



**CURRITUCK COUNTY  
NORTH CAROLINA**

September 8, 2020  
Minutes – Regular Meeting of the Board of Commissioners

**WORK SESSIONS-5:00 PM**

**1. Ocean Sands N/Crown Point Stormwater Discussion**

The Currituck County Board of Commissioners held a Work Session at 5:00 PM to hear from members of Ocean Sands and Crown Point communities of Corolla, some of whom serve on the Ocean Sands North/Crown Point Watershed District Advisory Board, about attempts to reach an agreement with developer, Coastland Corporation, to resolve ongoing stormwater flooding issues in their neighborhoods. Advisory Board Chairman, Ed Pence, said Coastland Corporation will not grant open space easements necessary to allow installation of infrastructure for stormwater mitigation. A video was played for Commissioners that showed photos of flooded homes and roadways. Residents Al Marzetti and Lynda Gryzinski presented additional information on the negative financial and health impacts flooding has on the community. Because of the public benefit that would be realized by homeowners within the stormwater district, the group asked the Commissioners to exercise the power of Eminent Domain to secure the necessary easements.

Following presentation, Chairman White said the county has been talking with James Johnson, Coastland Corporation, to secure the necessary easements for stormwater infrastructure. He said recent meetings with Mr. Johnson have been productive, and the Chairman would like more time to see if an agreement can be reached.

**2. Legislative Goals Discussion**

County Manager, Ben Stikeleather, suggested a work session be held to review and select which statewide Legislative Goals and Local Legislation Commissioners want to support for consideration in the next Legislative session of the General Assembly. The special meeting was scheduled for Monday, September 14, at 5:00 PM.

The work sessions concluded at 5:50 PM.

**6:00 PM CALL TO ORDER**

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

Attendee Name	Title	Status	Arrived
Bob White	Chairman	Present	
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	

Chairman White called the meeting to order.

#### **A) Invocation/Moment of Silence & Pledge of Allegiance**

Reverend Dr. Ken Robinson of Mt. Zion United Methodist Church, Grandy, was in attendance to offer the Invocation. Chairman White led the Pledge of Allegiance.

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

Chairman White moved to amend the agenda by adding a Closed Session to follow the Special Meeting of the Ocean Sands Water and Sewer District Board. The motion was seconded by Commissioner Mary Etheridge. The motion carried and the agenda was approved as amended:

#### **Work Sessions-5:00 PM**

Ocean Sands N/Crown Point Stormwater

Discussion

Legislative Goals Discussion

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

A) Invocation/Moment of Silence & 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**

#### **New Business**

A) Resolution of the Board of Commissioners Requesting that the NC Dept of Transportation Resume Operation of the Knotts Island Ferry

- B) **Sole Source Purchase Resolution for Water Department Acquisition of Kamstrup Metering Equipment**
  
- C) **Ordinance Amending Section 2-99 of the Currituck County Code of Ordinances by Removing the Prohibition for County Commissioner ABC Board Member Compensation**
  
- D) **Consideration of Corolla Volunteer Fire Department Request to purchase 800 MHZ Radio**
  
- E) **Consideration of Lower Currituck Volunteer Fire Department Request to Use Funds for Repairs to Fire Apparatus**
  
- F) **Consideration of J. Owen Etheridge Request to Waive Text Amendment Application Fee**
  
- G) **2020-2021 Fiscal Year Budget Review**
  
- H) **Board Appointments**
  - 1. Fire and EMS Advisory
  
- I) **Consent Agenda**
  - 1. Budget Amendments
  - 2. Agreement for Mutual/Automatic Aid Fire and Emergency Medical Services Assistance Between the City of Virginia Beach, VA and Currituck County, NC
  - 3. Corolla ABC Store-Dominion Power Easement
  - 4. Public Safety Center-Change Order #1, Time Extension
  - 5. Job Description Revision-IT Support Tech
  - 6. Approval Of Minutes-August 17, 2020

**Recess**

**Special Meeting-Tourism Development Authority**

Budget Amendments-TDA

**Adjourn TDA**

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

Budget Amendment-OSWSD Board

**Adjourn OSWSD****Board****Closed Session**

Amended Item-Closed Session Pursuant to G.S. 143-318.11(a)(3) to Consult with the County Attorney and Preserve the Attorney-Client Privilege.

**Adjourn**

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

**PUBLIC COMMENT**

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

Chairman White opened the Public Comment period.

Gemma Green, an Ocean sands resident serving on the Ocean Sands North/Crown Point Watershed District Advisory Board, provided additional information and comment related to the flooding discussed during the prior work session and supports the position of the Advisory Board.

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

**COMMISSIONER'S REPORT**

Chairman White anticipates a busy fall season in Corolla and an increased occupancy of rental homes by property owners rather than visitors. He addressed the Knotts Island Ferry Resolution on the agenda and encouraged citizens to engage with our state legislators who support re-establishing ferry service. Chairman White announced the lifeguard service contract has been extended. He announced Labor Day marks the end of the required beach parking permits and the drive-lane shift on the off-road beach.

Commissioner Payment updated citizens on the Covid-19 cases in Currituck County, with no reported deaths and cases trending down across the state. He noted an increase in traffic accidents, fires and water rescues and encouraged citizens to assist by volunteering. He thanked the county's first responders.

Commissioner Mary Etheridge recognized the anniversary of the 9-11 terrorist attack in New York City and those who were lost, including first responders. She asked citizens to thank those on the front line.

Commissioner Beaumont reported construction delays for the Mid-Currituck bridge, with funding postponed for two years. He acknowledged the recent loss of Frank Flora, a long-time Currituck County resident who, with his wife Doris, attended almost every Board of Commissioners meeting. He asked for prayers for Doris and the Flora family.

Commissioner McCord announced a 9-11 ceremony held at Veterans Memorial Park. He spoke of the many saves made by Ocean Rescue this season with no deaths reported. He also acknowledged first responders. Commissioner McCord introduced Dr. Matt Lutz, the county's new school Superintendent, who attended the meeting. He offered condolences to the families of Frank Flora and Greg George, another resident who recently passed.

Commissioner J. Owen Etheridge also remembered Mr. Frank Flora. He talked about a discussion he had with a Virginia police officer who said people have lost respect for law enforcement. Commissioner Etheridge said they are needed and encouraged citizens to acknowledge law enforcement when you see them.

Commissioner Jarvis noted the busy Labor Day weekend for first responders and thanked them for their efforts. She offered congratulations to Dr. Lutz and recognized teachers, administrators and staff, students and parents, all of whom have to adapt to a new way of teaching and learning.

Dr. Lutz, when asked, clarified how student attendance is addressed if internet issues affect the ability to attend on-line classes.

## **COUNTY MANAGER'S REPORT**

Ben Stikeleather, County Manager, discussed new Solid Waste decals that will go into effect next year in an effort to help defray costs associated with the waste convenience centers. He reported an upcoming utility rate study will include solid waste, and he announced the transfer station will eventually be used for the disposal of construction debris. Mr. Stikeleather said upgrades and expansions are being considered at some of the waste disposal sites.

## **NEW BUSINESS**

### **A. Resolution of the Board of Commissioners Requesting that the NC Dept of Transportation Resume Operation of the Knotts Island Ferry**

County Manager, Ben Stikeleather, presented the Resolution in response to the fact that the Currituck/Knotts Island ferry is the only ferry in the state not operating, while some others are operating with minimal ridership.

Following presentation, Commissioners asked that Lieutenant Governor Dan Forest be included on the distribution list in the Resolution.

Commissioner J. Owen Etheridge moved for approval of the Resolution with the addition of Lieutenant Governor Dan Forest. Chairman White seconded the motion. The motion carried.

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS  
INSISTING ON THE RESUMPTION OF A FREE FERRY OPERATION FROM KNOTTS  
ISLAND, NORTH CAROLINA TO CURRITUCK, NORTH CAROLINA**

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

**WHEREAS**, the Knotts Island ferry was originally instituted to provide a path for Knotts Island residents to enjoy economic opportunities, students to have access to quality and equal education, and provide a way for public safety services to be provided quickly in times of emergency; and

**WHEREAS**, further detrimental impact of Knotts Island ferry operation suspension was recently experienced following Hurricane Isaias when Currituck County officials were unable to access Knotts Island for damage assessment due to blocked roads in Virginia which could have resulted in dire public safety consequences; and

**WHEREAS**, although ferry travel is the main form of transportation and only connection to the Currituck Mainland from Knotts Island, the Knotts Island ferry has not operated since March 2020 while every other ferry route in North Carolina is now in operation; and

**WHEREAS**, suspending operation of the Knotts Island ferry the North Carolina Department of Transportation is treating citizens, children, and business owners of Knotts Island and Currituck County in a manner that does not equate to treatment of other ferry dependent citizens and communities of Aurora, Bayview, Cedar Island, Cherry Branch, Kure Beach, Hatteras, Minnesott Beach, Ocracoke, and Swan Quarter.

**NOW THEREFORE BE IT RESOLVED** that the Currituck County Board of Commissioners insists that the North Carolina Department of Transportation immediately resume operation of the Knotts Island ferry and failing immediate return to operation explain in a community meeting why citizens of Currituck County are treated differently than those of other North Carolina communities now enjoying ferry service.

**BE IT FURTHER RESOLVED THAT** the Clerk to the Board of Commissioners is directed to forward a copy of this resolution to Governor Roy Cooper, Lieutenant Governor Dan Forest, State Senator Bob Steinburg, State Representative Bobby Hanig and North Carolina Department of Transportation Secretary J. Eric Boyette.

