



CURRITUCK COUNTY NORTH CAROLINA

December 19, 2022

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION - 5:00 PM

The Board of Commissioners met in a Work Session at 5:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

1. Board Members of the Historic Jarvisburg Colored School-Placement of "Currituck Jack"

Members of the Historic Jarvisburg Colored School (HJCS) Board of Directors provided input on their preference for placement of a statue of "Currituck Jack", an African American historical figure significant to Currituck County. Vivian Simpson, President of the HJCS, and other Board members want the statue placed at the HJCS for the visibility, interpretation, and educational opportunities at the site. Tameron Kugler, Travel & Tourism Director, provided a brief history of Currituck Jack and displayed design renderings of the statue that would be funded through a Z. Smith Reynolds Public Inclusive Arts Program grant, if awarded. Ms. Kugler said the grant package is due January 31, 2023, and the conceptual drawing will be chosen at a public meeting on January 4, 2023. Currituck Historian, Barbara Snowden, was present and highlighted Currituck Jack's transition from a slave-mariner to hero of the American Revolution. Commissioners agreed to the Historic Jarvisburg Colored School location.

2. Community Calendar/Business Directory

Commissioners recalled a presentation on December 5, 2022, by One Boat, a company interested in developing and maintaining a business listing and website for Currituck County businesses. Commissioners resumed consideration of the proposal and compared One Boat's proposal with services provided to the County through Tourism and Economic Development. Commissioners agreed the concept would be beneficial to businesses, but costs were a concern. Commissioner Mary Etheridge suggested holding off until budget discussions commenced. Rebecca Gay, Assistant County Manager, reviewed cost comparisons and a timeline for bidding purposes, and following discussion, staff was directed to move forward and bid the project to better determine costs for the service.

3. Motion to Close Work Session

Discussion concluded and Commissioner McCord moved to close the Work Session. Commissioner Jarvis seconded the motion. The motion carried, 6-0, and the Work Session concluded at 5:37 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin E. McCord, Commissioner
SECONDER:	Selina S. Jarvis, Vice-Chair
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

6:00 PM CALL TO ORDER

The Board of Commissioners held a Regular Meeting at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Bob White	Chairman	Present	
Selina S. Jarvis	Vice-Chair	Present	
Paul M. Beaumont	Commissioner	Absent	
J. Owen Etheridge	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Kevin E. McCord	Commissioner	Present	
Michael H. Payment	Commissioner	Present	

Chairman White called the meeting to order.

A) Invocation & Pledge of Allegiance

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

B) Ethics Awareness and Conflicts of Interest Reminder

Commissioner McCord read the Ethics Awareness and Conflicts of Interest Reminder. Commissioner White reported he had spoken with the applicant for the Monterey Shores Use Permit prior to submittal of the application. He and other Commissioners acknowledged receipt of an email pertaining to the Use Permit hearing, but disclosed no conflicts or inability to be objective.

C) Approval of Agenda

Commissioner Mary Etheridge moved to amend the agenda to add a reappointment to the ABC Board. The reappointment was added as Item 5 under New Business, Board Appointments. Commissioner McCord seconded the motion and the agenda was approved as amended.

Approved agenda:

Work Session - 5:00 PM

Board Members of the Historic Jarvisburg Colored School-Placement of

"Currituck Jack" Community Calendar/Business Directory

6:00 PM Call to Order

A) Invocation & Pledge of Allegiance

B) Ethics Awareness and Conflicts of Interest Reminder

C) Approval of Agenda

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Commissioner's

Report

County

Manager's Report

County Attorney's

Report

Public Hearings

- A) PB 87-56 Monteray Shores, Phase 10, Part A Request for preliminary plat/special use permit for six lots (five single-family residential and one commercial) at the proposed Corolla Boat Club, Monteray Shores, PUD, Phase 10. The property is located on Malia Drive in Corolla, Tax Map 116, Parcel 10, Poplar Branch (Beach) Township.

