



**BOARD OF COMMISSIONERS
AGENDA**

NOVEMBER 19, 2012

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REVISED

Currituck County Board of Commissioners Agenda Historic Currituck County Courthouse

Date: Monday, November 19, 2012 Time: 7:00 PM

Work Sessions

6:00 Moyock Small Area 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 12-05 Currituck County: Request to amend the new Unified Development Ordinance to correct and clarify language in the following chapters: Chapter 1: General Provisions, Chapter 2: Administration, Chapter 3: Zoning Districts, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement.
- B) **Public Hearing and Action:** PB 12-18 Currituck County Unified Development Ordinance Administrative Manual: Request to approve the Administrative Manual for the new Unified Development Ordinance.
- C) **Public Hearing and Action on Resolution to approve an application with NC Local Government Commission for financing Phase III of the Whalehead Storm Water Drainage Project**
- D) **Consideration and Action:** PB 07-09 Currituck Reserve, Planned Unit Development: Request for a sketch plan/special use permit extension of a planned unit development consisting of 688 units located between

Caratoke Highway and Tulls Creek Road, North of Guinea Road, Moyock Township.

New Business

A) Board Appointments:

1. Appointments to Nursing Home Advisory Board

B) Consent Agenda:

1. Approval of ECBH September 30 Fiscal Monitoring report
2. Resolution recognition of John Barnes, School Board Member
3. Resolution Opposing the Mining of Uranium in Virginia
4. RESOLUTION AUTHORIZING THE PURCHASE OF ADDITIONAL 800 MHz RADIO COMMUNICATIONS SYSTEM EQUIPMENT FROM GATELY COMMUNICATIONS AND MOTOROLA THROUGH SOLE SOURCE PURCHASE
5. Approval of November 5, 2012 Minutes

C) Commissioner's Report

D) County Manager's Report

Adjourn



Currituck County

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

To: Board of Commissioners
From: Planning Staff
Date: November 1, 2012
Subject: PB 12-05 Currituck County Text Amendment

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to amend miscellaneous sections of the new Unified Development Ordinance (UDO). The proposed amendments have been identified by staff as we continue to use and test the new UDO, which is effective January 1, 2013. The proposed amendments include:

23. Clarifying setback encroachments.
24. Deleting the provision of requiring lots bordering the farmland compatibility vegetated buffer to be twice the minimum lot size.
25. Clarifying minimum lot/unit size for multifamily developments in the MXR district.
26. Clarifying planned development dimensional standards.
27. Clarifying PUD transitional standards.
28. Exempting development adjacent to property zoned LB, GB, LI, of HI from the community compatibility standards.
29. Not requiring a conceptual plan to submitted for zoning map amendments for pre-application conferences.
30. Clarifying commercial design standards.
31. Correcting expiration of development approvals.
32. Deleting redundancy among the variance findings.

The Planning Board **recommended approval** of PB 12-05 as presented on October 9, 2012.

PLANNING BOARD DISCUSSION (October 9, 2012)

Mr. Cooper asked if the letters sent out to Adjoining Property Owners for a zoning map amendment required a conceptual drawing.

Mr. Schuler stated it did not.

ACTION

Ms. Wilson moved to approve PB 12-05 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Everhart seconded the motion. Motion carried unanimously.

Currituck County
PB 12-05
UDO AMENDMENT REQUEST

Amendments to the Unified Development Ordinance Chapter 2: Administration, Chapter 3: Zoning Districts, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 23: That Chapter 10: Definitions and Measurement is amended by adding the following underlined language and deleting the strikethrough language:

Section 10.3.4.B General Setback Requirements

(1) Setback Exemptions

- (c) Handicap ramps may encroach into a required setback.

Section 10.3.4.C Allowable Setback Encroachments

(1) Building Features

- (a) Flagpoles, birdhouses, fences, walls, well houses, pump covers, arbors, residential mechanical equipment, water-dependent features, and other nonhabitable structures of 25 square feet in size or less may be located within a required setback, but may not be located within a required sight triangle.
- (b) Building eaves, gutters, canopies, chimneys, bay windows; and steps, uncovered porches, decks, patios, ~~handicap ramps~~, or sidewalks ~~extending more than 12 inches above the ground~~ that prevent infiltration of rainwater may encroach into a required setback up to three feet.
- (c) Uncovered porches, decks, patios, steps, ~~handicap ramps~~, or sidewalks ~~extending 12 inches above ground or less~~ that allow infiltration of rainwater may encroach into a required setback by up to five feet.
- ~~(d) Arbors may be located within 20 feet of a major arterial street.~~

Item 24: That Chapter 5: Development Standards is amended by deleting the strikethrough language and renumbering accordingly:

5.11.5 Farmland Compatibility Standards

~~C. Lot Size Configuration~~

~~Except for lots in a conservation subdivision, lots bordering the vegetated buffer shall maintain a minimum lot area twice the minimum lot area required by the base zoning district where the subdivision is located.~~

Item 25: That Chapter 3: Zoning Districts is amended by adding the underlined language and deleting the strikethrough language:

3.4.6 Mixed Residential (MXR) District

D. DIMENSIONAL STANDARDS

	Single-Family Detached	Other Residential	Nonresidential	
Min. Lot Area/Dwelling Unit (sq ft) [1]	20,000	10,000 <u>N/A</u>	20,000	1

Item 26: That Chapter 3: Zoning Districts is amended by adding the underlined language and deleting the strikethrough language:

3.7.3 Planned Development – Residential (PD-R) District

B. DIMENSIONAL STANDARDS

Nonresidential square footage, <u>land area</u> maximum (% of district total)	40
Land area occupied by a s <u>Single housing type,</u> (% of district total) maximum (% of units).	60 <u>85</u>