**ADOPTED** the 8<sup>th</sup> day of September 2020.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	J. Owen Etheridge, Commissioner
<b>SECONDER:</b>	Bob White, Chairman
<b>AYES:</b>	Bob White, Chairman, Michael 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. Sole Source Purchase Resolution for Water Department Acquisition of Kamstrup Metering Equipment**

Ben Stikeleather, County Manager, presented the Resolution for the purchase of water metering equipment via sole source that is compatible with the current system.

Commissioner Beaumont moved for approval. The motion was seconded by Commissioner Payment. The motion carried.

**RESOLUTION AUTHORIZING THE PURCHASE OF KAMSTRUP METERS FROM FORTILINE, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the county's Mainland Water System requires replacement meters compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of Kamstrup AMR and AMI meters in the State of North Carolina, Fortiline, Inc. is the only entity capable of providing the county with meters compatible with current Mainland Water System equipment and operational systems, and

WHEREAS, Mainland Water System has been using Fortiline, Inc. to construct, develop and upgrade its system; and

WHEREAS, Mainland Water Department needs replacement meters and Fortiline, Inc. is the sole supplier of compatible meters; and

WHEREAS, Fortiline, Inc. is supplying Mainland Water Department with two thousand 5/8x3/4 FlowIQ 2100 Kamstrup meters at a cost of \$164/meter; and

WHEREAS, the total cost for the Mainland Water Department meter purchase is \$328,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina as follows:

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$328,000.00 with Fortiline, Inc. for the sole source purchase of FlowIQ 2100 Kamstrup meters in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Fortiline, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the 8th day of September 2020.

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

### **Motion for Recusal-Commissioner Mike Payment**

As Commissioner serving on the Alcohol Beverage Control (ABC) Board, Commissioner Payment requested recusal prior to consideration of the ordinance amendment that would allow compensation for Commissioners who serve on the ABC Board. Chairman White moved to allow recusal for Commissioner Payment. Commissioner McCord seconded. The motion carried and Commissioner Payment exited the Board Room.

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

### **C. Ordinance Amending Section 2-99 of the Currituck County Code of Ordinances by Removing the Prohibition for County Commissioner ABC Board Member Compensation**

County Attorney, Ike McRee, reviewed the history of the original ordinance that provided no compensation for Commissioners serving on the ABC Board. Chairman White said compensation is paid for service on other Boards and the ABC Board now should be no different than others.

Following discussion, Commissioner Mary Etheridge moved for approval. Commissioner Jarvis seconded the motion. The motion carried 6-0. Commissioner Payment was reseated with Commissioners following the vote.

### **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING SECTION 2-99 OF THE CURRITUCK COUNTY CODE OF ORDINANCES BY REMOVING THE PROHIBITION FOR COUNTY COMMISSIONER ABC BOARD MEMBER COMPENSATION**

WHEREAS, pursuant to N.C. Gen. Stat. §153A-76 a board of commissioners may change the composition and manner of selection of boards, commissions, and agencies, and may generally organize and reorganize the county government in order to promote orderly and efficient administration of county affairs; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-77 a board of commissioners may appoint advisory boards, committees, councils and agencies composed of qualified and

interested county residents to study, interpret and develop community support and cooperation in activities conducted by or under the authority of the board of commissioners; and

WHEREAS, pursuant to N.C. Gen. Stat. §18B-700(c) county ABC board members shall be appointed by the board of county commissioners.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina as follows:

PART I. Sec. 2-99. County commissioner to serve as county ABC board member without compensation. is amended to read as follows

**Sec. 2-99. County commissioner to serve as county ABC board member without compensation.**

A county commissioner shall be appointed by the board of commissioners to serve as a member of the county ABC board. ~~The county commissioner member of the county ABC board shall not receive compensation for service on the county ABC board.~~

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance is effective upon its adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

<b>RESULT:</b>	<b>APPROVED [6 TO 0]</b>
<b>MOVER:</b>	Mary "Kitty" Etheridge, Commissioner
<b>SECONDER:</b>	Selina S. Jarvis, Commissioner
<b>AYES:</b>	Bob White, Chairman, Paul M. Beaumont, Commissioner, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner
<b>RECUSED:</b>	Michael H. Payment, Vice Chairman

**D. Consideration of Corolla Volunteer Fire Department Request to purchase 800 MHZ Radio**

Ben Stikeleather, County Manager, reviewed the purchase request to provide radio equipment on a new apparatus purchased by Corolla Volunteer Fire Department. Purchases over \$5,000 require Board approval.

Chairman White moved for approval of the request. The motion was seconded by Commissioner Payment. The motion carried.

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

**E. Consideration of Lower Currituck Volunteer Fire Department Request to Use Funds for Repairs to Fire Apparatus**

Ben Stikeleather, County Manager, presented the request for engine repairs to a fire apparatus, estimated at \$9,687.00, to be taken from the apparatus replacement fund.

Commissioner Beaumont said the proper process for approval was not followed and the Fire and Emergency Medical Services Advisory Board (FEAB) had not approved the request prior to it being brought to the Board of Commissioners. He noted it was particularly important since the money will be coming from a county fund and not existing funds of the Lower Currituck Volunteer Fire Department. Commissioners expressed concern with the accuracy of the estimate and asked that a better assessment be performed so a more accurate repair cost can be presented.

Commissioner Beaumont moved to recommend an assessment of engine be performed and a final repair number or recommendation be brought back to the FEAB for consideration. Commissioner Jarvis seconded and the motion carried.

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

#### **Motion for Recusal-Commissioner J. Owen Etheridge**

As the applicant who would present the text amendment request for the fee waiver, Commissioner J. Owen Etheridge requested a recusal from the vote.

Commissioner Mary Etheridge moved to recuse Commissioner J. Owen Etheridge. Commissioner McCord seconded the motion. The motion carried.

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

#### **F. Consideration of J. Owen Etheridge Request to Waive Text Amendment Application Fee**

Commissioner J. Owen Etheridge addressed the Board from the podium and presented the text amendment request for a fee waiver, brought forward to assist a local business owner. He said the Unified Development Ordinance (UDO) addresses residential development, and we apply residential standards to businesses which hinders business

growth, expansion, and economic development. He said fees should be waived for businesses if language is found in the UDO that hinder the ability to develop or expand business in the county.

Chairman White said fees are used to help offset admin costs, and Commissioner Jarvis agreed that fees are a part of doing business and how the county functions. Commissioners also considered effects a fee waiver would have on Planning staff if overwhelmed with frivolous ideas. Commissioner McCord said the fee waiver request is valid and supports the text amendment.

Commissioner discussion included the processes for revising the UDO if staff initiated or upon direction from the Board. Utilizing the Economic Development Director to review and provide input for changes from a business perspective was discussed.

Ben Stikeleather, County Manager, reviewed staff discussion with the property owner and requirements associated with the owner's wanting to subdivide a particular piece of property. Commissioner J. Owen Etheridge said he is trying to keep business in Currituck County. Following presentation and discussion, prior to the vote, Commissioner J. Owen Etheridge exited the Board Meeting Room.

Commissioner Beaumont moved to deny the request. Commissioner Mary Etheridge seconded the motion. The motion carried on a vote of 5-1, with Commissioner McCord voting against the motion to deny.

Commissioner J. Owen Etheridge rejoined Commissioners in the Board Meeting Room.

Chairman White called for a brief recess at 7:27 PM. The meeting was reconvened at 7:34 PM.

<b>RESULT:</b>	<b>MOTION PASSED-ITEM DENIED [5 TO 1]</b>
<b>AYES:</b>	Bob White, Chairman, Michael H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner
<b>NAYS:</b>	Kevin E. McCord, Commissioner
<b>RECUSED:</b>	J. Owen Etheridge, Commissioner

## **G. 2020-2021 Fiscal Year Budget Review**

County Manager, Ben Stikeleather, used a powerpoint to review and update the Board on the County's financial status following the heavy reductions that had been made to the Fiscal Year 2020-2021 annual operating budget due to the Covid-19 pandemic. Following a presentation of Sales Tax and Occupancy Tax revenues and projections, he proposed revising the budget to put back into the budget the two percent Cost of Living Adjustment (COLA) for staff, four position reclassifications, fifteen new positions, and some capital projects that had been eliminated.

Costs related to staffing items were reviewed, as were timelines for position funding and recruitment. Concerns with organization and salary compression in the Sheriff's office

resulted in the Board wanting more information on the Sheriff's request for new positions, a Major and a Lieutenant.

Commissioners discussed making the COLA retroactive to the July 1, 2020, start of the fiscal year. Mr. Stikeleather suggested a flat bonus due to the time it would take to calculate back pay for every employee. Commissioners were comfortable with a bonus and Mr. Stikeleather said he will bring options and costs back to the Board for consideration.

A review of capital projects paid through Occupancy Tax included beach access walkovers, jail stabilization and the Historic Corolla Village sidewalk. Another budget update in December will examine transfer tax revenues and other capital budgets. Mr. Stikeleather summarized the Board's approved budget revisions. Mr. Stikeleather will contact Sheriff Beickert to see if he can attend the Monday, September 14th Special Meeting to address the Board's concerns with his staffing requests.

## H) Board Appointments

### 1. Fire and EMS Advisory

Commissioner Beaumont nominated William Bailey for reappointment to the Fire and Emergency Medical Services (EMS) Advisory Board. Commissioner Payment seconded and the nominee was unanimously approved.

Commissioner Beaumont said the Board is looking for volunteers to serve and encouraged citizens to apply.

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

## I) Consent Agenda

Commissioner J. Owen Etheridge moved for approval of the Consent Agenda. Commissioner Jarvis seconded the motion. The motion carried, 7-0.

