



**BOARD OF COMMISSIONERS
AGENDA**

SEPTEMBER 4, 2012

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REVISED

Currituck County Board of Commissioners Agenda Historic Currituck County Courthouse

Date: Tuesday, September 04, 2012 Time: 7:00 PM

Work Sessions

6:00 p.m. Discussion on Internet Gaming

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 06-24 Laurel Woods Estates, Phase 1A: Request for an amended preliminary plat/special use permit approval for a 4-lot phase of Laurel Woods Estates located on the west side of NC 168 (Caratoke Highway) and .5 mile north of the intersection of Bells Island Road, Tax Map 50, Parcel 70D, Crawford Township.
- B) **Consideration and Action:** PB 04-53 Brumsey Woods: Request for a preliminary plat extension of 15 single family lots located off Brumsey Road approximately 500' from intersection with Tulls Creek Road (SR 1222), Moyock Township.

New Business

- A) **Board Appointments:**
 - 1. Appointment to Ocean Sands Advisory Board

B) Consent Agenda:

1. Amendment to Salary Resolution to include the Ocean Sands Water and Sewer Advisory Board
2. Surplus Property Walnut Island Metal Equipment Building
3. Approval of August 6 and August 20, 2012 Minutes
4. Request to surplus vehicles from the Sheriff's Department
5. Budget Amendments
6. Change Order #1 for SOBWS to paint existing ground storage tank, \$20,400
7. Proclamation-Currituck County Wine Appreciation Month-September 2012
8. Resolution for Application for NC Rural Center Reuse Grant

C) Commissioner's Report

D) County Manager's Report

Closed Session

Pursuant to N.C. Gen. Stat. 143-318.(11) to consult with county attorney in order to preserve the attorney-client privilege and to receive advice from the attorney regarding a claim against the county for the following lawsuit: R.F. London Inc.

Adjourn

Special Meeting

Tourism Development Authority

Budget Amendments - Occupancy Tax

Adjourn

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: September 4, 2012
PB 06-24 Laurel Woods Estates**

ITEM: PB 06-24 Laurel Woods Estates Amended Preliminary Plat/Special Use Permit for a 4-lot phase in the conservation subdivision.

LOCATION: The property is located on the west side of NC 168, Caratoke Highway; ½ mile north of the intersection of Bells Island Road, Crawford Township.

TAX ID: 0050-000-070D-0000

ZONING DISTRICT: Mixed Residential (RA)

PRESENT USE: Agricultural

OWNER: Laurel Woods Estates NC, LLC
820 Greenbrier Circle, Suite 31
Chesapeake, VA 23320

APPLICANT: Sam Miller
Laurel Woods Estates NC, LLC
820 Greenbrier Circle, Suite 30
Chesapeake, VA 23320

LAND USE/ZONING OF SURROUNDING PROPERTY:

| | Land Use | Zoning |
|---------------|--|--------|
| NORTH: | Low density residential uses/farmland | RA |
| SOUTH: | Low density residential uses/woodland/farmland | RA |
| EAST: | Low density residential | R |
| WEST: | Farmland | RA |

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Limited Services within the Courthouse subarea.

SIZE OF SITE: 156.67 acres

NUMBER OF UNITS: 160 total residential lots approved on the sketch plan
156 approved residential lots within Phase 1 (Preliminary Plat)
4 residential lots proposed in Phase 1A (Preliminary Plat)

PROJECT DENSITY: 1.02 units/acre

UTILITIES: The development will be served by county water. The proposed water usage is 76,800 gpd. The applicant is proposing on-site wastewater systems for each 20,000 sf residential lot.

I. NARRATIVE OF REQUEST:

- The applicant is seeking amended preliminary plat/special use permit approval for 4 lots within a proposed 160 lot conservation subdivision. The four lots were removed from the previously approved preliminary plat because they were found unsuitable for on-site septic. Kevin Carver, ARHS, has reclassified the four lots as provisionally suitable for on-site septic. This application submittal will complete the preliminary plat for the 160 lot subdivision.
- The applicant is proposing the following modifications to the existing special use permit conditions by deleting the strikethrough text and adding the underlined text:
 - Phasing Plan for Final Plats:
 - § Up to 49 lots recorded for Phase 1, year 1
 - § 36 lots recorded for Phase 2, year 2
 - § 38 lots recorded in Phase 3, year 3
 - § 33-37 recorded in Phase 4, year 4
 - ~~Performance bonding may be provided for the installation of the sidewalks planned along the streets. The sidewalks will be completed with the construction of the homes to avoid damage. The walking trails will be installed as planned.~~
 - ~~Sidewalks shall be required along both sides of the street.~~
 - ~~Performance bond for the installation of the sidewalks planned along the streets. The sidewalks will be completed with the construction of the homes to avoid damage. The walking trails will be installed as planned.~~

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 UDO allows a major subdivision as a permissible use with a special use permit.
3. The conditions proposed meet or exceed the minimum requirements of this ordinance.
Suggested Findings:
 - a. As presented, the subdivision meets or exceeds the minimum requirements of the ordinance.

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

Suggested Findings:

- a. The subdivision should have little to no impact on public health or safety.

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

Suggested Findings:

- a. The UDO indicates that a conventional subdivision is allowed in the RA zoning district with a special use permit.
- b. The proposed subdivision will be developed with densities similar to those in the immediate 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 Limited Services within the Courthouse subarea. The purpose of the Limited Services Area class is to provide for residential development at low densities. The base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community. 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 HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.

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 four residential lots within the subdivision will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

The technical review committee recommends approval of the amended preliminary plat.

IV. PLANING STAFF RECOMMENDATION:

The planning staff recommends approval of the amended preliminary plat and the following modifications to the special use permit issued by the Board of Commissioners November 5, 2007 and amended December 5, 2011:

- ~~5. Sidewalks shall be required along both sides of the street~~
- ~~11. Tap fees shall be due prior to Final Plat approval for each lot.~~
- 12. The county will administer the formal phasing plan by allowing only the indicated number of lots to receive final plat approval in that calendar year.
 - a. Up to 49 lots recorded for Phase 1, year 1
 - b. 36 lots recorded for Phase 2, year 2
 - c. 38 lots recorded in Phase 3, year 3
 - d. ~~33~~ 37 recorded in Phase 4, year 4 (~~156~~ lots) with the potential to add the remaining 4 lots in year 4 (~~160~~ lots).
- ~~20. Performance bond for the installation of the sidewalks planned along the streets. The sidewalks will be completed with the construction of the homes to avoid damage. The walking trails will be installed as planned.~~

V. PLANNING BOARD RECOMMENDATION:

The Planning Board *recommended approval* of PB 06-24 with the findings of fact and staff recommendations.

PLANNING BOARD DISCUSSION (8/14/12)

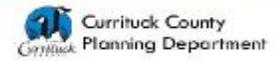
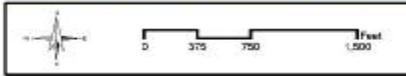
Mr. Bissell stated he would be glad to answer any questions the board may have.

ACTION

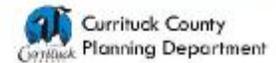
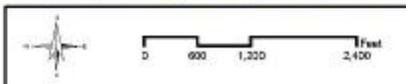
Mr. Cartwright moved to approve PB 06-24 with the findings of fact and staff recommendations included in the case analysis. Ms. Newbern seconded the motion. Motion carried unanimously.



PB 06-24
Laurel Woods Estates
Amended Preliminary Plat

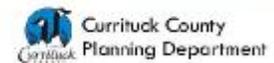
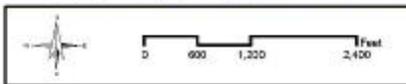


PB 06-24
Laurel Woods Estates
Land Use Classification





PB 06-24
Laurel Woods Estates
Aerial



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: Sam Miller, Laurel Woods Estates, NC LLC
 David Klebitz, Bissell Professional Group

From: Donna Voliva, Senior Planner

Date: July 12, 2012

Subject: Laurel Woods Estates, Phase 1A, Amended Preliminary Plat and Final Plat

The following comments have been received for the July 18, 2012 TRC meeting. The amended preliminary plat requires a recommendation from the Planning Board and issuance of a special

use permit from the Board of Commissioners. The revised preliminary plat must be submitted to the Planning and Zoning Division by July 23, 2012 to remain on track for the August 14, 2012 Planning Board meeting. The TRC will review and take action on the final plat which will be subject to the approval of the amended preliminary plat. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva

Amended Preliminary Plat

Approved with comments

1. The preliminary plat must be labeled Amended Preliminary Plat.
2. The amended preliminary plat must include the zoning classification of the property and adjoining properties.
3. The ownership of the adjoining properties has changed and should reflect the current tax records.
4. The site evaluations completed by Kevin Carver, ARHS, on April 19, 2012 indicates the four lots are unsuitable for on-site septic systems. Verification from ARHS must be provided that indicates the lots are provisionally suitable or suitable prior to approval of the preliminary plat.