C. DEVELOPMENT STANDARDS

Open space set-aside [3]	Modifications prohibited <u>30%</u>
--------------------------	--

NOTES:

[3] ~~Where a PD-R district includes nonresidential or mixed-use development, t~~ The required percentage of open space set-aside shall be calculated based on the total ~~amount~~ of land used for residential, nonresidential, or mixed-use purposes, respectively district area

3.7.4 Planned Development – Mixed (PD-M) District

B. DIMENSIONAL STANDARDS	
Residential square footage , <u>land area</u> maximum (% of district total)	35

C. DEVELOPMENT STANDARDS	
Open space set-aside [3]	Modifications prohibited <u>20%</u>

NOTES:

[3] ~~Where a PD-R district includes nonresidential or mixed-use development, t~~ The required percentage of open space set-aside shall be calculated based on the total ~~amount~~ of land used for residential, nonresidential, or mixed-use purposes, respectively district area

3.7.5 Planned Development – Outer Banks (PD-O) District

B. DIMENSIONAL STANDARDS	
Nonresidential square footage , <u>land area</u> maximum (% of district total)	10
Land area occupied by a s <u>Single housing type</u> , (% of district total) <u>maximum (% of units)</u>	75 [2]

C. DEVELOPMENT STANDARDS	
Open space set-aside [3]	Modifications prohibited <u>30%</u>

NOTES:

[4] ~~Where a PD-R district includes nonresidential or mixed-use development, t~~ The required percentage of open space set-aside shall be calculated based on the total ~~amount~~ of land used for residential, nonresidential, or mixed-use purposes, respectively district area

Item 27: That Chapter 1: General Provisions is amended by adding the underlined language and deleting the strikethrough language.

1.8.6 Approved Planned Unit Development District Overlays and Sketch Plans

- B. An owner of a parcel proposed for redevelopment, vacant parcel, or phase of a planned unit development subject to an approved sketch plan may submit a development application or application to amend

the approved sketch plan or special use permit consistent with the applicable conditions of approval and compliance with the following:

(1) Bulk and Dimensional Requirements

Development applications or modifications to an approved sketch plan shall comply with the standards in Table 1.8.6.A, Bulk and Dimensional Standards.

TABLE 1.8.6.A: BULK AND DIMENSIONAL STANDARDS	
SITE CHARACTERISTIC	STANDARD
Minimum Lot Area (square feet)	10,000 with central sewer [1]; 20,000 without central sewer
Minimum Open Space Set-Aside (%)	35 [+2]
Maximum Building Square Footage <u>Land Area Occupied by Commercial development Uses</u> (%)	10

NOTES:

[1] May be reduced in accordance with Section 3.2.2, Zero Lot Line Development or if lot size reduction is added to the minimum open space set-aside.

[+2] No modification to an approved sketch plan shall result in a planned development with less than 35 percent of its land area occupied by open space.

(2) Allowable Uses

The range of principal uses allowed on a site subject to a modified sketch plan shall be limited to the following: ~~allowable uses for the PD-O district listed in Table 4.1.1, Summary Use Table.~~

(a) Land designated for residential development shall be limited to the allowable uses for the SFO district listed in Table 4.1.1, Summary Use Table.

(b) Land designated for commercial or multi-family development shall be limited to the allowable uses for the PD-O district listed in Table 4.1.1, Summary Use Table.

- (c) Airports, major utilities, wind energy facilities, outdoor recreation/ entertainment uses, and vehicle sales and services require approval of a use permit.

(3) Development Standards

Development associated with a development application or modified sketch plan shall comply with the following development standards in this Ordinance Chapter 5: Development Standards, Chapter 6: Subdivision and Infrastructure, and Chapter 7: Environmental Protection provided compliance with the standards does not have the effect of decreasing the type, density, or intensity of land designations contained in the approved master plan establishing the planned unit development.:

- ~~(a) Off-street parking and loading standards in Section 5.1;~~
- ~~(b) Landscaping standards in Section 5.2;~~
- ~~(c) Exterior lighting standards in Section 5.4;~~
- ~~(d) Community form standards in Section 5.6;~~
- ~~(e) Multi-family design standards in Section 5.7;~~
- ~~(f) Nonresidential design standards in Section 5.8;~~
- ~~(g) Shopping center design standards in Section 5.9;~~
- ~~(h) Community compatibility standards in Section 5.10;~~
- ~~(i) Signage in Section 5.12;~~
- ~~(j) Tree protection standards in Section 7.2;~~
- ~~(k) Stormwater management standards in Section 7.3, (unless the planned unit development is already subject to a stormwater management plan);~~
- ~~(l) Flood damage prevention standards in Section 7.4;~~
and
- ~~(m) Sedimentation and erosion control in Section 7.5.~~

- C. Sketch plan amendment applications that comply with the land designations contained in the approved master plan establishing the planned unit development and development applications that

comply with Subsection (B) above may be approved by the Planning Director shall not be required to obtain special use permit approval.

- D. To the extent a landowner proposes development that is different than that allowed in the sketch plan or Subsection (B) above, the land requires approval of an amended sketch plan and use permit (see Section 2.4.6, Use Permit) zoning map amendment (see Section 2.4.3, Zoning Map Amendment), or planned development (see Section 2.4.5, Planned Development).

Item 28: That Chapter 5: Development Standards is amended by adding the underlined language.

5.10.2 Applicability

E. Exemptions

Commercial, industrial, mixed-use, and multi-family development located on land adjacent to or across a local street from a single-family detached dwelling on property zoned LB, GB, LI, or HI, or on a ten acre lot or larger is exempt from these standards.

Item 29: That Chapter 2: Administration is amended by adding the underlined language.

