



**BOARD OF COMMISSIONERS
AGENDA**

OCTOBER 7, 2013

Table of Contents

Agenda	2
Consideration and Action:	
Cover Sheet	4
Pre-Application/Corolla Village Bath House	5
Appointment of Richard Labounty to Fire and EMS Advisory Board	
FEAB Appointment	12
Appointment to Senior Citizen Advisory Board	
Senior Citizen Advisory Board Appointment Form	13
Approval of September 16, 2013 Minutes and September 23 and 24 Special Meeting Minutes	
September 16 Minutes.	14
September 23 Minutes.	54
September 24 Minutes.	57
Budget Amendments	
Budget Amendments	58
Project Ordinance for Design and Construction of the Animal Shelter	
Project Ordinance Animal Shelter	66
CDBG Monthly Status Report	
August 2013 Memo	68
Resolution-Surplus-Sheriff's Office	
Sheriff-Request to Surplus Gun for Maxwell	71
Resolution-Surplus	73

REVISED
Currituck County
Board of Commissioners Agenda
Historic Currituck County Courthouse

Date: Monday, October 07, 2013

Time: 7:00 PM

Work Session

6:00 PM Golden Leaf Grant and Airport Transportation Improvement Program (TIP)

7:00 pm Call to Order

- A) Invocation-Reverend Kimberly Ferebee, New Bethlehem Church of Christ/DC
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

Public Hearings

- A) **Consideration and Action:** Public meeting to review an application for CAMA access grant at 1102 Corolla Village Road, Tax Map 115B, Parcel P10, Poplar Branch Beach Township.
- B) **Action** to approve Sale and Purchase Contract by and between Outer Banks Ventures, Inc. and Currituck County for county acquisition of 7,680 square foot lot located at 1102 Corolla Village Road.

Administrative Reports

- A) **Video Presentation by NC Association of County Commissioners**
- B) **Presentation on Capital Funding by County Manager**

New Business

A) Board Appointments:

1. Appointment of Richard Labounty to Fire and EMS Advisory Board
2. Appointment to Senior Citizen Advisory Board

B) Consent Agenda:

1. Approval of September 16, 2013 Minutes and September 23 and 24 Special Meeting Minutes
2. Budget Amendments
3. Project Ordinance for Design and Construction of the Animal Shelter
4. CDBG Monthly Status Report
5. Resolution-Surplus-Sheriff's Office

C) Commissioner's Report

D) County Manager's Report

Closed Session

Closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to consider and give instructions to the county attorney concerning the matters Swan Beach Corolla, LLC, et. al v. Currituck County, et. al, and Etheridge v. Currituck County .

Adjourn



Currituck County Agenda Item Summary Sheet

Agenda Item Title

Corolla Village Road Bath House
Public Meeting

Brief Description of Agenda Item

The Board of Commissioners will hold a public meeting to discuss submission of a final application for grant funds under the 2013-2014 Public Beach and Coastal Waterfront Access Program. The County is requesting grant funds to construct a bath house on Corolla Village Rd. Staff will give a presentation of the proposed facility location and possible site amenities.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Eileen Wirth



**PUBLIC BEACH AND
COASTAL WATERFRONT
ACCESS PROGRAM**

NC COASTAL MANAGEMENT PROGRAM

Application Deadline April 5, 2013

PRE-APPLICATION 2013- 2014

North Carolina Public Beach and Coastal Waterfront Access Program

Please complete a separate application for each proposed project. Submit two (2) printed copies of each completed application with attachments to your DCM District Planner.

This application is also available online at: <http://www.nccoastalmanagement.net>. Click on the link to "Beach & Waterfront Access".

Local Government: Currituck County

Project Name: Corolla Village Bath House

Local Administrator of this Project:
Jason Litteral

Project Type: Local
(Local, Neighborhood, Regional, Urban Waterfront
Redevelopment)

Title: Planner I, CFM

Demand for Access: High Medium Low

Address: P.O. Box 73
Corolla, NC 27927

Water Quality Classification: SB

Phone: 252-453-8555 ext. 233

Land Acquisition: Yes No:

Fax: 252-453-8300

Expedited Process Requested: Yes No:

Email Address: jason.litteral@currituckcountync.gov

Site Improvements: Yes: No:

Signature: _____

Is this an ongoing project (for example, Phase II of a
previously funded project, or improvement to an existing
project)? Yes: No:

Name (print): Jason Litteral

If yes, please describe: _____

Date: April 5, 2013

Budget Totals and Financial Assistance Requested: *Provide information from Summary Budget.*

Application Budget Total:

1.	DCM Grant Assistance Requested	\$180,802
2.	Local Contribution	\$518,576
	Cash:	\$428,576
	In-Kind:	\$90,00
	TOTAL COST	\$699,378

Additional Project Costs and Funding Sources NOT included in this proposal: (if applicable)

- | | | |
|----|----------------|---------------|
| 3. | Cost: \$ _____ | Source: _____ |
| 4. | Cost: \$ _____ | Source: _____ |

Provide the following ATTACHMENTS and NARRATIVE:

- A. Project location maps: Provide a regional location map and a detailed vicinity map (street map) showing the project location. See Attached**
- B. Site description: Provide a description of the site, including natural features and existing improvements.**

The proposed Corolla Village Bath House project site is nestled in the heart of the Currituck Outer Banks and in close proximity to some of the most visited historical, educational, and recreational attractions in the area. The site lies at the intersection of Highway 12 and Corolla Village Road and within walking distance of the Currituck Beach Lighthouse, Heritage Park, The Outer Banks Center for Wildlife Education, The Whalehead Club, Historic Corolla Village, The Corolla Greenway, The NC Coastal Estuarine Reserve, The Corolla Light Town Center, and the pristine beaches that make Corolla a popular vacation destination.

The proposed 7,680 square foot, undeveloped site is being purchased by the County and was part of a 6.7 acre parcel. The Corolla Village Road right of way, adjacent to the site, is currently used as an unimproved parking area for visitors going to the beach.

Although there are 13 public access points in Corolla, there is currently only one other facility with parking, restroom facilities and showers. This facility is located near the southern boundary of the County approximately 5 miles from the proposed bath house facility. The existing facility is heavily used and often has parking problems. This site provides a unique opportunity to construct a much needed bath house facility and public parking area. If constructed, this facility would be only the second bath house on the 22.5 mile stretch of beach in Currituck County. Currituck County's 2006 Land Use Plan identifies and supports development of additional public access facilities.

- C. For Land Acquisition: Provide an exhibit or boundary survey indicating land area, an estimated cost of the property, and basis for the estimate. An overlay on aerial photos may be submitted. Indicate whether or not the property would be acquired in phases. NA**
- D. Project description: Provide a description of the project, including information on features, materials, and proximity to closest/other access sites.**

Currituck County proposes construction of a bath house facility east of NC12 on Corolla Village Road. The site is adjacent to the Currituck Beach Lighthouse, Heritage Park, The Outer Banks Center for Wildlife Education, The Whalehead Club, Historic Corolla Village, The Corolla Greenway, The NC Coastal Estuarine Reserve, and The Corolla Light Town Center. The project will combine modern, environmentally conscious design with traditional architecture to create a facility capable of meeting current demands while melding seamlessly with the historic character of the area. This will be only the second bath house facility on the 22.5 miles of Currituck Outer Banks.

The project includes men's and women's restrooms, a family restroom with a baby changing station, and will utilize waterless urinals in an effort to conserve water. In addition, the facility will be equipped with sensed outdoor showers and sinks, a drinking fountain, bike racks, trash and recycling receptacles, and a covered outdoor picnic area making it fully capable of accommodating the 5,800 daily visitors to the Historic Corolla Village area during peak season. The proposed 2,000 square foot, ADA compliant, bath house will utilize cisterns to catch stormwater that will then be reused to flush the 8 proposed toilets. With approximately 750 residences located within a one mile radius of the site and a growing number of daily visitors, the demand for restrooms and showers near the beach is high. This demand is compounded by a large number of homes on the west side of NC12 with no direct access to the ocean, a lack of available public parking, and the absence of public restroom facilities near the beach.

While visitors to the area currently use the unimproved parking spaces along Corolla Village Road, these spaces are not adequate to accommodate the number of visitors nor are they ADA compliant. The county proposes to improve this parking area by increasing the number of available spaces, providing a more stable surface material, and constructing two concrete, ADA compliant, van accessible parking pads.

Both the Currituck County 2006 CAMA Land Use Plan, and the Parks and Recreation Master Plan identify the need to create additional public access opportunities on the Currituck Outer Banks. The County is currently working on a public access plan that identifies this project as a top priority for public access due to high demand for shower and restroom facilities.

Currituck County has been exploring the construction of a bath house on Corolla Village Road since the early 1990's, but the project was never realized due to difficulties with land acquisition. This 7,680 square foot parcel of land provides the County with a long overdue opportunity to create the public access facility that has been desperately needed for over two decades.

E. Project site plan: Provide a to-scale site plan showing property lines, proposed construction, significant natural features, and existing uses on adjacent lots. Include a north arrow and graphic scale. Improvements shown as an overlay on aerial photos also may be submitted. Provide to-scale building elevations and floor plans as applicable. See Attached

F. Pre-project tasks: Identify tasks that must be completed prior to starting the project.

Prior to beginning construction of the proposed project, the following tasks must be completed.

- *Finalize purchase of the property*
- *Return contract to NC Division of Coastal Management*
- *Topographic Survey of Project Area*
- *Detail Design (Plans and Specifications)*
- *Permitting*
- *Contract Bidding*
- *Contract Award*

G. Is all or a portion of this project under consideration by other programs for funding?

YES _____ NO If so, indicate which program(s) and which fiscal year(s). Does the funding requested from another program duplicate or complement the funding requested from the Access Program? How viable is the project if complementary funding from another program is not secured?

H. Is this project identified as high local priority in your certified Future Land Use Plan or local Access Plan? YES NO _____ If so, attach a brief description of the plan and a statement of the extent to which the project implements the policies of the plan.

The 2006 Currituck County Land Use Plan contains several policies and actions related to public access in the County directing staff to encourage and promote the establishment of public access sites. This plan was developed in cooperation with Land Use Steering Committee comprised of citizens and spanning over one and one - half years of public input.

Policy PA1 states that public access to the sound and ocean waters of Currituck County is essential to the quality of life of residents and visitors, as well as the economy of the area. The County supports the establishment of additional public and private access opportunities to the waters of Currituck County.

Policy PA2 states that the County supports many forms of "access" to the water, including scenic outlooks and boardwalks, boat ramps, marinas and docks, fishing piers, canoe and kayak launches, and other means of access. Whenever possible, such facilities shall be designed to accommodate the needs of handicapped individuals.

Policy PA3 states that properties owned by the County, State or other cooperating public agencies shall be considered as special opportunities for public access sites.

Policy PA4 states the location of public access sites shall generally be determined by a rational examination of the sound and ocean resource, the distribution of existing sites, and the availability of appropriate new sites. The proposed site will provide a new access point and will help to provide appropriate distribution of ocean accesses.

Policy PR7 states new park and recreation facilities, as well as improvements to existing facilities, shall give special consideration to the needs of handicapped persons. The facility is designed to be fully ADA compliant.

Policy OB5 states Currituck County, through its actions and decisions shall seek to preserve the historic character and heritage of the Corolla Village area of the Outer Banks. The proposed facility is designed to mimic the historical architecture of the Corolla Village area.

The proposed project will clearly meet many of the policies of the 2006 Land Use Plan. It will provide much needed public access to the residents and visitors of Currituck Outer Banks. The County is committed to providing water access facilities now and for future generations.

- I. **Is this project reflected in other policy documents or ordinances? YES NO** *If so, attach a brief description of the document or ordinance and a statement of the extent to which the project implements goals of the document or ordinance.*

The 2012 Currituck County Recreation and Parks Master Plan was developed with the goal of providing elected officials, staff, and citizens with a comprehensive view of current recreation facilities, parks, and programs, with recommendations for meeting recreational needs of residents of Currituck County. The most important aspect of the Plan was identifying the public's desire for parks and recreation facilities. A series of five public workshops was held with several hundred county residents in attendance.

