



**Board of Commissioners  
Agenda Packet**

**October 19, 2020**

**Work Session**

5:00 PM Carova Roads

**6:00 PM Call to Order**

- A) Invocation & Pledge of Allegiance
- B) 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****Public Hearings**

- A) **PB 20-14 Currituck Water & Sewer, LLC – Wastewater Treatment:** Currituck Water & Sewer, LLC, is requesting a Major Utility Use Permit to operate a wastewater treatment facility at 287 Green View Road. The treatment facility location includes Identification Parcel Numbers: 0015-000-084A-0000 through 0015-000-084D-0000, 0015-000-084I-0000, and 0016-000-001A-0000 in Moyock Township.
- B) **PB 20-13 Complete Auto Credit:** Marc Sisino has requested an Automobile Sales Use Permit for property located at 1383 Caratoke Highway, Parcel Identification Number 0023-000-0010-0000, Moyock Township.

**New Business**

- A) **PB 19-20 Flora Farm Motion to Renew**
- B) **Recommendation of Bid Award-Whalehead Subdivision Drainage Improvements, Sailfish Street**
- C) **Consideration of an EMS Request to Allow Billing for Non-Emergency Transport-Currituck House, Moyock & Currituck Health and Rehab Center, Barco**
- D) **Board Appointments**
  - 1. Game Commission
- E) **Consent Agenda**
  - 1. Budget Amendments
  - 2. Project Ordinance-CCMS Auditorium Roof Repair and Griggs Elementary HVAC
  - 3. Approval Of Minutes-Oct. 5, 2020

**Adjourn**





## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2938)

**Agenda Item Title:** 5:00 PM Carova Roads

**Submitted By:** Leeann Walton – County Manager

**Presenter of Item:**

**Board Action:** Information

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**Brief Description of Agenda Item:**

Engineering Tech, Nick Ingold, will present an overview of the process for the upgrade and maintenance of roads in the Carova Beach off-road area and present a plan for the continued improvement of roads within the Carova Roads Maintenance Service District.

**Potential Budget Affect:**

**Is this item regulated by plan, regulation or statute?** No

**Manager Recommendation:**



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2943)

**Agenda Item Title:** PB 20-14 Currituck Water & Sewer, LLC – Wastewater Treatment:

**Submitted By:** Cheri Elliott – Planning & Community Development

**Presenter of Item:** Laurie LoCicero

**Board Action:** Action

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**Brief Description of Agenda Item:**

Currituck Water & Sewer, LLC, is requesting a Major Utility Use Permit to operate a wastewater treatment facility at 287 Green View Road. The treatment facility location includes Identification Parcel Numbers: 0015-000-084A-0000 through 0015-000-084D-0000, 0015-000-084I-0000, and 0016-000-001A-0000 in Moyock Township.

**Is this item regulated by plan, regulation or statute?**

**Planning Board Recommendation:**

No Planning Board review-Use Permit

**Manager Recommendation:**



**STAFF REPORT**  
**PB 20-14 CURRITUCK COUNTY**  
**USE PERMIT**  
**BOARD OF COMMISSIONERS**  
**OCTOBER 19, 2020**

Attachment: 1 Currituck Water and Sewer UP Staff Report (PB 20-14 Currituck Water &amp; Sewer, LLC – Wastewater Treatment)

### APPLICATION SUMMARY

<b>Property Owner:</b> Sandler Utilities at Mill Run LLC PO Box 12347 Raleigh NC 27605  PAASCH Developments LLC C/O Eagle Creek Golf Club 109 Greenview Rd Moyock NC 27958	<b>Applicant:</b> Currituck Water & Sewer LLC 4700 Homewood Ct Ste 108 Raleigh NC 27609
<b>Case Number:</b> PB 20-14	<b>Application Type:</b> Use Permit
<b>Parcel Identification Numbers:</b> 0015000084I0000 0015000084A0000 0015000084B0000 0015000084C0000 0015000084D0000 0016000001A0000	<b>Existing Use:</b> Private Utility - Wastewater Treatment Plant and Golf Course
<b>Land Use Plan Classification:</b> Full Service <b>Moyock Small Area Plan:</b> Limited Service/ Full Service	<b>Parcel Size (Acres):</b> 196.65 acres
<b>Request:</b> Major Utility – community-wide wastewater treatment plant	<b>Zoning:</b> AG (Agriculture)

### SURROUNDING PARCELS

	Land Use	Zoning
North	Farmland/Residential/Non-Residential	AG/SFM/GB
South	Residential/Solar Energy Facility	AG
East	Middle School/ Residential/ Farmland/Woodlands	AG
West	Farmland/Residential	AG/SFM

### STAFF ANALYSIS

The applicant is requesting a use permit for Eagle Creek's private wastewater treatment plant (WWTP) to be allowed to serve off-site developments. This WWTP was originally approved to serve the Eagle Creek neighborhood and serving off-site developments will make this plant a major utility. The site of the WWTP and the disposal area for the effluent are both part of the

use permit. The proposed plant improvements will allow the plant to treat up to its designed 350,000 gpd. According to the applicant, the plant currently treats 50,000 – 60,000 gpd from Eagle Creek and the middle school. The treated water is disposed of via an infiltration pond on the facility's property and the effluent that exceeds the infiltration pond's capacity can be repurposed as irrigation for the Eagle Creek golf course. If the Use Permit is approved and the WWTP becomes a major utility, neighboring developments' wastewater would be pumped to the WWTP but not enter the Eagle Creek collection system. The collection system for Eagle Creek would not be connected to the collection system of any other development. The proposed service area includes a connection to the Fost development, the Flora development (not approved), and other adjoining properties. (See attached map). The use permit process is the first step for the Eagle Creek WWTP to become a major utility to serve more than just that neighborhood. This request will need to be approved by NCDEQ and the NC Utilities Commission. It is important to note that the Utilities Commission must approve the service area.

According to the applicant's engineer, the plant is in a state of disrepair. The engineer assessed the plant in 2010 (see attached report) and notes that none of the repairs required in 2010 have been made to date. According to Paul Mays, NCDENR Environment Specialist, the plant has several active violations (see attached NOV and email from Mr. Mays) including, but not limited to:

1. The tertiary filter that has been down and bypassed for two years and must be fixed as soon as possible.
2. Exceeding Fecal Coliform Daily Maximum Limits by 96%.
3. Exceeding Total Ammonia Daily Maximum Limits by 82%.
4. Exceeding Total Ammonia Monthly Average by 36%.
5. Not diverting effluent that violated fecal limits to the high rate infiltration pond.
6. Wood vegetation growing around the infiltration pond.

The applicant notes that the necessary repairs are costly and a benefit of a larger customer base is the ability of the Utility to spread those costs over more customers which helps to minimize the impact on each individual bill. This is one reason for the large service area noted by the application.

The application illustrates the Fost and Flora (not approved) properties being used for effluent and/or groundwater disposal. The applicant will no longer be pursuing off-site disposal and if it is needed in the future, understands that this will require an amended use permit.

Finally, staff is concerned about adding additional developments to a plant that has remained in a state of disrepair for the past 10 years and which recently failed while serving only the Eagle Creek development, leaving users with flooding, sewer backup into homes, and no water or sewer service for days.

INFRASTRUCTURE	
<b>Water</b>	Public
<b>Sewer</b>	Public
<b>Stormwater/Drainage</b>	The application states that the new Utility will be able to update and repair some of the Eagle Creek related drainage concerns while doing the connect work for the new development(s). Pit valve replacement will be done as necessary to reduce stormwater infiltration.
<b>Design Standards</b>	N/A
<b>Lighting</b>	Full cut-off
<b>Landscaping</b>	Existing perimeter buffer around plant parcel is opaque
<b>Parking</b>	Existing gravel
<b>Compatibility</b>	Institutional Use

## RECOMMENDATIONS

### TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends **denial** of the use permit subject to the following conditions of approval:

1. Land Use Plan Compatibility Concern: While the Land Use Plan generally allows appropriate use of package sewage treatment plants that may eventually be assimilated into a centralized sewage collection and treatment system, POLICY WS3 of the Land Use Plan says Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services:
  - a. within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service. *Of the proposed sewer service area, the property west of Eagle Creek (260.5 acres) is identified as Rural in the Land Use Plan (and the Moyock Small Area Plan).*
  - b. where development densities would make the provision of all public services more efficient. *Rural designation will not allow for the development densities that would make the provision of all public services more efficient.*
  - c. where the land is particularly well suited for development. *The majority of the soil types in the Rural areas area Wasda Muck (Ws), Cape Fear Loam (Ca), and Roanoke (Ro). The Currituck County Soil Survey indicates that each of the soil types are nearly level and poorly drained to very poorly drained. There are documented drainage concerns in this area of Moyock.*
2. The use complies with all other applicable review standards of the UDO provided the following outstanding items are addressed at site plan review:
  - a. A plan for compliance to remedy the outstanding NCDENR violations is required. (Planning and Public Utilities)
  - b. A detailed plan of all improvements to the plant to allow it to serve as a major utility is required. (Planning and Public Utilities)
  - c. NCDEQ permit approval and Utility Commission approval for the wastewater treatment facility improvements and service area must be provided prior to building permit approval. (Planning)
  - d. We would like to know why they are using the name they have chosen for their business in Currituck County. There will be a lot of confusing between the company and the county when it comes to utilities. The County will more than likely receive any complaints directed to CWSI. (Public Utilities)
  - e. Remedy LUP conflicts.
3. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
  - a. Remove the areas designated as Rural in the Land Use Plan from the service district request.
  - b. A plan for compliance to remedy the outstanding NCDENR violations is required.
  - c. A detailed plan of all improvements to the plant to allow it to serve as a major utility is required.
  - d. NCDEQ permit approval and Utility Commission approval for the wastewater treatment facility improvements and service area must be provided prior to building permit approval.

- e. Change the name of the service district to avoid conflict with county services.
- f. Remedy LUP conflicts.

### USE PERMIT REVIEW STANDARDS

**A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.**

**The use will not endanger the public health or safety.**

Preliminary Applicant Findings:

1. The existing wastewater treatment facility will be improved to resolve existing operational issues and will offer improved performance as a result. The facility will be operated in accordance with rules and regulations promulgated by the NC Department of Environmental Quality and the NC Utilities Commission.

**The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.**

Preliminary Applicant Findings:

1. The facility is on land that was originally set aside for this purpose with the original development approval for Eagle Creek. The improvements and possible expansion will take place on the existing treatment site. Wastewater disposal will be done using golf course irrigation and the onsite infiltration as originally approved and permitted. The major utility will provide the opportunity for adjacent properties within the proposed service area to connect to the facility if their septic systems fail, which could actually improve the value of adjoining or abutting properties.

**The use will be in conformity with the Land Use Plan or other officially adopted plans.**

Preliminary Staff Findings:

1. The following 2006 Land Use Policy statements apply to the proposed request:
  - a. Policy AG3: County ACTIONS CONCERNING INFRASTRUCTURE (e.g. schools, parks, and utilities) and regulations shall serve to direct new development first to targeted growth areas near existing settlements identified as Full Service Areas on the Future Land Use Map, rather than leapfrogging to locations in the midst of farmland and green space identified as Rural and Conservation areas on the Future Land Use Map. *(There are 260.5 acres of land designated as Rural in this request.)*
  - g. Policy WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development and (4) away from environmentally sensitive areas, such as areas with extensive wetlands or the northern beaches of the Outer Banks. *(While Eagle Creek and Fost are developed areas, the 'Flora' development property nor the property to the west of Eagle Creek are developed areas. None of the properties in the service area are targeted growth areas (see attached map). This would be a provision of private, not public services. The majority of the soil types in the Rural areas are Wasda Muck (Ws), Cape Fear Loam (Ca), and Roanoke (Ro). The Currituck County Soil Survey indicates that each of the soil*



*types are nearly level and poorly drained to very poorly drained. There are documented drainage concerns in this area of Moyock.)*

- b. Policy PP3: The costs of infrastructure, facilities, and services (e.g. schools, parks, water supply, etc. related to the DEMAND CREATED BY NEW GROWTH AND DEVELOPMENT shall be borne, in equitable proportion by those creating the additional demand. So as to lessen the burden on the general property tax payer, this approach may include a land transfer tax, impact fees on new development, upzoning fees, and user fees for new facilities. *(The demand created by new growth and development would be borne by those creating the additional demand.)*
  - c. Policy ED2: CAPITAL EXPENDITURES for the purpose of economic development shall be targeted toward areas that are most suited for development. Targeted areas should include raw land as well as the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure. Targeted areas primarily include those located within the Full Service Areas identified on the Future Land Use Map and to the lesser extend those include in the Limited Service Area. *(Rural service areas on the Future Land Use Map are not targeted growth areas.)*
  - d. Policy CW1: Currituck County may elect to amend or incorporate adopted small area plans into the Land Use Plan as needed. This includes consideration of citizen initiated amendments or county led planning efforts that recognize changing demographic, economic, or environmental conditions.
2. The Moyock Small Area Plan policies apply to the proposed request:
- a. The MSAP supplements the LUP to more specifically address the needs and issues of the study area and establishes a new focus for growth and development.
  - b. The Moyock Small Area Plan, adopted in 2014, *does not* identify this area as an activity area where new growth and development should be focused. *(See attached map)*
  - c. Policy IS 3: Recognize that water and sewer services have significant influence on growth and require that consideration be given to the placement of proposed utilities in perspective to desired growth patterns.

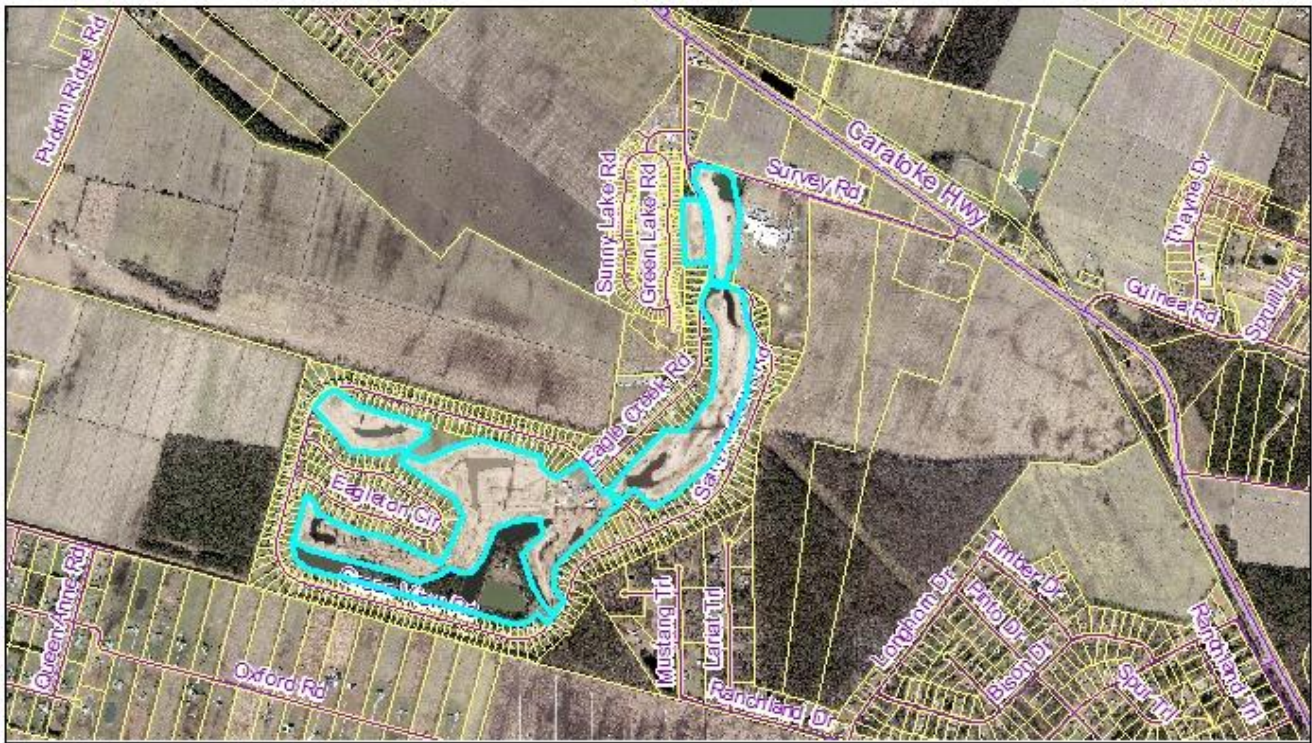
The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Staff Findings:

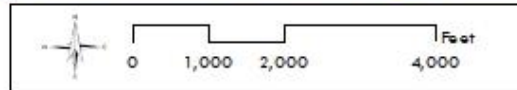
- 1. The use will not increase or exceed the county's ability to provide services to schools, fire and rescue, and law enforcement.
- 2. While the use itself does not exceed the county's ability to provide services, concerns regarding the potential secondary impacts of approving a major sewer utility in the Moyock area must be expressed. It would allow for rezonings resulting in much higher densities than allowed under the current zoning with individual septic systems. Moyock Elementary School is already over capacity, Shawboro Elementary School, the middle school, and high school are approaching capacity.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE  
Board of Commissioners: [www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm](http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm)

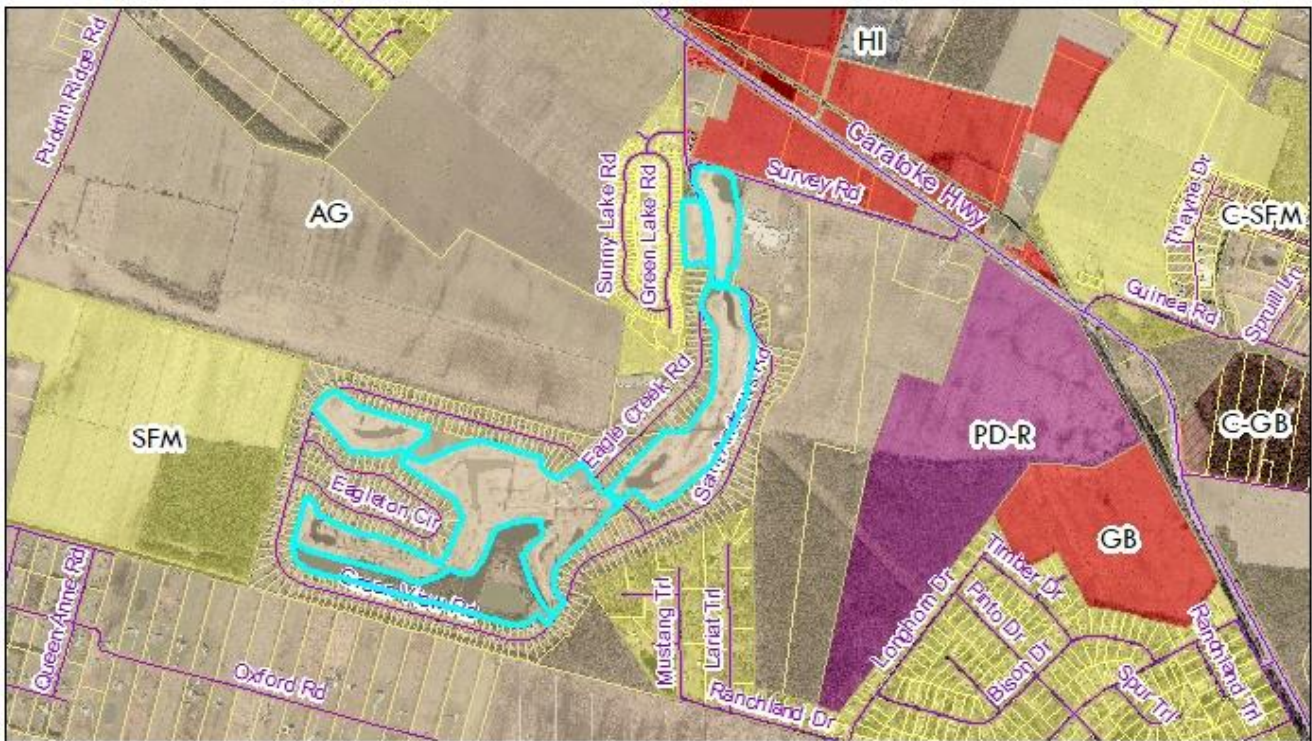




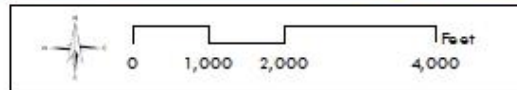
PB 20-14 Currituck Water & Sewer  
Use Permit  
2016 Aerial Photography



Currituck County  
Planning and  
Community Development



PB 20-14 Currituck Water & Sewer  
Use Permit  
Zoning

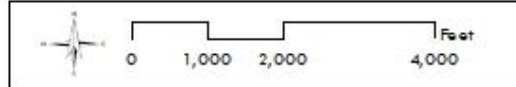


Currituck County  
Planning and  
Community Development

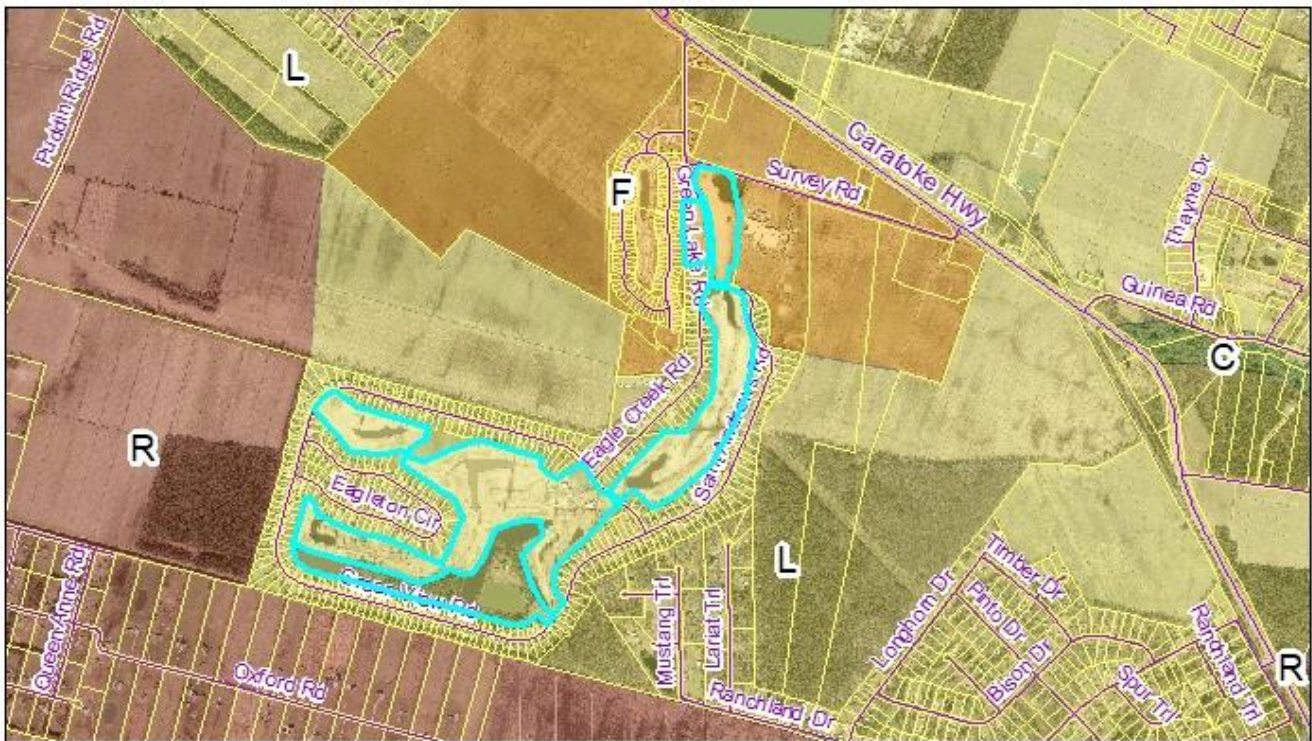




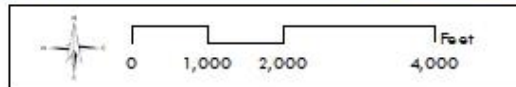
PB 20-14 Currituck Water & Sewer  
Use Permit  
LUP Classification