2.3.3 Pre-Application Conference

C. Required Information Submitted Prior to Conference

- (1) Except for a pre-application conference associated with a text amendment and zoning map amendment, the applicant shall submit conceptual drawings that show the location, general layout, and main elements of the development to be proposed as part of the application.

Item 30: That Chapter 5: Development Standards and Chapter 10: Definitions and Measurement are amended by adding the underlined language, deleting the strikethrough language, and renumbering accordingly.

Section 5.7.3.C Building Design

(3) Roof Form

- (a) Development shall incorporate sloped roofs greater than or equal to one foot of vertical rise for every four feet of horizontal run (3:12), and less than or equal to one foot of vertical rise for every one foot of horizontal run (12:12), roof pitches between 3:12 and 12:12, or shall incorporate a three-foot parapet with a dimensional cornice around a flat roof. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.

Section 5.8.3.B Building Placement

(4) Fronting Streets

- ~~(a) The façade of all buildings in view from a public right-of-way, shall contain substantially the same building articulation, features and elements that are used on the façade which comprises the primary entrance to the building (see Figure 5.8.3.B.1, Comparable Façade Design).~~

Section 5.8.3.C Design Features

(1) Design Features

Front building facades and facades facing streets shall provide a minimum of three of the following six design features (see Figure 5.8.3.C.1, Required Building Design Features):

(4) Prohibited Materials

Metal siding shall not be used on front building facades and facades facing streets.

10.5 DEFINITIONS

FRONT (OR PRIMARY) FAÇADE

The side or elevation of a structure that contains the structure's architectural front including the primary customer entrance. ~~, or the portion of the structure facing the street from which the structure derives its street address.~~

ROOF, FLAT

A roof with a slope of less than one foot of vertical rise for every four feet of horizontal run (3:12).

Item 31: That Chapter 2: Administration is amended by adding the underlined language, deleting the strikethrough language.

2.4.6 Use Permit

G. Expiration of Development Approval

A use permit shall automatically expire if any of the following is not obtained within two years of the date of use permit approval:

- (3) ~~Approval of construction drawings~~ Submittal of a complete application for approval of a final plat, if the use requires approval of a preliminary plat.

Section 2.4.8.E.4.D Expiration of Development Approval

- (i) Approval of a type I or type II preliminary plat shall automatically expire if a complete application for approval of a final plat is not submitted within two years after the date of approval of the type I or type II preliminary plat.

Item 32: That Chapter 2: Administration is amended by deleting the strikethrough language.

2.4.6 Variance

D. Variance Review Standards

A variance shall be approved on a finding the applicant demonstrates all of the following standards are met:

- (2) The alleged hardship is suffered by the applicant as a result of the application of this Ordinance, ~~and the same hardship is not shared by neighbors or the general public;~~

Item 33: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 34: This ordinance amendment shall be in effect from and after the _____ day of _____, 200__.

Board of Commissioners' Chairman
Attest:

Gwen H. Keene
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES _____NAYS _____

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: _____AYES _____NAYS _____
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____



Currituck County

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

MEMORANDUM

To: Board of Commissioners
From: Planning Staff
Date: November 1, 2012
Re: PB 12-18 Administrative Manual

The purpose of the administrative manual is to assist in the administration of the new Unified Development Ordinance (UDO). It is similar to the development review process manual of the current UDO. The administrative manual's primary goal is to explain the review procedures of development applications established in the UDO. The manual contains, among other things: application forms, staff review checklist, planting details, and submittal and fee schedules. The manual consolidates information in the development review process, and helps applicants understand the procedures and requirements. The intent of the manual is more specifically to:

- A. Establish a process that is clear and understandable to all interested parties, applicants and staff;
- B. Clarify the standards and procedures for submitting complete and relevant information for development applications;
- C. Provide information and tools to assist applicants during the review process;
- D. Provide official interpretations of the UDO; and
- E. Establish planting standards that promote health and survival of landscaping installed in the county.

The administrative manual is divided into three parts:

1. Introduction
The introduction provides background on the manual and its purpose, and recognizes it as part of the UDO.
2. Procedures and Applications
Contains detailed review processes, applications, and design and submittal checklists for all development applications established in the UDO.
3. Appendices
Contain standards that are applicable to all development applications, specifically, flood damage prevention, planting standards, and official interpretations. Also included are items that may assist applicants in the development review process including links to useful tools (UDO, Land Use Plan, online mapping) and staff review

checklist. Finally, the appendices establish submittal and fee schedules for development applications.

The administrative manual will be available on the county's website for review. The direct link will be emailed to you once it is posted. Should you have any questions on the manual, please contact Brad Schuler, Planner I, at 232-6033 or Brad.Schuler@CurrituckCountyNC.gov.

The Planning Board **recommended approval** of PB 12-18 as presented due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development.

The Board of Commissioners **continued** PB 12-18 at their October 15, 2012 meeting in order to give them ample time to review the document.

PLANNING BOARD DISCUSSION *(September 11, 2012)*

No discussion.

ACTION

Ms. Newbern moved to approve PB 12-18 as presented due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Everhart seconded the motion. Motion carried unanimously.

