



**BOARD OF COMMISSIONERS
AGENDA**

SEPTEMBER 17, 2012

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REVISED

Currituck County
Board of Commissioners Agenda
Historic Currituck County Courthouse

Date: Monday, September 17, 2012 Time: 7:00 PM

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 12-15 Bissell Professional Group: Request to amend the new Currituck County Unified Development Ordinance, Chapter 4, Section 4.2.5 Industrial Uses to allow expansions of existing mining operations.
- B) **Chris Turner, Wildlife Resources Commission to discuss Coyotes in the County**

Administrative Reports

- A) **Cameron Lowe, Extension Director, presentation on Currituck County Rural Center**
- B) **Cameron Lowe, Extension Director, recognizing the Board of Commissioners for their Outstanding Partnership with Cooperative Extension**
- C) **Update on the Department of Planning and Community Development**
- D) **Update on the Moyock Small Area Plan**

New Business

A) Consent Agenda:

1. ITS Surplus Resolution
2. Budget Amendments
3. Appointments to the Local Firefighter's Relief Fund Board for Carova Beach, Corolla, Crawford and Knotts Island
4. Resolution to surplus vehicles
5. Resolution Celebrating the 300th Anniversary of Craven County
6. Resolution Approval for Local Water Supply Plans for Currituck Water Systems
7. Approval of September 4, 2012 Minutes
8. Grant Ordinance for 2 year grant for clearing Hog Bridge Ditch

B) Commissioner's Report

C) 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: August 16, 2012
Subject: PB 12-15 Bissell Professional Group

The enclosed text amendment submitted by Bissell Professional Group is intended to allow an expansion of permitted mining operations. Currently, mining operations can excavate no more than 30 percent of the total site. The proposal would allow staff to approve an expansion of an existing mine by up to 40 percent of the total site area without a public hearing and Board approval. In addition, the proposal would allow the Board of Commissioners to approve an expansion of an existing mine by up to 50 percent of the total site area.

Staff also included headings and clarifications to make it more user friendly.

The Planning Board *recommended approval* of PB 12-15 as written 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.

If you have any questions, please contact Donna Voliva, Senior Planner, at 232-6032 or at Donna.Voliva@CurrituckCountyNC.gov.

PLANNING BOARD DISCUSSION (8/14/12)

Mr. Klebitz explained what could be done with an excavated mine with the rules for a conservation subdivision. One possibility is that the excavated mine could be reclaimed as a recreational lake as part of the development of a conservation subdivision.

Mr. Kovacs asked about the reclamation plan for the mine.

Mr. Klebitz stated the county requires a reclamation plan be submitted along with the initial mining permit, as well as the state.

ACTION

Mr. Clark moved to approve PB 12-15 as written 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. Cartwright seconded the motion. Motion carried unanimously.

BISSELL PROFESSIONAL GROUP
PB 12-15
UDO AMENDMENT REQUEST

An amendment to Chapter 4 Use Standards, to allow expansions of existing mining operations.

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 1: That Section 4.2.5. Industrial Uses is amended by deleting the strikethrough and adding the underlined text:

A. Extractive Industry

Extractive industry uses shall receive and maintain a State of North Carolina mining permit and comply with the following standards:

(1) General

- (a)** Any mine activity affecting more than one acre (including excavation, area where overburden is placed, area used processing or treatment and settling ponds, access roads, etc.) shall be subject to these regulations and require a use permit.
- (b)** All State permits and applications for State permits associated with the mining activity, including permit modifications, shall be filed with the Planning Department by the applicant.

(2) Size

No more than 30 percent of the total site shall be excavated at any given time during the mining operation and after completion except as otherwise provided in this section.

(3) Setbacks

- (a)** No activities associated with the mine, including but not limited to excavation activities, vehicular access (except for driveways providing access to the site) and detention ponds shall be located within 100 feet of any property line and 300 feet of any residence, school, religious institution, hospital, commercial or industrial building, public road, or cemetery.
- (b)** Setbacks may be reduced by 50 percent when there is a complete visual screen at least six feet in height and an intermittent visual screen to a height of at least 20 feet between the mining activity and the adjoining use. Further, the Board of Commissioners may reduce non-

modified setbacks by 50 percent when the mining activity adjoins a vacant parcel or farmland.

(4) Height

Mined materials shall not be stored in excess of 25 feet in height.

(5) Access

(a) For operations that generate more than five trips per peak hour, at least 200 feet of continuous pavement shall be required onsite starting at the point the access road intersects with a public street or highway unless such public street is not paved. Acceleration and deceleration lanes shall be required by the county when it determines, subject to input from the North Carolina Department of Transportation, that such lanes will enhance public safety. All access roads should intersect with public streets at right angles, but in no case be less than 60 degrees. All streets and roads utilized to access the mining site shall be maintained free of dust and sediment and shall be properly graded and drained.

(b) Where two or more accesses to the mining operation exist, traffic shall be routed to the access having the least negative impact on adjoining properties.

(6) Vehicles

All trucks hauling mined materials (i.e. sand, clay, topsoil) shall be covered with a tarpaulin.

(7) Hours of Operation

In no case shall the hours of operation be beyond dawn to dusk, nor shall mining activity occur on Sundays.

