

CURRITUCK COUNTY  
NORTH CAROLINA  
January 3, 2012

The Board of Commissioners met at 5:00 p.m. to discuss the County-Wide Recreation Master Plan and at 6:00 p.m. to discuss change of uses for building and zoning.

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, Martin, Etheridge, and Petrey. Commissioner Aydlett was absent due to a death in his family.

### **Invocation**

#### **Pledge of Allegiance**

Walter Gallop, Retired Air Force Chaplain, was present for the invocation.

### **Approval of Agenda**

Chairman Rorer discussed the order of business and his proposed changes for the public comment period.

Commissioner Gilbert moved to approve the agenda.  
Commissioner Petrey seconded the motion. Motion carried.

**Item 1** Approval of Agenda

**Item 2** Public Comment

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

~~**Item 3** Recognition of the Currituck County Cross Country, Tennis and Volleyball teams~~

**Item 3** **CLOSED SESSION** According to GS 143-318.11(3) to preserve attorney-client privilege. (added after Public Comments)

**Item 4** **Public Hearing and Action:** PB 11-18 Outer Banks Ventures, Phase 5J & 13: Request for a special use permit to establish retail, restaurant, hotel, commercial laundry, special event space, storage/warehouse, and office uses on property located in Corolla, 1023 Ocean Trail, Tax Map 115B, Parcels P5HC and P5J, Poplar Branch Township.

**Item 5** **Public Hearing and Action:** PB 11-11 Island Haven: Request for a preliminary plat/special use permit for a 3 lot subdivision located in Waterlily on the west side of Waterlily Road approximately .10 mile north of the intersection with Dockside Lane, Tax Map 80, Parcel 63J, Poplar Branch Township.

**Item 6** **Public Hearing and Action:** PB 11-19 Shaun Moore: Request for a zoning map amendment to rezone 20.12 acres from Agricultural (A) to Conditional District-Residential (CD-R) on property located in

Moyock at the terminus of Thayne Drive, Tax Map 22, Parcels 63R and 63S, Moyock Township.

- Item 7      **Approval of Comprehensive Parks and Recreation Master Plan and Approval of Maple Park Site Specific Plan**
- Item 8      **Approval of Bid Award for Maple Campus-Earthwork Contract**
- Item 9      **Approval of covenants for Maple Commerce Park**
- Item 10     **Appointments to Board of Adjustment**
- Item 11     **Appointment to Tourism Advisory Board**
- Item 12     **Appointments to Recreation Advisory Board**
- Item 13     **Appointments to Farmland Preservation Board**
- Item 14     **Consent Agenda:**
  - 1. Agreement with Waterside Village, LLC, conveyance of Waterside Villages Waste Water Treatment Plant and associated closing documents
  - 2. Approval of Change Order and Amendment to Contract-Airport Taxiway and Apron Project
  - 3. Budget Amendments
  - 4. Approval of Memorandum of Understanding between NCDOT, County and ARHS Operating as ICPTA concerning ROAP
  - 5. Approval of December 5, 2011, Minutes
  - 6. Planning Office request to destroy violation files 2001-05
- Item 15     Commissioner's Report
- Item 16     County Manager's Report
- Item 17     **Closed Session:**
  - 1. According to GS 143-318.11(4) to discuss matters relating to the location or expansion of industries or other businesses

Adjourn

**Special Meeting**

Tourism Development Authority

TDA Budget Amendments

Adjourn

**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.

Mary Toni Tabb, Moyock, questioned Chairman Rorer's residency issue and stated that voter fraud is a class 1 felony. The Chairman does not live in his district and requested the Board to remove him as Chairman. Ms. Tabb also mentioned the Board just passed a resolution against voter registration fraud.

Theresa Norrell, Moyock, stated she also has an issue with Chairman Rorer's residency and lack of accountability and he should lead by example.

Patricia Mason, Moyock, commented on Chairman Rorer's disregard of rules and concerned that the rules do not apply to him and the Board should request that he step down.

Michael Payment, supports Chairman Rorer and all the good things he has done for the kids in Currituck and the businesses.

Chairman Rorer stated that he was in compliance with the law. He stated he spent a year in law school at the University of Richmond and furthermore Ms. Tabb is part of the problem, not the solution.