RESOLUTION

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

WHEREAS, the County of Currituck, North Carolina desires to construct the Whalehead Subdivision Drainage and Watershed Improvements - Phase III (the "Project"), the final phase of a project to better serve the citizens of the Whalehead Watershed Service District, Corolla, NC ; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Currituck, North Carolina, meeting in regular session on the 19th day of November, 2012, make the following findings of fact:

1. The proposed contract is necessary or expedient to correct drainage deficiencies within the Whalehead Service District, which comprises an area of land subdivided in 1972 and constructed without stormwater management facilities.
2. The proposed contract is preferable to a bond issue for the Project because the County desires to borrow an amount not to exceed \$3,800,000, which would be bank qualified debt, for seven (7) to fifteen (15) years, depending on rates received, and it is more economical for the County to do an installment purchase contract for this amount rather than increase the borrowing costs with the costs associated with a referendum and issuance of bonds.
3. The cost of financing under the proposed contract is less than to the cost of holding a referendum and issuing general obligation bonds. Further, the process of holding a bond referendum and the approval process would delay the Project by six to eight months and therefore the County desires to move forward with the installment purchase contract.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the County has established a service district with a tax rate of nine cents per One Hundred Dollars of property valuation, which will meet the debt obligations for this installment purchase agreement.
5. The County of Currituck's debt management procedures and policies are good because the County has identified revenue sources to make debt payments and invests and monitors all funds to assure that debt payments are made when due.
6. The County does not anticipate increasing taxes for this new debt.
7. The County of Currituck is not in default in any of its debt service obligations.

8. The attorney for the County of Currituck has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

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

This resolution is effective upon its adoption this 19th day of November, 2012.

The motion to adopt this resolution was made by Commissioner

_____, seconded by Commissioner

_____ and passed by a vote of _____ to _____.

John Rorer, Chairman

ATTEST:

[Clerk/Secretary]

This is to certify that this is a true and accurate copy of Resolution No. _____ Adopted by the Board of Commissioners on the 19th day of November, 2012.

[Clerk/Secretary]

Date



Currituck County

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

To: Board of Commissioners
From: Planning Staff
Date: October 18, 2012
Subject: Currituck Reserve, PUD, Special Use Permit Extension

On January 8, 2008, the Board of Commissioners voted to approve the sketch plan/special use permit for Currituck Reserve, PUD. This is a planned unit development consisting of 688 units located between Caratoke Highway and Tulls Creek Road, north of Guinea Road. The sketch plan/special use permit approval was due to expire on January 8, 2010. The North Carolina General Assembly passed a law that suspended the vesting period for development approvals that were valid at any time during January 1, 2008 through December 31, 2010. With the law in effect the preliminary plat expiration date is January 1, 2013.

On October 17, 2012 Eric L. Smith, AH Currituck Reserve, LLC submitted a request for a two year preliminary plat extension of the subdivision citing economic reasons (see attached).

In accordance with the UDO Chapter 11 Section 11.10.2, the Board of Commissioners may grant an extension of the special use permit one time for a period of two years, if they conclude that:

1. The permit has not yet expired.
 - a. The special use permit has not yet expired and will expire January 1, 2013.
2. The permit recipient has proceeded with due diligence and in good faith; and,
 - a. The developer has proceeded with due diligence, however, due to the economy have not been able to proceed as desired.
3. Conditions have not changed so substantially as to warrant a new application. Successive extensions shall not be granted. All such extensions may be granted without resort to the formal processes and fees required for a new permit.
 - a. There are no changes proposed in the extension request.

**AH Currituck Reserve, L.L.C.
222 Central Park Avenue, Suite 2100
Virginia Beach, VA 23462**

Currituck County Board of Commissioners
153 Courthouse Road, Suite 110
Currituck, NC 27929

Re: PB 07-09 Currituck Reserve, PUD

Honorable Commissioners:

The above captioned special use permit was approved by the Currituck County Board of Commissioners (BOC) on January 8, 2008 and will expire on January 1, 2013.

The permit recipient has proceeded with due diligence with the subject project, however, due to the economy have not been able to proceed as desired. Conditions have not changed so substantially so as to warrant a new application

On behalf of all the land owners, we respectfully request that the BOC grant a two-year extension so that the new expiration date would be January 1, 2015.

Kindest regards,



Eric L. Smith



SITE DATA:

TOTAL SITE:	+/- 471 A.C.
SUBDIVISION SITE:	+/- 415.7 A.C.
RESIDENTIAL AREA:	(+/- 209.08 A.C.)
COMMERCIAL AREA:	(+/- 19 A.C.)
OPEN SPACE:	(+/- 182.36 A.C.)
TREATMENT PLANT SITE:	(+/- 5.26 A.C.)
AREA DEDICATED TO COUNTY:	+/- 55.3 A.C.

SUBDIVISION DATA:

NUMBER OF UNITS: 688 Total-
213 Estate Homes (10,000 - 20,000 SF lots)
230 Village Homes (9,999 - 7,500 SF lots)
245 Patio Homes (7,499 - 3,000 SF lots)

DENSITY: 1.46 units per acre (3 units per acre permitted)

MINIMUM LOT SIZE: 3,000 SF

AVERAGE LOT SIZE: 13,000 SF

OPEN SPACE:
REQUIRED: 150 A.C. ((410.4*.35) + (230*1,250))
PROVIDED: 182.36 +/- acres or 44%
*410.4 acres = 471 ac, less area dedicated to county, less treatment plant site
*230 units = # of units less than 10,000 s.f.

RECREATION OPEN SPACE REQ. FOR PUD:
REQUIRED/PROVIDED: 75 A.C.

PONDS: +/- 37.9 A.C. Provided

COMMERCIAL AREA ALLOWED: 41.78 A.C.
COMMERCIAL AREA PROVIDED: +/-19 A.C.

UTILITIES NOTE:

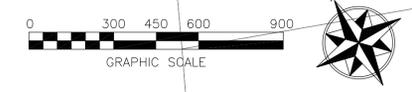
- PUBLIC WATER TO BE PROVIDED WITH IN R.O.W.
- SEWER TREATMENT TO BE PROVIDED
- ALL OTHER UTILITIES TO BE PROVIDED WITH IN UNDERGROUND COMMON UTILITY EASEMENT.

No.	DATE	REVISION

PROJECT No: _____
DATE: 11/30/07
DES. DR. CKD.