Over 80% of the respondents, to a survey given during the public workshops, indicated that they currently utilize ocean accesses in the County. Approximately 51.2% (the third most desired facility) of respondents identified ocean accesses as a needed facility and another 42.9% (the fourth most desired facility) identified public restrooms as a needed facility in the Corolla area.

The Capital Improvement Table identifies and sets aside \$750,000 over the next 10 years for Water Access Area and Bath Houses. The proposed Corolla Village Bath House project will accomplish the desires of the community and need identified in the 2012 Currituck County Recreation and Parks Master Plan.

- J. **Proposed Local Match and Cost Assumptions:** Provide narrative indicating the source of cash match and availability of funds. Provide narrative explaining the relevance of proposed in-kind match to the project. If other state and/or federal funds are to be used as local match, indicate the amount, the funding source, and the specific project elements that will qualify for joint funding. Attach a detailed breakdown of the cost assumptions upon which the Summary Budget is based. Proposals that include detailed cost assumptions increase their likelihood of funding.

The cash match for the proposed project will come from Currituck County Occupancy Tax and will be available for design and construction of the project upon notification of award. The proposed in-kind match will be used for purchase of the property. See attached detailed breakdown of cost assumptions.

- K. **List the types and sources of utilities proposed; and identify associated costs.**

- *Water Tapping Fee and Meter (SOBWS) \$8,000*
- *Sewer Tapping Fee (Carolina Water) \$27.50 x 2000gpd = \$55,000*
- *Power (NC Dominion Power) Underground Service \$10,000*
- *Waterline Extension \$6,000*
- *Water Service \$1,500*
- *Sewer Connection \$10,000*

L. List all necessary permits and/or certifications.

- *State Permit for Waterline Extension*
- *Soil Erosion and Sedimentation Control Permit*
- *State Stormwater Permit*
- *NCDOT Encroachment Agreement*
- *Local Building Permit*

M. Proposed Summary Budget: The form below must be completed and included with your application.

	Grant Assistance Requested	Local Cash Contribution	Local In-Kind Contribution	TOTAL
Land Acquisition Costs				
	\$	\$	\$	\$
Subtotal	\$	\$	\$90,000	\$90,000
Permit and Design Fees:				
	\$12,535	\$29,713	\$	\$42,248
Subtotal	\$12,535	\$29,713	\$	\$42,248
Site Improvement Costs:				
Materials				
	\$	\$	\$	\$
Subtotal	\$100,960	\$239,318	\$	\$340,278
Site Improvement Costs: Labor				
	\$	\$	\$	\$
Subtotal	\$67,307	\$159,545	\$	\$226,852
Local Administrative Costs: In-kind				
	\$	\$	\$	\$
Subtotal	\$180,802	\$428,576	\$90,000	\$567,130
TOTAL BUDGET	\$180,802	\$428,576	\$90,000	\$699,378

Additional Project Tasks NOT Included in this Proposal	Additional Project Cost
	\$
TOTAL ADDITIONAL COST	\$

FIRE AND EMS ADVISORY BOARD
2 Year Term

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Jim Cason	District 1		Vance Aydlett	4/1/2012	1st 4/1/14
George Bergamini	Outer Banks		Fire Department Appointment	6/3/2013	2nd 4/1/2015
Charles Berry	District 3		Butch Petrey	4/1/2012	2nd 4/1/14
Jeffrey Shell	District 4		Kevin McCord	6/3/2013	1st 4/1/2015
Evelyn Henley	District 5		Marion Gilbert	4/1/2012	1st 4/1/14
Mitch Copeland	Mainland		Fire Department Appointment	6/3/2013	2nd 4/1/2015
Stanley Griggs	At-Large		Paul O'Neal	4/1/2012	2nd 4/1/14
John Wheeler*	Northern	Richard Labounty	Fire Department Appointment	1/12/2012	2nd 4/1/2014

***To Be Replaced**

Commissioner Aydlett

SENIOR CITIZEN ADVISORY BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Heidi Montalbine	District 1		Vance Aydlett	2/20/12	1st 3/1/2015
Edith Meekins	District 2		David Griggs	7/15/2013	1st 7/20/2016
Rose Wright	District 3		Butch Petrey	5/20/13	2nd 3/15/2016
Doris Ballance*	District 4		Kevin McCord	9/7/2010	1st 9/7/2013
Rosalie Rose	District 5		Marion Gilbert	2/21/2011	2nd 2/1/2014
Marcia Steele	At-Large		Paul Martin	7/5/2011	Unexpired Term 2/1/2014
Joanne DiBello	At-Large		Paul O'Neal	6/4/2012	Unexpired Term 4/15/2014

***May Be Reappointed**

Commissioner Martin

CURRITUCK COUNTY
NORTH CAROLINA
September 16, 2013

The Board of Commissioners met at 6:00 p.m. in the Historic Courthouse Conference Room with Ben Woody, Planning and Community Development Director. Mr. Woody gave a presentation on multi-family provisions and allowances within the UDO.

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

Chairman O'Neal called the meeting to order at 7:00 PM and announced the Board of Commissioners had met in a work session for discussion and review of multi-family provisions and allowances within the UDO.

- A) Invocation**
- B) Pledge of Allegiance**

Reverend Ricky Bishop, Coinjock Baptist Church, was present to give the invocation and lead the Pledge of Allegiance.

- C) Approval of Agenda**

Chairman O'Neal amended the agenda by deleting item #5 of the Consent Agenda and adding item #15 Proclamation Recognizing Shawboro Ruritan Club's 65th Anniversary. Commissioner Aydlett moved to approve the Agenda as amended. Commissioner Gilbert seconded the motion. Motion carried unanimously.

APPROVED AGENDA

Work Session

6:00 PM Discussion and review of multi-family provisions and allowances within the UDO

7:00 pm Call to Order

- A) Invocation – Reverend Ricky Bishop, Coinjock Baptist Church
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

Public Hearings

- A) **Public Hearing and Action:** PB 08-45 Estates at Carova Beach: Request to amend the preliminary plat/special use permit approval to remove parcel 087A-000-000D-0005 (2.1 acres) from open space, Carova Beach Subdivision, Section 5, Fruitville Township.
- B) **Consideration and Action:** PB 08-45 Estates at Carova Beach: An offer of dedication of certain open

space parcels as shown on Estates at Carova Beach Final Plats, Sections 1, 2, and 5, Fruitville Township.

- C) **Public Hearing and Action:** PB 13-15 Water Supply Standards: Request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure and Chapter 10: Definitions and Measurement to revise the water supply standards to exempt certain development from connecting to the county water supply system.
- D) **Public Hearing and Action:** PB 13-18 Currituck County: Request to amend the Unified Development Ordinance Chapter 3: Zoning Districts, Chapter 4: Use Standards, Chapter 5: Development Standards, Chapter 6: Subdivision and Infrastructure Standards, Chapter 7: Environmental Protection Standards, Chapter 10: Definitions and Measurement to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO).

New Business

A) **Consent Agenda:**

1. Approval of Board of Equalization and Review Minutes
2. Approval of September 3, 2013, Minutes
3. Budget Amendments
4. Approval of Change Order #1 to Historic Jarvisburg Colored School Renovations Contract
5. Resolution Authorizing the Leasing of Certain Real Property to the Truck Accessory Center, Inc. for a Maximum Term of Fifteen Years Pursuant to N.C. Gen.Stat.Section 160A-272 **DELETED**
6. Resolution Declaring Parcel 110B-010-0015-0000 located in Poplar Branch Township as Surplus Property
7. Resolution Authorizing Upset Bid Process for Surplus Property 110B-010-0015-0000, 120 Rita Street, Albemarle Sound Beach Estates
8. Resolution Declaring 2013 Big Sweep Litter Clean-up Day October 5
9. Applications to use lottery funds to replace HVAC unit for CCMS lobby - \$100,000; replace roof on Technology building at Knapp - \$30,000; and replace roof on gym at Knapp - \$140,000.
10. Project Ordinance - Replace CCMS HVAC unit
11. Project Ordinance - Replace roof on Technology Building at J P Knapp
12. Project Ordinance - Replace roof on gym at J P Knapp School
13. Project Ordinance - HMGP 4019-016-F Generator Grant
14. June 2013 Fiscal Monitoring Report for East Carolina Behavioral Health
15. Proclamation Recognizing Shawboro Ruritan Club's 65th Anniversary

B) **Commissioner's Report**

C) **County Manager's Report**

Adjourn

D) Public Comment

Chairman O'Neal opened the Public Comment period.

Mary Etheridge, Shawboro, stated she had been involved in litigation with the County for two years concerning illegal spot zoning. Although the courts had ruled in her favor, the County did not pay her legal fees. She wanted to prevent this same thing from happening to anyone else. She presented an excerpt from the September 3 meeting recording.

Ellen Owens, Extension Agent, 4-H Youth Development, introduced participants of the 4-H Government Is US Program and described the program to promote future leaders. She announced another upcoming program called Side Effects of Drugs.

Commissioners commended Ms. Owens on the 4-H Program as well as Backpack for Kids and offered their assistance and that of staff as needed.

Teresa MacPherson, Grandy, expressed her gratitude to the Commissioners for their support of Walnut Island Property Owners Association. She informed them she was no longer president of the POA and distributed the most recent newsletter.

There being no further comments, Chairman O'Neal closed the Public Comment period.

Public Hearings

A) Public Hearing and Action: PB 08-45 Estates at Carova Beach: Request to amend the preliminary plat/special use permit approval to remove parcel 087A-000-000D-0005 (2.1 acres) from open space, Carova Beach Subdivision, Section 5, Fruitville Township.

Sworn testimony was given prior to making comments.

Mark Bissell, Robert Hobbs and Larry Riggs were present on behalf of the applicants.

Ben Woody, Planning and Community Development Director, reviewed the request and staff recommendations.

**STAFF ANALYSIS FOR THE
BOARD OF COMMISSIONERS
MEETING DATE: September 16, 2013
PB 08-45 Estates at Carova Beach, Open Space Subdivision**

ITEM: PB 08-45 Estates at Carova Beach, Open Space Subdivision, Amended Preliminary Plat/SUP to re-plot 19 existing lots into 28 residential lots.

LOCATION: The proposed development is located in the following sections of Carova Beach, Fruitville Township:

Section 1	Sections 2 & 3	Sections 5 & 9
087A-000-000A-0001	087A-000-000A-0002	087A-000-001A-0005
087A-000-000B-0001	087A-000-000A-0003	087A-000-002A-0005
087A-000-000C-0001	087A-000-000B-0002	087A-000-000B-0005
087A-000-000D-0001	087A-000-000B-0003	087A-000-000C-0005
087A-000-000E-0001		087A-000-000D-0005
087A-000-000F-0001		087A-000-000A-0009
087A-000-000G-0001		087A-000-000B-0009
087A-000-000H-0001		087A-000-000C-0009

ZONING**DISTRICT:** Outer Banks Limited Access Residential District (RO2)**PRESENT USE:** Sand dunes and maritime forest**OWNERS:** Carova Corp. and Ocean Sands Co.
C/O Riggs Realty Co.
P.O. Box 400
Corolla, NC 27927Ernest Bowden
2155 Sandfiddler Road
Corolla, NC 27927**ENGINEER:** Mark Bissell
Bissell Professional Group
PO Box 1068
Kitty Hawk, NC 27949
252-261-3266**LAND USE/ZONING OF SURROUNDING PROPERTY:**

NORTH:	Residential and Vacant	Zoned: RO2
SOUTH:	Residential and Vacant	Zoned: RO2
EAST:	Residential and Vacant	Zoned: RO2
WEST:	Residential and Vacant	Zoned: RO2

SIZE OF SITE: Section 1: 31.36 acres
Sections 2 (3): 22.04 acres
Sections 5 (9): 18.40 acres
Total: 71.80 acres**NUMBER OF LOTS:** 28 total (19 existing, re-platted lots)**DENSITY:** 0.39 unit/ acre**STREETS:** The proposed lots will be accessed by existing sand roads excluding two cul-de-sac streets proposed in Section 1 development.**UTILITIES:** The development will be served by individual wells and on-site wastewater.**OPEN SPACE:** Proposed lot area reduced from the required 120,000 square feet must be dedicated as open space. The required open space and proposed dedication for each section is as follows:

Section	Required Open Space	Dedicated Open Space
Section 1	10.93 acres	11.95 acres
Sections 2 (3)	8.38 acres	9.16 acres
Sections 5 (9)	6.10 acres	5.24 acres

There is a cumulative total of 26.35 acres of open space included in the subdivision proposals. The developer proposes dedicating the open space to Currituck County. As provided for in the Unified Development Ordinance, required open space shall not be dedicated to the public except upon written acceptance by the county.