Final Plat

1. Please correct the Parcel ID number.
2. Amended restrictive covenants to include Phase 1A must be recorded.
3. Please clarify when the conservation easement documentation will be recorded.
4. All street signs must be installed.
5. The proposed development will comply with the requirements of the new UDO as it relates to street maintenance and homeowner associations.

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly

Approved

Currituck County Fire Marshal, James Mims

Approved

Currituck County Utilities, Pat Irwin

Approved

Currituck County Economic Development

Reviewed

Albemarle Regional Health Services, Joe Hobbs

Reviewed

1. Consult with Kevin Carver RS at 252-232-6603 concerning site evaluation and septic system approval for each lot that will make up this proposed subdivision.

Currituck County GIS, Harry Lee

Reviewed

Currituck County Parks and Recreation, Jason Weeks

No Comment

Currituck County Code Enforcement, Stacey Smith

No Comment

NC State Archaeology, Lawrence Abbot

No Comment

1. No previously recorded archaeological sites noted within the project area. An archaeological survey is not recommended.

NC Division of Coastal Management, Charlan Owens

No Comment

US Army Corps of Engineers

Reviewed

1. Any impacts to jurisdictional waters or wetlands regulated by the USACE will require approval prior to impacts.

The following TRC member did not provide comments:

Currituck County Building Inspections, Spence Castello

The following items are necessary for resubmittal:

- 3 - full size copies of revised final plat.
- 10 - 11"x 17" copies of revised amended preliminary plats.
- 1 - 8 ½" x 11" reduction of the revised amended preliminary plat and final plat.
- 1- PDF digital copy of all revised documents and plans.



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: August 27, 2012
Subject: Brumsey Woods, Preliminary Plat Extension

On February 12, 2008, the Planning Board voted to approve the preliminary plat for Brumsey Woods. This is a fifteen lot residential subdivision located off of Brumsey Road and near the intersection of Tulls Creek Road, Moyock Township. The preliminary plat approval was due to expire on February 12, 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 July 30, 2012 the developer, Jerry L. Old, submitted a request for a two year preliminary plat extension of the subdivision (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 February 12, 2013.
2. The permit recipient has proceeded with due diligence and in good faith; and,
 - a. The decline in the economy has delayed the development of the property.
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.

July 30, 2012

Currituck Co. Planning Department

Currituck NC

Donna Voliva

Brumsey Woods Subdivision

Please extend the preliminary plat expiration date for Brumsey Woods Subdivision.

Thanking you in advance for your cooperation and consideration in this matter.

Sincerely,

Jerry L. Old

OCEAN SANDS WATER SEWER DISTRICT ADVISORY BOARD
3 Year Terms

| Incumbent | Nominated by | New Appointee | Nominated by | Date of Appointment | End of Term |
|-----------|--------------|-------------------|-----------------------|---------------------|-------------|
| | | Braxton Hill | Coastland Corporation | | |
| | | Carlos Gomez | Coastland Corporation | | |
| | | Barbara Marzetti* | BOC | | |
| | | Pat Riley* | BOC | | |
| | | Will Taylor* | BOC | | |
| | | Pat McDowell* | BOC | | |
| | | Sarah Albrite* | BOC | | |

* Three members must be appointed.
 These names have been submitted.
 You may choose from this list or nominate others.

CURRITUCK COUNTY
NORTH CAROLINA

SALARY AND COMPENSATION RESOLUTION
FOR THE 2012-2013 FISCAL YEAR

BE IT RESOLVED by the County Commissioners that the following salaries and other compensation are established for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

SECTION 1 - BOARDS

Board of Adjustments

Members \$50. per meeting

Airport Advisory Board

Members \$50. per meeting

Board of Commissioners

Chairman \$1300. per month

Members \$1200. per month

Stormwater Advisory Board

Members \$50. per meeting

Economic Development Board

Members \$50. per meeting

Tourism Development Authority

Members \$50. per meeting

Board of Elections

Chairman

\$75. per month plus \$8.00 per meeting hour plus travel reimbursement at per diem rate

Members

\$25. per month plus \$8.00 per meeting hour plus travel reimbursement at per diem rate

Chief Judge

\$150. on election day, \$20. on canvass day, \$15. on instruction day plus travel reimbursement at per diem rate

Judge

\$100. on election day, \$15. on instruction day plus travel

Assistants

\$85 on election day, \$15. on instruction day plus travel reimbursement at per diem rate

Board of Equalization

Members

\$100. per day; \$50. per half day

Land Transfer Tax Appeals Board

Members

\$50. per meeting

Library Board of Trustees

Members

\$50. per meeting

Other

Jury Commission

\$50. per day

Planning Board

Members

\$50. per meeting

| | |
|---------------------------------------|-------------------|
| <u>Social Services Board</u> | |
| Members | \$50. per meeting |
| Chairman | \$75. per meeting |
| <u>Parks and Recreation Board</u> | |
| Members | \$50. per meeting |
| <u>Fire And EMS Advisory Board</u> | |
| Members | \$50. per meeting |
| <u>Senior Citizens Advisory Board</u> | \$50. per meeting |
| <u>Nutrition Board</u> | \$50. per meeting |

SECTION 2 - PAYMENTS TO BOARDS

Payments made to board members (except the Board of Commissioners) are considered fees for the payment of all expenses incurred while serving in a voluntary capacity unless additional compensation is provided for in the enacting ordinance.

SECTION 3 - NEW APPOINTMENTS

Compensation

The County Manager is authorized without further approval to enroll new personnel at a grade level not to exceed that of step 3; however, no new position may be established or salaries increased without the approval of the County Board of Commissioners.

Minimum Wage

Notwithstanding the above, the County Manager may raise the salary of any employee to the Federal minimum wage level without further approval from the County Board of Commissioners.

SECTION 4 - PART-TIME AND TEMPORARY EMPLOYEE BENEFITS

County employee benefits, including but not limited to vacation leave, holiday leave, sick leave, retirement, 401k, and health insurance, shall not be provided for part-time and temporary employees unless otherwise provided for by the Board of Commissioners.

PART-TIME PAY RATES

EMT B \$13.41

EMT I \$ 15.16

EMT P \$18.66

Telecommunicator Trainee \$14.29

Telecommunicator \$15.16

Library Asst. \$12.53

Library Assoc. \$14.29

Deputy I \$16.91

Deputy II \$17.79

Detention Officer \$ 13.41

Referee- cert. \$18 per game

Referee non-cert. \$14 per game

Scorekeepers \$7.25

Camp Counselors \$7.25-\$10

SOS Site Coordinators \$9

Visitor Relations Associate \$12.53

SECTION 5 - TRAVEL

Per Diem Rate

Subject to the approval of their department head, employees are entitled to travel reimbursement for use of a personal vehicle while transacting County business at the current standard mileage rate allowed by the Internal Revenue Service.

Adopted this 4th day of June 2012.

ATTEST.

John D. Rorer, Chairman
Board of Commissioners

Gwen H. Keene
Clerk to the Board

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on September 4, 2012 authorized the following, pursuant to GS 160A and 270(b, that the property listed below, be declared surplus property:

Walnut Island Water & Sewer District Metal Equipment Building

ADOPTED, this the 4th day of September, 2012.

ATTEST:

John D. Rorer, Chairman

Gwen H. Keene, CMC
Clerk to the Board

CURRITUCK COUNTY
NORTH CAROLINA
AUGUST 6, 2012

The Currituck County Board of Commissioners met at 6:00 p.m. to reconvene the Board of Equalization and Review to consider order in Coastland Corp and discuss the Outdoor Tour Operators.