**Currituck Reserve
Sketch Plan**
Currituck County
Moyock Township, North Carolina

Site Plan



Joint Nursing-Domiciliary Community Advisory Committee
 First Term-1 Year
 Reappointments-2 or 3 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
	District 1				
	District 2				
Diane Bray	District 3				11/12/2012
Barbara Courtney*	District 4				11/12/2012
Florence Scaff*	District 5				11/12/2012
Rosalie Rose*	At-Large				11/12/2012
Donna Forcht**	At-Large				11/12/2012
All Eligible for reappointment and are willing to serve					

Quarterly Fiscal Monitoring Report - DMHDDSAS

LME / MCO NAME:

East Carolina Behavioral Health

FOR THE PERIOD ENDING:

30-Sep-12

of month in the fiscal year (July = 1, August = 2, . . . , June = 12) =====>

3

1. REPORT OF BUDGET VS. ACTUAL

ITEM	Cash Accrual	2011-2012		CURRENT YEAR			
		(1)	(2)	(3)	(4)	(5)	(6)
		BUDGET	ACTUAL	BUDGET	ACTUAL YR-TO-DATE	BALANCE (Col. 3-4)	ANNUALIZED PERCENTAGE **
REVENUE							
Service Fees from LME-Delivered Services		-	-	-	-	-	0.00%
Medicaid Pass Thru		9,800,000	3,810,795	3,200,000	121,433	3,078,567	15.18%
Interest Earned		98,849	367,180	98,849	72,858	25,991	294.83%
Rental Income		77,028	77,028	77,028	13,857	63,171	71.96%
Budgeted Fund Balance * (Detail in Item 4, below)			-		-		#DIV/0!
Other Local		54,500	328,980	54,500	1,754	52,746	12.87%
Total Local Funds		10,030,377	4,583,983	3,430,377	209,902	3,220,475	24.48%
County Appropriations (by county, includes ABC Funds):							
Beaufort County		173,599	130,199	173,599	-	173,599	0.00%
Bertie County		49,390	49,390	49,390	11,148	38,242	90.29%
Camden County		24,226	23,581	24,226	578	23,648	9.54%
Chowan County		37,111	38,471	37,111	7,370	29,741	79.44%
Craven County		274,827	277,866	274,827	66,891	207,936	97.36%
Currituck County		60,300	62,852	60,300	1,906	58,394	12.64%
Dare County		70,000	70,000	70,000	17,500	52,500	100.00%
Gates County		39,434	41,844	39,434	-	39,434	0.00%
Hertford County		84,250	85,008	84,250	20,587	63,663	97.74%
Hyde County		12,414	12,577	12,414	201	12,213	6.48%
Jones County		31,268	27,990	31,268	5,666	25,602	72.48%
Martin County		51,962	55,662	51,962	-	51,962	0.00%
Northampton County		81,614	86,567	81,614	19,403	62,211	95.10%
Pamlico County		33,593	35,497	33,593	8,626	24,967	102.71%
Pasquotank County		92,506	95,794	92,506	23,012	69,494	99.50%
Perquimans County		29,602	29,405	29,602	7,213	22,389	97.47%
Pitt County		595,500	608,783	595,500	150,231	445,269	100.91%
Tyrrell County		8,750	9,906	8,750	2,477	6,273	113.23%
Washington County		29,562	29,562	29,562	-	29,562	0.00%
Total County Funds		1,779,908	1,770,954	1,779,908	342,809	1,437,099	77.04%
LME Systems Admin. Funds (Cost Model)		6,238,506	5,107,800	-	-	-	#DIV/0!
DMH/DD/SAS Administrative Funds (% basis)		-	-	4,970,345	995,369	3,974,976	80.10%
DMH/DD/SAS Risk Reserve Funds (% basis)		24,852	-	-	-	-	#DIV/0!
DMH/DD/SAS Services Funding		40,293,481	39,306,499	40,112,514	7,975,624	32,136,890	79.53%
DMA Capitation Funding		48,385,357	42,923,270	168,155,956	43,726,056	124,429,900	0.00%
DMA Risk Reserve Funding		987,456	875,985	3,431,754	892,369	2,539,385	0.00%
All Other State/Federal Funds		1,411,124	1,128,517	692,372	217,779	474,593	125.82%
Total State and Federal Funds		97,340,776	89,342,071	217,362,941	53,807,197	163,555,744	99.02%
TOTAL REVENUE		109,151,061	95,697,008	222,573,226	54,359,908	168,213,318	97.69%
EXPENDITURES:							
System Management/Administration/Care Coordination		15,500,184	15,112,210	23,277,427	4,106,777	19,170,650	70.57%
LME Provided Services		-	-	-	-	-	#DIV/0!
Provider Payments		92,819,292	73,254,220	197,626,483	51,461,629	146,164,854	104.16%
Merger Expenses		-	-	-	-	-	#DIV/0!
MCO Start-Up Expenses		6,949,352	4,115,546	-	-	-	#DIV/0!
All Other		3,602,490	2,445,932	1,669,316	296,537	1,372,779	71.06%
TOTAL EXPENDITURES		118,871,318	94,927,908	222,573,226	55,864,943	166,708,283	100.40%
CHANGE IN CASH BALANCE			769,100		(1,505,035)		
Beginning Unrestricted Fund Balance			9,053,026		30,303,662		
Balance in DMH/DD/SAS Risk Reserve			-		-		
Balance in DMA Risk Reserve			875,985		1,771,263		
Current Estimated Unrestricted Fund Balance and percent of budgeted expenditures		17.58%	20,903,470	12.94%	28,798,623		
2. CURRENT CASH POSITION							
		(1)	(2)	(3)	(4)	(5)	Allowance for Uncollectible Receivables
		30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS	TOTAL	
Accounts Payable (Accrual Method)		-	-				
Account Receivable (Accrual Method)		-	-				
Current Cash in Bank			39,793,060				
3. SERVICE EXCEPTIONS (Provided Based on System Capability)							
Services authorized but not billed							
4. DETAIL ON BUDGETED FUND BALANCE							
				Budgeted	Year-to-Date	Balance	%
Payments to Providers						-	0.00%
MCO Start-up Expense				-	-	-	#DIV/0!
LME Merger Expense				0	0	0	0.00%
Other (List):				0	0	0	0.00%

