

CURRITUCK COUNTY
NORTH CAROLINA
June 18, 2012

The Board of Commissioners met at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman Rorer, Commissioners Gilbert, O'Neal, Etheridge, Aydlett, Martin and Petrey.

A) Invocation

B) Pledge of Allegiance

Reverend Scott Finicum, Mt. Zion Church, was present to give the invocation and Pledge of Allegiance.

C) Approval of Agenda

Commissioner O'Neal moved to continue Board Appointments to a work session and discuss Moyock Fire Department request. Commissioner Aydlett seconded the motion. Motion carried.

D) Public Comment

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

Public Hearings

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

Administrative Reports

- A) **Award Contract for Currituck Community Park Roads and Infrastructure**

New Business

A) Board Appointments: (TABLED)

1. Appointment to Tourism Board
2. Discussion on term limits for ABC Board and appointments to ABC Board
3. Appointment to Board of Adjustment
4. Appointments to Public Library Board of Trustees
5. Appointment to East Albemarle Regional Library (EARL)

B) Consent Agenda:

1. Approval of Moyock Fire Department Pension Buy-Back
2. Budget Amendments

- 3. Resolution authorizing purchase of 800 Mhz radio communication system from Gately Communication
- 4. Change Order-COA Regional Aviation & Technical Training Center
- 5. Approval of June 4, 2012 Minutes
- 6. Recommend Commissioner O'Neal to the Coastal Resources Commission, Local Government Representative and Recommend Commissioner Etheridge as the Coastal Agriculture Representative

- C) Commissioner's Report
- D) County Manager's Report

Adjourn

D) Public Comment

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

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

Public Hearings

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

Sworn testimony was given prior to comments.

Ben Woody, Planning Director, reviewed the request. This item was previously heard on June 4, 2012.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: June 18, 2012
PB 07-33 Shingle Landing, Phase 2**

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

LOCATION: Moyock, along Moyock Landing Drive, Moyock Township

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

ZONING DISTRICT: General Business (GB)

PRESENT USE: Undeveloped

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

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

LAND USE/ZONING OF SURROUNDING PROPERTY:

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

LAND USE PLAN

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

SIZE OF SITE: 36.93 acres

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

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

UTILITIES: The development is served by an existing 8" water line along Moyock Landing Drive. Wastewater will be treated by individual on-site septic systems. The estimated water consumption is 8,640 to 11,520 GPD based on 3 to 4 bedrooms per dwelling.

I. NARRATIVE OF REQUEST:

- o The applicant is requesting preliminary plat/special use permit approval of Shingle Landing, Phase 2. The proposed development consists of 24 residential lots and 1 nonresidential lot.
- o The proposed development is served by existing infrastructure.
- o According to the preliminary plat, interconnectivity will be provided from Moyock Landing Drive to the proposed Tulls Creek Landing subdivision by way of Gees Drive. The applicant is not proposing to construct the connection at this time due to the potential maintenance liability for the association. A funding source should

be identified to install the connection should the board allow bonding of Gees Drive.

- o The proposed open space (12.37 acres within this phase) will consist of areas reforested with pines planted in accordance with NC Forestry specifications.
- o The proposed development provides 1.5 acres of reserve utility open space.
- o According to the Soil Survey for Currituck County, the soils within the development are considered marginal and unsuitable for conventional septic systems.
- o The active recreation is provided in Phase 1. The recreational areas include:
 - o 3.75 acres dedicated to Currituck County and contain the WRC boat ramp and parking;
 - o 25.55 acres dedicated to Currituck County

II. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

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

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

1. Completeness of application.

Suggested Findings:

- a. The application is complete.

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

Suggested Findings:

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

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

Suggested Findings:

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

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

Suggested Findings:

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

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

Suggested Findings:

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

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

Suggested Findings:

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

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

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

POLICY ML1: Currituck County recognizes the particular interest of residents and property owners in the Mainland Area in PRESERVING FARMLAND AND OPEN SPACE. The County shall exercise diligence in applying policies, plans, and actions that will encourage compact growth and the preservation of farmland and open space in the Mainland Area.