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, Etheridge, Aydlett, Martin and Petrey.

A) Invocation

B) Pledge of Allegiance

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

C) Approval of Agenda

Commissioner Gilbert moved to approve the agenda with the addition of a closed session. Commissioner Aydlett 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.

Nancy Collins, Powells Point, opposes the opening of the Headlights Club.

Cameron Lowe, Extension Director, commended the 4-H Director, Ellen Owens, for her dedication to the 4-H in Currituck. Ms. Lowe introduced Alexis Gray, the Northeast District Vice President who will represent Currituck County at the NCACC conference in August.

Alexis Gray, thanked the Board of Commissioner for her opportunity to attend the NCACC conference. Alexis commented on several of the activities 4-H provides.

Commissioner Petrey, commended the 4-H Club for their participation in back packs for kids.

Commissioner Aydlett, commended Alexis for her accomplishments.

Bill Richardson, read into the record a letter on why the county needs to continue its efforts in getting the Headlights Club closed down. He urged the Board to appeal Judge Hight's order.

Allen Forman, opposes the opening of the Headlights Club.

David Palmer, Barco, questioned why College of the Albemarle is not participating in the Federal Loan Program.

Commissioner O'Neal stated that COA does accept Federal Loans. COA does not administer the program.

Board directed staff to contact COA and clear the misunderstanding up.

Barbara Marzetti, Corolla, President of the CCA, supports the amendment to ordinance on unattended property, but would like the Board to consider other issues on the beach and to set up a task force to help with refining the ordinance.

Roger Crafe, supports the amendment to ordinance, but should include the holes, beach fires and enforcement.

Chairman Rorer read a letter of complaint about Waste Management and not picking up the trash over the weekend. Waste Management responded that they will now have an emergency number and will commit to better service.

Mike Hall, commended the EMS and Sheriff's Department during the accident his daughter was involved in last week.

Commissioner Etheridge read a statement concerning the Mid-Currituck Bridge being removed from funding by Senator Rabon and Senator Harrington. He stated that this was a political move to fund projects in their county. The County has been working on this bridge since 1987.

Commissioner O'Neal stated that the Senators would like funding for a by-pass in Wilmington, their counties.

There being no further comments, public comment period was closed.

Public Hearings

A) Public Hearing and Action: PB 12-05 Currituck County: Request to amend miscellaneous sections of the new Unified Development Ordinance, Chapter 3: Zoning Districts, Chapter 4: Use Standards, Chapter 5: Development Standards and Chapter 10: Definitions and Measurement.

Ben Woody, Planning Director, reviewed the amendments.

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 public or members of the Planning Board suggested the proposed revisions. The proposed amendments include:

19. Modify the District Purpose statements for the SFO, SFR, and VC zoning districts to reference Milepost 13 as the dividing line between Corolla and the off-road area.
20. Establish additional standards for mining operations less than one acre in size. The new standards increase compatibility between the mining operation and nearby properties.
21. New standards for fences and walls in the SFR district (off-road area). The intent is to minimize the loss of habitat available to the Corolla Wild Horse Herd.
22. Amendments to the wind energy ordinance to accommodate a potential project.

The Planning Board recommended unanimous **approval** of PB 12-05 #19, #21, and #22 and recommended 7-2 **approval** of #20.
PLANNING BOARD DISCUSSION (7/10/12)

OLD BUSINESS:

Discussion of the Unified Development Ordinance

#19 - District Purpose

Mr. Woody provided an overview of the proposed language.

PLANNING BOARD ACTION

Ms. Wilson moved to approve the District Purpose 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. Mr. Wright seconded the motion. Motion carried unanimously.

#20 - Standards for Accessory Use Mines

Mr. Woody provided an overview of the proposed language.

Ms. Newbern asked if the proposed language would be countywide.

Mr. Woody stated yes.

Mr. Cartwright stated he would like removed from the amendment, "Average depth of four feet", which does not allow recreational uses.

Mr. Cooper asked what zoning districts allow one acre mines as a primary use.

Ms. Voliva stated all zoning districts.

Mr. Woody stated for mines to truly be an accessory use the board needs to keep #1.

PLANNING BOARD ACTION

Ms. Wilson moved to approve Standards for Accessory Use Mines as presented with the deletion "of average depth of four feet", 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.

Motion died for a lack of a second.

The Planning Board discussed once excavation activity is commenced, the zoning compliance permit shall automatically expire in one year, what extension period would be considered. The board discussed #1 and #10.

Mr. Wright stated #1 and #10 are more apparent in the off-road area than they would be on the mainland.

Mr. Cartwright stated if you dig a pond and you have sand that can't be spread around or you can't sell it; what do you do with it.

Mr. Woody stated the distinction is, if you dig a pond and you are selling it because you have to get rid of it, this is a one time transaction. The other is, if you come in and get a permit for less than an acre to sell sand as a commercial business. Mr. Woody stated the question to be considered is, do the mining operations adversely impact residential property in the off-road area.

PLANNING BOARD ACTION

Mr. Cartwright moved to approve the Standards for Accessory Use Mines as presented with the exception of removing #1 and #10 and the language for, "average depth of four feet." The amendment is consistent 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. Ayes: Mr. Bell, Ms. Newbern, Mr. Cooper, Mr. Clark, Mr. Kovacs, Ms. Everhart, and Mr. Cartwright. Nays: Ms. Wilson and Mr. Wright.

#21 - Fences in the Off-Road Area

Mr. Woody provided an overview of the proposed language.

Ms. Wilson stated this language being proposed will help with migration and available habitat of the herd. Having breaks in all corners of the fence is very important for the movement of the wild horses which runs an east/west passage.

Mr. Cartwright asked if this proposed language will affect existing fences.

Mr. Woody stated no, it will apply to new fences.

Ms. Wilson stated some fences are going up not to keep the horses out, but to keep traffic from coming on private property.

The board discussed the height restrictions of fences.

PLANNING BOARD ACTION

Ms. Wilson moved to approve the Fences and Walls in the SFR District 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.

#22 - Wind Energy Ordinance

Mr. Woody presented an amendment on wind energy. Mr. Woody stated a local company is planning on proposing a large scale wind project in Currituck, and the changes in this amendment are driven by this proposal. Mr. Woody invited April Montgomery with Invenergy to the meeting to explain some of the changes they are proposing and answer any questions. Mr. Woody stated a sound requirement needs to be put back in the text amendment.

Ms. Montgomery discussed sound and shadow flicker of wind turbines. Ms. Montgomery stated there are two ways to set the standard for sound; (1) Provide a universal standard for wind turbines which is 55 dBA from any occupied dwelling; or (2) For the purposes of a special use permit application this project qualifies as a heavy manufacturing or industrial use under the current noise ordinance, which would give them the limitation of 70 dBA from the property line. Ms. Montgomery provided a definition of shadow flicker which is an international standard, "Shadow flicker on any occupied building or residence of a non-participating landowner caused by a large wind energy facility must not exceed 30 hours per year." The current language on shadow flicker is very limited and they are asking that it change to incorporate the definition that they have proposed. Ms. Montgomery provided a power point presentation on shadow flicker.

The Planning Board discussed setbacks, typical foundation depth, sound, shadow flicker, distance from roads, and the affect, if any, of shadow flicker on crop growth.

Mr. Woody stated that Camden and Pasquotank is using the 55 dBA from occupied dwellings.

Mr. Clark asked if water fowl, snow geese, and swans migrate to a particular area to feed, do the wind turbines interfere with the birds coming back to this area to feed.

Ms. Montgomery stated they will provide a conservation study of the area and the effect the wind turbines have on wildlife. The study is not complete, but will be ready when they apply for a special use permit.

Mr. Clark stated he is in favor of wind energy, but is concerned with the effect on wildlife.

Ms. Montgomery stated they have been successful with working with the homeowners who have a problem with shadow flicker and have a good reputation in the community.

PLANNING BOARD ACTION

Mr. Cartwright moved to approve the Wind Energy Ordinance 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 and the following language:

- Shadow flicker on any occupied building or residence of a non-participating landowner caused by a large wind energy facility must not exceed 30 hours per year.
- 55 dBA from any occupied dwelling.

