



CURRITUCK COUNTY NORTH CAROLINA

October 20, 2014
Minutes
Meeting of the Board of Commissioners

The Board of Commissioners met at 7:00 PM for a 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 Marion Gilbert, Vance Aydlett, Butch Petrey, Paul Beaumont, and David Griggs. Staff included County Manager Dan Scanlon, County Attorney Ike McRee and Planning Director Ben Woody.

Chairman O'Neal called the meeting to order at 7 PM,

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

Reverend Frank Custer of Mt. Zion United Methodist Church gave the invocation and led the Pledge of Allegiance.

C) Approval of Agenda

Commissioner Gilbert moved to approve the agenda. Commissioner Martin seconded and the motion carried unanimously.

Approved Agenda

REVISED

7:00 pm Call to Order

- ~~A) Invocation-Reverend Dan Bergey, New Life Church~~ **Rev. Frank Custer, Mt. Zion UMC**
- ~~B) Pledge of Allegiance-Reverend Dan Bergey, New Life Church~~ **Rev. Frank Custer**
- 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) **Mr. Manly West, North Carolina Farm Bureau-Support for Installation of Highway Safety Signage for Farm Equipment**
- B) **Derek Kelly, CenturyLink-Presentation and Discussion of Current Products, Service and Future Expansion Plans**

C) Planning Department Presentation and Discussion of Moyock Wastewater and Small Area Plan

Public Hearings

- A) **Public Hearing and Action:** PB 14-14 CASP, Inc.: Request for a conditional rezoning of 37 acres from Light Industrial (LI) to Conditional District- Single Family Mainland (CD-SFM) on property located in Moyock on Inventors Drive which is located on the east side of Caratoke Highway, Tax Map 9, Parcels 26A And 26B, Moyock Township.
- B) **Public Hearing and Action:** PB 14-18 Currituck County: A request to amend the Unified Development Ordinance to clarify and revise miscellaneous sections of the Ordinance. The revisions correct and clarify the identified sections in the UDO as it relates to nonconformities, accessory uses and structures, stormwater management, setback and building height standards, sidewalk standards, minor subdivision definition, public meeting notification requirements, subdivision infrastructure maintenance, private access roads, variance findings of fact, and nonresidential design standards.
- C) **Public Hearing and Action:** PB 14-21 Currituck County: A request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure to revise the water supply standards to require all new subdivisions and nonresidential development to be connected and serviced by the county water supply system when located within the formulated distance for connection and require performance guarantees when the proposed development exceeds the formulated connection distance.

New Business

- A) **Consideration & Action for a 5-year fuel purchasing contract from Eastern Aviation Fuels, Inc**
- B) **Board Appointments:**
1. Economic Development Advisory
- C) **Consent Agenda:**
1. Approval of Minutes for Regular meeting for October 6, 2014, and Special Meeting/Worksession Minutes, September 25, 2014
 2. Budget Amendments
 3. Consideration and Ratification of Public Safety 800 MHz System Usage Agreement Between Currituck County and Volunteer Fire Departments
 4. Project Ordinance - Connecting Corolla
 5. Disposal of Records: Finance Dept and Administration
 6. Request for Approval of Permit Officer III Position and Job Description
- D) **Commissioner's Report**
- E) **County Manager's Report**

Closed Session

According to GS 143-318.11(4) to discuss matters relating to the location or expansion of industries or other businesses-Project Move

Adjourn

D) Public Comment

Chairman O'Neal opened the public comment period.

Mary Etheridge, Shawboro, discussed litigation her family has been in with the county since 2011 regarding the approval of a junkyard behind her home. She stated Commissioner Martin did not vote in favor of it. She showed a picture of what she believes to be a junkyard and asks the public to decide whether it is a junkyard or a recycling center and whether she was treated fairly. Chairman O'Neal asked Attorney McRee to review again the court decisions, which he did. He stated the picture is a non-conforming junkyard and not the operation being discussed.

Josh Bass, President, Currituck Chamber of Commerce, thanked the Fire, Police, EMS and 911 personnel for their assistance and quick response to the fire emergency at the Twiford Law office, which is adjacent to the Chamber office. He also thanked the Planning and Inspections Department and the outpouring of support from the County and the citizens of Currituck.

