



## **CURRITUCK COUNTY**

### **NORTH CAROLINA**

#### **Minutes- Regular Meeting of the Board of Commissioners**

April 3, 2023, 6:00 p.m.

Present: Bob White  
Selina S. Jarvis  
Paul M. Beaumont  
J. Owen Etheridge  
Mary "Kitty" Etheridge  
Kevin E. McCord  
Michael H. Payment

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#### **1. 5:00 PM - Work Session**

##### **1. Waterside Villages Sewer-Capacity and Expansion**

The Board of Commissioners met in a Work Session to consider expansion of the Walnut Island-Waterside Villages wastewater service area to provide service to Grandy Village, a multi-family residential construction project proposed for the Grandy area. An engineering assessment performed on behalf of the developers determined there is sufficient capacity at the wastewater plant to serve the project and the analysis was shared with Board members. County Manager, Ike McRee, reviewed the history of the original Walnut Island sanitary district and how the County came to own and operate the wastewater treatment plant. Eric Weatherly, Public Utilities Director, used a powerpoint to show an overhead of the location and service areas for Walnut Island and Waterside Villages. He said the plant currently has 80,000 gallons per day built and a capacity of 120,000 gallons per day. Average use is at 15,000 gallons per day, and agreements with Waterside Villages commits 90,000 gallons per day to them.

Mr. Weatherly reviewed rules and requirements for state permitting. Other Board considerations and costs for expansion and possible upgrades were presented.

Commissioner discussion included area growth with expansion and a preference for keeping sewer reserved for commercial customers rather than residential. Discussion concluded and a majority of Commissioners agreed to have staff prepare and bring back language to include Grandy Village in the wastewater service area.

## **2. Historic Corolla Park Museum Staffing**

County Manager, Ike McRee, reported on the County's efforts to staff Corolla's museum facilities on the weekends during the visitor season. Although positions have been advertised through a variety of outlets, staffing is presenting a challenge. He said one applicant interested in working at the Maritime Museum has responded, and a temporary staffing agency has been contracted to assist. Temporary agency costs and current hourly rates for County staff were presented to the Board, and Travel and Tourism Director, Tameron Kugler, reviewed the current process for staff working in Corolla.

Commissioners did not believe the temporary agency would be successful and recommended exploring options again next year and to continue to advertise the positions in an effort to seek additional applicants.

Discussion concluded and Commissioner Jarvis moved to close the Work Session. Commissioner Mary Etheridge seconded the motion. The motion carried, 7-0.

## **2. Call to Order - 6:00 PM**

Chairman White called the meeting to order and turned the meeting over to the Vice-chair, Commissioner Jarvis.

### **1. Invocation & Pledge of Allegiance**

Commissioner J. Owen Etheridge offered the Invocation and led the Pledge of Allegiance.

### **2. Ethics Awareness and Conflicts of Interest Reminder**

County Attorney, Megan Morgan, read the Ethics Awareness and Conflicts of Interest Reminder. No conflicts were disclosed.

### **3. Approval of Agenda**

Commissioner Payment moved for approval of the agenda. Commissioner McCord seconded the motion. The motion passed, 7-0, for approval.

**MOVER:** Michael H. Payment  
**SECONDER:** Kevin E. McCord

**RESULT: Approved**

### **3. Public Comment**

Vice-chair Jarvis opened the Public Comment Period.

James Mims, Moyock resident, discussed costs of beach nourishment and the placement of an article related to the Shoreline Stability Study and beach nourishment in the County newsletter. He discussed the public's need to provide expert testimony and encouraged action to protect children in school by hiring more school resource officers.

Peggy Lusk, Moyock, and Chair of the Moyock Watershed Service District Advisory Board discussed the interest Moyock area residents have in the Stormwater Board and questioned why there has been no communication from the County as to the status of the Board. Ms. Lusk stated there should be a minimum one-acre lot size, which would help with drainage and keep a rural feel.

No others were signed up nor wished to speak and the Public Comment period was closed.

### **4. Commissioner's Report**

Commissioner Mary Etheridge apologized for missing prior meetings due to health issues. She congratulated Currituck County schools and the students who participated in this season's theatre production, which she found very entertaining. She wished everyone a Happy Easter.

Commissioner Payment reported on his recent visit to Raleigh, along with Vice-chair Jarvis and members of County staff, to meet with the County's lobbyists and state legislators. A discussion of impact fees prompted legislators to tell the group they will never happen in North Carolina. He discussed needs of the County's fire departments and provided information on a Lower Currituck Volunteer Fire Department fundraiser.