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

Suggested Findings:

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

III. TECHNICAL REVIEW COMMITTEE/PLANNING STAFF RECOMMENDATION:

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

Planning Department (Donna Voliva 252-232-6032)

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

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

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

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

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

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

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

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

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

V. PLANNING BOARD RECOMMENDATION:

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

PLANNING BOARD DISCUSSION (2/14/12)

Mr. Hyman stated they have a contractor to bring the roads up to the Department of Transportation (DOT) standards in the amount of \$80,000, but the state has not signed off on the stormwater maintenance for the subdivision.

Mr. West stated this case has been tabled twice because the application was not complete and now it must move forward to the Board of Commissioners (BOC) with either a denial or approval from the Planning Board (PB).

Mr. Midgette asked staff if there was any way the Planning Board could send this to the Board of Commissioners with a recommendation for denial, but when the project receives approval from the state that the BOC sends it back to the PB for their approval before the BOC act on it.

Ms. Voliva stated this could be part of the recommendation, but it would be up to the BOC if they would proceed with the recommendation.

PLANNING BOARD ACTION

Mr. West motioned to deny PB 07-33 due to an incomplete application and recommends that once the project receives approval from the state for stormwater maintenance that the Board of Commissioners sends it back to the Planning Board for their approval before the Commissioners act on it. Ms. Taylor seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (1/10/12)

Mr. Hyman stated they have gotten a quote from a contractor in the amount of \$80,000 to bring the roads up to the Department of Transportation (DOT) standards which include repairs and maintenance. They are working off the original letter from DOT dated in August 2011. Mr. Hyman stated the stormwater inspection is scheduled for Wednesday, 1/11/12 with NCDENR.

Mr. Hyman stated the applicant would like to make a bond for the road improvements in the amount of \$80,000 so they can be completed when the weather is warmer and dryer. Mr. Hyman is asking the Planning Board to make a recommendation on the approval of the bonding for road improvements with the contractor in the amount of \$80,000 and contingent approval from DENR on the stormwater inspection moving it forward to the Board of Commissioners.

Mr. Midgette asked staff does this mean all the requirements on the application have not been met.

Ms. Voliva stated all the requirements have not been presented to date that would offer a favorable recommendation by staff.

Mr. Clark stated that at this point there are still requirements that are not complete.

Mr. Hyman asked if the contract for the road repairs meet requirement.

Ms. Voliva stated if they are operating off the original letter from DOT along with the contract; then it would meet the requirement. It would be up to the Board of Commissioners to set a bonding amount associated with the road repairs, as well as a duration period for the work to be completed. Ms. Voliva stated the primary issue is the inspection of the stormwater maintenance by NCDENR.

PLANNING BOARD ACTION

Mr. Clark motioned to table PB 07-33 due to the pending inspection by NCDENR for the stormwater maintenance of the subdivision. Ms. Taylor seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (12/13/11)

Mr. Hyman provided an update on the stormwater maintenance and road maintenance of the subdivision. Mr. Hyman talked about Gees Drive not being constructed at this time.

Mr. West stated a final plat is approved administratively and does not come back to the Planning Board.

The Planning Board discussed ditch erosion, Phase I with 82 lots and Phase 2 with 25 lots, how many lots sold in Phase I, septic tanks, soil types, sidewalks and railroad issues.

Mr. West stated that representing the county he doesn't feel comfortable approving a project with missing pieces.

Mr. Midgette asked Mr. Hyman if this was tabled until the next meeting could he have everything completed.

Mr. Hyman stated no because of the weather and not being able to pave. Mr. Hyman stated a community meeting was held which was not required to try to get everyone on the same page. A lot of good information was exchanged which is being used to get Phase I up to speed. Had Shingle Landing been turned over to the Homeowners Association and been paying dues it would have the money to make these improvements.

Mr. Old stated the property is zoned General Business (GB) and they want to build comparable houses that keep in harmony with the neighborhood.

Mr. Meekins stated he is concerned with more construction which would drive down the existing home values. Since the application is not complete he is asking the board to deny the request.

Ms. Goumenis stated she has concerns with the existing conditions of Phase I that include roads, stormwater drainage, sidewalks, and ditches of the neighborhood.

Ms. Wadleigh stated she has concerns with the existing conditions of Phase I and is asking the Planning Board to table this request until repairs have been completed in Phase I before approving Phase 2.

Mr. Davis stated the county needs to protect future developments from things like this happening.

