

CURRITUCK COUNTY  
NORTH CAROLINA  
November 19, 2012

The Board met prior to the regular meeting at 6:00 p.m. to review the Moyock Small Area Plan.

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 John Rorer, Vice-Chair Marion Gilbert, Commissioners O'Neal, Etheridge, Martin, Aydlett and Petrey.

**A) Invocation**

**B) Pledge of Allegiance**

Reverend Paul Bopp, Truth Alive Church, was present for the invocation.

**C) Approval of Agenda**

Commissioner Gilbert moved to approve the agenda to include the deletion of Outgoing Comments. Commissioner O'Neal seconded the motion. Motion carried.

**D) Public Comment**

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

Chairman Rorer opened the public comment period.

Mary Etheridge, Elections Director, thanked the precinct workers during the last election. There were 11,350 voters which is 64%.

Tommy Hardison, Shingle Landing, stated that the work promised has not been done and the approval for Phase II should not be allowed.

Ben Woody, Planning Director, stated that the condition for Phase II was that drainage and shoulders be completed.

Ike McRee, County Attorney, stated that the permit can be revoked and begin the citation for violation of permit.

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Commissioner Gilbert requested that the Board revoke permit and begin citation request.

Commissioner O'Neal questioned who will complete the work on shoulder, drainage and the railroad issues.

Commissioner Martin stated that the HOA should not be responsible for the railroad problem. We have a nursing home and a boat ramp. The developer should move forward with completion.

Terry Wadleigh, stated that if the railroad fee has not been paid by December 1<sup>st</sup>, we cannot use the road.

Commissioner Aydlett stated that this is a public safety issue and we need to insure the road is not blocked.

Mary Waller, requested if there could be another road constructed out of the subdivision.

Donna and Adam Benson, Tulls Bay, stated that this is the 3<sup>rd</sup> time they have appeared to request that an abandoned boat be removed by the county.

Commissioner O'Neal questioned why this boat cannot be removed.

Ike McRee, County Attorney, stated he will get with zoning to move forward with removing the boat.

Denise Hall, thanked the citizens for voting her in as the new Register of Deeds and also thanked Charlene Dowdy for her many years of service.

Susan Davis, Shingle Landing, questioned the option of another road out of subdivision.

John Snowden, Maple, questioned the resolution in the consent agenda supporting Virginia opposing uranium mining. He stated that Virginia Beach has not supported Currituck County with water quality in the Sound.

Commissioner Etheridge, stated that the County has gone to congress and the Corps of Engineer and have worked on these issues

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for many years. We need to open up a line of communication with Virginia.

Commissioner Etheridge also expressed concerns on the paving project by DOT on US 158.

Commissioner Aydlett, thanked the citizens and friends for their support during his illness.

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

### **Public Hearings**

**A) Public Hearing and Action: PB 12-05 Currituck County: Request to amend the new Unified Development Ordinance to correct and clarify language in the following chapters: Chapter 1: General Provisions, Chapter 2: Administration, Chapter 3: Zoning Districts, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement.**

Ben Woody, Planning Director, reviewed the request.

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to amend miscellaneous sections of the new Unified Development Ordinance (UDO). The proposed amendments have been identified by staff as we continue to use and test the new UDO, which is effective January 1, 2013. The proposed amendments include:

23. Clarifying setback encroachments.
24. Deleting the provision of requiring lots bordering the farmland compatibility vegetated buffer to be twice the minimum lot size.
25. Clarifying minimum lot/unit size for multifamily developments in the MXR district.
26. Clarifying planned development dimensional standards.
27. Clarifying PUD transitional standards.
28. Exempting development adjacent to property zoned LB, GB, LI, of HI from the community compatibility standards.
29. Not requiring a conceptual plan to be submitted for zoning map amendments for pre-application conferences.
30. Clarifying commercial design standards.
31. Correcting expiration of development approvals.
32. Deleting redundancy among the variance findings.