I. NARRATIVE OF REQUEST:

- Carova Corp., Ocean Sands Co. is requesting an amended preliminary plat/SUP approval for re-platting 19 existing parcels in sections of Carova Beach into 28 proposed lots.
- Carova Beach subdivision was approved in 1966 and 1967, and at that time Currituck County did not require the street improvements.
- The Estates at Carova Beach sketch plan was approved by the Board of Commissioners on December 15, 2008.
- The Estates at Carova Beach preliminary plat/special use permit was approved by the Board of Commissioners on September 8, 2009 and extended October 1, 2012. The approval included the re-platting of 20 lots into 28 lots (73.92 acres) and the dedication of 27.5 acres of open space.
- The proposed amended preliminary plat/(special) use permit amendment includes:
 - Reduction of the total development area by 2.13 acres (PIN: 087A-000000D-0005);
 - Reduction in open space dedication by 1.15 acres; and,
 - Adding the fire ponds (all sections) into open space.
- The applicant is dedicating 26.35 acres of open space to Currituck County. Condition #7 of the approved special use permit requires “acceptance by the county of any open space property shall be in the form of a general warranty deed. This shall only occur after the adoption of a written resolution of acceptance by the Board of Commissioners, prior to the recordation of a final plat.”
- Chapter 2 (Section 2.3.14) of the UDO requires amendments to a permit or approval to be reviewed in accordance with the procedures and standards established for the original approval. Chapter 10 (Section 10.3.4) of the UDO (in effect under the original approval) requires development constructed in phases or stages meet the requirements of the ordinance with respect for each phase or stage. The three sections of the Estates at Carova Beach were submitted and reviewed collectively; however, as proposed, Section 5 of the development is deficient in required open space.

Section	Required Open Space	Dedicated Open Space
Section 1	10.93 acres	11.95 acres
Sections 2 (3)	8.38 acres	9.16 acres
Sections 5 (9)	6.10 acres	5.24 acres

II. QUESTIONS BEFORE THE BOARD:

Use Permit Criteria and Suggested Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP 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 UP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY.

Suggested Finding:

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

2. THE PROPOSED USE WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING LANDS AND WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS LOCATED.

Suggested Findings:

- a. The UDO indicates that an open space subdivision is allowed in the RO2 zoning district with a special use permit.
- b. The proposed residential lots are currently within a neighborhood with densities comparable to those proposed and should be in harmony with the neighborhood.

3. THE PROPOSED USE WILL BE IN CONFORMITY WITH THE LAND USE PLAN, OR OTHER OFFICIALLY ADOPTED PLAN.

Suggested Findings:

- a. The 2006 Land Use Plan classifies the site as **Limited Service Area** within the Carova subarea and the proposed development is in keeping with the policies of the plan such as:

POLICY OB6: Concerning the OFF-ROAD AREAS OF THE OUTER BANKS, Currituck County shall not permit or encourage the provision of growth-inducing facilities and services to these areas, including for example, commercial services, centralized sewage treatment, and hard surface roads.

POLICY OB7: VEHICULAR ACCESS TO THE NORTH BEACHES (off-road area) shall not compromise the environmental integrity of wildlife refuges, the estuarine research reserve, other ecologically sensitive areas, or habitat for wild horses. Structures or other man-made improvements not specifically serving the public interest shall not be permitted to block vehicular access along the beach.

POLICY OB8: In order to protect WILD HORSES, Currituck County shall not permit nor encourage the provision of hard surface roads in the off-road area of Carova.

POLICY OB9: LARGE HOMES ON OCEANFRONT LOTS IN THE OFF-ROAD AREA should be located as far west as possible. Structures should not be built forward of protective dunes, thereby impeding dune recovery. County minimum setbacks may exceed CAMA minimum setbacks in ocean erodible areas.

- b. The proposed preliminary plat/special use permit is in general compliance with the policy emphasis of the Carova sub-area and the Outer Banks policies of the 2006 Land Use Plan.

4. THE PROPOSED 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.

Suggested Findings:

- a. School seats are no longer allocated for the Outer Banks areas because of the low year round occupancy rate.
- b. The Carova Beach Fire Department testified on September 17, 2007 that the roads in Carova are adequate for their department to respond.

III. STAFF RECOMMENDATION

As noted in the narrative, Chapter 2 (Section 2.3.14) of the UDO requires amendments to a permit or approval to be reviewed in accordance with the procedures and standards established for the original approval. Chapter 10 (Section 10.3.4) of the UDO (in effect under the original approval) requires development constructed in phases or stages meet the requirements of the ordinance with respect for each phase or stage. The three sections of the Estates at Carova Beach were submitted and reviewed collectively; however, as proposed, Section 5 of the development is deficient in required open space.

Chapter 10, Section 10.4.10 of the UDO (in effect under the original approval) allows the permitting issuing body to permit minor deviations from the standards when the board determines:

1. The objectives underlying these standards can be met without strict adherence to them; and,
2. Because of peculiarities in the developer's tract of land or the particular type or configuration of development proposed; it would be unreasonable to require strict adherence to these standards.

Therefore, if the board determines the proposed open space dedication meets the standards above by providing the required open space collectively (Sections 1, 2, and 5), the board may authorize a deviation from the open space standards of the UDO provided a detailed statement of the reasons for allowing the deviation are provided.

If the board authorizes a deviation from the UDO, the Staff recommends **approval** of the Estates at Carova Beach, Sections 1, 2, and 5 with the following existing conditions:

1. A detailed analysis of proposed fill within the Coastal High Hazard Area (VE flood zone) shall be provided with pre-construction plans. The analysis shall indicate the effects of fill and wave deflection or run-up as well as increase in base flood elevation. In addition, there shall be no alteration of sand dunes which would increase potential flood damage. No fill shall be used for structural support.
2. A detailed grading plan must be provided with the pre-construction plans to identify any dune modifications or fill.
3. Please provide a detailed narrative for access and development impacts within 404 wetlands with the pre-construction plans.

4. An on-site inspection by the County Engineer and Planning staff must occur prior to submission of the pre-construction plans to determine the extent of improvements of existing roads.
5. Identify significant trees within the development with the pre-construction plan submittal.
6. Provide a short document or narrative explaining maintenance and the party responsible for maintenance of roadside swales and culverts. In addition provide the procedure for when the developer turns the subdivision over to the homeowner's association and their responsibility at that time. The narrative and procedure should be submitted at pre-construction. (Soil and Water TRC Comment)
7. Acceptance by the county of any open space property shall be in the form of a general warranty deed. This shall only occur after the adoption of a written resolution of acceptance by the Board of Commissioners, prior to the recordation of a final plat.
8. A detailed grading, drainage plan for individual lots shall be provided with pre-construction plan. (Public Works, County Engineer TRC Comment)
9. More detailed grading, drainage, stabilization, fill and excavation information shall be provided to Division of Coastal Management. (DCM TRC Comment)
10. Provide details for the four foot barrier fence in Section 1 with the pre-construction plans (DCM TRC Comment).
11. All vegetation in open space, except for fire ponds, shall be maintained in its current, natural state.
12. Submit a narrative or report on how the proposed development complies with the maritime Forest Guidelines with the pre-construction submittal. (Policy ES7)
13. The Maritime Forest Guide shall become a mandatory part of this permit (UDO Section 4.7.7) (Policy ES7)
14. Only limited removal of vegetation within 404 wetlands for elevated pedestrian access and minimal road/driveway access shall be permitted. Fill within the wetlands shall be prohibited, except for minimal access to properties (Policy ES2, WQ5, WQ6)
15. Existing vegetation located along proposed street rights-of-way should be protected during construction and retained. (Policy ES7)
16. Lots adjacent to 404 wetlands shall incorporate LID techniques and reduce run-off to the wetland areas. No direct stormwater run-off to wetland areas. No direct stormwater run-off to 404 wetlands shall be permitted. (Policy ES2)

Commissioner Aydlett questioned combining open space. Mr. Woody confirmed it met the requirements.

Chairman O'Neal opened the Public Hearing.

Mark Bissell, Engineer, felt this was a nice subdivision. He had worked with staff to resolve the open space issue, and there was still more open space than required.

Commissioner Aydlett was impressed with the project and stated the fire ponds were much needed.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Aydlett moved to approve PB 08-45 as presented with the staff findings and recommendations included in the case analysis and two additional findings for Section 5: the objectives of the required open space set aside are met collectively in all three sections; and, the open space configuration as proposed provides for the reasonable development of the subdivision by clustering lots and providing contiguous open space set asides in each section. He also added the repair of a culvert on Red Snapper Lane which was damaged during sandhauling from the pond. Commissioner Gilbert seconded the motion. Motion carried unanimously.

B) Consideration and Action: PB 08-45 Estates at Carova Beach: An offer of dedication of certain open space parcels as shown on Estates at Carova Beach Final Plats, Sections 1, 2, and 5, Fruitville Township.

Mark Bissell, Robert Hobbs and Larry Riggs were present on behalf of the owners.

Ben Woody, Planning and Community Development Director, reviewed the offer and stated it required acceptance by the County.

The Estates at Carova Beach subdivision preliminary plat/use permit was approved by the Board of Commissioners on September 8, 2009. The proposed development is located in three separate sections of Carova Beach. The approval re-plated 20 existing lots into 28 residential lots and created a cumulative total of 27.55 acres of open space.

Section	Required Open Space	Dedicated Open Space
Section 1	10.93 acres	11.49 acres
Sections 2 (3)	8.37 acres	8.70 acres
Sections 5 (9)	6.09 acres	7.36 acres

In application materials, correspondence, and public hearing presentations dating back to 2008, the developer has stated their intention to dedicate open space to Currituck County for public use. As provided for in in the Unified Development Ordinance, open space shall not be dedicated to the public except upon written acceptance by the county.

A condition of the 2009 preliminary plat approval requires that acceptance by the county of any open space property shall be in the form of a general warranty deed. This shall only occur after the adoption of a written resolution of acceptance by the Board of Commissioners, prior to the recordation of a final plat.

The developer has proposed a deed to the county that has restrictions on use of the property. The county attorney has exchanged comments with the developer's attorney. Additional information on proposed deed restrictions will be provided at the September 16 Board of Commissioners meeting.

The total acreage of open space dedication may be affected by the developer's request to amend the preliminary plat/special use permit approval to remove parcel 087A-000-000D-0005 (2.1 acres) from open space.

County Attorney Ike McRee stated the County would receive a deed for the open space and would assume maintenance of said open space. From a legal perspective, approval was recommended.

Chairman O'Neal opened the Public Hearing.

There being no comments, Chairman O'Neal closed the Public Hearing.

Commissioner Aydlett moved to accept the offer of dedication of certain open space parcels as shown in the Estates of Carova Beach Final Plats, Sections 1, 2, and 5 in the form of a deed as presented. Commissioner Gilbert seconded the motion. Motion carried unanimously.