Both Chairman O'Neal and Commissioner Aydlett acknowledged the fine job of the volunteer fire fighters and encouraged citizens to consider volunteering.

With no one else wishing to speak, Chairman O'Neal closed the Public Comment period.

Administrative Reports

A) Mr. Manly West, North Carolina Farm Bureau-Support for Installation of Highway Safety Signage for Farm Equipment

Manly West from the Farm Bureau Board of Directors spoke to the need and their support for signage on our highways that denote the presence of slow-moving vehicles or equipment in an effort to prevent accidents and spoke of a related death two years ago.

Commissioner Aydlett moved to instruct the staff to see what needs to be done to have the signage installed on our roads. Commissioner Griggs seconded and the motion carried unanimously.

Mr. West began discussing installation of mile marker signs on the highways. The Board motion was amended by Commissioner Aydlett to add mile marker installation signs as well. The amended motion was seconded by Commissioner Griggs and carried unanimously.

Mr. West stated his opinion that anyone wishing to ride ATVs on private property should require the written consent of the property owner. Commissioner Gilbert announced Mr. West was elected President of the Soil and Water Conservation District.

B) Derek Kelly, CenturyLink-Presentation and Discussion of Current Products, Service and Future Expansion Plans

Mr. Kelly introduced himself as the Marketing and Development Manager for CenturyLink and presented a powerpoint discussing our area's customer base, voice service and internet access. He addressed Chairman O'Neal's concern that many school children do not have access to internet, reviewing the service map with expansion plans and increasing internet speed with addition of fiber lines. He addressed marketing materials, explaining that the mass amount of materials will unfortunately be received by some where service is not available. Mr. Kelly explained the Connect America fund and said he felt Currituck could get funding, reviewed the process, and asked for Board support in getting the FCC to relax some of the stringent requirements for the program. Commissioner Aydlett asked about funding for services in Gibbs

Woods. Mr. Kelly said if funding could be secured it is about twelve months to begin install. Commissioner Aydlett asked the County Manager to write a letter compelling Cox cable to supply service to the area. Chairman O'Neal asked if petitions can spur installation of service. Mr. Kelly said usually petitions don't help, as it is about the math and the cost of providing service. Commissioner Petrey said Currituck should be looked at as a whole instead of having pockets without service. Mr. Kelly said service is available to 96% now and feels it is a good number.

C) Planning Department Presentation and Discussion of Moyock Wastewater and Small Area Plan

Ben Woody, Director of Planning and Inspections, presented a summary for the public based on information discussed in prior work sessions. Work sessions included topics such as land use, density, wastewater, zoning and the Moyock Small Area Plan. Mr. Woody explained the Land Use Plan as a policy document that looks to the future. He explained land use categories and using zoning as a flexible tool for implementation of the land use plan. He discussed density and how it is calculated, showing examples of plats with different design components offering similar densities. Opinions differed amongst the Board allowing continued discussion of lot sizes and minimum lot size and density requirements, and what constitutes "rural character". The Board thanked Mr. Woody at the close of his presentation for his help in painting a clear picture for everyone.

Public Hearings

A) Public Hearing and Action: PB 14-14 CASP, Inc.: Request for a conditional rezoning of 37 acres from Light Industrial (LI) to Conditional District- Single Family Mainland (CD-SFM) on property located in Moyock on Inventors Drive which is located on the east side of Caratoke Highway, Tax Map 9, Parcels 26A And 26B, Moyock Township.

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: October 20, 2014
PB 14-14 CASP, Inc.**

ITEM:	PB 14-14 CASP, Inc.: a conditional rezoning of 37 acres from Light Industrial (LI) to Conditional District- Single Family Mainland (C-SFM).
LOCATION:	Moyock – Inventors Drive, off Caratoke Highway
TAX ID:	0009000026A0000 0009000026B0000
OWNER:	CASP, Inc. PO Box 39 Moyock, NC 27958
APPLICANT:	Hidden Acres Currituck, LLC PO Box 743 Moyock, NC 27958

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Agricultural/Undeveloped Residential	AG
SOUTH	Assisted Living/Undeveloped Residential	GB
EAST:	Residential Open Space (County Owned)	SFM
WEST:	Fuel Supply Facility/Vacant	GB

LAND USE PLAN CLASSIFICATION:

The 2006 Land Use Plan classifies the site as Full Service within the Moyock subarea.