New Business

A) Board Appointments

1. Board of Adjustment
2. Planning Board
3. Tourism Advisory Board
4. Appointment of Commissioners to Advisory Boards
5. ABC Board-**Amended**

B) Consent Agenda

1. Budget Amendments
2. Approval of Revisions to the Wild Horse Management Agreement
3. Approval Of Minutes-December 5, 2022

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property to be used for any governmental purpose. The property is owned by Amy D. Wells and Ronald K. Bennett and consists of 225 acres at West Side Lane in Powells Point, North Carolina, Parcel No. 011200000010000.

Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

PUBLIC COMMENT

Please limit comments to matters other than those appearing on this agenda as a Public Hearing. Public comments are limited to 3 minutes.

Chairman White opened the Public Comment period. No one was signed up nor wished to speak and Public Comment was closed.

COMMISSIONER'S REPORT

Commissioner J. Owen Etheridge wished all a Merry Christmas. He said he had received questions from citizens about the County's new solid waste decals. County Manager, Ike McRee, said new decals would be mailed to property owners, and current decals will be valid through the end of January, 2023.

Commissioner McCord wished all a Merry Christmas. He encouraged citizens to donate to the Department of Social Services Operation Santa program and reported on a shopping event the Sheriff's Office participated in to benefit needy children in the County. He congratulated former Lieutenant Jason Banks on his appointment to the Currituck County Board, filling the vacancy after the sudden passing of Will Croddick, who was just elected to the Board. Condolences were offered to the Croddick family. He discussed a Daily Advance newspaper article and its author, Paul Nielson, who noted the Board's support for County staff.

Commissioner Jarvis, who sits on the College of the Albemarle (COA) Board of Trustees, recognized the success of COA's nursing program and students, all of whom achieved a 100% pass rate on the national licensure examination. She wished everyone Merry Christmas.

Commissioner Mary Etheridge wished all a Merry Christmas and thanked those who supported Operation Santa Claus. She reported attending the recent Master Gardener's Award Dinner and a meeting of the Risk Management Board of Trustees in Raleigh. She recognized the work of those in public service and discussed challenges recruiting people for public service work.

Commissioner Payment offered birthday wishes to the Chairman and a Merry Christmas to citizens and staff. He stressed the importance of family over the holidays and encouraged people to check on the elderly with the cold weather. He said he has spoken with Pastors who are interested in returning to lead the prayer at Board meetings, and he asked for continued support for local fire departments. Commissioner Payment addressed citizen questions regarding businesses locating in the County.

Chairman White acknowledged Commissioner Beaumont's absence, who was traveling to visit family. He recognized all of the recent management-level staff changes and the County's ability to maintain service to the community. He announced the cancellation of the regular meeting on January 3, 2023, and the Board of Commissioners Annual Retreat, which will be held in February.

COUNTY MANAGER'S REPORT

County Manager, Ike McRee, announced dates for holiday office closures. He announced Currituck County was awarded \$35,000 for engineering and design costs related to resiliency projects identified in the County as a participant in the North Carolina Coastal Resiliency Program. He said Dylan Lloyd, Soil and Water Technician, has requested the Board's support in applying for grants to fund construction of the projects through the Albemarle Resource Conservation Development Council.

1. Motion-Support for submittal of grant application to the Albemarle Resource Conservation Development Council

Commissioner J. Owen Etheridge moved to support submittal of grant applications for construction funding. Commissioner Mary Etheridge seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	J. Owen Etheridge, Commissioner
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

COUNTY ATTORNEY'S REPORT

County Attorney, Megan Morgan, reported on activity of the Legal Department that included depositions pertaining to litigation entitled 85 and Sunny, LLC v. Currituck County. She said opioid litigation is going well and several companies agreed to settle the lawsuit. Ms. Morgan is working through Code Enforcement issues and will be traveling to Corolla to meet with a surveyor to discuss continuation of the multi-use path on Highway 12.