Currituck County  
Planning and  
Community Development

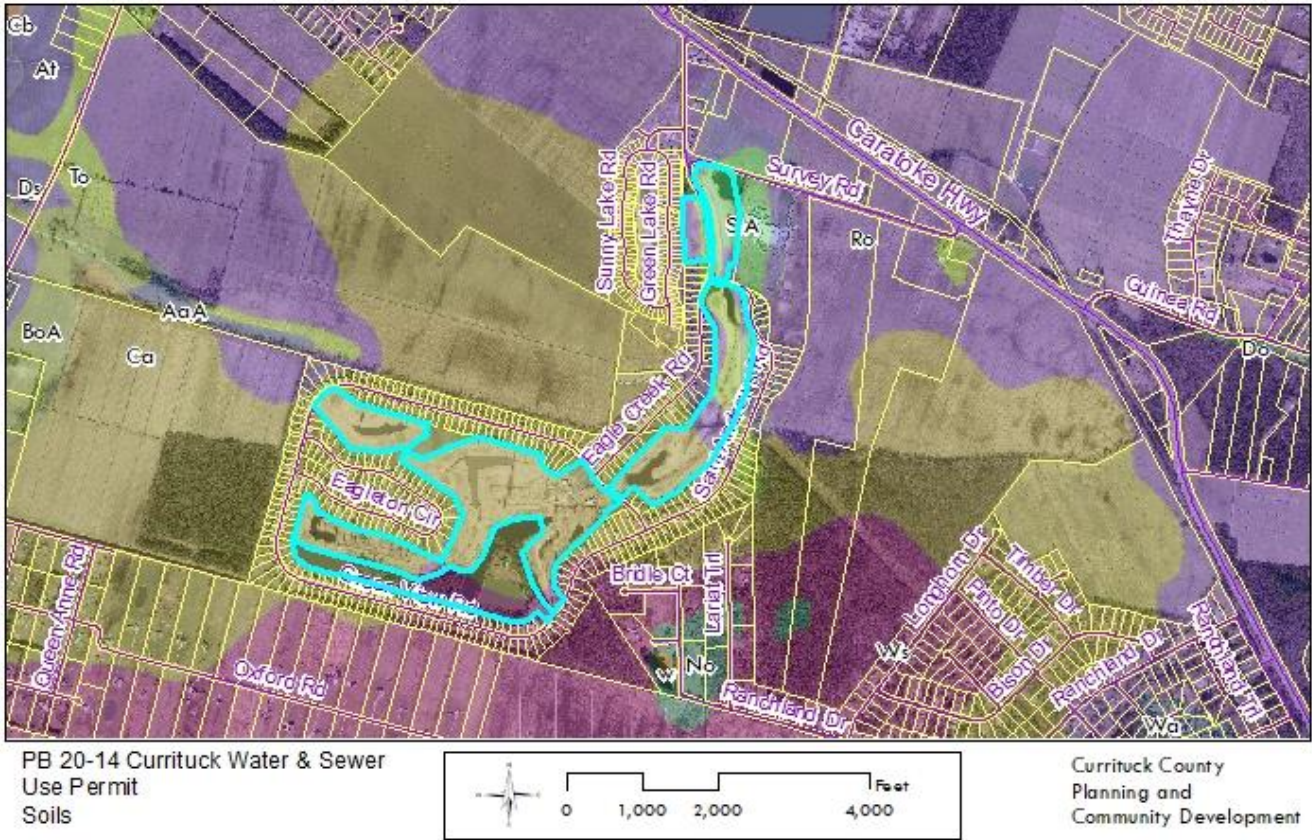


PB 20-14 Currituck Water & Sewer  
Use Permit  
Moyock SAP Classification



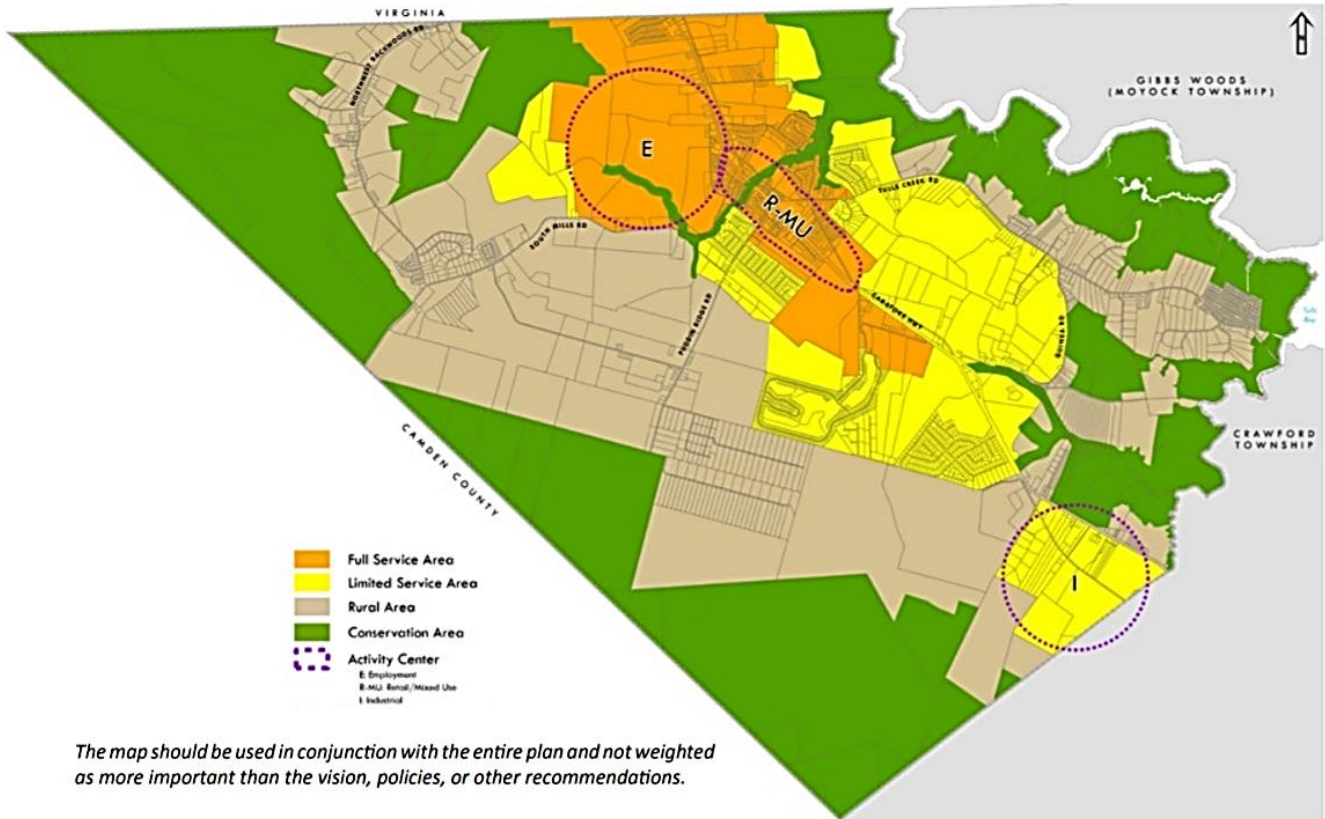
Currituck County  
Planning and  
Community Development





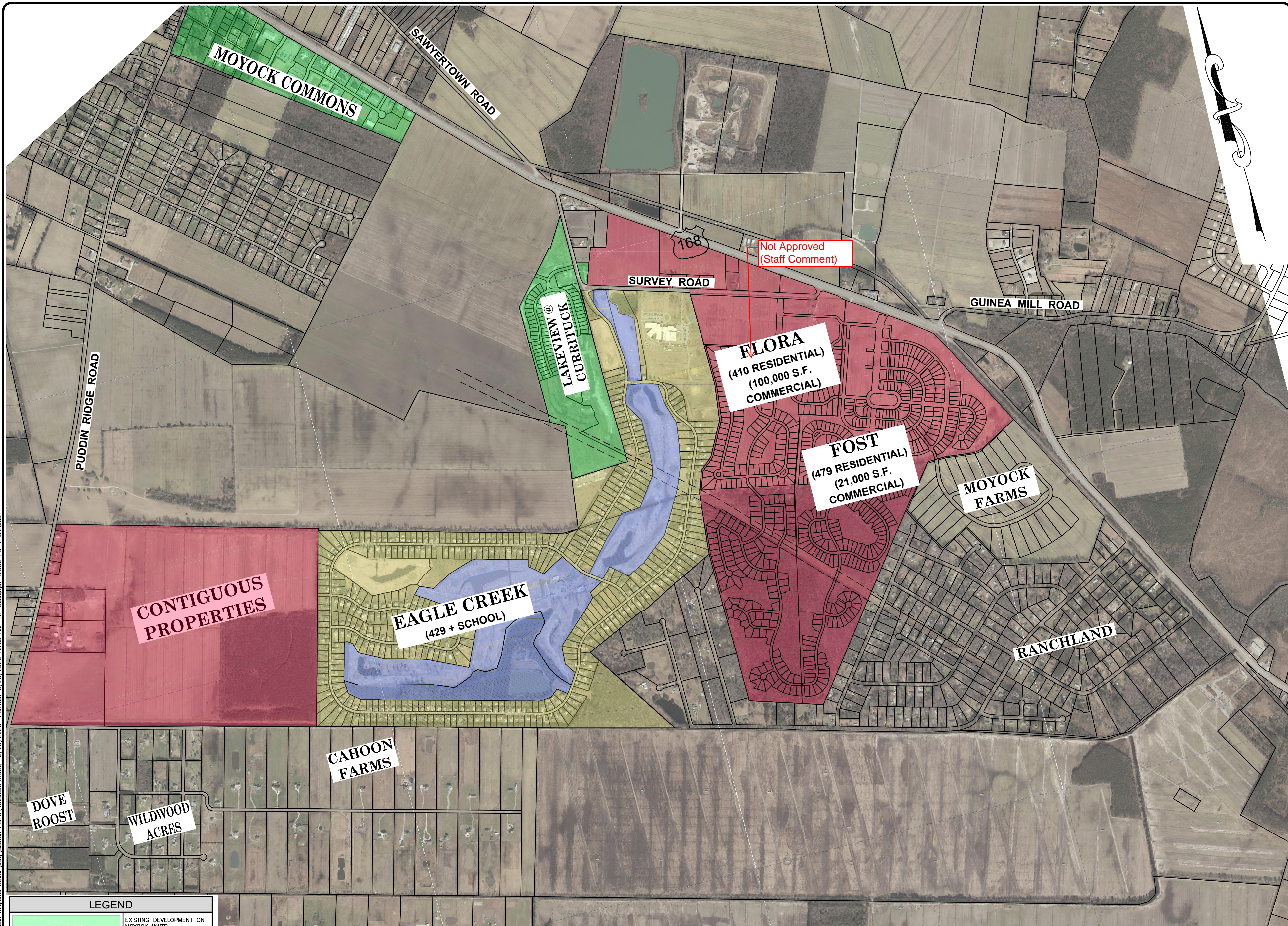
## Moyock Small Area Plan Activity center Map

### Future Land Use Map





S:\projects\4690 Moyock Regional Sewer\dwg\Sketch Plans\469000SK1.dwg 9/25/2020 10:55 AM HP Designer T2500 PS HP612.pc3



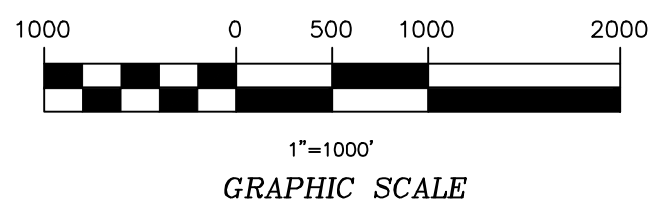
LEGEND

EXISTING DEVELOPMENT ON MOYOCK WWTP

EXISTING DEVELOPMENT IN EAGLE CREEK SERVICE AREA

PROPOSED CURRITUCK WATER & SEWER SERVICE AREA

EXISTING & POTENTIAL FUTURE DISPOSAL SITES



PROJECT:

CURRITUCK WATER & SEWER, LLC

MOYOCK TWP.

CURRITUCK CO.

NORTH CAROLINA

AMENDED SERVICE AREA MAP

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	9/25/20	COUNTY COMMENTS	KFW

DATE:

07/28/20

SCALE:

1" = 1000'

DESIGNED:

BPG

CHECKED:

MSB

DRAWN:

KFW

APPROVED:

BPG

SHEET:

1 OF 1

CAD FILE:

469000SK1

PROJECT NO:

4690

BISSELL

PROFESSIONAL GROUP

Bissell Professional Group

Firm License # C-956

3512 North Croatan Highway

Kitty Hawk, North Carolina 27949

(252) 261-3266

FAX (252) 261-1760

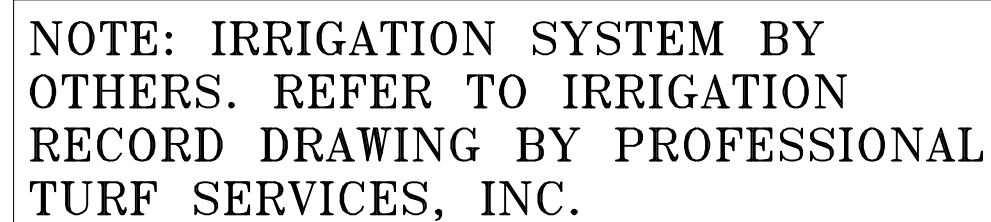
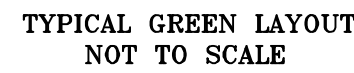
Engineers, Planners, Surveyors and Environmental Specialists

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Attachment: 2 Final Water-SewerSrvArea (PB 20-14 Currituck Water & Sewer, LLC - Wastewater Treatment)

Packet Pg. 15





PROJECT

CURRITUCK WATER & SEWER, LLC

MOYOCK TOWNSHIP

CURRITUCK COUNTY

NORTH CAROLINA

MAJOR UTILITY OVERVIEW

WASTEWATER TREATMENT

SITE PLAN

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## Currituck County

Department of Planning and Community Development  
 153 Courthouse Road, Suite 110  
 Currituck, North Carolina 27929  
 252-232-3055  
 FAX 252-232-3026

### MEMORANDUM

**To:** Currituck Water & Sewer LLC  
 Sandler Utilities at Mill Run LLC  
 Mark Bissell, Bissell Professional Group

**From:** Tammy D. Glave, CZO, Senior Planner

**Date:** September 10, 2020

**Re:** PB 20-14 Currituck Water & Sewer Use Permit – Majority Utility

The following comments have been received for the September 9, 2020 TRC meeting. In order to be scheduled for the October 19, 2020 Board of Commissioners public hearing, please address all comments and resubmit a corrected plan/application by 3:00 p.m. on September 21, 2020. TRC comments are valid for six months from the date of the TRC meeting.

#### **Planning (Tammy Glave, 252-232-6025)**

Reviewed with comment:

1. All property owners for each of the PINs listed must be listed on the application, including off-site disposal properties (Fost and Flora developments).
2. All property owners must sign the application or provide a letter or document consenting to the application signed by the owner(s) if the owner(s) cannot sign the application, including off-site disposal properties.
3. Land Use Plan Compatibility Concern: While the Land Use Plan generally allows appropriate use of package sewage treatment plants that may eventually be assimilated into a centralized sewage collection and treatment system, POLICY WS3 of the Land Use Plan says Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services:
  - a. within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service. *Of the proposed water and sewer service area, the solar farm property, Wildwood Acres, Dove Roost, and the properties west of Eagle Creek are identified as Rural in the Land Use Plan and the Moyock Small Area Plan.*
  - b. where development densities would make the provision of all public services more efficient. *Rural designation will not allow for the development densities that would make the provision of all public services more efficient.*
  - c. where the land is particularly well suited for development. *The majority of the soil types in the Rural areas area Wasda Muck (Ws), Cape Fear Loam (Ca), and Roanoke (Ro). The Currituck County Soil Survey indicates that each of the soil types are nearly level and poorly drained to very poorly drained. There are documented drainage concerns in this area of Moyock.*

4. There are also concerns regarding the secondary impacts of approving a major sewer utility in the Moyock area. It would allow for rezonings resulting in much higher densities than allowed under the current zoning with individual septic systems. Moyock Elementary School is already over capacity, Shawboro Elementary School, middle schools, and high schools are approaching capacity.
5. As a point of clarification, we have heard from several property owners in Eagle Creek that the county must approve the major utility or Eagle Creek's WWTP will not be brought into compliance or repairs/upgrades made. That is not true. The current WWTP owners will be responsible for those improvements as they become necessary.
6. Now that Public Utility and Planning staff has had an opportunity to review the request in detail, we are requesting another conference call with you to answer questions such as:
  - a. What is the existing plant's maximum GPD?
  - b. Proposed maximum GPD for expansion?
  - c. How many GPD is being disposed of on the golf course currently? Any concerns for flooding the golf course?
  - d. What type of state permits and from what permitting agency are necessary for the proposal?
  - e. Is the plant compliant with all state regulations currently? What violations and or operational issues does the plant currently have now? We have a report from 2010 prepared by Mark Bissell, PE (See Attached) regarding plant deficiencies but need updates as to what has been repaired/replaced to understand the extent of upgrades/repairs necessary for the major utility.
  - f. Of the disposal, how many GPD are projected to go into the pond, golf course, and off-site areas of Flora and Fost?
  - g. How many new connections per year are required to maintain the proposed rate structure?

**Currituck County Chief Building Inspector and Fire Official (Bill Newns, 252-232-6023)**

Reviewed with comment:

1. Any new buildings/addition for expansion must submit appendix B and permits for any new work for trade permits.

**Currituck County GIS (Harry Lee, 252-232-4039)**

Reviewed without comment.

**Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)**

Approved without comment.

**Currituck County Soil and Stormwater (Dylan Lloyd, 252-232-3360)**

Approved without comment.

**Currituck County Utilities Director (Will Rumsey, 252-232-2769)**

**Currituck County Water Department – Distribution Supervisor (Dave Spence, 252-232-2769)**

Reviewed with comment:

1. We would like to know why they are using the name they have chosen for their business in Currituck County. There will be a lot of confusing between the company and the

PB 20-14 Currituck Water and Sewer  
UP

9/9/2020 TRC Comments  
Page 2 of 4



county when it comes to utilities., The County will more than likely receive any complaints directed to CWSI.

2. If they take over the systems like they propose, will they be joining the 811 one call system to receive notice to locate their lines when there is construction and excavating to take place.

**Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)**

Reviewed with comment:

1. WASTEWATER SYSTEM EXPANSION PROPOSAL MUST BE APPROVED BY THE NC DIVISION OF WATER QUALITY (WASHINGTON REGIONAL OFFICE-252-946-6481).

**NC Department of Transportation, District Engineer (David Otts, 252-331-4860)**

*Comment has not yet been received.*

**NC Division of Coastal Management (Charlan Owens, 252-264-3901)**

Reviewed without comment.

**The following items are necessary for resubmittal:**

- 3 - full size copies of revised plans.
- 10 - 11"x17" copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

A use permit hearing is an evidentiary hearing where the Board of Commissioners must make a Quasi-Judicial Decision.

- An evidentiary hearing will be held for the Board of Commissioners to gather competent, material and substantial evidence to establish the facts of the case.
- All testimony is made under oath.
- The applicant or opposing parties shall establish written findings of fact and conclusions of law.
- Parties with standing may participate fully in the evidentiary hearing, including presenting evidence, cross-examining witnesses, objecting to evidence, and making legal arguments.
- Non-parties may present competent, material, and substantial evidence that is not repetitive.

#### Typical Use Permit (Quasi-Judicial) Hearing at BOC

- Swearing in of witnesses/speakers
- Presentation by County Staff on Application
- Required Presentation by Applicant or Authorized Agent (20-25 minutes)
  - Applicant to Present Findings of Fact
- Public Comment Period (typically 3 minutes each)
- Applicant Rebuttal (typically 5 minutes)
- BOC Deliberation & Decision

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

S. DANIEL SMITH  
Director



**Certified Mail # 7019 2970 0001 3140 0046**  
**Return Receipt Requested**

August 31, 2020

Raymond Gottlieb  
Sandler Utilities at Mill Run L L C  
448 Viking Dr Ste 200  
Virginia Beach, VA 23452

SUBJECT: **NOTICE OF VIOLATION**  
Tracking Number: NOV-2020-PC-0389  
Permit No. WQ0014306  
Eagle Creek WWTP  
Currituck County

Dear Mr. Gottlieb:

The North Carolina Division of Water Resources conducted an inspection of the Eagle Creek WWTP on August 19, 2020. This inspection was conducted to verify that the facility is operating in compliance with the conditions and limitations specified in Non-discharge Permit No. WQ0014306. A summary of the findings and comments noted during the inspection are provided in the enclosed copy of the inspection report.

The Compliance Evaluation inspection was conducted by Division of Water Resources staff from the Washington Regional Office. The following violation(s) were noted during the inspection:

Inspection Area	Description of Violation and Compliance Issues
End Use-Infiltration	There is an excessive amount of woody vegetation growing around the high rate infiltration pond that must be removed as soon as possible. This is a violation of permit condition II.1, III.1 and III.18.
Record Keeping	Operational logs were requested for review and were not present during inspection. This is a violation of permit condition IV.10.
Treatment Filters	The tertiary filter has been down and bypassed for 2 years according to staff during inspection. The unit was not operational during the inspection and must be fixed as soon as possible. This a violation of permit conditions II.1, III.1, III.15 and IV.13.



In addition, the issues below must also be addressed:

Remedial actions should have already been taken to correct this problem and prevent further occurrences in the future. The Division of Water Resources may pursue enforcement action for this and any additional violations of State law. To prevent further action, please respond in writing to this office **within 30 days** upon your receipt of this Notice of Violation regarding your plans or measures to be taken to address the indicated violations and other identified issues, if applicable.

**Reminder:** Pursuant to Permit Condition IV.13, the Permittee is required to verbally notify the Regional Office as soon as possible, not to exceed 24 hours, from first knowledge of any non-compliance at the facility including limit violations, bypasses of, or failure of a treatment unit. A written report may be required within 5 days if directed by Division staff. Prior notice should be given for anticipated or potential problems due to planned maintenance activities, taking units off-line, etc.

If you should have any questions, please do not hesitate to contact Paul Mays with the Water Quality Regional Operations Section in the Washington Regional Office at 252-948-3940.

Sincerely,

*Robert Tankard*

Robert Tankard, Assistant Regional Supervisor  
Water Quality Regional Operations Section  
Washington Regional Office  
Division of Water Resources, NCDEQ

ATTACHMENTS: Compliance Evaluation Cover Letter and Report

Cc: Laserfiche

Attachment: 5 WQ0014306\_Note of Violation\_20200831 (PB 20-14 Currituck Water & Sewer, LLC – Wastewater Treatment)



**From:** [Mays, Paul M](#)  
**To:** [Tammy Glave](#)  
**Cc:** [Laurie LoCicero](#); [Donna Voliva](#); [Jennie Turner](#); [Will Rumsey](#); [Tankard, Robert](#); [Bullock, Robert](#)  
**Subject:** RE: [EXTERNAL] RE: [External] WQ0014306 WWTP Status  
**Date:** Friday, September 11, 2020 2:12:54 PM  
**Attachments:** [WQ0014306 Notice of Violation 20200831.pdf](#)

---

Mrs. Glave,

There are several active violations for Eagle Creek WWTP. The first is a NORR was sent to address groundwater ammonia limit violations that have been occurring at the site for a while now. We are currently waiting for the owner of the facility to update us on the actions that are planned to address and explain the groundwater ammonia limit violations. The second active violation is an NOV sent out after a compliance inspection last month for the facility. The facility was found noncompliant with permit #WQ0014306 and 6 permit conditions were found to be violated during the inspection. The most notable is that we were told the tertiary filter for the facility has been down for 2 years and bypassed the entire time. I have attached the NOV we sent for addressing the violations found during the inspection. So that you may see the violations in more detail.

Lastly, we verified violations for the facility today and this led to another active violation. The facility exceeded Fecal Coliform Daily Maximum limits by 96%, Total Ammonia Daily Maximum Limits by 82% and Total Ammonia Monthly Average by 36% in 07/2020. Additionally, the facility violated permit condition III.19 by not diverting effluent that violated fecal limits to the high rate infiltration pond as required by the permit. We are currently in the process of writing a NOV-I (an NOV with intent to enforce) to address this.

I apologize for following up with you a tad late. However, there was much more to review than I originally thought. Please let me know if you have any other questions or concerns and I will be happy to help you.

Best regards,

Paul M. Mays

---

**From:** Tammy Glave <Tammy.Glave@CurrituckCountyNC.gov>  
**Sent:** Thursday, September 10, 2020 5:29 PM  
**To:** Mays, Paul M <paul.mays@ncdenr.gov>  
**Cc:** Laurie LoCicero <Laurie.LoCicero@CurrituckCountyNC.gov>; Donna Voliva <Donna.Voliva@CurrituckCountyNC.gov>; Jennie Turner <Jennie.Turner@CurrituckCountyNC.gov>; Will Rumsey <Will.Rumsey@CurrituckCountyNC.gov>  
**Subject:** RE: [EXTERNAL] RE: [External] WQ0014306 WWTP Status

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That is all I know of for now. We are still in the process of reviewing the request.

Attachment: 6 NCDENR Email WQ0014306 WWTP Status (PB 20-14 Currituck Water & Sewer, LLC – Wastewater Treatment)

Thank you very much for your assistance.

---

**From:** Mays, Paul M <[paul.mays@ncdenr.gov](mailto:paul.mays@ncdenr.gov)>  
**Sent:** Thursday, September 10, 2020 4:16 PM  
**To:** Bullock, Robert <[robert.e.bullock@ncdenr.gov](mailto:robert.e.bullock@ncdenr.gov)>; Tammy Glave  
 <[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)>  
**Cc:** Tankard, Robert <[robert.tankard@ncdenr.gov](mailto:robert.tankard@ncdenr.gov)>  
**Subject:** [EXTERNAL] RE: [External] WQ0014306 WWTP Status

**[CAUTION]:** This email originated from outside of Currituck County's system. Do not click links or open attachments unless you verify that the attachment and contents are safe. Please report any suspicious emails or attachments to to [support](#).

Ms. Gave,

I will be following up with my Assistant Regional Supervisor tomorrow on this issue. There are a few things I would like to review and discuss with him before releasing this information to you. The goal is follow up with you tomorrow morning and get this information to you. Let me know if there is anything else I can help you with before then.

Regards,

Paul M. Mays

---

**From:** Bullock, Robert <[robert.e.bullock@ncdenr.gov](mailto:robert.e.bullock@ncdenr.gov)>  
**Sent:** Thursday, September 10, 2020 2:10 PM  
**To:** Tammy Glave <[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)>; Mays, Paul M  
 <[paul.mays@ncdenr.gov](mailto:paul.mays@ncdenr.gov)>  
**Cc:** Tankard, Robert <[robert.tankard@ncdenr.gov](mailto:robert.tankard@ncdenr.gov)>  
**Subject:** RE: [External] WQ0014306 WWTP Status

Paul,

Will you send Ms. Glave the information she requested?

Thanks,  
 Robbie

**Robbie Bullock**  
 Environmental Specialist II  
 Division of Water Resources  
 Water Quality Regional Operations

252-948-3843 Office  
 252-402-5832 Cell

Attachment: 6 NCDENR Email WQ0014306 WWTP Status (PB 20-14 Currituck Water & Sewer, LLC – Wastewater Treatment)

[Robert.e.bullock@ncdenr.gov](mailto:Robert.e.bullock@ncdenr.gov) Email

943 Washington Square Mall  
Washington NC 27889

*Email correspondence to and from this address is subject to the  
North Carolina Public Records Law and may be disclosed to third parties.*

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**From:** Tammy Glave <[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)>  
**Sent:** Thursday, September 10, 2020 2:01 PM  
**To:** Bullock, Robert <[robert.e.bullock@ncdenr.gov](mailto:robert.e.bullock@ncdenr.gov)>  
**Subject:** [External] WQ0014306 WWTP Status

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Hi Robbie,

A use permit application has been submitted to Currituck County to turn the above permitted WWTP (Eagle Creek Subdivision in Moyock – Owned by Sandler at Mill Run) into a regional system operating as a major utility. Can you please send me information regarding active violations at the plant and any other detail you may have?

Thank you so very much for your help with this.

Tammy D. Glave, CZO  
Senior Planner  
County of Currituck  
Planning & Community Development  
Phone: 252-232-6025  
Fax: 252-232-3026  
Email: [tammy.glave@currituckcountync.gov](mailto:tammy.glave@currituckcountync.gov)  
Website: [www.currituckgovernment.com](http://www.currituckgovernment.com)





July 23, 2010

DRAFT

Daniel F. Scanlon II  
Currituck County Manager  
PO Box 77  
Currituck, NC

Re: Eagle Creek Wastewater Treatment & Disposal Facility

Dear Dan,

This letter is in response to the discussion we had on Friday afternoon and the questions that were raised during that discussion regarding Currituck County's potential acquisition of the Eagle Creek Wastewater Treatment & Disposal Facility. The following is my recollection of the questions that need to be addressed:

1. Does Sandler Utilities at Mill Run and/or successors and assigns, have the right to access the golf course property to operate and maintain the reclaimed water irrigation system?
2. What flows does the utility company and or assigns have the right to accept?
3. Did the original golf course agreement survive the trustee's sale of that property, and is a new golf irrigation agreement required?
4. What is the condition of the vacuum wastewater collection system?
5. What is the condition of the 90,000 gpd infiltration pond?
6. Is the 90,000 gallon infiltration capacity in addition to the 321,000 gpd permitted irrigation capacity? If not, what would need to be done to make that disposal capacity additive?
7. What is the approximate cost of taking the disposal system from the current rated capacity of 262,625 gpd up to the irrigation permit limit of 321,000 gpd?
8. What is our estimate of the ultimate potential for the Eagle Creek wastewater treatment & disposal site?
9. Finally, the records show an appreciated book value of approximately \$1.2 million for the Eagle Creek wastewater system. What is our opinion of the facility's current value to Currituck County?