Commissioner J. Owen Etheridge attended an event at Peaceful Waters Health and Wellness Center in Moyock. He provided a history of North Carolina transportation and road maintenance. He said authority was taken from Counties in 1931. He asked staff to find out whether there are plans to close Corey's Ditch in Knotts Island to recreational users.

Commissioner McCord reported ditch clearing will be addressed in areas in Moyock. He announced Budget work sessions scheduled for April 13 and 14, 2023, and touched on previous Board discussion of one-acre lot minimums. He spoke of recent school shootings and how the County, Schools, and Sheriff's Department address threats. He voiced support for school resource officers in every school and welcomed Commissioner Mary Etheridge back to the meetings.

Commissioner Beaumont reiterated the need for volunteers for local fire departments and discussed the training provided. He relayed discussion with North Carolina State Senator Bobby Hanig, who was impressed with the County's lobbyists and encouraged staff and Commissioners to visit Raleigh more often. They discussed state funding for various projects such as wastewater infrastructure and schools. He reported no funding is available for beach nourishment and suggested taking an opportunity to look at other options. He discussed school security and ensuring the use of special door locks the county previously funded for classrooms.

Chairman White also addressed the door locks that were funded when the request was previously brought before the Board. He addressed the FOCUS newsletter and said Beach Nourishment was written about because of the presentation and lengthy discussion that took place at the Board Retreat. He explained the composition of the newsletter which is put together at a staff level. He addressed owners at the Ocean Hill Property Owners Association meeting over the weekend and discussed off-shore structures to aid in beach preservation as discussed by Commissioner Beaumont. He welcomed back Commissioner Mary Etheridge.

Commissioners provided information to the public on bringing a case to oppose a Special Use Permit item being brought before the Board.

Vice-chair Jarvis discussed her recent visit to the North Carolina legislature and is counting on the support of Senator Hanig and Representative Ed Goodwin, and is counting on the General Assembly to award funds to Currituck County for infrastructure projects. She also looks forward to discussion of a one-acre minimum lot size. She acknowledged the dedication, passion and knowledge of County staff and welcomed the return of Commissioner Mary Etheridge.

## **5. County Manager's Report**

County Manager, Ike McRee, reported on the recent trip to the state legislature in Raleigh, touting the benefits and importance of visiting more often. He discussed the County's lobbyists and noted how incredibly responsive they have been to the needs of the County. He asked Senator Hanig to be mindful of supporting legislation that continues to strip power from local governments. The county "Tier" system was discussed, and Mr. McRee said Currituck County has been deemed the least economically distressed county in the state which causes many grant opportunities to be lost. He said he will ask the North Carolina Department of Transportation to include Currituck County in an assessment to determine whether there should be movement of employees to Dare County.

## **6. County Attorney's Report**

County Attorney, Megan Morgan, was asked to report on the importance of requiring expert testimony for quasi-judicial proceedings and explained the difference between expert and layman's testimony. She spoke about how a citizen can be qualified and accepted as an expert witness by laying the

foundation of their experience, and the potential for lawsuits if lay testimony is accepted and considered by Commissioners. She responded to questions related to testimony.

## **7. Administrative Reports**

### **1. Parks and Recreation Master Plan Presentation**

Jason Weeks, Director of Parks and Recreation, introduced Mike Norris of McGill and Associates who used a powerpoint to present highlights of the Parks and Recreation Master Plan created for the County. A hardcopy document of the powerpoint was distributed to Commissioners, and Mr. Norris discussed the community engagement process and reviewed public survey results used to develop the plan. Specific growth areas were considered for plan development, and Mr. Norris presented recommendations based on site specific plans. Redevelopment of existing facilities and new facility recommendations were reviewed with cost estimates at \$15 million each over the span of the ten year plan. Grant funds may be used to off-set some costs.

Mr. Norris responded to questions from Board members. Staffing needs, priorities and survey comments were reviewed. Commissioner Beaumont suggested the Board encourage builders to include park and recreational infrastructure within subdivisions, and the Board discussed increased messaging to inform the public as to what recreation facilities are available and locations.

## **8. Old Business-Ordinance Second Reading**

### **1. Ordinance Amending Chapter 11-23 of the Currituck County Code of Ordinances-Storage of Garbage on the 4X4 Area**

County Attorney, Megan Morgan, presented the Ordinance for its second reading. She reviewed its first reading at the March 20, 2023, Board meeting and the changes for consideration which consisted of updates to the zoning districts throughout the ordinance and language to address solid waste disposal on the off-road area.