The Planning Board **recommended approval** of PB 12-05 as presented on October 9, 2012.

**PLANNING BOARD DISCUSSION (October 9, 2012)**

Mr. Cooper asked if the letters sent out to Adjoining Property Owners for a zoning map amendment required a conceptual drawing.

Mr. Schuler stated it did not.

**PLANNING BOARD ACTION**

Ms. Wilson moved to approve PB 12-05 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Everhart seconded the motion. Motion carried unanimously.

**Currituck County  
PB 12-05  
UDO AMENDMENT REQUEST**

Amendments to the Unified Development Ordinance Chapter 2: Administration, Chapter 3: Zoning Districts, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

**Item 23:** That Chapter 10: Definitions and Measurement is amended by adding the following underlined language and deleting the strikethrough language:

**Section 10.3.4.B General Setback Requirements**

**(1) Setback Exemptions**

- (c) Handicap ramps may encroach into a required setback.**

**Section 10.3.4.C Allowable Setback Encroachments**

**(1) Building Features**

- (a) Flagpoles, birdhouses, fences, walls, well houses, pump covers, arbors, residential mechanical equipment, water-dependent features, and other nonhabitable structures of 25 square feet in size or less may be located within a required setback, but may not be located within a required sight triangle.**
- (b) Building eaves, gutters, canopies, chimneys, bay windows, and steps, uncovered porches, decks, patios, ~~handicap ramps,~~ or sidewalks extending more than 12 inches above the ground that prevent infiltration of rainwater may encroach into a required setback up to three feet.**

- (c) Uncovered porches, decks, patios, steps, ~~handicap ramps~~, or sidewalks extending 12 inches above ground or less that allow infiltration of rainwater may encroach into a required setback by up to five feet.
- ~~(d) Arbors may be located within 20 feet of a major arterial street.~~

**Item 24:** That Chapter 5: Development Standards is amended by deleting the strikethrough language and renumbering accordingly:

### 5.11.5 Farmland Compatibility Standards

#### ~~C. Lot Size Configuration~~

~~Except for lots in a conservation subdivision, lots bordering the vegetated buffer shall maintain a minimum lot area twice the minimum lot area required by the base zoning district where the subdivision is located.~~

**Item 25:** That Chapter 3: Zoning Districts is amended by adding the underlined language and deleting the strikethrough language:

### 3.4.6 Mixed Residential (MXR) District

#### D. DIMENSIONAL STANDARDS

	Single-Family Detached	Other Residential	Nonresidential	
Min. Lot Area/Dwelling Unit (sq ft) [1]	20,000	<del>10,000</del> <u>N/A</u>	20,000	1

**Item 26:** That Chapter 3: Zoning Districts is amended by adding the underlined language and deleting the strikethrough language:

### 3.7.3 Planned Development - Residential (PD-R) District

#### B. DIMENSIONAL STANDARDS

Nonresidential <del>square footage</del> , <u>land area</u> maximum (% of district total)	40
<del>Land area occupied by a s</del> Single housing type, <del>(% of district total)</del> <u>maximum</u> (% of units)	<del>60</del> <u>85</u>

#### C. DEVELOPMENT STANDARDS

Open space set-aside [3]	<del>Modifications prohibited</del> 30%
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NOTES:

[3] ~~Where a PD-R district includes nonresidential or mixed-use development, t~~ The required percentage of open space set-aside shall be calculated based on the total amount of land used for residential, nonresidential, or mixed-use purposes, respectively district area

### 3.7.4 Planned Development – Mixed (PD-M) District

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B. DIMENSIONAL STANDARDS	
Residential <del>square footage, land area</del> maximum (% of district total)	35

C. DEVELOPMENT STANDARDS	
Open space set-aside [3]	<del>Modifications prohibited</del> 20%

NOTES:

[3] ~~Where a PD-R district includes nonresidential or mixed-use development, t~~ The required percentage of open space set-aside shall be calculated based on the total amount of land used for residential, nonresidential, or mixed-use purposes, respectively district area

### 3.7.5 Planned Development – Outer Banks (PD-O) District

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B. DIMENSIONAL STANDARDS	
Nonresidential <del>square footage, land area</del> maximum (% of district total)	10
<del>Land area occupied by a s</del> Single housing type, <del>(% of district total)</del> maximum (% of units)	75 [2]

C. DEVELOPMENT STANDARDS	
Open space set-aside [3]	<del>Modifications prohibited</del> 30%

NOTES:

[4] ~~Where a PD-R district includes nonresidential or mixed-use development, t~~ The required percentage of open space set-aside shall be calculated based on the total amount of land used for residential, nonresidential, or mixed-use purposes, respectively district area

**Item 27:** That Chapter 1: General Provisions is amended by adding the underlined language and deleting the strikethrough language.

**1.8.6 Approved Planned Unit Development District Overlays and Sketch Plans**

B. An owner of a parcel proposed for redevelopment, vacant parcel, or phase of a planned unit development subject to an approved sketch plan may submit a development application or application to amend the approved sketch plan or special use permit consistent with the applicable conditions of approval and compliance with the following:

**(1) Bulk and Dimensional Requirements**

Development applications or modifications to an approved sketch plan shall comply with the standards in Table 1.8.6.A, Bulk and Dimensional Standards.

TABLE 1.8.6.A: BULK AND DIMENSIONAL STANDARDS	
SITE CHARACTERISTIC	STANDARD
Minimum Lot Area (square feet)	10,000 with central sewer [1]; 20,000 without central sewer
Minimum Open Space Set-Aside (%)	35 [+2]
Maximum <del>Building Square Footage</del> <u>Land Area</u> Occupied by Commercial <u>development</u> <del>Uses</del> (%)	10

NOTES:

[1] May be reduced in accordance with Section 3.2.2, Zero Lot Line Development or if lot size reduction is added to the minimum open space set-aside.

[+2] No modification to an approved sketch plan shall result in a planned development with less than 35 percent of its land area occupied by open space.

**(2) Allowable Uses**

The range of principal uses allowed on a site subject to a modified sketch plan shall be limited to the following:

~~allowable uses for the PD-O district listed in Table 4.1.1, Summary Use Table.~~

- (a) Land designated for residential development shall be limited to the allowable uses for the SFO district listed in Table 4.1.1, Summary Use Table.
- (b) Land designated for commercial or multi-family development shall be limited to the allowable uses for the PD-O district listed in Table 4.1.1, Summary Use Table.
- (c) Airports, major utilities, wind energy facilities, outdoor recreation/ entertainment uses, and vehicle sales and services require approval of a use permit.

**(3) Development Standards**

Development associated with a development application or modified sketch plan shall comply with the following development standards in this Ordinance Chapter 5: Development Standards, Chapter 6: Subdivision and Infrastructure, and Chapter 7: Environmental Protection provided compliance with the standards does not have the effect of decreasing the type, density, or intensity of land designations contained in the approved master plan establishing the planned unit development.:

- (a) ~~Off-street parking and loading standards in Section 5.1;~~
- (b) ~~Landscaping standards in Section 5.2;~~
- (c) ~~Exterior lighting standards in Section 5.4;~~
- (d) ~~Community form standards in Section 5.6;~~
- (e) ~~Multi-family design standards in Section 5.7;~~
- (f) ~~Nonresidential design standards in Section 5.8;~~
- (g) ~~Shopping center design standards in Section 5.9;~~
- (h) ~~Community compatibility standards in Section 5.10;~~
- (i) ~~Signage in Section 5.12;~~