The following resources were utilized in an effort to answer these questions:

- Master Declaration of Covenants Conditions and Restrictions for Eagle Creek Golf Community filed May 4, 1999, and amendments thereto dated August 12, 1999 and January 3, 2002.
- Deed from Tate Terrace Reality Investors, Inc. to Mill Run Golf and Country Club, Inc. dated June 20, 1997 and recorded in Book 407 at Page 331 in the Currituck County Registry.
- Affidavit and exhibit of Iris Morgan, Staff Accountant – Public Staff Accounting Division.
- Testimony of Jerry H. Tweed, Utilities Engineer, Public Staff Water Division.
- Plat of Mill Run Exempt Subdivision dated June 17, 1997 and recorded in Plat Cabinet F, Slides 166, 167 and 168 of the Currituck County Registry.
- Original irrigation plan layout prepared by Bissell Professional Group, dated 1997.
- Professional Turf Services as-built - irrigation plan layout from 2000.
- Irrigation hydraulic plan from Mill Run Golf Club prepared by Tri-State Pump and Controls dated January 6, 2010.
- As built drawings of Eagle Creek Wastewater Treatment Plant dated January 12, 2001.
- As built certification and related exhibits dated January 12, 2001.
- Updated preliminary report of the Eagle Creek Wastewater Treatment Plant Evaluation by Bissell Professional Group dated April 21, 2010.
- Discussion with Bill Freed, Enviro-tech of North Carolina (utility system operator).
- Discussion with Robert Tankard, Aquifer Protection Section, Washington Region Office NCDENR.
- Discussion with Karen Kemerait, attorney for Sandler Utilities.
- "Infiltration basin evaluation for Eagle Creek Development and Golf Course" dated October 25, 1997, prepared by Edwin Andrews and Associates, PC.
- Permit #WQ0014306 issued November 13, 2009 to Sandler Utilities at Mill Run, LLC.

- Notice of Violation dated July 7, 2010 to Sandler Utilities at Mill Run, LLC (NOV-2010-PC-0834/Notice of Intent to Enforce) with attachments.
- Currituck County tax records of Eagle Creek and Mill Run Golf Property.

The following answers and opinions are provided based on that review and those discussions:

1. **Right of Access to the Golf Course:**

Both the Master Declaration for the Eagle Creek Golf Community and the special warranty deed to Mill Run Golf and Country Club give the utility company along with its successors and assigns rights to enter the golf course property for the purpose of operating and maintaining the reclaimed water irrigation system. The deed contains a paragraph that this right runs with the land as follows: "the foregoing deed restrictions shall be deemed a covenant running with the land as a burden with and upon the title to the golf course property for the benefit of the owners and their heirs devisees, successors and assigns of the property described in Exhibit C hereof." The referenced Exhibit C refers to the plat entitled "Mill Run Exempt Subdivision", dated May 8, 1997 prepared by Bissell Professional Group and recorded in Plat Cabinet F, Slides 166, 167 and 168 of the Currituck County Registry, which is the 160.18 acre Mill Run Golf property.

2. **Wastewater flows that the utility has the right to accept:**

The Master Declaration for Eagle Creek Golf Community reserves the right for the Declarant to construct and operate a wastewater treatment and disposal facility along with rights to irrigate the golf course and some of the common areas within the Eagle Creek development. There does not appear to be any restriction within the declaration as to the amount or type of wastewater that can be accepted into the facility or used to irrigate the golf course and the selected common areas. The Declaration further state that the facility "shall not be governed by the rules applying to lots, improved lots, dwelling units or the golf club" but that it will be operated in such a way "as to reasonably minimize disruption to adjacent owners while preserving its functionality as a wastewater treatment facility". The Declaration also provides for the possible transfer of the ownership and/or operating responsibility to Currituck County.

Division of Water Quality attorneys have reportedly reviewed the Master Declaration and taken a position that the declaration does not require the golf course to accept wastewater from areas outside the Eagle Creek development, which resulted in the permit condition being added to the permit which was renewed in November 2009, which requires that a new agreement be reached with the golf course operator. This condition states that "until the submittal of a new agreement between the permittee



and Mill Run Golf Course as specified in condition I.2, no type of wastewater other than that originating from the current Eagle Creek development shall be applied to the reclaimed water utilization areas”.

It is our understanding that the utility company is in the process of seeking to have this condition removed from the permit. There are also ongoing discussions with the golf course owner/operator that may result in reaching an agreement that is acceptable between the parties for an appropriate level of remuneration to the golf course operator for the operation and maintenance of the reclaimed water disposal system on the golf course up to the permitted capacity of the facility.

The original agreement between the developer and the initial golf course owner/operator called for a monthly fee in the amount of \$200, to be adjusted for inflation, as compensation for the irrigation of reclaimed water generated from Eagle Creek, the Moyock Middle School and the Mill Run Golf Club. It is our understanding that attorneys for Sandler Utilities have taken the position that the original agreement did not survive the trustee’s sale of the golf property to the current owner, NC Golf Group, LLC.

While the recorded documents give Sandler Utilities and successors/assigns the right to enter the golf course to irrigate reclaimed water as necessary to operate its wastewater facility, it is unclear that the golf course has a corresponding obligation to operate the reclaimed water irrigation system for the benefit of Sandler Utilities without compensation. Both parties attempting to operate the same irrigation system for different purposes would inevitably lead to conflict, so it appears that an appropriate financial arrangement will need to be reached between the utility company and the golf course operator. It is our understanding that the attorneys representing the parties have been in contact and are discussing the parameters for such an agreement.

**3. Status of Golf Course Agreement:**

It was necessary to answer this question as part of the answer to question number two above.

**4. Condition of the Vacuum Wastewater Collection System:**

Based on a discussion with Bill Freed of Envirotech, the operator of the wastewater collection system serving Eagle Creek, the condition of the vacuum system has been improved somewhat from the condition that was reported in the Bissell report dated April 21, 2010, with some of the leaking vacuum tanks having been repaired and a vacuum intake filter repaired or replaced. Otherwise the condition is essentially as

reported previously. The vacuum collection system is maintenance-intensive compared to a gravity wastewater collection system, but the system is meeting the needs of the community and is in generally good operating condition.

**5. Condition of the 90,000 gpd Infiltration Pond:**

It has been reported by the operator that the infiltration pond has been used almost exclusively for more than two years for the disposal of substantially all of the effluent generated from the Eagle Creek Wastewater Treatment Facility. The average daily flows last year ranged from approximately 60,000-70,000 gpd, with peak flows at or above the 90,000 gpd permit limit for continuous operation of the infiltration pond. The operator has reported no difficulty in maintaining the required freeboard level in the infiltration basin, so it appears that the basin does have at least the long term disposal capacity that was shown in the model prepared by Ed Andrews prior to construction.

We have not physically examined the condition of the bottom of the pond; based on its performance it appears that it is in good condition. At some point in the future, it may be necessary to remove any solids that have settled out that could potentially reduce the infiltration capacity. It also may be advisable to perform a loading analysis on the pond in order to better quantify its long-term hydrologic capacity. This could result in its rated capacity being increased.

**6. Regarding the 90,000 gallon infiltration capacity being additive to the 321,000 gpd irrigation capacity:**

The 1997 Andrews report modeled the infiltration basin at 350,000 gpd for sixteen days with an acceptable mound height and dissipation time. Based on conversations with the hydrogeologist and with DWQ, it appears likely that the infiltration basin can be re-rated for at least some portion of the 90,000 gpd continuous loading rating to be utilized in addition to the 350,000 gpd non-compliant storage/disposal requirement. To finalize this rating, the basin will need to be hydraulically loaded and tested. It is believed that, at a minimum, the basin can accommodate the difference between the treatment plant's current capacity rating of 350,000 gpd and the golf course irrigation permit limit of 321,000 gpd, in order to bring the entire system up to the 350,000 gpd capacity.

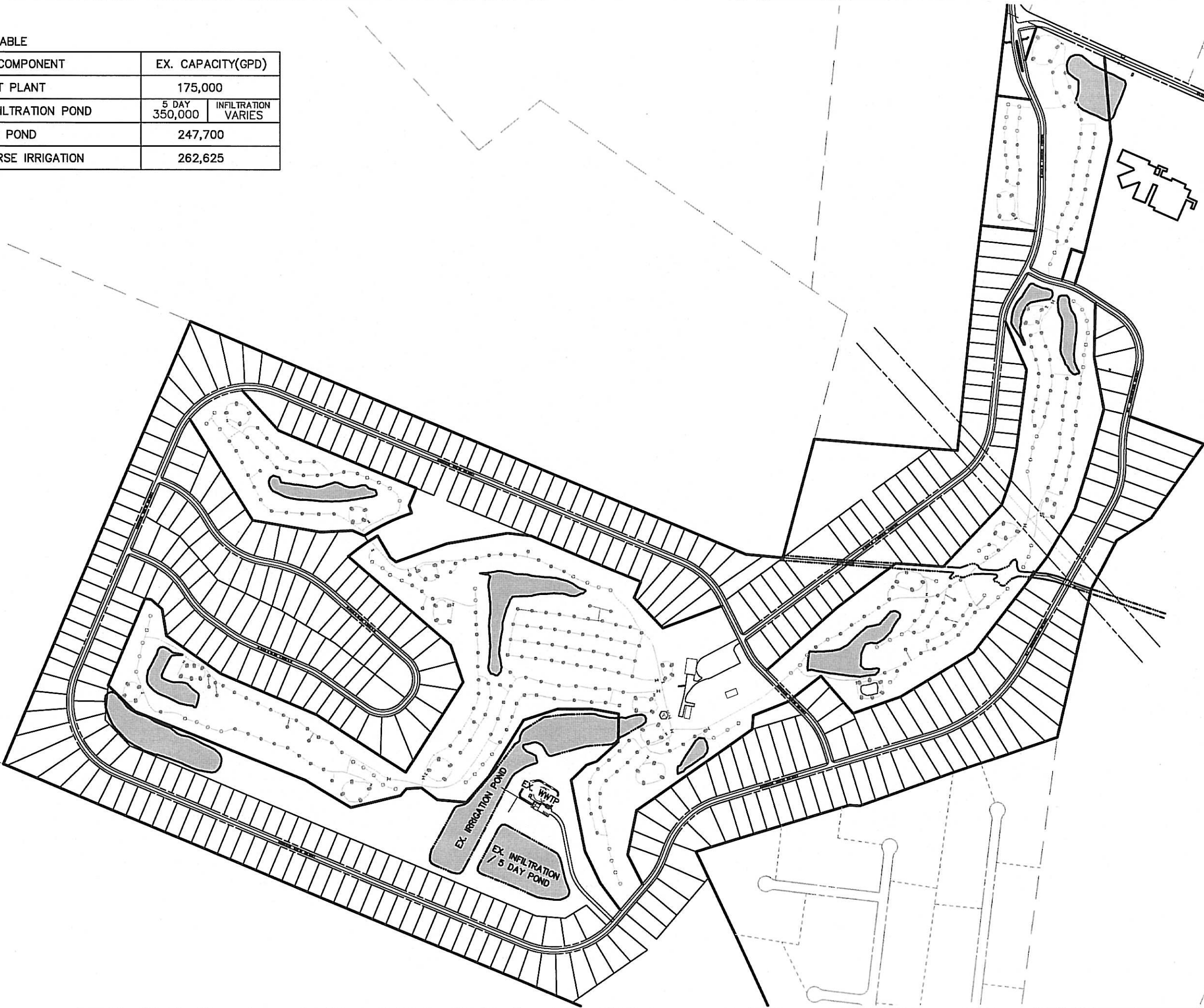
**7. Approximate cost of increasing the disposal system to 321,000 gpd:**

We have studied the current golf course irrigation layout, shown in Exhibit A, attached, along with the wetted area needed in order to accommodate the 321,000 gpd irrigation potential that has been permitted by DWQ. Two alternatives have been identified for accomplishing this increase, as follows:



CAPACITY TABLE

COMPONENT	EX. CAPACITY(GPD)	
TREATMENT PLANT	175,000	
5 DAY/INFILTRATION POND	5 DAY 350,000	INFILTRATION VARIES
IRRIGATION POND	247,700	
GOLF COURSE IRRIGATION	262,625	



NO.	DATE	DESCRIPTION	BY



1. Add irrigation piping and spray heads to increase the irrigation area in general conformance with the original 1997 Bissell plan. The cost of this addition is estimated at approximately \$285,000, which includes an allowance for upgrading the irrigation controller and reporting system. This would be accomplished in connection with expansion of the irrigation pond, which has already been included in the April 21, 2010 report as part of the incremental expansion to the 262,625 gpd level. This is shown on Exhibit B, attached.

Additional areas within common areas and on the wastewater disposal site have been identified for increasing the irrigation capacity up to the 350,000 gpd rating of the existing treatment facility. The incremental cost of increasing from 321,000 to 350,000 gpd of reclaimed water irrigation was determined to be cost-prohibitive compared to available alternatives for increasing the disposal capacity, and particularly as compared to the cost of re-rating the infiltration basin to accommodate the additional 29,000 gpd of disposal, estimated at approximately \$75,000.

2. Provide mechanical drainage around the existing infiltration basin, add nutrient removal to the existing wastewater treatment plant, and re-permit the disposal facility under the current 2T Rules. With this plan, the golf course irrigation system would become a backup disposal system. The cost of this option is estimated at approximately \$733,000. This alternative does not appear to be cost-effective as an alternative to the irrigation system expansion, but could be considered as a future expansion of the disposal system.

**8. Estimate of the ultimate potential for the Eagle Creek Wastewater Treatment and Disposal site:**

As part of the analysis of the wastewater disposal facility's potential ultimate capacity, all the areas that are available to the utility company were considered with the objective of maximizing the site's disposal potential. The project site can accommodate considerably more wastewater treatment than disposal, so the disposal capacity was determined, and then treatment components added to bring the facility up to the disposal potential.

Two potential high rate disposal sites have been identified, one to the west of the irrigation pond on utility owned property and one to the north of number one green and number two tee on common area that is available for irrigation. For both of these areas, a high rate surface irrigation on a sand backfill will be the suggested disposal method, which will also involve mechanical drainage. It is estimated, subject to a site specific hydrogeological investigation, that at least 250,000 gpd can be infiltrated on these two sites. A parallel wastewater treatment system would be added to the existing



CAPACITY TABLE

COMPONENT	EX. CAPACITY(GPD)		ADD CAPACITY(GPD)	TOTAL CAPACITY(GPD)	
TREATMENT PLANT	175,000		175,000	350,000	
5 DAY/INFILTRATION POND	5 DAY 350,000	INFILTRATION VARIES	0	5 DAY 350,000	INFILTRATION 29,000
IRRIGATION POND	247,700		73,300	321,000	
GOLF COURSE IRRIGATION	262,625		58,375	321,000	

IRRIGATION POND EXPANSION  
SURFACE AREA: 44,500 S.F.±  
ADDITIONAL CAPACITY: 36,300 GPD

IRRIGATION POND EXPANSION  
SURFACE AREA: 45,000 S.F.±  
ADDITIONAL CAPACITY: 37,000 GPD  
WWTP EXPANSION  
EXPAND TO: 350,000 GPD

NO.	DATE	DESCRIPTION	BY

DATE	07-31-10	SCALE	1
DESIGNED BY		CHECKED BY	
INCH		FEET	
DRAWN BY		CHECKED BY	
SHEET	1	OF	
CAD FILE	3410WWE	PROJECT NO.	3410



facility, which would include biological nutrient removal components, increasing the entire treatment and disposal system up to a rated capacity of 600,000 gpd.

A tentative layout of the expanded treatment and disposal system is shown on Exhibits C and D, which would involve biological nutrient removal for the second treatment plant, as well as extended aeration and tertiary filtration. This system would permit high rate infiltration on existing available land under the current 2T Rules.

The 600,000 gallon per day capacity could theoretically be increased to approximately 900,000 gpd on this site by utilizing the multiple disposal options that are available in parallel, including maximizing the golf course irrigation, adding high-rate surface irrigation, and converting the existing infiltration basin to a high-rate disposal system, adding a lined pond to become the new 5-day non-compliant storage pond to comply with current 2T disposal rules. Alternatively, it may be prudent to consider the site a 600,000 gallon per day disposal site that has a 300,000 to 350,000 gpd alternative disposal option for use in the event one of the other two disposal options needs repair.

**9. Opinion of the facility's current value:**

This issue will be addressed in a separate attachment.

Thank you for the opportunity to assist in this evaluation. Please let me know if you have any questions or need any additional information at this time.

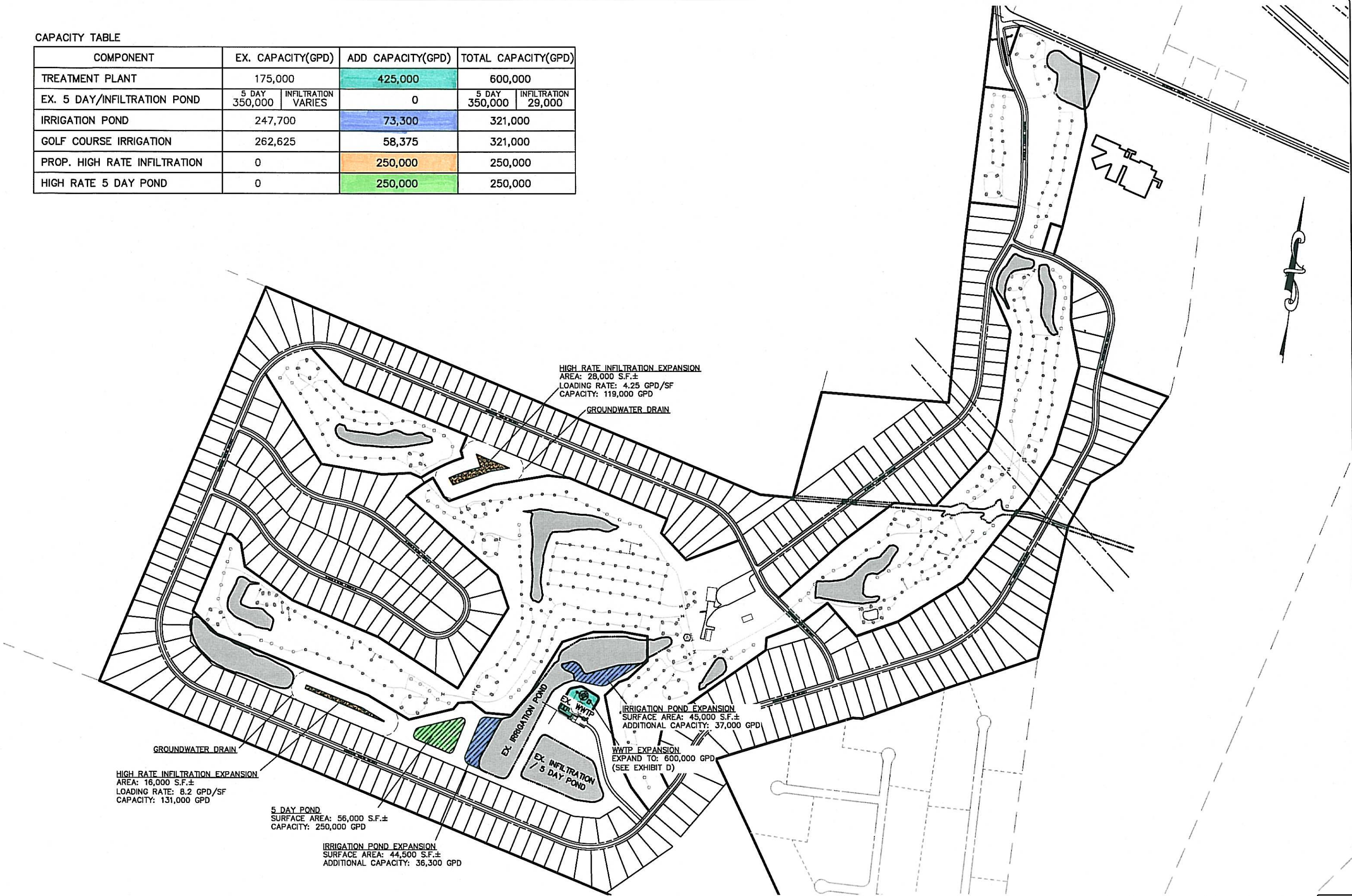
Sincerely yours,  
Bissell Professional Group

Mark S. Bissell, PE



CAPACITY TABLE

COMPONENT	EX. CAPACITY(GPD)		ADD CAPACITY(GPD)	TOTAL CAPACITY(GPD)	
TREATMENT PLANT	175,000		425,000	600,000	
EX. 5 DAY/INFILTRATION POND	5 DAY 350,000	INFILTRATION VARIES	0	5 DAY 350,000	INFILTRATION 29,000
IRRIGATION POND	247,700		73,300	321,000	
GOLF COURSE IRRIGATION	262,625		58,375	321,000	
PROP. HIGH RATE INFILTRATION	0		250,000	250,000	
HIGH RATE 5 DAY POND	0		250,000	250,000	



6.A.g

Bissell Professional Group

4417 North Graham Highway

PO Box 10000

Charlotte, NC 28210

704.581.1234

FAX 704.581-1760

**BISSELL**

PROFESSIONAL GROUP

EXPANSION TO

600,000 GPD

PROJECT

EAGLE CREEK WW STUDY

MOYOCK TOWNSHIP

CURRITUCK COUNTY

NORTH CAROLINA

ATTACHMENT: 7 Bissell Evaluation July 2010 (PB 20-14 Currituck Water & Sewer, LLC – Wastewater Treatment)

REVISIONS

NO.	DATE	DESCRIPTION
1	07-21-10	SCAL
2		REV
3		REV
4		REV
5		REV
6		REV
7		REV
8		REV
9		REV
10		REV

DATE

07-21-10

SCALE

SCAL

BY

BY

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CHKD

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1

OF

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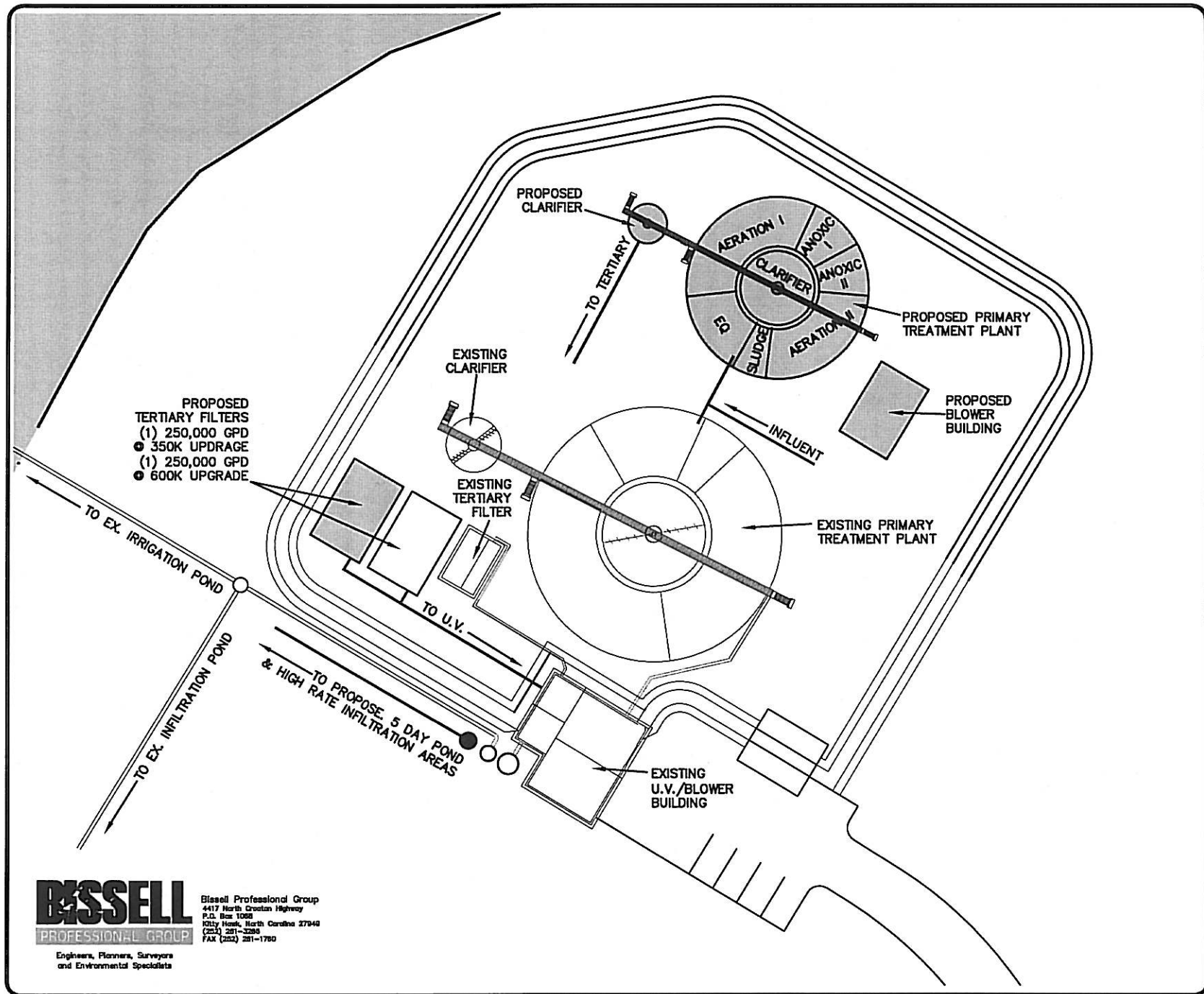
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PROJECT NO.

3410

Packet Pg. 35





600,000 GPD WWTP EXPANSION

EXHIBIT D

August 19, 2020

## Currituck Water and Sewer Application for Major Utility Community Meetings for Use Permit Application

Scheduled times and place: 2:00pm, 4:00pm and 6:00pm at the Eagle Creek Event Site, Moyock, NC 27958

Each meeting began on time or slightly ahead of time and lasted approximately one hour each.

Nearly 60 residents attended between the three meetings, with separate sign-in sheets provided for each of the three meetings (attached). Also in attendance were Carr McLamb and Lee Bowman representing the Applicant, and Mark Bissell, Engineer.

An overview of the request was presented including the advantages of having an expanded customer base, along with a request for input from the customers regarding improvements that are needed to the existing facility. An overview of the permitting process was also provided. There were many questions and answers provided, and by the end of each meeting, people were generally in favor of the proposal.

