public trust land and waters located within or adjacent to its jurisdiction; and

**WHEREAS**, a large segment of the economy of the County of Currituck is driven by tourism; and

**WHEREAS**, a safe, clean, unobstructed ocean beach is essential to attract tourists and others to the beaches within the County of Currituck; and

**WHEREAS**, historically the citizens and visitors of the County of Currituck have used the full breadth of the ocean beach from the dune/vegetation line to the ocean waters for access to, travel along and general use of the beach for recreational and commercial endeavors; and

**WHEREAS**, the County of Currituck has historically taken action and spends public funds to maintain a safe, clean and unobstructed ocean beach within its jurisdiction; and

**WHEREAS**, the County of Currituck has historically used the full breadth of the ocean beach within its jurisdiction for the purposes of providing life saving, emergency and other public works services and for approximately 13 miles the ocean beach is the only motor vehicle access to approximately 3,000 lots platted and existing on the Currituck Outer Banks; and

**WHEREAS**, the County of Currituck has taken these actions of its own accord often without the assistance of North Carolina state agencies that have historically not had the budget, manpower or interest in taking these actions; and

**WHEREAS**, the County of Currituck agrees with the following findings of the North Carolina General Assembly, regarding the importance of the State's ocean beaches and the uses thereof:

- (1) North Carolina has 320 miles of ocean beach, including some of the most pristine and attractive beaches in the country.
- (2) The balance between economic development and quality of life in North Carolina has made North Carolina's coast one of the most desirable along the Atlantic Seaboard.
- (3) North Carolina's beaches are vital to the State's tourism industry.
- (4) North Carolina's beaches belong to all the State's citizens and provide recreational and economic benefits to our residents statewide.
- (5) Beach erosion can threaten the economic viability of coastal communities and can significantly affect State tax revenues.
- (6) The Atlantic Seaboard is vulnerable to hurricanes and other storms, and it is prudent to take precautions such as beach nourishment that protect and conserve the State's beaches and reduce property damage and flooding.
- (7) Federal policy previously favored and assisted voluntary movement of structures threatened by erosion, but this assistance is no longer available.
- (9) Relocation of structures threatened by erosion is sometimes the best available remedy for the property owner and is in the public interest.
- (10) Because local beach communities derive the primary benefits from the presence of adequate beaches, a program of beach management and restoration should not be accomplished without a commitment of local funds to combat the problem of beach erosion.
- (11) The State of North Carolina prohibits seawalls and hardening the shoreline to prevent destroying the public's beaches.
- (12) It is declared to be a necessary governmental responsibility to properly manage and protect North Carolina's beaches from erosion and that good planning is needed to assure a cost-effective and equitable approach to beach management and restoration, and that as part of a comprehensive response to beach erosion, sound policies are needed to facilitate the ability of landowners to move threatened structures and to allow public acquisition of appropriate parcels of land for public beach access.

**WHEREAS**, over time inconsistency has developed between the actual use of the ocean beach for public trust purposes and the terms often used to describe various areas of the ocean beach; and

**WHEREAS**, in 1998 the General Assembly enacted N.C.G.S. § 77-20(d) and (e) which clarified that the geographical extent of the ocean beaches which are subject to public trust rights reaches landward to the first line of stable, natural vegetation; the toe of the frontal dune; and the storm trash line; and

**WHEREAS**, N.C. Const., Art. XIV, Sec. 5 provides that “it shall be a proper function of the State of North Carolina and its political subdivisions to . . . to preserve as a part of the common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, openlands, and places of beauty;” and

**WHEREAS**, N.C.G.S. § 160A-174 and 153A-121(a) have delegated broad authority to local legislative bodies to enact local ordinances to define and abate nuisances within their jurisdictions; and

**WHEREAS**, the recent North Carolina Court of Appeals decision in *Town of Nags Head v. Cherry, Inc.* is inconsistent with the authority granted to local governments under the North Carolina Constitution, the North Carolina General Statutes, and existing State agency regulations and is also inconsistent with the historical use and management of the ocean beaches by the general public and local governments; and

**WHEREAS**, the public has a significant interest in having the Supreme Court address the issues raised in the *Town of Nags Head v. Cherry, Inc.* action and providing local governments, the general public and private landowners with definitive legal analysis regarding the scope and existence of public trust rights in the State’s ocean beaches and local government authority to regulate, protect and manage the State’s ocean beaches within their jurisdiction.