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

**1. Budget Amendments**

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10490-561000	Professional Services	\$ 33,186	
10511-545000	Contract Services	\$ 15,252	
10530-516200	Vehicle Repair	\$ 2,000	
10550-516000	Maintenance & Repair	\$ 500	
10980-545000	Contract Services	\$ 9,250	
10660-561000	Professional Services	\$ 14,580	
10390-499900	Appropriated Fund Balance		\$ 74,768
12541-536104	Personal Protective Equip - Crawford	\$ 2,730	
12390-499900	Appropriated Fund Balance		\$ 2,730
25607-545000	Contract Services	\$ 50,793	
25390-499900	Appropriated Fund Balance		\$ 50,793
28450-545000	Contract Services	\$ 295,042	
28390-499900	Appropriated Fund Balance		\$ 295,042
43848-590000	Capital Outlay	\$ 3,500	
43390-499900	Appropriated Fund Balance		\$ 3,500
63838-545001	Contract Services - Collection	\$ 15,041	
63838-545600	Site Work/Landscaping	\$ 5,706	
63838-561000	Professional Services	\$ 25,760	
63390-499900	Appropriated Fund Balance		\$ 46,507
66868-590000	Capital Outlay	\$ 13,320	
66390-499900	Appropriated Fund Balance		\$ 13,320
67878-561000	Professional Services	\$ 1,720	
67878-590000	Capital Outlay	\$ 6,468	
67390-499900	Appropriated Fund Balance		\$ 8,188
		<u>\$ 494,848</u>	<u>\$ 494,848</u>
<b>Explanation:</b>	Court Facilities (10490); Detention Center (10511); EMS (10530); Airport (10550); Disaster Recovery (10980); Planning (10660); Fire Services (12541); Guinea Mill Watershed (25607); Revaluation (28450); Land Banking (43848); Solid Waste (63838); Southern Outer Banks Water (66868); Mainland Central Sewer (67878) - Carry-forward funds from prior fiscal year for purchases/contracts in process on June 30, 2020 that were not completed.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$74,768.		
	Fire Services Fund (12) - Increased by \$2,730.		
	Guinea Mill Watershed District Fund (25) - Increased by \$50,793.		
	Revaluation Fund (28) - Increased by \$295,042.		
	Land Banking Fund (43) - Increased by \$3,500.		
	Solid Waste Fund (63) - Increased by \$46,507.		
	Southern Outer Banks Water Fund (66) - Increased by \$13,320.		
	Mainland Central Sewer Fund (67) - Increased by \$8,188.		

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
61818-545000	Contract Services	\$ 194,523	
61818-590000	Capital Outlay		\$ 194,523
		<u>\$ 194,523</u>	<u>\$ 194,523</u>

**Explanation:** Mainland Water (61818) - To reclassify water tank maintenance.

**Net Budget Effect:** Mainland Water Fund (61) - No change.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
210546-590006	Capital Outlay	\$ 6,182	
210546-516006	Repairs & Maintenance		\$ 6,182
		<u>\$ 6,182</u>	<u>\$ 6,182</u>

**Explanation:** Corolla Volunteer Fire Department (210546) - Transfer funds to purchase a radio.

**Net Budget Effect:** Corolla Fire District Fund (210) - No change.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10795-590000	Capital Outlay	\$ 4,860	
10350-464795	Rent - Parks & Rec Fields		\$ 3,000
10350-465003	Recreation Concessions		\$ 1,860
		<u>\$ 4,860</u>	<u>\$ 4,860</u>

**Explanation:** Parks & Recreation (10795) - Increase appropriations to replace diesel particulate filter in 2011 F-250 truck for parks & recreation.

**Net Budget Effect:** Operating Fund (10) - Increased by \$4,860.

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
10650-516200	Vehicle Maintenance	\$	100		
10650-531000	Fuel			\$	100
		\$	100	\$	100
<b>Explanation:</b> Economic Development (10650) - Transfer budgeted funds for vehicle maintenance for the Economic Development vehicle.					
<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>				
10531-532000	Supplies	\$	10,839		
10531-545000	Contract Services	\$	11,250		
10531-590000	Capital Outlay	\$	50,625		
10390-499900	Appropriated Fund Balance			\$	72,714
		\$	72,714	\$	72,714
<b>Explanation:</b> Emergency Management (10531) - Increase appropriations to carry forward unspent Emergency Management Program Grant funds and Search and Rescue Grant funds to be used for supplies for the medical bus. Capital Outlay items consist of an event trailer (message board, traffic cones, barricades, safety vests) - \$30,625; and camera system for medical bus - \$20,000.					
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$72,714.					

		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
20609-590000	Capital Outlay	\$	600,000		
20609-588000	Contingency			\$	324,875
20390-499900	Appropriated Fund Balance			\$	275,125
		\$	600,000	\$	600,000
<b>Explanation:</b> Whalehead Watershed Drainage District (20609) - Increase appropriations for drainage system upgrade to serve the Sailfish drainage basin.					
<b>Net Budget Effect:</b> Whalehead Watershed Drainage District Fund (20) - Increased by \$275,125.					
		Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
<u>Account Number</u>	<u>Account Description</u>				
51848-598004	Central Ctr Wing Roof 2020	\$	25,000		
51848-592010	Griggs - HVAC Ph III (7 Units)	\$	28,000		
51380-425001	State Lottery Proceeds			\$	53,000
		\$	53,000	\$	53,000
<b>Explanation:</b> School Construction (51848) - Increase appropriations for school projects funded with lottery proceeds.					
<b>Net Budget Effect:</b> School Capital Construction Fund (51) - Increased by \$53,000.					



		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10511-554000	Insurance & Bonds	\$ 15	
10511-557100	Software License Fees	\$ 327	
10511-506000	Insurance Expense		\$ 342
10531-557100	Software License Fees	\$ 40	
10531-531000	Fuel		\$ 40
10460-557100	Software License Fees	\$ 362	
10460-516000	Repairs & Maintenance		\$ 362
10795-576008	Grass Cutting/Spraying	\$ 12	
10795-506000	Insurance Expense		\$ 12
		\$ 756	\$ 756
<b>Explanation:</b>	Detention Center (10511); Emergency Management (10531); Public Works (10460); Parks & Recreation (10795) - Transfer budgeted funds for contract increases in this fiscal year.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

2. **Agreement for Mutual/Automatic Aid Fire and Emergency Medical Services Assistance Between the City of Virginia Beach, VA and Currituck County, NC**
3. **Corolla ABC Store-Dominion Power Easement**
4. **Public Safety Center-Change Order #1, Time Extension**
5. **Job Description Revision-IT Support Tech**
- 6) **Approval Of Minutes-August 17, 2020**
  1. **Minutes for August 17, 2020**

**RECESS**

Chairman White recessed the regular meeting to hold a Special Meeting of the Board of Commissioners.

**SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY**

The Currituck County Board of Commissioners held a Special Meeting during a recess of the September 8, 2020, 6:00 PM regular meeting to sit as the Tourism Development Authority. The meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering Budget Amendments.

**Budget Amendments-TDA**

The County Manager, Ben Stikeleather, reviewed the first budget amendment with the Board of Commissioners. Chairman White moved for approval and Commissioner Mary Etheridge 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>				
15447-545004	Corolla Wild Horse Fund	\$	24,015		
15447-545002	Historic Preservation	\$	29,481		
15390-499900	Appropriated Fund Balance			\$	53,496
		\$	53,496	\$	53,496
<b>Explanation:</b>	Occupancy Tax - Tourism Related (15447) - Increase appropriations to carry forward contract in process at June 30, 2020.				
<b>Net Budget Effect:</b> Occupancy Tax Fund (15) - Increased by \$53,496.					

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

**TDA Budget Amendments-Lifeguard Services Contract Extension**

The Budget Amendment providing funds for the Lifeguard services contract extension was reviewed by the County Manager. Chairman White moved for approval. Commissioner Jarvis seconded the motion and the motion carried.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-545001	Beach Services	\$ 22,500	
15390-499900	Appropriated Fund Balance		\$ 22,500
		<u>\$ 22,500</u>	<u>\$ 22,500</u>
<b>Explanation:</b>	Occupancy Tax - Tourism Related (15447) - Increase appropriations for three additional life guards for the Fall.		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$22,500.		

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

**ADJOURN TDA**

There was no further business and Commissioner Mary Etheridge moved to adjourn. Commissioner McCord seconded the motion. The motion carried unanimously and the meeting of the Tourism Development Authority concluded at 7:59 PM.

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

**SPECIAL MEETING-OCEAN SANDS WATER & SEWER DISTRICT BOARD**

The Currituck County Board of Commissioners held a Special Meeting during a recess of the September 8, 2020, 6:00 PM regular meeting to sit as the Ocean Sands Water and Sewer District Board. The meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, to consider a Budget Amendment.

**Budget Amendment-OSWSD Board**

County Manager, Ben Stikeleather, reviewed the budget amendment to provide funds for odor control at the Ocean Sands wastewater treatment plant, Corolla.

Chairman White moved for approval and Commissioner Beaumont seconded the motion. The motion carried.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
59808-594500	Contract Services	\$ 25,963	
59808-588000	Contingency		\$ 10,525
59808-596100	Professional Services		\$ 15,438
		<u>\$ 25,963</u>	<u>\$ 25,963</u>
<b>Explanation:</b>	Ocean Sands Water and Sewer (59808) - Transfer funds from contingency and professional services for Phase I Odor Control project at the Ocean Sands Wastewater Treatment Plant.		
<b>Net Budget Effect:</b>	Ocean Sands Water and Sewer District Construction Fund (59) - No change.		

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

**ADJOURN OSWSD BOARD**

There was no further business and Commissioner McCord moved to adjourn. Commissioner Beaumont seconded the motion. The motion carried and the meeting of the Ocean Sands Water & Sewer District Board adjourned at 8:00 PM.