Public comments were made and addressed as follows:

Question	Answer
Can a new pump like the one at St. Andrews be added to back of the Greenville and Eagleton Circle area to help?	We will look into it.
Are you bringing money to the table?  **Comment: We like that approach	Yes, dollars are invested in the system first then after the investment the utilities commission looks at the rate schedule to allow the utility to recover the investment.
Will there be a rate increase?	The rate model is based on adding Fost and Flora to the system, which will help keep the rates flat.
Have you talked with the Flora and Fost developers?	Yes and they are in favor of connecting.
What are they contributing?	They are constructing and contributing their wastewater collection systems and some land for disposal of effluent or groundwater.
What if these developments don't succeed?	The improvements to the Eagle Creek system will be phased. The developers are contributing their portion of the new facilities to the utility.

Can you demonstrate that you are not going to abuse people over wastewater the way the previous utility did?	This company is in the water and wastewater utility business as its primary business and is operated quite differently from a developer owned utility company. Investment in the system is expected and is then recovered thru future rates.
Will there be commercial properties connected?	Yes, Flora and Fost both have commercial components and there is commercial land in the proposed service area as shown on the preliminary map.
What will you know later that we don't know now?	There will be a more comprehensive list of improvements needed to the Eagle Creek system, a routing plan for pipelines, and additional meetings may be held with the community and/or HOA.
When will the first upgrade take place?	In spring or summer, 2021.
We suggest putting up a webpage for information and comment.	Will do.
There are flooding issues at the wastewater plant.	We are here to learn about the problems and find solutions.
The 3 day response time needs to be improved.	Additional personnel have been provided to be able to address issues in a more timely manner.
How does the Fost and Flora permitting work?	Fost is under construction but will need a permit modification to connect to the system. Flora is still in the zoning approval stage.
What if they are not approved?	Most likely the system will not be purchased.
Have you considered changing the vacuum collection system to a gravity and pump station system?	Replacement of the collection system would not be feasible from a cost standpoint.
Will the new projects go into the vacuum system?	No, they will be pumped directly to the wastewater system, bypassing the existing vacuum system.
The plant flooded, will the pumps be moved?	We will study the cause of the flooding and determine what needs to be done to address it.
Would a different type of system be constructed if it were built today?	Possibly. We are looking at different ways to upgrade the existing system.
Will the effluent all be disposed of only on the golf course?	No, multiple disposal options are being pursued. When an additional development connects they will also be expected to take back either effluent or ground water.

The pipes could leak.	They are all tested prior to being put into service.
How will this benefit the existing customers?	A major utility has more resources to invest in the system and more incentive to do so.
Will valve pits be replaced or the plant problems addressed	Both.
What similar projects have there been and do you have references?	Approximately 200 water and sewer systems are being operated across the state and references can be provided.
Are grants available?	Not for private utility systems.
Can we do anything to expedite the approval?	Yes, if you express support the approvals will go more smoothly.
I cannot find a new pit cap.	A spare one will be provided.
How many connections can the wastewater treatment plant handle as it currently exists?	The basic components are in place for about 2-3 times the current number of connections and the basic footprint is in place to be able to handle approximately 5 times the current connections (roughly 2000)
Will this be more cost effective for Fost than building its own facility?	Most likely this will result in lower costs for both Fost and Eagle Creek.
What is the impact of cost on the existing customer base?	With a stagnant base as currently exists all of the improvement costs will be born by the existing customers. With an expanded base they will be spread out over a larger base.
Will it be settled before the first home is built at Fost?	Either Fost will need to have its own facility in place or be connected to Eagle Creek.
The pits are absorbing stormwater. Can secondary pits be installed for stormwater?	A better solution will likely be to make the existing pits waterproof or raise them. Also a different type of valve is available that functions better when submerged.
Guinea Mill has a stormwater tax but nothing is being done.	We understand the county is looking for people to serve on the advisory board to spend that money on stormwater.
We are tired of sewage backing up. What is going to change with a vacuum based system?	We will improve the pit valves by replacing valves with a newer type of valve and also by waterproofing or raising the pits.
The plant cannot handle stormwater. We understand that the Fost project is helping the stormwater situation.	Once the valve pits are repaired or raised less stormwater will be getting into the system. It is true that Fost will be helping with the stormwater system but improvements are also needed to the Eagle Creek collection system.
There are problems with the existing groundwater lowering pump.	The pump will be repaired or replaced. Also backup power needs to be provided. This is part of the capital improvements plan.
What other developments will connect to the	We are only talking with Flora and Fost at the

system?	moment. These will make it financially feasible.
Will it be economically feasible to do this without the expanded customer base from Flora and Fost?	The model is based on Flora and Fost together. If only Fost is connected it is uncertain.
We are in favor of this	
We are at our highest point of leverage right now. How does Eagle Creek get priority with a 20 year old system compare to the new neighborhoods?	A team of engineers will figure out what is best for the system overall. The plan is to both upgrade the existing system and to add on to what is there.
We understand the economy to scale but how does the 20 year old system get attention. We have not been able to hold Sandler's feet to the fire.	There is a big difference between a developer-owned utility and a utility company whose core business is wastewater systems like Envirolink/Currituck Water and Sewer. We are incentivized to invest money in the system by the NC Utilities Commission.
What is the time frame for the list of upgrades?	We hope to have a preliminary list in a week, but will amend it as we learn more information about the system.
Can a conditional permit be granted?	There could be certain conditions attached to the Use Permit.
The HOA has a list of problem areas which could be arbitrated by the directors.	We will have additional meetings and discussions with the HOA.
This is just wastewater not stormwater right?	Correct.
The two piece valve pit leaks and stormwater overloads the system. Can these be replaced with one piece pits?	This can be considered. We understand that there are only 10 to 15 that currently have extensive flooding and these should be replaced.
Can Eagle Creek have protection from rate increases?	No, the rates are set by the NC Utilities Commission based on the actual investment in the utility.
What about the Fost and Flora systems?	The developer contributes collection systems separately which are considered contributions in aid of construction.
How much will the rates increase?	The utility company invests in improvements and afterward applies for a rate adjustment. The utilities commission considers the reasonable and necessary expenses and spreads those costs over the available customer base to determine an appropriate rate.
What is the time frame for the take over and the	There are a number of permitting processes that we have to go through including the

repairs?	county use permit, a construction approval with DEQ and a rate case with the NC Utilities Commission. Probably spring at the earliest or possibly summer and then repairs will begin right after the takeover.
Will DEQ require repairs to be made?	Sometimes they do.
What about sanitary sewer overflow, are those tracked and is there an annual report?	There are statutory requirements on reporting. Some within 24 hours, some within 5 days and some require newspaper advertising.
How do we make sure that reporting is done properly?	Envirolink has a compliance team who is responsible for this type of reporting.
Will you talk to the homeowners about each pit problem? There are pictures of all of the problem pits which will be made available.	Yes, it's part of the due diligence.
Do you follow the state or EPA guidelines for assessments?	Information is already available and filed with NCUC on which ones flood etc. (answer from HOA).
Guinea Mill is a mess.	The HOA is taking this up with the county.
Stormwater improvements will help with wastewater issues?	Yes, but new board members are needed for the Guinea Mill stormwater district.
The pump at the canal is a problem and needs an alternate power source.	Backup power will be provided along with a new motor and/or impeller as needed.
Personal cell phone numbers are needed for Envirolink personnel.	Additional contact information will be provided. There is also an emergency number.
Does the utility company have any influence over the HOA?	No, it is totally separate.
What is the difference between Envirotech and Envirolink?	Envirotech has been acquired by Envirolink which is a much larger company.
Fost and Flora were mentioned as essential ingredients. What happens if Flora is not approved?	The financial model is based on Flora being a part of the system. If it is not approved for development we will have to determine whether the project is still financially viable.



We are all for this. Things keep getting worse as they are now.	Thank you. Please express your support.
---	---

Several people stayed over for informal discussion and a closer look at the proposed service area map at the end of each meeting.

**From:** [Mark Bissell](#)  
**To:** [Tammy Glave](#)  
**Cc:** [Laurie LoCicero](#); [Donna Voliva](#); [Jennie Turner](#); "Michael Myers"; "Carr McLamb"; [davek@bissellprofessionalgroup.com](mailto:davek@bissellprofessionalgroup.com); [admin@bissellprofessionalgroup.com](mailto:admin@bissellprofessionalgroup.com)  
**Subject:** RE: [EXTERNAL] RE: 4690 PB20-14 Currituck Water and Sewer UP TRC Comments 9-9-2020  
**Date:** Tuesday, September 22, 2020 3:22:20 PM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)

---

Tammy,

We would like to continue with the original application that did not include these two properties as co-applicants. We can add them later, since effluent will likely not need to be sent there for some years to come.

Thanks,

Mark S. Bissell, PE



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**From:** Tammy Glave [mailto:[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)]  
**Sent:** Tuesday, September 22, 2020 3:14 PM  
**To:** Mark Bissell  
**Cc:** Laurie LoCicero; Donna Voliva; Jennie Turner  
**Subject:** RE: [EXTERNAL] RE: 4690 PB20-14 Currituck Water and Sewer UP TRC Comments 9-9-2020

Mark – Please verify that the adjoining property owner list covers the addition of these two parcels. It does not appear to, so those property owners will need to be notified and a community meeting held to include them before we can process the application any further. Since we discussed the addition of the two properties at the pre-app meeting, another pre-app meeting is not necessary.

Let me know if you have any questions. Thank you.

---

**From:** Mark Bissell <[mark@bissellprofessionalgroup.com](mailto:mark@bissellprofessionalgroup.com)>  
**Sent:** Monday, September 21, 2020 2:58 PM  
**To:** Tammy Glave <[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)>  
**Cc:** 'Lee Bowman' <[lb Bowman@envirolinkinc.com](mailto:lb Bowman@envirolinkinc.com)>; [davek@bissellprofessionalgroup.com](mailto:davek@bissellprofessionalgroup.com); [admin@bissellprofessionalgroup.com](mailto:admin@bissellprofessionalgroup.com)

**Subject:** [EXTERNAL] RE: 4690 PB20-14 Currituck Water and Sewer UP TRC Comments 9-9-2020

**[CAUTION]:** This email originated from outside of Currituck County's system. Do not click links or open attachments unless you verify that the attachment and contents are safe. Please report any suspicious emails or attachments to to [support](#).

Mark S. Bissell, PE



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---

**From:** Tammy Glave [<mailto:Tammy.Glave@CurrituckCountyNC.gov>]

**Sent:** Thursday, September 10, 2020 5:44 PM

**To:** Mark Bissell ([mark@bissellprofessionalgroup.com](mailto:mark@bissellprofessionalgroup.com)); Lee Bowman; [brittney@lmssi.com](mailto:brittney@lmssi.com); Tammy Glave

**Cc:** Laurie LoCicero; Donna Voliva; Jennie Turner; Will Rumsey

**Subject:** PB20-14 Currituck Water and Sewer UP TRC Comments 9-9-2020

Please find the attached Technical Review Committee memo and supporting documents for your request for a use permit for a major utility. You will see in the memo that we are requesting a conference call with you for further information. We can call Tuesday afternoon (9/15) at 3pm or Wednesday morning (9/16) if either of those times work for you. Please advise. Thank you.



## Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Currituck Water & Sewer, LLC  
 Address: 4700 Homewood Ct., Ste. 108  
 Raleigh, NC 27609  
 Telephone: 252-236-5710  
 E-Mail Address: lbowman@envirolinkinc.com

**PROPERTY OWNER:**

Name: Sandler Utilities at Mill Run, LLC  
 Address: PO Box 12347  
 Raleigh, NC 27605  
 Telephone: 757-510-4235  
 E-Mail Address: brittney@lmssi.com  
 (continued/attached)

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: LOI Holder

**Property Information**

Physical Street Address: 287 Green View Road  
 Location: Moyock, NC 27958  
 Parcel Identification Number(s): 0015-000-084I-0000, 0015-000-084A-0000, 0015-000-084B-0000, 0015-000-084C-0000,  
 0015-000-084D-0000, 0016-000-001A-0000  
 Total Parcel(s) Acreage: 196.65 ac. +/-  
 Existing Land Use of Property: Wastewater treatment & disposal; golf course

**Request**

Project Name: Currituck Water and Sewer Major Utility  
 Proposed Use of the Property: Improved and expanded wastewater system  
 Deed Book/Page Number and/or Plat Cabinet/Slide Number: P.C. "F", Slide 396, DB 1244, PG 459  
 Total square footage of land disturbance activity: N/A  
 Total lot coverage: N/A  
 Existing gross floor area: N/A  
 Total vehicular use area: N/A  
 Proposed gross floor area: N/A

**Community Meeting**

Date Meeting Held: 8/19/2020  
 Meeting Location: Eagle Creek Event Center

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_\_  
See Attachment A

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

- A. The use will not endanger the public health or safety.

See Attachment A

- B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

See Attachment A

- C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

See Attachment A

- D. The use will 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.

See Attachment A

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

Property Owner(s)/Applicant\*  Sandler Utilities at Mill Run, LLC  
Raymond L. Gottlieb, manager

August 28, 2020  
Date

\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Use Permit Application  
Page 5 of 8  
Revised 7/1/2019

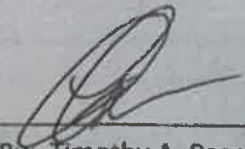
Paasch Developments, LLC  
 109 Greenview Road  
 Moyock, NC 27958

August 28, 2020

To Whom it May Concern:

Paasch Developments, LLC, as owner of the 5 golf parcels at Eagle Creek that are included in the Application for Use Permit for Major Utility being made by Currituck Water & Sewer, LLC, (parcels 0015-000-084A-0000, 0015-000-084B-0000, 0015-000-084C-0000, 0015-000-084D-0000, and 0016-000-001A-0000) hereby consent to this application. The application does not change any part of the recorded Effluent Easement Agreement that the Utility has with Eagle Creek Golf Course.

Paasch Developments, LLC

  
 By: Timothy A. Paasch  
 Its: Chairman/Manager

Notary Certificate

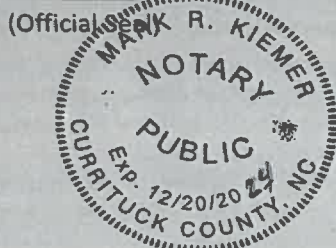
Currituck County, North Carolina


I, Mark R. Kiemer, a Notary Public for Currituck Co NC

County, North Carolina, do hereby certify that Timothy A. Paasch

Personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 28<sup>th</sup> day of August 2020





Notary Signature

12-20-2024  
 My Commission Expires





## Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Currituck Water & Sewer, LLC  
 Address: 4700 Homewood Ct., Ste. 108  
Raleigh, NC 27609  
 Telephone: 252-236-5710  
 E-Mail Address: lbowman@envirolinkinc.com

**PROPERTY OWNER:**

Name: Sandler Utilities at Mill Run, LLC  
 Address: PO Box 12347  
Raleigh, NC 27605  
 Telephone: 757-510-4235  
 E-Mail Address: brittney@lmssi.com  
 (continued/attached)

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

**Property Information**

Physical Street Address: 287 Green View Road  
 Location: Moyock, NC 27958  
 Parcel Identification Number(s): 0015-000-084I-0000, 0015-000-084A-0000, 0015-000-084B-0000, 0015-000-084C-0000,  
0015-000-084D-0000, 0016-000-001A-0000, 0015-000-0086-0000, 0015-000-085B-0000  
 Total Parcel(s) Acreage: 196.65 ac. +/-  
 Existing Land Use of Property: Wastewater treatment & disposal; golf course

**Request**

Project Name: Currituck Water and Sewer Major Utility  
 Proposed Use of the Property: Improved and expanded wastewater system  
 Deed Book/Page Number and/or Plat Cabinet/Slide Number: P.C. "F", Slide 396, DB 1244, PG 459  
 Total square footage of land disturbance activity: N/A  
 Total lot coverage: N/A Total vehicular use area: N/A  
 Existing gross floor area: N/A Proposed gross floor area: N/A

**Community Meeting**

Date Meeting Held: 8/19/2020 Meeting Location: Eagle Creek Event Center





## Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
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 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Currituck Water & Sewer, LLC  
 Address: 4700 Homewood Ct., Ste. 108  
Raleigh, NC 27609  
 Telephone: 252-236-5710  
 E-Mail Address: lbowman@envirolinkinc.com

**PROPERTY OWNER:**

Name: Paasch Developments, LLC  
 Address: 109 Greenview Road  
Moyock, NC 27958  
 Telephone: 757-620-2200  
 E-Mail Address: tim@eaglecreekgolfing.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

**Property Information**

Physical Street Address: 287 Green View Road  
 Location: Moyock, NC 27958  
 Parcel Identification Number(s): 0015-000-084I-0000, 0015-000-084A-0000, 0015-000-084B-0000, 0015-000-084C-0000,  
0015-000-084D-0000, 0016-000-001A-0000  
 Total Parcel(s) Acreage: 196.65 ac. +/-  
 Existing Land Use of Property: Wastewater treatment & disposal; golf course

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**Community Meeting**

Date Meeting Held: 8/19/2020 Meeting Location: Eagle Creek Event Center

Attachment: 12 Application - Fost (PB 20-14 Currituck Water &amp; Sewer, LLC - Wastewater Treatment)

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_\_

See Attachment A

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

A. The use will not endanger the public health or safety.

See Attachment A

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

See Attachment A

C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

See Attachment A

D. The use will 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.

See Attachment A

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

  
Moyock Development, LLC

\_\_\_\_\_  
John J. Flora, III

Property Owner(s)/Applicant\*

\_\_\_\_\_  
Date

**\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.**

## Attachment A

### **Purpose of the Use Permit and Project Narrative**

The Eagle Creek community is served by a community wastewater system. After treatment, the cleaned water is repurposed as irrigation for the Eagle Creek golf course and can also be disposed of via infiltration pond on the facility's property.

Currituck Water and Sewer intends to upgrade (and in some cases replace) various components of the treatment facility. While doing so, expansion of the facility would be designed, as needed, to allow for neighboring communities to tie into the treatment facility. Those neighboring communities would provide additional disposal areas to handle disposal needs.

Note that the neighboring parcels wastewater would be pump to the WWTP and not enter the Eagle Creek Collection system.

There are several reasons for the proposed expansion. The main reason is that the Eagle Creek wastewater plant was installed many years ago and needs upgrades to remain complaint with permit requirements. There are signs of aging with some components of the facility, which will ultimately need to be replaced. Also, other neighboring parcels are being developed with individual treatment facilities. By combining treatment facilities, operational efficiencies will be gained that include less costs to manage that are spread over a larger customer base.

This proposal should bring both immediate and long term benefits to the Eagle Creek customers:

1. The Utility's expertise managing community wastewater systems, from testing, treatment, monitoring, and reporting to addressing ever changing regulations and technology, will bring improvements in reliability, compliance and efficiency.
2. Following through on outstanding obligations from the developer-owned Utility. In addition to some of the deferred maintenance, the new Utility will be able to update and repair some of the Eagle Creek related drainage concerns while doing the connection work for the new development(s).

And pit valve replacement will be done as necessary to reduce stormwater infiltration.

3. Separating the system from the developer and increasing the customer base means the system will be on an even more secure footing for the future. While there are no plans to raise the rates for Eagle Creek customers, eventually as costs rise rates will need to rise accordingly. The benefit of a larger customer base is that it allows the Utility to spread those costs over more customers which helps to minimize the impact on each individual bill.
4. As development occurs in this area, having one central facility to operate rather than multiple treatment facilities is extremely efficient for the community at large. Additionally, the Utility will have the flexibility to manage the reuse water on the golf course irrigation system as well as the other development's disposal areas.

The Utility will design a plan to upgrade and expand the treatment facility in a manner that will allow the Eagle Creek facility to remain in operation throughout the upgrade/expansion work.

**A. The use will not endanger the public health or safety.**

The existing wastewater treatment facility will be improved to resolve existing operational issues and will offer improved performance as a result. The facility will be operated in accordance with rules and regulations promulgated by the NC Department of Environmental Quality and the NC Utilities Commission.

**B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.**

The facility is on land that was originally set aside for this purpose with the original development approval for Eagle Creek. The improvements and possible expansion will take place on the existing treatment site.

Wastewater disposal will be done using golf course irrigation and the onsite infiltration as originally approved and permitted, along with disposal on remote sites that have also been set aside for this purpose in accordance



with those approvals. The major utility will provide the opportunity for adjacent properties within the proposed service area to connect to the facility if their septic systems fail, which could actually improve the value of adjoining or abutting properties.

**C. The use will be in conformity with the Land Use Plan or other officially adopted plan.**

The service area is a mixture of full service and rural land on 2006 land use plan. Making utility service available to property does not in itself affect land use or density one way or the other, but simply provides an opportunity for a public service where one is needed. The proposal does not appear to conflict with any provision of the Land Use Plan or other officially adopted plan. The proposal is consistent with the following specific policies from the 2006 Land Use Plan:

Policy WS-7: Currituck County allows for the appropriate use of package sewage treatment plants as a means of achieving more efficient land use, while properly disposing of waste. Such systems shall have a permanent organizational ownership to guarantee their proper management, including operation, maintenance and replacement needs. Depending on their location in the county, such systems may be required to have a design that allows for assimilation into a larger system at a future date.

Policy WS-8: Central and package treatment plants shall be designed using best available technology to eliminate or reduce odors. In addition, such plants shall be properly located so as not to adversely impact nearby land uses.

Moyock Subarea Policy: “Most of the Moyock Area is classified as Class II land, largely due to poor soil suitability for septic tanks. This limitation may be overcome by the use of package sewage treatment plants, which may ultimately join together into a centralized sewage collection and treatment system.”

- D. The use will 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.**

The proposed use will have no impact on schools, fire and rescue or law enforcement, and should have a positive impact on the County's regional wastewater facility which is currently at capacity and unable to provide additional service without expansion.

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_\_

See Attachment A

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

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See Attachment A

- B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

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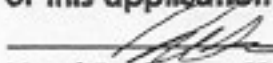
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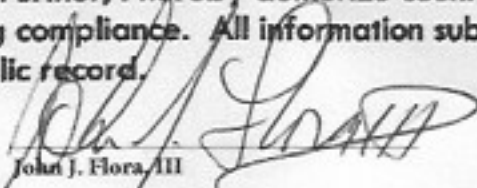
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Moyock Development, LLC

  
John J. Flora, III

Property Owner(s)/Applicant\*

Date

\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Use Permit Application  
Page 5 of 8  
Revised 7/1/2019



## Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
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Name: Currituck Water & Sewer, LLC  
 Address: 4700 Homewood Ct., Ste. 108  
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 Telephone: 252-236-5710  
 E-Mail Address: lbowman@envirolinkinc.com

**PROPERTY OWNER:**

Name: Sandler Utilities at Mill Run, LLC  
 Address: PO Box 12347  
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 Telephone: 757-510-4235  
 E-Mail Address: brittney@lmssi.com  
 (continued/attached)

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

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**Community Meeting**

Date Meeting Held: 8/19/2020 Meeting Location: Eagle Creek Event Center





## Use Permit Application

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Name: Currituck Water & Sewer, LLC  
 Address: 4700 Homewood Ct., Ste. 108  
Raleigh, NC 27609  
 Telephone: 252-236-5710  
 E-Mail Address: lbowman@envirolinkinc.com

**PROPERTY OWNER:**

Name: Paasch Developments, LLC  
 Address: 109 Greenview Road  
Moyock, NC 27958  
 Telephone: 757-620-2200  
 E-Mail Address: tim@eaglecreekgolfing.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

**Property Information**

Physical Street Address: 287 Green View Road  
 Location: Moyock, NC 27958  
 Parcel Identification Number(s): 0015-000-084I-0000, 0015-000-084A-0000, 0015-000-084B-0000, 0015-000-084C-0000,  
0015-000-084D-0000, 0016-000-001A-0000  
 Total Parcel(s) Acreage: 196.65 ac. +/-  
 Existing Land Use of Property: Wastewater treatment & disposal; golf course

**Request**

Project Name: Currituck Water and Sewer Major Utility  
 Proposed Use of the Property: Improved and expanded wastewater system  
 Deed Book/Page Number and/or Plat Cabinet/Slide Number: P.C. "F", Slide 396, DB 1244, PG 459  
 Total square footage of land disturbance activity: N/A  
 Total lot coverage: N/A Total vehicular use area: N/A  
 Existing gross floor area: N/A Proposed gross floor area: N/A

**Community Meeting**

Date Meeting Held: 8/19/2020 Meeting Location: Eagle Creek Event Center

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_\_

See Attachment A

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

- A. The use will not endanger the public health or safety.

See Attachment A

- B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

See Attachment A

- C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

See Attachment A

- D. The use will 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.

See Attachment A

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

Property Owner(s)/Applicant\*

Date

\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

## Attachment A

### **Purpose of the Use Permit and Project Narrative**

The Eagle Creek community is served by a community wastewater system. After treatment, the cleaned water is repurposed as irrigation for the Eagle Creek golf course and can also be disposed of via infiltration pond on the facility's property.

Currituck Water and Sewer intends to upgrade (and in some cases replace) various components of the treatment facility. While doing so, expansion of the facility would be designed, as needed, to allow for neighboring communities to tie into the treatment facility. Those neighboring communities would provide additional disposal areas to handle disposal needs.

Note that the neighboring parcels wastewater would be pump to the WWTP and not enter the Eagle Creek Collection system.

There are several reasons for the proposed expansion. The main reason is that the Eagle Creek wastewater plant was installed many years ago and needs upgrades to remain complaint with permit requirements. There are signs of aging with some components of the facility, which will ultimately need to be replaced. Also, other neighboring parcels are being developed with individual treatment facilities. By combining treatment facilities, operational efficiencies will be gained that include less costs to manage that are spread over a larger customer base.

This proposal should bring both immediate and long term benefits to the Eagle Creek customers:

1. The Utility's expertise managing community wastewater systems, from testing, treatment, monitoring, and reporting to addressing ever changing regulations and technology, will bring improvements in reliability, compliance and efficiency.
2. Following through on outstanding obligations from the developer-owned Utility. In addition to some of the deferred maintenance, the new Utility will be able to update and repair some of the Eagle Creek related drainage concerns while doing the connection work for the new development(s).

And pit valve replacement will be done as necessary to reduce stormwater infiltration.

3. Separating the system from the developer and increasing the customer base means the system will be on an even more secure footing for the future. While there are no plans to raise the rates for Eagle Creek customers, eventually as costs rise rates will need to rise accordingly. The benefit of a larger customer base is that it allows the Utility to spread those costs over more customers which helps to minimize the impact on each individual bill.
4. As development occurs in this area, having one central facility to operate rather than multiple treatment facilities is extremely efficient for the community at large. Additionally, the Utility will have the flexibility to manage the reuse water on the golf course irrigation system as well as the other development's disposal areas.

The Utility will design a plan to upgrade and expand the treatment facility in a manner that will allow the Eagle Creek facility to remain in operation throughout the upgrade/expansion work.

**A. The use will not endanger the public health or safety.**

The existing wastewater treatment facility will be improved to resolve existing operational issues and will offer improved performance as a result. The facility will be operated in accordance with rules and regulations promulgated by the NC Department of Environmental Quality and the NC Utilities Commission.