C) Public Hearing and Action: PB 13-15 Water Supply Standards: Request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure and Chapter 10: Definitions and Measurement to revise the water supply standards to exempt certain development from connecting to the county water supply system.

Ben Woody, Planning and Community Development Director, reviewed the request, comments from the Technical Review Committee, and Planning Board recommendation.

The following text amendment submitted by Mr. Eugene White is intended to amend the county's water supply standards to exempt subdivisions located more than one mile from a county water main from connecting to the system. Under the current ordinance major subdivisions are required to connect to the county water system (or provide a cash deposit for future connection) based on a formula included in the ordinance.

The connection requirement has generally been successful in managing growth of the county water system; however, low density subdivisions that are located a long distance from an existing county water main are required to provide a cash deposit at a rate of cost plus 15 percent for future water system improvements. To date, subdivisions that have provided cash deposits have not connected to the county water system due to the lack of waterline extensions. Staff recognizes the current ordinance structure is not practicable for low-density subdivisions in rural areas of the county that are located more than one mile from the county water supply system. While the amendment creates a narrow exemption for outlying subdivisions, it maintains a reasonable connection distance for existing developed areas and tracts of land already zoned for higher densities.

The Technical Review Committee (TRC) reviewed this request and is recommending minor revisions to the original text amendment. Based on an analysis of the county water system, the TRC is recommending the exemption be for major subdivisions located one mile from an existing 6-inch or larger water main. Exhibits illustrating general water main locations and connection distances, as well as approximate cost estimates, were provided.

The proposed amendment also includes minor text changes intended to clarify terminology, remove the requirement to convert cash deposits to letters of credit, and provide consistency with the NC Fire Code.

Planning staff recommends **approval** because the proposed text amendment is consistent with the land use plan because it focuses water service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and results in a logical and orderly development pattern.

The Planning Board recommended unanimous approval at their August 13, 2013 meeting.

PLANNING BOARD DISCUSSION (8/13/13)

Mr. Hyman stated he is representing Mr. Eugene White. Mr. Hyman stated this is a good idea for low-density subdivisions in rural areas of the county that are located more than one mile from the county water supply system.

The Planning Board discussed if a developer pays for a water line extension that there is some type of reimbursement for the developer.

Mr. Hyman stated this is a good idea, but not to amend this request.

PLANNING BOARD ACTION

Mr. Clark moved to request staff to develop a text amendment that will address reimbursement to the developer anytime they extend a county water line and the interconnectivity aspect. Mr. Craddock seconded the motion. Motion carried unanimously.

Mr. Cooper moved to approve PB 13-15 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Mr. Cartwright seconded the motion. Motion carried unanimously.

PB 13-15 UDO AMENDMENT REQUEST

Amendment to the Unified Development Ordinance Chapter 6: Required Infrastructure and Chapter 10: Definitions and Measurement to revise the water supply standards to exempt certain development from connecting to the county water supply system.

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

Item 1: That Section 6.2.3 Utility Standards is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

Water Supply Standards

~~Except where exempted by Section 6.2.3.D.1, Exemptions,~~ All development shall incorporate a water supply system in accordance with these standards.

Water Supply System Required

Every principal use and every buildable lot in a subdivision shall be served by a means of water supply that is adequate to accommodate the reasonable needs of such use or lot and that complies with all applicable health regulations.

All buildable lots within a planned unit development or planned development shall be connected and serviced by a centralized water supply system.

All multi-family development ~~and townhouse units~~ shall be connected to and serviced by a centralized water supply system.

~~The developer shall submit whatever information the Planning Director determines necessary to ensure the developer or a successor in interest will be able to comply with this section.~~

Connection to Public County Water Supply System

Whenever it is legally possible and practicable in terms of topography and the County Engineer determines service is available the following development shall ~~to~~ connect development to the county's water supply system; ~~the developer or subdivider shall install the pipes and accessories necessary to provide water service to all lots or units in a development.~~ *(Staff Note: this subsection was previously listed as exemptions)*

~~Lots in a family subdivision (see Section 2.4.8) Minor subdivisions lots (except family subdivisions) abutting an existing water main;~~

~~Subdivisions in the Fruitville and Moyock Gibbs Woods Townships; and; Major Subdivisions and multi-family development where the distance to an existing six-inch or larger water main is less than one mile as measured along the probable route of the service line subject to the formula requirements in subsection (b) below; and~~

~~Nonresidential and mixed uses abutting an existing water main or meeting the formula requirements in subsection (f) below.~~

~~Connection of individual lots to the future water main within an existing subdivision shall be the responsibility of the individual lot owners.~~

Connection to the county's water supply system shall be considered impractical if the distance between the closest existing county water main and the proposed development exceeds a distance equivalent to 100 feet for each of the first ten units plus 20 feet for each additional unit.

Example: a proposed subdivision with 30 single-family residential lots would have to be located over 1,400 feet from an existing water main to be considered impractical for connection $(10 \text{ units} \times 100) + (20 \text{ units} \times 20)$.

However, for major subdivisions and multi-family development where the distance to an existing six-inch or larger water main is less than one mile but exceeds the above formula, the ~~subdivider~~ developer shall submit a performance guarantee in the form of a cash deposit for the water improvements (including, but not limited to: fire hydrants, laterals, service lines, meter boxes, and yokes) at a rate of cost plus 15 percent. In the event the water supply infrastructure is not constructed within three years of the approval date, the Planning Director shall release the performance guarantee ~~shall automatically convert to an evergreen letter of credit~~.

The total number of units in a development shall be determined by calculating the maximum number of units allowable for each proposed lot.

In determining the number of units proposed in a phased development, the number of units for water services relates to the total number of proposed units for the entire tract rather than a single phase of the proposed development.

Each individual dwelling unit shall be counted as one residential unit for the purposes of determining the maximum distance requirements for multi-family developments.

The maximum connection distance for nonresidential development shall be determined by converting projected water demand from the development into an equivalent number of residential units and applying the formula in (b) above. For the purposes of this section, an individual residential dwelling unit uses 250 gallons of water per day. A nonresidential use anticipated to use 1,000 gallons per day shall be equivalent to four residential dwelling units.

Example: a proposed nonresidential development is anticipated to use 7,500 gallons of water per day. This is equivalent to 30 homes ($7,500/250 = 30$), and the development would have to be located over 1,400 feet from an existing water main to be considered impractical for connection ($10 \text{ units} \times 100$) + ($20 \text{ units} \times 20$).

Water lines owned by the Ocean Sands Water and Sewer District shall not be considered part of the county's water supply system for the purposes of this section.

Centralized Water Supply System Configuration

~~The~~ A new centralized water supply system, or proposed connection to an existing centralized water supply system, shall comply with the following requirements:

The ~~subdivider~~ developer shall install water mains in a subdivision or development so that all lots and uses to be developed will be able to connect to the centralized water supply system.

Water mains shall be installed within street right-of-ways or dedicated utility easements.

The ~~subdivider~~ developer shall be required to submit detail drawings with the construction drawings associated with a subdivision, prepared and stamped by a certified and licensed engineer, showing the installation of the required water mains.

All materials and pipes shall meet or exceed the requirements established for the county water supply system.

~~A community water system may be located within an open space set-aside.~~

Connection Fees

All connection fees shall be paid for each residential lot or use that is required to be connected to the county water system at the time of issuance of the building permit authorizing construction to begin.

All connection fees shall be paid for each nonresidential lot or use required to be connected to the county water system at the time of issuance of the building permit authorizing construction to begin.

Item 2: That Section 6.2.4 Fire Protection Standards is amended by adding the following underlined language and deleting the strikethrough language:

B. Water Supply for Fire Protection when not Served by Public Centralized Water Supply System

Residential development containing ~~20~~ two or more dwelling units and every nonresidential subdivision ~~containing 10 or more lots and~~ not served by a public centralized water supply system shall provide a supply of water for fire-fighting purposes in accordance with the following standards:

Item 3: That Section 10.5: Definitions is amended by adding the following underlined language, deleting the strikethrough language, and reordering alphabetically:

CENTRALIZED WATER SUPPLY SYSTEM

A system for the provision to the public of water for human consumption through pipes and other constructed conveyances if the system serves 15 or more service connections or which regularly serves 25 or more individuals. A centralized water supply system includes any collection, treatment, storage or distribution facility used primarily in connection with the system.

Item 4: 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.

Commissioner Petrey asked for clarification that the cash deposits were not for a bond and that the deposits would be held for three years. He also verified that a homeowner was not required to hook up even if central water were later provided.

Commissioner Aydlett questioned whether funds were for bringing water to site or for infrastructure within the subdivision.

Mr. Woody responded the funds were for water mains within the subdivision.

Chairman O'Neal asked if a developer requested rezoning outside the 1 mile radius, how the county would treat that request.

Mr. Woody responded, by either denying the rezoning or requiring it be served by county water.

Commissioner Aydlett verified that after three years, if water were provided to the subdivision,

the onus for the infrastructure within the subdivision would fall on the County. He was concerned about pipe size sufficient for fire flow.

Chairman O'Neal confirmed with Mr. Woody that the Board is not required to follow the staff's recommendation on a rezoning.

Chairman O'Neal opened the Public Hearing.

Eddie Hyman, representing the applicant, Mr. White, supported the request since developers currently were having to put up thousands of dollars when the County's long term plan did not include providing water to those developers' sites. He pointed out that also in the text amendment was the requirement to provide fire protection in all developments of two lots or more. He requested that be changed to exempt minor subdivisions.

Chairman O'Neal questioned the use of minor subdivisions as a way to circumvent the ordinance while planning to develop many more lots; and, if that were the case, how the first five lots should be treated when further development occurs.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Martin remarked the County was attempting to perform due diligence for future homeowners. All deserve fire protection. He felt further study was needed.

Commissioner Martin moved to continue for further discussion. Commissioner McCord seconded the motion. Motion carried unanimously.

D) Public Hearing and Action: PB 13-18 Currituck County: Request to amend the Unified Development Ordinance Chapter 3: Zoning Districts, Chapter 4: Use Standards, Chapter 5: Development Standards, Chapter 6: Subdivision and Infrastructure Standards, Chapter 7: Environmental Protection Standards, Chapter 10: Definitions and Measurement to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO).

Ben Woody, Planning and Community Development Director, reviewed the request, comments from the Technical Review Committee, and Planning Board recommendation.

The text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the new Unified Development Ordinance (UDO). The revisions correct and clarify the identified sections in the new UDO as it relates to:

Items 1-5

Clarifies signage standards.

Items 6-8

Strengthen and clarifies interconnectivity and cross access standards.

Items 9-11

Modifies accessory use/structure standards in regards to location and ownership.

Items 12-13

Establishes maximum density for conservation subdivisions in the SFM zoning district and rural/conservation land use classification.

Item 14

Changes the side setback in the Agriculture zoning district to 10 feet.

Item 15

Allows open space set-asides to have individual private ownership such as a farmer or developer.

Item 16

Allows riparian buffers to be included within the boundaries of individual platted lots.

Item 17

Corrects definition of wetlands.

Item 18

Allows pawn shops in the General Business (GB) zoning district with a use permit as requested by the Board of Commissioners.

The Planning Board ***recommended unanimous approval*** at their August 13, 2013 meeting.

PLANNING BOARD DISCUSSION (8/13/13)

The Planning Board discussed location of accessory uses or structures on the oceanfront, parking of boats, watercraft, heavy trucks, trailers, or major recreational equipment, private ownership of open space and the maximum building height.

PLANNING BOARD ACTION

Mr. Craddock moved to approve PB 13-18 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development with the deletion of language in Item 10, Section F, 1, (f). Mr. Bell seconded the motion. Motion carried unanimously.

**HOUSE KEEPING
UDO AMENDMENT REQUEST**

Amendment to the Unified Development Ordinance Chapter 3: Zoning Districts, Chapter 4: Use Standards, Chapter 5: Development Standards, Chapter 6: Subdivision and Infrastructure Standards, Chapter 7: Environmental Protection Standards, Chapter 10: Definitions and Measurement to clarify and revise miscellaneous sections of the new Unified Development Ordinance (UDO).