(8) Refuse

No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on site.

(9) Dewatering

Discharging of water from the mine site shall be permitted subject to obtaining a state permit. The county may take random samples and have the results tested for settleable solids, turbidity, and pH at the operators' expense. Such testing shall not exceed six tests per year.

(10) Signage

~~'No Trespassing' signs shall be posted around the site being mined at a minimum distance of 250 feet apart indicating that a mining operation is being conducted on the property. 'No Trespassing' signs indicating that a mining operation is being~~

conducted on the site shall be spaced a minimum of 250 feet apart.

(11) Reclamation

Reclamation shall be conducted simultaneously with mining operations. Annual reclamation reports shall be submitted to the Planning Department within ten days of being filed with the State.

(12) Overburden

Overburden to be used for future reclamation shall be placed where it will not be disturbed by normal mining activities and shall be stabilized to reduce wind and water erosion. Use of overburden for earth berms is encouraged to reduce the impact of the mining operation on adjoining properties.

~~**(13) Drainage**~~

~~Drainage patterns shall not be altered so as to cause flooding off-site while the permit is valid and after reclamation.~~

(14) Surrounding Wells

No mining activities shall adversely affect surrounding in use wells. A hydrological report as provided below shall be required and the board may consider that report in adjusting setbacks or imposing other conditions on the applicant. Such conditions shall be designed to avoid adverse impacts on in use well owners, including but not limited to requiring monitoring wells, additional hydrological studies, or surety to protect in use well owners from loss. Any person owning or operating a mining site in a manner that adversely affects an in use well through contamination or diminution of groundwater shall provide the well owner with a replacement water supply of equal quantity and quality. A rebuttal is permitted that contamination or diminution of water has been caused by the mining activity.

(15) Expansion

An expansion of an existing mining operation shall comply with the following procedures and additional standards:

(a) Procedure

- (i)** With approval of the ~~Board of Commissioners~~ Planning Director, additional area within the site can be mined provided previously mined areas are reclaimed with non-contaminated soils to the original ground elevation in accordance with state standards. ~~Setbacks established by these regulations shall be met at all times.~~ All reclaimed land shall be identified on a map recorded in the register of deeds.

- (ii) With the approval of the Planning Director, an expansion of an existing mine operation not to exceed 40 percent of the total site area can be mined.
- (iii) In accordance with Section 2.3.14, the Board of Commissioners can approve an expansion of an existing mine operation not to exceed 50 percent of the total site area.

(b) Additional Standards

- (i) The existing mine has an active use permit and State permit.
- (ii) The existing mine has been in operation for a period of no less than five years.
- (iii) The existing mine has maintained compliance with all applicable state and local permit regulations for the past five years of operation.
- (iv) The cumulative total of the mine's excavation area, including the requested expansion, shall not exceed 50 percent of the total site area. All on-site CAMA and US Army Corps of Engineers designated wetlands and surface waters shall not be included in the total site area calculation.
- (v) All State mining permit modifications shall be obtained prior to any expansion activities being performed.

(16) Expiration

- (a) The use permit shall be valid for a period of ten years from the date it is granted or for a shorter duration as deemed appropriate by the Board of Commissioners. In the event the property owner desires to continue the mining operation thereafter, he shall again petition the Board of Commissioners for a new permit.
- (b) Discharging without proper state permits will result in initiating procedures to revoke the special use permit.
- (c) ~~If at any time a state agency suspends or revokes any permits it has issued for the mining operation, the revocation or suspension shall cause the use permit to become void until such permit is reinstated by the State.~~

Item 2: 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 3: This ordinance amendment shall be in effect from and after the _____ day of _____, 2012.

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 & Community Development Department
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Board of Commissioners

From: Ben Woody

Cc: Dan Scanlon

Date: September 11, 2012

Re: Department Update

The Planning and Inspections departments have merged to create a newly formed Planning & Community Development Department. The merger process was initiated in August 2011 to improve the delivery of services, and expedite residential and commercial approval processes. The following information provides an overview of the progress made thus far and the proposed direction for moving forward.

Department Organization

The Planning & Community Development Department includes four divisions: Administration, Central Permitting, Planning, and Inspections. A senior staff person coordinates the day-to-day operation of each division.

- The *Administration* division is responsible for operations, personnel, complaint resolution, and budget functions.
- The *Central Permitting* division is a new concept for Currituck County, but is used in other jurisdictions to expedite the permit process. The idea is to create a one-stop permit counter and increase the number of permits issued on the spot or while a customer waits. All development proposals will be submitted at a single location (including TRC submittals).
- The *Planning* division will provide long range planning services, flood plain administration, and zoning administration. By improving permitting efficiency, additional staff resources will be dedicated to long range planning.
- The *Inspections* division will continue to function as it currently does, with oversight from the chief building inspector. The inspections staff will provide building and mechanical inspections, review plans, and assist with code enforcement.

Permitting

The department has already made a number of changes and improvements to the permitting process. It is important to share with the citizens how the county is evolving with technology, incorporating internal efficiencies, and responding to changes in the economy. As an example, earlier this year central permitting staff proposed modifications to the permitting process. This included express review permitting, additional no review permits, and an emphasis on traditional review permits. To evaluate the success of the process modifications, a six-week assessment period was captured in April/May to compare permit data during 2011 and 2012.