**B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.**

The facility is on land that was originally set aside for this purpose with the original development approval for Eagle Creek. The improvements and possible expansion will take place on the existing treatment site.

Wastewater disposal will be done using golf course irrigation and the onsite infiltration as originally approved and permitted, along with disposal on remote sites that have also been set aside for this purpose in accordance



with those approvals. The major utility will provide the opportunity for adjacent properties within the proposed service area to connect to the facility if their septic systems fail, which could actually improve the value of adjoining or abutting properties.

**C. The use will be in conformity with the Land Use Plan or other officially adopted plan.**

The service area is a mixture of full service and rural land on 2006 land use plan. Making utility service available to property does not in itself affect land use or density one way or the other, but simply provides an opportunity for a public service where one is needed. The proposal does not appear to conflict with any provision of the Land Use Plan or other officially adopted plan. The proposal is consistent with the following specific policies from the 2006 Land Use Plan:

Policy WS-7: Currituck County allows for the appropriate use of package sewage treatment plants as a means of achieving more efficient land use, while properly disposing of waste. Such systems shall have a permanent organizational ownership to guarantee their proper management, including operation, maintenance and replacement needs. Depending on their location in the county, such systems may be required to have a design that allows for assimilation into a larger system at a future date.

Policy WS-8: Central and package treatment plants shall be designed using best available technology to eliminate or reduce odors. In addition, such plants shall be properly located so as not to adversely impact nearby land uses.

Moyock Subarea Policy: “Most of the Moyock Area is classified as Class II land, largely due to poor soil suitability for septic tanks. This limitation may be overcome by the use of package sewage treatment plants, which may ultimately join together into a centralized sewage collection and treatment system.”

- D. The use will 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.**

The proposed use will have no impact on schools, fire and rescue or law enforcement, and should have a positive impact on the County's regional wastewater facility which is currently at capacity and unable to provide additional service without expansion.

## Currituck Water & Sewer, LLC

June 17, 2020

Ms. Arthur Sandler, Partner  
Sandler Utilities at Mill Run, LLC  
48 Viking Drive, Suite 220  
Virginia Beach, Virginia 23452

RE: Letter of Intent for Eagle Creek Wastewater System

Dear Mr. Sandler,

Currituck Water & Sewer, LLC (CWS) has made its review of the Eagle Creek Subdivision Wastewater System owned and operated by Sandler Utilities at Mill Run, LLC (SUMR) or its affiliates. Our understanding is that the SUMR or its affiliates currently owns the Eagle Creek wastewater system located in Moyock, NC. The Eagle Creek wastewater system serves approximately 420 residential connections (along with one 600 student school and 1 Golf Club connection) and is regulated by North Carolina Department of Environmental Quality (NCDEQ).

CWS proposal is contained in the following outline:

A. Individual System Components to be acquired. The operating wastewater system components of the Eagle Creek wastewater system to be acquired shall include, but are not limited to, the following:

- All current and future wastewater assets of the Eagle Creek wastewater system which include:
  - a series of small diameter vacuum collection lines with approximately 219 vacuum pits that each serve two residential units as well as the collection infrastructure to serve the School and Golf Club
  - the WWTP site including land, a central vacuum pump station, building, tankage and other facilities and equipment for treatment
  - disposal facilities on the WWTP site including an effluent lift station, 30-day irrigation pond, and infiltration pond.
- Any and all agreements, easements, permits, and rights to provide services to customers that exist for the current and futures phases of the Eagle Creek wastewater system.

B. Indication of Value and Form of Consideration. We believe the transaction should be structured as an asset sale whereby the SUMR or its affiliates will receive the following at closing. The purchaser of the assets will be Currituck Water & Sewer, LLC.

CWS's proposed purchase price is:

[REDACTED]

[REDACTED]

[REDACTED]

CWS shall have its legal counsel to prepare the Asset Purchase Agreement ("APA") and related documents reflecting our full proposal. The final Agreement shall contain terms and conditions that are normal, usual, and appropriate including representations and warranties of both CWS and SUMR or its affiliates regarding due authorization, title to and condition of assets and regulatory compliance as well as indemnification provisions and Closing conditions. The final Agreement shall be subject to the mutual agreement of both CWS and SUMR or its affiliates. The APA will be contingent upon North Carolina Utility Commission approval of the terms as



specified above. If the Commission does not authorize the purchase price or terms and the amounts listed in the APA, the parties have the right to terminate the APA.



The Closing will be held 30 days after all required approvals have been received. CWS shall make its best efforts in seeking to satisfy the closing conditions and to obtain the needed regulatory approvals including the filings with the Utility Commission.



This Letter of Intent assumes that SUMR or its affiliates has not entered into any agreement or understanding with another party which would interfere with by this Letter of Intent.

If you concur with this non-binding Letter of Intent, please sign in the appropriate place below and return the original to me.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Lee Bowman".

G. Lee Bowman  
Director of Project and Corporate Development

I confirm and agree to the terms and conditions outlined above.

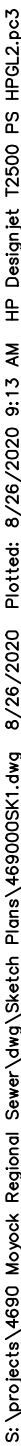
Sandler Utilities at Mill Run, LLC

By AIA Sandler

Title \_\_\_\_\_

Date June 19, 2020





DATE: 07/28/2012	SCALE: 1" = 1000'
DESIGNED: BPG	CHECKED: MSB
DRAWN: KFW	APPROVED: BPG
SHEET: <div style="display: flex; justify-content: space-around; align-items: center;"><div style="text-align: center;">1</div><div>OF</div><div style="text-align: center;">1</div></div>	
CAD FILE: 469000SK1	
PROJECT NO: 4690	

PROJECT: CURRITUCK WATER & SEWER, LLC  
JOYOCK TWP. CURRITUCK CO. NORTH CAROLINA  
PRELIMINARY SERVICE AREA MAP

**BISSSEL**

**PROFESSIONAL GROUP**

Engineers, Planners, Surveyors  
and Environmental Specialists

Bissell Professional Group  
Firm License # C-956  
3512 North Croatan Highway  
P.O. Box 1068  
Kitty Hawk, North Carolina 27949  
K232-2261  
FAX (252) 261-1760

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## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2942)

**Agenda Item Title:** PB 20-13 Complete Auto Credit:

**Submitted By:** Cheri Elliott – Planning & Community Development

**Presenter of Item:** Laurie LoCicero

**Board Action:** Action

### Brief Description of Agenda Item:

Marc Sisino has requested an Automobile Sales Use Permit for property located at 1383 Caratoke Highway, Parcel Identification Number 0023-000-0010-0000, Moyock Township.

**Is this item regulated by plan, regulation or statute?** Yes

### Planning Board Recommendation:

Use Permit, no Planning Board review.

### Manager Recommendation:

APPLICATION SUMMARY	
<b>Property Owner:</b> Ella Bell Inc	<b>Applicant:</b> Marc Sisino
<b>Case Number:</b> PB 20-13	<b>Application Type:</b> Use Permit
<b>Parcel Identification Number:</b> 0023-000-0010-0000	<b>Existing Use:</b> Automobile sales
<b>Land Use Plan Classification:</b> Rural	<b>Parcel Size (Acres):</b> 1.58
<b>Moyock Small Area Plan,</b> <b>Future Land Use Plan Classification:</b> Rural	<b>Parcel Address:</b> 1383 Caratoke Hwy
<b>Request:</b> Use Permit for Auto Sales in GB	<b>Zoning:</b> General Business

### SURROUNDING PARCELS

	Land Use	Zoning
--	----------	--------



North	Office Strip	General Business
South	Vacant	Heavy Industrial
East	Vacant	Heavy Industrial
West	Solar Array	Heavy Industrial

### APPLICANT NARRATIVE

It is our plan to develop an automobile dealership that will provide good reliable transportation to people with less than perfect credit. The dealership will be aesthetically and personally welcoming to all members of the community. The business will look to assist the community by being civically engaged, supportive of community programs (with an emphasis on youth sports), and being philanthropically minded. We will also look to create jobs and employ residents of Currituck County.

### STAFF ANALYSIS

A use permit for automobile sales was issued to the subject property in 2013 but the use was never established. By Unified Development Ordinance, use permits expire if the use is not established within two years of the approval date. On June 17, 2019, the Board of Commissioners approved a use permit for sales and rental of automobiles with the following conditions:

1. The applicant shall have ninety (90) days to complete having the building to commercial standards as required by the UDO and receive a Certificate of Occupancy.
2. Improvements will be made to the parking and display areas in accordance with the approved site plan.
3. Landscaping will be upgraded in accordance to the Unified Development Ordinance.
4. Trees can be moved to keep a twenty-five (25) foot area of visibility for the line of sight; the twenty-five foot sight line shall be measured from the existing curb.
5. Display Areas I be screened with a Type A buffer yard, also keeping the twenty-five foot area of visibility.
6. Outdoor storage of vehicles shall occur only within the approved display areas.

On February 17, 2020, the Board of Commissioners revoked the use permit for the following reasons. Revocation Order is attached.

*On October 15, 2019, staff inspected 1383 Caratoke Highway for compliance with the Conditions of Approval and found those conditions had not been met by the applicant. On October 15, 2019 a Notice of Violation was issued for non-compliance with the Use Permit Conditions of Approval for the following deficiencies:*

1. *New paving for outdoor display areas are has been installed but applicant did not apply for or receive a zoning permit for the minor site plan.*
2. *Landscaping along the northern property line, fence line or southern property line has not been installed.*
3. *Type A buffer yard has not been installed to screen the display areas.*
4. *Vehicles are being stored outside of areas designated as display areas on the approved site plan.*

*The deadline for appeal of Notice of Violation to the Board of Adjustment was November 14, 2019 and the applicant did not submit an appeal so Civil Citations were issued. The property was re-inspected on January 30, 2020, violations were found and the revocation hearing was scheduled.*

The applicant is requesting a new use permit for automobile sales. The conceptual plan is identical to the one approved in 2019.

## INFRASTRUCTURE

Water	Public
Sewer	Septic
Landscaping	Shall meet current ordinance requirements

## RECOMMENDATIONS

### TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends **adoption** of the use permit subject to the conditions of approval placed on the June 17, 2019 use permit approval and the following conditions:

1. The application complies with all applicable review standards of the UDO provided the following outstanding items are addressed:
  - a. ***A revised site plan produced by a professional surveyor, architect, or engineer, showing full compliance with the UDO shall be submitted for review.***
  - b. ***The site plan shall clearly depict areas intended for display of vehicles and areas intended for customer/employee parking.***
  - c. ***The site plan shall address all requirements of the fire department and NC fire code regarding traffic flow, emergency vehicle access, vehicle storage and proximity to the building, etc.***
  - d. ***Type A landscaping buffers are required between the street and all display areas.***
  - e. ***All permits required for adherence to the site plan shall be obtained prior to commencement of work.***
2. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
  - a. ***The property shall be developed in accordance with an approved site plan.***
  - b. ***Outdoor storage of vehicles shall not occur outside of designated display areas or within setbacks.***

## USE PERMIT REVIEW STANDARDS

**A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.**

The use will not endanger the public health or safety.

Preliminary Applicant Findings:

1. There will be no endangerment of public health or safety. As this property has had very limited use in recent years, cleaning up and using the property as a retail location will be a health and safety improvement by keeping the property cleaner and eliminating an area that could lend itself to trespassing and vandalism.

The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

**Preliminary Applicant Findings:**

1. The location is directly across from Summit Farms Solar Farm and in between vacant property (Heavy Industrial Zone) and a strip office center. Diagonally across the street there is an auto repair use and a recycling yard. The proposed use will improve the local area and increase property values. Instead of a rundown property, it will be attractive and bustling with business.

The use will be in conformity with the Land Use Plan or other officially adopted plans.

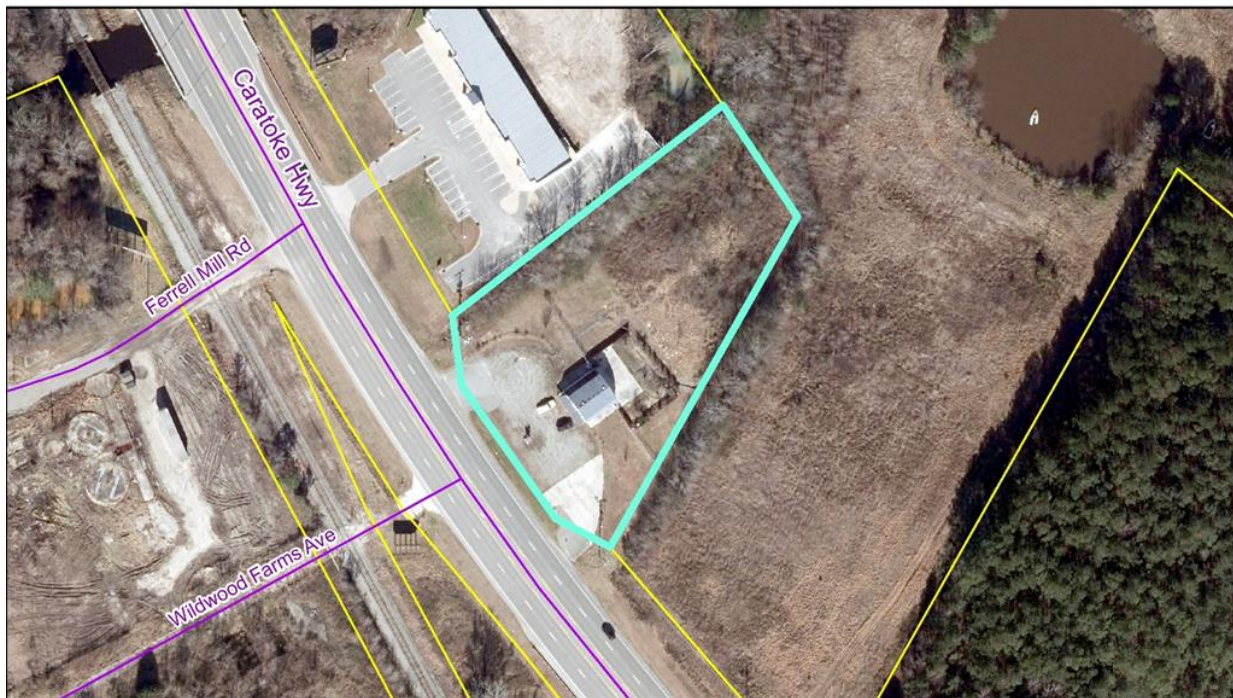
**Preliminary Staff Findings:**

1. The 2006 land Use Plan classifies this site as Rural within the Moyock Subarea. The proposed use is in keeping with the policies of the plan, including Policies ED1 and ED4
2. The Moyock Small Area Plan Classifies the site as Rural. The proposed use is in keeping with the policies of the plan, including Policy BI3

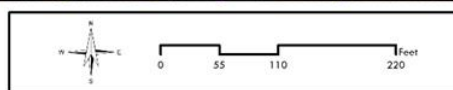
The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.


**Preliminary Staff Findings:**

1. There will be no effect on the school system. Currituck County has adequate public facilities to serve this use.



20-13 Complete Auto Credit  
1383 Caratoke Hwy  
2016 Aerial Photography

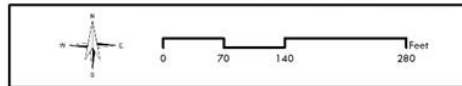



 Currituck County  
Planning and Community  
Development





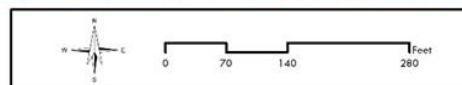
20-13 Complete Auto Credit  
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Official Zoning Map




 Currituck County  
Planning and Community  
Development



20-13 Complete Auto Credit  
1383 Caratoke Hwy  
2006 LUP Classification



 Currituck County  
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Development



**STAFF REPORT**  
**PB 20-13 COMPLETE AUTO CREDIT**  
**USE PERMIT**  
**BOARD OF COMMISSIONERS**  
**OCTOBER 19, 2020**

### APPLICATION SUMMARY

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<b>Case Number:</b> PB 20-13	<b>Application Type:</b> Use Permit
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	Land Use	Zoning
North	Office Strip	General Business
South	Vacant	Heavy Industrial
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INFRASTRUCTURE	
Water	Public
Sewer	Septic
Landscaping	Shall meet current ordinance requirements

RECOMMENDATIONS
TECHNICAL REVIEW COMMITTEE

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  - b. ***The site plan shall clearly depict areas intended for display of vehicles and areas intended for customer/employee parking.***



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Preliminary Staff Findings:

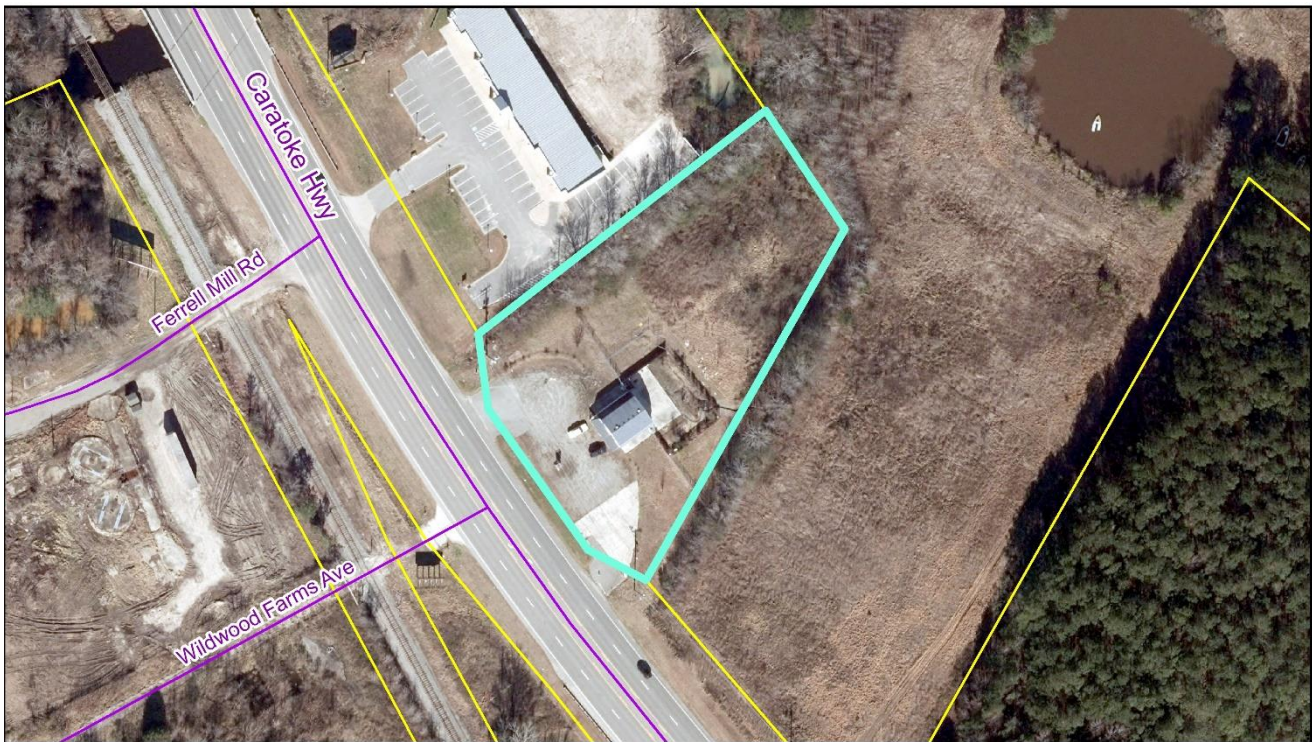
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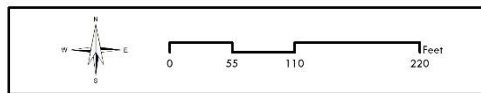
**Preliminary Staff Findings:**

1. There will be no effect on the school system. Currituck County has adequate public facilities to serve this use.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE  
Board of Commissioners: [www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm](http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm)

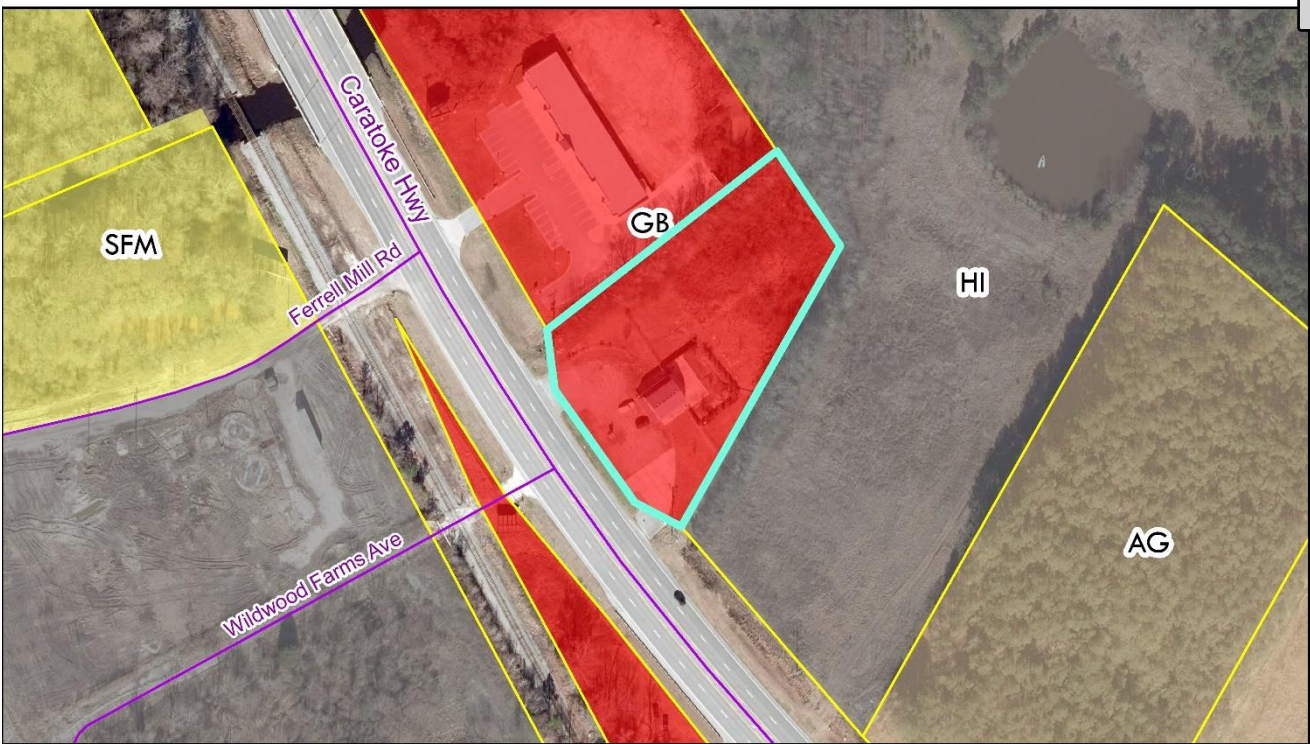


20-13 Complete Auto Credit  
1383 Caratoke Hwy  
2016 Aerial Photography

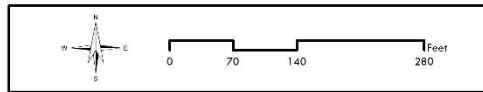


Currituck County  
Planning and Community  
Development

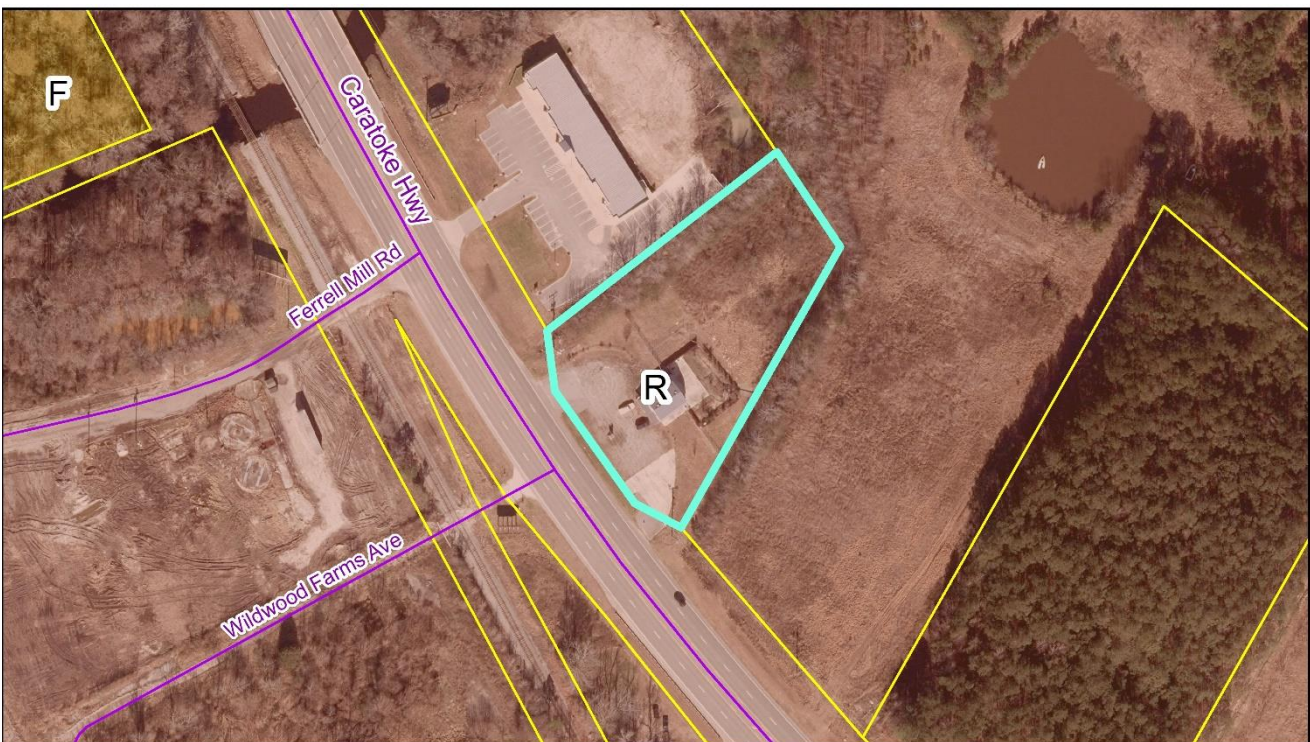




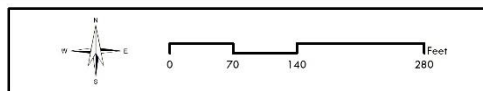
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Currituck County  
Planning and Community  
Development



20-13 Complete Auto Credit  
1383 Caratoke Hwy  
2006 LUP Classification



Currituck County  
Planning and Community  
Development



NORTH CAROLINA  
CURRITUCK COUNTY

BEFORE THE  
BOARD OF COMMISSIONERS

In the Matter of the Revocation )  
Of Use Permit Issued to Marc )  
Sisino for Property Located at )  
1383 Caratoke Hwy., Moyock, )  
North Carolina )  
\_\_\_\_\_ )

DECISION

THIS MATTER came on for hearing before the February 17, 2020 regular meeting of the Currituck County Board of Commissioners, (the "Board of Commissioners"). The matter was before the Currituck County Board of Commissioners upon the Planning Director's issuance of a Notice of Revocation of a Use Permit issued to Marc Sisino, doing business as Complete Auto Credit, permitting use of property located at 1383 Caratoke Hwy., Moyock, North Carolina (PIN #0023-000-0010-0000) for automobile sales and rental because of failure to comply with conditions of the Use Permit. Based on the evidence presented during the hearing, the Board of Commissioners makes the following:

FINDINGS OF FACT

1. Following a hearing beginning on May 20, 2019 and continuing to June 17 2019, the Board of Commissioners issued a Use Permit dated July 2, 2019, authorizing the use of property located at 1383 Caratoke Hwy., Moyock, North Carolina, (the "Property"), for automobile sales and rental. At the time the Property was owned by Tiffany Sisino and the applicant for the Use Permit was Marc Sisino, doing business as Complete Auto Credit, (the "Applicant").