Mr. Cooper seconded the motion. Motion carried unanimously.

Chairman Rorer opened the public hearing.

19. Modify the District Purpose statements for the SFO, SFR, and VC zoning districts to reference Milepost 13 as the dividing line between Corolla and the off-road area.

No comments.

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

20. Establish additional standards for mining operations less than one acre in size. The new standards increase compatibility between the mining operation and nearby properties.

Chairman Rorer opened the public hearing.

Mike Cherry, questioned restrictions.

H.D. Newbern, stated why regulate ponds on personal property.

Chairman Rorer closed the public hearing.

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

21. New standards for fences and walls in the SFR district (off-road area). The intent is to minimize the loss of habitat available to the Corolla Wild Horse Herd.

Chairman Rorer opened the public hearing.

Commissioner O'Neal and Etheridge stated that this is a matter of property rights.

Mike Cherry, opposes the amendment.

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

22. Amendments to the wind energy ordinance to accommodate a potential project.

Chairman Rorer opened the public hearing.

David Palmer, supports the amendment.

April Montgomery, representative for Wind Turbine Company, was present to answer questions and review the project.

Chairman Rorer closed the public hearing.

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

Administrative Reports

A) Approval of Ordinance Amendment on Unattended Property on Beach

Ike McRee, County Attorney, reviewed the ordinance.

Commissioner Etheridge requested that this be continued until November to give staff time to review all options.

Commissioner Petrey moved to approve. Commissioner Martin seconded the motion. Motion carried with Commissioner Etheridge voting no.

The item will be placed on next agenda for 2nd reading.

B) Action on revised DOT Secondary Roads Construction Program

Commissioner Aydlett approved the resolution. Commissioner Gilbert seconded the motion. Motion carried.

**RESOLUTION
SECONDARY ROAD CONSTRUCTION**

**Project listing for Currituck County
Fiscal Year 2012-2013**

NOW, THEREFORE BE IT RESOLVED, that during their regular meeting of the Currituck County Board of Commissioners, held on August 6, 2012 upon motion by Commissioner Etheridge and seconded by Commissioner Gilbert and unanimously voted upon, the Currituck County Board of Commissioners hereby support the Revised Secondary Road Improvement Program for fiscal year 2012 thru 2013 as presented by the North Carolina Department of Transportation (estimated total allocation of (\$324,097.54)).

New Business

A) Board Appointments:

1. Appointment to Board of Adjustment

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

B) Consent Agenda:

1. Resolution authorizing purchase of water meters and lap top reader for automatic meter reading compatible with existing equipment
2. Approval of July 16, 2012 Minutes
3. Resolution for waiver of competitive bidding G.S. 143-129(g)
4. Surplus Resolution, Wastewater
5. Request for Knotts Island VFD to purchase \$17,503 replacement fire hose.
6. Budget Amendments

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

RESOLUTION AUTHORIZING THE PURCHASE OF WATER METERS AND LAP TOP READER FOR AUTOMATIC METER READING COMPATIBLE WITH EXISTING WATER SYSTEM EQUIPMENT

WHEREAS, the County of Currituck desires to purchase 288 water meters for installation in Pine Island Planned Unit Development, 504 water meters for installation in Walnut Island Subdivision and one lap top reader for automatic meter reading; and

WHEREAS, the purchase of the water meters and lap top reader is essential for the efficient and economical operation of the county’s water utility; 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 each component of the county’s water utility is compatible it is necessary to obtain water meters and lap top reader described above from Fortiline, Inc. which is the sole authorized distributor of Hersey Meters products installed throughout the county’s water utility 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 \$173,388.00 with Fortiline, Inc. for the sole source purchase of water meters and lap top reader set out in this resolution 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 Fortiline, Inc.

RESOLUTION AUTHORIZING THE “PIGGYBACKING” ON A PURCHASE AGREEMENT FROM THE STATE OF NORTH CAROLINA FOR PURCHASE OF LIFEPAK HEART MONITOR DEFIBRILLATORS AND LIFEPAK 1000 WITH ECG DISPLAY MANUFACTURED BY PHYSIO-CONTROL, INC.

WHEREAS, the County of Currituck desires to piggyback on a purchase agreement by the State of North Carolina for five Lifepack LP15v2 heart monitor defibrillators, batteries, chargers, accessories and warranty and two Lifepack 100 Advanced with ECG display, batteries, chargers, accessories and warranty manufactured by Physio-Control, Inc.; and

WHEREAS, the conditions of “piggybacking” on the original contract have been met in accordance with N.C. Gen. Stat. §143-129; and

WHEREAS, public notice of purchase of the equipment set forth above was published in The Coastland Times on July 29, 2012.

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 “piggyback” on the State of North Carolina contract for purchase of five Lifepack LP15v2 heart monitor defibrillators, batteries, chargers, accessories and

warranty and two Lifepack 100 Advanced with ECG display, batteries, chargers, accessories and warranty manufactured by Physio-Control, Inc.

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

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on August 6, 2011 authorized the following, pursuant to GS 160A and 270(b, that the property listed below, be declared surplus property:

The Advantex AX 100 Wastewater System is no longer in service since the Cooperative Extension building was connected to the new Maple Wastewater Treatment Plant.

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 10640-590000 | Capital Outlay | \$ 22,150 | |
| 10330-449900 | Miscellaneous Grants | | \$ 22,150 |
| | | <u>\$ 22,150</u> | <u>\$ 22,150</u> |

Explanation: Cooperative Extension (10640) - Increase appropriations to record grant funds passed through Gates County for transfer switch for a portable generator.

Net Budget Effect: Operating Fund (10) - Increased by \$22,150.

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 10415-561000 | Professional Services | \$ 1,000 | |
| 10441-514500 | Training & Education | \$ 4,792 | |
| 10441-545000 | Contract Services | \$ 20,837 | |
| 10441-557100 | Software License Fees | \$ 1,140 | |
| 10441-590000 | Technology > \$1,000 | \$ 369 | |
| 10795-590000 | Technology > \$1,000 | \$ 950 | |
| 10460-545000 | Contract Services | \$ 1,300 | |

| | | | | | |
|--------------|--------------------------------|----|-----------|----|-----------|
| 10550-545000 | Contract Services | \$ | 964 | | |
| 10640-532005 | Supplies - Ag | \$ | 150 | | |
| 10660-561000 | Professional Services | \$ | 9,355 | | |
| 10796-545000 | Contract Services | \$ | 505 | | |
| 10796-561000 | Professional Services | \$ | 3,736 | | |
| 10796-590000 | Capital Outlay | \$ | 6,600 | | |
| 10390-499900 | Appropriated Fund Balance | | | \$ | 51,698 |
| 20609-590000 | Capital Outlay | \$ | 756,911 | | |
| 20390-499900 | Appropriated Fund Balance | | | \$ | 756,911 |
| 26535-590000 | Capital Outlay | \$ | 65,626 | | |
| 26390-499900 | Appropriated Fund Balance | | | \$ | 65,626 |
| 28450-545000 | Contract Services | \$ | 133,392 | | |
| 28390-499900 | Appropriated Fund Balance | | | \$ | 133,392 |
| 60808-545001 | Contract Services | \$ | 15,610 | | |
| 60808-561001 | Professional Services | \$ | 22,010 | | |
| 60390-499900 | Appropriated Retained Earnings | | | \$ | 37,620 |
| 63838-545000 | Contract Services | \$ | 724 | | |
| 63390-499900 | Appropriated Retained Earnings | | | \$ | 724 |
| 68888-590000 | Capital Outlay | \$ | 14,200 | | |
| 68390-499900 | Appropriated Retained Earnings | | | \$ | 14,200 |
| | | | | | |
| | | \$ | 1,060,171 | \$ | 1,060,171 |