Mr. West stated he thought the county required bonds.

Ms. Voliva stated that the county does require maintenance bonds for roads until such time the roads and open areas are taken over by the Homeowners Association or DOT.

Ms. Davis stated the roads and ditches need to be brought up to standard before the Homeowners Association takes over them.

Mr. Melton stated he is concerned if the roads are repaired now that during the construction of Phase 2 they will be torn up by construction equipment and the neighborhood is left with roads not up to standard again.

Mr. Dashiell read a letter from Mr. Bobby Gelormine of 128 Applewood who is concerned with Phase 2, ditches, drainage, incomplete sidewalks and roads.

Mr. Barns stated to table Phase 2 until the roads, ditches and sidewalks are brought up to standard before being turned over to the Homeowners Association.

Mr. Doyon stated he is concerned with what has been left out in Phase I which are roads, drainage, and ditches. Mr. Doyon is concerned with the square footage of houses being proposed in

Phase 2. Mr. Doyon is asking that the Planning Board to table this request until everything in Phase 1 is completed.

Mr. Hyman addressed some of the concerns brought up by the residents. Mr. Hyman requested if the Planning Board could not make a recommendation for approval he would like the board to deny the request so it could move forward to the Board of Commissioners instead of tabling it. Mr. Hyman stated that maybe by the Board of Commissioners meeting some of the issues may be resolved.

Mr. West stated the subdivision does have a restrictive covenant which would specify the square footage and architectural features. Mr. West stated that the comment Mr. Hyman made regarding the Planning Board to either approve or deny the request and not to table it, does not sit well with the Planning Board. It makes the Planning Board appear that they are just a check mark to get out of the way to proceed to the Board of Commissioners. Mr. West stated it takes the importance of the Planning Board away.

Mr. Hyman apologized for his comment.

Mr. Kovacs stated that as part of the Planning Board function is to make sure the application is complete before it goes to the Board of Commissioners.

PLANNING BOARD ACTION

Ms. Newbern motioned to table PB 07-33 due to the application not being complete. Ms. Taylor seconded the motion. Motion carried unanimously.

Chairman Rorer opened the public hearing.

Commissioner Martin requested staff to review what work has been completed at the site.

Commissioner Etheridge requested staff to review Preliminary Plat process.

Don Williams, Developer, stated that sidewalk and roads will be completed when ditches were finished. He has applied for a road bond.

Ron Melton, approved request with conditions to move forward.

Kevin Andrews, approved request with conditions.

Mary Waller, supported with conditions.

Roxanne Crocker, supported to move forward.

Ron Rose, supported request.

Paul Garrett, supported approval of Phase II.

Valerie Bowling, requested work be done before moving forward.

John Morrison, Attorney, discussed roads and the DOT process for maintenance.

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

Commissioner Petrey moved to approve with findings of fact and staff recommendations included in the case analysis and the following conditions. Commissioner Gilbert seconded the motion. Motion carried:

A performance guarantee shall be required to ensure Phase 1 improvements identified in correspondence from NCDOT dated 8-1-2011 and in plans prepared by Hyman & Robey dated 4-24-2012 are completed within 60 days.

A final plat may not be recorded until the Phase 1 improvements are certified in a report by a licensed engineer as complying with the minimum standards of the UDO. The Technical Review Committee must review and approve the report.

The permit shall expire in 90 days from time of issuance, unless all recommended conditions are satisfied.

Administrative Reports

A) Award Contract for Currituck Community Park Roads and Infrastructure

Commissioner Etheridge moved to award bid to Barnhill in the amount of \$1,368,229 and DOT Grant for \$750,000. Commissioner Gilbert seconded the motion. Motion carried.

New Business

A) Board Appointments:

1. Appointment to Tourism Board
2. Discussion on term limits for ABC Board and appointments to ABC Board

3. Appointment to Board of Adjustment
4. Appointments to Public Library Board of Trustees
5. Appointment to East Albemarle Regional Library (EARL)

Board Appointments were tabled pending a work session.

B) Consent Agenda:

1. Approval of Moyock Fire Department Pension Buy-Back

County Manager discussed the reason for the buy-back.

