

CURRITUCK COUNTY
NORTH CAROLINA
March 5, 2012

The Board of Commissioners met at 5:30 p.m. with the Planning Board.

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, Aydlett, Etheridge, Martin and Petrey.

A) Invocation

B) Pledge of Allegiance

Commissioner Etheridge gave the invocation.

C) Approval of Agenda

Commissioner Aydlett moved to amend the agenda to add to consent agenda as follows. Commissioner Gilbert seconded the motion. Motion carried.

1. Approval of Declaration of Restrictions on 4 acres of wetland area at Rural Center for Board Walk Project and authorize County Manger to execute same.
2. Resolution in support of request to NC House Speaker for discretionary funding to support Currituck Community Park Road and Drainage improvements.
3. Approval of job description for Tourism Department.

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.

Rebecca Christenbury, Emergency Management, reviewed the Hazard Mitigation Grant Program and information sessions that the Department will hold.

Toni Tabb, Moyock, opposes the adoption of the UDO rewrite as anti American along with concerns with the UN Agenda 21.

Josh Bass, Currituck Chamber, and Judy Vassar, Tourism, presented the winners of the Buy Local program.

Jill Rolfes, Moyock, commented on UN Agenda 21 and when was the UDO scheduled for a vote by the Board.

Commissioner O'Neal directed staff to meet with citizens and get more information on their issues with the UDO rewrite and UN Agenda 21. Commissioner Aydlett seconded the motion. Motion carried.

Larry Beatty, Elizabeth City, questioned sustainable development.

John Woodard, Elizabeth City, requested that concerns be addressed by UN Agenda 21.

There being no further comments, the Public Comment period was closed.

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 making comments.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: March 5, 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. 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.

Eddie Hyman, Engineer, reviewed the drainage concerns and DENR is scheduled to inspect next week.

Tommy Hardison, stated that the violations have not been addressed.

Joanna Goumenis, commented on the ditches, roads and drainage is not complete.

Roxanne Crocker, stated that the 1st Phase is not complete and residents need help getting the roads and drainage completed.

Eddie Hyman, Engineer, stated that progress is being made with roads and drainage.

Commissioner Gilbert moved to continue the public hearing until the April 2 meeting. Commissioner Aydlett seconded the motion. Motion carried.

B) Public Hearing Community Development Block Grant: Currituck County is applying to the NC Department of Commerce for a 2011 Scattered Site Housing Community Development Block Grant of \$400,000 (100% of total program costs). Proposed activities may include housing rehabilitation, reconstruction, relocation, and urgent repair to assist low income homeowners.

Ben Woody, Planning Director, reviewed the grant program. He announced that Currituck County expects to receive \$400,000 in NC Department of Commerce Community Development Block Grant (CDBG) funds to assist low income homeowners with housing rehabilitation and replacement needs. The primary objective of the Currituck County CDBG SSH program

is to improve the housing conditions of very low income households with incomes at or below 50% of area median income. Grant funds will be adequate to complete rehabilitation or replacement of 4 to 6 severe need homes. The last time the county participated in the CDBG SSH program was in 2002.

The Wooten Company has been selected to assist with the county's 2011 CDBG SSH application process. The Wooten Company is well qualified to meet the challenging task of providing technical assistance for this important community development project. Applications will be prioritized based on a number of factors including but not limited to household income, age, handicap status, and size of household.

We look forward to working with The Wooten Company and the qualified applicants throughout this grant process. We are certain that a positive impact will be made on our county through participation in this important program.

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

C) Public Hearing for filing application with the Local Government Commission and approving financing agreement for the College of the Albemarle Aviation Training and Technical facility.

Dan Scanlon, County Manager, reviewed the application with the Board of Commissioners.