- (j) ~~Tree protection standards in Section 7.2;~~
  - (k) ~~Stormwater management standards in Section 7.3, (unless the planned unit development is already subject to a stormwater management plan);~~
  - (l) ~~Flood damage prevention standards in Section 7.4; and~~
  - (m) ~~Sedimentation and erosion control in Section 7.5.~~
- C. Sketch plan amendment applications that comply with the land designations contained in the approved master plan establishing the planned unit development and development applications that comply with Subsection (B) above may be approved by the Planning Director shall not be required to obtain special use permit approval.
- D. To the extent a landowner proposes development that is different than that allowed in the sketch plan or Subsection (B) above, the land requires approval of an amended sketch plan and use permit (see Section 2.4.6, Use Permit) ~~zoning map amendment (see Section 2.4.3, Zoning Map Amendment), or planned development (see Section 2.4.5, Planned Development).~~

**Item 28:** That Chapter 5: Development Standards is amended by adding the underlined language.

### 5.10.2 Applicability

#### **E. Exemptions**

Commercial, industrial, mixed-use, and multi-family development located on land adjacent to or across a local street from a single-family detached dwelling on property zoned LB, GB, LI, or HI, or on a ten acre lot or larger is exempt from these standards.

**Item 29:** That Chapter 2: Administration is amended by adding the underlined language.

### 2.3.3 Pre-Application Conference

#### **C. Required Information Submitted Prior to Conference**

- (1) Except for a pre-application conference associated with a text amendment and zoning map amendment, the applicant shall submit

conceptual drawings that show the location, general layout, and main elements of the development to be proposed as part of the application.

**Item 30:** That Chapter 5: Development Standards and Chapter 10: Definitions and Measurement are amended by adding the underlined language, deleting the strikethrough language, and renumbering accordingly.

### **Section 5.7.3.C Building Design**

#### **(3) Roof Form**

- (a)** Development shall incorporate sloped roofs greater than or equal to one foot of vertical rise for every four feet of horizontal run (3:12), and less than or equal to one foot of vertical rise for every one feet of horizontal run (12:12), ~~roof pitches between 3:12 and 12:12~~, or shall incorporate a three-foot parapet with a dimensional cornice around a flat roof. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.

### **Section 5.8.3.B Building Placement**

#### **(4) Fronting Streets**

- (a)** ~~The façade of all buildings in view from a public right of way, shall contain substantially the same building articulation, features and elements that are used on the façade which comprises the primary entrance to the building (see Figure 5.8.3.B.1, Comparable Façade Design).~~

### **Section 5.8.3.C Design Features**

#### **(1) Design Features**

Front building facades and facades facing streets shall provide a minimum of three of the following six design features (see Figure 5.8.3.C.1, Required Building Design Features):

#### **(4) Prohibited Materials**

Metal siding shall not be used on front building facades and facades facing streets.

## 10.5 DEFINITIONS

### FRONT (OR PRIMARY) FAÇADE

The side or elevation of a structure that contains the structure's architectural front including the primary customer entrance. ~~, or the portion of the structure facing the street from which the structure derives its street address.~~

### ROOF, FLAT

A roof with a slope of less than one foot of vertical rise for every four feet of horizontal run (3:12).

**Item 31:** That Chapter 2: Administration is amended by adding the underlined language, deleting the strikethrough language.

## 2.4.6 Use Permit

### G. Expiration of Development Approval

A use permit shall automatically expire if any of the following is not obtained within two years of the date of use permit approval:

- (3) ~~Approval of construction drawings~~ Submittal of a complete application for approval of a final plat, if the use requires approval of a preliminary plat.

### Section 2.4.8.E.4.D Expiration of Development Approval

- (i) Approval of a type I or type II preliminary plat shall automatically expire if a complete application for approval of a final plat is not submitted within two years after the date of approval of the type I or type II preliminary plat.