The following data incorporates both nonresidential and commercial projects.

| Year | Total Permits | No Review | Express Review | Traditional Review | Issue Time [1] |
|-----------------|----------------------|------------------|-----------------------|---------------------------|-----------------------|
| 2011 - Mainland | 109 | 38% | - | 62% | 6.4 days |
| 2012 - Mainland | 118 | 51% | 19% | 30% | 2.3 days |
| 2011 - OBX | 176 | 70% | - | 30% | 6.0 days |
| 2012 - OBX | 159 | 65% | 3% | 32% | 3.3 days |

[1] Average days to issue a traditional review permit

The summary data shown above clearly indicates the department has taken steps toward expediting residential and commercial approval processes. The staff has worked together as a team to make meaningful improvement to the permit process. In the future, the central permitting division will continue to compile permit data to evaluate the department's performance.

MOYOCK

SMALL AREA PLAN

KICK-OFF MEETING
MONDAY
SEPTEMBER 24TH
MOYOCK LIBRARY
7:00 PM

PUBLIC PARKS
SIDEWALKS
WATER/SEWER
TRANSPORTATION
DEVELOPMENT
APPEARANCE



WHAT'S IMPORTANT TO YOU?



Hosted by Currituck County
Planning and Community Development
www.co.currituck.nc.us/sap-moyock.cfm
252.232.3055



RESOLUTION

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on September 17, 2012 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be sold at auction or given to another governmental entity:

| <u>Description</u> | <u>Service Tag/Serial No.</u> | <u>Asset Tag</u> | <u>Item No.</u> |
|---|-------------------------------|------------------|-----------------|
| Dell Latitude D810 | J12NW71 | 6064 | G001 |
| Dell Latitude D810 | CBD9L81 | 6051 | G002 |
| Dell PowerEdge 2800 | 2GTM461 | 5970 | G003 |
| Dell Optiplex GX260 | DGDXT21 | 5698 | G004 |
| Dell Optiplex GX280 | 72R8V71 | 6033 | G005 |
| Dell Computer | 2CLS71 | 6417 | G006 |
| Compaq Evo N1020V | 9X35LDLZT1E9 | 5692 | G007 |
| HP DesignJet 815mfp (C7780C plotter & Q1278A scanner) | DK35752033 & DK36B1100P | 5782 | G008 |
| Netgear FS750 Switch | FS70C32054182 | 5709 | G009 |
| Netgear FS516 Switch | FS56L32430005 | NONE | G010 |
| Dell Optiplex GX270 | CMBGW41 | 5855 | G011 |
| HP Compaq nx9010 | 2UA423P0XS | 5862 | G012 |
| HP Compaq nx9010 | 2UA442P2CS | 5932 | G013 |
| HP Compaq nx9010 | CNF3480GQF | 5802 | G014 |
| Dell Optiplex GX270 | JLBGW41 | 5850 | G015 |
| Dell Dimension 2400 | J9CS941 | 5811B | G016 |
| Cisco Phone | FCH11429755 | NONE | G017 |
| Cisco Phone | FCH10228F3D | NONE | G018 |
| Dell Optiplex GX260 | 3BT0F21 | 5660 | G019 |
| Dell Dimension 2400 | J53JR41 | 5876B | G020 |
| Dell Dimension 2400 | 5BCS941 | 5811D | G021 |
| Dell Latitude D810 | B62NW71 | 6067 | G022 |
| Dell Optiplex GX620 | 7WN4S91 | 6189 | G023 |
| HP Compaq nx9030 | CNF4370YPT | 5974 | G024 |
| Dell Optiplex GX620 | 5RS8L81 | 6045 | G025 |
| Dell Precision 370 | 5VMVW61 | 5966 | G026 |
| Dell Optiplex GX280 | 53R8V71 | 6034 | G027 |
| Dell Optiplex 755 | 1ZQ8LF1 | 6764 | G028 |
| Netgear 16 Port Fast Ethernet Switch | JS16143CB022740 | NONE | G029 |
| HP All in One printer | CND892Q02W | NONE | G030 |
| HP Compaq nc6120 | CNU5220DSS | 5999 | G031 |
| HP All in One printer | CNF892R1SK | NONE | G032 |
| Dell Dimension 2400 | 4CCS941 | 5811I | G033 |
| Dell Dimension 2400 | 8CCS941 | 5811J | G034 |
| Gateway (Gates Foundation) Barco Lib | 0023464565 | 5452 | G035 |
| Gateway (Gates Foundation) Barco Lib | 0024704886 | 5527 | G036 |
| Dell Optiplex GX260 Barco Lib | H35R121 | 5642 | G037 |
| Dell Optiplex GX260 Barco Lib | 1F4XT21 | 5703 | G038 |
| Dell Optiplex GX260 Corolla Lib | 9D4XT21 | 5704A | G039 |
| Dell Optiplex GX260 Corolla Lib | DD4XT21 | 5704C | G040 |
| Dell Optiplex GX270 Barco Lib | GZSFG31 | 5754 | G041 |
| Dell Optiplex GX270 Barco Lib | JZSFG31 | 5755 | G042 |
| Dell Optiplex GX270 Barco Lib | 20TFG31 | 5756 | G043 |
| Dell Optiplex GX270 Barco Lib | 40TFG31 | 5757 | G044 |
| Dell Optiplex GX270 | 7MBGW41 | 5853 | G045 |
| Dell Optiplex GX260 | 5X70V21 | 5706 | G046 |
| Dell Optiplex GX270 (refurb/replacement) | D62F351 | NONE | G047 |
| Clone PC from Parker-Lowe (old jury PC) | 422979 | NONE | G048 |
| DataMate old microfilm reader | 2171935 | 2563 | G049 |
| Acer Monitor (AcerView 34T) | 9175402014 | NONE | G050 |
| Sonicwall Pro 3060 | 0006B10C8D28 | 5875 | G051 |
| Sonicwall Pro 3060 | 0006B10D3250 | 6057 | G052 |
| Panasonic CF-28 | 3DKYA06359 | 5771 | G053 |
| Panasonic CF-28 | 3DKYA06474 | 5773 | G054 |
| Panasonic CF-28 | 2JKYC02812 | NONE | G055 |
| Motorola VRM850 Packet Radio (law enforcement) | 508SDS0613 | NONE | G056 |
| Motorola VRM650 Packet Radio (law enforcement) | cannot see serial number | NONE | G057 |
| Motorola VRM650 Packet Radio (law enforcement) | cannot see serial number | NONE | G058 |
| Motorola VRM650 Packet Radio (law enforcement) | 508SBQ1175 | NONE | G059 |
| Motorola VRM650 Packet Radio (law enforcement) | 508SBQ1172 | NONE | G060 |
| Motorola VRM650 Packet Radio (law enforcement) | 508SBQ1173 | NONE | G061 |
| Motorola VRM650 Packet Radio (law enforcement) | 508SBQ1171 | NONE | G062 |

