



CURRITUCK COUNTY NORTH CAROLINA

August 18, 2014
Minutes
Meeting of the Board of Commissioners

The Board of Commissioners met in the Historic Courthouse Conference Room at 6:00 PM to discuss the reformation of the Economic Development Board. Peter Bishop, Economic Development Director, reviewed the request for reformation, stating the new board would serve as a combination Economic Development and Airport operations advisory board. Mr. Bishop proposed member requirements and meeting guidelines and discussed what the goals and duties of the Board should be. The Board of Commissioners discussed the balance of experience they would like to see on the new advisory board and asked Mr. Bishop to present a list of interested parties for review and possible appointment. Discussion of Economic Development and Airport traffic concluded the work session.

The Board of Commissioners met at 7:00 PM for its regularly scheduled meeting in the Board Meeting Room of the Historic Courthouse with the following members present: Board Chairman Paul O'Neal, Vice-Chairman Paul Martin and Commissioners Gilbert, Aydlett, Beaumont and Griggs. Commissioner Petrey was not in attendance. Staff in attendance included County Manager Dan Scanlon and County Attorney Ike McRee.

Chairman O'Neal called the meeting to order at 7 PM and announced the earlier Work Session.

A) Invocation

Chairman Paul O'Neal gave the invocation.

B) Pledge of Allegiance

Commissioner Marion Gilbert led the Pledge of Allegiance.

C) Approval of Agenda

Commissioner Aydlett motioned to approve the agenda. Commissioner Gilbert seconded and the motion carried unanimously.

Approved Agenda

Work Session

6 PM Discussion on Reformation of Economic Development Board

7:00 pm Call to Order

- A) Invocation-~~Reverend Jeremai Byrd, Old Path Baptist Church~~ **Not present**
- B) Pledge of Allegiance-~~Jeremai Byrd, Old Path Baptist Church~~ **Not present**
- 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) **Bay Disposal to Discuss Trash Pickup Service in Corolla**
- B) **Terry Miles-Discussion Regarding Trapping of Foxes**

Public Hearings

- A) **Ratification of Cell Tower Lease**

New Business

- A) **Peddler's Ordinance-Amendment**
- B) **Board Appointments:**
 - 1. Appointment of Commissioner to Fire and EMS Advisory Board
 - 2. Commissioner Approval for Nomination to Joint Nursing-Domiciliary Community Advisory Committee
 - 3. Advisory Board Appointments: Library, Whalehead Trust, Land Transfer Tax Appeals, Tourism
- C) **Consent Agenda:**
 - 1. Approval of Minutes from August 4, 2014.
 - 2. Budget Amendment
 - 3. Resolution Approving Piggyback Contract-Select Custom Apparatus, Inc. to Purchase 2 Ambulance Chassis and Accessories
 - 4. ITS Surplus Resolution
- D) **Commissioner's Report**
- E) **County Manager's Report**

Special Meeting

Ocean Sands Water & Sewer District Board

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(5) to instruct the county staff on considering the position to be taken on or behalf of the county in negotiating the price and other material terms of a proposed contract for the acquisition of real property by exchange or purchase for real property located in Point Harbor, North Carolina, Tax Parcel Identification Number 013200000480000 owned by Toby Allen Hedgepeth Trustee for any public purpose.

Adjourn

D) Public Comment

Chairman O'Neal opened the public comment period.

Larry Mushill of Moyock, Brayview Landing, spoke and asked the Board for fire protection in his area. He said fire hydrants were talked about years ago but nothing has been done and people are getting anxious and asked to get it done. Chairman O'Neal stated plans had been proposed to residents and the residents said no due to the excessive cost. A shuttling operation has been proposed and some relief may come if, upon state review, the ISO rating improves. Mr. O'Neal asked the County Engineer, Eric Weatherly, to hold a meeting with Brayview residents to get feedback and present options.

Jim Crowley, Launch Landing, spoke about the Currituck SPCA and thanked the Board of Commissioners for giving Currituck SPCA the opportunity to manage the animal shelter. He stated the last several weeks have been emotional, exciting and fun. He praised other SPCA staff and thanked the citizens of Currituck who really stepped up when the shelter was in need. Citizens donated items, worked, and played with the animals and they were grateful. Mr. Crowley announced an informal Open House at the shelter, located at 204 Airport Road, to be held Thursday, August 21, beginning at 5:30 PM. All are invited.

Marion Gilbert, Moyock, publicly stated that there is a grievance process in place for County employees and encourages employees to talk with the Human Resources Director. Ms. Gilbert stressed that Human Resources professionals have the expertise to resolve many issues and employees should take advantage of the resources that are available to them.