Division of Mental Health, Developmental Disabilities & Substance Abuse Services
Quarterly Fiscal Monitoring Report - Explanation of Revenue and Expenditure Variances

East Carolina Behavioral Health

MCO

for the period ending:

September 30, 2012

ITEM

Explanation

Revenues

Medicaid Pass Thru	Providers and ECBH continuing to work with new software system. As of present date (April 19th), all revenues have been received and processed
Rental Income	Some rental payments are made quarterly and some are made monthly
Other Local	Miscellaneous income anticipated to be received throughout the year
Beaufort County	They have not paid in their ABC or county funds for the 1st quarter.
Camden County	They have not paid in their county funds for the 1st quarter.
Chowan County	They have not paid in their ABC funds for the 1st quarter.
Currituck County	They have not paid in their county funds for the 1st quarter.
Gates County	They have not paid in their ABC or county funds for the 1st quarter.
Hyde County	They have not paid in their county funds for the 1st quarter.
Jones County	They have only paid partical amounts of their county and ABC funds.
Martin County	They have not paid in their ABC or county funds for the 1st quarter.
Washington County	They have not paid in their ABC or county funds for the 1st quarter.
DMH/DD/SAS Administrative Funds (% basis)	Allocation changes for FY12-13, budget revision needed
DMH/DD/SAS Services Funding	Allocation changes for FY12-13, budget revision needed

RESOLUTION OF RECOGNITION

JOHN E. BARNES

WHEREAS, the citizens of Currituck County have long recognized the historic link between education and a strong, free nation; and

WHEREAS, the Currituck School System has enabled generations of Currituck families to build upon the lessons of the past to achieve the dreams of tomorrow; and

WHEREAS, John E. Barnes has been a member of the Currituck County Board of Education since 1976; and

WHEREAS, with 36 years of service, John E. Barnes is currently the longest serving school board member in the state of North Carolina; and

WHEREAS, Mr. Barnes has earned the respect and confidence of his fellow board members as evidenced by his serving as Chairman from January 1981 until January 1994 and alternating between Chairman and Vice-Chairman in the following years; and

WHEREAS, Mr. Barnes has always made decisions which were in the best interest of the students; and

WHEREAS, Mr. Barnes has devoted countless hours of his time, his energy and his talents to this county and its children and has provided experience and sound judgment on its behalf with integrity, dignity and thoughtful reflection; and

WHEREAS, Mr. Barnes is retiring from the Board of Education, with his last official meeting being November 20, 2012;

NOW, THEREFORE BE IT RESOLVED, the Currituck County Board of Commissioners and County Staff do hereby express our deep gratitude and sincere appreciation to John E. Barnes for his leadership and dedicated, distinguished service to the citizens of Currituck County and extend to him our best wishes for a long and well-deserved retirement.

ADOPTED this the ____ day of _____, 2012.

ATTEST:

Gwen H. Keene

Clerk to the Board

Chairman

RESOLUTION AUTHORIZING THE PURCHASE OF ADDITIONAL 800 MHz RADIO COMMUNICATIONS SYSTEM EQUIPMENT FROM GATELY COMMUNICATIONS AND MOTOROLA THROUGH SOLE SOURCE PURCHASE

WHEREAS, by resolution adopted on June 18, 2012 the Board of Commissioners for the Count of Currituck authorized the county to enter into a contract in the amount of \$963,150.00 with Gately Communications for the sole source purchase of material, equipment, supplies and services necessary to establish a 800 MHz radio communication system; and

WHEREAS, there is now identified additional material, equipment, supplies and services necessary for the construction and establishment of the 800 MHz communication system set forth in a proposal spread sheet from Motorola dated October 11, 2012 which spread sheet is incorporated herein by reference; and

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase from a sole source “when a needed product is available from only one source of supply”, and

WHEREAS, in order that the county’s 800 MHz radio system is compatible with the State of North Carolina’s VIPER radio system it is necessary to obtain the additional P-25 radio compliant equipment which is currently only manufactured by Motorola; and

WHEREAS, Gately Communications is the only Motorola representative capable of providing the county with material, equipment and supplies to establish an 800 MHz radio communications system that is P-25 radio compliant and compatible with the state’s VIPER system.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$543,267.34 with Gately Communications and/or Motorola for the sole source purchase of additional material, equipment, supplies and services necessary to establish a 800 MHz radio communications system and in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Gately Communications and/or Motorola for acquisition and installation of the material, equipment or supplies and services necessary for installation.

Section 2. This resolution shall be effective upon its adoption.

This the 19th day of November, 2012.

John D. Rorer, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

(COUNTY SEAL)

CURRITUCK COUNTY
NORTH CAROLINA
November 5, 2012

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: Vice-Chair Marion Gilbert, Commissioners O'Neal, Etheridge, Martin and Petrey. Commissioners Aydlett and Rorer were absent due to illness.

A) Invocation

B) Pledge of Allegiance

Commissioner Etheridge gave the invocation and pledge of allegiance.

C) Approval of Agenda

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

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 12-21 Sunseekers Tours: Request for a special use permit for an outdoor tour operation - horse tours. The property is located at 1024 Ocean Trail, Corolla Light, Tax Map 115B, Parcel P14, Poplar Branch Township (Beach).