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

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

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20 AND APPROVING A FINANCING AGREEMENT WITH TOWNE BANK OF CURRITUCK

WHEREAS, the County of Currituck, North Carolina desires to construct an Aviation and Technical Training Center for the College of the Albemarle (the "Project") to better serve the citizens of the County of Currituck; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioner of Currituck, North Carolina, meeting in regular session on the 5th of March 2012, make the following findings of fact:

1. The proposed contract is necessary or expedient because the County desires to construct a facility that will make vital vocational training available to its citizens and to Northeastern North Carolina;
2. The proposed contract is preferable to a bond issue for the same purpose this financing will be \$6,800,000 which is under the threshold for bank qualified debt. In the current rate environment, bank qualified debt is more favorable than a bond issue due to costs involved with a bond issue. In addition, the process of having a bond referendum and going through the approval process would delay the project by six to eight months and the County desires to move forward with the installment purchase contract.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the County has reviewed the Design/Build contract proposed by Sussex Development Corporation and concurs that the costs are acceptable for the proposed project.
4. The County of Currituck has advertised a request for proposals for financing this debt and has received two bids. The County of Currituck has reviewed these bids and will enter into an agreement with Towne Bank to finance this project of \$6,800,000 for a term of seven (7) years at an interest rate of 1.66%
5. The County of Currituck's debt management procedures and policies are good because the County has identified revenue sources to make debt payments and invests and monitors all funds to assure that debt payments are made when due.
6. The County does not anticipate an increase in property tax due to this financing.

7. The County of Currituck is not in default in any of its debt service obligations.
8. The attorney for the County of Currituck has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

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

This resolution is effective upon its adoption this 5th day of March, 2012.

D) Public Hearing to approve filing a debt application with the Local Government Commission for the Moyock Central Sewer Project

Dan Scanlon, County Manager, reviewed the application.

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

RESOLUTION

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

WHEREAS, the County of Currituck, North Carolina desires to design, construct and interconnect Central Sewer in Moyock, NC (the "Project") to better serve the citizens of the County of Currituck; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioner of Currituck, North Carolina, meeting in regular session on the 5th of March 2012, make the following findings of fact:

1. The proposed contract is necessary or expedient because the County desires to design and construct a Central Sewer System in Moyock, NC and to interconnect system with existing sewer systems in Moyock, NC;
2. The proposed contract is preferable to a bond issue for the same purpose this financing will not exceed \$3,000,000 which is under the threshold for bank qualified debt. In the current rate environment, bank qualified debt is more favorable than a bond issue due to costs involved with a bond issue. In addition, the process of having a bond referendum and going through the approval process would delay the project by six to eight months and the County desires to move forward with the installment purchase contract.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the County has reviewed the Design/Build contract proposed by Sussex Development Corporation and concurs that the costs are acceptable for the proposed project.
4. The County of Currituck's debt management procedures and policies are good because the County has identified revenue sources to make debt payments and invests and monitors all funds to assure that debt payments are made when due.
5. The County does not anticipate an increase in property tax due to this financing.
6. The County of Currituck is not in default in any of its debt service obligations.
7. The attorney for the County of Currituck has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

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

Commissioner Petrey moved to adopt resolution.

Commissioner O'Neal seconded the motion. Motion carried.

New Business

A) Consent Agenda:

1. Approval of continued representation by Poyner and Spruill for OLF efforts and funding for (Scope of Work)
2. Approval of job description for Tourism Department
3. Resolution in Support of Request to NC House Speaker Thom Tillis for Discretionary Funding to Support Currituck Community Park Road and Drainage Improvements
4. Authorize County Manager to execute right of way agreement for Va. Electric and Power Co. for

- electric service to the Moyock Regional Wastewater Treatment Plant
- 5. Approval of February 20, 2012 Minutes
- 6. Resolution affirming Currituck County Land Use Plan Practices
- 7. Budget Amendments
- 8. Knotts Island VFD request to purchase a truck to replace current brush truck
- 9. Knotts Island VFD request to purchase 4 portable radios
- 10. Approval of Declaration of Restrictions on 4 acres of wetland area at Rural Center for Boardwalk Project and authorize County Manager to execute same.