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

Item 1: That Table 5.12.4 Signs Exempted from Sign Permits is amended by adding the following underlined language and deleting the strikethrough language:

TABLE 5.12.4: SIGNS EXEMPTED FROM SIGN PERMITS				
SIGN TYPE	EXAMPLE	APPLICABLE STANDARDS	MAXIMUM SIGN AREA (SQ. FT)	MAXIMUM HEIGHT (FEET)
Home Occupation		Limited to one sign per home occupation, and may only include business name, location, telephone number. Sign shall not be illuminated.	6	6 4

Item 2: That Table 5.12.6.A Freestanding Signs is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

TABLE 5.12.6.A: FREESTANDING SIGNS [1]		
STANDARD	ON MAINLAND [1 2]	ON OUTER BANKS
Maximum Number	1 per frontage of 500 feet or less; Up to 2 for frontages over 500feet	1 per lot
Minimum Spacing	100 feet between signs serving same development or approved access points	
Maximum Area [3]	128 to 160 square feet, based on road frontage distance <u>128 square feet for frontages of 160 feet or less; 160 square feet for frontages over 160 feet</u>	48 square feet
Minimum Setback (from ROW)	10 feet for signs taller than 10 feet	
Maximum Height	20 feet	8 feet

NOTES:

[1] Freestanding signs shall be landscaped in accordance with Section 5.12.7

[2] Includes Knotts Island and Gibbs Woods

[3] Per individual sign

Item 3: That Table 5.12.6.E Shopping Center Signs is amended by adding the following underlined language, and renumbering accordingly:

TABLE 5.12.6.E: SHOPPING CENTER SIGNS [1]			
STANDARD	ON MAINLAND [2]		OUTER BANKS
	Freestanding Signs	Freestanding Signs- Outparcels	Freestanding Signs
Maximum Number	1 per street frontage; up to 2 for frontages over 500 feet		
Maximum Area [3]	3 to 10 establishments: 200 square feet More than 10 establishments: 300 square feet	64 square feet	80 square feet; 24 square feet for secondary road frontages; 32 square feet for outparcels
Minimum Setback (from ROW)	10 square feet for signs taller than 10 feet		
Maximum Height	25 feet	10 feet	12 feet Outparcel: 6 feet
NOTES:			
[1] <u>Shopping center signs shall be landscaped in accordance with Section 5.12.7</u>			
[2] Includes Knotts Island and Gibbs Woods			
[3] <u>Per individual sign</u>			

Item 4: That Section 5.12.2 Prohibited Signs is amended by adding the following underlined language:

5.12.2 Prohibited Signs

The following signs are prohibited:

- A. Off-premise advertising signs (billboards), including digital billboards, except as otherwise provided by this Ordinance;

Item 5: That Section 5.12.6.G Special Event Signs is amended by adding the following underlined language:

G. Special Event Signs

A special event sign is for identifying a special event or other noncommercial event, on or off premise, and may be approved as part

of a temporary use permit (see Section 2.4.11), subject to the following standards:

Item 6: That Section 5.1.4.A.7 Parking Lot Cross-Access is amended by adding the following underlined language and deleting the strikethrough language:

(7) Parking Lot Cross-Access

(ii) Future Stubs Required

A connection for future parking lot cross-access shall be provided to all adjoining undeveloped or partially undeveloped lands deemed appropriate for future development in the Land Use Plan or adjoining lands that are developed and include opportunities for such connection ~~adjacent vacant land zoned MXR or within a Business and Mixed Use, or Planned Development zoning district.~~ The adjoining lands shall:

- (A)** Be zoned MXR, GB, LB, CC, VC, or located within a Planned Development zoning district; or be zoned LI or HI and have frontage on a major arterial street; and
- (B)** Consist of an adequate amount of undeveloped area to support new development.

Development subject to these standards shall be designed to provide future cross-access in at least one location while remaining in compliance with all landscaping and stormwater standards.

Item 7: That Section 5.6.5 External Street Connectivity is amended by adding the underlined language and deleting the ~~strikethrough language~~, and moving the *italicized language* to the location shown:

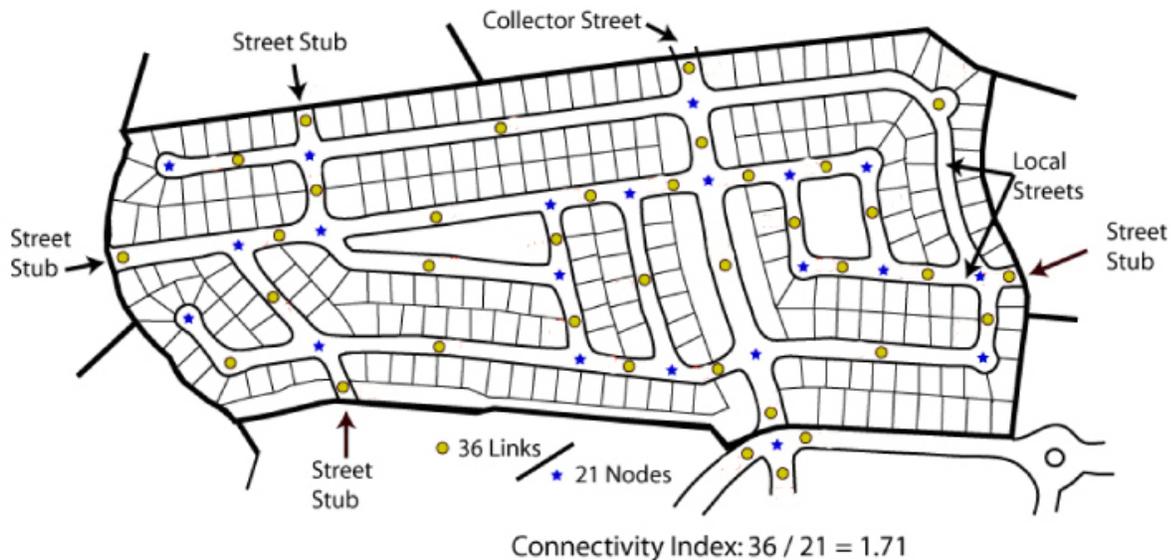
5.6.5 External Street Connectivity

- A.** The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands ~~in those cases in which the adjoining lands are.~~ *Street rights-of-way shall be extended to or along adjoining*

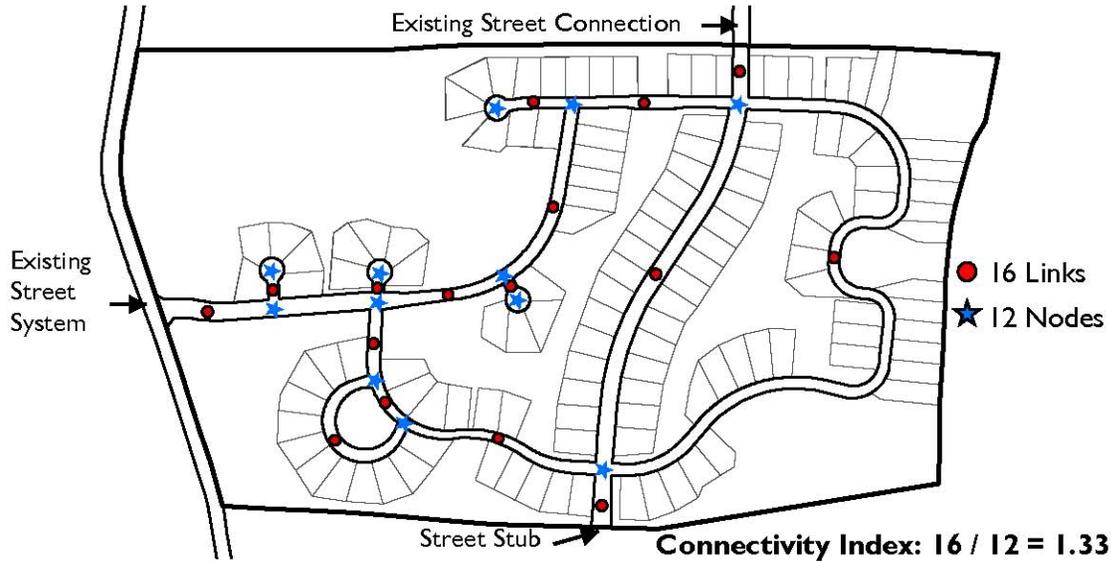
property boundaries such that a roadway connection or street stub shall be provided for development where practicable and feasible in each direction (north, south, east, and west) for development which abuts vacant lands that are undeveloped or partially undeveloped and deemed appropriate for future development in the Land Use Plan or in which the adjoining lands are developed and include opportunities for such connections.

- B.** In cases where the property boundary is within a drainage swale, the roadway connection or street stub shall terminate at the edge of the swale, and the developer shall post a performance guarantee with the county (see Section 6.3, Performance Guarantees) to ensure funds are available to complete the street connection.

Item 8: That Figure 5.6.4.A Street Connectivity Index is amended by deleting the following figure:



And adding the following figure:



Item 9: That Section 3.3.3.F, 3.4.2.F, 3.4.3.F, 3.4.4.F, 3.4.5.F, 3.5.2.E, 3.5.3.E, 3.5.8.F, Dimensional Standards for the AG, SFM, SFO, SFR, SFI, GB, LB, and LI zoning districts respectively, is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

F. DIMENSIONAL STANDARDS						
TD = Traditional Development			CS = Conservation Subdivision Development			
	TD	CS		TD	CS	
Max. Gross Density (du/ac)	N/ A	-	Min. Front Setback (ft) [4]	20	N/ A	3
With 50% Open Space (du/ac)	-	0.4	Min. Corner Side Setback (ft)	20	N/ A	4
With 60% Open Space (du/ac)	-	0.5	Min. Major Arterial Street Setback (ft)	50	50	5
With 70%+ Open Space (du/ac)	-	0.6 6	Min. Side Setback (ft)	15	N/ A	6
Max. FAR (%)	0.4 0	N/ A	Min. Rear Setback (ft)	25	N/ A	7
Min. Lot Area (acres) [1]	3	N/ A	Min. Agriculture Setback (ft) [5]	N/ A	50	8
Max. Lot Area (acres)	N/ A	N/ A	Min. Accessory Use Setback (ft) [6]	10	3	9
Min. Lot Width, Interior Lot (ft) [2]	12 5	N/ A	1	Min. Driveway/Parking Setback (ft)	10	N/ A
Min. Lot Width, Corner Lot (ft)	13 5	N/ A	2	Min. Fill Setback from all Lot Lines (ft)	10	10
Max. Lot Depth	[3]	N/ A		Min. Riparian Buffer (ft) [5]	50	50

Max. Lot Coverage (%)	30	60	Max. Building Height (ft) [7 6]	35	35	-
[1] Family subdivision lots shall be at least 40,000 square feet in area			Min. Spacing Between <u>Principal</u> Buildings (ft)	10	3	=
[2] All lots shall maintain a minimum street frontage of 35 feet			[6] Prohibited in front of principal building when principal building is less than 300 feet from street			
[3] Lot depth shall not exceed four times the lot width			[7 6] Not applied to farm structures meeting minimum setbacks plus an additional setback of one foot for each foot in height over 35 feet			
[4] Front setbacks shall be measured from ultimate ROW line						
[5] Applied to major subdivisions platted January 1, 2013 and site plans on lots 10 acres in area and greater						

Item 10: That Section 4.3.2 General Standards and Limitations is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

B. General Standards

All accessory uses and accessory structures shall meet the following standards:

- (1) Directly serve the principal use or structure;
- (2) Be customarily accessory and clearly incidental and subordinate to the principal use and structure;
- (3) Be subordinate in area, extent, and purpose to the principal use or structure;
- (4) ~~Accessory uses shall~~ Not exceed 25 percent of the heated floor or buildable area of the principal use, except structures typically associated with single family dwellings (garages, storage buildings), or where otherwise allowed by this Ordinance;
- (5) Be owned or operated by the same person as the principal use or structure (except that vending machines, automated teller machines, and similar features are exempted from this requirement);
- (6) Be located on the same lot as the principal use or structure;
- (7) Together with the principal use or structure, not violate the bulk, density, parking, landscaping, or open space standards of this Ordinance; and
- (8) Not constitute a combination use, which is the combination of two principal uses (combination uses will not meet the above standards in terms of being subordinate or providing service to the principal use).