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners for the County of Currituck, North Carolina supports the North Carolina Supreme Court’s review and consideration of the *Town of Nags Head v. Cherry, Inc.* action because of the significant public interest in the Supreme Court providing definitive legal analysis regarding the scope and existence of public trust rights in the State’s ocean beaches and local government authority to regulate, protect and manage the State’s ocean beaches within their jurisdiction.

### **C) Commissioner’s Report**

Commissioner Petrey wanted to recognize Deputy Jeff Walker.

Commissioner Martin reminded everyone to vote tomorrow.

Commissioner O'Neal requested staff to look at non profits for guidelines on their signs.

**D) County Manager's Report**

Dan Scanlon, County Manager, stated that the Parks & Recreation will have sign-ups for the winter sports beginning today and ending on July 20<sup>th</sup>.

**Adjourn**

There being no further business, the meeting adjourned.

# Change Order

No. 1  
Revised

Date of Issuance: 5/8/2012 Effective Date: 5/8/2012

Project: <u>Maple Commerce Park</u>	Owner: <u>Currituck County</u>	Owner's Contract No:
Contract: <u>Maple Commerce Park</u>		Date of Contract: <u>11/8/2011</u>
Contractor: <u>Barnhill Contracting Company</u>		Engineer's Project No.: <u>110248</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Increase of original contract time ; Increase in undercut/backfill quantity (542.5 CY at \$19/CY) per field inspector's verification of additional quantity

Attachments: (List documents supporting change): See attached schedule provided by Barnhill Contracting Company

**CHANGE IN CONTRACT PRICE:**

Original Contract Price:  
\$ 1,812,629.00

Increase/Decrease from previously approved Change Orders No. 0 to No. 0:  
\$ 0.00

Contract Price prior to this Change Order:  
\$ 1,812,629.00

Increase/Decrease of this Change Order:  
\$ 10,307.50

Contract Price incorporating this Change Order:  
\$ 1,822,936.50

**CHANGE IN CONTRACT TIME:**

Original Contract Time:  Working days  Calendar days  
Substantial completion (days or date): 180 days from NTP\*  
Ready for final payment (days or date): 180 days from NTP\*

**\*Notice to Proceed: 11/8/2011 as reflected above**  
[Increase][Decrease] from previously approved Change Orders No. 0 to No. 0:  
Substantial completion (days): 0  
Ready for final payment (days): 0

Contract Time prior to this Change Order:  
Substantial completion (days or date): 5/6/2012  
Ready for final payment (days or date): 5/6/2012

Increase of this Change Order:  
Substantial completion (days or date): 6/29/2012  
Ready for final payment (days or date): 6/29/2012

Contract Time with all approved Change Orders:  
Substantial completion (days or date): 6/29/2012  
Ready for final payment (days or date): 6/29/2012

**RECOMMENDED:**

By:   
Engineer (Authorized Signature)

Date: 5/8/2012

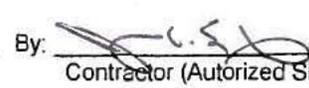
Approved by Funding Agency (if applicable): \_\_\_\_\_

**ACCEPTED:**

By: \_\_\_\_\_  
Owner (Authorized Signature)

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

**ACCEPTED:**

By:   
Contractor (Authorized Signature)

Date: 5-10-12

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

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
28450-532000	Supplies	\$ 2,000	
28380-481000	Investment Earnings		\$ 2,000
		<u>\$ 2,000</u>	<u>\$ 2,000</u>

**Explanation:**     *Revaluation (28450)* - Increase appropriations for supplies associated with revaluation.

**Net Budget Effect:**   Revaluation Fund (28) - Increased by \$2,000.

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10540-532000	Supplies	\$ 1,500	
10540-514000	Travel		\$ 500
10540-516200	Vehicle Maintenance		\$ 1,000
		<u>\$ 1,500</u>	<u>\$ 1,500</u>

**Explanation:** *Inspections (10540)* - Transfer funds to purchase electrical code books for building inspectors.

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

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10660-532000	Supplies	\$ 500	
10660-516200	Vehicle Maintenance	\$ 300	
10660-511000	Telephone & Postage		\$ 500
10660-514800	Fees Paid to Officials		\$ 300
		<u>\$ 800</u>	<u>\$ 800</u>