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

RESOLUTION IN SUPPORT OF REQUEST TO NC HOUSE SPEAKER THOM TILLIS FOR DISCRETIONARY FUNDING TO SUPPORT CURRITUCK COMMUNITY PARK ROAD AND DRAINAGE IMPROVEMENTS

WHEREAS, Currituck County is currently developing Currituck Community Park, a 500+ acre, multi-use property combining public and private uses to enhance commerce, recreation, transportation, education and job-creation in the County; and

WHEREAS, Currituck County will invest nearly \$40 Million in the entire campus at full build out, representing a historic investment in the future and progress of the County; and

WHEREAS, The County's investment has been supplemented by State & Federal partners like the NC Community College System, NCDOT, Division of Aviation, NC Commerce, the Federal Aviation Administration and PARTF, totaling over \$3 million; and

WHEREAS, NC House of Representatives Speaker Thom Tillis and staff have met with Currituck County Commissioners and provided preliminary approval and commitment to support right-of-way and utility construction at Currituck

Community Park with a \$250,000 allocation from Speaker Tillis' NCDOT Discretionary Fund; and

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

The Currituck County Board of Commissioners strongly supports this request to NC House Speaker Tillis for an allocation of \$250,000 from the Speaker's discretionary fund, and respectfully requests swift action in partnership with NCDOT and County Staff to allocate and distribute same in the 2011-2012 Budget Year.

**RESOLUTION AFFIRMING CURRITUCK COUNTY
LAND USE PLANNING PRINCIPLES**

WHEREAS, the Board of Commissioners for Currituck County adopted the county's first zoning ordinance effective February 5, 1968 thereby beginning a 44 year history of land use planning within the county and establishment of Currituck County land use planning principles; and

WHEREAS, the February 5, 1968 zoning ordinance set forth the following purpose of that land use ordinance:

"To recognize the clear interest of the residents of Currituck County in the efficiency, prosperity, appearance, health and safety of their County;

To recognize the basic right of each resident to use and enjoy land which he legally owns or controls;

To avoid potential conflicts between the land user and the general public;

To protect the present and future enjoyment of property by all residents in full portions of Currituck County covered by this ordinance.";
and

WHEREAS, the February 5, 1968 zoning ordinance further provided that the ends of the ordinance was to promote development of Currituck County and provide for the general

welfare of all residents by safeguarding property values;
and

WHEREAS, since 1968 Currituck County's land use plans and ordinances have been crafted, adopted and implemented in accordance with those land use planning principles and the fundamental protections and freedoms established by the Constitutions of the United States and State of North Carolina protecting the rights and property of Currituck County citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Currituck, North Carolina that the County of Currituck affirms the tradition of land use planning and regulation consistent with the values of Currituck County citizens and fundamental protection of rights and property recognized and afforded Currituck County citizens by the Constitutions of the United States and State of North Carolina.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10740-545500	Mental Health	\$ 4,800	
10380-488400	ABC Profits		\$ 4,800
		<u>\$ 4,800</u>	<u>\$ 4,800</u>

Explanation: Mental Health (10740) - Increase appropriations for distributions to East Carolina Behavioral Health.

Net Budget Effect: Operating Fund (10) - Increased by \$4,800.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10511-531000	Gas	\$ 6,700	
10511-554000	Insurance & Bonds	\$ 39	
10511-532000	Supplies	\$ 2,000	
10511-547000	Meals		\$ 6,739
10511-516000	Repairs & Maintenance		\$ 2,000
		<u>\$ 8,739</u>	<u>\$ 8,739</u>

Explanation: Jail (10511) - Transfer funds for operations in the Jail for the remainder of this fiscal year.