PUBLIC HEARINGS

A. PB 87-56 Monterey Shores, Phase 10, Part A

APPLICATION SUMMARY

Property Owner: Richard C. Willis Outer Banks Ventures, LLC PO Box 549 Corolla, NC 27927	Applicant: Richard C. Willis Outer Banks Ventures, LLC PO Box 549 Corolla, NC 27927
Case Number: PB 87-56	Application Type: Preliminary Plat/Special Use Permit
Parcel Identification Number: 0116-000-0010-0000	Existing Use: Vacant Land with Existing Pond
Imagine Currituck Land Use Plan Classification: G3 & O2	Parcel Size (Acres): 36.19 (Subject Parcel) 10.01 (Proposed Phase)
Request: Preliminary Plat/Special Use Permit for 6 lots (5 residential & 1 commercial)	Zoning: SFO with PUD Overlay

SURROUNDING PARCELS

	Land Use	Zoning
North	Monterey Shores Open Space	Monterey Shores PUD SFO with PUD Overlay
South	Timbuck II Shops	Buck Island PUD SFO with PUD Overlay
East	Monterey Shores WWTP/ Corolla Adventure Golf & Bumper Cars/Seaside Farm Market/Coffee Shop	SFO with PUD Overlay
West	Currituck Sound	N/A

Background

The overall development plan approved through the Amended Sketch Plan/Special Use Permit process included a total of thirty-six (36) residential dwelling units: five (5) single-family dwelling lots, twenty-five (25) townhome lots and six (6) upper story dwelling units, a ten (10) slip boat basin for use by residents and visitors to the site, construction of three retail buildings over the existing pond with two (2) upper story dwelling units in each building. A boardwalk connection is proposed from the retail buildings to a proposed restaurant and outdoor entertainment deck. A recreation/paddle boat rental storefront/storage building is proposed adjacent to the pond with docks over the pond.

A conceptual development plan and preliminary architectural renderings were provided by the applicant during the Amended Sketch Plan/Special Use Permit process to illustrate the proposed uses and project layout. Additional approvals are required prior to construction. Below is the conceptual plan that was approved.



Request & Application Summary

The applicant, Outer Banks Ventures, Inc. is requesting **preliminary plat/special use permit (PP/SUP) approval for the establishment of six (6) lots** (including five (5) single-family residential lots and one (1) commercial lot) on the 36.194-acre subject property located in the Monterey Shores Planned Unit Development (PUD). This request is part of the development plan approved by the BOC on October 18, 2021 (see above).

The proposed lots meet the bulk and dimensional standards of UDO Section 1.8 for minimum lot area, width, and setbacks. Required open space is provided. Paved sidewalks are proposed within the subdivision and a pedestrian connection will be made to the crosswalk at NC12 just northeast of Malia Drive. County water and private wastewater are available to serve the proposed development.

The approved Amended Sketch Plan is a development plan with water access for the residents and visitors to the site. A boardwalk for water access is proposed as part of this phase. The BOC may consider a required timing of actual construction of the boardwalk to the water instead of posting of a performance guarantee for this improvement. Staff suggests that construction of the boardwalk to the water be completed prior to platting of all lots in this phase. This water access is a critical piece of the development proposal. (A suggested condition is included in the TRC Review Comments below.)

The applicant is proposing access to the subdivision from Malia Drive as well as an entrance through the NCDOT owned property where Seaside Farm Market is located. Approval for access through the NCDOT property has not been provided by the applicant. The TIA submitted references access scenarios, one being that the connection through the NCDOT property will not be made. The amended sketch plan was approved with the proposed connection through the NCDOT property and the connection across the existing pond is required to meet internal street connectivity requirements of UDO Section 5.6.4. A condition of Amended Sketch Plan/Special Use Permit approval stated:

“Proposed access and configuration through the NCDOT owned parcel(s) shall be approved by NCDOT or Turnpike Authority as appropriate and by County Staff through the Preliminary Plat/Special Use Permit or Major Site Plan review process”.

The BOC may consider a condition that approval of the connection by NCDOT must be submitted prior to approval of construction drawings related to this preliminary plat. (A suggested condition is included in the TRC Review Comments below.)

The applicant is proposing to post a performance guarantee for this portion of the road connection. The BOC may consider a required timing of actual construction of the road extension. Staff suggests that construction of the road and sidewalk connection across the pond be installed prior to final plat recordation of all 6 proposed lots. (A suggested condition is included in the TRC Review Comments below.)