ADOPTED, this 17th day of September 2012.

J. Owen Etheridge, Chairman
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 17th 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> |
| 29690-590000 | Capital Outlay | \$ 225,000 | |
| 29390-499900 | Appropriated Fund Balance | | \$ 225,000 |
| | | <u>\$ 225,000</u> | <u>\$ 225,000</u> |

Explanation: Fire Equipment Replacement Fund (29690) - To appropriate fund balance to purchase an E-One Custom Pumper for Knotts Island VFD as recommended by the Fire and EMS Advisory Board. Total purchase price will be \$457,520 per proposal dated 8/31/2012.

Net Budget Effect: Emergency Vehicle Replacement Fund (29) - Increased by \$225,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

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|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 66888-532000 | Supplies | \$ 4,000 | |
| 66888-545000 | Contract Services | | \$ 4,000 |
| | | <u>\$ 4,000</u> | <u>\$ 4,000</u> |

Explanation: Walnut Island/Waterside Villages (68888) - Transfer funds for operating supplies need for this fiscal year.

Net Budget Effect: Walnut Island Sewer (68) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

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| <u>Account Number</u> | <u>Account Description</u> | <u>Debit</u> | <u>Credit</u> |
|-----------------------|----------------------------|---|---|
| | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 60808-514800 | Fees Paid to Officials | \$ 1,500 | |
| 60808-513000 | Utilities | | \$ 1,500 |
| | | <u>\$ 1,500</u> | <u>\$ 1,500</u> |

Explanation: Ocean Sands Water and Sewer (60808) - Transfer funds to appropriate funds to activate the Ocean Sands Advisory Board.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 17th 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> |
| 50535-590001 | 800 MHz Project | \$ 2,000,000 | |
| 50390-495042 | T F - Transfer Tax Capital Fund | | \$ 2,000,000 |
| | | <u>\$ 2,000,000</u> | <u>\$ 2,000,000</u> |

Explanation: 800 MHz Project (50535) - To increase appropriations in the multi-year fund for the transfer from Transfer Tax budgeted for this fiscal year for the 800 MHz project.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$2,000,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Name of Fire District: Fruitville Outer Banks

County: Currituck

District is Served By: Carova Beach Vol. Fire Dept. & Rescue Squad, Inc.

NOTE: This report must be filled out completely before October 31st or no later than January 31. Reports filed after this date are in non-compliance and the fire department will not be eligible to receive their Firefighter's Relief Fund monies.



NORTH CAROLINA
RURAL FIRE DISTRICT
REPORT OF FIRE CONDITIONS



As required by General Statute 58-84-46 of North Carolina, I clerk do hereby make the following report on the Rural Fire District **Fruitville Outer Banks**. County of **Currituck**.