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
10512-516200	Vehicle Repairs		\$ 800
10512-590000	Capital Outlay	\$ 800	
		<u>\$ 800</u>	<u>\$ 800</u>

Explanation: Animal Control (10512) - Transfer funds for tax and tags for new Animal Control 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
61818-511010	Data Transmission	\$ 2,500	
61818-590000	Capital Outlay	\$ 500	
61818-533200	Lab Tests	\$ 2,000	
61818-532000	Supplies	\$ 1,400	
61818-516000	Maintenance & Repair		\$ 6,400
		<u>\$ 6,400</u>	<u>\$ 6,400</u>

Explanation: Mainland Water (61818) - Transfer for operations for the remainder of this fiscal year.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
65858-533800	Chemicals	\$ 2,000	
65858-532000	Supplies	\$ 3,500	
65858-545000	Contract Services	\$ 3,000	
65858-516000	Maintenance & Repair		\$ 5,500
65858-561000	Professional Services		\$ 3,000
		\$ 8,500	\$ 8,500

Explanation: Moyock Commons Sewer (65858) - Transfer for operations for the remainder of this fiscal year.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-561000	Professional Services	\$ 5,000	
10760-585000	Donations	\$ 1,774	
10330-431000	DSS Admin		\$ 15,199
10380-487000	Donations		\$ 1,774
10390-499900	Fund Appropriated Balance	\$ 10,199	
		\$ 16,973	\$ 16,973

Explanation: SOCIAL SERVICES ADMIN (750) - Adjust budget for increased costs of mandatory psychological evaluations due to a change in legislature. COUNTY ASSISTANCE(760) - Adjust budget for additional actual donations received. REVENUE (330) - Adjust DSS Administration revenues to reflect actual funding authorizations from the state.

Net Budget Effect: Operating Fund (10) - Increased by \$5,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
20609-590000	Capital Outlay	\$ 1,450	
20609-516000	Maintenance & Repairs		\$ 1,450
		\$ 1,450	\$ 1,450

Explanation: *Whalehead Drainage District (20609)* - Transfer funds for repair to damaged property during phase I construction.

Net Budget Effect: Whalehead Drainage District (20) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10795-590000	Capital Outlay	\$ 26,500	
10350-468000	Sale of Capital Assets		\$ 5,000
10795-513001	Utilities		\$ 14,737
10795-540000	Worker's Compensation		\$ 423
10795-576017	Aerobics		\$ 6,340
		\$ 26,500	\$ 26,500

Explanation: *Recreation (10795)* - Increase appropriations and transfer funds to replace recreation truck.

Net Budget Effect: Operating Fund (10) - Increased by \$5,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12548-590015	Capital Outlay	\$ 60,820	
12548-532115	Fire Supplies		\$ 29,820
12548-531015	Gas		\$ 10,000
12548-532015	Supplies		\$ 3,000
12548-545000	Contract Services		\$ 10,000
12548-554015	Insurance		\$ 5,000
12548-561015	Professional Services		\$ 3,000

\$	60,820	\$	60,820
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Explanation: *Knotts Island VFD (12548)* - Transfer funds to purchase brush truck and radios from FY 2012 contract funds.

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
10650-514000	Travel	\$ 3,000	
10650-545000	Contract Services		\$ 3,000
		<u>\$ 3,000</u>	<u>\$ 3,000</u>

Explanation: *Economic Development (10650)* - Transfer funds for additional travel for this fiscal year.

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
10441-514500	Training & Education	\$ 5,975	
10441-557100	Software License Fee	\$ 990	
10410-540000	Worker's Compensation		\$ 312
10440-540000	Worker's Compensation		\$ 48
10450-540000	Worker's Compensation		\$ 66
10460-540000	Worker's Compensation		\$ 1,272
10461-540000	Worker's Compensation		\$ 306
10540-540000	Worker's Compensation		\$ 506
10550-540000	Worker's Compensation		\$ 210
10660-540000	Worker's Compensation		\$ 666
10640-540000	Worker's Compensation		\$ 247
10606-540000	Worker's Compensation		\$ 123
10530-540000	Worker's Compensation		\$ 3,209
		<u>\$ 6,965</u>	<u>\$ 6,965</u>

Explanation: *Information Technology (10441)* - Transfer residual worker's comp funds to the ITS budget to for training and license fees for MUNIS dashboard that can be utilized by all MUNIS users.