**Closed Session**

Commissioner O'Neal moved to go into closed session according to GS 143-318.11(3) to consult with attorney in order to preserve the attorney client privilege. Commissioner Petrey seconded the motion. Motion carried with Chairman Rorer and Commissioner Gilbert voting no.

After reconvening from closed session, no action was taken.

**Recognition of the Currituck County Cross Country, Tennis and Volleyball teams**

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**Public Hearing and Action: PB 11-18 Outer Banks Ventures, Phase 5J & 13: Request for a special use permit to establish retail, restaurant, hotel, commercial laundry, special event space, storage/warehouse, and office uses on property located in Corolla, 1023 Ocean Trail, Tax Map 115B, Parcels P5HC and P5J, Poplar Branch Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: January 3, 2012  
PB 11-18 Outer Banks Ventures (Ph 5J and 13)**

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**ITEM:** PB 11-18 Outer Banks Ventures,

Special Use Permit request for: *retail sales, small restaurant, hotel rooms, commercial laundry, meetings and special event space, storage/warehouse with loading dock, and office space.*

**LOCATION:** 1023 Ocean Trail, Corolla, Poplar Branch Township.

**TAX ID:** 115B0000P5J0000 and 115B000P5HC0000

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

**PRESENT USE:** 115B0000P5J0000 (Brindley Beach real estate office)  
115B000P5HC0000 (Sub-surface waste water disposal)

**OWNER:** 115B0000P5J0000 (JDLOVE LLC)  
20 3<sup>rd</sup> Ave. Southern Shores, NC 27949  
  
115B000P5HC0000 (Outer Banks Ventures Inc.)  
215 Brooke Ave. Unit 1001 Norfolk, VA 23510

**APPLICANT:** Outer Banks Ventures Inc.  
215 Brooke Ave. Unit 1001  
Norfolk, VA 23510

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Mirage Condominiums	Residential
<b>SOUTH</b>	Vacant	Residential
<b>EAST:</b>	Corolla Grass Golf Course/sub-surface wastewater disposal	General Business
<b>WEST:</b>	Whalehead Subdivision	Residential

**LAND USE PLAN**

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

**SIZE OF SITE:** Approximately 2.24 acres after recombination

**NUMBER OF UNITS:** 10 hotel rooms

**PROJECT DENSITY:** NA

**UTILITIES:** Currituck County Southern Outer Banks Water System has provided a letter stating commitment to serve the proposed uses.

**PUD ALLOCATION:** Total land area = 267.05 acres, and commercial allocation  
Open Space = 131.83 acres, 49.37% (35% required)  
Commercial Allocation = 26.70 acres, 9.998%

**I. NARRATIVE OF REQUEST:**

Request for a Special Use Permit for additional uses at the existing Brindley Beach real estate office. The new uses will include retail sales, small restaurant, hotel rooms, commercial laundry, meetings and special event space, storage/warehouse with loading dock, and office space. The project will require a recombination of Phase 5J and a portion of Phase 13.

This is a special use permit application only and a commercial site plan review will be required prior to any development.

**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. a. The proposed uses are listed as permissible uses in the Table of Permissible Uses.

b. Chapter 4 of the UDO requires a special use permit for specific uses located in commercial areas of a PUD.

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

**Suggested Findings:**

a. The conditions proposed will meet the minimum requirements of the ordinance.

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

**Suggested Findings:**

- a. The proposed development should have little to no negative impact on public health or safety.
  5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located
- Suggested Findings:**
- a. The special uses will have little to no impact on the value of adjoining property and will be in harmony with the area provided all permit conditions and minimum requirements of the ordinance are met.
  6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

**Suggested Findings:**

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

*Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available by the public and/or private sectors. Infrastructure investments may include, for example, community level or centralized water, parks, schools, fire and rescue facilities. Central wastewater treatment and disposal whether public or community is considered reasonable in the Full Service Areas.*

*With respect to nonresidential uses, it is essential that the existing community character be preserved. Design criteria should be established to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. Nonresidential uses may include clusters of businesses serving the immediate area and, where appropriate, a more extensive market territory.*

The proposed use is in keeping with the policies of the plan, some of which are:

POLICY OB2: So as to minimize COMMERCIAL STRIP DEVELOPMENT and maximize the traffic moving capability of NC 12, Currituck County shall encourage commercial development to cluster at appropriate locations rather than dispersing along NC 12.