Explanation: To increase appropriations to carry-forward funds from FY 2012 for projects in process as follows:

| PO # | Vendor | Description | Amount |
|----------|--------------------|----------------------------|-----------|
| 20121683 | Hyman & Robey | Survey work/COA | \$ 1,000 |
| 20121238 | Tyler Technologies | Dashboard | \$ 3,340 |
| | Tyler Technologies | Employee Self Service | \$ 587 |
| 20120090 | Tyler Technologies | Additional Training | \$ 1,855 |
| | Slait Consulting | Citrix Virtual Desktop | \$ 13,200 |
| 20121685 | Slait Consulting | Additional Citrix Contract | \$ 7,637 |
| 20120494 | Vermont Systems | Webtrac | \$ 1,469 |

| | | | | |
|----------|-------------------------------|--------------------------------|----|---------|
| 20121632 | J B Sparks | Historic Crthse Parking | \$ | 1,300 |
| 20121703 | Vaisala Inc | AWOS Repair | \$ | 964 |
| 20120489 | Clarion Assoc of CO | Planning consultant | \$ | 2,794 |
| 20120624 | Moffat & Nichol Inc | Stormwater Manual | \$ | 6,561 |
| 20120374 | Hyman & Robey | Rural Ctr Stmwater Fee | \$ | 505 |
| 20120527 | Albemarle Resource Cons. | Rural Ctr Project Mgmt | \$ | 3,736 |
| 20121259 | Eure & Sons Construction | Rural Center Access | \$ | 6,600 |
| 20120488 | Whalehead Drainage Phase I-II | | \$ | 756,911 |
| 20121462 | Coastal Engineering | Sea Loft Village | \$ | 14,138 |
| 20121527 | Arrow Surface Engineering | Ocean Sands | \$ | 15,610 |
| 20120509 | Quible & Assoc | Oil cleanup | \$ | 724 |
| 20121531 | Tyler Technologies | Revaluation | \$ | 133,392 |
| 20121633 | Gately | Comm Workstation | \$ | 65,626 |
| 20121667 | Aqua Azul Corp | Walnut Island Disinfect System | \$ | 14,200 |
| | Hazen & Sawyer | Ocean Sands WWTP | \$ | 7,872 |
| | Corn Grower's Grant funds | | \$ | 150 |

Net Budget Effect: Operating Fund (10) - Increased by \$51,698.
 Whalehead Drainage District (20) - Increased by \$756,911.
 Emergency Telephone System (26) - Increased by \$65,626.
 Revaluation Fund (28) - Increased by \$133,392.
 Ocean Sands Water & Sewer District Fund (60) - Increased by \$37,620.
 Solid Waste Fund (63) - Increased by \$724.
 Southern Outer Banks Water Fund (66) - Increased by \$14,200.

| <u>Account Number</u> | <u>Account Description</u> | Debit | | Credit | |
|-----------------------|----------------------------|--------------------------------------|--------|--------------------------------------|--|
| | | Decrease Revenue or Increase Expense | | Increase Revenue or Decrease Expense | |
| 60808-502000 | Salaries | \$ | 34,003 | | |
| 60808-505000 | FICA | \$ | 2,601 | | |
| 60808-506000 | Health Insurance | \$ | 4,002 | | |
| 60808-507000 | Retirement | \$ | 6,546 | | |
| 60808-540000 | Workers Comp | \$ | 1,262 | | |
| 60808-511010 | Data Transmission | \$ | 1,000 | | |
| 60808-531001 | Gas | \$ | 3,000 | | |
| 60808-532000 | Supplies | \$ | 10,000 | | |

| | | | | |
|--------------|----------------------|----|------------------|------------------|
| 60808-514500 | Training & Education | \$ | 10,000 | |
| 60808-514000 | Travel | \$ | 5,000 | |
| 60808-545001 | Contract Services | | | \$ 77,414 |
| | | | <u>\$ 77,414</u> | <u>\$ 77,414</u> |

Explanation: Ocean Sands Water and Sewer District (60808) - To transfer funds for in-house operations and maintenance of the Ocean Sands sewer as of July 22, 2012.

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

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 66868-590000 | Capital Outlay | \$ 19,530 | |
| 66868-545000 | Contract Services | | \$ 10,000 |
| 66868-561000 | Professional Services | | \$ 8,000 |
| 66868-516000 | Repairs & Maintenance | | \$ 1,530 |
| | | <u>\$ 19,530</u> | <u>\$ 19,530</u> |

Explanation: Southern Outer Banks Water System (66868) - Transfer funds for automatic meter readers and new 1" meters in Pine Island.

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

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 61818-532000 | Supplies | | \$ 9,000 |
| 61818-590000 | Capital Outlay | \$ 9,000 | |
| | | <u>\$ 9,000</u> | <u>\$ 9,000</u> |

Explanation: Mainland Water System (61) - Transfer funds to replace high service pumps.

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

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 10511-545000 | Contract Services | | \$ 52 |
| 10511-554000 | Insurance & Bonds | \$ 52 | |
| 10795-590000 | Capital Outlay | \$ 327 | |
| 10795-532000 | Supplies | | \$ 327 |
| | | <u>\$ 379</u> | <u>\$ 379</u> |

Explanation: Jail (10511); Recreation (10795) - Transfer funds to cover cost increases in inmate insurance and vehicle for recreation.

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 |
| 65858-590000 | Capital Outlay | \$ 1,480 | |
| 65858-532000 | Supplies | | \$ 1,480 |
| | | <u>\$ 1,480</u> | <u>\$ 1,480</u> |

Explanation: Moyock Commons Sewer (65) - Transfer funds for blower replacement.

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

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 10441-590000 | Capital Outlay | \$ 1,485 | |
| 10330-449900 | Miscellaneous Grants | | \$ 1,485 |
| | | <u>\$ 1,485</u> | <u>\$ 1,485</u> |

Explanation: Information Technology (10441) - Increase appropriations to purchase MCT mobile

computer for Lower Currituck Fire Department. Funding will come from Lower Currituck Fire Department and the County will maintain.

Net Budget Effect: Operating Fund (10) - Increased by \$1,485.

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|------------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 10430-545000 | Contract Services | \$ 14,000 | |
| 10330-449900 | Miscellaneous Grant | | \$ 9,200 |
| 10390-499900 | Appropriated Fund Balance | | \$ 4,800 |
| | | <u>\$ 14,000</u> | <u>\$ 14,000</u> |

Explanation: Elections (10430) - To increase appropriations to carry-forward roof repair to Gibbs Woods election site and to put handicapped concrete slabs to make other election sites handicapped accessible.

Net Budget Effect: Operating Fund (10) - Increased by \$14,000.

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|-------------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 50650-590000 | Roadways & Utilities | \$ 1,500,000 | |
| 50390-495040 | T T - Co Govt Construction | | \$ 1,500,000 |
| | | <u>\$ 1,500,000</u> | <u>\$ 1,500,000</u> |

Explanation: Maple Commerce Park (50650) - To increase appropriations for additional road work at the Maple Commerce Park. This will be funded through prior year transfers.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$1,500,000.

C) Commissioner's Report

Commissioner Martin stated that the county to move forward with lawsuit against Headlights.

Commissioner O'Neal requested an update on the Moyock Small Area Plan and a bridge terminus update.

Commissioner Aydlett commented on the canal at the Carova access.

D) County Manager's Report

No comments

Closed Session pursuant to NC General Statutes 143-318.11(a)(3) to consult with the attorney in order to preserve the attorney-client privilege and to receive advice from the attorney regarding a claim against the county for pending lawsuit: R.F. London, Inc.

Commissioner Gilbert moved to go into closed session as stated above. Commissioner Petrey seconded the motion. Motion carried.

Adjourn

After reconvening from closed session, no action was taken.

There being no further business, the meeting adjourned.

Special Meeting

Tourism Development Authority

TDA Budget Amendments

Commissioner Etheridge moved to approve. Commissioner Aydlett 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 |
| 15442-590000 | Capital Outlay | \$ 11,636 | |
| | Contract Serv:Historic | | |
| 15447-545002 | Pres | \$ 283,180 | |
| 15447-590000 | Capital Outlay | \$ 17,118 | |
| 15447-592000 | Whalehead Projects | \$ 89,528 | |
| 15447-587010 | T T - Operating Fund | \$ 10,841 | |
| | Appropriated Fund | | |
| 15390-499900 | Balance | | \$ 412,303 |

| | | | |
|-----------|----------------|-----------|----------------|
| <u>\$</u> | <u>412,303</u> | <u>\$</u> | <u>412,303</u> |
|-----------|----------------|-----------|----------------|

Explanation: Occupancy Tax; Tourism Promotion (15442); Tourism Related Expenditures (15447) -Carryforward funds to FY 2013 for open projects from FY 2012.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$401,462.