**Explanation:** *Planning (10660)* - Transfer funds for Planning operations for the remainder of this fiscal year.

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

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10535-502100	Overtime	\$ 2,000	
10535-557100	Software License Fees	\$ 1,436	
10535-521000	Rent	\$ 5,900	
10535-590000	Capital Outlay	\$ 6,000	
10535-502000	Salaries		\$ 10,000
10535-503500	Temporary Services		\$ 2,000
10535-506000	Health Insurance		\$ 1,000
10535-514000	Travel		\$ 900
10535-545000	Contract Services		\$ 1,436
		<u>\$ 15,336</u>	<u>\$ 15,336</u>

**Explanation:** *Communications (10535)* - Transfer funds for operations for the remainder of this fiscal year.

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

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10511-516200	Vehicle Maintenance	\$ 2,500	
10511-531000	Gas	\$ 2,000	
10511-532000	Supplies	\$ 2,000	
10511-536000	Uniforms	\$ 1,200	
10511-514000	Travel		\$ 2,000
10511-516000	Repairs & Maintenanec		\$ 2,000
10511-547000	Meals		\$ 3,700
		<u>\$ 7,700</u>	<u>\$ 7,700</u>

**Explanation:** Jail (10511) - Transfer budgeted funds for operations for the remainder of this fiscal year.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10512-531000	Gas	\$ 2,000	
10512-532000	Supplies		2,000
		<u>\$ 2,000</u>	<u>\$ 2,000</u>

**Explanation:** *Animal Control (10512)* - Transfer budgeted funds for operations for the remainder of this fiscal year.

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

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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>
10510-502000	Salaries	\$ 47,500	
10510-505000	FICA	\$ 3,634	
10510-507000	Retirement	\$ 3,349	
10510-508000	Supplemental Retirement	\$ 2,375	
10510-531000	Gas	\$ 90,000	
10510-506000	Health Insurance		\$ 1,700
10510-513000	Utilities		\$ 1,000
10510-514000	Travel		\$ 1,500
10510-526000	Advertising		\$ 400
10511-502000	Salaries		\$ 10,000
10511-506000	Health Insurance		\$ 3,852
10330-423000	Jail Fees		\$ 4,500
10330-424000	Officer Fees		\$ 25,000
10310-400011	Ad Valorem Taxes		\$ 98,906
		<u>\$ 146,858</u>	<u>\$ 146,858</u>

**Explanation:** Sheriff (10510) - Increase appropriations for shift differentials, position transfers, paid out vacation for separated employees and fuel for the remainder of this fiscal year.

**Net Budget Effect:** Operating Fund (10) - Increased by \$128,406.

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10795-545000	Contract Services	\$ 200	
10795-511000	Telephone & Postage	\$ 600	
10795-516000	Maintenance & Repair		\$ 800
		<u>\$ 800</u>	<u>\$ 800</u>

**Explanation:** *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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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10530-516200	Vehicle Maintenance	\$ 7,650	
10530-502100	Overtime	\$ 69,973	
10530-532000	Supplies	\$ 1,000	
10530-513000	Gas	\$ 20,000	
10530-511000	Telephone & Postage	\$ 400	
10530-536000	Uniforms	\$ 1,600	
10530-590000	Capital Outlay	\$ 5,200	
10530-533900	Ambulance Supplies	\$ 4,000	
10530-502000	Salaries		\$ 60,000
10530-502200	Holiday		\$ 20,000
10530-514500	Training & Education		\$ 800
10530-545000	Contract Services		\$ 1,650
10530-514800	Fees Paid to Officials		\$ 1,200
10530-561200	Billing Fees		\$ 7,000
10530-540000	Workers Comp		\$ 9,973
10530-557100	Software License Fees		\$ 9,200
		<u>\$ 109,823</u>	<u>\$ 109,823</u>

**Explanation:** *Emergency Medical Services (10530)* - Transfer funds for operations for the remainder of this fiscal year and to purchase a training manikin from capital outlay.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10541-514000	Travel	\$ 258	
10541-516000	Repairs & Maintenance	\$ 850	
10541-531000	Gas	\$ 1,200	
10541-513000	Utilities		\$ 1,250
10541-540000	Worker's Comp		\$ 128
10541-590000	Capital Outlay		\$ 930
		<u>\$ 2,308</u>	<u>\$ 2,308</u>