POLICY CD2: Commercial and office development of greater than a neighborhood scale shall be encouraged to cluster in COMMERCIAL OR MIXED-USE CENTERS to curtail the proliferation of strip development, and minimize traffic generation.

POLICY WS7: Currituck County allows for the appropriate use of PACKAGE SEWAGE TREATMENT PLANTS as a means of achieving more efficient land use, while properly

disposing of waste. Such systems shall have a permanent organizational ownership to guarantee their proper management, including operation, maintenance and replacement needs. Depending on their location in the county, such systems may be required to have a design that allows for assimilation into a centralized system at a future date.

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 special use will not exceed the county's ability to provide adequate public facilities.

**PLANNING STAFF RECOMMENDATION:**

The Planning staff recommends approval with the following conditions:

1. Prior to any land disturbing activities, the applicant shall submit the following documents to the county:

A copy of the NC DENR modified permits or authorization, permitted green area, utility area maps, and easements that affect this property must be provided. Proposed development located within an easement must be relocated or provide legal documentation that authorizes the activities and improvements.

**PLANNING BOARD RECOMMENDATION:**

Ms. Taylor moved to approve PB 11-18 with the findings of fact and staff recommendations included in the case analysis and the following condition:

- All special events are to incur inside the building.

Ms. Wilson seconded the motion. Motion carried unanimously.

Chairman Rorer opened the public hearing.

Doug Brindley requested outdoor activity be allowed.

Lindsey Oliver, adjacent property owner, expressed concerns with security, buffer, septic systems, traffic analysis and

requested Board to table until further information is provided.

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

Commissioner Martin moved to approve with findings of fact and staff recommendations to include outdoor activity. Commissioner Gilbert seconded the motion. Motion carried.

**Public Hearing and Action: PB 11-11 Island Haven: Request for a preliminary plat/special use permit for a 3 lot subdivision located in Waterlily on the west side of Waterlily Road approximately .10 mile north of the intersection with Dockside Lane, Tax Map 80, Parcel 63J, Poplar Branch Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: January 3, 2012  
PB 11-11 Island Haven**

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**ITEM:** PB 11-11 Island Haven, Preliminary Plat/Special Use Permit for a 3 lot subdivision. (There have been 16 previous splits from the parent parcel since 1989.)

**LOCATION:** Waterlily on the west side of Waterlily Road approximately .10 mile north of the intersection with Dockside Lane, Poplar Branch Township.

**TAX ID:** 0080-000-063J-0000

**ZONING DISTRICT:** Residential (R)

**PRESENT USE:** Undeveloped

**OWNER:** Island Haven, Inc.  
PO Box 100  
Currituck NC 27909

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

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

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

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as Limited Service within the Aydllett-Waterlily-Churches Island subarea.

**SIZE OF SITE:** 2.87 acres

**NUMBER OF UNITS:** 3 lots

**PROJECT DENSITY:** 1.05 units/acre

**UTILITIES:** The subdivision will be served by county water and individual septic systems. The estimated water consumption for each 4 bedroom home is 480 gallons of water per day.

**III. NARRATIVE OF REQUEST:**

- This project is a three lot conventional residential subdivision.
- The average lot size is 41,607 square feet.
- The developer intends to build 2,200-3000 square feet, four bedroom, custom homes on the lots.
- The home/lot combinations will sell in the range of \$225,000 to \$300,000.
- Sketch plan approval for this subdivision was granted on November 10, 2011.

**IV. 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 subdivisions 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 R zoning district with a special use permit.
- b. Residential lots within the neighborhood have densities comparable to those proposed and should be in harmony with the neighborhood.

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 Service within the Aydlett-Waterlily-Churches Island subarea. The policy emphasis of this subarea is to remain as low density residential areas at one unit per acre. 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 NH2: The county shall require development within special flood hazard areas to meet the standards of the National Flood Insurance Program and the county's Flood Damage Prevention Ordinance.

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 three lot subdivision will not exceed the county's ability to provide adequate public facilities.