Adjourn

There being no further business, the meeting adjourned.

CURRITUCK COUNTY
NORTH CAROLINA
AUGUST 20, 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: Chairman Rorer, Commissioners Gilbert, O'Neal, Etheridge, Martin and Petrey. Commissioner Aydlett was absent due to illness.

A) Invocation

B) Pledge of Allegiance

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

C) Approval of Agenda

Commissioner O'Neal moved to amend the agenda by adding an appointment to the ED Board, delete Budget Amendments and award of bid for COA Apron. Commissioner Petrey 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.

James Eller, Moyock, requested why there are no fire hydrants on Launch Landing. The Board requested staff to review the projected cost for this.

Allen Forman, opposes the Headlights club near his neighborhood.

Bob White, discussed the Wild Horse Tours and number of vehicles.

Kim Hadrava, discussed the route issue on the Horse Tours and not stopping on the road.

Richard Brown, discussed the times and number of vehicles allowed for the Horse Tours.

Nikki Hise, had several questions regarding the on the amendment for Horse Tours.

Linda Yerich, employee of Richard Brown and supports the Horse Tours.

Wiley Melton, stated that there would be a lot of people out of work if not for Mr. Brown and his Horse Tours.

Dillion Beeker, supports Horse Tours and jobs.

Wes Stallings, WH Herd Manager, supports the Ordinance.

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

Public Hearings

A) Public Hearing and Action: PB 12-14 Currituck County: Request to update and adopt the zoning map to transition all properties in the county to the zoning districts identified in the Unified Development Ordinance approved by the Board of Commissioners on April 2, 2012.

Donna Voliva, Senior Planner, reviewed the update on the zoning map.

The Currituck County Unified Development Ordinance (UDO) was approved by the Board of Commissioners on April 2, 2012 with an effective date of January 1, 2013. An official zoning map has been prepared that transitions all properties to the zoning districts identified in the new UDO. Although most of the district changes are considered a text amendment there are new districts that will follow the rezoning procedure of the current UDO.

The following districts translated through the adoption of the UDO and are considered a text amendment and not a rezoning of property:

| Current Zoning District | New Zoning District | Comments |
|-------------------------|---------------------|--|
| A | AG | Not including Gibbs Woods and Knotts Island properties |
| R | SFM | Not including Gibbs Woods properties |
| RO1 | SFO | Correction of the base district for PUD Overlay |
| RO2 | SFR | All |
| GB | GB | All |
| C | GB | All |
| LBH | LB | All |
| LM | LI | All |
| HM | HI | All |
| PUD Overlay | PUD Overlay | The base district is mapped and the overlay identified with zoning designations. |
| RAD Overlay | AP Overlay | Adopted by the BOC 10/17/11 |
| RET Overlay | RET Overlay | All |
| Deleted Districts | | |
| OB Overlay | | All uses are regulated through the SFO and SFR Districts |

The following district translations are considered a rezoning and will require advertisement and notification of property owners that do not reside in the area of general circulation of the newspaper:

| Current Zoning District | New Zoning District | Comments |
|-------------------------|---------------------|--|
| A/RR/R | SFI | Applies to A and RR zoning districts on Knotts Island and the A and R districts in Gibbs Woods |
| RA | SFM | As identified on the map properties will translate to SFM, A, GB and MXR. |
| RR | SFM | Not including Knotts Island (see above) |
| RMF Overlay | MXR | |

The existing conditional districts will remain unchanged.

Some properties identified as employment or mixed use in the Maple-Barco Small Area Plan will be considered for rezoning that are consistent with the plan. These areas include the Maple Campus and Currituck Community Park, Central Elementary School, Ponderosa Mobile Home Park, and the properties currently zoned RA around the intersection of US 158 and NC 168.

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

Commissioner Martin moved to approve PB 12-14 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. Commissioner Gilbert seconded the motion. Motion carried.

B) Consideration and Action: PB 06-02 Freedom Forest, Phase II: Request for a preliminary plat extension of a six lot residential subdivision located off Patriot Way in Barco.

Sworn testimony was given prior to making statements.

Ben Woody, Planning Director, reviewed the request.

On May 13, 2008, the Planning Board voted to approve the preliminary plat for Freedom Forest, Phase II. This is a six lot residential subdivision located off Patriot Way in Barco. The preliminary plat approval was due to expire on May 13, 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 June 27, 2012 the agent, J. Larry Gaither, submitted a request for a two year preliminary plat extension of the subdivision citing health 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 permit recipient, Frank Mashuda, developed health problems and has not been able to work until recently.
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 Etheridge moved to grant the extension.
Commissioner O'Neal seconded the motion. Motion carried.

Administrative Reports

A) Mr. Steve Murray, Albemarle Food Bank, Proclamation for Hunger Action Month

Mr. Murray, stated that the Albemarle Food Bank serves 15 counties.

Commissioner Petrey moved to adopt the resolution.
Commissioner Gilbert seconded the motion. Motion carried.

**Proclamation for
HUNGER ACTION MONTH
"30 Ways in 30 Days"
September, 2012**

WHEREAS, Feeding America is the nation's leading domestic hunger-relief organization with a mission to feed and advocate for America's hungry through a nationwide network of member food banks; and

WHEREAS, the Food Bank of the Albemarle is a member of Feeding America and fights hunger and poverty in 15 northeast North Carolina counties by partnering with more than 130 local agencies to distribute food to the hungry; and

WHEREAS, both the Food Bank of the Albemarle and Feeding America seek to engage our citizens locally, statewide, and nationally in the fight to end hunger; and

WHEREAS, the number of people in the Albemarle area who need assistance is increasing as reflected in more households in poverty and more individuals being unemployed; and

WHEREAS, the fight against hunger is a fight that concerns each of us; and

WHEREAS, the contribution of our time, talent and treasure moves us ever closer to an answer to issues of hunger and poverty in our communities; and

WHEREAS, the citizens of Currituck County can visit the Food Bank of the Albemarle's website (www.afoodbank.org) for ideas of ways to make a difference for local emergency feeding programs, for the Food Bank, and especially for our hungry and needy during these thirty days of opportunities;

NOW, THEREFORE, BE IT RESOLVED that the Currituck County Board of Commissioners do hereby proclaim September 2012, as Hunger Action Month in Currituck County.

- B) Thom Leahy, Director of Public Utilities-Va. Beach, presentation on the dangers of uranium mining in Virginia to Currituck County.**

Mr. Thom Leahy, Director of Utilities in Va. Beach, reviewed the Uranium Mining Impact Study. Mr. Leahy stated that on June 12, 2012, Virginia Beach City Council reaffirmed its opposition to uranium mining in Virginia.

- C) Recommendation of Award for COA Apron**
deleted

Old Business

- A) Approval of Ordinance Amendment on Unattended Property on Beach, 2nd reading**

Ike McRee, County Attorney, reviewed the ordinance.

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

Commissioner Etheridge moved to add additional language and clarify the Property Owners Association responsibility and other items at a work session. Commissioner O'Neal seconded the motion. Motion carried.

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

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

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

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

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

Sec. 10-128. Unattended property on beach.

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

(b) This section does not apply to life guard stands and accessory uses regulated by the Currituck County Unified Development Ordinance.

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

New Business

- A) **An Ordinance of the Currituck Board of Commissioners amending the Code of Ordinances to regulate Outdoor Tour**

After much discussion Commissioner Etheridge moved to have a work session to address issues raised during public

comment. Commissioner Martin seconded the motion. Motion carried.

B) Board Appointments:

1. Appointment to Board of Adjustment

Commissioner Martin moved to appoint Mike Painter. Commissioner Etheridge seconded the motion. Motion carried.

2. Appointment to Economic Development Board.

Commissioner Gilbert moved to appoint Rosaria Thompson. Commissioner Martin seconded the motion. Motion carried.