F. Location of Accessory Uses or Structures

- (1) ~~Except on lots where the principal structure is 300 feet or more from a street,~~ The following accessory uses shall not be located between the principal use and adjacent street rights-of-way:
- ~~(a) Accessory dwelling units;~~
 - (b) Amateur ham radio equipment;
 - (c) Drive-through;
 - (d) Housing for poultry;
 - (e) Outdoor storage;
 - ~~(f) Parking of boats, watercraft, heavy trucks, trailers, or major recreational equipment;~~
 - (g) Small wind energy facilities; or
 - (h) Stable.
- (2) Except for fences, walls, and functionally-dependent facilities, all accessory structures shall comply with the minimum setback and spacing standards applicable to accessory structures in the zoning district where the structure is located (see Chapter 3: Zoning Districts).
- (3) No accessory structure shall be located within any platted or recorded easement or over any known utility unless written authorization is provided from the easement holder or the county, as appropriate.

Item 11: That Section 4.3.3 Specific Standards for Certain Accessory Uses is amended by deleting the strikethrough language and renumbering accordingly:

A. Accessory Dwelling Units

Accessory dwelling units shall comply with the following standards:

- (1) **Where Permitted**
- (a) Accessory dwelling units ~~in the SFM, SFO, SFR, or SFI districts~~ may be located within a principal structure (e.g., a downstairs apartment) ~~subject to a zoning compliance permit (see Section 2.4.9)~~ or as a freestanding building or above a detached outbuilding ~~subject to an approved use permit (see Section 2.4.6).~~

- (b) The use of manufactured homes, travel trailers, campers, tractor trailers, or similar vehicles as an accessory dwelling unit is prohibited.

~~(2) Owner Occupancy Required~~

~~The owner of the lot shall reside on a lot containing an accessory dwelling unit.~~

(3) Additional Standards

- (a) Not more than one accessory dwelling unit per lot is permitted.
- (b) An accessory dwelling unit shall have a floor area of at least 300 square feet, but shall not exceed 1,000 square feet in size.
- (c) At least one, but no more than two, off-street parking spaces shall be provided for an accessory dwelling unit (in addition to the required off-street parking serving the principal use).
- (d) Accessory dwelling units shall not be sold apart from the principal structure.
- (e) Accessory dwelling units may be used for home occupation uses but in no instance shall more than one home occupation use be conducted on a single lot.

Item 12: That Section 3.4.2.F Dimensional Standards for the SFM zoning district is amended by adding the following underlined language:

F. DIMENSIONAL STANDARDS						
TD = Traditional Development			CS = Conservation Subdivision Development			
	TD	CS		TD	CS	
Max. Gross Density - Traditional Dev. (du/ac)	N/A	-	Min. Front Setback (ft)	20	N/A	
Max. Gross Density - Conservation Subdivisions			Min. Corner Side Setback (ft) [4]	20	N/A	3
<u>In Rural/Conservation Areas (du/ac)</u>	=	<u>0.3</u> <u>3</u>	Min. Major Arterial Street Setback (ft)	50	50	4
In Limited Service Areas (du/ac)	-	1.0	Min. Side Setback (ft)	10	N/A	5
In Full Service Areas (du/ac)	-	2.0	Min. Rear Setback (ft)	25	N/A	6
Max. FAR (%)	0.40	N/A	Min. Agriculture Setback (ft) [5]	50	50	7
Min. Lot Area (sf ft)	40,00	N/	Min. Accessory Use Setback (ft) [6]	10	3	8

	0	A				
Max. Lot Area (acres)	N/A	N/A		Min. Driveway/Parking Setback (ft)	10	N/A 9
Min. Lot Width, Interior Lot (ft) [1]	125	N/A	1	Min. Fill Setback from all Lot Lines (ft)	10	10
Min. Lot Width, Corner Lot (ft)	135	N/A	2	Max. Building Height (ft)	35	35 0
Max. Lot Depth	[2]	N/A		Min. Riparian Buffer (ft) [5]	50	50 -
Max. Lot Coverage (%)	30 [3]	60		Min. Spacing Between Buildings (ft)	10	3 =

[1] All lots shall maintain a minimum street frontage of 35 feet
 [2] Lot depth shall not exceed four times the lot width
 [3] 35% for platted lots of 19,000 sf in area or less
 [4] Front setbacks shall be measured from ultimate ROW line

[5] Applied to major subdivisions platted after January 1, 2013 and site plans on lots 10 acres in area and greater
 [6] Prohibited in front of principal building when principal building is less than 300 feet from street

Item 13: That Section 6.4.4.D Maximum Residential Density is amended by adding the following underlined language:

(2) Single-Family Residential-Mainland District

Conservation subdivisions shall be limited to the following maximum densities, based upon the following locations:

- (a) Full Service Areas: 2.0 dwelling units per acre; or
- (b) Limited Service Areas: 1.0 dwelling units per acre.
- (c) Rural/Conservation Areas: 0.33 dwelling units per acre.

Item 14: That Section 3.3.3.F Dimensional Standards for the AG zoning district is amended by deleting the following strikethrough language and adding the underline language:

F. DIMENSIONAL STANDARDS						
TD = Traditional Development			CS = Conservation Subdivision Development			
	TD	CS		TD	CS	
Max. Gross Density (du/ac)	N/A	-	Min. Front Setback (ft) [4]	20	N/A	3
With 50% Open Space (du/ac)	-	0.4	Min. Corner Side Setback (ft)	20	N/A	4
With 60% Open Space (du/ac)	-	0.5	Min. Major Arterial Street Setback (ft)	50	50	5
With 70%+ Open Space (du/ac)	-	0.6	Min. Side Setback (ft)	15 10	N/A	6
Max. FAR (%)	0.4 0	N/A	Min. Rear Setback (ft)	25	N/A	7

Min. Lot Area (acres) [1]	3	N/ A		Min. Agriculture Setback (ft) [5]	N/ A	50	8
Max. Lot Area (acres)	N/ A	N/ A		Min. Accessory Use Setback (ft) [6]	10	3	9
Min. Lot Width, Interior Lot (ft) [2]	12 5	N/ A	1	Min. Driveway/Parking Setback (ft)	10	N/ A	0
Min. Lot Width, Corner Lot (ft)	13 5	N/ A	2	Min. Fill Setback from all Lot Lines (ft)	10	10	
Max. Lot Depth	[3]	N/ A		Min. Riparian Buffer (ft) [5]	50	50	
Max. Lot Coverage (%)	30	60		Max. Building Height (ft) [7]	35	35	-
[1] Family subdivision lots shall be at least 40,000 square feet in area				Min. Spacing Between Buildings (ft)	10	3	=
[2] All lots shall maintain a minimum street frontage of 35 feet				[6] Prohibited in front of principal building when principal building is less than 300 feet from street			
[3] Lot depth shall not exceed four times the lot width				[7] Not applied to farm structures meeting minimum setbacks plus an additional setback of one foot for each foot in height over 35 feet			
[4] Front setbacks shall be measured from ultimate ROW line							
[5] Applied to major subdivisions platted January 1, 2013 and site plans on lots 10 acres in area and greater							

Item 15: That Section 7.1.3 Open Space Set-Aside Standards and adding the following underline language and renumbering accordingly:

E. Ownership of Open Space Set-Asides

(1) Homeowners or Property Owners Association

All open space set-aside areas shall may be owned jointly or in common by the owners of the development through a recognized homeowners or property owners association, which shall be established in accordance with Section 6.1.4, Homeowners or Property Owners Association Requirements.

(2) Individual Private Ownership

All open space set-aside areas may also be owned by a private individual such as a farmer, developer or other private entity provided it is used in accordance with Section 7.1.3.D Allowable Uses in Open Space Set-Asides.

(2) Nonprofit Organization

The landowners may decide to convey an open space set-aside to a nonprofit organization such as a land trust or land conservancy

for management and maintenance if the county is provided adequate assurance the set-aside will be properly managed and maintained.

(3) Dedicated to County or Other Public Agency

In some cases, certain lands designated as open space set-asides, such as wildlife habitat, may be dedicated to the county or other public agency during the development review process. The Board of Commissioners shall determine which lands and under what conditions open space set-asides may be dedicated to the county or other public agency.

Item 16: That Section 7.6 Riparian Buffers is amended by adding the following underline language and deleting the strikethrough language:

7.6.3 Establishment of Buffer

All surface waters (e.g., streams, etc.), estuarine waters, wetlands, and canals shall maintain a fifty-foot-wide riparian buffer directly adjacent to the shoreline, average annual water edge, or impoundment edge ~~(as appropriate)~~, or wetland boundary.

7.6.4 Delineation of Buffer Zones

Riparian buffers shall be comprised of two zones, which shall be measured horizontally from the edge of the shoreline, impoundment edge, ~~or average annual water edge~~, or wetland boundary (see Figure 7.6.4, Riparian Buffer Zones).

A. Zone I

Zone 1 is located within the first 30 feet of the bank, impoundment, ~~or water edge~~, or boundary and shall prohibit all development and land disturbing activity except as allowed in Section 7.6.5, Development within Buffer.

7.6.6 Depiction of Buffer

All Riparian buffers shall be depicted on site plans, preliminary plats, final plats, planned development master plans, and conservation and

development plans associated with a conservation subdivision. The above plans shall note the restrictions on the allowable development and land-disturbing activities within the buffer in accordance with this ordinance.

7.6.7 Exclusion from Lots Location of Buffer

- A. ~~Lots subject to these standards that are proposed adjacent to surface waters (sounds, creeks, bays, streams, etc.) shall contain a riparian buffer that may be located within the boundaries of individual platted lots.~~ Riparian buffers may be located within individual platted lots.
- B. ~~Lots subject to these standards that are proposed adjacent to wetlands shall contain a riparian buffer that shall not be included within the boundaries of individual platted lots.~~ Riparian buffers located within individual platted lots of a major subdivision or planned development shall include the restrictions of the buffer within the development's restrictive covenants and deed restrictions.
- C. Riparian buffers not located within individual platted lots shall be credited towards open space set-aside requirements in Section 7.1, Open Space Set Asides.

Item 17: That Section 10.5 Definitions is amended by adding the following underline language and deleting the strikethrough language:

WETLANDS, ~~CAMA~~

Those areas that are inundated or saturated by surface or ground water (hydrology) at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation (hydrophytes) typically adapted for life in saturated soil conditions (hydric soils). Wetlands generally include swamps, marshes, bogs, and similar areas. ~~Those areas of land, marsh, or swamp which are frequently saturated or covered with water designated by various state agencies as CAMA Wetlands.~~ There are three types of wetlands;

- a. CAMA Wetlands – Those areas of land, marsh, or swamp which are frequently saturated or covered with water, subject to tidal action, and

designated by various state agencies as CAMA Wetlands. ~~These wetlands shall not be filled nor counted in the Yield Plan.~~

- b. ~~Isolated 404 Wetlands - Wetlands regulated under Section 404 of the federal Clean Water Act. pockets that have no connection, subsurface or surface, to any adjacent water body.~~ These wetlands may be filled with Army Corps of Engineers approval and ~~may be used in calculating the yield.~~
- c. ~~Adjacent/Contiguous 404~~ Isolated/non-404 Wetlands - Wetlands regulated under the North Carolina administrative code. These wetlands may be filled with N.C. Division of Water Quality (DWQ) approval. ~~These wetlands have a subsurface or surface connection to a water body and shall not count towards the yield.~~

Item 18: That Table 4.1.1 Summary Use Table is amended by adding the following underline language language:

TABLE 4.1.1: SUMMARY USE TABLE

PROPOSED UDO PROCEDURE: Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan; blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															ADDITIONAL REQ. (4.2.-----)	
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M		PD-O
Retail Sales & Services	Pawn shop								U					U				

Item 19: 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.

