

CURRITUCK COUNTY
NORTH CAROLINA
October 7, 2013

The Board of Commissioners met at 6:00 p.m. in the Historic Courthouse Conference Room with Eileen Wirth, Project Coordinator. Ms. Wirth gave a presentation on a Golden Leaf Foundation grant proposal and received support for the three top scoring projects to be submitted. Following Ms. Wirth's presentation, Dan Scanlon, County Manager, presented the proposed Airport Transportation Improvement Program (TIP) and noted the TIP would be on the next agenda for action.

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 the Golden Leaf Grant and Airport TIP.

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

Chairman O'Neal gave the invocation and led the Pledge of Allegiance.

- C) Approval of Agenda**

Chairman O'Neal amended the agenda by adding Item (B) under Public Hearings – 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. Commissioner Gilbert moved to approve the Agenda as amended. Commissioner Martin seconded the motion. Motion carried unanimously.

APPROVED AGENDA

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 Labouty 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**D) Public Comment**

Chairman O'Neal opened the Public Comment period.

June Raffa, Harbinger, showed a pictorial presentation of the highway corridor from Coinjock south showing several dilapidated properties which need to be cleaned up.

Commissioner Griggs asked if the County had an ordinance to deal with the problem.

County Manager Scanlon noted there is an ordinance but enforcement of the ordinance was an issue.

County Attorney Ike McRee was asked to review the process to bring properties into compliance and ultimately for demolition, if necessary.

Commissioners instructed staff to move forward with enforcement of the ordinance and to provide a status report on the structures in Ms. Raffa's photos.

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

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

Eileen Wirth, Project Coordinator, presented a proposal to apply for a CAMA access grant for a public bath house facility as well as an ADA accessible walkway on Corolla Village Road. She noted the pre-application had been accepted and the County was being asked to submit a complete application for \$130,000 with a County match. Location and preliminary renderings were shown. She requested approval for submission of the grant application by approval of the following resolution:

RESOLUTION *

CAMA Public Beach and Coastal Waterfront Access Grant Program

WHEREAS, during a regular scheduled meeting on October 7, 2013 the Currituck County Board of Commissioners held a public hearing to receive comments on the proposed Corolla Village Road Bath House Facility to be constructed on property located at 1102 Corolla Village Road, Corolla, North Carolina; and,

WHEREAS, the Board of Commissioners desires to improve public access and recreational opportunities on the Currituck beaches; and,

WHEREAS, in accordance with its CAMA funded Water Access Plan, the County desires to improve access to the Atlantic Ocean by constructing a bath house and an ADA accessible walkway; and,

WHEREAS, the County of Currituck is submitting a grant application to the North Carolina Division of Coastal Management requesting funds in the amount of \$130,000.00; and

WHEREAS, the County will match the grant with a cash contribution of 20% of the grant, in accordance with the requirements of the grant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County that:

Section 1. The Board of Commissioners, after receiving public comments on the proposed improvements to the Corolla Village Road Bath House Facility supports the CAMA Public Beach and Coastal Water Access Grant and agrees to match the grant with in cash to be paid for by Occupancy Tax.

Section 2. The Board of Commissioners hereby authorizes the County Manager and other county officials who are authorized, to execute documents necessary to complete the grant application.

Section 3. This resolution is effective upon its adoption.

Commissioner Aydlett was pleased with the planned ADA access and potential for grant funding.

Commissioner Petrey was concerned that the access remains free of sand.

Chairman O'Neal noted this would be the only ocean to sound access in Corolla.

Chairman O'Neal opened the public hearing.

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

Commissioner Aydlett moved to approve the resolution for CAMA Public Beach and Coastal Waterfront Access Grant. Commissioner Gilbert seconded the motion. Motion carried unanimously.

*** Following the meeting, it was determined the resolution required a correction to reflect the County will match the grant with a cash contribution of 25% of the grant. The Board of Commissioners agreed to the increase. Corrected Resolution follows:**

RESOLUTION

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Section 2. The Board of Commissioners hereby authorizes the County Manager and other county officials who are authorized, to execute documents necessary to complete the grant application.

Section 3. This resolution is effective upon its adoption.

- 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.**

Commissioner Petrey moved to approve purchase of the property. Commissioner Gilbert seconded the motion. Motion carried.

Administrative Reports

A) Video Presentation by NC Association of County Commissioners

The Commissioners viewed the short video updating commissioners on Steering Committees and requesting Commissioners to participate. An overview of an upcoming seminar on the Affordable Care Act and how it affects counties as well as the Association's Risk Management Services was also covered.

B) Presentation on Capital Funding by County Manager

Dan Scanlon, County Manager, gave a presentation on the various funding sources received by the County for capital projects and improvements. Each fund is kept in a separate bank account since it carries its own restrictions on how it can be expensed. Ad valorem taxes are used to fund government operations.

Due to pre-planning and saving for capital projects, Currituck County has a low per-capita outstanding debt. Commissioner Aydlett noted this was a reflection on good fiscal practices by the Board of Commissioners on the advice of Staff. He thanked the County Manager and Finance Director.

Commissioner Petrey also recognized past Boards for their foresight.

New Business

A) Board Appointments:

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

Commissioner Aydlett moved to appoint Richard Labounty to Fire and EMS Advisory Board. Commissioner Gilbert seconded the motion. Motion carried.

2. Appointment to Senior Citizen Advisory Board

Commissioner McCord moved to reappoint Doris Ballance. Motion carried.

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

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

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			<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
	Moffatt & Nichol -	1,302
20130375	stormwater manual	
	Slait Consulting - Citrix	2,805
20130382	Virtual Desktop	
	Coastal Engineering -	14,138
20130818	Ocean Sands	
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.

<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.

<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.

<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.

<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.

<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 Fund Balance	\$ 8,417	
10390	499900	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.

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
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.

<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	\$ 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.

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
	\$ 2,500,000

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
	\$ 2,500,000

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 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.

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.

C) Commissioner's Report

Commissioner McCord attended Bark in the Park and noted it was a nice event and well-attended.

Commissioner Martin reminded everyone about the Civil War Encampment scheduled for the upcoming weekend.

Commissioner Aydlett announced the dedication of a new fire apparatus in memory of Scott Morrison by Knotts Island Volunteer Fire Department on October 12. The fire department thanked the Board of Commissioners and Staff for their support and invited everyone to the event.

Commissioner Aydlett also commended Don Cheek and Corolla Light Resort upon receiving the State of North Carolina Resort Community of the Year Award for 2013.

Chairman O'Neal announced a meeting on October 14 in New Bern regarding flood insurance which he planned to attend. Commissioner Aydlett and County Manager Scanlon were to accompany him.

D) County Manager's Report

Mr. Scanlon congratulated Ben Woody on his 7th wedding anniversary which was the reason he was not in attendance.

Closed Session

Commissioner Gilbert moved to enter 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 receive advice and give direction to the county attorney regarding matters entitled Etheridge v. Currituck County and Swan Beach Corolla, LLC, v. Currituck County. Commissioner Petrey seconded the motion. Motion carried.

Adjourn

After returning to open session, no action was taken. There being no further business, Commissioner Aydlett moved to adjourn. Commissioner Gilbert seconded the motion. The meeting was adjourned.