2. The Use Permit was issued with the following conditions:

- a. The applicant shall have ninety (90) days to complete having the building to commercial standards as required by the UDO and receive a Certificate of Occupancy;
- b. Improvements will be made to the parking and display areas in accordance with the approved site plan;
- c. Landscaping will be upgraded in accordance to the Unified Development Ordinance;

- d. Trees can be moved to keep a twenty-five (25) foot area of visibility for the line of sight; the twenty-five foot sight line shall be measured from the existing curb; and
- e. Display Areas l be screened with a Type A buffer yard, also keeping the twenty-five foot area of visibility. 6. Outdoor storage of vehicles shall occur only within the approved display areas.

3. On October 15, 2019 a compliance inspection was conducted by Planning and Community Development Department staff. The compliance inspection revealed that new paving for outdoor display areas were installed but that the Applicant did not apply for or receive the a required zoning permit for the new pavement; landscaping along the northern property line, fence line and southern property line was not installed; the required Type A buffer was not installed to screen display areas; and vehicles were stored outside of areas designated as display areas on the approved site plan.

4. After finding the Property noncompliant with Use Permit conditions, a Notice of Violation was issued on October 15, 2019 to the Property's owner, Tiffany Sisino Richardson, citing Use Permit condition violations, requiring compliance by October 24, 2019, and informing that an appeal must be filed within thirty days.

5. On November 14, 2019, thirty days following issuance of the Notice of Violation, an appeal from the Notice of Violation was not filed nor did the Applicant or owner of the Property submit evidence of compliance. Thereafter, Civil Citations were issued which as of the date of this hearing total \$1,700.00 and remain unpaid.

6. Planning and Community Development Department staff conducted a second compliance inspection on January 30, 2020. The compliance inspection revealed continued noncompliance with Use Permit conditions and the Notice of Violation in that landscaping along the northern property line, fence line and southern property line was not installed; required customer parking area was used as display area; and motor vehicles stored on the property were not stored in required display areas.

7. The Applicant testified that he was admitted to the hospital in November, 2019, thought he had emailed the Board of Adjustment about an appeal, that he was willing to do whatever was necessary to comply with the Use Permit conditions and asked that the matter be tabled to give him additional time to comply.

Based on the foregoing FINDINGS OF FACT, the Board of Commissioners makes the following:



## CONCLUSIONS OF LAW

8. Unified Development Ordinance Section 9.6. provides that the county may revoke a Use Permit to administer and enforce the Unified Development Ordinance and terms and conditions of a Use Permit.

9. The Applicant and owner of the Property have failed to comply with the Use Permit conditions, have not appealed within the time required by law the Notice of Violation issued on October 15, 2019 and have not paid to the county Civil Citations in the amount of \$1,700.00.

10. The Use Permit dated July 2, 2019 authorizing use of the Property for automobile sales and rental should be revoked.

It is therefore ORDERED, upon the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW that:

A. The Use Permit dated July 2, 2019 authorizing use of property located at 1383 Caratoke Hwy., Moyock, North Carolina, (PIN #0023-000-0010-0000), is REVOKED.

B. This Decision may be appealed to the Superior Court within thirty (30) days from the dated stated below, which is when this Decision was filed in the Currituck County Planning and Community Development Department or thirty (30) days after a written copy is delivered to the applicant, property owner and any person who has submitted a written request for copy of this Decision prior to the date this Decision becomes effective.

This the 12<sup>TH</sup> day of March, 2020.

  
 Bob White, Chairman  
 Board of Commissioners

ATTEST:

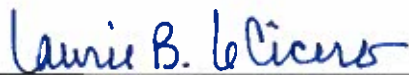
  
 Clerk to the Board of Commissioners

(COUNTY SEAL)

DATE FILED IN PLANNING AND  
 COMMUNITY DEVELOPMENT DEPARTMENT:

3/16/2020

By:



Laurie B. LoCicero, Director

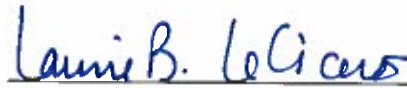
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she has served a copy of the attached Decision upon all parties of record by mailing a copy thereof to the address indicated below with the proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Postal Service.

Ella Bell, Inc.  
c/o Joseph K. Sisino, Registered Agent  
1383 Caratoke Hwy.  
Moyock, NC 27958

Marc Sisino  
Complete Auto Credit  
1383 Caraoke Hwy.  
Moyock, NC 27958

This the 17<sup>th</sup> day of March, 2020.



Laurie B. LoCicero, Director  
Currituck County Planning and  
Community Development Department  
153 Courthouse Road  
Currituck, NC 27929

Parcel ID 0023-000-0010-0000

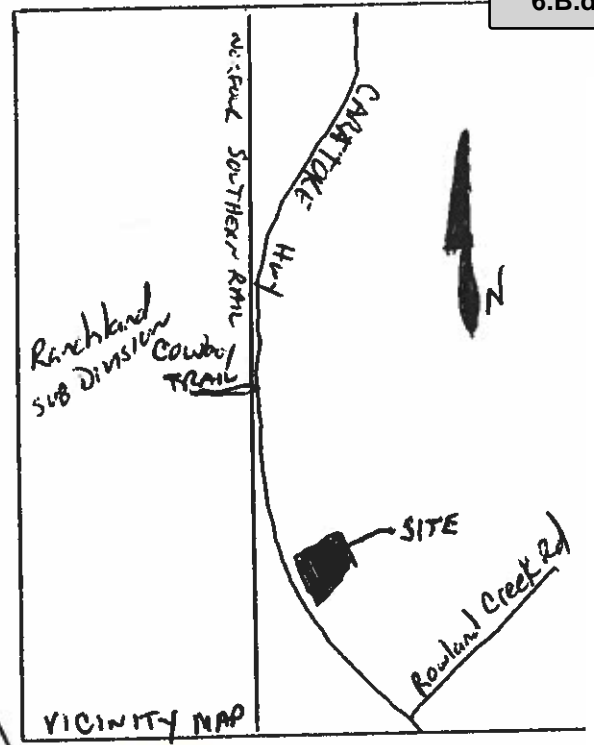
1.58 ACRES

16670 # EXISTING COVERAGE

1750 # proposed new COVERAGE

18420 # TOTAL COVERAGE

ZONING GENERAL BUSINESS



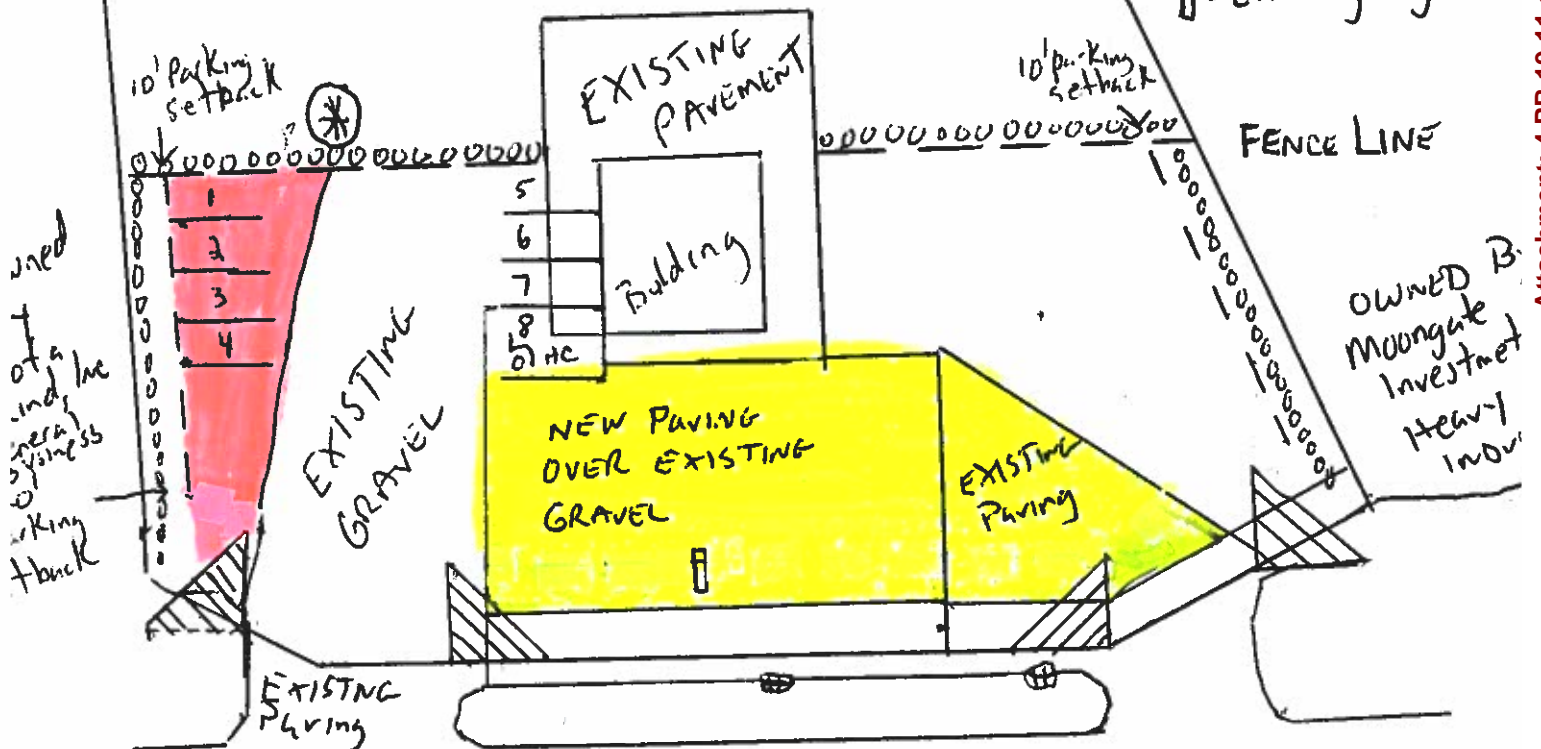
= DISPLAY AREA

= 1750 # NEW GRAVEL

o = bushes

⊗ = 30' shade tree

⌚ = EXISTING SIGN

1383 CARATUKE Hwy owned By TIFFANY RICHARDSON  
918 327 4526



# Online Google Reviews

## Complete Auto Credit

1383 Caratoke Hwy, Moyock, NC

5.0 ★★★★★ 16 reviews

### christy rountree

2 reviews

★★★★★ 3 weeks ago

Marc was amazing! We love our tahoe we got from him! One of the easiest and nicest people to work with! He will definitely work with you and make it work! Would recommend him to anyone in the market looking to buy!!

### Tim Warren

1 review

★★★★★ 4 months ago

Doing business with Marc was great-he was upfront and honest-and I would recommend if you are looking for a great used car Complete Auto Credit is the place to go. I got a great van at a fair price.

### Lynn Hickie

4 reviews

★★★★★ 4 months ago

You will never find a better group of people honest fair up front great experience

### Julliana Armstrong

1 review

★★★★★ 4 months ago

I bought a Mazda from Complete Auto Credit on Friday. They were extremely helpful and they listened to what I was saying. It was the easiest car buying experience that benefited me not the dealer. Thank you Marc!

### Kory Paul

1 review

★★★★★ a year ago

Got a trail blazer from there today and love it. All the prices on vehicles are low priced and he is even very honest about the things that are wrong with vehicles on site. But hey they are used vehicles. Must say I bought the best one on the lot today though. Sorry everybody.

### Michelle Miller

Local Guide · 24 reviews

★★★★★ a year ago

Great deal on a car. Friendly owner and willing to work with you on financing.

6.B.e

Received from Applicant → Oct. 19, 2020

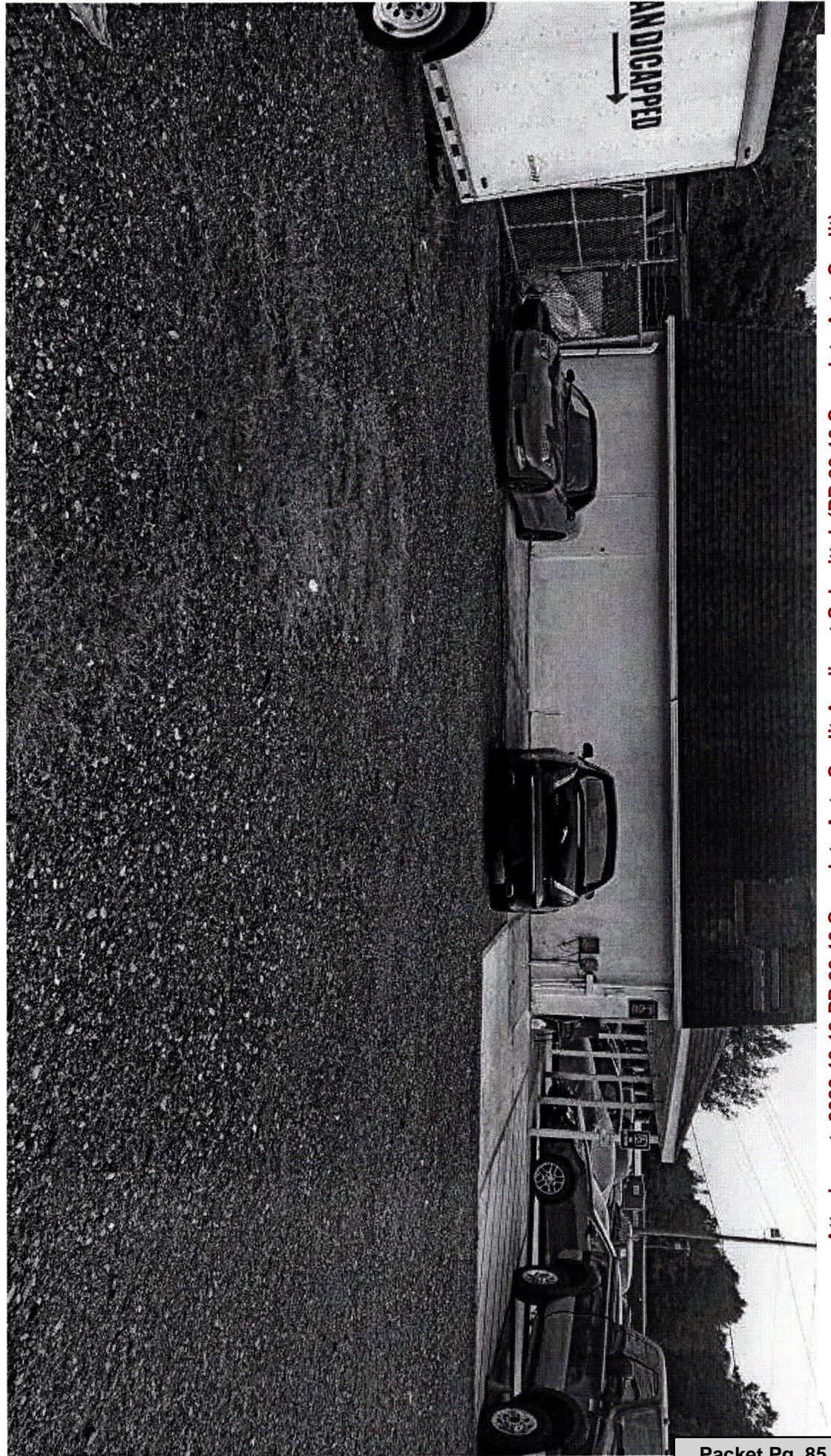
PB 20-13 Complete Auto Credit

Attachment: 2020-10-19-PB 20-13 Complete Auto Credit-Applicant Submittal (PB 20-13 Complete Auto Credit)

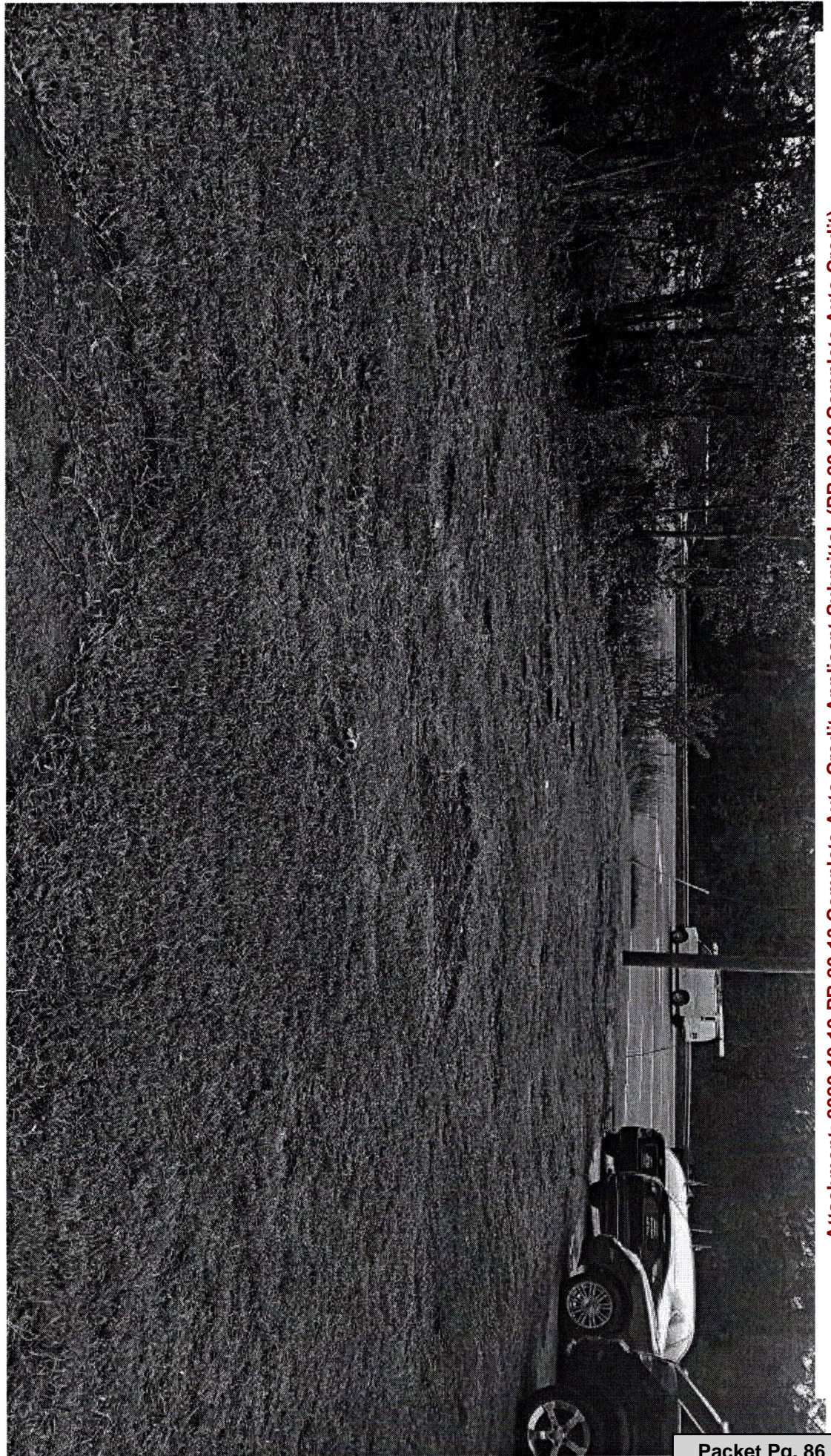












Attachment: 2020-10-19-PB 20-13 Complete Auto Credit-Applicant Submittal (PB 20-13 Complete Auto Credit)

















## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2937)

**Agenda Item Title:** PB 19-20 Flora Farm Motion to Renew

**Submitted By:** Leeann Walton – County Manager

**Presenter of Item:**

**Board Action:** Action

---

**Brief Description of Agenda Item:**

Commissioner J. Owen Etheridge is requesting to renew PB 19-20, Flora Farm rezoning, following a vote at the October 5, 2020 Board of Commissioners meeting when the motion to approve the rezoning failed.

**Potential Budget Affect:** N/A

**Is this item regulated by plan, regulation or statute?** No

**Manager Recommendation:**





## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2936)

**Agenda Item Title:** Recommendation of Bid Award-Whalehead Subdivision Drainage Improvements, Sailfish Street

**Submitted By:** Leeann Walton – County Manager

**Presenter of Item:**

**Board Action:** Action

---

**Brief Description of Agenda Item:**

**Bid recommendation for Sailfish Street site improvements to add groundwater lowering infrastructure to existing system. Bid Tab and Recommendation letter are attached. Following review of bid documents, staff is recommending the project be awarded to Hatchell Concrete, Inc., who submitted a bid of \$362,235.30.**

**Potential Budget Affect:**

**Is this item regulated by plan, regulation or statute?** Yes

**Manager Recommendation:**



Rebecca Gay  
Contract Purchasing Agent

**Currituck County**  
153 Courthouse Road, Suite 210  
Currituck, North Carolina 27929  
252-232-6080  
rebecca.gay@currituckcountync.gov

## MEMORANDUM

To: Ben Stikeleather, County Manager

From: Rebecca Gay, Contract Purchasing Agent *RG*

Subject: Recommendation of Award – Whalehead Subdivision Drainage Improvements – Sailfish Street

Date: October 9, 2020

Project Description: The project addresses surface water removal improvements to the Sailfish Street site of the existing groundwater management system. The project consists of constructing a basin with a gravel drainage layer and additional underdrains, replacing the existing pump with a larger pump, replacing and upgrading the generator and other electrical components, and replacing the force main pipe to the force main on Corolla Drive.

Recommendation of Award: Bids for Whalehead Subdivision Drainage Improvements – Sailfish Street were received and opened at 2:00 p.m. on October 8, 2020 on the front steps of the Currituck County Historic Courthouse. A total of five (5) bids were received. The bid tabulation is attached for your reference.

The low bidder is Hatchell Concrete, Inc. with a Total Bid Amount of Three hundred sixty-two thousand two hundred thirty-five dollars and thirty cents (\$362,235.30). The bid documents and Contractor's qualifications have been reviewed and found satisfactory.

Staff recommends award of the project to Hatchell Concrete, Inc. in the amount of \$362,235.30.

Attachment: Recommendation of Award - Whalehead Subdivision Drainage Improvements Sailfish Street (Recommendation of Bid Award-Sailfish Well)





## BID TABULATION

Whalehead Subdivision Drainage Improvements - Sailfish Street

Bid Opening: October 8, 2020 at 2:00 p.m.

Contractor	Total Bid Amount	Scaled Bid	Bid Security Included	Acknowledge Addendum (2)	G.C. License Included	E-Verify Included
HHLD, LLC	\$434,292.00	X	X	X	X	X
Hatchell Concrete, Inc.	\$362,235.30	X	X	X	X	X
Enviro-Tech Unlimited Construction Services, LLC	\$483,900.00	X	X	X	X	X
RPC Contracting, Inc.	\$428,441.75	X	X	X	X	X
Barnhill Contracting Company	\$660,576.25	X	X	X	X	X


10-9-2020  
 Rebecca L. Gay, Contract Purchasing Agent      Date



## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2941)

**Agenda Item Title:** Consideration of an EMS Request to Allow Billing for Non-Emergency Transport-Currituck House, Moyock & Currituck Health and Rehab Center, Barco

**Submitted By:** Leeann Walton – County Manager

**Presenter of Item:**

**Board Action:** Action

---

**Brief Description of Agenda Item:**

The FEAB voted to approve a motion to ask the BOC to approve Fire-EMS's EMS billing company to start billing the *Currituck House* assisted living center in Moyock, and the *Currituck Rehabilitation Center* in Barco directly for non-emergency EMS transports from those facilities.

The *Currituck House* calls for (non-emergency) service so often that if not curtailed, will prematurely result in the need for an additional ambulance in Moyock just to help cover those calls. Multiple attempts to address the issue with the *Currituck House* leadership involving the Currituck Department of Social Services have failed.

**Potential Budget Affect:** Unknown

**Is this item regulated by plan, regulation or statute?** No

**Manager Recommendation:**





## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2935)

**Agenda Item Title:** Game Commission

**Submitted By:** Leeann Walton – County Manager

**Presenter of Item:**

**Board Action:** Action

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**Brief Description of Agenda Item:**

**Member Appointments to Game Commission:**

**Chairman White to reappoint Ardell Waterfield-1st full Term Expires June 1, 2022**

**Commissioner Jarvis to reappoint Jason Belangia-3rd Term Expires June, 1, 2022**

**Commissioner Payment to reappoint Jeremy Evans-3rd Term Expires June 1, 2022**

**Potential Budget Affect:** N/A

**Is this item regulated by plan, regulation or statute?** No

**Manager Recommendation:**

GAME COMMISSION  
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Ardell Waterfield	District 1		Bob White	9/4/2018	Unexpired 6/1/2020
Jason Belangia	District 2		Selina Jarvis	8/6/2018	2nd term 6/1/2020
Jeremy Evans	District 3		Mike Payment	8/6/2018	2nd term 6/1/2020
Robert Romm	District 4		Paul Beaumont	12/2/2019	2nd term 6/1/2021
Trevor Old	District 5		Owen Etheridge	12/2/2019	1st term 6/1/2021
Andrew Shilling	At-Large		Kevin McCord	8/19/2019	Unexpired 6/1/2021
James Cason, Jr	At-Large		Kitty Etheridge	8/19/2019	2nd term 6/1/2021

Can be Reappointed





## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2939)

**Agenda Item Title:** Budget Amendments

**Submitted By:** Leeann Walton – County Manager

**Presenter of Item:**

**Board Action:** Action

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**Brief Description of Agenda Item:**

Department/Finance requests for funds transfers. Please see attachments for individual amendments and budget affects. Budget amendments include funding (lottery funds) for school construction projects, CARES Act funds for Board of Elections costs, and funding for capital projects returned to the annual budget.