Commissioner Petrey noted there was a problem in Moyock with #18 regarding pawn shops.

Commissioner Martin was in favor of the pawn shop use.

Commissioner Gilbert had received calls in favor of pawn shops.

Commissioner Petrey questioned if a pawn shop met criteria, must the Board approve it.

County Attorney McRee responded that conditions may be imposed.

Chairman O'Neal opened the Public Hearing.

There being no comments, Chairman O'Neal closed the Public Hearing.

Commissioner Petrey moved to approve PB 13-18, with the exception of #18, due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest. Commissioner Aydlett seconded the motion. Motion was defeated 3-4, with Chairman O'Neal and Commissioners Aydlett and Petrey voting for the motion, Commissioners Martin, Gilbert, Griggs and McCord voting against the motion.

Commissioner Martin moved to approve all of PB 13-18 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest. Commissioner Gilbert seconded the motion. Motion carried 4-3, with Commissioners Martin, Gilbert, Griggs and McCord voting for the motion and Chairman O'Neal and Commissioners Aydlett and Petrey voting against.

New Business

A) Consent Agenda:

1. Approval of Board of Equalization and Review Minutes
2. Approval of September 3, 2013, Minutes
3. Budget Amendments
4. Approval of Change Order #1 to Historic Jarvisburg Colored School Renovations Contract
5. Resolution Authorizing the Leasing of Certain Real Property to the Truck Accessory Center, Inc. for a Maximum Term of Fifteen Years Pursuant to N.C. Gen.Stat.Section 160A-272 **DELETED**
6. Resolution Declaring Parcel 110B-010-0015-0000 located in Poplar Branch Township as Surplus Property
7. Resolution Authorizing Upset Bid Process for Surplus Property 110B-010-0015-0000, 120 Rita Street, Albemarle Sound Beach Estates
8. Resolution Declaring 2013 Big Sweep Litter Clean-up Day October 5
9. Applications to use lottery funds to replace HVAC unit for CCMS lobby - \$100,000; replace roof on Technology building at Knapp - \$30,000; and replace roof on gym at Knapp - \$140,000.
10. Project Ordinance - Replace CCMS HVAC unit
11. Project Ordinance - Replace roof on Technology Building at J P Knapp
12. Project Ordinance - Replace roof on gym at J P Knapp School

- 13. Project Ordinance - HMGP 4019-016-F Generator Grant
- 14. June 2013 Fiscal Monitoring Report for East Carolina Behavioral Health
- 15. Proclamation Recognizing Shawboro Ruritan Club's 65th Anniversary

Commissioner Gilbert moved to approve the Consent Agenda. Commissioner Martin seconded the motion. Motion carried unanimously.

<u>Account Number</u>	<u>Account Description</u>	Debit <u>Increase Expense</u>	Credit <u>Increase Revenue or Decrease Expense</u>
10440 514000	Travel	\$ 660	
10440 514500	Training & Education	\$ 475	
10330 449900	Miscellaneous Grants		\$ 1,135
		<u>\$ 1,135</u>	<u>\$ 1,135</u>

Explanation: *Finance (10440) - Increase appropriations to record grant from the NC Local Government Investment Association for Wanda Davis to attend the Cash Management Class at the UNC School of Government on October 1-3, 2013.*

Net Budget Effect: Operating Fund (10) - Increased by \$1,135.

<u>Account Number</u>	<u>Account Description</u>	Debit <u>Increase Expense</u>	Credit <u>Increase Revenue or Decrease Expense</u>
10640 532004	FCS Supplies	\$ 3,867	
10640 532000	Supplies	\$ 312	
10330 449900	Miscellaneous Grants		\$ 4,179
		<u>\$ 4,179</u>	<u>\$ 4,179</u>

Explanation: *Cooperative Extension (10640) - To record Medicare (SHIIP) grant funds received and reimbursement for multi-county Ag Expo supplies.*

Net Budget Effect: Operating Fund (10) - Increased by \$4,179.

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50650	590000	Roadways & Utilities	\$ 810,000	
50390	495015	T F - Occupancy Tax		\$ 810,000
			<u>\$ 810,000</u>	<u>\$ 810,000</u>

Explanation: *Maple Commerce Park (50650)* - Increase appropriations for construction of Barco Way. Carry-forward funds for contracts that were approved on May 6, 2013.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$810,000.

R E S O L U T I O N

WHEREAS, Currituck County obtained title to parcel 110B-010-0015-0000 located in the Poplar Branch Township through a property tax foreclosure; and

WHEREAS, this parcel is not currently serving a governmental use or purpose; and

WHEREAS, this parcel holds only a nominal value to Currituck County, and the County would be better served if this parcel was returned to the County tax roll.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Currituck County, North Carolina, during its regularly scheduled meeting held on September 16, 2013, authorized that parcel 110B-010-0015-0000 located in Poplar Branch Township, recorded in Deed Book 496, page 125 is declared as surplus property, pursuant to North Carolina General Statute Section 160A-265.

RESOLUTION AUTHORIZING UPSET BID PROCESS

WHEREAS, The County of Currituck owns certain property, PIN 110B-010-0015-0000, 120 Rita Street, Lot 15, Albemarle Sound Beach Estates, Jarvisburg, NC, located within Poplar Branch Township; and

WHEREAS, North Carolina General Statute 160-269 permits the county to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the property described above, in the amount of \$1,600.00, submitted by Rhonda Kirschmann, Norfolk, Virginia.

WHEREAS, Rhonda Kirschmann has paid the required five percent (5%) deposit on this offer;

THEREFORE, THE COUNTY COMMISSIONERS OF CURRITUCK COUNTY RESOLVE THAT:

1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute 160A-269.
2. The County Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the County Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period the County Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the County Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that
 - the County Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - The buyer must pay with cash at the time of closing.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to convey the property to Rhonda Kirschmann.

**RESOLUTION DECLARING OCTOBER 5, 2013
AS
CURRITUCK COUNTY 2013 BIG SWEEP LITTER CLEAN-UP DAY**

WHEREAS, Currituck County is rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and

WHEREAS, trash fouls our waterways as well as our landscapes; and

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings; and

WHEREAS, North Carolina Big Sweep Litter Clean-up is a statewide community effort to retrieve trash from North Carolina’s waterways and landscapes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Currituck County, North Carolina, does hereby declare October 5, 2013, as **CURRITUCK COUNTY 2013 BIG SWEEP LITTER CLEAN-UP DAY** in Currituck County, and does hereby urge every citizen to do his or her part to restore the beauty and function of our waterways by volunteering to participate in the Big Sweep event.

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

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

SECTION 1. The project authorized is replace lobby rooftop unit at Currituck Middle School.

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

CCMS Lobby HVAC replacement	\$ 100,000
	<u>\$ 100,000</u>

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

Lottery Funds	\$ 100,000
	<u>\$ 100,000</u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

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

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

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

SECTION 1. The project authorized is to replace roof on Technology Building at JP Knapp School.

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

J P Knapp Technology roof replacement	\$	30,000
		<u>\$ 30,000</u>

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

Lottery Funds	\$	30,000
		<u>\$ 30,000</u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

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

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

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

SECTION 1. The project authorized is to replace roof on the gym at JP Knapp School.

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

J P Knapp gym roof replacement	\$ 140,000
	<u>\$ 140,000</u>

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

Lottery Funds	\$ 140,000
	<u>\$ 140,000</u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

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

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

SECTION 7. USE OF BUDGET ORDINANCE

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

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

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

SECTION 1. The project authorized is HMGP 4019-016-F purchase and installation of two generators. One 300Kw generator will be installed at the Currituck Community Center and one 100Kw will be installed at the Currituck Cooperative Extension Building, both located at 130 Community Way, Barco, NC.

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

HMGP 4019-016-F Generator Project	\$	206,000
		206,000
		206,000

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

HMPG 4019-016-F Generator Grant	\$	206,000
		206,000
		206,000

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

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

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

SECTION 7. USE OF BUDGET ORDINANCE

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

PROCLAMATION SHAWBORO RURITAN 65TH ANNIVERSARY

WHEREAS, the Shawboro Ruritan Club in Currituck County, North Carolina, was issued the 248th Charter from Ruritan National on September 7, 1948; and;

WHEREAS, Ruritan Clubs unify the efforts of individuals, organizations and institutions in the community toward making it an ideal place in which to live; and

WHEREAS, as a duly chartered Ruritan Club, the Shawboro Ruritan Club has continued to maintain its commitment to the Ruritan principles; and

WHEREAS, the Shawboro Ruritan Club, one of five Ruritan Clubs in Currituck County, has 65 years of continuous Fellowship, Goodwill and Community Service for the Shawboro region of Currituck County; and

WHEREAS, through the promotion of Fellowship and Goodwill, Shawboro Ruritan Club has created a better place to live and work; and

WHEREAS, through the promotion of Community Service, Shawboro Ruritan Club's initiatives are focused on the welfare of its entire constituency, thereby creating opportunities and a better way of life for all.

NOW THEREFORE BE IT RESOLVED, the Currituck County Board of Commissioners recognizes the Shawboro Ruritan Club for its 65 years of Fellowship, Goodwill and Community Service to the well-being of the citizens of Currituck County.

B) Commissioner's Report

Commissioner Petrey's thoughts and prayers were with the Washington Navy Yard.

Commissioner Gilbert announced the Chamber Golf Tournament, Bark in the Park, and Currituck Kids 5K and 1 Mile Fun Run.

Commissioner Petrey asked for donations for Backpack for Kids.

Commissioner McCord congratulated CCHS football team and coach on the 4-0 record. He commended Parks & Rec. as well as LaRee Lynn for promoting junior golf. He addressed the recent issue of pushy door-to-door salemen. He reminded everyone to remember 9/11. He also commended the BOC for taking complaint calls regarding taxes.

Commissioner Martin mentioned his taxes went up, too.

Chairman O'Neal asked staff to look into NCDOT signs reading "Slower Traffic Keep Right" for four-lane roads. He also asked citizens to remember 9/11 and our military.

C) County Manager's Report

No report.

Adjourn

There being no further business, Commissioner Aydlett moved to adjourn. Commissioner Gilbert seconded the motion. The meeting was adjourned.

CURRITUCK COUNTY
NORTH CAROLINA
September 23, 2013
Special Meeting

The Currituck County Board of Commissioners met in the Cooperative Extension Center Conference Room at 2:00 PM for a Work Session. Present were Chairman O'Neal and Commissioners Aydlett, Griggs, Martin, McCord, and Petrey. Commissioner Gilbert was unable to attend due to work responsibilities.

The purpose of the meeting was to discuss advisory boards, planning items, grant agreements with non-profits and other matters as needed.

Airport Advisory Board and Economic Development Board

The board discussed combining the current Airport Advisory Board and Economic Development Board and, if approved, how and when to make it effective, whether to downsize through attrition or appoint a new board.

County Attorney Ike McRee advised repealing the ordinances which created the two boards and adopting a new ordinance creating a board which merges the duties.

Commissioner Aydlett moved to task the County Attorney with drafting an ordinance to repeal the ordinances which created the current boards, consolidating the duties of the two boards and making it effective January 1, 2014. Commissioner Martin questioned staggering the terms. Mr. McRee was to include in the ordinance. Commissioner Petrey seconded the motion. Motion carried unanimously. Appointments would be made the first meeting in December.

Mr. McRee was also directed to include language to have advisory boards operate under the same rules of procedure, including two terms of two years each.