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

**CLOSED SESSION**

Chairman White reconvened the regular meeting of the Board of Commissioners at 8:00 PM.

**Amended Item-Closed Session Pursuant to G.S. 143-318.11(a)(3) to Consult with the County Attorney and Preserve the Attorney-Client Privilege.**

The Board of Commissioners entered Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and Preserve the Attorney-Client Privilege.

**ADJOURN**

Commissioners returned from Closed Session. Prior to adjournment, the County Manager relayed a proposal from the county's lobby firm, McClees Consulting, who suggested using a targeted marketing campaign to compel the North Carolina Department of Transportation's Ferry Division to resume operation of the Currituck/Knotts Island ferry. Commissioners did not agree to the marketing campaign and chose to seek Requests for Proposals from other lobby firms since the company was being sold and lobby duties would be assumed by others. Chairman White said he would notify McClees Consulting of the Board's decision.

**Motion to Adjourn Meeting**

There was no further business and Commissioner Jarvis made a motion to adjourn. Commissioner Beaumont seconded the motion. The motion carried and the regular meeting of the Board of Commissioners adjourned at 8:46 PM.

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

# OCEAN SANDS & CROWN POINT

## IMPACT OF MAJOR STORMS

## OWNER SURVEY ON IMPACTS OF MAJOR STORMS

- SURVEY SENT TO 700 OF 1,100 OWNERS (OPEN 2 WEEKS)
- PURPOSE: COLLECT INFO ON PROPERTY DAMAGE, LOST RENTS, STANDING WATER LEVELS AND HEALTH ISSUES
- ALMOST HALF OF 70% WHO OPENED SURVEY RESPONDED
- VAST MAJORITY REPORTED SIGNIFICANT REPETITIVE DAMAGE & LOSSES

Damage & Standing Water reported for every Section of OS & CP

# PROPERTY DAMAGE REPORTED

- **PROPERTY DAMAGE –**
  - STRUCTURES, CONTENTS, POOLS, LANDSCAPING & VEHICLES
  - NUMBERS EXCLUDE REPAIR & CLEAN-UP WORK OWNERS DID THEMSELVES
  
- OF THOSE WHO REPORTED DAMAGE, 70% PROVIDED DETAIL ON DOLLAR AMOUNTS
  - CUMULATIVE TOTAL LOSS REPORTED - **\$2,816,382**
  - AVERAGE LOSS PER HOUSEHOLD - **\$33,134**
  
- VALID EXTRAPOLATION - 2X? 3X? 4X?
  - 2X -- **\$5,632,764**
  - 3X -- **\$8,449,146**
  - 4X -- **\$11,265,528**

## OTHER ECONOMIC LOSSES REPORTED

- 33% REPORTED **LOST RENTAL INCOME**, BUT ONLY 31% OF THOSE PROVIDED ESTIMATES
  - LOST RENT REPORTED - **\$154,180**
  - UNSURE HOW TO EXTRAPOLATE
- ESCALATING INSURANCE PREMIUMS
  - MANY OWNERS PLACED IN SEVERE REPETITIVE LOSS CATEGORY
  - SOME UNABLE TO EVEN CLAIM FUTURE LOSSES
- STANDING WATER PRODUCING SIGNIFICANT DAMAGE TO PRIVATE ROADS
  - OWNERS ARE FACING HUGE UPCOMING EXPENSE TO OVERHAUL ROADS
- DEPRESSED PROPERTY & RENTAL VALUES
- REDUCED PROPERTY TAX, OCCUPANCY TAX, SALES TAX, TRANSFER TAXES

Real Estate Agents Reluctant to Show Homes in Ocean Sands & Crown Point Due to Flooding Reputation

# STANDING WATER 3 DAYS AFTER MAJOR STORM

70.6% Have Standing Water on Property 3 Days Following Storm



## ADVERSE HEALTH EFFECTS REPORTED

- 8% REPORTED EXPERIENCING HEALTH PROBLEMS DUE TO STANDING WATER FROM STORMS
- BUT, MOST OWNERS AREN'T IN COROLLA DURING STORMS BECAUSE NOT RESIDENTS
- CONDITIONS NOTED INCLUDED:
  - SKIN INFECTIONS AND RASHES
  - MOSQUITO BITES
  - GASTROINTESTINAL ISSUES
  - BREATHING PROBLEMS
  - FLU-LIKE SYMPTOMS
  - ALLERGIC REACTIONS TO MOLD
  - HEADACHES
  - DEPRESSION, MALAISE
  - DOGS GOT SICK

## WHY FLOODWATERS ARE DANGEROUS

- PER CDC, FLOODWATERS COMMONLY CONTAIN MICROBIAL CONTAMINANTS ADVERSELY AFFECTING PUBLIC HEALTH
  - UNFRIENDLY BACTERIA, VIRUSES, PROTOZOA AND OTHER MICROBES
- CDC RECOMMENDS LOCAL AUTHORITIES FOLLOW 4-STEP PROCESS POST-FLOODING:
  - IDENTIFY HAZARDS
  - ASSESS CONCENTRATION OF CONTAMINATION
  - DETERMINE RISK LEVELS
  - DEVELOP & IMPLEMENT ACTION PLAN TO PROTECT PUBLIC HEALTH
- TYPICALLY TAKES 2 – 3 MONTHS TO REDUCE SOIL CONTAMINANTS TO SAFE LEVELS

AFTER EVERY FLOOD, TOURISTS IN OS/CP WALK THEIR CHILDREN THRU FLOODWATERS BAREFOOT TO GET TO THE BEACH

## APPRAISAL REPORT – STORMWATER EASEMENT

- BOURNE APPRAISAL SERVICE (KITTY HAWK) RETAINED TO EVALUATE EFFECT OF STORMWATER EASEMENT ON VALUE OF OPEN SPACE AND STREET RIGHT-OF-WAYS
- LEGAL STANDARD – COMPARE VALUE OF PROPERTY “BEFORE & AFTER” EASEMENT
- **CONCLUSION:** IMPACT OF EASEMENT ON VALUE IS ZERO DOLLARS (\$0)
- RESULT COMPORTS WITH COMMON SENSE BECAUSE:
  - FEE SIMPLE OPEN SPACES ARE CUMULATIVELY ASSESSED AT \$1,400
  - 1987 CONDITIONAL USE PERMIT SEVERELY RESTRICTED USE OF OPEN SPACE

COASTLAND OBTAINED HIGHER DEVELOPMENT DENSITY IN EXCHANGE FOR DEDICATING OPEN SPACE

## WHY EASEMENT IS JUSTIFIED

- NECESSARY TO PUBLIC HEALTH, SAFETY, AND WELFARE - SQUARELY FITS UNDER NCGS CH. 40
- EXCLUSIVE PUBLIC PURPOSE; UNLIKE WAKE COUNTY RUBIN CASE, NO PRIVATE BENEFIT
- HOMEOWNERS SHOULD BE CONSIDERED THE "BENEFICIAL OWNERS"
  - COASTLAND MARKETED OPEN SPACE AS BEING FOR HOMEOWNERS' "BENEFIT & ENJOYMENT"
  - OWNERS MAINTAIN ROADS & OPEN SPACES; COASTLAND EXEMPT FROM DUES UNDER BYLAWS
  - USE RESTRICTIONS MEAN COASTLAND UNABLE TO GENERATE ECONOMIC VALUE FROM LAND
- SHOULD HAVE BEEN PART OF REQUIRED UTILITY EASEMENT UNDER SETTLEMENT AGREEMENT, BUT DRAINAGE NOT ON ANYBODY'S RADAR IN LATE 1980'S
- COASTLAND PLAYING ITS CARDS TO EXTORT MONEY FROM HOMEOWNERS AND PUNISH CROWN POINT?

## LIMITED DOWNSIDE TO COUNTY

- UNREALISTIC THAT JURY WOULD FIND A SIZABLE MONETARY JUDGEMENT FOR COASTLAND
- UNIQUE SITUATION – EXTREMELY UNLIKELY TO SET AN UNDESIRABLE PRECEDENT
  - INVOLVES OPEN SPACE AND ROADS THAT SHOULD BE OWNED BY THE POA'S
  - EASEMENT SOLELY FOR BURYING PIPES AND INSTALLING PUMPS
  - UNLIKE TYPICAL SITUATION ON MAINLAND, NOT A MATTER OF DITCHES & SWALES NEEDING CONSTANT MAINTENANCE
  - DEVELOPER OWNERSHIP & CONTROL AFTER HALF CENTURY SIMPLY UNHEARD OF
- COUNTY HAS EXERCISED EMINENT DOMAIN ON AT LEAST TWO PRIOR OCCASIONS IN UNIQUE SITUATIONS
  - THESE PRIOR CASES DID NOT OPEN THE FLOODGATES FOR EMINENT DOMAIN DEMANDS

## IN A NUTSHELL

- HUGE FLOODING PROBLEM - HEALTH IMPACTS & REPETITIVE ECONOMIC LOSSES
- FOR 6 YEARS, HAVE DILIGENTLY ASKED COASTLAND FOR ACCESS
  - NEGOTIATING WITH COASTLAND HAS BEEN A FRUITLESS EXERCISE
- LIMITED FINANCIAL EXPOSURE TO COUNTY
- UNIQUENESS OF SITUATION PREVENTS IT FROM BEING PRECEDENT-SETTING
- NOT DEPRIVING COASTLAND OF ANYTHING OF VALUE
  - IN FACT, CAN HELP SECTION G DEVELOPMENT
- NO OTHER VALID OPTION
- NOT ASKING FOR MONEY -- WE ONLY NEED HELP TO REMOVE THE ROADBLOCK