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
52330-450002	2011 CDBG Scattered Site	\$ 40,000	
52662-561000	Professional Services		\$ 40,000
		\$ 40,000	\$ 40,000

Explanation: *Community Development Block Grant Scattered Site (52662)* - To increase appropriations for the administration of the 2011 CDBG grant cycle.

Net Budget Effect: Multi-year Grant (52) - Increased by \$40,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10535-513000	Utilities	\$ 500	
10535-545000	Contract Services		\$ 500
		\$ 500	\$ 500

Explanation: *Communications (10535)* - Transfer funds for utilities at the Sawyertown Road Tower. This was previously paid through Verizon; however, they are no longer at this site.

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
10480-508000	Supplemental Pension	\$ 700	
10480-514000	Travel	\$ 1,000	
10480-545200	Records Management	\$ 3,000	
10480-545700	Microfilm Processing		\$ 1,500
10480-557300	Excise Tax on Deeds		\$ 4,700
10480-557400	Children's Trust Fund	\$ 300	
10480-558100	Domestic Violence Center	\$ 1,200	

\$	6,200	\$	6,200
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Explanation: *Register of Deeds (10480)* - To transfer funds for operations for the remainder of this fiscal year.

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	
10415-532000	Supplies	\$	1,500		
10415-561000	Professional Services			\$	1,500
		\$	1,500	\$	1,500

Explanation: *Legal (10415)* - Transfer for operations for the remainder of this fiscal year.

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	
10550-535000	Credit Card Maintenance Fees	\$	5,000		
10550-511010	Data Transmission	\$	300		
10550-513000	Utilities	\$	2,000		
10550-531002	Aviation Fuel	\$	75,000		
10320-408000	Franchise Fees			\$	30,000
10350-467100	Aviation Fuel			\$	52,300
		\$	82,300	\$	82,300

Explanation: *Airport (10550)* - Increase appropriations for operations due to price increased during the year.

Net Budget Effect: Operating Fund (10) - Increased by \$82,300.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or		Increase Revenue or	
		<u>Increase Expense</u>		<u>Decrease Expense</u>	
60808-590000	Capital Outlay	\$	2,725		
60808-588000	Contingency			\$	3,125
60808-545100	Credit Card Maintenance Fees	\$	400		
		\$	3,125	\$	3,125

Explanation: *Ocean Sands Water and Sewer (60808) - Transfer funds to replace pump and for credit card fees for the remainder of this fiscal year.*

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or		Increase Revenue or	
		<u>Increase Expense</u>		<u>Decrease Expense</u>	
66868-532001	Supplies		2500		
66868-533201	Lab Tests			\$	2,500
66868-513000	Utilities			\$	5,000
66868-516001	Repairs and Maintenance	\$	5,000		
		\$	7,500	\$	7,500

Explanation: *Southern Outer Banks Water (66868) - Transfer funds for operations.*

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or		Increase Revenue or	
		<u>Increase Expense</u>		<u>Decrease Expense</u>	
10660-514000	Travel	\$	400		
10660-514500	Training & Education			\$	400
		\$	400	\$	400

Explanation: *Planning (10660)* - Transfer for travel to Floodplain Mapper's Conference.

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

B) Commissioner's Report

Commissioner Petrey reminded citizens of the Corolla Wild Horse fundraiser on March 17.

Commissioner Gilbert commented on the Tourism sign in Chesapeake.

Chairman Rorer commented on the Corolla Charter School.

C) County Manager's Report

Dan Scanlon, County Manager, reminded citizens of the dedication of the new Community Center at the YMCA on March 8.

Adjourn

There being no further business, the meeting adjourned.