**Explanation:** *Fire Prevention (10541) - Transfer funds for operations for the remainder of this fiscal year.*

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

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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>
61818-511010	Data Transmission	\$ 100	
61818-516000	Maintenance & Repair	\$ 8,000	
61818-531000	Gas	\$ 8,500	
61818-532000	Supplies	\$ 1,500	
61818-533200	Lab Tests	\$ 1,500	
61881-545100	Credit Card Fees	\$ 600	
61818-552000	Overage(Shortage)	\$ 10	
61818-590441	Technology Over \$1,000		\$ 2,000
61818-590003	Fire Hydrants		\$ 3,000
61818-545000	Contract Services		\$ 6,000
61818-513000	Utilities		\$ 8,210
61818-514000	Travel		\$ 1,000
		<u>\$ 20,210</u>	<u>\$ 20,210</u>

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

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10330-430600	Elderly & Disabled Transportation	\$ 112,497	
10560-545000	Contract Services		\$ 112,497
		<u>\$ 112,497</u>	<u>\$ 112,497</u>

**Explanation:** *Inter-County Transportation (10560)* - Adjust budget for the decreased amount the County received in ROAP funding.

**Net Budget Effect:** Operating Fund (10) - Decreased by \$112,497.

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10606-511000	Telephone & Postage	\$ 300	
10606-531000	Gas, Oil	\$ 700	
10606-592000	Conservation Projects		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

**Explanation:** *Soil Conservation (10606)* - Transfer funds for operations for the remainder of this fiscal year.

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

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 2012, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2012.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
66868-590441	Technology > \$1,000	\$ 646	
66868-590000	Capital Outlay	\$ 234	
66868-545100	Credit Card Fees	\$ 2,000	
66868-545101	Credit Card Fees		\$ 2,000
66868-545102	Credit Card Fees		\$ 1,000
66868-540000	Worker's Comp		\$ 11,216
66868-531000	Gas	\$ 10,000	
66868-511001	Telephone & Postage	\$ 2,000	
66868-506000	Health Insurance		\$ 664
		<u>\$ 14,880</u>	<u>\$ 14,880</u>

**Explanation:** *Southern Outer Banks Water (66868)* - Transfer funds for operations for the remainder of this fiscal year.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
65858-545100	Credit Card Fees	\$ 150	
65858-561000	Professional Services		\$ 150
		<u>\$ 150</u>	<u>\$ 150</u>

**Explanation:** *Moyock Commons Sewer (65858)* - Transfer funds for increased credit card payment usage.

**Net Budget Effect:** *Moyock Commons Sewer (65)* - No change.

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
62828-511000	Telephone & Postage	\$ 100	
62828-516000	Repairs & Maintenance		\$ 100
62828-545000	Contract Services	\$ 700	
62828-561000	Professional Services		\$ 500
62828-532000	Supplies		\$ 200
		<u>\$ 800</u>	<u>\$ 800</u>

**Explanation:** Newtown Road Sewer (62828) - Transfer funds for operations.

**Net Budget Effect:** Newtown Road Sewer (62) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10750-532000	Supplies		\$ 3,000
10750-514000	Travel		\$ 1,000
10750-531000	Gas, Oil, Etc.		\$ 1,000
10750-561000	Professional Services	\$ 5,000	
10760-585001	Donations-Currituck Kids	\$ 2,000	
10380-487001	Donations-Currituck Kids		\$ 2,000
		<u>\$ 7,000</u>	<u>\$ 7,000</u>

**Explanation:** SOCIAL SERVICES ADMIN (750) - Increase needed for Professional Services due to required psychological evaluations for CPS cases. COUNTY ASSISTANCE (760) - Received additional funds from Currituck Kids organization for summer camp and foster child expenses.

**Net Budget Effect:** Operating Fund (10) - Increased by \$1,000.

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10441-532441	Technology < \$1,000	\$ 2,739	
10441-557100	Software License Fees	\$ 4,199	
10441-545000	Contract Services	\$ 20,740	
10441-590000	Capital Outlay		\$ 27,678
		<u>\$ 27,678</u>	<u>\$ 27,678</u>

**Explanation:** Information Technology (10441) - Transfer budgeted funds from capital outlay for additional firewalls, monitors, annual software/hardware support, Sharepoint configuration and set-up, CITRIX VDI setup and Replay 4 Backup software maintenance.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10450-514500	Training and Education	\$ 150	
10450-514000	Travel		\$ 150
10460-516000	Repair & Maintenance	\$ 2,500	
10460-513000	Utilities		\$ 2,500
10461-511000	Telephone & Postage	\$ 400	
10461-536000	Uniforms		\$ 5
10461-516200	Vehicle Maintenance		\$ 395
10900-582400	Notes Payable	\$ 115	
10440-561000	Professional Services		\$ 115
		<u>\$ 3,165</u>	<u>\$ 3,165</u>

**Explanation:** Various Departments - Transfers for operations for the remainder of this fiscal year.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10545-561000	Professional Services	\$ 5,000	
10310-400011	Ad Valorem Taxes 2011 Levy		\$ 5,000
		<u>\$ 5,000</u>	<u>\$ 5,000</u>

**Explanation:** Medical Examiner (10545) - Increase appropriations for medical examiner services for the remainder of this fiscal year.