An initial community meeting was held on July 25, 2022, and a second properly noticed community meeting was held on August 11, 2022. County staff attended the meeting on August 11, 2022. A community meeting summary provided by the applicant is included in the agenda packet.

INFRASTRUCTURE

Water	Southern Outer Banks Water System (SOBWS)
Sewer	Carolina Water Service (Private)

REVIEW AND COMMENT

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee provides the following review comments regarding the proposed Amended Sketch Plan/Special Use Permit:

1. Prior to approval of Construction Drawings, proposed access, and configuration through the NCDOT owned parcel(s) shall be approved by NCDOT or Turnpike Authority as appropriate.
2. Prior to recordation of the Final Plat, construction of road connection across the pond to the NCDOT property must be completed.
3. Prior to recordation of the Final Plat, construction of the boardwalk to the water must be completed.
4. Proposed changes to pond configuration shall not negatively impact the county's easement or purpose for the easement recorded in the Currituck County Register of Deeds Office on Deed Book 1135, Page 302.
5. Walkways and piers for private property owner use may not be constructed in open space set-asides.
6. Prior to approval of Construction Drawings, provide certification that Malia Drive meets NCDOT construction standards for compliance with UDO Section 6.2.1.D.4 Connection with State Streets.

Imagine Currituck 2040 Vision Plan

The *Imagine Currituck 2040 Vision Plan* classifies this site as **G-3: Mixed-Use Centers and Corridors** and **O-2: Reserved Lands** within the Corolla area. Generally, the G-3 classification is supported by major transportation networks, public water and wastewater infrastructure, and a community greenway system that links neighborhoods to mixed-use areas. This sector provides for a wide range of uses including mixed residential subdivisions with a variety of housing types and mixed-use developments that maximize the efficient use of space. Medium to high residential densities, commercial and compatible industrial uses are encouraged to locate within the G-3 transect areas where both water and wastewater services are available. The O-2 classification is comprised of wetlands, environmentally sensitive areas, significant natural heritage areas, and prime agricultural land that should be targeted for conservation or farmland

preservation. This area should not be targeted for public or private water and sewer infrastructure or other growth inducing activities.

The following policies of the plan may apply to the proposed request:

Land Use Goal 1: Encourage development to occur at densities appropriate for their location and consider factors, including but not limited to: environmentally suitable areas; suitable soils, adequate infrastructure; the type and capacity of sewage treatment available to the site; the adequacy of transportation facilities providing access to the site; and compatibility and proximity of the site to existing and planned County services.

Land Use Policy 1.3: Consider community character and established visions for the community.

Land Use Policy 1.4: Protect the uniqueness of the County through preservation of farmland, wooded areas, open space and water views from roads, walkways, and other public spaces.

Land Use Policy 2.1: Continue to encourage businesses to coordinate site design with nearby businesses including shared or connected parking and access, pedestrian and vehicular movement, and consistent signage.

Transportation Policy 2.1: New development shall construct pedestrian walkways and multi-use greenways that connect adjacent residential and commercial areas.

Environment Goal 1: Preserve and protect the County's environmentally significant and sensitive lands and surrounding areas.

Environment Policy 1.1: Preserve coastal and non-coastal wetlands and riparian buffers for their natural resilience benefits.

Parks and Recreation Goal 1: Improve public access to natural resource areas including ocean and estuarine shorelines and public trust waters.

Parks and Recreation Policy 1.5: New development shall provide public access to recreation and natural resource areas.

Parks and Recreation Policy 2.1: Continue to require new development to construct pedestrian walkways and multi-use greenways that connect to external adjacent residential, commercial, recreation and open space areas.

Parks and Recreation Policy 3.2: Continue to require recreation and park area dedication or fee in lieu of providing recreation amenities.

General Corolla Land Use Policy 1.4: Continue to improve access to estuarine shorelines and beaches.

General Corolla Land Use Policy 1.7: Minimize commercial strip development and maximize traffic moving capability by encouraging commercial development to cluster at appropriate locations rather than dispersing along NC12.