LOCAL FIREFIGHTER'S RELIEF FUND BOARD

N.C. General Statutes: 8-84-30

(This information must be provided each year)

IF DEPARTMENT DOES NOT WISH TO PARTICIPATE, PLEASE INDICATE IN THIS SECTION

Firefighter's Relief Fund Trustees appointed by Fire Department (2)

1. Ms. Marlene Ann Slate
2369 Ocean Sands Rd
Corolla, NC 27927

2. Mr. Daniel Myers
2260 Sturgeon Lane
Corolla, NC 27927

Firefighter's Relief Fund Trustees appointed by County Commissioners (2)

3. Mr. Mark Stevens
1837 Summerhedge Close
Virginia Beach, VA 23456

4. Mr. Donnie Tadlock
2006 Ocean Pearl Road
Corolla, NC 27927

Firefighter's Relief Fund Trustees appointed by the Insurance Commissioner (1)

5. Mr. Randall Spencer
2302 Sand Fiddler Road
Corolla, NC 27927

Same as last Year? (X) Yes () No

If no, attach a copy of former Insurance Commissioner appointee's letter of resignation AND a copy of Fire Chief's letter of recommendation.

Select position of Firefighter's Relief Fund Treasurer: (X)1 () 2 () 3 () 4 () 5

I, Sandra Hill Clerk/Finance Officer of Currituck County, NC do hereby certify that the foregoing is a true, full and correct report of the Fire Department and fire conditions in said county, made by me as required under General Statute 58-84-46 of North Carolina.

09/10/2012

Date

Name of Fire District: Poplar Branch Beach

County: Currituck

District is Served By: Corolla Fire And Rescue Squad, Inc.

NOTE: This report must be filled out completely before October 31st or no later than January 31. Reports filed after this date are in non-compliance and the fire department will not be eligible to receive their Firefighter's Relief Fund monies.



NORTH CAROLINA
RURAL FIRE DISTRICT
REPORT OF FIRE CONDITIONS



As required by General Statute 58-84-46 of North Carolina, I clerk do hereby make the following report on the Rural Fire District **Poplar Branch Beach**. County of **Currituck**.

LOCAL FIREFIGHTER'S RELIEF FUND BOARD

N.C. General Statutes: 8-84-30

(This information must be provided each year)

IF DEPARTMENT DOES NOT WISH TO PARTICIPATE, PLEASE INDICATE IN THIS SECTION

Firefighter's Relief Fund Trustees appointed by Fire Department (2)

1. Mr. Robert Wemyss
853 Sawgrass Ct
Corolla, NC 27927

2. Mrs. Eleanor Collins
1024 Lighthouse Dr.
Corolla, NC 27927

Firefighter's Relief Fund Trustees appointed by County Commissioners (2)

3. Mr. Barry Richmond
869 Welk Ct
Corolla, NC 27927

4. Mr. Al Marzetti
Corolla, NC 27927

Firefighter's Relief Fund Trustees appointed by the Insurance Commissioner (1)

5. Mr. Charles W Taylor
PO Box 205
Corolla, NC 27929

Same as last Year? (X) Yes () No
If no, attach a copy of former Insurance
Commissioner appointee's letter of resignation AND
a copy of Fire Chief's letter of recommendation.

Select position of Firefighter's Relief Fund Treasurer: () 1 () 2 () 3 () 4 (X) 5

I, Sandra Hill Clerk/Finance Officer of Currituck County, NC do hereby certify that the foregoing is a true, full and correct report of the Fire Department and fire conditions in said county, made by me as required under General Statute 58-84-46 of North Carolina.

09/05/2012

Date

Name of Fire District: Crawford Township
District is Served By: Crawford Township V.F.D., Inc.

County: Currituck

NOTE: This report must be filled out completely before October 31st or no later than January 31. Reports filed after this date are in non-compliance and the fire department will not be eligible to receive their Firefighter's Relief Fund monies.



**NORTH CAROLINA
RURAL FIRE DISTRICT
REPORT OF FIRE CONDITIONS**



As required by General Statute 58-84-46 of North Carolina, I clerk do hereby make the following report on the Rural Fire District **Crawford Township**. County of **Currituck**.

LOCAL FIREFIGHTER'S RELIEF FUND BOARD

N.C. General Statutes: 8-84-30

(This information must be provided each year)

IF DEPARTMENT DOES NOT WISH TO PARTICIPATE, PLEASE INDICATE IN THIS SECTION

Firefighter's Relief Fund Trustees appointed by Fire Department (2)

1. Mr. Steve Van Hise
103 Caratoke Hwy
Currituck, NC 27929

2. Mrs. Rebecca F. Mims
164 Speckle Perch Lane
Moyock, NC 27958

Firefighter's Relief Fund Trustees appointed by County Commissioners (2)

3. Mr. Chris Dailey
224 Dozier Road
Moyock, NC 27958

4. Mr. Larry Mangold
136 Rowland Creek Rd
Moyock, NC 27958

Firefighter's Relief Fund Trustees appointed by the Insurance Commissioner (1)

5. Mrs. Joann Van Hise
103 Caratoke Hwy
Currituck, NC 27929

Same as last Year? Yes No

If no, attach a copy of former Insurance Commissioner appointee's letter of resignation AND a copy of Fire Chief's letter of recommendation.

Select position of Firefighter's Relief Fund Treasurer: 1 2 3 4 5

I, Sandra Hill Clerk/Finance Officer of Currituck County, NC do hereby certify that the foregoing is a true, full and correct report of the Fire Department and fire conditions in said county, made by me as required under General Statute 58-84-46 of North Carolina.