**Potential Budget Affect:** Various

**Is this item regulated by plan, regulation or statute?** No

**Manager Recommendation:**

Number 20210030

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of October 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
29690-545000	Contract Services	\$ 8,025	
29690-590000	Capital Outlay		\$ 8,025
		<hr/>	<hr/>
		<u>\$ 8,025</u>	<u>\$ 8,025</u>

**Explanation:** Emergency Equipment Replacement Fund (29) - Transfer budgeted funds to pay off the last year of payments for the Moyock Fire Truck in advance to take advantage of interest savings of \$1,300.

**Net Budget Effect:** Equipment Replacement Fund (29) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BAs\_General Meeting\_Oct 19 (Budget Amendments-Regular)



Number 20210031

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of October 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
51848-592010	Griggs Elem - HVAC Phase III	\$ 10,000	
51380-425001	Lottery Funding		\$ 10,000
		<u>\$ 10,000</u>	<u>\$ 10,000</u>

**Explanation:** School Construction (51848) - Increase appropriations for revision of funding for the Griggs Elementary School HVAC Phase III.

**Net Budget Effect:** School Construction Fund (51) - Increased by \$10,000.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BAs\_General Meeting\_Oct 19 (Budget Amendments-Regular)

Number 20210032

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of October 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
51848-592011	GES HVAC - Media & Cafeteria	\$ 300,000	
51848-591004	CCMS - Auditorium roof and skylights	\$ 150,000	
51380-425001	Lottery Funding		\$ 450,000
		<u>\$ 450,000</u>	<u>\$ 450,000</u>

**Explanation:** School Construction (51848) - Increase appropriations for HVAC replacement at Griggs Elementary School Media Center and Cafeteria and for auditorium roof and skylight replacement at Currituck Middle School.

**Net Budget Effect:** School Construction Fund (51) - Increased by \$450,000.

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\_\_\_\_\_  
Clerk to the Board

Attachment: BAs\_General Meeting\_Oct 19 (Budget Amendments-Regular)



Number 20210033

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of October 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
200430-503430	Poll Workers	\$ 9,011	
200430-505000	FICA	\$ 689	
200430-532000	Supplies	\$ 10,000	
200330-445430	Election - CARES		\$ 19,700
		<u>\$ 19,700</u>	<u>\$ 19,700</u>

**Explanation:** Election CARES (220430) - Increase appropriations to record funding for elections to provide a \$100 stipend to all poll workers on Election Day and for expenditures incurred to prevent, prepare for, and respond to the coronavirus pandemic during the 2020 federal election cycle which are incurred for Election Day.

**Net Budget Effect:** CARES fund (200) - Increased by \$19,700.

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Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BAs\_General Meeting\_Oct 19 (Budget Amendments-Regular)

Number 20210034

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of October 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-590000	Capital Outlay	\$ 7,660	
10510-532000	Supplies		\$ 384
10380-484001	Insurance Recovery		\$ 7,276
		<hr/>	<hr/>
		<u>\$ 7,660</u>	<u>\$ 7,660</u>

**Explanation:** Sheriff (10510) - Increase appropriations to record insurance recovery for vehicle involved in an accident and transfer residual funds to replace vehicle that was a total loss from accident.

**Net Budget Effect:** Operating Fund (10) - Increased by \$7,660.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BAs\_General Meeting\_Oct 19 (Budget Amendments-Regular)



Number 20210035

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of October 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10441-590000	Capital Outlay		\$ 3,304
10441-532000	Supplies	\$ 3,304	
		<hr/>	<hr/>
		<u>\$ 3,304</u>	<u>\$ 3,304</u>

**Explanation:** Information Technology (10441) - Transfer funds to complete the Verizon failover project.

**Net Budget Effect:** Operating Fund (10) - No change.

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Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

Attachment: BAs\_General Meeting\_Oct 19 (Budget Amendments-Regular)

Number 20210036

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of October 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-592000	Projects	\$ 356,500	
10390-495042	Transfer from Transfer Tax Capital Fund		\$ 356,500
42450-587010	Transfer to Operating Fund	\$ 356,500	
42320-414000	Transfer Tax		\$ 356,500
		<u>\$ 713,000</u>	<u>\$ 713,000</u>

**Explanation:** Increase appropriations to add back capital projects that were not included in the original approved budgeted due to concerns of incoming revenues being reduced due to COVID 19. Items added back are as follows:

Windows at Cooperative Extension	\$ 40,000
Corolla Office Roof	\$ 35,000
Corolla Office Sidewalk	\$ 10,000
Corolla Office 3 HVAC Units	\$ 30,000
Engineering for Jail Plumbing	\$ 35,000
Elections Office Skirting/Eifis	\$ 20,000
Inspections Office - Paint	\$ 8,000
Historic Courthouse HVAC Zone Control	\$ 10,000
Historic Courthouse HVAC Legal	\$ 5,000
Historic Courthouse HVAC ITS	\$ 13,000
Communications HVAC	\$ 5,000
Judicial Center Front Doors	\$ 5,000
Judicial Center 4 HVAC Units	\$ 74,000
Sr Center - Knotts Island Roof	\$ 19,500
Sr Center - PPCB Ramp	\$ 15,000
Waterlily Fire Station Siding	\$ 20,000
COA Aviation - Roof Repairs	\$ 12,000
	<u>\$ 356,500</u>

**Net Budget Effect:** Operating Fund (10) - Increased by \$356,500.  
Transfer Tax Capital Fund (42) - Increased by \$356,500.

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\_\_\_\_\_  
Clerk to the Board

Attachment: BAs\_General Meeting\_Oct 19 (Budget Amendments-Regular)





## Currituck County Agenda Item Summary Sheet

**Agenda ID Number** – (ID # 2940)

**Agenda Item Title:** Project Ordinance-CCMS Auditorium Roof Repair and Griggs Elementary HVAC

**Submitted By:** Leeann Walton – County Manager

**Presenter of Item:**

**Board Action:** Action

---

**Brief Description of Agenda Item:**

Lottery Funds will be used for the necessary roof repairs at Currituck County Middle and HVAC at Griggs Elementary. The requests were earlier discussed with the Board of Commissioners and both were approved for inclusion in the Board of Education's capital projects budget.

**Potential Budget Affect:** Lottery Funds

**Is this item regulated by plan, regulation or statute?** No

**Manager Recommendation:**

## COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**SECTION 1.** The project authorized is to repair leaks, extend the lift and apply a 20 year warranty to the original roof over the CCMS auditorium and skylights.

**SECTION 2.** The following amounts are appropriated for the project:

CCMS - Roof over auditorium and skylights	\$	150,000
Griggs Elem - HVAC at Media Center & Cafeteria	\$	300,000
	\$	<u>450,000</u>

**SECTION 3.** The following funds are available to complete this project:

Lottery Funds	\$	450,000
	\$	<u>450,000</u>

**SECTION 4.** The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

### SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

### SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and



- materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

## SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 19th day of October 2020.

---

Bob White, Chairman  
Board of Commissioners

ATTEST:

---

Leeann Walton  
Clerk to the Board



## CURRITUCK COUNTY NORTH CAROLINA

October 5, 2020

Minutes – Regular Meeting of the Board of Commissioners

### 5:00 PM WORK SESSION

#### 1. 500-Year Stormwater Ponds / Carova Roads

The Board of Commissioners met at 5:00 PM for a work session on stormwater ponds.

Prior to beginning, Soil and Water Supervisor, Manly West, reported on recent stormwater improvements done in the County and distributed a book of soil surveys to Board members that included the type of soils that exist in the county and locations. He emphasized soil types should also be a factor when considering development.

Eric Weatherly, County Engineer, and Laurie LoCicero, Planning and Community Development Director, presented information in response to a Board directive to determine impacts if the county increased the size of stormwater ponds for subdivisions. Eric Weatherly, County Engineer, reviewed the current stormwater pond requirement, which is to hold a 6" rain or 100-year storm, and reported effects if stormwater ponds were increased to hold a 12" rain representing a 500-year storm. Mr. Weatherly presented results of a stormwater analysis performed by Timmons Group, who used existing subdivisions in the county to determine development impacts from increased pond sizes. Changes to retention and release rates, loss of buildable area within subdivisions, and other factors included in the study were discussed.

Planning and Community Development Director, Laurie LoCicero, presented feedback received from residents, Engineers and Developers following stakeholder meetings on the proposed change. After reviewing some specific concerns and comments from each stakeholder group, Ms. LoCicero summarized that although support for larger ponds was evident, the groups believed a broader, overall stormwater solution is necessary.

Mr. Weatherly and Ms. LoCicero responded to questions during presentation. County Manager, Ben Stikeleather, said the County will be working on stormwater text amendments and with property owners to secure drainage easements in an effort to move forward with improvements. Commissioners discussed their concerns with securing easements to gain access within stormwater districts for improvements. Following discussion, staff was directed to develop and bring back for Board consideration draft language for requiring larger stormwater ponds.

A second scheduled work session to discuss Carova Roads was postponed due to time constraints. The work session concluded at 5:45 PM.

### 6:00 PM CALL TO ORDER

Communication: Minutes for October 5, 2020 (Approval Of Minutes-Oct. 5, 2020)



The Board of Commissioners met at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for a regular meeting.

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

Vice-Chairman, Mike Payment, led the meeting in the absence of the Chairman. The meeting was called to order.

#### **A) Invocation & Pledge of Allegiance**

Commissioner Beaumont offered the Invocation and led the Pledge of Allegiance.

#### **B) Approval of Agenda**

Commissioner Jarvis moved to amend the agenda. An Administrative Report was added prior to Public Comment and the Parks and Recreation Surplus Resolution, Item 3 on the Consent Agenda, was removed.

Commissioner Mary Etheridge seconded the motion. The agenda was approved as amended.

Approved agenda:

#### **5:00 PM Work Session**

500-Year Stormwater Ponds / Carova Roads

#### **6:00 PM Call to Order**

A) Invocation & Pledge of Allegiance

B) Approval of Agenda

#### **Administrative Reports-Amended**

Amended Item-Report from Envirolink on Eagle Creek Community Wastewater System Failure

#### **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**

**New Business**

- A) Resolution of Appreciation: NC Senator Bob Steinburg, NC House Representative Bobby Hanig, and NC House Representative Ed Goodwin in Recognition of their Efforts to Cause the North Carolina Department of Transportation to Resume Operation of the Currituck/Knotts Island Ferry
- B) Resolution Authorizing Design-Build Delivery Method for the Moyock Elementary School and Moyock Middle School Additions and Renovations Project
- C) Consent Agenda
  - 1. Budget Amendments
  - 2. Salary Resolution and Classification Chart
  - 3. Maritime Museum Change Order #4-Time Extension
  - 4. Community Rating System Program for Public Information
  - 5. Records Disposal Request-Finance
  - 6. Records Disposal Request-Human Resources
  - 7. Job Description Revisions
  - 8. Job Description Revisions-Fire and EMS
  - 9. Approval Of Minutes-Sept. 21, 2020

**Recess**

**Special Meeting-Tourism Development Authority**

TDA Budget Amendments

**Adjourn Meeting of the TDA**

**Special Meeting-Ocean Sands Water and Sewer District Board**

OSWSD      Budget

Amendments

**Adjourn Meeting of the OSWSD Board and**

Communication: Minutes for October 5, 2020 (Approval Of Minutes-Oct. 5, 2020)



**Reconvene****Closed Session**

Closed Session Pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and to preserve the attorney-client privilege.

**Adjourn**

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

**ADMINISTRATIVE REPORTS-AMENDED****1. Amended Item-Report from Envirolink on Eagle Creek Community Wastewater System Failure**

County Manager, Ben Stikeleather, provided a brief overview of a wastewater system failure affecting the Eagle Creek community, located in Moyock. A failure of the vacuum collection system approximately one week ago resulted in sewage spills and backups inside many homes in the community. Mr. Stikeleather explained the County is ready to assist, but has no regulatory authority over the private utility. He said jurisdiction falls to the North Carolina Department of Environmental Quality (DEQ) who are aware of the issue.

Mr. Stikeleather introduced Tracy Miller, Site Coordinator for Envirolink, contract operators of the Eagle Creek plant. Mr. Miller reported pumps serving the vacuum system broke down, causing the utility system failure. He said sewer had been restored to 100 of the roughly 400 homes affected, and he is hopeful all resident service would be restored the following day unless additional issues are identified. He reported on several factors related to the condition of the pumps that contributed to the failure and recognized the efforts of Envirolink staff working to repair and install equipment. Recommendations to prevent future issues were identified. Mr. Miller said he would make himself available following the presentation to Eagle Creek residents in attendance who wished to present their concerns.

Mr. Miller responded to questions posed by Board members about the repair process. He said Envirolink began operating the system about one month ago and was aware of an earlier issue with the plant. He explained effects a heavy rain event can have on a vacuum system. Employee staffing numbers and shift rotations were discussed, and he said employees from the Raleigh area are being utilized for operation. When asked about what the system failure would cost Eagle Creek residents, he said Sandler Utilities would need to answer that question as owner of the plant. He said the system is not a common design and didn't think there was any way to anticipate or prevent the pump failures.

Mr. Stikeleather and Commissioners discussed the likelihood that permitting changes would be made through DEQ and the state for the plant going forward, and the County discussed ways to disseminate information and updates to the community. Vice-chairman Payment thanked Mr. Miller for attending to address the Board.

## **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.***

Vice-Chairman Payment opened the Public Comment period and asked County Attorney, Ike McRee, to provide a statement to members of the public who wished to speak to the sewer issue at Eagle Creek. Mr. McRee cautioned speakers, and reminded the Board, that matters related to Envirolink's Use Permit application should not be discussed until the quasi-judicial hearing scheduled for the next Board of Commissioners meeting.

Mike Hall, a resident of Old Jury Road, Moyock, discussed the how changing topography and drainage effect established neighborhoods when developers are permitted to bring in fill and build up sites for new subdivisions. Mr. Hall asked the Board to consider prohibiting more than six inches of fill for new development.

Jamie and Karen Coolman, residents of Old Jury Road, Moyock, discussed flooding on their property after a rain event on August 6, 2020, attributed to an adjoining property that is currently being developed. Photos were displayed to show the standing water on their ten acre property and to demonstrate ditching and water draining from the new subdivision onto their property. Mr. and Mrs. Coolman asked the county to help resolve their flooding issues. A video would not play on the overhead so Commissioners asked it be sent to them for review.

Fred Whiteman, President of the Eagle Creek Homeowners Association, thanked Commissioners J. Owen Etheridge, Kevin McCord, and Paul Beaumont for their efforts and assistance to the Eagle Creek community relative to the sewer failure. He acknowledged the work of the Envirolink staff but believes the event could have been prevented. He said the situation is untenable for many of the residents in the community and described dealing with raw sewage backing up in homes and overflowing into the street. Mr. Whiteman responded to questions and Commissioners agreed it is a terrible situation that needs a quick resolution. Community notifications and communication were discussed, and Mr. Stikeleather said the county could assist utilizing the reverse 911 system to those who are signed up through Currituck Alert.

Joshua Langlois, an Eagle Creek resident, described his circumstance and asked at what point the County is able to step in. He discussed declaring a State of Emergency for the 444 homes in the Eagle Creek neighborhood. Mr. McRee explained the County is not authorized to spend public monies for a private purpose, and reiterated that the county has no authority over the private utility.

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

## **COMMISSIONER'S REPORT**



Commissioner Jarvis announced the October 9, 2020, voter registration deadline. She hopes everyone will make their voices heard by voting and encouraged people to use online resources to learn about the candidates.

Commissioner J. Owen Etheridge was dismayed to find that political signs he had installed in support of candidates had all been removed. He spoke of the rights of citizens to support candidates they choose and the cost of signs, and said stealing political signs is a Class 3 misdemeanor. He offered a message of support to Eagle Creek residents.

Commissioner McCord reiterated Commissioner J. Owen Etheridge's message regarding the stealing of political signs, and he encouraged people to be sure to research or get permissions before placing signage out. He recognized the hard work of Envirolink employees to resolve the Eagle Creek sewer system failure. He asked for prayers for the President who is fighting Covid-19, as well as elected officials, and first responders.

Vice-Chairman Payment provided an update on Covid-19 cases in Currituck County. He said Albemarle Regional Health reported 194 cases and 3 deaths. He also offered words of support to Eagle Creek residents.

Commissioner Mary Etheridge announced the schedule for One Stop voting, which runs from Thursday, October 15, through Saturday October 31. She announced voting will take place in Courtroom C at the Judicial Center instead of the usual location at the Elections office. She announced the start of the Operation Santa Claus program, and encouraged citizens to contact the Department of Social Services for information. Recognizing Breast Cancer Awareness month, and as a breast cancer survivor, Commissioner Etheridge stressed screenings for early detection.

Commissioner Beaumont spoke to Eagle Creek residents and said the County will do what it can to assist the community. He asked people to drive safely, as visitors are still coming to the Outer Banks. He discussed a recent drowning in Currituck County which occurred when red flags were flying, and suggests the rule needs to be enforced and people fined if they are caught swimming when prohibited under a red flag warning.

Commissioners discussed voting during the pandemic and the location change to Courtroom C to allow for social distancing. Commissioner J. Owen Etheridge discussed the process for opening of absentee ballots and commended the Board of Elections for their diligence. Citizens who requested but not yet received an absentee ballot were encouraged to contact Elections.

## **COUNTY MANAGER'S REPORT**

County Manager, Ben Stikeleather, announced the new solid waste decals had been mailed to residents and property owners, and a request form is available on the County website for residents who did not receive decals in their tax bill. He reviewed the CARES Act funds spent by the County to date, and said \$256,270 are still available. He described the restricted use of the federal funds and said the county is spending appropriately. At the Board's request, Mr. Stikeleather said he would research whether CARES Act funds could be used to provide supplies or other relief for Eagle Creek residents who have been without sewer service because of the system failure.

Mr Stikeleather said he is not aware of restrictions on Halloween related to Covid-19 at this time. He discussed the North Carolina Governor's Phase 3 Executive Order, and although the Senior Center and Library facilities could open with limited capacity, he recommended they remain closed for a few more weeks.

## NEW BUSINESS

### **A. Resolution of Appreciation: NC Senator Bob Steinburg, NC House Representative Bobby Hanig, and NC House Representative Ed Goodwin in Recognition of their Efforts to Cause the North Carolina Department of Transportation to Resume Operation of the Currituck/Knotts Island Ferry**

Vice-Chairman Payment read the Resolution, for the record, to thank North Carolina legislators for their efforts to get the Currituck/Knotts Island ferry operating again. Senator Bob Steinburg, and House Representatives Bobby Hanig and Ed Goodwin were recognized.

Commissioner J. Owen Etheridge moved for adoption of the Resolution and Commissioner Beaumont seconded the motion. The motion carried.

## RESOLUTION OF APPRECIATION

### **NC SENATOR BOB STEINBURG, NC HOUSE REPRESENTATIVE BOBBY HANIG, AND NC HOUSE REPRESENTATIVE ED GOODWIN IN RECOGNITION OF THEIR EFFORTS TO CAUSE THE NC DEPARTMENT OF TRANSPORTATION TO RESUME OPERATION OF THE CURRITUCK/KNOTTS ISLAND FERRY**

**WHEREAS**, Currituck County and the citizens of Knotts Island have depended on a regular free ferry service to serve as their only direct connection to the Currituck County mainland for over 50 years; and

**WHEREAS**, the Knotts Island ferry provides the residents of Knotts Island the ability to enjoy economic opportunities, access to quality and equal education, and a way for public safety services to be provided quickly in times of emergency; and

**WHEREAS**, in March 2020, as a response to the Covid-19 pandemic, North Carolina ferry operations were suspended by the North Carolina Department of Transportation; and

**WHEREAS**, although ferry travel is the main form of transportation and only connection to the Currituck Mainland for citizens of Knotts Island, the ferry was still not operating on Labor Day. However, ferries serving the communities of Aurora, Bayview, Cedar Island, Cherry Branch, Kure Beach, Hatteras, Minnesott Beach, Ocracoke, and Swan Quarter in the North Carolina Ferry system had long resumed operation; and

**WHEREAS**, understanding the detrimental impacts to the citizens of Knotts Island with the continued suspension of the Knotts Island ferry, including risks to resident health and safety, North Carolina State Senator Bob Steinburg and North Carolina State House Representatives Bobby Hanig and Ed Goodwin intervened on behalf of Currituck County and its citizens to quickly re-established operation of the Currituck/Knotts Island Ferry.

**NOW THEREFORE BE IT RESOLVED** that the Currituck County Board of Commissioners acknowledges and commends the efforts of Senator Steinburg, Representative Hanig, and Representative Goodwin that caused the North Carolina Department of Transportation to resume the Currituck/Knotts Island ferry operation.

**BE IT FURTHER RESOLVED THAT** the Board of Commissioners appreciates the strong commitment of Senator Steinburg, Representative Hanig, and Representative Goodwin to serving the citizens of Currituck County.

**ADOPTED** this 5<sup>th</sup> day of October, 2020.

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

**B. Resolution Authorizing Design-Build Delivery Method for the Moyock Elementary School and Moyock Middle School Additions and Renovations Project**

Vice-Chairman Payment read the Resolution for the record that, upon adoption, authorizes the county to pursue a design-build method for the Moyock Elementary and Moyock Middle school expansion and renovation projects.

Commissioner J. Owen Etheridge moved for approval and Commissioner Jarvis seconded the motion.

Prior to the vote, County Manager, Ben Stikeleather, announced an anticipated completion date of August, 2023, and both school projects are intended to run concurrently.

The motion carried and the Resolution was approved.

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS  
AUTHORIZING DESIGN-BUILD CONSTRUCTION DELIVERY METHOD FOR THE  
MOYOCK ELEMENTARY SCHOOL AND MOYOCK MIDDLE SCHOOL  
ADDITIONS AND RENOVATIONS PROJECT**

**WHEREAS**, pursuant to N.C. Gen. Stat. § 143A-128.1A, a county may utilize the design-build delivery method for construction contracts; and,

**WHEREAS**, in order to utilize the design-build delivery method, the governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for this project; and,

**WHEREAS**, the criteria proposed and its application to the Moyock Elementary School and Moyock Middle School Additions and Renovations Project is the following:

*Criteria 1 - The extent to which the County can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder. Through the Engineering Department and Legal Department, the County has professional personnel with the experience and qualifications needed to thoroughly define the project requirements prior to issuance of a Request for Qualifications for design-builders.*



Criteria 2 - *The time constraints for the delivery of the project.* Due to rapid population growth in the Moyock area and the requirement to provide adequate public facilities, the need for additional student capacity at Moyock Elementary School and Moyock Middle School is urgent. The Board of Commissioners has resolved that this project should be completed in the most time-effective and efficient manner available. The design-build delivery method will allow for the project to be completed expeditiously.

Criteria 3 - *The ability to ensure that a quality project can be delivered.* Within the Engineering Department, the County has adequate professional and experienced personnel to ensure that the Design-Build firm will provide a quality project within budget constraints established by the Board.

Criteria 4 - *The capability of the County to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery.* Within the Engineering Department and Legal Department, the County has professional and experienced personnel that are knowledgeable of design-build projects.

Criteria 5 - *A good-faith effort to comply with N.C. Gen. Stat. § 143-128.2, N.C. Gen. Stat. § 143-128.4, and to recruit and select small business entities.* The County complies with N.C. Gen. Stat. § 143- 128.2 and N.C. Gen. Stat. § 143- 128.4. The County will require contractors to comply with the HUB goals set by the Board of Commissioners.

Criteria 6 - *The criteria utilized by the County, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified.* The design-build delivery method provides a one team approach, which leads to lower costs and shorter project timeline. Project time constraints, the need to have beneficial use of the facilities during construction and because one of the facilities is a historic structure, make the design-build option more appealing than the traditional construction delivery methods.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners adopt these written criteria and determine that the design-build delivery method is approved for utilization on the Moyock Elementary School and Moyock Middle School Additions and Renovations. Further, this Resolution shall be effective on and after the 5<sup>th</sup> day of October 2020.

**ADOPTED** this, the 5<sup>th</sup> day October 2020.

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

### C) Consent Agenda

Commissioner McCord moved to approve the Consent Agenda. Commissioner Beaumont seconded the motion. The motion carried and Consent Agenda was approved.