B) **Consideration and Action:** PB 07-10 South Ridge, Planned Unit Development (PUD): Request for a preliminary plat/special use permit extension consisting of 146 single family patio home lots, 5.46 acres of limited business-hotel designation, and 1.75 acre county dedicated community facility site. The property is located at 120 Survey Road, adjacent to Eagle Creek subdivision, Moyock Township.

C) **Consideration and Action:** PB 06-27 Village Square of Currituck: Request for a preliminary plat extension for a nine lot commercial subdivision located on Caratoke Highway, Crawford Township.

D) **Consideration and Action:** PB 05-35 Currituck Fields: Request for a preliminary plat extension for a 25-lot residential subdivision located off of North Currituck Road, Crawford Township.

New Business

A) **Board Appointments:**

1. Appointment to Ocean Sands Water & Sewer District Advisory Board

B) **Consent Agenda:**

1. Approval of October 15, 2012 Minutes

November 5, 2012 BOC Meeting

- 2. Budget Amendments
- 3. ITS Surplus Resolution
- C) Commissioner's Report
- D) County Manager's Report

Adjourn

D)Public Comment

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

Vice-Chair Gilbert opened the public hearing. There being no comments, she closed the public comment period.

Public Hearings

- A) Public Hearing and Action: PB 12-21 Sunseekers Tours: Request for a special use permit for an outdoor tour operation - horse tours. The property is located at 1024 Ocean Trail, Corolla Light, Tax Map 115B, Parcel P14, Poplar Branch Township (Beach).**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the permit request.

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: November 5, 2012
PB 12-21 Sunseekers Tours**

ITEM: PB12-21 Sunseekers Tours - SUP Outdoor Tour Operator - Horse Tours

LOCATION: 1024 Ocean Trail

TAX ID: 115B-000-0P14-0000

ZONING DISTRICT: GB - General Business

PRESENT USE: Maintenance Vehicle Parking, Sports Center Parking Lot

OWNER: Outer Banks Ventures
215 Brooke Avenue, No 1001
Norfolk, VA 23510

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APPLICANT: Donald Cheek
1131 Gray Court
Corolla, NC 27927

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Corolla Light Sports Center/Residential	Zoned R01
SOUTH	Undeveloped	Zoned R01/GB
EAST:	Residential Lots/Office/Utility	Zoned R01/GB
WEST:	Residential	Zoned R01

LAND USE PLAN

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

SIZE OF SITE: 5.89 acres

I. NARRATIVE OF REQUEST:

- a. The applicant seeks a Special Use Permit for Outdoor Tour Operator
- b. The request is for one vehicle (seating 6-10) to be used for guided tours. Passengers will load and unload at the Sports Center site. Passengers have access to the existing Corolla Light Trolley. Tours are available exclusively to Corolla Light Owners and Guests.
- c. Restrooms are provided at the Sports Center.
- d. The tour vehicle will be parked in the existing maintenance parking lot
- e. There are no proposed structures or facilities associated with this request.
- f. The Board of Commissioners has considered limiting the total number of horse tour vehicles; however, no action has been taken to date.

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.

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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.

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 commercial area that includes a putt-putt golf course and the Corolla Light Sports Center.

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

November 5, 2012 BOC Meeting

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.
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. All tours must be guided from Memorial Day to Labor Day.
2. 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.
3. 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.
4. 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. Provided the tours continue to be limited to Corolla Light Owners and Guests, there is adequate parking.

Use	Parking Requirement	Quantity	Parking Total
Horse Tour Rentals	Tour vehicle seating 6-10 persons = 2 space per vehicle	1	2
Employees (Horse tours)	1 space/2 employees	1	1
Total Parking associated with this Use			3

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5. 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.
6. 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.
7. The Board of Commissioners may establish a maximum number of vehicles, hours of operation, and permit duration as part of the special use permit approval process.

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board **recommended approval** of the special use permit with findings of fact and staff recommendations.

Vice-Chair Gilbert opened the public hearing.

Don Cheek, applicant, was present to answer questions.

There being no comments, Vice Chair Gilbert closed the public hearing.

Commissioner O'Neal moved to approve with staff findings of fact. Commissioner Martin seconded the motion. Motion carried.

B) Consideration and Action: PB 07-10 South Ridge, Planned Unit Development (PUD): Request for a preliminary plat/special use permit extension consisting of 146 single family patio home lots, 5.46 acres of limited business-hotel designation, and 1.75 acre county dedicated community facility site. The property is located at 120 Survey Road, adjacent to Eagle Creek subdivision, Moyock Township.

Ben Woody, Planning Director, reviewed the request.

On February 1, 2010, the Board of Commissioners voted to approve the preliminary plat/special use permit for South Ridge. This is a planned unit development consisting of 146 single family patio home lots, 5.46 acres of limited business-hotel

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designation, and 1.75 acre county dedicated community facility site located at 120 Survey Road and adjacent to Eagle Creek subdivision. The preliminary plat approval was due to expire on February 1, 2012. The North Carolina General Assembly passed a law that suspended the vesting period for development approvals that were valid at any time during January 1, 2008 through December 31, 2010. With the law in effect the preliminary plat expiration date is January 1, 2013.

On September 24, 2012 the developer's attorney, Matthew J. Ragaller, submitted a request for a two year preliminary plat extension of the subdivision citing economic reasons (see attached).

In accordance with the UDO Chapter 10, Section 10.3.4 and Chapter 11 Section 11.10.2, the Board of Commissioners may grant an extension of the preliminary plat one time for a period of two years, if they conclude that:

1. The permit has not yet expired.
 - a. The permit has not yet expired and will expire January 1, 2013.
2. The permit recipient has proceeded with due diligence and in good faith; and,
 - a. The developer has proceeded with due diligence, however, due to the economy have not been able to proceed as desired.
3. Conditions have not changed so substantially as to warrant a new application. Successive extensions shall not be granted. All such extensions may be granted without resort to the formal processes and fees required for a new permit.
 - a. There are no changes proposed in the extension request.