Attendance at Advisory Board Meetings

An attendance requirement was discussed .

Commissioner McCord moved to require replacement if three advisory board meetings were missed with unexcused absences. Commissioner Petrey seconded the motion. Motion carried with Commissioner Aydlett voting no.

Agricultural Advisory Board for Farmland Preservation

The purpose of the board was reviewed and discussed; and it was noted that no farmland had been entered into the non-development program to date.

Commissioner Petrey moved to dissolve the Agricultural Advisory Board for Farmland Preservation effective December 31, 2013. Commissioner McCord seconded the motion.

Motion carried unanimously. A letter of appreciation was to be written to current board members.

Teleconferencing instead of Attending Advisory Board Meetings

County Manager Dan Scanlon related the State recommends that counties adopt a policy either giving or denying permission for advisory board members to participate in meetings telephonically or electronically. Discussion followed, but no action was taken.

Grant Agreements with Non-Profits

There was discussion on taking formalized action to require non-profits with whom the county contracts or provides funding to abide by the Open Meetings Law as well as the Public Records Law. No action was taken; however, staff was to provide a draft for consideration.

Animal Shelter

County Manager Dan Scanlon showed Commissioners two sketches of the proposed animal shelter. The difference between the two concerned the placement of admin offices. He explained the architect was waiting for direction from the Board before continuing with the design.

Commissioner Petrey made the motion to move forward with a single admin area. Commissioner McCord seconded the motion. Motion carried unanimously.

Planning

Ben Woody, Planning and Community Development Director, reviewed multi-family zoning districts and suggested options of how Commissioners could have more oversight over new applications as well as the 251 acres already designated MXR zoning.

Dinner

At 5:00 PM, the Commissioners concluded the work session and joined the Board of Education, Superintendent and Staff for dinner in the Auditorium.

Joint Meeting

Following dinner, the Board of Commissioners and Board of Education met jointly in the Conference Room.

Superintendent Allison Sholar and her staff reviewed federal, state and local funding as well as average daily membership (ADM). The current ADM is higher than last year so more funds should be forthcoming from the State. Although the State increased the education budget, the allotment per student decreased.

Current enrollment at each school was reviewed. At present, no school is overcrowded. No new schools are needed in the near future. All current facilities are up to date and well maintained.

Ben Woody, Planning and Community Development Director, and Donna Voliva, Senior Planner, explained the Adequate Public Facilities Ordinance and how the formula used predicts estimated school enrollment for the future based on approved developments.

There was discussion of the renovated tennis courts at the high school, resulting drainage/flooding issues after a heavy rain event, and the need for restroom facilities near the tennis courts and soccer fields.

The success of providing Chrome books to students was discussed as well as further educational uses for them.

There being no further business, the meeting was adjourned.

CURRITUCK COUNTY
NORTH CAROLINA
September 24, 2013
Special Meeting

The Currituck County Board of Commissioners met jointly with the Camden County Board of Commissioners and Board of Education at Camden County Middle School at 7:00 PM. Currituck Commissioners present were Chairman O'Neal and Commissioners Gilbert and Petrey. County Manager Dan Scanlon, School Superintendent Allison Sholar, Assistant Superintendent Sandy Kinzel and Clerk to the Board Mary Gilbert were also in attendance. The purpose of the meeting was to hear a presentation from Elizabeth City Mayor Joe Peel and Pasquotank County Chairman Jeff Dixon regarding a proposed regional Science, Technology, Engineering and Math (STEM) School.

Camden County Chairman Garry Meiggs called the meeting to order, introduced his board, and asked other chairmen to introduce their members and staff.

Mayor Peel described a STEM School and explained he was looking for the regional counties' support. If supportive, each county would appoint two representatives to serve on the design team for the school. Representatives should be appointed within two weeks. He hoped to have the school opening by the next school year.

Elizabeth City State University had agreed to house the school for the first two years. Various agencies had also expressed support. Mayor Peel emphasized the purpose of the school would be to train to create a skilled workforce capable of filling local positions with businesses who now have to hire outside the region. The plan is to keep local young people in the region.

Following Mayor Peel's presentation, Chairman Dixon explained they are requesting that each of the five counties in the region designate the STEM School as one of their proposed projects for a GoldenLeaf grant, the application deadline for which is coming up October 15, 2013.

A question and answer period followed. No action was taken.

Chairman Meiggs thanked Mayor Peel and Chairman Dixon for giving them their proposal information first hand, thanked everyone for attending and adjourned the meeting.

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10441 514500	Training & Education	\$ 3,030	
10441 545000	Contract Services	\$ 2,805	
10441 590000	Capital Outlay	\$ 4,251	
10441 590003	Board Room Technology	\$ 2,628	
10460 592000	Courthouse Projects	\$ 2,500	
10460 592000	Courthouse Projects	\$ 2,079	
10660 561000	Professional Services	\$ 1,302	
10390 499900	Appropriated Fund Balance		\$ 18,595
12541 545000	Contract Services	\$ 28,500	
12390 499900	Appropriated Fund Balance		\$ 28,500
60808 561001	Professional Services	\$ 14,138	
60390 499900	Appropriated Fund Balance		\$ 14,138
		<u>\$ 61,233</u>	<u>\$ 61,233</u>

Explanation: *Various Departments - Carry forward funds from prior fiscal year for outstanding purchase orders in process at year end.*

P O #	Description	Amount
20130368	Tyler Tech - training	3,030
20130375	Moffatt & Nichol - stormwater manual	1,302
20130382	Slait Consulting - Citrix Virtual Desktop	2,805
20130818	Coastal Engineering - Ocean Sands	14,138
20131529	Fire Services Evaluation	28,500
20131743	DSS Attic Access	2,500
20131753	Barracuda Web Filter	4,251
20131754	Board Room Equipment	2,628
20131758	Courthouse Projects	2,079

Net Budget Effect: Operating Fund (10) - Increased by \$18,595
 Fire Services Fund (12) - Increased by \$28,500.
 Ocean Sands Water & Sewer District Fund (60) - Increased by \$14,138.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
66868 590000	Capital Outlay	\$ 6,302	
66380 484001	Insurance Recovery		\$ 6,302
		<u>\$ 6,302</u>	<u>\$ 6,302</u>

Explanation: *Southern Outer Banks Water System (66868)* - Increase appropriations to replace equipment at the SOBWS water treatment plant that was hit by lightning on June 29, 2013

Net Budget Effect: Southern Outer Banks Water System Fund (66) - Increased by \$6,302.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10511 590000	Capital Outlay	\$ 41,292	
10511 545000	Contract Services		\$ 8,000
10380 484001	Insurance Recovery		\$ 33,292
		<u>\$ 41,292</u>	<u>\$ 41,292</u>

Explanation: *Jail (10511) - Replace cameras in the Detention Center that were struck by lightning.*

Net Budget Effect: Operating Fund (10) - Increased by \$33,292.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10640 516200	Vehicle Maintenance	\$ 750	
10640 514100	Camp Transportation		\$ 750
		<u>\$ 750</u>	<u>\$ 750</u>

Explanation: *Cooperative Extension (10640) - Transfer funds to repair Extension van.*

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10535 516200	Vehicle Maintenance	\$ 1,000	
10535 532000	Supplies		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

Explanation: *Emergency Management (10535)* - Transfer budgeted funds for repairs and tires for the Emergency Management vehicle.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10330 445500	Soil Conservation	\$ 8,417	
10390 499900	Fund Balance Appropriated		\$ 8,417
		<u>\$ 8,417</u>	<u>\$ 8,417</u>

Explanation: *Soil Conservation (10606)* - To record actual Soil Conservation reimbursement allocation projected by the State.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> Increase Expense	<u>Credit</u> Increase Revenue or Decrease Expense
50535 590001	800 MHz project	\$ 14,877	
50330 445000	EMPG Grant Funds		\$ 14,877
		<u>\$ 14,877</u>	<u>\$ 14,877</u>

Explanation: *800 MHz Radio Project (50535) - Record EMPG Grant funding to purchase 3 additional 800 MHz radios for Currituck Emergency Management.*

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$14,877.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 7th day of October, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> <u>Increase Expense</u>	<u>Credit</u> <u>Increase Revenue or Decrease Expense</u>
10511 590000	Capital Outlay	\$ 13,000	
10511 547000	Meals		\$ 13,000
		<u>\$ 13,000</u>	<u>\$ 13,000</u>

Explanation: *Jail (10511)* - Transfer funds to capital outlay to replace one of the natural gas hot water heaters at the detention center.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

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

SECTION 1. The project authorized design and construction of an Animal Shelter to be located at the Maple Commerce Park.

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

Contracted Services	\$ 2,066,348
Professional Services	234,625
Contingencies	199,027
	<u>\$ 2,500,000</u>

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

T F - Land Transfer Tax - FY 2014 Appropriation	\$ 1,740,000
T F - Land Transfer Tax - FY 2015 Appropriation	\$ 760,000
	<u>\$ 2,500,000</u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and

materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.

- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

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

ADOPTED this 7th day of October, 2013.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board



Reset Form

Currituck County Agenda Item Summary Sheet

Agenda Item Title

Consent Agenda: August 2013 CDBG Monthly Status Report

Brief Description of Agenda Item

August 2013 Community Development Block Grant Status Report

Board Action Requested

Information

Person Submitting Agenda Item

Tammy D. Glave



COUNTY OF CURRITUCK

Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
Telephone (252) 232-3055 / Fax (252) 232-3026

Memorandum

TO: Board of Commissioners

FROM: Ben Woody, AICP
Planning Director

DATE: September 18, 2013

SUBJECT: August 2013 CDBG #11-C-2308 Scattered Site Housing Project Update

The 2011 Community Development Block Grant remains on schedule for the month of August. A summary of August's progress follows:

- Floor plans for three (3) reconstruction recipients are being prepared by an Architectural firm.
- Demolition scopes of work have been completed.
- The asbestos inspections to be performed by Matrix Health and Safety Consultants, LLC, were conducted at each site.
- Temporary living arrangements for the first project were made. The contracts were signed and the applicant has been relocated.
- The RFPs for surveying services has been reviewed and rated. The contract is being reviewed by the County Attorney and we expect to award the contract to Hyman and Robey, PC.
- General administration and financial management responsibilities are continuing.

Attached is the August Monthly Status Report for your review. Thank you.



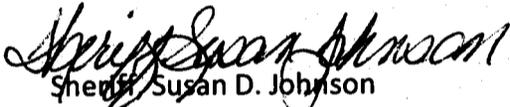
Currituck County Sheriff's Office

SUSAN D. JOHNSON, Sheriff

To: The Currituck County Commissioners
Ref: Deputy Robert J. Maxwell Retirement
Date: September 20, 2013

Robert J. Maxwell will be retiring from the Currituck County Sheriff's Office on Monday, September 27, 2013. He has been with our agency in good standing since June 7, 1999. It has been our policy to allow deputies, upon retirement, the option of purchasing their issued service weapon for the total sum of one dollar (\$1.00). ^{Maxwell} Rutherford's issued service weapon is a Glock 22 handgun, serial # PVF932 US, and has made the request to purchase same upon his retirement.

Deputy Robert J. Maxwell has obtained a Currituck County Concealed Permit, #NC365 and has submitted the amount of one dollar (\$1.00) to purchase his issued service weapon upon his retirement.


Sheriff Susan D. Johnson
Currituck County Sheriff

**RESOLUTION
SURPLUS PROPERTY**

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regular meeting held on October 7, 2013, authorized the following property listed below, be declared surplus and disposed of; and

WHEREAS, Sheriff Johnson has requested that upon the retirement of Deputy Robert J. Maxwell that his duty weapon, a Glock 22 handgun, serial # PVF932 US be given to him. Mr. Maxwell has made the request to purchase same upon his retirement.

ADOPTED this the 7th day of October, 2013.

ATTEST:

S. Paul O'Neal
Chairman
Board of Commissioners

Mary S. Gilbert
Clerk to the Board