Corolla G-2 Transect Policy 2.1: Concentrate commercial development in existing neighborhood nodes to minimize commercial strip development and maximize the moving capability of NC12.

Corolla G-2 Transect Policy 2.2: Encourage existing PUDs to continue to develop according to the master plan in order to achieve a more efficient use of land, a higher level of amenities and creative design.

SPECIAL USE PERMIT REVIEW STANDARDS

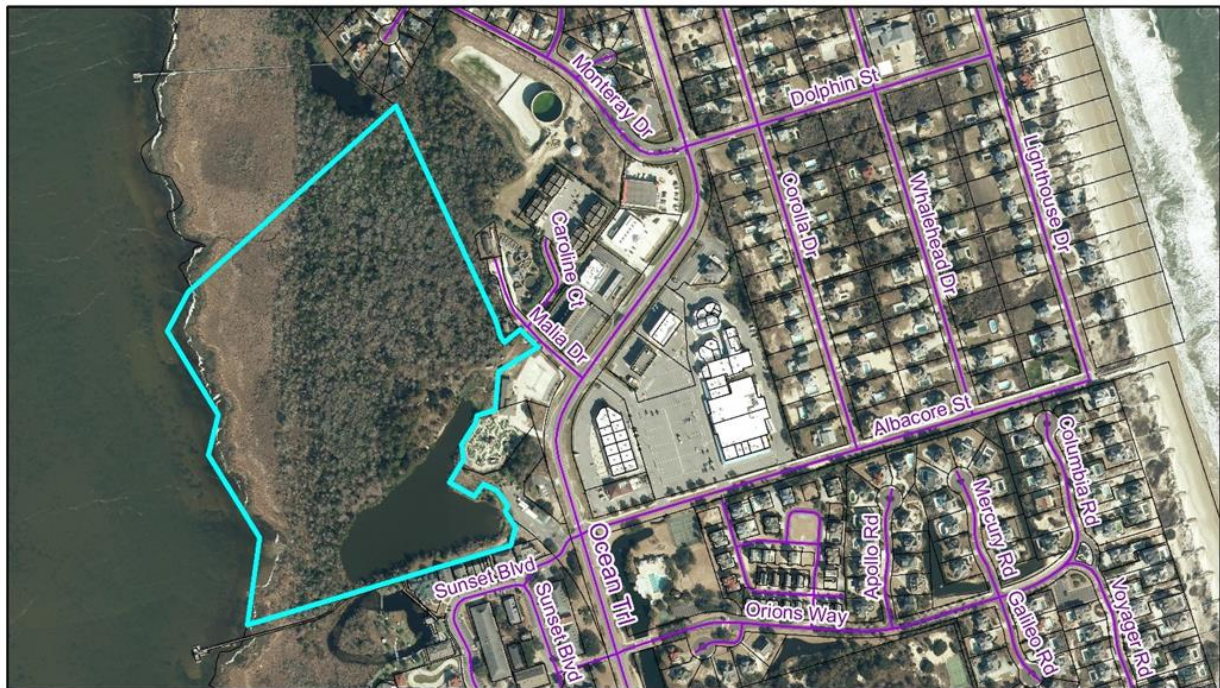
Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards.

Special Use Permit Review Standards

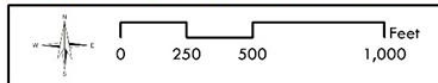
A special use permit shall be approved on a finding that the applicant demonstrates the proposed use will:

1. Not endanger the public health or safety.

2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
3. Be in conformity with the Land Use Plan or other officially adopted plan.
4. Not exceed the county's ability to provide adequate public facilities, including but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.