**Net Budget Effect:** Operating Fund (10) - Increased by \$5,000.

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
12543-532103	Fire Supplies	\$ 4,000	
12543-544003	Volunteer Assistance		\$ 4,000
12546-554006	Insurance	\$ 4,933	
12546-544006	Volunteer Assistance		\$ 4,933
12548-516115	Buildings and Grounds	\$ 2,000	
12548-531015	Gas	\$ 21,000	
12548-561015	Professional Services	\$ 1,200	
12548-532115	Fire Supplies		\$ 24,200
		<u>\$ 33,133</u>	<u>\$ 33,133</u>

**Explanation:** Moyock Volunteer Fire Department (12543); Corolla Volunteer Fire Department (12546); Knotts Island Volunteer Fire Department (12548) - Transfer budgeted funds for operations for the remainder of this fiscal year.

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

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
26535-590000	Capital Outlay	\$ 13,500	
26390-499900	Fund Balance Appropriated		\$ 13,500
		<u>\$ 13,500</u>	<u>\$ 13,500</u>

**Explanation:** Emergency Telephone (26535) - To appropriate funds for remaining 911 consoles.

**Net Budget Effect:** Emergency Telephone System Fund (26) - Increased by \$13,500.

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
40750-587051	T T - School Construction Fund	\$ 998,179	
40750-587050	T T - County Govt Construction Fund		\$ 998,179
		<u>\$ 998,179</u>	<u>\$ 998,179</u>

**Explanation:** Capital Improvements (40750) - Transfer funding for COA facility.

**Net Budget Effect:** Capital Improvements Fund (40) - No change.

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
60808-590000	Capital Outlay	\$ 4,400	
60808-588000	Contingency		\$ 4,400
		<u>\$ 4,400</u>	<u>\$ 4,400</u>

**Explanation:** Ocean Sands Water and Sewer (60808) - Transfer contingency funds to replace pumps.

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

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The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
63838-545900	Tire Disposal	\$ 7,000	
63838-571500	Recycling		\$ 7,000
		<u>\$ 7,000</u>	<u>\$ 7,000</u>

**Explanation:** Solid Waste (63838) - Transfer funds for tire disposal for the remainder of this fiscal year.

**Net Budget Effect:** Solid Waste Fund (63) - No change.

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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>
64360-471000	Tap and Connection Fees		\$ 5,760
64390-495010	T F - Operating Fund		\$ 15,940
64848-511000	Telephone and Postage	\$ 300	
64848-513000	Utilities	\$ 5,500	
64848-532000	Supplies	\$ 3,200	
64848-533200	Lab Tests	\$ 6,500	
64848-533800	Chemicals	\$ 2,500	
64848-553000	Dues & Subscriptions	\$ 2,500	
64848-590000	Capital Outlay	\$ 1,200	
10990-587064	T T - Maple Commerce Park Sewer	\$ 15,940	
10310-400011	Ad Valorem Taxes - 2011 Levy		\$ 15,940
		<u>\$ 37,640</u>	<u>\$ 37,640</u>

**Explanation:** Operating Transfers (10990); Maple Commerce Park Sewer (64848) - To establish operating budget for the Maple Commerce Park Sewer.

**Net Budget Effect:** Operating Fund (10) - Increased by \$15,940.  
Maple Commerce Park Sewer Fund (64) - Increased by \$21,700.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
50650-590000	Maple Commerce Pk Roadway/Utilities	\$ 10,308	
50650-588000	Contingency		\$ 10,308
		<u>\$ 10,308</u>	<u>\$ 10,308</u>

**Explanation:** Maple Commerce Park (50650) - Transfer contingency funds for change order #1, Barnhill Contracting Company - increase in undercut/backfill.

