

CURRITUCK COUNTY
NORTH CAROLINA
March 18, 2013

The Board of Commissioners met at 6:00 p.m. to review the Stormwater Manual.

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

A) Invocation

B) Pledge of Allegiance

Reverend David Anderson, Truth Alive Church

C) Approval of Agenda

Commissioner Gilbert moved to amend by deleting Item A, PB 12-27 under Old Business and add the following resolutions to the Consent Agenda: Opposing the Disposal of Fracking Waste in Eastern North Carolina, Opposing Senate Bill 224 to Allow Hunting on Sunday on Private Land with Permission of Land Owner, and Resolution Supporting the Development of Alternative Energy Projects in Northeastern North Carolina. Commissioner Martin seconded the motion. Motion carried.

APPROVED AGENDA

A) Invocation

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*

ADMINISTRATIVE REPORTS

A) **Dr. Kandi Deitemeyer, President, COA, to present Annual Report**

Old Business

A) **Consideration and Action:** PB 12-27 Ballance Estates: Request for a preliminary plat/special use permit for an 8 lot subdivision located on Bell's Island on the north side of Bell's Island Road approximately

325' east of the intersection with Ed Brumsey Lane, Tax Map 58, Parcel 11, Crawford Township.

DELETED

New Business

A) Consent Agenda:

1. Approval of March 4, 2013 Minutes
2. Budget Amendments
3. Charge Levy on Motor Vehicles for December Renewals
4. Surplus Resolution Finance - **DELETED**
5. Resolution to approve the Prudential Retirement Employee Deferred Compensation Plan
6. Resolution Opposing the Disposal of Fracking Waste in Eastern North Carolina
7. Resolution Opposing Senate Bill 224 to Allow Hunting on Sunday on Private Land with Permission of Land Owner
8. Resolution Supporting the Development of Alternative Energy Projects in Northeastern North Carolina

Commissioner's Report

County Manager's Report

Closed Session

According to G.S. 143-318.11(3) to consult with an attorney in order to preserve the attorney -Client privilege and (6) to discuss personnel

Adjourn

D) Public Comment

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

Chairman O'Neal opened the public comment period.

Doris Flora thanked the Board for repairing the walkway at the Senior Center.

Gary Barco, Shawboro, opposed Senate Bill 224 that will allow hunting on Sunday.

Chairman O'Neal welcomed back Commissioner Petrey from his hospital stay.

Commissioner Petrey thanked everyone for their prayers and concerns, while he was out.

There being no further comments, Chairman O'Neal closed the public comment period.

ADMINISTRATIVE REPORTS

A) Dr. Kandi Deitemeyer, President, COA, to present Annual Report

Dr. Deitemeyer, President of College of the Albemarle, introduced her staff. Dr. Deitemeyer stated that the COA will become a premier college that inspires excellence, transforms lives, and impacts the region.

Dr. Deitemeyer introduced two of the students from COA, Yulia Vozzhaeva and David Young, so they could discuss their successes at the school.

The Board thanked Dr. Deitemeyer for her presentation and continued support for Currituck County students.

Dan Scanlon, County Manager, stated that the new Regional Aviation and Technical Training Center building is complete and furnishings should be in place in about 30 to 60 days.

Old Business

- A) Consideration and Action: PB 12-27 Ballance Estates:
Request for a preliminary plat/special use permit for an 8 lot subdivision located on Bell's Island on the north side of Bell's Island Road approximately 325' east of the intersection with Ed Brumsey Lane, Tax Map 58, Parcel 11, Crawford Township.**

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New Business

A) Consent Agenda:

1. Approval of March 4, 2013 Minutes
2. Budget Amendments
3. Charge Levy on Motor Vehicles for December Renewals
4. Surplus Resolution Finance-**DELETED**

5. Resolution to approve the Prudential Retirement Employee Deferred Compensation Plan
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8. Resolution Supporting the Development of Alternative Energy Projects in Northeastern North Carolina

Before voting on the Consent Agenda, Chairman O'Neal requested to delete Item 4, Surplus Resolution Finance, and consider it at the next meeting. Vice-Chairman Martin moved to delete Item 4. Commissioner Gilbert seconded the motion. Motion carried.