IF BOC CAN'T HELP US WITH THIS, WE'RE UP THE CREEK WITH NO PADDLE IN SIGHT

## Key Points – Need for Stormwater Easement

### Context

- The over 1,100 properties in Ocean Sands & Crown Point are in a “bowl” between the dunes and Route 12; as development increases, flooding worsens. Fully 1/3<sup>rd</sup> of Crown Point homes have water intrusion with heavy rains/storms.
- Coastland had 45 years to fix stormwater problem and, not only did nothing, but actively resisted homeowner efforts to address problem.
- Coastland won’t allow access to open space to implement groundwater-lowering system.
  - Obtained higher development density in exchange for dedicating open space
  - Marketed open space to buyers as being for their “benefit & enjoyment”
  - Ironically, flood mitigation system would enhance development of remaining Section G
- “Stormwater” not included in utility easement in Settlement Agreement because flooding wasn’t a problem in late 1980’s.
- The serious flooding problem in Ocean Sands & Crown Point has caused:
  - Repetitive Financial Losses to homeowners from property damage & lost rents
  - Depressed property values and rental values
  - Skyrocketing insurance premiums; many now placed in Severe Repetitive Loss pool
  - Adverse sewer system impacts
  - Health issues from stagnant standing water
  - Loss of enjoyment of properties & ability to get to property
  - Significant damage to roads means big near-term cost to homeowners (needed overhaul of roads counter-productive while flooding problem persists)
  - Many real estate agents won’t show homes in OS/CP due to flooding problems
  - Loss of Property Tax, Occupancy Tax, Sales Tax and Transfer Tax revenue
- Increased awareness of, and sensitivity to, public health issues due to the COVID crisis means we need to address this issue ASAP.
- Owners need County to remove the roadblock to solving the problem by taking an easement, limited to stormwater remediation, on open spaces, road right-of-ways, and “spite strip” along Route 12.

### Background

- In 2016, the BOC recognized the seriousness of this problem and agreed to formation of Service District. For 3 years prior, a homeowner “stormwater committee” had tried to work with

Coastland to develop a solution and met with constant stonewalling from Coastland. Recognizing that Coastland had its chance and did nothing, the Commissioners approved formation of the district over Coastland's strenuous objections. Overwhelming community support was presented at the Service District hearing. The BOC understood that: (1) a "global" groundwater lowering system that moves water to the Sound was the only viable fix; and (2) a Service District was needed to implement this solution.

- The Advisory Board, working with County Engineering, has spent countless hours developing: (1) an Emergency Pumping Plan (which has been approved by NC); (2) a plan for infrastructure improvements to facilitate Emergency Pumping to the ocean; and (3) a Preliminary Design for a groundwater lowering system that will alleviate flooding impacts throughout the entire community.
- To enable the preliminary design work, the Advisory Board even worked out a plan to complete hydrology testing despite Coastland's best efforts to block progress. This was done by getting private homeowners to agree to the placement of piezometers (small PVC tubes) in their yards. Coastland balked at the alleged potential damage that might occur to its properties from these PVC tubes being placed in the sand on open space and undeveloped tracts.
- We are now stalemated by continued Coastland intransigence, as Coastland's owner is looking to extort the community for access to open space needed to bury pipes and locate innocuous pump stations (as well as the ability to cross the "spite strip" to get the groundwater to the Sound). Coastland asked for an outrageous annual rental fee equal to its total property tax bill for all of its properties in Corolla. Additionally, it had a number of other egregious and untenable demands, such as banning the flow of water from Crown Point on to Ocean Sands. As Coastland has a history of "moving the goalposts" in business dealings, we believe that any attempt to negotiate an access agreement will be fruitless. Been there, done that.
- Coastland would apparently sooner cut off its nose to spite its face -- as its former COO admitted that this "global" system would enhance its ability to optimize development in Section G. Coastland has few remaining lots throughout Ocean Sands and only one in Crown Point.
- The availability of eminent domain powers was a key feature why the Service District was an attractive option to homeowners – as we have experienced decades of Coastland's unreasonableness, self-interest, and disregard for the suffering of the Ocean Sands & Crown Point owners.

**"Taking" of an Easement is Justified in this Case/Uniqueness Does Not Set Precedent**

- It is fully appreciated that the Commissioners are wary of abusing power, particularly in the area of property rights. However, this situation falls squarely within the spirit and letter of Chapter 40 of the NC General Statutes granting eminent domain powers. Moreover, the uniqueness of the situation makes it unlikely that it would set precedent for other communities in the County to

demand that eminent domain powers be used to solve stormwater problems. Note that we are only asking that the BOC take a limited easement for stormwater, not the land itself.

- A balancing of interests strongly favors the exercise of eminent domain powers to take this limited easement:
  - Because Ocean Sands was developed before implementation of the NC Planned Community Act of 1999 (PCA), Coastland still controls OSPOA after almost 50 years. One of the leading HOA lawyers in North Carolina has stated that he has never seen another situation like this anywhere in the country. It just doesn't happen. Crown Point POA broke free of Coastland control several years ago using retroactive provisions of the PCA. OSPOA is currently 30 "votes" shy of the 670 needed to remove Coastland control.
    - By all rights, OSPOA should be the owner of the open space. At the very least, it should be considered the "beneficial" owner of this land. While Coastland's name is on the deed –
      - In marketing materials Coastland put out in the 1970's & 80's, Coastland stated that the open space was for the exclusive benefit and enjoyment of buyers of properties in its "colony".
      - Maintenance of the open space is paid for by the property owners (per Bylaws, Coastland is exempt from paying dues on its lots).
      - Coastland deeded the open space in Crown Point (developed in 1991) to CPPOA, but never did so with OSPOA.
      - Due to deed restrictions, Coastland is unable to develop the open space in a manner that generates economic value.
  - In light of the above, a professional appraisal firm valued an open space easement at *zero dollars* (\$0.00). In other words, the value of the open space in Coastland's hands would be undiminished should an easement for stormwater be taken by eminent domain. The cumulative appraised value of all of the fee simple open space is \$1,400 per county property records.
  - Under the Settlement Agreement between the County & Coastland, easements exist for most other similar utility items, such as water and sewer. Had "stormwater" been on anyone's radar at the time Ocean Sands was developed, surely an easement for "stormwater mitigation" would have been included in the list of required easements in the Settlement Agreement. It should be noted that flooding wasn't a major problem at that time the original Settlement Agreement was negotiated because Ocean Sands/Crown Point wasn't fully developed, Route 12 wasn't paved, Buck Island and Harris Teeter weren't there, etc.

- Virtually all developers deed open space to the HOA when development reaches a certain percentage (usually 50-66%). Ocean Sands reached that point over 20 years ago.
  - As far as we know, Ocean Sands North is the only community in the Currituck Outer Banks where the developer still holds legal title to the open space. There is no valid reason for Coastland to retain bare legal title to the open space as the only legitimate usage of that land is to remain open for the benefit and enjoyment of the community.
  - We can only speculate, but we believe that the only way that Coastland is impacted by the taking of an easement is pride, as the owner has repeatedly demonstrated an insatiable need for control. That, and it retains leverage over the community and the County to try to extract money and other potential concessions.
- *Meanwhile,*
    - There is an exceedingly important Public Purpose – and solely a public purpose with no private benefit – necessitating the taking of this limited easement.
      - Homeowners have suffered millions of dollars of property damage and other economic losses from flooding. This damage is repetitive with each major storm and, for some properties, with each heavy rain.
      - The absence of a stormwater mitigation means that standing water sits on properties for extended periods of time generating significant public health issues, compromising the sewer system and impacting the ability of public safety vehicles to access properties.
      - The pervasive flooding problem has also caused not only lost rents and escalating flood insurance premiums, but has also dented rental values and property values, such that many realtors are reluctant to show properties in OS & CP. (While not relevant to the legal issue at hand, this adversely impacts property tax, transfer tax and occupancy tax revenues).
      - This “taking” would be exclusively for “public benefit” and would actually reflect the “highest and best use” of the property. This is not a situation where there is an ostensible public use but also a clear private benefit to the developer, as in the recent Rubin case in Apex, NC. It is clearly necessary to accomplish a vital public purpose, does not entail a private benefit, is only for an easement limited in scope. It is the only viable option for solving the flooding problem.
      - This easement is needed to bury pipes and to locate a number of small pump stations which will be designed to blend in with the natural environment. It’s not for ditches and swales needing semi-annual maintenance. There would be only an occasional need to access the land to service the variable-speed pumps

or deal with other operational issues. The flood mitigation system would actually enhance Coastland's ability to develop of Section G. Coastland's former Chief Operating Officer agreed with this conclusion on multiple occasions. However, it appears that, ego, rather than logic, rules the day at Coastland, as Coastland filed lawsuits invalidate the service district and to have its properties removed from the district after it was unsuccessful in preventing its formation.

**In short –**

- By all rights, Coastland shouldn't still own or control the open space. It merely has bare legal title. This would only be an "infringement" on something that Coastland shouldn't still own or control.
- The open space has no direct or indirect economic value to Coastland.
- There is a clear public purpose to the proposed taking, and NO private benefit.
- It's only an easement for "stormwater", not a full taking of the property.
- The property has minimal value and the easement produces no diminishment of that value.
- Since this easement would be used primarily for burying pipes and building pump stations, there is not the continued need for access to maintain non-mechanical improvements such as ditches.
- We believe that the BOC's reluctance to exercise eminent domain powers is being relied on by Coastland to use the need for access as a blackmail tool to try to extort money from the very owners who invested in his development.
- The BOC has seen fit to exercise eminent domain powers on at least two prior occasions. Unlike those situations, this case entails little risk of exposure to a large judgment in any lawsuit Coastland might bring for compensation. As in Billy Preston's 1974 #1 song: *Nuthin' from nuthin' leaves nuthin'*.
- While it's acknowledged that protecting property rights is an important conservative value, in this case there is, in actuality, the affected property rights are illusory as nothing of value is being taken.
- The homeowners desperately need this "roadblock" removed so that the we can get on with the task of fixing this problem. The homeowners don't need financial support from the County. Just the removal of this roadblock. Situations like this shouldn't be allowed to continue in America.