**Item 32:** That Chapter 2: Administration is amended by deleting the strikethrough language.

## 2.4.6 Variance

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### D. Variance Review Standards

A variance shall be approved on a finding the applicant demonstrates all of the following standards are met:

- (2) The alleged hardship is suffered by the applicant as a result of the application of this Ordinance, ~~and the same hardship is not shared by neighbors or the general public;~~

**Item 33:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Chairman Rorer opened the public hearing. There were no comments so he closed the public hearing.

Commissioner Aydlett moved to approve due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Commissioner Gilbert seconded the motion. Motion carried.

### **B) Public Hearing and Action: PB 12-18 Currituck County Unified Development Ordinance Administrative Manual: Request to approve the Administrative Manual for the new Unified Development Ordinance.**

Ben Woody, Planning Director, reviewed the request.

The purpose of the administrative manual is to assist in the administration of the new Unified Development Ordinance (UDO). It is similar to the development review process manual of the current UDO. The administrative manual's primary goal is to explain the review procedures of development applications established in the UDO. The manual contains, among other things: application forms, staff review checklist, planting details, and submittal and fee schedules. The manual consolidates information in the development review process, and helps applicants understand the procedures and requirements. The intent of the manual is more specifically to:

- A. Establish a process that is clear and understandable to all interested parties, applicants and staff;
- B. Clarify the standards and procedures for submitting complete and relevant information for development applications;
- C. Provide information and tools to assist applicants during the review process;
- D. Provide official interpretations of the UDO; and
- E. Establish planting standards that promote health and survival of landscaping installed in the county.

The administrative manual is divided into three parts:

1. Introduction

The introduction provides background on the manual and its purpose, and recognizes it as part of the UDO.

2. Procedures and Applications

Contains detailed review processes, applications, and design and submittal checklists for all development applications established in the UDO.

3. Appendices

Contain standards that are applicable to all development applications, specifically, flood damage prevention, planting standards, and official interpretations. Also included are items that may assist applicants in the development review process including links to useful tools (UDO, Land Use Plan, online mapping) and staff review checklist. Finally, the appendices establish submittal and fee schedules for development applications.

The administrative manual will be available on the county's website for review. The direct link will be emailed to you once it is posted. Should you have any questions on the manual, please contact Brad Schuler, Planner I, at 232-6033 or [Brad.Schuler@CurrituckCountyNC.gov](mailto:Brad.Schuler@CurrituckCountyNC.gov).

The Planning Board **recommended approval** of PB 12-18 as presented due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development.

The Board of Commissioners **continued** PB 12-18 at their October 15, 2012 meeting in order to give them ample time to review the document.

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**PLANNING BOARD DISCUSSION (September 11, 2012)**

No discussion.

**PLANNING BOARD ACTION**

Ms. Newbern moved to approve PB 12-18 as presented due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Everhart seconded the motion. Motion carried unanimously.

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

Commissioner Martin moved to approve due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Commissioner Petrey seconded the motion. Motion carried.

**C) Public Hearing and Action on Resolution to approve an application with NC Local Government Commission for financing Phase III of the Whalehead Storm Water Drainage Project**

Dan Scanlon, County Manager, reviewed the resolution.

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

Commissioner Gilbert moved to adopt the resolution. Commissioner Aydlett 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**

WHEREAS, the County of Currituck, North Carolina desires to construct the Whalehead Subdivision Drainage and Watershed Improvements - Phase III (the "Project"), the final phase of a project to better serve the citizens of the Whalehead Watershed Service District, Corolla, NC ; 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 Commissioners of Currituck, North Carolina, meeting in regular session on the 19th day of November, 2012, make the following findings of fact:

1. The proposed contract is necessary or expedient to correct drainage deficiencies within the Whalehead Service District, which comprises an area of land subdivided in 1972 and constructed without stormwater management facilities.
2. The proposed contract is preferable to a bond issue for the Project because the County desires to borrow an amount not to exceed \$3,800,000, which would be bank qualified debt, for seven (7) to fifteen (15) years, depending on rates received, and it is more economical for the County to do an installment purchase contract for this amount rather than increase the borrowing costs with the costs associated with a referendum and issuance of bonds.
3. The cost of financing under the proposed contract is less than to the cost of holding a referendum and issuing general obligation bonds. Further, the process of holding a bond referendum and the approval process would delay the Project by six to eight months and therefore the County desires to move forward with the installment purchase contract.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the County has established a service district with a tax rate of nine cents per One Hundred Dollars of property valuation, which will meet the debt obligations for this installment purchase agreement.
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 increasing taxes for this new debt.
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.