Commissioner Aydlett moved to approve the Consent Agenda as amended. Commissioner Gilbert seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10660-514000	Travel	\$ 300	
10660-516200	Vehicle Maintenance	\$ 1,000	
10660-514500	Training & Education		\$ 300
10660-514800	Fees Paid to Officials		\$ 1,000
		<u>\$ 1,300</u>	<u>\$ 1,300</u>

Explanation: *Planning (10660) - Transfer funds for operations for the remainder of this fiscal year.*

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10430-532100	Ballot Programs & imprint Ad Valorem Taxes - 2012	\$	2,152		
10310-400012	Levy			\$	2,152
10440-590000	Capital Outlay	\$	31		
10440-532000	Supplies			\$	31
10795-576003	Youth Flag Football	\$	258		
10795-516001	Repairs & Maintenance			\$	258
		<u>\$ 2,441</u>		<u>\$ 2,441</u>	

Explanation: *Various Departments - Increase appropriations for ballots and operating transfers for the remainder of this fiscal year.*

Net Budget Effect: Operating Fund (10) - Increased by \$2,152.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
64848-532000	Supplies	\$	1,000		
64848-561000	Professional Services			\$	1,000
		<u>\$ 1,000</u>		<u>\$ 1,000</u>	

Explanation: *Maple Commerce Park Sewer (64848) - Transfer funds for disinfectant UV bulbs and tubes for Maple WWTP.*

Net Budget Effect: Maple Commerce Park Sewer (64) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
68888-513000	Utilities	\$ 6,000	
68888-561000	Professional Services		\$ 6,000
		\$ 6,000	\$ 6,000

Explanation: *Walnut Island Sewer (66888)* - Transfer funds for additional utility costs at Waterside Villages.

Net Budget Effect: Walnut Island Sewer District Fund (68) - No change.

**RESOLUTION
PRUDENTIAL RETIREMENT PLAN**

WHEREAS, the Prudential Retirement Plan wishes to provide a qualified defined contribution plan to the employees of Currituck County; and

WHEREAS, the State of North Carolina has established the North Carolina Public Employee Deferred Compensation Plan, a qualified government Deferred Compensation Plan under Internal Revenue Code 457(b) for public employees of North Carolina.

NOW, THEREFORE, BE IT RESOLVED, that Currituck County has adopted the North Carolina Public Employee Deferred Compensation Plan also known as "NC Deferred Comp" under the terms of the Plan Document and a Third-Party Administrator Agreement. All employees shall become eligible to defer compensation immediately.

**RESOLUTION OPPOSING THE DISPOSAL OF FRACKING WASTE
IN EASTERN NORTH CAROLINA**

WHEREAS, hydraulic fracturing, or "fracking," is a method of extracting natural gas that involves injecting, at an extremely high pressure, a mixture of water, sand, and toxic chemicals to break up shale or other rock formations otherwise impermeable to the flow of natural gas; and

WHEREAS, North Carolina does not currently allow either horizontal drilling or hydraulic fracturing, and the current North Carolina study of in-state shale gas resources and of the potential impacts of reversing this ban and allowing drilling and fracking to extract these resources was undertaken with insufficient time and without adequate funding; and

WHEREAS, Senate Bill 76, which would lift the state’s ban on fracking, was co-sponsored by Senator Bill Cook, was passed by the Senate, and will be considered by the House of Representatives; and

WHEREAS, fracking operations in North Carolina would be concentrated in Western North Carolina, however it has been reported that there are no viable options for disposal of fracking waste in the western part of the state and that Eastern North Carolina might be an option for deep-well disposal of fracking waste; and

WHEREAS, the wastewater produced from hydraulic fracturing includes carcinogenic, corrosive, and/or toxic salts, metals, chemicals and radioactive materials; and

WHEREAS, the disposal of fracking byproducts into the aquifer could have a detrimental impact on the environment, including contamination of drinking water wells and surface waters; and

WHEREAS, Section 5 of the North Carolina Constitution states that “It shall be the policy of the State to conserve and protect its lands and waters for the benefit of all its citizenry, and to this end it shall be a proper function of the State of North Carolina and its political subdivisions... to control and limit the pollution of our air and water... and in every other appropriate way to preserve as part of our common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty”; and

NOW THEREFORE BE IT RESOLVED, that the Currituck County Board of Commissioners is greatly opposed to the disposal in Eastern North Carolina of fracking waste and byproducts from other areas of the state.