- It is submitted that this is the very type of situation for which the Legislature enacted Chapter 40A. The 1,100+ owners in Ocean Sands & Crown Point would greatly appreciate the help of the Board of Commissioners so that we can move forward with fixing this major problem that not only inflicts repetitive economic losses on owners (and loss of associated tax revenue to the County) but also creates serious public health and safety issues.

April 13, 2018

# Ocean Sands North & Crown Point Service District for Watershed Improvements

Progress report

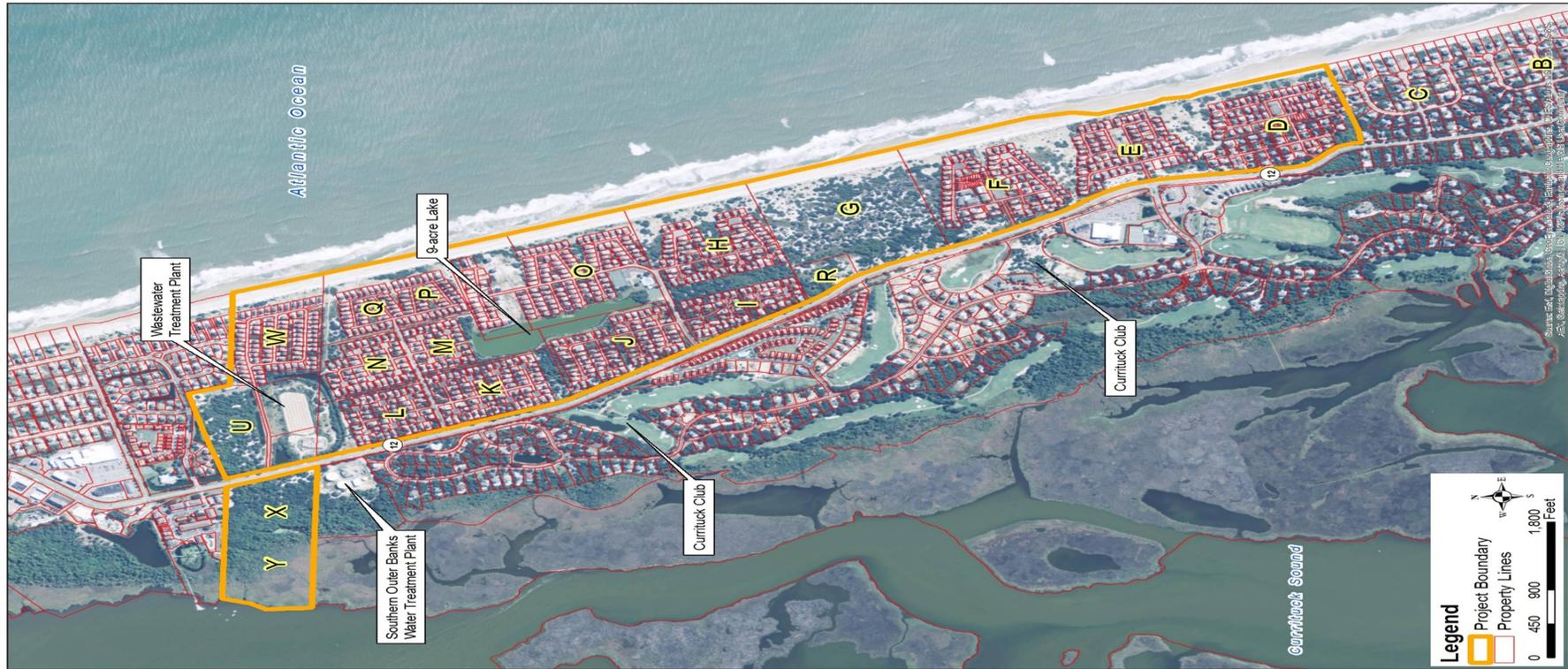
Ocean Sands and Crown Point POA meetings

April 28, 2018



# STORMWATER DISTRICT BOUNDARIES

- All of Developed Ocean Sands North & Crown Point, plus
- Undeveloped Sec. G, U, X, Y, and Sec. R (office), V & Z (WW plant)



# BUDGET REPORT

- Revenues
  - 2016 year revenue \$239,818 (5 cents)
  - 2017 year revenue \$292,133 (6 cents)
  
- Expenditures
  - Engineering \$328,027
  - Pilot well power \$3395
  - Board dues \$8400
  - Emergency pumps \$22,063
  
- Fund Balance \$170,000

# STORMWATER DISTRICT TAX (Example)

- Total Property Value in District = \$486.9 M
- \$0.01 Tax generates \$48,689

Property Value	Tax at \$0.06 Sample Tax Rate
\$300,000	\$180
\$500,000	\$300
\$700,000	\$420
\$900,000	\$540

## Emergency Pumping Plan

- 50-page plan developed by County Engineer and Advisory Board
- Approved by NC DEQ on February 27, 2018
- Allows pumping of surface water to ocean after major storm events
  - 8" water level in streets preventing passage of emergency vehicles is key factor
  - Provides for accelerated state approval
  - Pumping Implemented by County
- In the past, gaining permission for pumping was drawn-out process with unclear criteria
- Emergency pumping must stop when streets clear; not designed to pump out all houses
- Contracts in place for BA pumps & labor

# UPDATE ON STORMWATER WATER MANAGEMENT PLAN

PREPARED BY ALBEMARLE ENGINEERING

# PROJECT OVERVIEW & OBJECTIVES

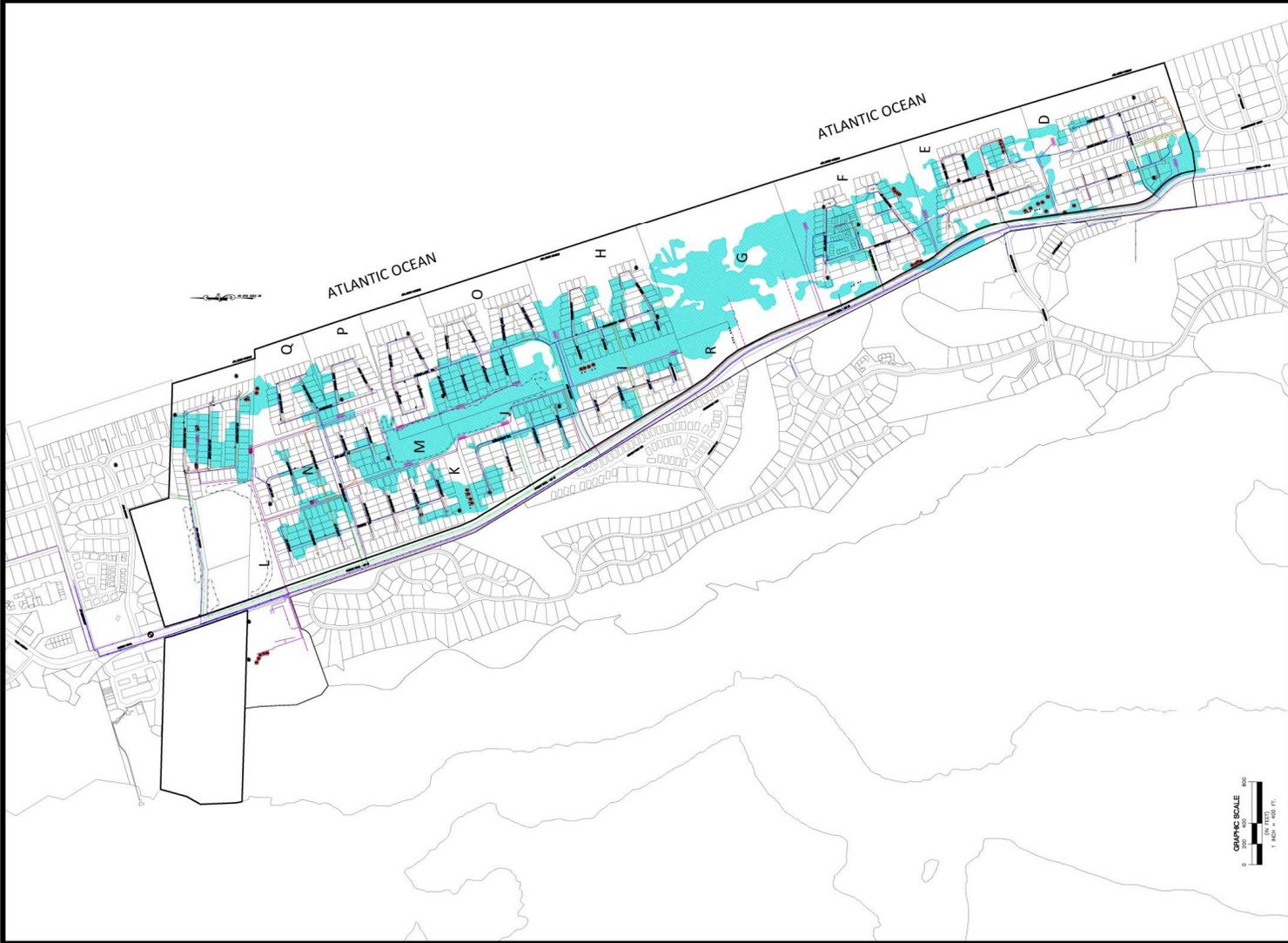
## Project Area & Objectives for 450 Acre Management Area