The policy emphasis of the Moyock sub-area is on properly managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. Residential development densities should be medium to high depending upon available services. In areas where on-site wastewater is proposed and other County services are limited, development density should be limited to 1-2 units per acre. However in areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.

MOYOCK SAP:

The Moyock Small Area Plan classifies the property as Full Service.

Full Service designations are focal points in the community where high amounts of activity occur. Mixed use development with both residential and commercial components will be present in these areas. In addition, clustered or planned commercial and residential areas with diversity in housing types are preferred. Typical densities in full service designations range from 1.5 – 3 units per acre depending on surrounding land uses. All development should encourage human scale development and interconnected transportation systems that support both vehicles and pedestrians.

Policies supporting the request include:

Policy FLU 1 Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.

CURRENT ZONING:

Light Industrial (LI)

PROPOSED ZONING:

Conditional District - Single Family Mainland (C-SFM)

CURRENT USE:

Undeveloped

SIZE OF SITE:

37+/- acres

ZONING HISTORY:

Agricultural (A) – 1989 Zoning Map
Light Manufacturing (LM) - 1999 Zoning Map

UTILITIES:

County water is available to serve this development. The developer is requesting connection to the Moyock Central Sewer System.

TRANSPORTATION:

The proposed development has access to Caratoke Highway through an existing unimproved right-of-way. There is an existing rail crossing located at the property's development entrance. The proposed road and

rail crossing serving the development will be improved to NCDOT standards.

FLOOD ZONE: The proposed development is located in the Shaded X flood zone (500-year).

WETLANDS: The county wetland inventory maps indicate the property has wetland characteristic; however, a wetland delineation is not required until submittal of the subdivision.

SOILS: The proposed development is located on Roanoke soils, which are considered poorly drained. The development is proposing to manage wastewater through off-site treatment and disposal.

PLAN REQUEST: Conservation subdivision with 74 residential lots (2 du/acre) and 14.84 acres of open space (40%).

PROPOSED ZONING CONDITIONS:

1. Use: conservation subdivision
2. Maximum of 74 homes
3. Minimum lot size of 10,000 square feet
4. Existing trees will be protected and preserved to the greatest degree practicable
5. Buffers to surrounding properties will exceed Currituck County requirements

COMMUNITY MEETING:

A community meeting was held on May 15, 2014 at the Moyock Library. Mark Bissell presented a brief summary of the development proposal, along with a conceptual plan of the development. No adjacent property owners attended the meeting.

TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

The conditional zoning process provides an opportunity for an applicant to propose use limitations or development conditions that ensure development proposals are consistent with the policies set forth in adopted plans. The TRC **recommends approval** of the proposed request. The conditional rezoning request is consistent with the goals, objectives, and policies of the Land Use Plan and Moyock Small Area Plan, and is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land.

Additional Staff Comments:

Larger lot subdivisions exist to the north and south of the land subject to the application; however, the adjacent lots proposed to the south are not platted and the adjacent lots located to the north are platted but no dwelling units have been constructed. The subject property's retention of the existing perimeter wooded buffer will help promote compatibility with adjoining properties.

PLANNING BOARD RECOMMENDATION:

The Planning Board **recommended approval** of the development agreement as presented with technical review committee recommendation.

BOARD OF COMMISSIONS (9-15-14)

The Board of Commissions continued this request pending additional discussion of the railroad and sewer.

PLANNING BOARD DISCUSSION (8/12/14)

Mr. Cooper asked if the Railroad Company has to give permission for them to cross.

Mr. Woody said liability insurance will have to be paid for this crossing and they will have to have an agreement with the Railroad Company.

Mr. Bissell said there is an existing approved crossing, but not to the Department of Transportation (DOT) standards. They are working with the Railroad Company and the Homeowners Association will maintain it until DOT takes it over. This project will have sidewalks on both sides of the street. Mr. Bissell provided pictures of the future site and provided an overview of the project.