09/10/2012

Date

Name of Fire District: Knotts Island

County: Currituck

District is Served By: Knotts Island Fire Dept., Inc.

NOTE: This report must be filled out completely before October 31st or no later than January 31. Reports filed after this date are in non-compliance and the fire department will not be eligible to receive their Firefighter's Relief Fund monies.



NORTH CAROLINA
RURAL FIRE DISTRICT
REPORT OF FIRE CONDITIONS



As required by General Statute 58-84-46 of North Carolina, I clerk do hereby make the following report on the Rural Fire District **Knotts Island**. County of **Currituck**.

LOCAL FIREFIGHTER'S RELIEF FUND BOARD

N.C. General Statutes: 8-84-30

(This information must be provided each year)

IF DEPARTMENT DOES NOT WISH TO PARTICIPATE, PLEASE INDICATE IN THIS SECTION

Firefighter's Relief Fund Trustees appointed by Fire Department (2)

1. Ms. Barbara Hill
171 Brumley Road
Knotts Island, NC 27950

2. Mr. Nathan Thorn
340 Knotts Island Road
Knotts Island, NC 27950

Firefighter's Relief Fund Trustees appointed by County Commissioners (2)

3. Mr. Scott Morrison
109 West Blackfoot Road
Knotts Island, NC 27950

4. Ms. Marion VanNostrand
365 South End Road
Knotts Island, NC 27950

Firefighter's Relief Fund Trustees appointed by the Insurance Commissioner (1)

5. Mr. William Thorn
332 Knotts Island Road
Knotts Island, NC 27950

Same as last Year? (X) Yes () No

If no, attach a copy of former Insurance Commissioner appointee's letter of resignation AND a copy of Fire Chief's letter of recommendation.

Select position of Firefighter's Relief Fund Treasurer: () 1 () 2 () 3 (X) 4 () 5

I, Sandra Hill Clerk/Finance Officer of Currituck County, NC do hereby certify that the foregoing is a true, full and correct report of the Fire Department and fire conditions in said county, made by me as required under General Statute 58-84-46 of North Carolina.

09/10/2012

Date

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 17, 2012 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be disposed of by auction on GovDeals:

| ASSET | YEAR | MAKE | VIN# |
|--------------|-------------|------------------|-------------------|
| 4377 | 1999 | FORD –CROWN VIC | 2FAFP71W5XX175704 |
| 5401 | 2001 | FORD –CROWN VIC | 2FAFP71W51X109550 |
| 5661 | 2002 | DODGE – INTREPID | 2B3HD46R72H268239 |
| 5627 | 2003 | FORD –CROWN VIC | 2FAHP71W93X146189 |
| 5963 | 2005 | FORD –CROWN VIC | 2FAFP71W65X137069 |
| 6024 | 2005 | JEEP – CHEROKEE | 1J4GR48K75C641311 |
| 5925 | 2005 | JEEP – CHEROKEE | 1J4GR48K95C549505 |
| 4043 | 1997 | FORD F150 TRUCK | 1FTDF1723VND41691 |
| 3439 | 1997 | FORD F150 TRUCK | 1FTDF17WXVNB73017 |
| 5510 | 2002 | FORD F150 TRUCK | 1FTRX18WX2NA27441 |

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of County of Currituck reserves the right to reject any and all bids.

ADOPTED, this 17th day of September, 2012.

John Rorer, Chairman
Currituck County Board of Commissioners

ATTEST:

Gwen H. Keene, CMC

Clerk to the Board

**Resolution Celebrating the 300th Anniversary of
Craven County**

Whereas, Craven County was created in 1712 as Craven Precinct, extending into what is now eastern Tennessee; and

WHEREAS, Craven County was the site of North Carolina's colonial capital, New Bern, and Tryon Palace, which served as the first permanent capitol of North Carolina and home to the family of the royal governor. Tryon Palace was also the site of the first sessions of the general assembly for the State of North Carolina following the revolution and housed the state governors until 1794; and

Whereas, Craven County is home to the first American born Governor of North Carolina, Richard Dobbs Spaight, and the most recent Governor of North Carolina, Beverly Perdue; and

Whereas, the 300th anniversary of Craven County is being celebrated throughout the year with a variety of community generated learning opportunities; and

Whereas, on September 22, 2012, coinciding with the anniversary of the start of the Tuscarora War, Craven County will celebrate its rich and diverse heritage at a countywide event that will acknowledge the vital contributions of all its citizens, cities, towns and hamlets in the county's development.

NOW THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners would like to recognize Craven County's rich heritage on its 300th Anniversary.

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board

John D. Rorer, Chairman
Currituck County



COUNTY OF Currituck
Maple, NORTH CAROLINA 27956

PATRICK IRWIN
Public Utilities Director

Phone: (252) 232-6061
Fax: (252) 453-3721
E-mail: pat.irwin@currituckcountync.gov

Interoffice Memo

Date: 9/4/12

To: Gwen Keene, Clerk to the Board

From: Patrick Irwin, Public Utilities Director

RE: Resolution for Approving Local Water Supply Plans for the Currituck County Water Systems

Attached is a resolution for the Currituck County Board of Commissioners approval of the Local Water Supply Plans for the Mainland and Southern Outer Banks Water Systems.