**Net Budget Effect:** County Governmental Construction (50650) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10440-532000	Supplies	\$ 454	
10440-514000	Travel	\$ 1,000	
10445-532000	Supplies	\$ 562	
10980-545000	Contract Services	\$ 10,568	
10980-502100	Overtime	\$ 50,100	
10980-503500	Temporary Salaries	\$ 1,500	
10980-505000	FICA	\$ 3,947	
10980-507000	Retirement	\$ 6,213	
10530-531000	Gas	\$ 17,730	
10330-445100	Public Assistance/FEMA		\$ 92,074
		<u>\$ 92,074</u>	<u>\$ 92,074</u>

**Explanation:** Disaster Recovery (10980) - EMS/Fire claims from Hurricane Irene - PW 699 .

**Net Budget Effect:** Operating Fund (10) - Increased by \$92,074.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10980-590000	Capital Outlay	\$ 4,146	
10980-545000	Contract Services	\$ 100,453	
10460-531000	Gas	\$ 878	
10440-514500	Training & Education	\$ 485	
10330-445100	Public Assistance/FEMA		\$ 105,962
		<u>\$ 105,962</u>	<u>\$ 105,962</u>

**Explanation:** Disaster Recovery (10980) - Debris removal from Hurricane Irene - PW 800 .

**Net Budget Effect:** Operating Fund (10) - Increased by \$105,962.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
57878-588000	Contingency	\$ 216,045	
57878-597000	Reimbursable Expenses	\$ 79,690	
57878-596100	Professional Services	\$ 283,466	
57878-594500	Contract Services	\$ 2,120,799	
57390-490000	Proceeds from debt		\$ 2,700,000
		<u>\$ 2,700,000</u>	<u>\$ 2,700,000</u>

**Explanation:** Moyock Central Sewer (57878) - To record debt proceeds for the Moyock Central Sewer construction.

**Net Budget Effect:** Moyock Central Sewer Fund (57) - Increased by \$2,700,000.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of May, 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>
10440-511000	Telephone & Postage	\$ 800	
10440-535000	Safekeeping Fees		\$ 800
10750-514500	Training & Education	\$ 440	
10750-540000	Worker's Comp		\$ 440
10795-576001	Youth Baseball/Softball	\$ 490	
10795-576003	Flag Football		\$ 500
10795-590441	Technology > \$1,000	\$ 10	
12546-531006	Gas	\$ 2,500	
12546-544006	Volunteer Assistance		\$ 2,500
		<u>\$ 4,240</u>	<u>\$ 4,240</u>

**Explanation:** Various Departments - Transfers for operations.

**Net Budget Effect:** Operating Fund (10) - No change.  
Fire Services Fund (12) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 21st day of May, 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>
15447-545000	Contract Services	\$ 18,507	
15320-415000	Occupancy Tax		\$ 18,507
		<u>\$ 18,507</u>	<u>\$ 18,507</u>

**Explanation:** Occupancy Tax; Tourism Related Expenditures (15447) - Increase appropriations for repairs caused by erosion and Sound Park.

**Net Budget Effect:** Occupancy Tax Fund (15) -Increased by \$18,507.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 21st day of May, 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>
15442-532500	Retail Merchandise	\$ 20,000	
15442-545000	Contract Services	\$ 200	
15442-590000	Capital Outlay	\$ 17,300	
15442-590441	Technology > \$1,000	\$ 2,500	
15320-415000	Occupancy Tax		\$ 40,000
		<u>\$ 40,000</u>	<u>\$ 40,000</u>

**Explanation:** Occupancy Tax; Tourism Promotion (15442) - Increase appropriations for equipment and merchandise for start-up of retail sales and Corolla and Moyock Visitor's Centers.

**Net Budget Effect:** Occupancy Tax Fund (15) -Increased by \$40,000.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 21st day of May, 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>
15447-532460	Building Supplies	\$ 1,000	
15447-545000	Contract Services	\$ 13,000	
15447-561000	Professional Services		\$ 7,500
15447-532160	Maintenance Supplies		\$ 4,000
15447-590000	Capital Outlay		\$ 2,500
		<u>\$ 14,000</u>	<u>\$ 14,000</u>

**Explanation:** Occupancy Tax; Tourism Related Expenditures (15447) -Transfer funds for operations for remainder of this fiscal year.

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

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 21st day of May, 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>
15447-516002	Outer Banks Access Ramps	\$ 22,000	
15320-415000	Occupancy Tax		\$ 22,000
		<u>\$ 22,000</u>	<u>\$ 22,000</u>

**Explanation:** Occupancy Tax; Tourism Related Expenditures (15447) -Increase appropriations to maintain the beach access ramp.

**Net Budget Effect:** Occupancy Tax Fund (15) -Increased by \$22,000.

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