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

C) Consideration and Action: PB 06-27 Village Square of Currituck: Request for a preliminary plat extension for a nine lot commercial subdivision located on Caratoke Highway, Crawford Township.

Ben Woody, Planning Director, reviewed the request.

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On November 13, 2007, the Planning Board voted to approve the preliminary plat for Village Square at Currituck. This is a nine lot commercial subdivision located on Caratoke Highway in Currituck. The preliminary plat approval was due to expire on November 13, 2009. The North Carolina General Assembly passed a law that suspended the vesting period for development approvals that were valid at any time during January 1, 2008 through December 31, 2010. With the law in effect the preliminary plat expiration date is November 13, 2012.

On October 4, 2012 the surveyor, Eddie Hyman, Jr., submitted a request for a two year preliminary plat extension of the subdivision citing economic reasons (see attached).

In accordance with the UDO Chapter 10, Section 10.3.4 and Chapter 11 Section 11.10.2, the Board of Commissioners may grant an extension of the preliminary plat one time for a period of two years, if they conclude that:

1. The permit has not yet expired.
 - a. The permit has not yet expired and will expire November 13, 2012.
2. The permit recipient has proceeded with due diligence and in good faith; and,
 - a. The developer has proceeded with due diligence and obtained local, state, and federal permits.
3. Conditions have not changed so substantially as to warrant a new application. Successive extensions shall not be granted. All such extensions may be granted without resort to the formal processes and fees required for a new permit.
 - a. There are no changes proposed in the extension request.

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

**D) Consideration and Action: PB 05-35 Currituck Fields:
Request for a preliminary plat extension for a 25-lot
residential subdivision located off of North Currituck
Road, Crawford Township.**

Ben Woody, Planning Director, reviewed the request.

November 5, 2012 BOC Meeting

On November 13, 2007, the Planning Board voted to approve the preliminary plat for Village Square at Currituck. This is a nine lot commercial subdivision located on Caratoke Highway in Currituck. The preliminary plat approval was due to expire on November 13, 2009. The North Carolina General Assembly passed a law that suspended the vesting period for development approvals that were valid at any time during January 1, 2008 through December 31, 2010. With the law in effect the preliminary plat expiration date is November 13, 2012.

On October 4, 2012 the surveyor, Eddie Hyman, Jr., submitted a request for a two year preliminary plat extension of the subdivision citing economic reasons (see attached).

In accordance with the UDO Chapter 10, Section 10.3.4 and Chapter 11 Section 11.10.2, the Board of Commissioners may grant an extension of the preliminary plat one time for a period of two years, if they conclude that:

1. The permit has not yet expired.
 - a. The permit has not yet expired and will expire November 13, 2012.
2. The permit recipient has proceeded with due diligence and in good faith; and,
 - a. The developer has proceeded with due diligence and obtained local, state, and federal permits.
3. Conditions have not changed so substantially as to warrant a new application. Successive extensions shall not be granted. All such extensions may be granted without resort to the formal processes and fees required for a new permit.
 - a. There are no changes proposed in the extension request.

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

New Business

A) Board Appointments:

- a. Appointment to Ocean Sands Water & Sewer District Advisory Board

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

November 5, 2012 BOC Meeting

B) Consent Agenda:

1. Approval of October 15, 2012 Minutes
2. Budget Amendments
3. ITS Surplus Resolution

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10430-590000	Capital Outlay	\$ 1,700	
10430-532000	Supplies		\$ 1,700
		\$ 1,700	\$ 1,700

Explanation: Elections (10430) - Transfer funds for additional voting booths.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-532000	Supplies	\$ 8,900	
10510-590000	Capital Outlay	\$ 1,100	
10330-424000	Officer Fees		\$ 10,000
		\$ 10,000	\$ 10,000

Explanation: Sheriff (10510) - Increase appropriations for computer software and promotional items for use with students by the Sheriff's department. This will be funded through ordinance violation fees.

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

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Explanation: Southern Outer Banks Water Fund (66868) - To carry forward loan funds for the Southern Outer Banks Water Expansion.

Net Budget Effect: Southern Outer Banks Water Fund (66) - Increased by \$5,577,844.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10515-514800	Fees Paid to Officials	\$	150		
10515-557100	Software License Fee			\$	50
10380-482000	Miscellaneous			\$	100
			<u>\$ 150</u>		<u>\$ 150</u>

Explanation: Jury Commission (10515) - To increase appropriations to certify the Jury listing on the new software.

Net Budget Effect: Operating Fund (10) - Increased by \$100.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10440-590000	Capital Outlay	\$	1,650		
10440-545000	Contract Services	\$	2,000		
10350-468000	Sale of Fixed Assets			\$	3,650
			<u>\$ 3,650</u>		<u>\$ 3,650</u>

Explanation: Finance (10440) - Increase appropriations to replace printer module for check signatures and for listing costs for Gov Deals.

Net Budget Effect: Operating Fund (10) - Increased by \$3,650.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10750-502000	Salary	\$	4,281		
10750-505000	FICA	\$	2,430		
10750-506000	Health Insurance	\$	4,544		

November 5, 2012 BOC Meeting

C) Commissioner's Report

The Board urged all citizens to exercise their right to vote tomorrow.

D) County Manager's Report

Dan Scanlon, County Manager, updated the Board on the Home Owners Insurance rate increase and the public hearing to take place in Raleigh on June 3.

Adjourn

There being no further business, the meeting adjourned