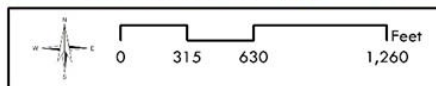
PB 87-56 Monterey Shores
Corolla Boat Club
Preliminary Plat/SUP
2020 Aerial Photography



Currituck County
Planning and
Community Development



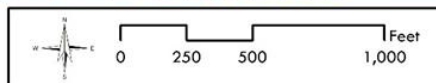
PB 87-56 Monterey Shores
Corolla Boat Club
Preliminary Plat/SUP
Official Zoning Map



Currituck County
Planning and
Community Development



PB 87-56 Monterey Shores
Corolla Boat Club
Preliminary Plat/SUP
Imagine Currituck Transect Classification



Currituck County
Planning and
Community Development

Parties to speak were sworn in and Kevin Kemp, Development Services Director, reviewed the Preliminary Plat/Special Use Permit application for the Board. Site location, current zoning, and surrounding land uses were reviewed and maps were displayed on the

overhead. An overview of the site plan and amenities were presented. Considerations were presented for approval for a bridge and roadway to provide suitable access. Land Use Plan (LUP) designation, policies from Imagine Currituck, and Technical Review Committee (TRC) comments, and permit review standards were presented. Mr. Kemp and Senior Planner, Jennie Turner, responded to questions from Commissioners related to on-street parking and the proposed boardwalk construction for water access.

John Morrison, Attorney for the applicant, called Mark Bissell, Project Engineer, who was accepted as an expert witness. Mr. Bissell testified as the Engineer of record for the project which has been proceeding over the last couple of years. He testified as to his knowledge of the Currituck County Unified Development Ordinance (UDO) and commented on the need for approval of the Turnpike Authority or the North Carolina Department of Transportation (NCDOT) to use the right of way for interconnectivity and access to the site location, which is being hampered by litigation pertaining to the Mid-Currituck Bridge. Mr. Bissell said right-of-way access is not necessary for this phase of construction, and he reviewed results of an analysis which determined traffic can be adequately serviced via Malia Drive without use of the right of way.

Mr. Bissell reviewed the application for Commissioners and the sketch plan that was approved in March, 2022. Conceptual overhead drawings and a site plan consisting of five residential and one commercial lot were displayed on the overhead. Supporting statements and findings of fact were presented noting the project will have no adverse effects to the surrounding area, will not endanger public health or safety, will not injure the value of adjoining or abutting lands and will be in harmony with the area, and will not exceed the County's ability to provide adequate public facilities. Statements of compatibility and consistency with the LUP were presented.

Mr. Bissell addressed issues with the connection to the NCDOT right of way. He said traffic can be handled through Malia Drive and inter-connectivity addressed at next phase, as it is currently not needed. Staff recommendations were discussed, which include modifications and approval of the connection to the right of way by NCDOT prior to construction drawing approvals. It was requested that NCDOT approval not be required for this phase of development, and should NCDOT not give approval, other aspects of the project would have to be amended to find alternate access.

Mr. Bissell discussed the Coastal Area Management Administration's (CAMA) process for permitting of the planned, eight-foot boardwalk and asked that it not be included as a condition for approval. He said a walkway would be constructed and responded to questions pertaining to the boardwalk and walkway, and whether large vehicles would be able to access the location.

The need for interconnectivity to the TimBuck II commercial area was discussed by Commissioners. It was confirmed a cluster mailbox will accommodate all residences, and Mr. Bissell said on-street parking accommodations resulted from citizen comments at the community meeting.

Ms. Turner was asked to address density in the Monterey subdivision. She doesn't believe the project meets the interconnectivity requirement in the UDO without the bridge and needs to be resolved. With no comment from NCDOT nor the Turnpike Authority, Mr. Bissell said they have no objection to installing the road as far as possible without encroaching on NCDOT property.

Chairman White recessed the meeting at 7:28 PM and reconvened at 7:36 PM.

John Morrison called Andrew Topp, Professional North Carolina Traffic Engineer, to testify. Mr. Topp provided his education and experience and was tendered as an expert witness on traffic safety and analysis. He recalled testifying before Commissioners at the prior hearing where no public danger relative to the entire project was noted. He said using Malia Drive as the only access would not pose a danger to the public.

Commissioners questioned the timing of the traffic study and voiced concern that the study does not adequately represent what happens on the ground because it was not performed at peak time. Mr. Topp explained the rationale for the study's time frame and said they look at the trip numbers that will be generated by the development. He said different scenarios were considered, and he had no concerns when Chairman White suggested one-way traffic through the NCDOT easement with all traffic exiting at Malia Drive.