A Local Water Supply Plan is an assessment of a water system's current and future water needs and its ability to meet those needs. By understanding current and future needs, local governments will be better able to manage water supplies and better prepared to plan for water supply system improvements. Attached are the plans for the Currituck County Water Systems.

All community water systems that regularly serve 1,000 or more service connections or serve more than 3,000 people are required to prepare a Local Water Supply Plan. When the North Carolina Department of Environment and Natural Resources approves the criteria for a plan it then requires approval by the water system's governing board.

Resolution Approving Local Water Supply Plans for the Currituck County Water Systems

WHEREAS, North Carolina General Statute 143-355 (1) requires that each system that provides public water services or plans to provide such services shall, either individually or together with other systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Currituck County Water System and the Southern Outer Banks Water System, has been developed and submitted to the Currituck County Board of Commissioners for approval; and

WHEREAS, the Currituck County Board of Commissioners finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for the Currituck County Water System and the Southern Outer Banks Water System, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners of the Currituck County Water System and the Southern Outer Banks Water System that the Local Water Supply Plan entitled, the Currituck County Water System and the Southern Outer Banks Water System Local Water Supply Plans dated 2007, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Currituck County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 17th day of September, 2012

Name: _____

Title: _____

Signature: _____

ATTEST:



 **COPY**

North Carolina Department of Environment and Natural Resources
Division of Water Resources

Beverly Eaves Perdue
Governor

Thomas A. Reeder
Director

Dee Freeman
Secretary

August 14, 2012

William Nash, Utilities Superintendent
Currituck County Water System
444 Maple Road
Maple, NC 27956

Subject: LWSP Meets Minimum Criteria
Currituck County Water System
RWSID: 04-27-010
Currituck County

Dear Mr. Nash,

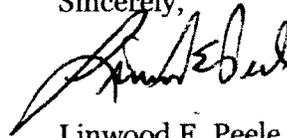
This letter is to notify you that our staff has reviewed the information contained in the 2007 Local Water Supply Plan (LWSP) update submitted by your office. Since all the required information is complete, the LWSP for the Currituck County Water System hereby meets the minimum criteria established in North Carolina General Statute 143-355 (l).

Your water system's 2007 LWSP is now viewable online from the *Local Water Supply Plans* link at <http://www.ncwater.org/>. The plan has been made available after our best efforts to screen any errors. As a final check, please review and report any mistakes or omissions to the review engineer. Unless notified otherwise, the Division of Water Resources considers your 2007 LWSP complete.

~~The 2007 LWSP must next be adopted by your water system's governing board; a model resolution is enclosed for guidance. A copy of the signed resolution must be submitted to Linwood Peele, Chief of our Water Supply Planning Section, at the address printed at the bottom of this letter. The LWSP cannot be considered compliant with the requirements of NCGS 143-355(l) until an adopted resolution is received.~~

Thank you very much for your efforts to provide your customers with a safe and reliable supply of drinking water. We look forward to continuing to work with you in these efforts. Please contact Vardry E. Austin at vardry.austin@ncdenr.gov or (919) 707-9002, or Linwood Peele at linwood.peele@ncdenr.gov or (919) 707-9024 if we can be of further assistance.

Sincerely,



Linwood E. Peele

Enclosure

CURRITUCK COUNTY
NORTH CAROLINA
September 4, 2012

The Board held a work session at 6:00 p.m. to discuss Internet Gaming.

Commissioner Petrey moved to hold the text amendment until after the NC Supreme Court issues an opinion on Internet Gaming. Commissioner Gilbert seconded the motion. Motion carried.

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 Ricky Bishop, Coinjock Baptist Church, was present to give the invocation.

C) Approval of Agenda

Chairman Rorer amended the agenda by adding to the Consent Agenda, Resolution for Application for NC Rural Center Building Re-use Grant. Commissioner O'Neal seconded the motion. Motion carried.

D) Public Comment

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

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

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.

Earl Rountree, Sunbury, NC, discussed the importance of supporting the Currituck Mid-County Bridge.

John Murray, stated that the Currituck Wildlife Festival will be held at the high school on September 8 and invited everyone out to support their community.

Commissioner Gilbert requested Ben Woody, Planning Director, to update progress being made at Shingle Landing.

Jerry Old, stated that he is now waiting on a letter from Eddie Hyman on the completion of Shingle Landing.

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

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.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**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:
 - o 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

- ~~o 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.~~
- ~~o Sidewalks shall be required along both sides of the street.~~
- ~~o 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.

Chairman Rorer opened the public hearing.

Sam Miller, Applicant, commented on adding 4 lots.

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

Commissioner Etheridge moved to approve PB 06-24 with findings of fact and staff recommendation included in the case analysis. Commissioner O'Neal seconded the motion. Motion carried.

**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.**

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.

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.

Commissioner Etheridge moved to approve extension because the permit recipient has proceeded in good faith and conditions have not changed to warrant a new application. Commissioner O'Neal seconded the motion. Motion carried.

New Business

A) Board Appointments:

1. Appointment to Ocean Sands Advisory Board

Commissioner Etheridge moved to appoint Braxton Hill, Carlos Gomez, Pat Riley, Barbara Marzetti and Pat McDowell. Commissioner Gilbert seconded the motion. Motion carried.