Mr. Clark closed the public hearing.

ACTION

Mr. Cooper moved to approve PB 14-14 due to its consistency with the goals, objectives, and policies of the 2006 Land Use Plan and Moyock Small Area Plan, and is compatible with existing and proposed uses surrounding the land, and is the appropriate zoning district and uses for the land. Ms. Overstreet seconded the motion and motion carried unanimously.

Mr. Woody presented and recounted the tabling of the request at the last meeting. He deferred to Mark Bissell of Bissell Professional Group, who presented a powerpoint which enabled the Board to see the plat with surrounding land and subdivisions. Mr. Bissell described amenities, setting, and said the lot sizes were increased, thereby reducing the total number of lots, from 74 to 67. He said the railroad issues were addressed, meeting all standards and requirements. Commissioner Martin verified approximate square footage of homes would be 2,000 square feet. Commissioner Gilbert asked about sidewalk interconnectivity with adjacent subdivisions and was told by Mr. Bissell that the sidewalks could adjoin neighboring subdivisions.

Commissioner Petrey voiced concern about approving a subdivision that will face the same issues and challenges with the railroad as Shingle Landing subdivision did, which are still not resolved. Commissioner Martin asked if it was possible to resolve the railroad issues prior to approval of the subdivision in an effort to protect buyers. Mr. Bissell said the contract with the railroad can be created after subdivision approval and the subdivision plan is developed. There was some discussion of being proactive with negotiations with the railroad and disclosure statements being required from each buyer.

Chairman O'Neal opened the public hearing.

Jim Wheeler of Moyock is opposed due to the amount of children he anticipates. Schools are at 95% capacity in Moyock, he said, and we need industry more than houses.

JoAnne Gourmenis of Moyock said condo's, townhouses, apartments or small homes on slabs are not compatible with surrounding area of custom homes. She said small homes draw low income owners who don't maintain their homes and that builders are all about making money. She wants to see half acre lots with crawlspaces. Ms. Gourmenis also asked for help with a resolution to the railroad issue with Shingle Landing and roads being turned over to DOT.

Susan Davis of Moyock said she does not wish to deny approval, but asks the lot sizes to be increased to 22,000 square feet. She believes wastewater should be for businesses only, and she discussed the high cost of insurances and fees with respect to the railroad.

Mr. Kim Old, Moyock, asked the Board to approve the rezoning. As a realtor, he sees the vast majority of buyers being military. Mr. Old said a nice home can be built on a small lot. His son, Justin Old, is the builder and he employs a lot of local people.

Kevin McCord, Moyock, supports approval, stating that North Carolina is the seventh fastest growing state in the country. He said Justin Old is a good builder who lives and hires locally and is an active participant in the community. Commercial won't come without rooftops, he said, and growth is coming. It must be planned and monitored.

Chris Smith is not a resident of Currituck, but works at Griggs Lumber, a Currituck business. He said Justin Old's business, Quality Homes, is one of their biggest customers and they employ locals, unlike some other developers who come down from Virginia. He asks for approval of the request.

Jody Turner, Moyock, asks the Board to consider the amount of money nearby residents have spent on their homes, and wants the quality of homes to be considered.

Bob Crocker asked what the price points would be. He also has concerns with drainage and recommends silt venting. Mr. Bissell said the state will require erosion control and stormwater control permits. Mr. Bissell said the water runoff will actually decrease from the current condition. Kim Old said the market will dictate pricing, but will most likely start at mid \$200,000 range and up.

Mark Sherwood, Elizabeth City, said he is employed by Mr. Olds and he in turn employs six workers, all who utilize Currituck businesses. He said all developers can't be held to task for one bad one.

Mr. Wheeler spoke again on lot sizing and schools.

Commissioner Griggs spoke to prohibiting development and asked Attorney McRee to explain the Board's authority. Mr. McRee said a subdivision can't be denied based on the lack of services or facilities. A plan must be implemented to supply adequate facilities for development. The Board cannot keep someone from utilizing their land.

Commissioner Beaumont stated a steady decline in the number of school students is predicted over the next ten years. Mr. Woody added the four-year grouping statistics are not showing any increases currently.