**V. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following plan corrections:

1. Please consult with Kevin Carver R.S. at (252)232-6603 concerning septic permits or well permits involved with this proposed 3 lot subdivision. (Albemarle Regional Health Services Comment.)
2. The Island Haven project is located within the Waterlily archaeology complex which is composed of at least four sites, 31CK2, 31CK6, 31CK7, and 31CK12. These sites are recommended as eligible for the National Register of Historic Places. The OSA recommends that the property owner undertake archaeological survey and testing of the Island Haven project area via the services of a professional archaeologist prior to any ground-disturbing activities to determine whether intact remains associated with the Waterlily Complex, to include human burials, will be adversely affected by the proposed development. If intact remains are documented within the project area, then the OSA recommends the development and implementation of an archaeological mitigation plan by the property owner. Please feel free to contact our office and 919-807-6554. (NC State Archeology Comment)
3. It is the developer's intent to construct "spec" home on each of the 3 proposed lots. Therefore, an erosion and sedimentation control plan must be approved prior to beginning any development activity on the lots. (NCDENR Land Quality Comment)

**IV. PLANNING STAFF RECOMMENDATION:**

Planning Staff recommends approval of this request subject to the findings of fact and all TRC comments being adequately addressed.

**V. PLANNING BOARD RECOMMENDATION:**

Mr. Kovacs moved to approve PB 11-11 with the findings of fact and staff recommendations included in the case analysis. Mr. Bell seconded the motion. Motion carried unanimously.

Chairman Rorer opened the public hearing.

Eddie Hyman, Engineer, answered questions on request.

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

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

**Public Hearing and Action: PB 11-19 Shaun Moore: Request for a zoning map amendment to rezone 20.12 acres from Agricultural (A) to Conditional District-Residential (CD-R) on property located in Moyock at the terminus of Thayne Drive, Tax Map 22, Parcels 63R and 63S, Moyock Township.**

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: January 3, 2012  
PB 11-19 R. Shaun Moore**

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**ITEM:** PB 11-19 R. Shaun Moore requests a zoning map amendment to rezone 20.12 acres from A (Agricultural) to CD-R (Conditional District-Residential).

**LOCATION:** Moyock, located at the terminus of Thayne Drive, Moyock Township.

**TAX ID:** 0022-000-063R-0000  
0022-000-063S-0000

**OWNER:** R. Shaun Moore  
1253 Tulls Creek Road  
Moyock, NC 27958

**APPLICANT:** Eddie Hyman  
PO Box 339  
Camden, NC 27921

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Active Farmland	A/R-PUD Overlay
<b>SOUTH</b>	Low Density Residential	A
<b>EAST:</b>	Low Density Residential	A
<b>WEST:</b>	Low Density Residential/Farmland	R-PUD Overlay

**LAND USE PLAN**

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

**CURRENT ZONING:** Agricultural (A)

**PROPOSED ZONING:** Conditional District - Residential (CD-R)

**CURRENT USE:** Low Density Residential/Undeveloped

**SIZE OF SITE:** 20.12 acres

**ZONING HISTORY:** 1989: A (Agricultural District)

**UTILITIES:** County water does not service this property. An individual on-site septic system is located the property.

**TRANSPORTATION:** The proposed development is accessed by Thayne Drive, an unpaved, privately maintained road.

**FLOOD ZONE:** The property is located within the 100-year floodplain; AE with a base flood elevation of 5.4 feet.

**WETLANDS:** According to NC Division of Coastal Management maps, wetland characteristics do not exist on this property.

**SOILS:** According to the Soil Survey for Currituck County, the soils are considered unsuitable for on-site septic systems due to soil wetness and slow percolation.

**PROPOSED ZONING CONDITIONS:**

The applicant is proposing the following uses and zoning conditions:

- o 13-lot residential subdivision
- o Minimum lot size shall be 40,000 square feet.
- o 60 foot buffer provided along the eastern boundary.
- o Street interconnection will be provided to adjacent properties to the north and west.
- o Stick built single family dwellings will be constructed on the lots.

**COMMUNITY MEETING:**

The community meeting was held on November 29, 2011, and the community meeting report is provided in the packet.

**TECHNICAL STAFF RECOMMENDATION:**

The technical review committee reviewed the plan on November 16, 2011 and recommended approval of the rezoning request.