Chairman White moved for approval of the Ordinance and Commissioner McCord seconded the motion. The motion carried, 7-0, in favor.

**MOVER:** Bob White

**SECONDER:** Kevin E. McCord

**RESULT:** Approved

## **9. New Business**

### **1. Board Appointments**

- a. Ocean Sands N/Crown Point Watershed District Advisory

Chairman White moved for approval of nominee, Janis Timberlake, to fill an unexpired term on the Ocean Sands North/Crown Point Watershed District Advisory Board. Commissioner McCord seconded the motion. The motion carried, 7-0, in favor.

**MOVER:** Bob White

**SECONDER:** Kevin E. McCord

**RESULT: Approved**

b. Wild Horse Advisory Board

Chairman White moved for approval of Ronda Galko to fill the at-large vacancy on the Wild Horse Advisory Board. Commissioner J. Owen Etheridge seconded the motion. The motion carried, 7-0, in favor.

**MOVER:** Bob White

**SECONDER:** J. Owen Etheridge

**RESULT: Approved**

**2. Consent Agenda**

Commissioner Payment moved for approval of Consent Agenda. Commissioner Mary Etheridge seconded the motion. The motion carried, 7-0, in favor.

**MOVER:** Michael H. Payment

**SECONDER:** Mary R. Etheridge

**RESULT: Approved**

- a. Budget Amendments
- b. Resolution-Designation of Plan Review Officers
- c. Vehicle Surplus Resolution-Animal Services & Control
- d. Surplus Resolution-Airport Ground Power Unit
- e. Surplus Resolution-Airport Kubota Zero Turn Mower
- f. Lottery Funds Request-Moyock Middle School Chiller Repair
- g. Project Ordinance: Moyock Middle School Chiller-Coil and Valve Refurbishing
- h. Project Ordinance-Historic Corolla Park Boathouse Roof Repair
- i. Approval of Minutes-March 20, 2023

**10. Recess Regular Meeting**

The Regular Meeting was recessed at 7:23 PM to convene a Special Meeting of the Tourism Development Authority.

**11. Special Meeting-Tourism Development Authority**

The Board of Commissioner convened a Special Meeting during a recess of the April 3, Regular Meeting, to sit as the Tourism Development Authority. The meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, to consider Budget Amendments. Vice-chair Jarvis called the meeting to order at 7:23 PM.

**1. TDA Budget Amendments**

Commissioner Payment moved for approval of the Budget Amendments. Chairman White seconded the motion. The motion carried, 7-0, in favor.

**MOVER:** Michael H. Payment

**SECONDER:** Bob White

**RESULT: Approved**

**12. Adjourn TDA**

Having no further business, Chairman White moved to adjourn. Commissioner Payment seconded the motion. The motion carried, 7-0, in favor and the meeting of the Tourism Development Authority adjourned at 7:24 PM.

**MOVER:** Bob White

**SECONDER:** Michael H. Payment

**RESULT: Approved**

**13. Reconvene for Closed Session**

Vice-chair Jarvis reconvened the Regular Meeting at 7:24 PM for Closed Session.

**1. Pursuant to N.C.G.S. 143-318.11(a)(3) to consult with the County Attorney and to preserve the attorney-client privilege.**

Vice-chair Jarvis moved to enter Closed Session pursuant to NC G.S. 143-318.11(a)(3) to consult with the County Attorney to discuss pending litigation in the matter of 85 and Sunny, LLC v. Currituck County and its Board of Commissioners, File Number 2-22CB001FL and to preserve the attorney-client privilege.

Chairman White seconded the motion. The motion passed, 7-0 in favor, and the Board moved into Closed Session.

**MOVER:** Selina S. Jarvis

**SECONDER:** Bob White

**RESULT: Approved**

**14. Adjourn**

Commissioners returned from Closed Session at 7:51 PM and County Manager, Ike McRee, updated Commissioners on a case involving a used car lot that has been remanded back to the Board for a rehearing of a Special Use Permit request. The Board also briefly discussed county staff and the importance of providing good customer service to the public.

Discussion concluded and Commissioner Mary Etheridge moved to adjourn. Commissioner McCord seconded the motion. The motion passed, 7-0 in favor, and the meeting of the Board of Commissioners adjourned at 7:54 PM.

**MOVER:** Mary R. Etheridge

**SECONDER:** Kevin E. McCord

**RESULT: Approved**