Commissioners discussed growth, with Commissioner Petrey stating 540 homes are planned for the Moyock area. Chairman O'Neal recalled the rapid growth in the 1990's and the adequate facilities ordinance to address that growth. Commissioner Gilbert added that the County has been proactive in looking at sites for future construction of schools.

Chairman O'Neal said we can't ask developers to meet the requirements of the Small Area and Land Use plans approved by the Board and then jerk the rug out from under them when they do. He said if Commissioners don't like the rules they need to change them. Commissioner Petrey said the members of the Board did discuss lot size in the past, and there were some who agreed with his minimum size argument. Chairman O'Neal feels it is not up to the Board to determine how much grass someone has to mow, and the free market will determine if people want small lots or large lots because people won't buy what they don't want.

With no one else wishing to speak, Chairman O'Neal closed the public hearing and asked for a motion. Commissioner Petrey moved to deny. The motion failed due to lack of a second.

Commissioner Beaumont moved to approve due to the request's consistency with the Moyock Small Area Plan, adding a full disclosure regarding the railroad issues is to be provided. With the applicant consenting to the railroad disclosure, Commissioner Martin seconded. The motion carried six to one, with Commissioner Petrey voting against.

B) Public Hearing and Action: PB 14-18 Currituck County: A request to amend the Unified Development Ordinance to clarify and revise miscellaneous sections of the Ordinance. The revisions correct and clarify the identified sections in the UDO as it relates to nonconformities, accessory uses and structures, stormwater management, setback and building height standards, sidewalk standards, minor subdivision definition, public meeting notification requirements, subdivision infrastructure maintenance, private access roads, variance findings of fact, and nonresidential design standards.

Ben Woody presented by reviewing the items and the reasons for the recommendations, and answered questions from the Board for clarification purposes. Mr. Woody stated the Planning Board recommended approval.

To: Board of Commissioners
From: Planning Staff
Date: September 15, 2014
Subject: PB 14-18 UDO Housekeeping Amendment 2014

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

Item 1

Allows for the continued use, and minor expansion, of existing warehouse buildings in the General Business zoning district.

Item 2

Clarifies when nonconforming structures must be brought into compliance with today's standards.

Item 3

Clarifies how setback requirements affect nonconforming structures.

Item 4

Allows small accessory structures in existing mobile home parks and on existing camper lots.

Item 5

Modifies the soil type used to determine pre-development runoff design.

Item 6

Clarifies that accessory dwelling units are allowed with a zoning compliance permit.

Item 7

Allows land application of sludge or septic in the Single-Family Isolated (SFI) zoning district with a use permit.

Item 8

Allows for a dune deck or beach access way on vacant oceanfront lots.

Item 9

Clarifies allowable setback encroachments and building height requirements.

Item 10

Reduces setback requirements for industrial zoning districts.

Item 11

Clarifies that minor subdivisions are exempt from sidewalk requirements.

Item 12

Corrects the definitions of minor and family subdivision.

Item 13

Modifies information required for sign notification of public meetings and hearings.

Item 14

Removes requirement that HOA president sign affidavit accepting infrastructure maintenance.

Item 15

Adds detail of alternate design of the private access road.

Item 16

Adds additional finding of fact for approving variance applications.

Item 17

Clarifies applicability of the nonresidential design standards.

The Planning ***recommended approval*** of PB 14-18 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, and tabling #14 (Mining standards, including the information required for hydrological studies) for further discussion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (9/9/14)

Mr. Schuler provided an overview of each revision.

The Planning Board discussed nonconforming warehouse uses.

Mr. Simpson said Frito-Lay has a warehouse which is located at 139 Fox Knoll Drive. The property was purchased about 10 years ago and they built a warehouse which is 6,400 sq. ft. Mr. Simpson said when the property was purchased he was told he would be allowed to developed 65% of it because Frito-Lay was going to grow. Mr. Simpson said presently they need to make the warehouse 1,200 sq. ft. larger, which would fall under the 25%. The problem he has with this is they will continue to grow, and will not be able to expand under the present Unified Development Ordinance (UDO).