BE IT FURTHER RESOLVED, that the Currituck County Board of Commissioners urges the North Carolina General Assembly to maintain current laws in North Carolina that prevent disposal of hydraulic fracturing waste through underground injection or above ground storage in Eastern North Carolina and to take no action that would weaken these laws before a viable option for disposal of fracking waste is found that does not include Eastern North Carolina.

RESOLUTION SUPPORTING THE DEVELOPMENT OF ALTERNATIVE ENERGY PROJECTS IN NORTHEASTERN NORTH CAROLINA

WHEREAS, Northeast North Carolina enjoys abundant, consistent resources capable of providing clean, renewable energy to our residents;

WHEREAS, these resources, coupled with vast stretches of undeveloped land in agricultural cultivation, has attracted national and international energy development firms seeking to invest, create jobs and generate energy in Northeast North Carolina;

WHEREAS, alternative energy development has emerged as a highly competitive and attractive industry cluster for Northeast North Carolina, as evidenced by four major alternative energy projects that have been proposed in Northeast North Carolina;

WHEREAS, the proposed alternative energy projects in the region will bring a substantial investment to the local and regional economy in Northeast North Carolina, as evidenced by the following:

- Over \$1.3 Billion dollars in capital investment
- Over \$65 Million in local spending

- Significant property tax revenues to local governments
- 650 Construction Jobs
- 42 Permanent Jobs
- 378 turbines, generating 675 MW of power
- Energy produced will be able to power 675,000 homes

WHEREAS, the Currituck County Board of Commissioners recognizes the value and impact of the military installation locations in North Carolina;

WHEREAS, the Currituck County Board of Commissioners believes and recognizes the opportunities for a growing defense cluster in North Carolina;

WHEREAS, the Currituck County Board of Commissioners also believes that a dynamic alternative energy industry cluster, including onshore wind energy development, can coexist in North Carolina along with a thriving Defense Industry cluster and current military operations;

WHEREAS, the United States Congress and the Department of Defense created the Siting Clearinghouse in 2011 to evaluate the impact of energy projects on military operations and to identify potential mitigation options if impacts are identified;

WHEREAS, through the Siting Clearinghouse process, the energy companies and military have formed special mitigation teams for each proposed project; these teams are committed to preserving the quality and breadth of military training and operations while working to accommodate nearby alternative energy development;

LET IT BE RESOLVED, that the Currituck County Board of Commissioners:

1. **DECLARES** alternative energy development to be an important source of clean energy Nationally; a major revenue provider Locally; and a significant job-creating industry for the State and Region; and,
2. **PROMOTES** the responsible development of renewable energy resources in Northeast North Carolina in partnership with Local, State and Federal agencies and following all applicable laws, while utilizing the current regulatory and application processes; and,
3. **ENCOURAGES** the strong, close cooperation of all local stakeholders and the Department of Defense Siting Clearinghouse in the alternative energy project development process to ensure project siting is feasible and potential conflicts are mitigated; and,
4. **REQUESTS** that all efforts be made by Local, State and Federal officials to understand the value and support the co-existence of alternative energy projects with current land-uses in North Carolina.

Commissioner's Report

Vice-Chairman Martin moved to adopt a resolution opposing Senate Bill 58 concerning increased registration fees for boats. Commissioner Aydlett seconded the motion. Motion carried.

Commissioner Aydlett stated that the NCACC Community Day will be May 22nd, and the District meeting in Elizabeth City will be April 13th.

Commissioner Gilbert commented on the Moyock Small Area Plan and the event sponsored by the Moyock Women's Club.

Chairman O'Neal congratulated Ben Woody, Planning Director, on his new baby.

Chairman O'Neal commended the Board of Education for considering making space available in the schools for deputies in order to have a law enforcement presence there.

County Manager's Report

No comments

Closed Session

According to G.S. 143-318.11(3) to consult with an attorney in order to preserve the attorney -Client privilege and (6) to discuss personnel

Commissioner Martin moved to enter closed session to consult with the attorney and to preserve attorney-client confidentiality, to receive advice from and give direction to the County attorney in the matters of Etheridge v. Currituck County and Swan Beach Corolla, LLC v. Currituck County, and pursuant to G.S. 143-318.11(a)(6) to discuss a personnel matter. Commissioner Gilbert seconded the motion. Motion carried.

Adjourn

After reconvening from closed session, no action was taken.

There being no further business, the meeting adjourned.