C) Consent Agenda:

1. Change Order for Maple Commerce Park, time extension only
2. Project Ordinance for Connector Taxiway and Parking Apron: DOA Grant 36244.10.5.2

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

D) Commissioner's Report

Commissioners expressed their thoughts and prayers for Commissioner Aydlett.

Commissioner Martin reminded citizens school starts on August 27th and watch out for the children.

Commissioner O'Neal requested the Planning Director to make a presentation to the Board on the re-organization of his department.

Commissioner Rorer commented on the improvements at the Rural Center.

Commissioner Etheridge requested citizens to write to the Transportation Committee regarding the Mid County Bridge.

E) County Manager's Report

Dan Scanlon, County Manager, reviewed the COA Federal Loan update.

Adjourn

There being no further business, the meeting adjourned.

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on September 4, 2012 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be sold at auction or by advertised sale:

| <u>Asset Tag</u> | <u>Description</u> | <u>Serial Number</u> |
|------------------|--------------------------|----------------------|
| 5470 | 1998 Dodge Durango | 1B4HS28Y4WF158427 |
| 5961 | 2005 Crown Victoria | 2FAFP71W25X137067 |
| 5926 | 2005 Jeep Laredo | 1J4GR48K75C549504 |
| 6093 | 2006 Ford Crown Victoria | 2FAHP71W56X119012 |

ADOPTED, this 4th day of September, 2012.

John Rorer
Currituck County Board of
Commissioners

ATTEST:

Gwen H. Keene, CMC

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September, 2012, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2013.

| <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> |
| 10480-516000 | Maintenance & Repair | \$ 300 | |
| 10480-532000 | Supplies | | \$ 300 |
| | | <u>\$ 300</u> | <u>\$ 300</u> |

Explanation: Register of Deeds (10480) - To transfer funds to repair software for Ricoh Copier in the Register of Deeds office.

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

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Clerk to the Board

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|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 56868-590003 | 1.5 MG Water Storage | \$ 20,400 | |
| 56868-588000 | Contingency | | \$ 20,400 |
| | | <u>\$ 20,400</u> | <u>\$ 20,400</u> |

Explanation: SOBWS Expansion Construction (56868) - Transfer funds to pressure blast, clean and repaint existing 1.5 MG reservoir at SOBWS.

Net Budget Effect: SOBWS Construction Fund (56) - No change.

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Clerk to the Board

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|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10531-545000 | Contracted Services | \$ 1,000 | |
| 10531-514000 | Travel | \$ 1,000 | |
| 10531-532000 | Supplies | \$ 4,600 | |
| 10531-590000 | Capital Outlay | \$ 2,500 | |
| 10390-499900 | Appropriated Fund Balance | | \$ 9,100 |
| | | <u>\$ 9,100</u> | <u>\$ 9,100</u> |

Explanation: Emergency Management (10531) - To carry-forward 2011 EMPG Grant funds. Capital outlay will be used to paint vehicles received by the Sheriff's Dept from State/Federal Surplus that can be used during evacuations.

Net Budget Effect: Operating Fund (10) - Increased by \$9,100.

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|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10795-590000 | Capital Outlay | \$ 15,169 | |
| 10390-495015 | T F - Occupancy Tax | | \$ 15,169 |
| | | <u>\$ 15,169</u> | <u>\$ 15,169</u> |

Explanation: Recreation (10795) - Purchase a replacement mower/tractor to maintain park facilities.

Net Budget Effect: Operating Fund (10) - Increased by \$15,169.

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|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10796-502000 | Salaries - Regular | \$ 20,703 | |
| 10796-505000 | FICA | \$ 49 | |
| 10796-506000 | Health Insurance | \$ 5,380 | |
| 10796-507000 | Retirement | \$ 2,515 | |
| 10796-503000 | Salaries - Part time | | \$ 20,067 |
| 10390-495015 | T F - Occupancy Tax | | \$ 8,580 |
| | | <u>\$ 28,647</u> | <u>\$ 28,647</u> |

Explanation: Currituck Rural Center (10796) - Increase appropriations to reclassify the part-time Park Attendant to a full-time Park Attendant.

Net Budget Effect: Operating Fund (10) - Increased by \$8,580.

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Clerk to the Board

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|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10461-590000 | Capital Outlay | \$ 750 | |
| 10461-514500 | Training & Education | | \$ 250 |
| 10461-526000 | Advertising | | \$ 400 |
| 10461-536000 | Uniforms | | \$ 100 |
| | | <u>\$ 750</u> | <u>\$ 750</u> |

Explanation: Public Utilities (10461) - Transfer funds to cover increased cost of vehicle.

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

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Clerk to the Board

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|-----------------------|---------------------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10490-513003 | Utilities (Court Related) | | \$ 4,000 |
| 10490-516003 | Repairs & Maintenance (Court Related) | | \$ 4,328 |
| 10460-592000 | Courthouse Projects | | \$ 4,938 |
| 10490-590003 | Capital Outlay | \$ 13,266 | |
| | | <u>\$ 13,266</u> | <u>\$ 13,266</u> |

Explanation: Court Facilities (10490) - Transfer fund to replace main HVAC unit in the Clerk of Court office.

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> | |
| 10560-545000 | Contract Services | | | \$ | 2,251 |
| 10752-519700 | HCCBG - In Home | | 9701 | | |
| 10752-514003 | Travel - Special Adoption | | | \$ | 1,909 |
| 10752-514503 | Training & Education - Special Adopt | | | \$ | 1,000 |
| 10752-526003 | Advertising - Special Adopt | | | \$ | 552 |
| 10752-532003 | Supplies - Special Adopt | \$ | 4,955 | | |
| 10752-545003 | Contract Services - Special Adopt | \$ | 2,000 | | |
| 10752-561003 | Professional Services - Special Adopt | | | \$ | 3,380 |
| 10330-430600 | Elderly & Disabled Transportation | \$ | 2,251 | | |
| 10330-432200 | HCCBG- In Home | | | \$ | 8,731 |
| 10390-499900 | Appropriation Fund Balance | | | \$ | 1,084 |
| | | <u>\$</u> | <u>18,907</u> | <u>\$</u> | <u>18,907</u> |

Explanation: Transportation (10560); Public Assistance (10752) - Adjust to State budget allocations.

Net Budget Effect: Operating Fund (10) - Increased by \$7,564.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of September, 2012, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2013.

| <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> |
| 66868-590000 | Capital Outlay | \$ 8,330 | |
| 66868-545000 | Contract Services | | \$ 5,000 |
| 66868-516000 | Repairs & Maintenance | | \$ 3,330 |
| | | <u>\$ 8,330</u> | <u>\$ 8,330</u> |

Explanation: Southern Outer Banks Water (66868) - Emergency repairs to the SOBWS booster station at Currituck Club.

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

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Clerk to the Board

CHANGE ORDER

No. 1

PROJECT Finished Water Storage Tank Addition Project for the Southern Outer Banks WTP

DATE OF ISSUANCE July 24, 2012 EFFECTIVE DATE 2012

OWNER Currituck County, NC

CONTRACTOR Crom Corporation ENGINEER Hazen and Sawyer PC

You are directed to make the following changes in the Contract Documents.

Description: Pressure blast clean and repaint the existing 1.5-MG finished water storage tank at the Southern Outer Banks WTP with one coat of Tnemec 156, including strip coating existing cracks.

The existing logo will be painted over since this tank is now obstructed by the new tank and the County logo will be placed on the new tank.

Reason: The coating on the existing tank is approximately 9 years old and in need of re-coating.

Attachments: Change Order Proposal 001 by Crom Corp.