- D) **Consideration and Action: PB 07-09 Currituck Reserve, Planned Unit Development: Request for a sketch plan/special use permit extension of a planned unit development consisting of 688 units located between Caratoke Highway and Tulls Creek Road, North of Guinea Road, Moyock Township.**

Ben Woody, Planning Director, reviewed the request.

On January 8, 2008, the Board of Commissioners voted to approve the sketch plan/special use permit for Currituck Reserve, PUD. This is a planned unit development consisting of 688 units located between Caratoke Highway and Tulls Creek Road, north of Guinea Road. The sketch plan/special use permit approval was due to expire on January 8, 2010. The North Carolina General Assembly passed a law that suspended the vesting period for development approvals that were valid at any time during January 1, 2008 through December 31, 2010. With the law in effect the preliminary plat expiration date is January 1, 2013.

On October 17, 2012 Eric L. Smith, AH Currituck Reserve, LLC submitted a request for a two year preliminary plat extension of the subdivision citing economic reasons (see attached).

In accordance with the UDO Chapter 11 Section 11.10.2, the Board of Commissioners may grant an extension of the special use permit one time for a period of two years, if they conclude that:

1. The permit has not yet expired.
  - a. The special use permit has not yet expired and will expire January 1, 2013.
2. The permit recipient has proceeded with due diligence and in good faith; and,
  - a. The developer has proceeded with due diligence, however, due to the economy have not been able to proceed as desired.
3. Conditions have not changed so substantially as to warrant a new application. Successive extensions shall not be granted. All such extensions may be granted without resort to the formal processes and fees required for a new permit.
  - a. There are no changes proposed in the extension request.

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

**New Business**

**A) Board Appointments:**

1. Appointments to Nursing Home Advisory Board

Commissioner Etheridge moved to reappoint the following:  
Commissioner Gilbert seconded the motion. Motion carried.

Diane Bray  
Barbara Courtney  
Florence Scaff  
Rosalie Rose  
Bobbie O'Hara

**B) Consent Agenda:**

1. Approval of ECBH September 30 Fiscal Monitoring report
2. Resolution Recognition of John Barnes, School Board Member
3. Resolution Opposing the Mining of Uranium in Virginia
4. Resolution Authorizing the Purchase of Additional 800 MHz Radio Communications System Equipment from Gately Communications and Motorola Through Sole Source Purchase
5. Approval of November 5, 2012 Minutes

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

**RESOLUTION OF RECOGNITION  
JOHN E. BARNES**

WHEREAS, the citizens of Currituck County have long recognized the historic link between education and a strong, free nation; and

WHEREAS, the Currituck School System has enabled generations of Currituck families to build upon the lessons of the past to achieve the dreams of tomorrow; and

WHEREAS, John E. Barnes has been a member of the Currituck County Board of Education since 1976; and

WHEREAS, with 36 years of service, John E. Barnes is currently the longest serving school board member in the state of North Carolina; and

WHEREAS, Mr. Barnes has earned the respect and confidence of his fellow board members as evidenced by his serving as Chairman from January 1981 until January 1994 and alternating between Chairman and Vice-Chairman in the following years; and

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WHEREAS, Mr. Barnes has always made decisions which were in the best interest of the students; and

WHEREAS, Mr. Barnes has devoted countless hours of his time, his energy and his talents to this county and its children and has provided experience and sound judgment on its behalf with integrity, dignity and thoughtful reflection; and

WHEREAS, Mr. Barnes is retiring from the Board of Education, with his last official meeting being November 20, 2012;

NOW, THEREFORE BE IT RESOLVED, the Currituck County Board of Commissioners and County Staff do hereby express our deep gratitude and sincere appreciation to John E. Barnes for his leadership and dedicated, distinguished service to the citizens of Currituck County and extend to him our best wishes for a long and well-deserved retirement.