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

Administrative Reports

A) Bay Disposal to Discuss Trash Pickup Service in Corolla

County Manager, Dan Scanlon, reviewed some of the issues residents have been having with Bay Disposal. Mr. Emmitt Moore, President of Bay Disposal, and Mr. Richard Hill, Manager of North Carolina Operations, admitted the learning process associated with their taking on the new contract. The issues with Corolla Light and Currituck Club with respect to pick-up times have been addressed in an effort to better accommodate the rollout services provided by the communities. This was done by rerouting the trucks. A hydraulic leak was also addressed, as the spill was cleaned, and they have since equipped trucks with the necessary materials so that drivers are able to handle fluid leaks on the spot. Mr. Moore feels they are responding and correcting issues as they arise and are doing what they can to prevent incidents. Chairman O'Neal asked if any asphalt damage occurred and was addressed. Mr. Moore said Bay Disposal will be responsible for repairs, and they have tried to adjust to satisfy the various concerns. A maintenance crew has been hired to perform service and preventive maintenance, and Bay Disposal asks the County to contact them should any other issues arise, as they will be happy to address them. Commissioner Aydlett thanked the gentleman for coming and stated that prevention is key. Chairman O'Neal thanked Mr. Moore and Mr. Hill and said he appreciated them coming in to address the Board.

B) Terry Miles-Discussion Regarding Trapping of Foxes

Mr. Terry Miles, Waterlily Road, Coinjock, presented the Board with a packet that included a petition requesting Currituck County provide an Ordinance to allow trapping of foxes. Mr. Miles, a certified trapping master since 2001, has received more than 50 requests for his services this year for nuisance trapping. Mr. Miles made recommendations for season dates and bag limits and reviewed the use of a foot trap. Mr. Miles explained this type of trap does not hurt the animal. He told stories of neighbors and residents losing chickens and pets to coyotes and foxes. Mr. Miles reviewed the general information in the packet and explained the State does not monitor or control foxes. It is the responsibility of local government, and local regulations must be in place in order to trap both coyotes and foxes. Mr. Miles said there are less than 20 licensed trappers in Currituck and stated he enjoys trapping and doesn't charge for his service. Commissioner Aydlett confirmed with Mr. Miles that if the County asks for the law then the General Assembly will make the law. Mr. Miles confirmed his understanding was correct. Chairman O'Neal and Commissioner Beaumont both attested to the Coyote problem in Currituck. Chairman O'Neal asked the County Attorney, Ike McRee, to research other local government legislation and move forward to ask the General Assembly to formally enact a law for Currituck County. Mr. Miles offered his help if needed, and Chairman O'Neal thanked him for his presentation.

Public Hearings

A) Ratification of Cell Tower Lease

County Attorney Ike McRee reviewed the current lease terms and revenue to date, with this agreement extending the lease term till 2031, with a value of \$389,804. He explained the lease falls under Economic Development and sale of property due to the term length of the lease. The lease allows phone company access for maintenance and modification of equipment. Chairman O'Neal asked if the County was getting a fair market value for the lease. It was explained that a consultant is looking at valuation for future lease renewals and license agreements. When asked, Dan Scanlon, County Manager, recommended approval.

Chairman O'Neal opened the Public Hearing. With no one signed up to comment, Chairman O'Neal closed the hearing. Commissioner Gilbert moved to accept the agreement and Commissioner Martin seconded. Motion carried unanimously.

New Business

A) Peddler's Ordinance-Amendment

Ike McRee reviewed the purpose of the Peddler's ordinance and the reason behind the creation of the ordinance. The ordinance requires background checks for anyone wanting a permit to solicit business door to door. Mr. McRee explained the Sheriff is finding it difficult to meet the five days from application requirement for issuing of permits. This is due to the volume of applicants and the additional time needed should the check include a fingerprint card having to be sent to the state. Mr. McRee explained the ordinance would have to be brought back before the Board for approval due to Commissioner Petrey's absence. He also stated the ordinance precludes groups such as high school fundraisers, girl scouts, or legitimate community groups. Commissioner Gilbert moved to approve the amendment to the Peddler's Ordinance. The motion was seconded by Commissioner Martin and was carried unanimously.

B) Board Appointments:

1. Appointment of Commissioner to Fire and EMS Advisory Board

Chairman O'Neal announced an appointment of a Commissioner was needed for service on the Fire and EMS Advisory Board, the Regional Mental Health Board, and the Parks and Recreation Advisory Board. Commissioner Aydlett moved to nominate Commissioner Paul Beaumont for all three boards. Commissioner Martin seconded and the motion carried unanimously.

2. Commissioner Approval for Nomination to Joint Nursing-Domicilliary Community Advisory Committee

Lynda Daniels was nominated and approved to serve on the Joint Nursing-Domicilliary Advisory Committee to fill an unexpired term.