COST: ADD \$20,400.00

TIME EXTENSION – 7 CALENDAR DAYS

| CHANGE IN CONTRACT PRICE | CHANGE IN CONTRACT TIMES |
|---|---|
| Original Contract Price \$ <u>784,972.00</u> | Original Contract Times Start Date: <u>April 30, 2012</u> Final Completion: <u>September 17, 2012</u> <small>Days or dates</small> |
| Net changes from previous Change Orders No. <u>0</u> to No. <u>1</u> \$ <u>20,400.00</u> | Net Change from previous Change Orders No. <u>0</u> to No <u>1</u> <u>7</u> <small>Days</small> |
| Contract Price prior to this Change Order \$ <u>784,972.00</u> | Contract Times prior to this Change Order Start Date: <u>April 30, 2012</u> Final Completion: <u>September 17, 2012</u> <small>Days or dates</small> |
| Net Increase (decrease) of this Change Order \$ <u>20,400.00</u> | Net Increase (decrease) of this Change Order <u>7 Calendar Days</u> <small>Days</small> |
| Contract Price with all approved Change Orders \$ <u>805,372.00</u> | Contract times with all approved Change Orders Final Completion: <u>September 24, 2012</u> <small>days or dates</small> |

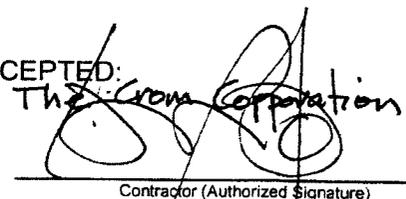
RECOMMENDED:

APPROVED:

ACCEPTED:

By: 
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: 
Contractor (Authorized Signature)

Date: 8.20.12

Date: _____

Date: 8/15/2012



COUNTY OF CURRITUCK

PROCLAMATION

CURRITUCK COUNTY WINE APPRECIATION MONTH

2012

WHEREAS, North Carolina ranks 10th nationally in wine production and tenth in grape growers; and

WHEREAS, the vineyards and wineries of Currituck produce over 5000 cases of wine annually on over 30 acres of land, split between both muscadine and vinifera plantings.

WHEREAS, Currituck is home to some of the oldest vinifera vines in the state, but is also leading the way in new and innovative plantings of Albarino, Aglianico, Rousanne and Tempranillo; and

WHEREAS, Currituck wineries have placed highly in both regional and national competitions, including double gold and best in show honors; and

WHEREAS, vineyards and wineries play an important role in North Carolina's tourism industry, destinations, green space, and aesthetic appeal:

NOW, THEREFORE, BE IT RESOLVED the Currituck County Board of Commissioners does hereby proclaim September 2012, as "CURRITUCK COUNTY WINE APPRECIATION MONTH."

ADOPTED this the 4th day of September, 2012.

ATTEST:

John D. Rorer, Chairman

Gwen H. Keene, CMC
Clerk to the Board

Gwen Keene

From: Dan Scanlon
Sent: Friday, August 24, 2012 11:59 AM
To: Butch Petrey; Gwen Keene; John Rorer; Marion Gilbert; Mary Gilbert; Owen Etheridge; Paul Martin; S Paul O'Neal; Vance Aydlett
Subject: FW: Currituck County Grape and Wine Month

Attachments: Wine Appreciation Month Proclamation Sept 2012.pdf; ATT00001.txt



Wine Appreciation ATT00001.txt (224
Month Proclo... B)

Please see the request below. Does the BOC want to locally proclaim September as "Currituck Grape and Wine Month."

-----Original Message-----

From: John Wright [mailto:john@sanctuaryvineyards.com]
Sent: Tuesday, August 21, 2012 4:55 PM
To: Dan Scanlon; Diane Nordstrom
Subject: Currituck County Grape and Wine Month

Dan and Diane,

I am writing you jointly to offer a proposal that September be recognized as "Currituck Grape and Wine Month."

Viticulture has featured prominently in the history of North Carolina and Currituck County, since the first explorers noted the bounty of vines and grapes in our coastal region. The industry of grapes and wine in North Carolina has seen challenges (Prohibition) and triumph (Top 10 Nationally in Wine Production-2011) and Currituck County reflects our state's proud heritage in every vine.

-The vineyards and wineries of Currituck produce over 5000 cases of wine annually on over 30 acres of land, split between both muscadine and vinifera plantings.

-Currituck is home to some of the oldest vinifera vines in the state, but is also leading the way in new and innovative plantings of Albarino, Aglianico, Rousanne and Tempranillo.

-Currituck wineries have placed highly in both regional and national competitions, including double gold and best in show honors.

I hope the Board of Commissioners will consider recognizing September as Currituck Grape and Wine Month:

- September is the peak month for table grape harvest, so consumers will be able to find fresh muscadine grapes throughout the county.
- September features festivals and events such as The Currituck Food and Wine Festival at Sanctuary Vineyards on September 22.
- New wines from both Sanctuary Vineyards and Martin Vineyards will be released next month as well, so visitors and citizens alike will be invited to try the county's newest vintage.

Also, I have attached the notice from the NC Governor's Office proclaiming September as NC Wine Month - I hope this can offer some guidance if the county sees fit to follow suit.

Thanks!
John Wright

State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

NORTH CAROLINA WINE APPRECIATION MONTH

2012

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the wine community is an important part of agribusiness in North Carolina and wineries are flourishing across the Tar Heel State; and

WHEREAS, North Carolina currently has more than 113 wineries and 400 commercial grape growers; and

WHEREAS, North Carolina ranks 10th nationally in wine production and tenth in grape production; and

WHEREAS, North Carolina is the home of our nation's first cultivated wine grape, the scuppernon, which grew wild on Roanoke Island and today is over 400 years old and stretches half an acre; it was noticed in 1585 by Sir Walter Raleigh explorers, which led to North Carolina becoming the leading wine-producing state prior to Prohibition; and

WHEREAS, the annual economic impact of North Carolina-produced grapes and wine is estimated at \$1.28 billion, employing 7,600 workers in the State; and

WHEREAS, vineyards and wineries play an important role in North Carolina's tourism industry, with wineries and vineyards significantly enhancing tourism in the State by providing unique travel destinations, green space, and aesthetic appeal;

NOW, THEREFORE, I, BEVERLY EAVES PERDUE, Governor of the State of North Carolina, do hereby proclaim September 2012, as "NORTH CAROLINA WINE APPRECIATION MONTH" in North Carolina and commend its observance to all citizens.



BEVERLY EAVES PERDUE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in Raleigh this seventeenth day of August in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 4th day of September, 2012 , passed the following amendment to the budget resolution for the fiscal year ending June 30, 2013.

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 15447-587010 | T T - Operating Fund | \$ 23,749 | |
| 15390-499900 | Appropriated Fund Balance | | \$ 23,749 |
| | | <u>\$ 23,749</u> | <u>\$ 23,749</u> |

Explanation: Tourism Related Expenditures (15447) -Transfer funds to purchase mower/tractor for park facilities and to reclassify a part-time park attendant at the Currituck Rural Center to full-time.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$23,749.

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Clerk to the Board

BUDGET AMENDMENT

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| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 15442-532500 | Retail Merchandise | \$ 30,000 | |
| 15442-545100 | Credit Card Fees | \$ 3,000 | |
| 15442-526200 | Promotion Efforts | | \$ 30,000 |
| 15350-465003 | Retail Sales | | \$ 33,000 |
| 15390-499900 | Appropriated Fund Balance | \$ 30,000 | |
| | | <u>\$ 63,000</u> | <u>\$ 63,000</u> |

Explanation: Tourism Promotion (15442) - Increase appropriation to budget revenue and expense for retail merchandise.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$3,000.

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Clerk to the Board

BUDGET AMENDMENT

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| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 15447-590000 | Capital Outlay | \$ 150,000 | |
| 15390-499900 | Appropriated Fund Balance | | \$ 150,000 |
| | | <u>\$ 150,000</u> | <u>\$ 150,000</u> |

Explanation: Tourist Related Expenses (15447) - Increase appropriations to replace County portion of the Poplar Branch Boat Access/Piers. This will be funded with carry-forward funds from the Veteran's Park Boat Ramp from FY 2012.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$150,000.

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Clerk to the Board

BUDGET AMENDMENT

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| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 15442-587066 | T T - SOBWS Construction | \$ 5,577,844 | |
| 15390-499900 | Appropriated Fund Balance | | \$ 5,577,844 |
| | | <u>\$ 5,577,844</u> | <u>\$ 5,577,844</u> |

Explanation: Tourism Promotion (15442) - To carryforward loan transfer for the Southern Outer Banks Water System Expansion. This was originally approved on 4/18/2011 in the amount of \$5,700,000. This will carry-forward the unspent balance as of June 30, 2012.

Net Budget Effect: Occupancy Tax Fund (15) -Increased by \$5,577,844.

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Clerk to the Board