- Establish Stormwater Management & Control Measures that effectively mitigate flooding within District
- Use Proven Engineering Methods for Groundwater Lowering
- Augment with “non-mechanical” methods where feasible

# PROJECT METHODOLOGY

- Extensive study of Groundwater & Subsurface conditions including LIDAR Data
- Identify Subcatchment & Chronically Flooded Areas
- Model Computer Simulations of Flooding under Varying Conditions
  - Actual and Projected Rainfall Amounts Utilized to Determine the Ability of Unsaturated Soils to Absorb and Store Stormwater
- Study Data Used to Determine:
  - Well Locations to Yield Uniform Groundwater Lowering over the 450 acres
  - Groundwater Discharge Amounts & Locations
  - Optimal & Cost-Effective Infrastructure Design
  - Projected Costs and Construction Phasing

# Flooded areas from Julia



OCEAN SANDS NORTH AND CROWN POINT  
 FLOODING WHICH OCCURRED FOLLOWING  
 TROPICAL STORM JULIA SEPTEMBER 22-23, 2016

PRELIMINARY

Attachment: POA meeting presentation 4-28-18 apm edits [Autosaved] (WS-OSN/CP Advisory Board)

# GROUNDWATER & SUBSURFACE INVESTIGATIONS

Development of Groundwater Testing and Modeling to Predict Subsurface Groundwater Parameters and Recharge Potential

- Installed and Monitored Multiple Piezometers Wells for 1 Year
- Performed Aquifer Pumping Tests
- Evaluated Subsurface Soil Conditions
- Performed Pilot Pumping Tests for Computer Model Calibration
- Created a 3-D Groundwater Model covering all 450 Acres

3D Model is basis for Engineering Design



Attachment: POA meeting presentation 4-28-18 apm edits [Autosaved] (WS-OSN/CP Advisory Board)

# GROUNDWATER MODEL SIMULATIONS

## Modeled Variety of Rainfall Conditions and Groundwater Levels Based Upon Potential Wellsite Locations and Well Pumping Rates

- Proposed Locations of 30-35 Well Field Sites with Multiple Wells
- Modeled 24 Hr. Rainfall Events using
  - “10-Year Storm” - 5.89 inches
  - “25-Year Storm” - 7.27 inches
  - “50-Year Storm” - 8.46 inches
  - “100-Year Storm” - 9.77 inches
  - PLUS - Modeled Actual 2016 Rainfall Data
- Groundwater Levels Simulated Both With and Without Mitigation System in Place

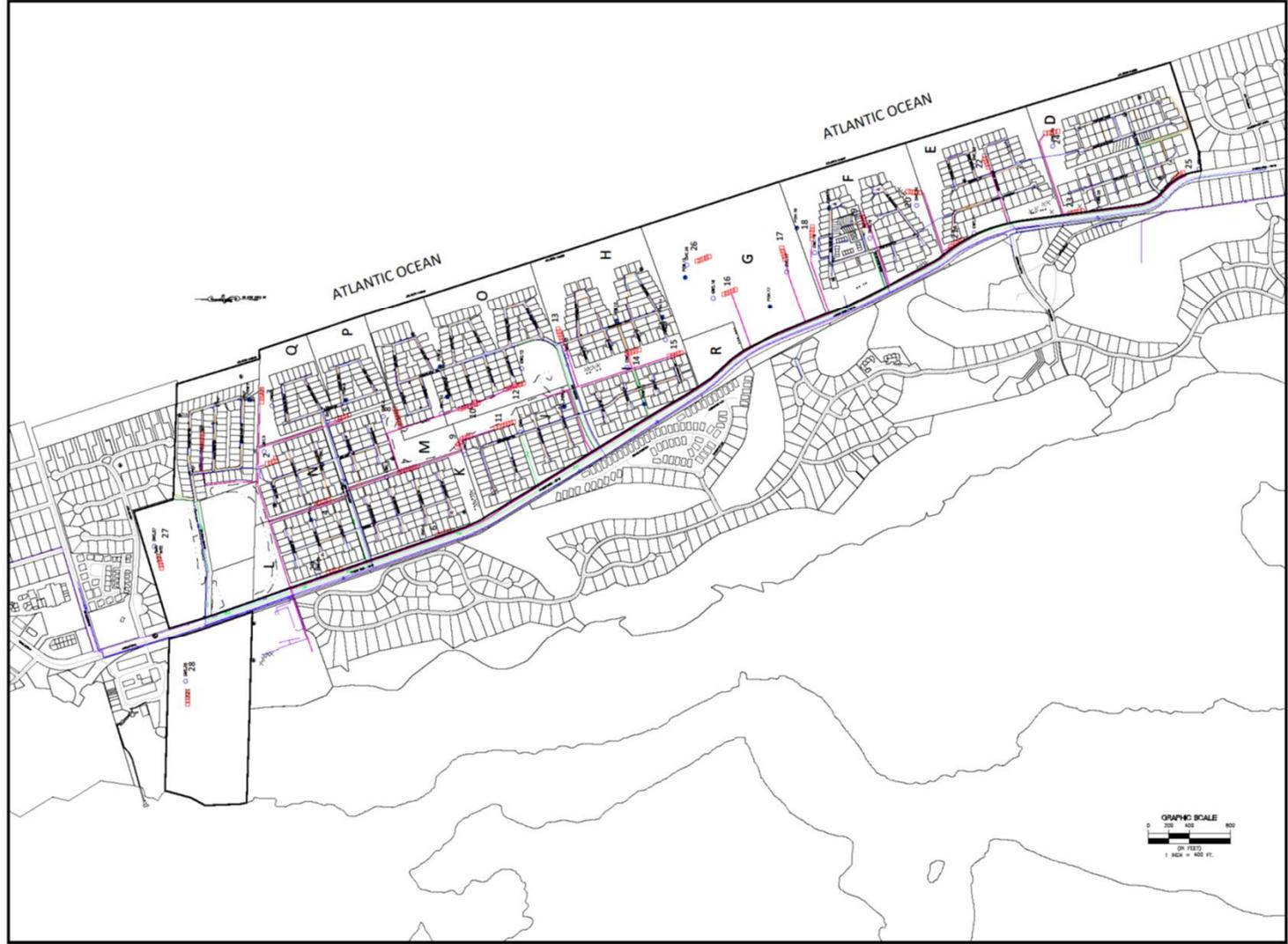
# PROPOSED GROUNDWATER MANAGEMENT SYSTEM

## The Proposed Flood Mitigation System Consists of the Following Mechanical Components & Controls

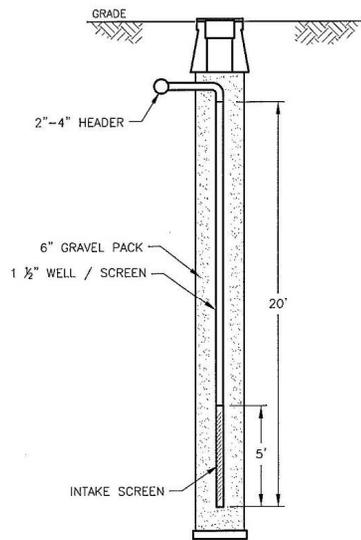
- 30-35 Pumping Locations
- 7 to 10 Wells at each Pumping Location
  - Locations within Sub-Catchment and Flooded Areas
- Underground Piping to Move Groundwater to Discharge Location
- Electronic Monitoring to Ensure Appropriate Real-Time Response
- Soundside Discharge of Groundwater
  - Wooded Areas Behind the SOBWS Water Plant

# Groundwater Pumping Well Locations

C:\Users\pjohn\Documents\2025\1 - Corbin\GIS\MapDocs\MapDocs.mxd, 4/1/2025, 10:03 AM

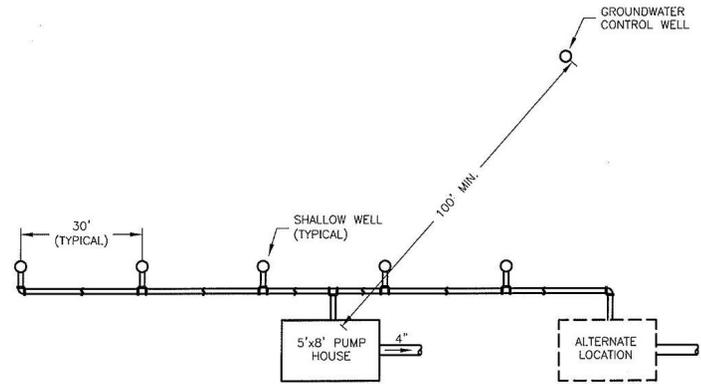


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**TYPICAL SHALLOW WELL**  
NTS