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

### 1. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
52606-545001	Hurricane Matthew SCS Grant	\$ 62,070	
52330-448201	Hurricane Matthew SCS Grant		\$ 62,070
		\$ 62,070	\$ 62,070
<b>Explanation:</b>	Multi-year grant fund (52606) - Increase appropriations for additional grant funds for snagging and clearing under NC Department of Agriculture grant for Hurricane Matthew snagging and clearing #17-175-4003.		
<b>Net Budget Effect:</b>	Multi-year Grant Fund (52) - Increased by \$62,070.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10410-502000	Salaries - Regular	\$ 6,146	
10410-505000	FICA	471	
10410-507000	Retirement	977	
10415-502000	Salaries - Regular	5,313	
10415-505000	FICA	4,497	
10415-507000	Retirement	845	
10430-502000	Salaries - Regular	3,864	
10430-503000	Salaries - Part Time	750	
10430-503430	Salaries - Poll Workers	3,975	
10430-505000	FICA	658	
10430-407000	Retirement	614	
10440-502000	Salaries - Regular	90,003	
10440-503500	Salaries - Temp	3,713	
10440-505000	FICA	7,170	
10440-506000	Health Insurance	12,596	
10440-507000	Retirement	14,302	
10441-502000	Salaries - Regular	6,737	
10441-505000	FICA	516	
10441-507000	Retirement	1,071	
10445-502000	Salaries - Regular	2,112	
10445-505000	FICA	162	
10445-507000	Retirement	336	
10450-502000	Salaries - Regular	12,288	
10450-505000	FICA	941	
10450-507000	Retirement	1,953	
10460-502000	Salaries - Regular	42,012	
10460-505000	FICA	3,214	
10460-507000	Retirement	6,676	
10461-502000	Salaries - Regular	923	
10461-505000	FICA	71	
10461-507000	Retirement	147	
10480-502000	Salaries - Regular	9,632	
10480-505000	FICA	737	
10480-507000	Retirement	1,531	
10510-502000	Salaries - Regular	172,023	
10510-502100	Salaries - OT	12,820	
10510-503000	Salaries - Part Time	320	
10510-505000	FICA	10,624	
10510-506000	Health Insurance	14,750	
10510-507000	Retirement	9,959	
10510-508000	Supplemental Retirement	2,966	
10511-502000	Salaries - Regular	22,972	
10511-502100	Salaries - OT	774	
10511-503000	Salaries - Part Time	231	
10510-505000	FICA	1,834	
10511-507000	Retirement	3,650	
10512-502000	Salaries - Regular	9,602	
10512-503000	Salaries - Part Time	2,964	
10512-505000	FICA	962	
10512-507000	Retirement	1,526	



10530-502000	Salaries - Regular	145,738	
10530-502100	Salaries - OT	165,668	
10530-502200	Holiday Pay		\$ 162,419
10530-505000	FICA	11,398	
10530-506000	Health Insurance	9,833	
10530-507000	Retirement	23,674	
10531-502000	Salaries	2,760	
10531-505000	FICA	211	
10531-507000	Retirement	439	
10535-502000	Salaries - Regular	14,397	
10535-502100	Salaries - OT	3,135	
10535-505000	FICA	1,341	
10535-507000	Retirement	2,786	
10540-502000	Salaries - Regular	27,047	
10540-505000	FICA	2,069	
10540-507000	Retirement	4,298	
10541-502000	Salaries - Regular	1,238	
10541-502100	Salaries - OT	4,800	
10541-502200	Holiday Pay		\$ 4,800
10541-503000	Salaries - Part Time	2,256	
10541-505000	FICA	267	
10541-507000	Retirement	555	
10550-502000	Salaries - Regular	1,246	
10550-503000	Salaries - Part Time	5,365	
10550-505000	FICA	506	
10550-507000	Retirement	198	
10606-502000	Salaries - Regular	213	
10606-505000	FICA	16	
10606-507000	Retirement	34	
10640-502000	Salaries - Regular	2,670	
10640-505000	FICA	204	
10640-507000	Retirement	424	
10640-545002	Contract Services - NCSU Salaries	486	
10650-502000	Salaries - Regular	1,698	
10650-505000	FICA	130	
10650-507000	Retirement	270	
10660-502000	Salaries - Regular	33,881	
10660-505000	FICA	2,592	
10660-506000	Health Insurance		\$ 4,916
10660-507000	Retirement	5,384	
10750-502000	Salaries - Regular	16,805	
10750-505000	FICA	1,286	
10750-507000	Retirement	2,670	
10775-502000	Salaries - Regular	6,589	
10775-503000	Salaries - Part Time	650	
10775-505000	FICA	554	
10775-507000	Retirement	1,150	
10790-502000	Salaries - Regular	14,776	
10790-503000	Salaries - Part Time	695	
10790-505000	FICA	1,184	
10790-507000	Retirement	2,458	
10795-502000	Salaries - Regular	17,189	
10795-503000	Salaries - Part Time	252	
10795-505000	FICA	1,334	
10795-507000	Retirement	2,731	

10796-502000	Salaries - Regular	5,858	
10796-503000	Salaries - Part Time	5,473	
10796-505000	FICA	867	
10796-507000	Retirement	931	
10320-411000	Article 39 Sales Tax		\$ 905,474
61818-502000	Salaries - Regular	54,802	
61818-505000	FICA	4,193	
61818-506000	Health Insurance	9,833	
61818-507000	Retirement	8,708	
61390-499900	Appropriated Fund Balance		\$ 77,536
63838-502000	Salaries - Regular	12,703	
63838-505000	FICA	972	
63838-506000	Health Insurance	2,458	
63838-507000	Retirement	2,019	
63390-499900	Appropriated Fund Balance		\$ 18,152
67878-502000	Salaries - Regular	2,278	
67878-505000	FICA	175	
67878-507000	Retirement	362	
67360-471000	Connection Fees		\$ 2,815
210541-502000	Salaries - Regular	268,364	
210541-502100	Salaries - OT	7,897	
210541-505000	FICA	21,134	
210541-507000	Retirement	43,898	
210390-499900	Appropriated Fund Balance		\$ 341,293
220548-502000	Salaries - Regular	72,008	
220548-502100	Salaries - OT	100,000	
220548-505000	FICA	13,159	
220548-507000	Retirement	27,332	
220390-499900	Appropriated Fund Balance		\$ 212,499
		\$ 1,729,904	\$ 1,729,904
<b>Explanation:</b> Budget revision to amend salaries for 2% COLA and implementation of Salary Study Phase I effective first full pay period in October, which will be paid on the November 4, 2020 paycheck. Additional \$250 bonus for each full time employ that is an active employee on December 1. Bonus will be paid on December 9, 2020.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$905,474.			
Mainland Water Fund (61) - Increased by \$77,536.			
Solid Waste Fund (63) - Increased by \$18,152.			
Mainland Sewer Fund (67) - Increased by \$2,815.			
Corolla Fire District Fund (210) - Increased by \$341,293.			
Knotts Island Fire District Fund (220) - Increased by \$212,499.			

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10510-502100	SALARIES - OVERTIME		\$ 10,000
10510-503000	SALARIES- PART TIME	\$ 10,000	
10510-514000	TRAVEL		\$ 5,000
10510-514500	TRAINING & EDUCATION		\$ 11,000
10510-516200	VEHICLE MAINTENANCE	\$ 5,000	
10510-526000	PROMOTIONAL EFFORT	\$ 2,000	
10510-532000	SUPPLIES	\$ 9,000	
		\$ 26,000	\$ 26,000
<b>Explanation:</b> Sheriff (10510) - Transfer budgeted funds for additional part-time staffing and for unanticipated supplies that will be funded from training and travel that will not be used due to COVID restrictions.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10752-519700	HCCBG- In Home	\$ 12,357	
10560-519701	HCCBG - Access Services	\$ 454	
10330-432200	HCCBG - In Home		\$ 12,733
10390-499900	Fund Appropriate Balance		\$ 78
		\$ 12,811	\$ 12,811
<b>Explanation:</b> Inter-County Transportation (10560); Public Assistance (10752) - Adjust In-Home funding to actual allocations received.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			



		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10460-516200	Vehicle Maintenance	\$ 6,000	
10460-592000	Projects		\$ 6,000
		\$ 6,000	\$ 6,000
<b>Explanation:</b> Public Works (10460) - Transfer funds for repairs to 2013 Ram truck engine and 2015 Ford Taurus.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10510-590000	Capital Outlay	\$ 23,940	
10380-484001	Insurance Recovery		\$ 23,940
		\$ 23,940	\$ 23,940
<b>Explanation:</b> Sheriff (10510) - Increase appropriations to replace vehicle totaled during an accident investigation.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$23,940.			

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10795-590000	Capital Outlay	\$ 37,100	
10320-411000	Article 39 Sales Tax		\$ 37,100
		\$ 37,100	\$ 37,100
<b>Explanation:</b> Parks & Recreation (10795) - Increase appropriations for the following projects:			
	Mulch for Community Park Complex	\$ 8,500	
	Playground chips for Walnut Island Park and Sound Park	6,000	
	Knapp Restroom/Concession Roof Replacement	7,000	
	Carova Beach Park Large Shelter Roof Replacement	10,000	
	Toro Workman for Community Park	5,600	
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$37,100.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10752-532004	DSS COVID FC/CPS/APS	\$ 26,755	
10330-430004	DSS COVID FUNDING		\$ 26,755
		\$ 26,755	\$ 26,755
<b>Explanation:</b> Public Assistance (10752) - Increase appropriations to record DSS COVID funding authorization from NC DHHS for foster care, child protective services and adult protective services.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$26,755.			

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10550-545000	Contract Services	\$ 27,000	
10795-590000	Capital Outlay	\$ 502	
10390-499900	Appropriated Fund Balance		\$ 27,502
30850-545000	Contract Services	\$ 23,830	
30390-499900	Appropriated Fund Balance		\$ 23,830
		\$ 51,332	\$ 51,332
<b>Explanation:</b>	Airport (10550); Parks & Recreation (10795); Postemployment Benefits (30850) - To carry-forward funds from prior fiscal year for contracts in process.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$27,502. Post-employment Benefits (30) - Increased by \$23,830.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10450-557500	In Rem Foreclosure	\$ 1,000	
10320-411000	Article 39 Sales Tax		\$ 1,000
		\$ 1,000	\$ 1,000
<b>Explanation:</b>	Tax (10450) - Increase appropriations for advertising for In-Rem foreclosures.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$1,000. Post-employment Benefits (30) - Increased by \$23,830.		



		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10450-557500	In Rem Foreclosure	\$ 1,000	
10320-411000	Article 39 Sales Tax		\$ 1,000
		\$ 1,000	\$ 1,000
<b>Explanation:</b> Tax (10450) - Increase appropriations for advertising for In-Rem foreclosures.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$1,000.			
Post-employment Benefits (30) - Increased by \$23,830.			

## 2. Salary Resolution and Classification Chart

CURRITUCK COUNTY					
NORTH CAROLINA					
SALARY AND COMPENSATION RESOLUTION FOR THE FISCAL YEAR ENDING JUNE 30, 2021					
BE IT RESOLVED by the County Commissioners that the following salaries and other compensation					
SECTION 1 - BOARDS					
<u>Animal Services and Control Advisory Board</u>					
Members	\$50. per meeting				
<u>Board of Adjustment</u>					
Members	\$50. per meeting				
<u>Board of Commissioners</u>					
Chairman	\$1300. per month				
Members	\$1200. per month				
Commissioners assigned to County advisory boards will receive the same compensation as other members of that board.					
<u>Board of Elections</u>					
Chairman	\$75. per month plus \$8.00 per meeting hour plus travel reimbursement at per diem rate				
Members	\$25. per month plus \$8.00 per meeting hour plus travel reimbursement at per diem rate				
Chief Judge	\$170. on election day, \$20. on canvass day, \$15. on instruction day plus travel reimbursement at per diem rate, \$20. on recount day				
Judge	\$125. on election day, \$15. on instruction day plus travel reimbursement at per diem rate				
Assistants	\$110 on election day, \$15. on instruction day plus travel reimbursement at per diem rate				
<u>Board of Equalization</u>					
Members	\$100. per day; \$50. per half day				
<u>Economic Development Board</u>					
Members	\$50. per meeting				
<u>Fire Advisory Board</u>					
Members	\$50. per meeting				
<u>Historic Preservation Commission</u>					
Members	\$50. per meeting				
<u>Carova Beach Road Service District Advisory Board</u>					
Members	\$50. per meeting				
<u>Ocean Sands North and Crown Pointe Stormwater Advisory Board</u>					
Members	\$50. per meeting				
<u>Tourism Development Authority</u>					
Members	\$50. per meeting				
<u>Land Transfer Tax Appeals Board</u>					
Members	\$50. per meeting				
<u>Jury Commission</u>					
	\$50. per day				
<u>Library Board of Trustees</u>					
Members	\$50. per meeting				
<u>Nutrition Board</u>					
Members	\$50. per meeting				
<u>Parks and Recreation Board</u>					
Members	\$50. per meeting				
<u>Planning Board</u>					
Members	\$50. per meeting				

<b>Senior Citizens Advisory Board</b>					
Members	\$50. per meeting				
<b>Social Services Board</b>					
Members	\$50. per meeting				
Chairman	\$75. per meeting				
<b>SECTION 2 - PAYMENTS TO BOARDS</b>					
Payments made to board members (except the Board of Commissioners and Board of Elections) are considered fees for the payment of all expenses incurred while serving in a voluntary capacity unless additional compensation is provided for in the enacting ordinance.					
<b>SECTION 3 - NEW APPOINTMENTS</b>					
<b>Compensation</b>					
The County Manager is authorized without further approval to enroll new personnel at a grade level not to exceed that of step 3; however, no new position may be established or salaries increased without the approval of the County Board of Commissioners.					
<b>Minimum Wage</b>					
Notwithstanding the above, the County Manager may raise the salary of any employee to the Federal minimum wage level without further approval from the County Board of Commissioners.					
<b>SECTION 4 - PART-TIME AND TEMPORARY EMPLOYEE BENEFITS</b>					
County employee benefits, including but not limited to vacation leave, holiday leave, sick leave, retirement, 401k, and health insurance, shall not be provided for part-time and temporary employees unless otherwise provided for by the Board of Commissioners.					
<b>PART-TIME/TEMPORARY PAY RATES</b>					
<b>Hourly</b>					
Airport Lineman - Part-time	\$14.81 per hr				
Animal Care Technician	\$13.84 per hr				
Camp Counselors - Seasonal	\$9.00 per hr				
Clerical Position - Temporary	\$11.91 per hr				
Deputy I - Part-time	\$18.68 per hr				
Deputy II - Part-time	\$19.65 per hr				
Deputy III - Part-time	\$20.61 per hr				
Deputy Trainee - Part-time	\$17.71 per hr				
Detention Officer - Part-time	\$15.09 per hr				
DSS On Call	\$22.00 per hr				
EMT Basic - Temporary	\$14.81 per hr				
EMT Intermediate - Temporary	\$17.71 per hr				
EMT Paramedic - Temporary	\$20.61 per hr				
Library Assistant I - Part-time	\$13.84 per hr				
Maintenance Helper - Temporary	\$12.88 per hr				
Park Attendant	\$12.88 per hr				
Summer Intern - Whalehead	\$14.81/\$15.37 per hr				
Telecommunicator - Part-time	\$16.75 per hr				
Telecommunicator Trainee - Part-time	\$15.78 per hr				
Tour Guides - Whalehead	\$14.81 per hr				
Visitor Relations Coordinator - Temporary	\$14.81 per hr				
<b>Parks &amp; Recreation Temporary Staff</b>					
Athletic Complex Attendant	\$11.50 per hr				
Janitor - All Sports	\$7.25 per hr				
Scorekeeper - All Sports	\$7.25 per hr				
Site Coordinator - All Sports	\$14.50 per hr				
Referee - 5 - 9 yr old Basketball	\$22.00 per game				
Referee - 10 - 15 yr old Basketball	\$26.00 per game				
Referee - Flag Football	\$22.00 per game				
Referee - Youth Volleyball	\$22.00 per game				
Referee - Soccer	\$22.00 per game				
Referee - Tackle Football	\$36.00 per game				
Umpire - Baseball Ages 7 - 8	\$30.00 per game				
Umpire - Softball 10U	\$35.00 per game				
Umpire - Baseball Ages 9 - 10	\$35.00 per game				
Umpire - Softball 12U - 18U	\$40.00 per game				
Umpire - Baseball Ages 11 - 15	\$40.00 per game				
<b>SECTION 5 - TRAVEL</b>					
<b>Per Diem Rate</b>					
Subject to the approval of their department head, employees are entitled to travel reimbursement for use of a personal vehicle while transacting County business at the current standard mileage rate allowed by the Internal Revenue Service.					
Adopted this 5th of October 2020.					
	ATTEST.				
Michael H. Payment, Vice-Chairman Board of Commissioners	Leeann Walton Clerk to the Board				



CURRITUCK COUNTY		
CLASSIFICATION BY SALARY GRADE		
FOR THE FISCAL YEAR ENDING JUNE 30, 2021		
		ED: 10/10/2020
SALARY GRADE	SALARY RANGE	CLASSIFICATION
50	\$24,775-\$33,959	Custodian
50.5	\$26,180-\$36,548	Senior Center Site Manager
51	\$26,786-\$36,775	Maintenance Helper
		Park Attendant
		Rural Attendant
52	\$28,796-\$39,629	Accounting Clerk I
		Aging Senior Services Admin. Supervisor
		Animal Care Technician
		Community Social Services Assistant DSS
		DCI CP/Clerk
		Deputy Register of Deeds
		Library Assistant I
		Permit Officer I
		Recreation Assistant
		Secretary I
		Tax Clerk I
53	\$30,808-\$42,407	Line Maintenance Mechanic Helper
		Library Assistant II
		Maintenance/Repair Worker
		Meter Reader
		EMT Basic/Firefighter
		Lineman - Airport
		Processing Assistant IV
		Public Information Assistant IV
		Tax Clerk II
		Utilities Customer Service Representative
		Visitor Relations Coordinator
53.5	\$31,388-\$43,467	Detention Officer
54	\$32,818-\$45,220	4H Program Assistant
		Animal Control Officer
		Accounting Clerk II
		Animal Control Officer
		Assistant Register of Deeds
		District Administrator
		F&C Sciences Associate
		Income Maintenance Caseworker I
		Library Associate I
		Permit Officer II
		Telecommunicator Trainee
54.5	\$33,438-\$46,350	Intake Officer

55	\$34,830-\$48,038	Accounting Clerk III
		Administrative Assistant I
		Line Maintenance Mechanic
		Maintenance/Repair Worker Electrician
		Park Superintendent
		Public Information Assistant V
		Telecommunicator I
		Tourism Promo & Event Coordinator
		Utilities Customer Service Supervisor
55.5	\$35,491-\$49,239	Deputy Director of Elections
		Rural Center Manager
		Shelter Manager
56	\$36,843-\$50,856	Deputy Tax Collector
		Deputy Trainee
		EMT/Intermediate
		Evidence Technician
		Income Maintenance Caseworker II
		Maintenance/Repair Worker HVAC
		Permit Officer III
		Sales & Marketing Associate
		Social Worker I
		Telecommunicator II
		Visitor Relations Specialist
		Wastewater ORC Trainee
		Water Plant Operator Trainee
56.5	\$38,257-\$53,698	Sergeant Detention Officer
57	\$38,852-\$53,669	Administrative Assistant II
		Athletic Grounds Manager
		Building Inspector I
		Code Enforcement Officer
		Deputy Sheriff I
		Human Resources Assistant
		Maintenance Supervisor
		Recreation Specialist
		Rural Center Director
		Support Technician
		Visitor Center Supervisor
		Wastewater Operator
		Water Plant Operator
		Water Plant Operator/Lab Technician
58	\$40,863-\$56,486	Deputy Sheriff II
		Firefighter/EMT Basic
		Income Maintenance Caseworker III
		Income Maintenance Investigator II
		Library Associate II
		Training Officer
59	\$42,874-\$59,302	Accounting Technician
		Accounting & Payroll Technician
		Building Inspector II probationary/
		FQ Inspect I
		** E Body
		Deputy Sheriff III
		Development Technician
		Detective I
		EMT Paramedic/Firefighter
		Planner I

59	\$42,874-\$59,302	Public Relations Coordinator Tax Appraiser
60	\$44,887-\$62,119	*Administrative Officer I *Communications Supervisor Deputy Emergency Management Coordinator EMS Training Officer Fire Training Officer/Recruitment Coordinator *Income Maintenance Supervisor II *Lieutenant Detention Officer Fire Marshal Lieutenant - EMS *Operations Director Risk Manager Social Worker II Stormwater Technician Water Distribution Supervisor Trainee
60.5	\$45,747-\$63,672	*Aging Senior Services Director Firefighter EMT/Advanced Firefighter EMT/Paramedic Maritime Museum Manager
61	\$46,898-\$64,936	Building Inspector III probationary/FQ BI II Creative Director Detective II GIS Specialist GIS Coordinator IT Coordinator Paralegal Planner II Marketing Director Public Information Officer Video Production Specialist
61	\$46,898-\$64,936	Wastewater Supervisor ORC Water Distribution Supervisor Web/AV Specialist
62	\$48,909-\$67,751	*Airport Manager *Contract Purchasing Agent Fire Lieutenant *Operations Manager - PW/Solid Waste Sergeant Site Manager/Curator Soil & Stormwater Manager Social Worker III Social Worker Invest/Assess Treatment
63	\$50,918-\$70,566	Building Inspector III FQ *Director of Elections Engineering Technician Fiscal and Budget Assistant *Social Work Supervisor II *Water Treatment Plant Supervisor
64	\$52,931-\$73,383	*Accountant *Jail Superintendent Senior Planner
65	\$55,373-\$76,803	*Administrative Assistant/Clerk to Board *Captain - EMS *Fire and EMT Captain *Project Coordinator
66	\$56,954-\$79,016	*Public Utilities Superintendent *Social Worker Supervisor III *Wastewater Superintendent *Water Superintendent



67	\$58,962-\$81,828	*Chief Building Inspector
		*Emergency Management Director
		*Lieutenant - Sheriff
		*Recreation Director
		*Social Work Program Manager
68	\$60,973-\$84,644	*Human Resources Director
		*IT Director
		*Public Works Director
		*Tax Administrator
69	\$62,984-\$87,461	
70	\$65,056-\$90,362	
71	\$67,006-\$93,092	*Captain- Sheriff
		*Chief Deputy - Fire/EMS
		*Tourism Director
72	\$69,019-\$95,910	*Assistant Planning Director
73	\$71,028-\$98,723	*Assistant Public Services Director/ Assistant County Engineer
		*Chief Deputy - Sheriff
		*Economic Development Director
74	\$73,041-\$101,541	
75	\$75,050-\$104,356	*Chief of EMS
76	\$77,063-\$107,173	*Director of Social Services
		*Public Utilities Director
77	\$79,072-\$109,987	
78	\$81,085-\$112,805	*Assistant Finance Director
79	\$83,096-\$115,621	
80	\$84,860-\$118,091	
81	\$86,981-\$131,724	
82	\$89,156-\$135,017	
83	\$91,385-\$138,393	*Assistant County Manager
		*Planning Director
84	\$93,670-\$141,852	
85	\$96,011-\$145,399	
86	\$98,412-\$149,034	
87	\$100,725-\$152,537	
88	\$100,724-\$154,050	*Senior Planning Director
89	\$104,267-\$157,901	
90	\$106,873-\$161,848	
91	\$109,545-\$165,895	
92	\$111,867-\$169,410	*Finance Director *Public Services Director/County Engineer
93	\$114,663-\$173,645	
94	\$117,530-\$177,986	
95	\$120,468-\$182,436	
96	\$123,480-\$186,997	
97	\$126,567-\$191,672	
98	\$129,731-\$196,463	
99	\$132,974-\$201,375	
100	\$136,298-\$206,409	
101	\$139,706-\$211,570	
102	\$143,199-\$216,859	
103	\$146,779-\$222,280	
104	\$150,448-\$227,837	
105	\$154,209-\$233,533	
106	\$158,064-\$239,372	
107	\$162,016-\$245,356	
108	\$166,066-\$251,490	
109	\$170,218-\$257,777	
110	\$174,474-\$264,221	

111	\$178,825-\$270,811	*Attorney
* indicates exempt status		
	Board determined	*County Manager's salary
	Board determined	*Sheriff's salary
	Board determined	*Register of Deeds' salary
	Board determined	*Attorney's salary
** E Body Grade is Dependent upon State Certification Level		

3. Maritime Museum Change Order #4-Time Extension
4. Community Rating System Program for Public Information
5. Records Disposal Request-Finance
6. Records Disposal Request-Human Resources
7. Job Description Revisions
8. Job Description Revisions-Fire and EMS
- 9) Approval Of Minutes-Sept. 21, 2020
  1. Minutes for September 21, 2020

## RECESS

Vice-Chairman Payment moved to recess the regular meeting to hold two Special Meetings of the Board of Commissioners. Commissioner Jarvis seconded the motion and the motion carried.

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

## SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY

The Currituck County Board of Commissioners sat as the Tourism Development Authority in a Special Meeting during a recess of the Regular Meeting held on October 5, 2020, at 6:00 PM.

The Special Meeting took place in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering budget amendments.

### TDA Budget Amendments

County Manager, Ben Stikeleather, reviewed the budget amendments for consideration. Commissioner Jarvis motioned for approval and the motion was seconded by Commissioner Mary Etheridge. The motion carried and the budget amendments were approved.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15442-502000	Salaries - Regular	\$ 21,926	
15442-503500	Salaries - Temp Services	\$ 16,467	
15442-505000	FICA	\$ 2,937	
15442-507000	Retirement	\$ 3,443	
15447-502000	Salaries - Regular	\$ 7,588	
15447-505000	FICA	\$ 581	
15447-507000	Retirement	\$ 804	
15448-502000	Salaries - Regular	\$ 10,271	
15448-505000	FICA	\$ 786	
15448-507000	Retirement	\$ 1,088	
15449-502000	Salaries - Regular	\$ 7,995	
15449-505000	FICA	\$ 612	
15449-507000	Retirement	\$ 847	
15320-415000	Occupancy Tax		\$ 75,345
		\$ 75,345	\$ 75,345
<b>Explanation:</b>	Budget revision to amend salaries for 2% COLA and implementation of Salary Study Phase I effective first full pay period in October, which will be paid on the November 4, 2020 paycheck. Additional \$250 bonus for each full time employ that is an active employee on December 1. Bonus will be paid on December 9, 2020.		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$75,345.		

Communication: Minutes for October 5, 2020 (Approval Of Minutes-Oct. 5, 2020)



		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15449-545000	Contract Services	\$ 25,000	
15320-415000	Occupancy Tax		\$ 25,000
		\$ 25,000	\$ 25,000
<b>Explanation:</b> Maritime Museum (15449) - Increase appropriations for operating contracts that may arise for the Maritime Museum that were not anticipated during budget for security, grounds maintenance, etc.			
<b>Net Budget Effect:</b> Occupancy Tax Fund (15) - Increased by \$25,000.			

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

### ADJOURN MEETING OF THE TDA

There was no further business and Commissioner Beaumont moved to adjourn. Commissioner J. Owen Etheridge seconded the motion. The motion carried and the meeting of the Tourism Development Authority adjourned at 7:29 PM.

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

### SPECIAL MEETING-OCEAN SANDS WATER AND SEWER DISTRICT BOARD

The Currituck County Board of Commissioners sat as the Ocean Sands Water and Sewer District Board in a Special Meeting during a recess of the Regular Meeting held on October 5, 2020, at 6:00 PM. The Special Meeting took place in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering budget amendments.

### OSWSD Budget Amendments

Ben Stikeleather, County Manager, presented the Budget Amendments for Board

consideration. Commissioner Beaumont moved for approval following the review and Commissioner Jarvis seconded the motion. The motion carried.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
60808-502000	Salaries - Regular	\$ 2,328	
60808-505000	FICA	\$ 178	
60808-507000	Retirement	\$ 370	
60390-499900	Appropriated Fund Balance		\$ 2,876
		<u>\$ 2,876</u>	<u>\$ 2,876</u>

**Explanation:** Ocean Sands Water & Sewer Fund (60808) - Increase in salaries for 2% COLA to be paid on the November 4, 2020 check and bonus to be paid on December 9, 2020.

**Net Budget Effect:** Ocean Sands Water and Sewer District Fund (60) - Increased by \$2,876.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
60808-511001	Telephone & Postage - Sewer	\$ 2,000	
60808-590001	Capital Outlay		\$ 2,000
		<u>\$ 2,000</u>	<u>\$ 2,000</u>

**Explanation:** Ocean Sands Water & Sewer Fund (60808) - Transfer funds for increased postage costs.

**Net Budget Effect:** Ocean Sands Water and Sewer District Fund (60) - No change.

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

**ADJOURN MEETING OF THE OSWSD BOARD AND RECONVENE**

Communication: Minutes for October 5, 2020 (Approval Of Minutes-Oct. 5, 2020)

There was no further business and Commissioner Beaumont moved to adjourn. Commissioner Jarvis seconded the motion. The motion carried and the meeting of the Ocean Sands Water and Sewer District Board adjourned at 7:30 PM.

The regular meeting reconvened for a Closed Session.

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

## CLOSED SESSION

### 1. Closed Session Pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and to preserve the attorney-client privilege.

Vice-Chairman Payment read the purpose of Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and preserve the attorney-client privilege and asked for a motion. The motion to enter Closed Session was made by Commissioner J. Owen Etheridge, and Commissioner Jarvis seconded. The motion carried and the Board went into Closed Session.

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

## ADJOURN

### Motion to Adjourn Meeting

Commissioners returned from Closed Session and had no further business. Commissioner Beaumont moved to adjourn and the motion was seconded by Commissioner Mary Etheridge. The motion carried and the meeting of the Board of Commissioners adjourned at 7:52 PM.

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