3. Advisory Board Appointments: Library, Whalehead Trust, Land Transfer Tax Appeals, Tourism

The following Advisory Board nominations were approved by the Board of Commissioners: Gerry Forbes and Richard Williams were appointed to the Land Transfer Tax Appeals Board for four-year terms expiring June, 2018.

Tom Oakes was appointed to the Library Board for a full term expiring June, 2016.

C) Consent Agenda:

1. Approval of Minutes from August 4, 2014.
2. Budget Amendment
3. Resolution Approving Piggyback Contract-Select Custom Apparatus, Inc. to Purchase 2 Ambulance Chassis and Accessories
4. ITS Surplus Resolution

Commissioner Gilbert moved to amend the minutes from August 4 to omit Commissioner Petrey and Commissioner Beaumont from attending the continuation of the August 4 recessed meeting on August 5. With the minutes correction Commissioner Gilbert moved to approve the Consent Agenda. Commissioner Martin seconded and the motion carried unanimously.

The Currituck County Board of Commissioners, at a meeting on the 4th day of August 2014, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2015.					
			Debit		Credit
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>				
10510-590000	Capital Outlay	\$	189,500		
10390-499900	Appropriated Fund Balance			\$	189,500
			<u>\$</u>	<u>189,500</u>	<u>\$</u>
					<u>189,500</u>
Explanation:	Sheriff (10510) - To carry-forward funds from FY 2014 for the shooting range for the Sheriff's Department.				
Net Budget Effect:	Operating Fund (10) - Increased by \$189,500.				

D) Commissioner's Report

Commissioner Aydlett reported he had attended the Rural Planning Organization (RPO) meeting. He talked about the process for funding and the ranking of road projects Currituck considers priority. He explained that none of the projects we have ranked will be coming to Currituck. County Manager, Dan Scanlon, added that not any bike path projects for the entire Division 1 area scored high enough to compete for funds. He reviewed the RPO and how the ranking and scoring works. He explained how the process is now skewed against rural counties. Mr. Scanlon said the engineering department plans to study our traffic problems, but they believe is the reduction of lanes and speed that is causing the backups. Commissioner Aydlett accentuated the need for a District 1 representative on the scoring committee.

Commissioner Gilbert reported the high school football season starts this week with Currituck v. Manteo at 7 pm Friday night. Commissioner Beaumont reported JV is at Manteo at 6 PM.

Commissioner Martin reminded everyone that school will be starting and to be on your toes while driving. Busses will be running and lots of new drivers on the road. He asks that we all be aware.

Chairman O'Neal asked the County Manager about the resurfacing of the Wright Memorial Bridge and when it would commence. Mr. Scanlon said he would find out and notify the Board. Chairman O'Neal went on to talk about signage, and the need for a range of informational signs from notification of farm implements on the road to wayfinding signs on the Outer Banks and mainland for those businesses off the main roads. He also spoke of milepost signs for the mainland highway. Mr. Scanlon said the Department of Transportation does not support putting up milepost signs on the highway. He recounted calling in to report a wheelchair lying on the side of the road and the first question asked was "where are you". Mr. O'Neal explained they would be helpful, particularly if you call in to report an incident and you are not from the area.

Commissioner Griggs stressed the fact, with regard to the Wright Memorial Bridge project, that September is peak hurricane season and they will need to keep evacuations in mind when scheduling.

E) County Manager's Report -

No Report.

Special Meeting

Ocean Sands Water & Sewer District Board

Chairman O'Neal asked for a motion to recess the meeting of the Board of Commissioners and reconvene as the Ocean Sands Water and Sewer District Board. Commissioner Gilbert moved to reconvene as the Ocean Sands Water and Sewer District Board. Commissioner Aydlett seconded and the motion carried unanimously.

Closed Session

After adjourning the Special Meeting of the Ocean Sands Water and Sewer Advisory Board and reconvening as the Board of Commissioners, Commissioner Gilbert made a motion to move into Closed Session pursuant to G.S. 143-318.11(a)(5) to instruct the County staff on the position to be taken on or behalf of the County in negotiating the price and other material terms of a proposed contract for the acquisition of real property by exchange or purchase located in Point Harbor, North Carolina, Tax Parcel Identification Number 013200000480000 owned by Toby Allen Hedgepeth Trustee for any public purpose and pursuant to G.S. 143-318.11(a)(3) to give direction to the County Attorney regarding the matter encaptioned Etheridge v. Currituck County and to preserve the attorney-client privilege.

Adjourn

After reconvening as the Board of Commissioners after Closed Session and there being no further business, Commissioner Gilbert moved to adjourn the regular meeting of the Board of Commissioners. Commissioner Beaumont seconded and the motion carried unanimously.