Although not present at the hearing, Commissioners agreed to accept testimony at the Public Hearing on October 18, 2021, from Steven Craddock, North Carolina Certified Appraiser.

Rick Willis, Applicant and President of Outer Banks Ventures, testified. He did not object to a one-way road condition at the farm market on the NCDOT easement and said Mr. Bissell hoped to reconfigure the road once the easement is approved for use by NCDOT. A modification to Sunset Boulevard at TimBuck II was discussed, and Mr. Willis said that roadway is also on NCDOT property. Mr. Bissell said he could not determine if someone would be harmed if the NCDOT road was modified to a one-way at the farm market. Ms. Turner stated she would need to review the proposal to determine what the impacts may be and determine whether the changes would be "substantial" requiring a restart of the County's approval process. Mr. Topp said he believes the one-way as proposed would work.

The Board considered concerns with traffic and connectivity, and decided alternatives such as the one-way should be looked at and staff allowed time to review. Commissioner Payment moved to recess PB 87-56: Monterey Shores, Phase 10, to the January 17, 2023, Board of Commissioners meeting. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

RESULT:	RECESS [UNANIMOUS]	Next: 1/17/2023 6:00 PM
MOVER:	Michael H. Payment, Commissioner	
SECONDER:	Selina S. Jarvis, Vice-Chair	
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner	
ABSENT:	Paul M. Beaumont, Commissioner	

NEW BUSINESS

A) Board Appointments

1. Board of Adjustment

Commissioner Payment moved for approval of Robin Kane for reappointment to a three-year term on the Board of Adjustment expiring December 31, 2025. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael H. Payment, Commissioner
SECONDER:	Selina S. Jarvis, Vice-Chair
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

2. Planning Board

Commissioner Jarvis moved for reappointment of the following Planning Board members to serve two-year terms expiring December 31, 2024:

- Thomas Hurley
- Garry Owens
- Michael Corbell
- Bryan Bass

Commissioner Mary Etheridge seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Selina S. Jarvis, Vice-Chair
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

3. Tourism Advisory Board

Commissioner Mary Etheridge nominated Daryl Harlow for reappointment to a two-year term on the Tourism Advisory Board, expiring November 30, 2024. Chairman White seconded the motion and the motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Bob White, Chairman
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

Motion-Board Appt-Tourism Advisory Board

Commissioner Payment nominated Sharon Price for reappointment to the Tourism Advisory Board to serve a two-year term expiring November 30, 2024. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

4. Appointment of Commissioners to Advisory Boards

Commissioner Mary Etheridge moved for approval of Board of Commissioner service on Advisory Boards, as presented with no changes. Commissioner McCord seconded the motion. The motion carried, 6-0.

Paul Beaumont:

- Fire & EMS Advisory Board
- Veteran's Advisory

J. Owen Etheridge:

- Albemarle Commission
- Albemarle Regional Planning Organization-Alternate (ARPO)
- Albemarle Regional Solid Waste Authority

Mary Etheridge:

- ABC Board
- Senior Citizens Advisory Board
- Social Services Board

Selina Jarvis:

- College of the Albemarle Board of Trustees
- Juvenile Crime Prevention Council

Kevin McCord:

- Animal Services and Control Advisory Board
- Recreation Advisory Board
- Trillium Health

Mike Payment:

- Albemarle Regional Health Board
- Local Emergency Planning Committee (LEPC)

Bob White:

- Albemarle Regional Planning Organization (ARPO)
- Tourism Advisory Board

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

5. ABC Board-Amended

Commissioner Mary Etheridge nominated Vance Aydlett for reappointment to the ABC Board to serve a three-year term ending September 1, 2025. Chairman White seconded the motion and the motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Bob White, Chairman
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

B) Consent Agenda

Chairman White explained the reasoning for the membership change on the Wild Horse Advisory Board. Following discussion, Commissioner Payment moved for approval of Consent Agenda. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael H. Payment, Commissioner
SECONDER:	Selina S. Jarvis, Vice-Chair
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