Mr. Schuler said the property owner can request the property be rezoned to light industrial.

Mr. Cartwright asked if #14 (mining standards, including the information required for hydrological studies) be tabled until the next Planning Board meeting so he can talk with some of the miners and engineers.

Mr. Clark closed the public hearing.

ACTION

Mr. Cartwright moved to approve PB 14-18 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, and tabling #14 (Mining standards, including the information required for hydrological studies) for further discussion. Mr. Craddock seconded the motion and motion carried unanimously.

Chairman O'Neal opened the public hearing.

Victor White, Kitty Hawk, discussed expansion of existing metal buildings. He stated he had spoken previously to Mr. Woody expressing that a 25% expansion was not enough for many of the businesses to complete their planned business expansions. Mr. White asked for 50% to be allowed for existing metal buildings to expand. Mr. Woody suggested options such as applying for a rezoning, or possibly a variance before the Board of Adjustment.

With no one else wanting to speak Chairman O'Neal closed the public hearing.

Commissioner Aydlett moved to approve PB14-18 due to its consistency with the Land Use Plan, to include increasing Item 1 expansion from 25% to 50%. A second was made by Commissioner Gilbert and the motion carried unanimously.

C) Public Hearing and Action: PB 14-21 Currituck County: A request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure to revise the water supply standards to require all new subdivisions and nonresidential development to be connected and serviced by the county water supply system when located within the formulated distance for connection and require performance guarantees when the proposed development exceeds the formulated connection distance.

Mr. Woody presented and reviewed the request with the Board, stating staff and Planning Board recommend approval being effective immediately upon passage.

To: Board of Commissioners
From: Planning Staff
Date: October 6, 2014
Subject: PB 14-21 Water Supply Standards Text Amendment

The enclosed text amendment initiated by the Currituck County Board of Commissioners is intended to amend the county's recently adopted water supply standards text amendment. The Board adopted an ordinance at their August 4, 2014 meeting that requires all new subdivisions and multifamily development to connect to the county water supply system (excluding family subdivisions and lots in the Fruitville and Moyock-Gibbs Woods Townships). This ordinance was adopted with an effective date of March 1, 2015.

The enclosed revision to the mandatory connection ordinance will restore the connection formula that was included in the original water supply ordinance. The connection formula creates a proportional connection requirement based on total number of lots and proximity to the county water system. If a development is not required to connect under the formula requirement, a cash

deposit is required to cover the proportional cost of the future connection to the county water supply system.

The purpose of the amendment is to establish a policy for potable water main extensions and connections that provides customers with a safe, high quality and reliable water supply while adequately maintaining existing infrastructure and services. Additionally it is the intent of this proposed ordinance to:

- Ensure water main extensions occur in a manner that support sound fiscal management and economic growth while protecting the county's rural character;
- Support development with sufficient potable water and fire suppression infrastructure capacity to serve existing customers while sustaining the ability to serve projected future growth;
- Ensure the costs of infrastructure, facilities and services related to the demand created by new growth and development is borne, in equal proportion, by those creating the additional demand; and
- Encourage development in targeted growth areas, adequately served by existing or planned infrastructure, consistent with the Land Use Plan.

Planning staff recommends **approval** because the proposed text amendment is consistent with the land use plan; because it continues to focus 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 approval** of the text amendment as presented.

PLANNING BOARD DISCUSSION (9-9-14)

Ms. Glave provided an overview of the memo to the Planning Board.

Mr. Clark closed the public hearing.

ACTION

Mr. Clark moved to approve PB 14-21 as presented, to remove the requirement that all new developments must connect to county water, replacing that language with the current formula in the Unified Development Ordinance (UDO) based on the distance that new development is to an existing county waterline, and an effective date of March 1, 2015. Mr. Craddock seconded the motion and motion carried unanimously.

Chairman O'Neal opened the Public Hearing. With no one signed up to speak, the Public Hearing was closed.

Commissioner Gilbert moved to approve PB 14-21, with a second by Commissioner Beaumont. The motion carried unanimously.