**PLANNING STAFF RECOMMENDATION:**

The planning staff recommends approval of the proposed conditional zoning request based on the following Land Use Plan policies:

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

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

**PLANNING BOARD RECOMMENDATION:**

Mr. Kovacs moved to approve PB 11-19 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 with the findings of fact and staff recommendations included in the case analysis. Mr. Bell seconded the motion. Motion carried unanimously.

**PLANNING BOARD DISCUSSION (12-13-11)**

Ms. Voliva provided a summary of the community meeting held on November 29, 2011.

Mr. West asked about the drainage and stormwater runoff.

Mr. Hyman addressed the drainage issue. Preventative maintenance can be done, i.e. clean trash in culvers and keeping them clean. Mr. Hyman stated the development will have modified swales that are sloped to scale so they can be easily maintained.

Mr. Moore stated he hopes the Planning Board will approve this request.

Mr. Clark asked if retention ponds were considered for this development.

Mr. Hyman stated they did consider them, but since this is a low density development they will not be using them.

Mr. West stated that since the soils are considered unsuitable for on-site septic systems due to soil wetness and slow percolation could Mr. Hyman addressed this issue.

Mr. Hyman stated a suitable site evaluation of every lot will be required by the Unified Development Ordinance and will have sand filled trenches.

Mr. West stated that a sand filled trench is where you dig down until you find sand within six feet and then you put the drainage pipe.

**PLANNING BOARD ACTION**

Mr. Kovacs moved to approve PB 11-19 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 with the findings of fact and staff recommendations included in the case analysis. Mr. Bell seconded the motion. Motion carried unanimously.

Chairman Rorer opened the public hearing.

Eddie Hyman, Engineer, reviewed the drainage questions.

Carlton Smith, Jr., commented on the drainage and presented pictures to the Board of the flooding.

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

Commissioner Etheridge moved to table for further input on the drainage issues. Commissioner O'Neal seconded the motion. Motion carried.

**Approval of Comprehensive Parks and Recreation Master Plan and Approval of Maple Park Site Specific Plan**

Jason Weeks, Parks and Recreation Director, reviewed the 10 year Comprehensive Parks and Recreation Master Plan along with the Maple Park Site Specific Plan.

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

**Approval of Bid Award for Maple Campus-Earthwork Contract**

Dan Scanlon, County Manager, reviewed the contract for work at the Maple Campus.

Commissioner Gilbert moved to award the bid to Whitehurst Sand Company in the amount of \$306,917. Commissioner Martin seconded the motion. Motion carried.

**Approval of covenants for Maple Commerce Park**

Peter Bishop, ED Director, reviewed the restrictive covenants for Maple Commerce Park.

Chairman Rorer moved to approve. Commissioner Gilbert seconded the motion. Motion carried with Commissioners Etheridge and O'Neal voting no.

**Appointments to Board of Adjustment**

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

**Appointment to Tourism Advisory Board**

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

**Appointments to Recreation Advisory Board**

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

**Appointments to Farmland Preservation Board**

Commissioner Gilbert moved to appoint Jamie Jarvis. Commissioner Etheridge moved to appoint Sidney Garrett. Chairman Rorer moved to appoint Jerry Wright. Commissioner O'Neal seconded the motion. Motion carried.

**Consent Agenda:**

1. Agreement with Waterside Village, LLC, conveyance of Waterside Villages Waste Water Treatment Plant and associated closing documents
2. Approval of Change Order and Amendment to Contract-Airport Taxiway and Apron Project
3. Budget Amendments
4. Approval of Memorandum of Understanding between NCDOT, County and ARHS Operating as ICPTA concerning ROAP
5. Approval of December 5, 2011, Minutes
6. Planning Office request to destroy violation files 2001-05



<u>Number</u>			<u>Expense</u>
10760-561000	Prof. Services-Non Reimbursed	\$ 2,000	
10760-585000	Donations	\$ 4,000	
10330-431200	CSE Shares		\$ 2,000
10380-487000	Donations		\$ 4,000
		<u>\$ 6,000</u>	<u>\$ 6,000</u>

**Explanation:** COUNTY ASSISTANCE (760) - Adjust budget for projected donations to be received and the County's 34% portion of Child Support paternity fees paid to the state.