1. Budget Amendments

20230055			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
10415-561000	Professional Services	\$	125,000	
10330-421501	Opioid Settlement	\$	101,634	
10390-499900	Appropriated Fund Balance			\$ 226,634
		\$	226,634	\$ 226,634
Explanation:	Legal(10415) - To appropriate funds for additional legal expenses for ongoing and pending litigation. Also, to close out the Opioid Settlement funds from the General Fund. This was moved to the Opioid Settlement Fund.			
Net Budget Effect:	Operating fund (10) - Increased by \$125,000.			
20230056			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
10512-516200	Vehicle Maintenance	\$	7,000	
10512-561000	Professional Services			\$ 7,000
		\$	7,000	\$ 7,000
Explanation:	Animal Services and Control (10512) - Replace transmission in animal services 2012 Nissan Frontier.			
Net Budget Effect:	Operating Fund (10) - No change.			
20230057			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
10410-526200	Promotional Efforts	\$	7,500	
10410-526000	Advertising	\$	3,000	
10320-411000	Article 39 Sales Tax - Local Option			\$ 10,500
		\$	10,500	\$ 10,500
Explanation:	Administration (10410) - Increase appropriations for increases in costs of postage and for unanticipated public notice advertising.			
Net Budget Effect:	Operating Fund (10) - Increased by \$10,500.			

20230058			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
10541 553000	Dues and Subscriptions	\$	1,500	
10530 544000	Vol Assistance			\$ 500
10530 561000	Professional Services			\$ 1,000
		\$	1,500	\$ 1,500
Explanation:	Fire Services (10541); Emergency Medical Services (10530) - To accommodate the increase in invoice associated with adding all employees to the Fire roster in order for them to benefit in case of emergency.			
Net Budget Effect:	Operating Fund (10) - No change.			
20230059			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
12543-545000	Contract Services	\$	10,000	
12543-561003	Professional Services			\$ 10,000
		\$	10,000	\$ 10,000
Explanation:	Fire Services - Moyock VFD (12543) - Transfer budgeted funds as requested by the Moyock VFD for increases in contract services.			
Net Budget Effect:	Fire Services Fund (12) - No change.			
			Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>			
10531-545000	Contract Services			\$ 1,000
10531-516200	Vehicle Maintenance	\$	1,000	
		\$	1,000	\$ 1,000
Explanation:	Fire Services - Moyock VFD (12543) - Transfer budgeted funds for Emergency Management vehicle maintenance.			
Net Budget Effect:	Operating Fund (10) - No change.			

2. Approval of Revisions to the Wild Horse Management Agreement

3) Approval Of Minutes-December 5, 2022

1. Minutes-December 5, 2022**CLOSED SESSION**

- 1. Closed Session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property to be used for any governmental purpose. The property is owned by Amy D. Wells and Ronald K. Bennett and consists of 225 acres at West Side Lane in Powells Point, North Carolina, Parcel No. 011200000010000.**

Chairman White moved to enter Closed Session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property to be used for any governmental purpose. The property is owned by Amy D. Wells and Ronald K. Bennett and consists of 225 acres at West Side Lane in Powells Point, North Carolina, Parcel No. 011200000010000.

Commissioner Mary Etheridge seconded the motion. The motion carried, 6-0, and the Board entered into Closed Session.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob White, Chairman
SECONDER:	Mary "Kitty" Etheridge, Commissioner
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner

ADJOURN**Motion to Adjourn Meeting**

The Board returned from Closed Session and Commissioner J. Owen Etheridge discussed requesting local legislation for the County to reduce Currituck from a Tier 3 county to a Tier 2. County Manager, Ike McRee, offered to put together a rationale for a reduced Tier rating for submittal to the state legislature.

Business concluded and Commissioner McCord moved to adjourn. Commissioner Payment seconded the motion. The motion carried, 6-0, and the regular meeting of the Board adjourned at 8:41 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin E. McCord, Commissioner
SECONDER:	Michael H. Payment, Commissioner
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, Commissioner