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

2. Budget Amendments
3. Resolution authorizing purchase of 800 Mhz radio communication system from Gately Communication
4. Change Order-COA Regional Aviation & Technical Training Center
5. Approval of June 4, 2012 Minutes
6. Recommend Commissioner O'Neal to the Coastal Resources Commission, Local Government Representative and Recommend Commissioner Etheridge as the Coastal Agriculture Representative

Commissioner Etheridge moved to approve. Commissioner Gilbert 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
50447-590007	Corolla Greenway/County Funds	\$ 224,631	
50447-590001	Corolla Greenway/PARTF		\$ 224,631
		\$ 224,631	\$ 224,631

Explanation: Corolla Multi-Use Path (50447) - To record release of County match funds as a requirement of the PARTF grant for the Corolla Multi-use path.

Net Budget Effect: County Governmental Facilities Fund (50) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
51800-594500	Contract Services	\$ 195,229	
51800-588000	Contingency		\$ 195,229
		\$ 195,229	\$ 195,229

Explanation: COA Aviation & Technical Training Center (51800) - Transfer funds per Sussex contract.

Net Budget Effect: School Governmental Construction Fund (51) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
57878-594500	Contract Services	\$ 401,002	
57878-596100	Professional Services		\$ 68,460
57878-588000	Contingency		\$ 285,754
57878-597000	Reimbursable Expenses		\$ 8,062
57360-471000	Tap & Connection Fee		\$ 38,726
		\$ 401,002	\$ 401,002

Explanation: Moyock Central Sewer Construction (57878) - To record additional tap and connection fee to connect the Moyock Volunteer Fire Department to the Central Wastewater system and to reclassify funding for the construction contract.

Net Budget Effect: Moyock Central Sewer System (57) - Increased by \$38,726.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
23690-545000	Contract Services	\$	467		
23380-481000	Investment Earnings Appropriated Fund			\$	251
23390-499900	Balance			\$	216
		<u>\$ 467</u>		<u>\$ 467</u>	

Explanation: Moyock Fire District (23690) - Increase appropriations for tap & connection fees for the Moyock Volunteer Fire Department to connect to the Moyock Central Sewer System.

Net Budget Effect: Moyock Fire District Fund (23) - Increased by \$467.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
12548-511015	Telephone & Postage			\$	3,700
12548-513015	Utilities	\$	1,000		
12548-516015	Maintenance & Repair	\$	1,000		
12548-516215	Buildings & Grounds	\$	1,500		
12548-526215	Promotion			\$	1,000
12548-532015	Supplies			\$	1,500
12548-532115	Fire Supplies			\$	12,000
12548-536015	Uniforms			\$	5,000
12548-536115	Personal Protective Equipment	\$	24,000		
12548-545000	Contract Services			\$	4,300
		<u>\$ 27,500</u>		<u>\$ 27,500</u>	

Explanation: Knotts Island Volunteer Fire Department (12548) - Transfer funds to purchase additional Personal Protective Equipment and operating transfers for the remainder of this fiscal year.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10545-561000	Professional Services Appropriated Fund	\$ 8,000	
10390-499900	Balance		\$ 8,000
		\$ 8,000	\$ 8,000

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

Net Budget Effect: Operating Fund (10) - Increased by \$8,000.

RESOLUTION AUTHORIZING THE PURCHASE OF 800 Mhz RADIO COMMUNICATIONS SYSTEM FROM GATELY COMMUNICATIONS THROUGH SOLE SOURCE PURCHASE

WHEREAS, the County of Currituck desires to purchase material, equipment, supplies and services for the establishment of a 800 Mhz radio communications system; and

WHEREAS, the purchase of material, equipment, supplies and services necessary to establish a 800 Mhz radio communications system is critical for emergency communications, response and public safety and welfare; and

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

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

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

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$963,150.00 with Gately Communications for the sole source purchase of material, equipment, supplies and services necessary to establish a 800 Mhz radio communications system and in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Gately Communications.

C) Commissioner's Report

Commissioner Aydlett requested the Board to consider action on Fire-EMS for Carova Beach.

Commissioner Etheridge requested staff to contact WRC for a camp ground site at the end of Swains Lane. He also discussed a sticker program for the convenience sites.

Commissioner O'Neal discussed a recreation site for Moyock area.

D) County Manager's Report

No comments

Adjourn

There being no further business, the meeting adjourned.