**Net Budget Effect:** Operating Fund (10) - Increased by \$6,000.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> Decrease Revenue or Increase Expense	<u>Credit</u> Increase Revenue or Decrease Expense
10980-545000	Contract Services	\$ 26,000	
10460-531000	Gas	\$ 585	
10440-514000	Travel	\$ 485	
10330-445100	Public Assistance (FEMA)		\$ 27,070
		<u>\$ 27,070</u>	<u>\$ 27,070</u>

**Explanation:** Finance (10440); Public Works (10460); Disaster Recovery (10980) - To increase appropriations to record FEMA and State reimbursement for Non-vegetative debris removal from Hurricane Irene; Project 00790(0).

**Net Budget Effect:** Operating Fund (10) - Increased by \$27,070.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> Decrease Revenue or Increase Expense	<u>Credit</u> Increase Revenue or Decrease Expense
10440-514000	Travel	\$ 484	
10980-502100	Overtime	\$ 14,238	
10980-505000	FICA	\$ 1,090	
10980-507000	Retirement	\$ 1,473	
10980-514000	Travel	\$ 360	
10980-532000	Supplies	\$ 3,010	

10980-545000	Contract Services	\$	7,566		
10330-445100	Public Assistance (FEMA)			\$	28,221
			<u>\$</u>	<u>28,221</u>	<u>\$</u>
					<u>28,221</u>

**Explanation:** *Finance (10440); Disaster Recovery (10980)* - To increase appropriations to record FEMA and State reimbursement for Emergency Operations Center during Hurricane Irene. Project Worksheet 00741 (0)

**Net Budget Effect:** Operating Fund (10) - Increased by \$28,221.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
10440-514000	Travel	\$	242		
10460-531000	Gas	\$	228		
10980-545000	Contract Services	\$	70,336		
10330-445100	Public Assistance (FEMA)			\$	70,806
			<u>\$</u>	<u>70,806</u>	<u>\$</u>
					<u>70,806</u>

**Explanation:** *Finance (10440); Disaster Recovery (10980)* - To increase appropriations to record FEMA and State reimbursement for Beach Clean-up during Hurricane Irene. Project Worksheet 00254 (0).

**Net Budget Effect:** Operating Fund (10) - Increased by \$70,806.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
10440-514000	Travel	\$	61		
10460-531000	Gas	\$	298		
10980-514000	Travel	\$	40		
10980-532000	Supplies	\$	3,971		
10980-590000	Capital Outlay	\$	5,913		
10330-445100	Public Assistance (FEMA)			\$	10,283

\$	10,283	\$	10,283
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**Explanation:** *Finance (10440); Public Works (10460); Disaster Recovery (10980)* - To increase appropriations to record FEMA and State reimbursement for Generators Used by Mainland Water during Hurricane Irene. Project Worksheet 00252 (0).

**Net Budget Effect:** Operating Fund (10) - Increased by \$10,283.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-514000	Travel	\$ 61	
10460-531000	Gas	\$ 73	
10461-531000	Gas	\$ 82	
10980-532000	Supplies	\$ 15,627	
10980-590000	Capital Outlay	\$ 10,080	
10330-445100	Public Assistance (FEMA)		\$ 25,923
		<u>\$ 25,923</u>	<u>\$ 25,923</u>

**Explanation:** *Finance (10440); Public Works (10460); Disaster Recovery (10980)* - To increase appropriations to record FEMA and State reimbursement for Generators Used by Outer Banks Water/Sewer Plants during Hurricane Irene. Project Worksheet 00258 (0).

**Net Budget Effect:** Operating Fund (10) - Increased by \$25,923.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-514000	Travel	\$ 970	
10510-531000	Gas	\$ 9,610	
10980-502100	Overtime	\$ 34,851	
10980-505000	FICA	\$ 2,666	
10980-507000	Retirement	\$ 4,196	
10980-545000	Contract Services	\$ 23,767	
10330-445100	Public Assistance (FEMA)		\$ 76,060

\$	76,060	\$	76,060
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**Explanation:** *Finance (10440); Public Works (10460); Disaster Recovery (10980) - To increase appropriations to record FEMA and State reimbursement Law Enforcement Activities during Hurricane Irene. Project Worksheet 00432 (0).*