New Business

A) Consideration & Action for a 5-year fuel purchasing contract from Eastern Aviation Fuels, Inc

County Manager Dan Scanlon reviewed the current status of purchasing fuel, including the fuel truck rental of \$7,200 annually. He explained entering into a five year contract will reduce the

fuel truck rental to \$100, saving a considerable amount of money. He said there is a cap on the fuel cost and recommends approval.

Commissioner Martin moved to approve entering into the 5 year contract with Eastern Aviation Fuels, with a second by Commissioner Gilbert. The motion carried unanimously.

B) Board Appointments:

1. Economic Development Advisory

The following appointments were approved for the Economic Development Advisory Board: Raju Uppalapati, John Harris, Roger Lambertson, and Keith Hall.

C) Consent Agenda:

1. Approval of Minutes for Regular meeting for October 6, 2014, and Special Meeting/Worksession Minutes, September 25, 2014
2. Budget Amendments
3. Consideration and Ratification of Public Safety 800 MHz System Usage Agreement Between Currituck County and Volunteer Fire Departments
4. Project Ordinance - Connecting Corolla
5. Disposal of Records: Finance Dept and Administration
6. Request for Approval of Permit Officer III Position and Job Description

Mr. Scanlon gave explanations of item 4, the Ordinance to approve funds for the engineering and design line item for Connecting Corolla, and for item 3, the need for a user agreement being in place for the ISO inspection.

Commissioner Aydlett moved to approve the Consent Agenda, seconded by Commissioner Gilbert. The motion carried unanimously.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
60808-532001	Supplies Sewer	\$ 7,000	
60808-557100	Software License Fee	\$ 211	
60808-590001	Capital Outlay - Sewer	\$ 28,726	
60808-532000	Supplies - Water		\$ 2,500
60808-516001	Repairs & Maintenance - Sewer		\$ 15,000
60808-514500	Training & Education		\$ 2,000
60808-588000	Contingency		\$ 16,437
		\$ 35,937	\$ 35,937

Explanation: Ocean Sands Water & Sewer District (60808) - Transfer funds for pump

replacement and unanticipated supplies for repairs.

Net Budget Effect:

Ocean Sands Water & Sewer District (60) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
14460-545000	Contract Services	\$ 74,000	
	Fund Balance		
14390-499900	Appropriated		\$ 74,000
		<u>\$ 74,000</u>	<u>\$ 74,000</u>

Explanation: Carova Beach Service District (14460) - Increase appropriations to carry forward fund balance from last fiscal year for road improvements in the Carova Beach Service District.

Net Budget Effect:

Carova Beach Service District (14) - Increased by \$74,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10775-503000	Salaries - Part time	\$ 1,448	
10775-505000	FICA	\$ 111	
10775-506001	Unemployment Insurance	\$ 15	
10775-507000	Retirement	\$ 180	
	Contract Services -		
10775-545000	Nutrition		\$ 1,754
		<u>\$ 1,754</u>	<u>\$ 1,754</u>

Explanation: Senior Center (10775) - Transfer funds to hire replacement position for the Knotts Island Senior Center.

Net Budget

Operating Fund (10) - No change.

Effect:

D) Commissioner's Report

Commissioner Gilbert expressed appreciation for all involved with Friday night's fire in Moyock. She reminded everyone that early voting starts October 23rd and urged everyone to get out and vote.

Commissioner Petrey announced Sharon United Methodist's fried chicken dinner from 5 PM till 7 PM Saturday night.

Commissioner Aydlett explained that his missed Board meetings due to sickness stems from his medications required for his kidney transplant, and the fact they suppress his immune system. He added this is the reason he does not attend many functions anymore, as he gets sick very easily.

Commissioner Beaumont hailed the prompt response by County volunteers as well, stating Friday's Moyock office fire could have been much worse.

E) County Manager's Report -

No Report.

Closed Session

Commissioner Gilbert moved to enter into Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county and pursuant to G.S. 143-318.11 (a)(3) to consult with the county attorney and to preserve the attorney-client privilege. Commissioner Petrey seconded, the motion carried unanimously, and the Board moved into Closed Session.

Adjourn

After returning from closed session and there being no further business, Commissioner Martin moved to adjourn, with a second by Commissioner Petrey. The motion carried unanimously and the meeting was adjourned.