**RESOLUTION OF THE BOARD OF COMMISSIONERS FOR CURRITUCK COUNTY,  
NORTH CAROLINA, OPPOSING THE MINING OF URANIUM IN THE  
COMMONWEALTH OF VIRGINIA**

WHEREAS, as the “Land of the Wild Goose,” Currituck County has traditionally recognized the critical importance of a healthy environment and water supply to the safety, health and economic well-being of its citizens; and

WHEREAS, Currituck County maintains continuing opposition to any proposed efforts which would jeopardize the quality of life of its citizens, visitors, and neighbors, as evidenced by its years of opposition to the United States Navy’s proposal to locate an Outlying Landing Field in the Hales Lake area of Camden County, North Carolina; and

WHEREAS, Currituck County has learned that there is proposed a uranium mining and milling operation at Coles Hill in Pittsylvania County, Virginia, requiring the lifting of a 30 year ban on such operations in Virginia; and

WHEREAS, on February 1, 2011, the City of Virginia Beach released the findings of its study of impacts of proposed uranium mining and milling on its Lake Gaston water supply concluding that in the event of a mill tailing confinement area failure, the radioactive tailings will be washed downstream and significantly impact water quality in Kerr Reservoir and Lake Gaston, resulting in radiation levels in the water 10 to 20 times above Safe Drinking Water Act levels; and

WHEREAS, the proposed uranium milling and mining operation will be located within the Roanoke River Basin, which serves as a drinking water source for over one million people and is

the source of at least one-half of the Albemarle Sound water supply critical to fishing, hunting, tourism and the economic well-being of Northeastern North Carolina; and

WHEREAS, the risk, no matter how slight, to waters of the Roanoke River Basin and Albemarle Sound brought on by a uranium mine and mill at Coles Hill outweighs any benefit that may be derived from uranium mining and milling.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina, that Currituck County opposes lifting the ban on uranium mining in the Commonwealth of Virginia and supports the effort of organizations and localities to protect the people of North Carolina and Virginia from the environmental, quality of life and health impacts that could result from lifting the ban on uranium mining.

**RESOLUTION AUTHORIZING THE PURCHASE OF ADDITIONAL 800 MHz RADIO COMMUNICATIONS SYSTEM EQUIPMENT FROM GATELY COMMUNICATIONS AND MOTOROLA THROUGH SOLE SOURCE PURCHASE**

WHEREAS, by resolution adopted on June 18, 2012 the Board of Commissioners for the Count of Currituck authorized the county 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 communication system; and

WHEREAS, there is now identified additional material, equipment, supplies and services necessary for the construction and establishment of the 800 MHz communication system set forth in a proposal spread sheet from Motorola dated October 11, 2012 which spread sheet is incorporated herein by reference; 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 the additional 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 an 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 \$543,267.34 with Gately Communications and/or Motorola for the sole source purchase of

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additional 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 and/or Motorola for acquisition and installation of the material, equipment or supplies and services necessary for installation.

**C) Commissioner's Report**

Commissioner Martin wanted to recognize John Barnes for his years of service as a Board of Education Member.

The Board wished all a happy and safe Thanksgiving.

Commissioner Petrey reminded everyone of the Christmas Parade December 1.

Commissioner Aydlett, requested a letter to WRC on the Brumley Road boating access.

Commissioner O'Neal requested at a future meeting a discussion on the Currituck Sound Study.

**D) County Manager's Report**

No comments

**Adjourn**

There being no further business, the meeting adjourned.