**Net Budget Effect:** Operating Fund (10) - Increased by \$76,060.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12543-511003	Telephone & Postage	\$ 2,300	
12543-513003	Utilities		\$ 2,000
12543-514503	Travel/Training	\$ 4,000	
12543-516003	Maintenance & Repairs		\$ 1,000
12543-532003	Supplies	\$ 2,000	
12543-532103	Fire Supplies	\$ 1,200	
12543-536103	PPE	\$ 14,500	
12543-544003	Volunteer Assistance		\$ 21,000
12543-545000	Contract Services	\$ 2,500	
12543-553003	Dues & Subscriptions	\$ 500	
12543-554003	Insurance	\$ 11,000	
12543-561003	Professional Services		\$ 2,000
12543-590003	Capital Outlay		\$ 12,000
		<u>\$ 38,000</u>	<u>\$ 38,000</u>

**Explanation:** *Moyock Volunteer Fire Department (12543) - To transfer budgeted funds per request of the Moyock Volunteer Fire Department.*

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
65858-590000	Capital Outlay	\$ 8,000	
65858-561000	Professional Services		\$ 8,000
65858-545000	Contracted Services	\$ 3,000	
65858-533200	Lab Test		\$ 3,000
		<u>\$ 11,000</u>	<u>\$ 11,000</u>

**Explanation:** *Moyock Commons Sewer District (65858)* - To replace existing blower and for sludge hauling.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10441-590441	Technology over \$1000	\$	12,335		
10795-590441	Technology over \$1000			\$	12,335
		\$	12,335	\$	12,335

**Explanation:** *Information Technology (10441); Parks and Recreation (10795)* - Transfer funds for the ITS portion of the Parks and Recreation software.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
50650-590000	Roadways & Utilities	\$	64,448		
50650-596100	Professional Services	\$	18,267		
50795-594500	Soccer Fields	\$	153,114		
50390-495040	T F - Capital Improvements			\$	235,829
51800-594500	Contract Services	\$	89,358		
51390-495042	T F - Land Transfer Capital Fund			\$	89,358
		\$	325,187	\$	325,187

**Explanation:** *Maple Commerce Park (50650); Community Recreation Facility (50795)* - To appropriate funds for the earthwork contract for the COA site, roadways and soccer fields at the Maple Commerce Park/Community Center site.

**Net Budget Effect:** County Gov't Construction Fund (50) - Increased by \$235,829.  
School Capital Construction Fund (51) - Increased by \$89,358.

<b>Debit</b>		<b>Credit</b>	
Decrease Revenue or		Increase Revenue or	

<u>Account Number</u>	<u>Account Description</u>	<u>Increase Expense</u>	<u>Decrease Expense</u>
10550-531000	Gas	\$ 1,000	
10550-531400	Equipment Fuel		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

**Explanation:** *Airport (10550)* - To increase funds for gas for the remainder of this fiscal year.

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

**Commissioner's Report**

Commissioner Martin commented on how impressed he is with the new YMCA.

Commissioner Etheridge wished all a happy new year.

Commissioner O'Neal stated that he met a visitor from Ohio at the new YMCA.

Commissioner Gilbert stated that there was a new restaurant at the Mill Run Golf Course.

Chairman Rorer thanked citizens for all the donations to charitable causes during the Christmas holidays.

**County Manager's Report**

**No comments**

**Closed Session:**

1. According to GS 143-318.11(4) to discuss matters relating to the location or expansion of industries or other businesses.

Commissioner O'Neal moved to go into closed session as stated. Commissioner Gilbert seconded the motion. Motion carried.

**Adjourn**

After reconvening from closed session, no action was taken.

**Special Meeting**

Tourism Development Authority

**TDA Budget Amendments**

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15442-539000	Unemployment Compensation	\$ 3,342	
15447-587010	T T - Operating Fund Appropriated Fund	\$ 6,000	
15390-499900	Balance	\$ 590,658	
15320-415000	Occupancy Tax		\$ 600,000
		\$ 600,000	\$ 600,000

**Explanation:** Occupancy Tax: Promotion (15442) and Tourism Related (15447) -To increase appropriations for increase in unemployment compensation and to reflect increase in collection of Occupancy Tax.

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

**Adjourn**