B) Consent Agenda:

1. Amendment to Salary Resolution to include the Ocean Sands Water and Sewer Advisory Board **(at the same rate as other Boards - Members \$50 per meeting.)**
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

Commissioner Etheridge moved to approve. Commissioner Martin seconded the motion. Motion carried with Commissioner O'Neal voting no.

RESOLUTION

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

RESOLUTION

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 |

| <u>Account Number</u> | <u>Account Description</u> | Debit | | Credit | |
|-----------------------|----------------------------|--------------------------------------|------------|--------------------------------------|------------|
| | | Decrease Revenue or Increase Expense | | Increase Revenue or Decrease Expense | |
| 10480-516000 | Maintenance & Repair | \$ | 300 | | |
| 10480-532000 | Supplies | | | \$ | 300 |
| | | <u>\$</u> | <u>300</u> | <u>\$</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.

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

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

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.

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

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

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

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 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 |
| | | \$ 28,647 | \$ 28,647 |

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.

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

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

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 |
| 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 | |
| | | \$ 13,266 | \$ 13,266 |

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.

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|---------------------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 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 |
| | | \$ 18,907 | \$ 18,907 |

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

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

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 66868-590000 | Capital Outlay | \$ 8,330 | |
| 66868-545000 | Contract Services | | \$ 5,000 |
| 66868-516000 | Repairs & Maintenance | | \$ 3,330 |
| | | \$ 8,330 | \$ 8,330 |

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.

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."

RESOLUTION
IN SUPPORT OF Di DARIO SALON & ACADEMY
APPLICATION FOR NC RURAL CENTER BUILDING RE-USE GRANT

WHEREAS, the Currituck County Board of Commissioners wish to support the economic development of the county, providing for needed industry diversification, job creation, taxable investment and overall improvement to the quality of life for our residents; and

WHEREAS, the North Carolina Rural Economic Development Center (NC Rural Center) provides numerous grant programs specifically intended for rurally-based businesses in exchange for investment and job creation in a community. Specifically, the NC Rural Center operates a grant program for building re-use and renovation, which provides cash grants to cover building renovation costs of a business creating new jobs in a rural community; and

WHEREAS, the Board of Commissioners has received a request from DiDario Salon & Academy to apply on their behalf to the NC Rural Center Building Reuse Grant program; and

WHEREAS, the Board of Commissioners understands that the purpose of this project is to renovate vacant property with the intent to create new jobs in the private sector by supporting the expansion of one business and the creation of a new business, the salon teaching academy. The proposed project consists of renovating the vacant Lea Condominium Building, located at 2870 Caratoke Highway, Currituck, NC for use as a professional salon and day spa on the bottom floor, and a teaching school for salon careers on the second floor;

NOW THERE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR CURRITUCK COUNTY NORTH CAROLINA THAT:

The Currituck County Board of Commissioners hereby commit to supporting the DiDario Salon & Academy application to the NC Rural Center's Building Reuse program. Through this commitment, the Board of Commissioners authorize County staff to submit the application and undertake the responsibilities therein, including the allocation of a 5% cash match from unencumbered General Fund monies of the total grant award.

C) Commissioner's Report

Commissioner Martin, attended the RPO meeting and stated that the project on the Elizabeth City Bridge will be complete in 2015 and the final coat on US 158 and Hwy 168 will be complete in October.

Commissioner Etheridge commented on how important the Mid County Bridge is to the area.

Chairman Rorer stated that September is Wine Appreciation Month.

D) County Manager's Report

No comments

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.

Commissioner Etheridge moved to go into closed session as stated above. Commissioner Martin 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

Budget Amendments - Occupancy Tax

Commissioner Etheridge moved to approve. Commissioner Petrey 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 |
| 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.

| <u>Account Number</u> | <u>Account Description</u> | Debit | Credit |
|-----------------------|----------------------------|--|--|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| 15442-532500 | Retail Merchandise | \$ 12,000 | |
| 15442-545100 | Credit Card Fees | \$ 3,000 | |
| 15442-526200 | Promotion Efforts | | \$ 30,000 |
| 15350-465003 | Retail Sales | | \$ 15,000 |
| 15390-499900 | Appropriated Fund Balance | \$ 30,000 | |
| | | \$ 45,000 | \$ 45,000 |

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

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

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

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.

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

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.

Adjourn

There being no further business, the meeting adjourned.

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

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

SECTION 1. The project authorized is to remove woody debris from Hog Bridge Ditch starting at South Gregory Rd toward Indiantown Creek. Approximately 4000' of canal will be cleared, which was blocked as a result of Hurricane Irene In August 2011.

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

| | |
|---------------------------------------|------------------|
| Stream Debris Removal Project - Grant | \$ 10,459 |
| | <u>\$ 10,459</u> |

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

| | |
|---------------|------------------|
| NCDA&CS Grant | \$ 10,459 |
| | <u>\$ 10,459</u> |

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.

- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

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

ADOPTED this 17th day of September 2012.

John Rorer, Chairman
Board of Commissioners

ATTEST:

Gwen H. Keene
Clerk to the Board