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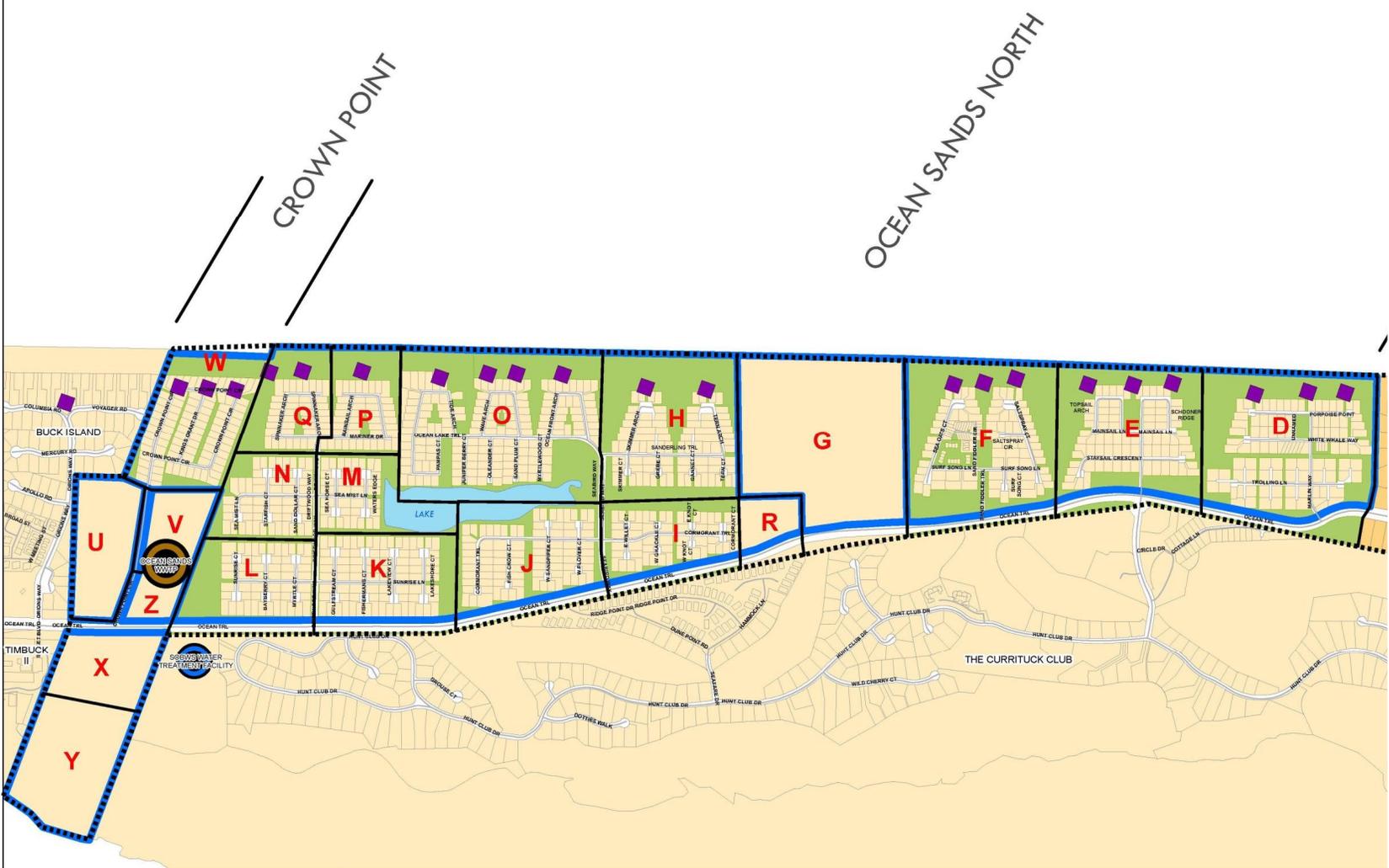
**TYPICAL GROUNDWATER LOWERING WELL FIELD SITE**  
NTS

Open space shown in green

Open space and street rights-of-way owned by Coastland

Ability to use open space critical to construction of project

Open space needed for wells and piping



## TIMELINE

1. Engineering Study Completion – Summer 2018
2. Construction Phasing & Funding Analysis – Fall 2018
3. System Design and Permitting – Summer 2019
4. Construction Financing - Fall 2019
5. Start System Construction – Winter 2019

**HOWEVER**, Steps 3 – 5 Completely Dependent on Ability to Obtain Access to Open Spaces. No Viable Alternative if Open Space Not Available for Wells & Pipes!

## **Sampling of Comments Sent in to Repond to Mail Chimp Survey on OS/CP Flooding**

“If you answered YES to Question #1, please describe what was damaged (i.e., structure, furnishings, vehicle, landscaping) and estimate the dollar amount of the damage. Please list separately for each storm by month/year, or storm name if you know it.”

Vincent Fusco said:

"October 2015 we had significant damage to our ground level interior including walls, fixtures, furniture, electrical, games, exterior pool area and landscaping. Total cost was approximately \$5,000 September 2016 we had significant damage to our ground level interior including walls, fixtures, outlets, HVAC, hot water heater, furniture, exterior pool area and outdoor furniture including landscaping due to a foot of water. Total cost was approximately \$8,600 October 2016 we had additional damage to our ground level interior including walls, fixtures, furniture, landscaping and outdoor furniture. Total cost approximately \$4,900 July 2018 we had significant damage to our ground level interior including walls, fixtures, furniture, arcade games, landscaping and pool area. Total cost was approximately \$5,000 September 2019 we had significant damage to our ground level interior including walls, fixtures, furniture, landscaping and pool area. Total cost was approximately \$3,500"

Louise Mangarella said:

"Multiple years, all the key storms as we are near the lake. 3 times we've had to redo our ground level in 20 years."

EDWARD G & SHELLEY R LARGO said:

"We have had stormwater flooding on our property every year since ownership in 2009. The recent years have been worse...short duration, high intensity rain will cause flooding under our home and inside the ground-level floor."

Unknown contact said:

"2019 flooding of 1st level. 6 inches of water in lower level of house which damaged furniture and walls. 2017 Previous owner same as above."

Kai-Peter & Lillian Koenig said:

"In 2005 we had minor flooding and in 2006 we had \$16,000 worth of flooding damage. Since then every time the lake floods, we flood."

DONALD R. & Donna MATTHEWS said:

"Hurricane and major Storms: 2001/2. Hurricane - over 10,000 in damage. Lost furnishings and appliances in bottom level Around 2016 another year of major flooding due to storms- lost appliances again 2017- Then there was the time of rain and sewer back up- what a mess! Rain water stood so long they said people opened their clean outs and people like us felt the effect of that- we had sewer back up into our bottom level. Storms: Around 2010 we started getting tons of water each time we had major rainfall or a sudden downpour. The rain water starts on the Mainsail Arch and accumulates as it runs around to Mariner drive. It deposits into our lot. We have had to replace metal flashing and bottom boards several times. We tore our entire bottom level walls out and replaced with Vinyl bead board. Each heavy rain we get water In this level, and this did not happen before. We need some type of drain system. This is unacceptable! "

JACK R CRUMRINE said:

"Matthew (2016) hit us hard, with significant damage. The following Sept-Oct 2017 and 2018 were not as devastating, but still caused cleanup issues, due to flooding in our community. Another time when we had two major rain events close together, we incurred standing water and flooding on our property and entryway of our beach home. Not a pleasant experience!"

Thomas McKannon said:

"1999, 2000, 2005, 2006, 2007, 2008, 2009, 2010, 2013, 2015, 2016, 2017, 2019"

Sharon & John Lamprinakos said:

"Especially the last five years after they sealed are drains"

David & Karen Mayes said:

"July 2018 - first floor flooded for approximately 7 days with 6 + inches of water from overflowed lake September 2019 - first floor flooded for approximately 4 days with 6 + inches of water from overflowed lake Late April 2020 thru June 2020 rear of backyard and walking trail continuously flooded and ground saturated around lake which I have been in communications with Kathy Reagan all spring about with no resolution to the matters addressed her to date I will forward some of those emails and pictures. Have owned house since Spring 2018 and ever since they started clean out of ditches etc over the past year to get more water flowing towards the lake

the lake bank failing on the south west of the lake and ground saturation/flooding around it and on my property situation has gotten worse ie their actions has resulted in more issues/problems for me with water/flooding. We spend several weeks each month here spring through fall so I am well versed in what I've seen happening and their results"

Wade Kownatsky said:

"Crazy flooding on the property EVERY time there is any kind of rainstorm. So for us from 2014 thru 2020 and I'm sure it was happening even before we bought the house in 2014."

Unknown said:

"2019- \$45,000 contents and property 2017 - \$36,000 property- contents not covered 2006 - \$18,000 property - contets not covered"

Unknown contact said:

"9-10/2016: structure, personal property - \$14,000 - Hurricane Hermine, Tropical Storm Julia, Hurricane Matthew 7/2018: personal property, loss of income"

JOHN & Kathy RICHARDS said:

"Ernesto- 2006- carpet, woodwork Damage- ~\$10K Julia- 9/2016- flooring, woodwork Damage- ~\$10K Matthew- 10/2016, flooring, woodwork, doors, pool table, furniture, sheetrock, cabinets, landscaping, pool area \$~30K"

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Unknown contact said:

"2018 - damage to house due to significant rain event (May have been tropical storm remnants.) Twelve inches of water in ground floor in July. Repaired walls, brought in large fans to dry out walls and cleaned carpeting. Costs were in the neighborhood of \$4000 for repair work and rental equipment to dry out house. Repeated again in September with second storm (Florence?) It is also believed that the excessive flooding over the years washed out sand from under our driveway, causing its collapse in fall of 2018. Repairs for driveway and water main pipe that was damaged was around \$10,000. Before water pipe damage was noted, excessive water bills for 3 months that ran \$1500 per month. 2016 - a series of rain events plus Hurricane Matthew caused similar home damage in the neighborhood of \$4000 due to rental drying equipment and home repair on first floor. "

Unknown contact said:

"We never had an estimate done but our driveway and yard are being damaged and washed away with every storm. "

Unknown contact said:

"2006 - Ernesto - 14" water inside- \$12,000 2016 - Matthew - c. 14" water inside- \$10,000 2019 - Dorian aftermath- 10" water inside- \$6,000"

Robin Vest said:

"Over 20k dollars in damage in 2019 from the October storm. Home was flooded for over a week. Lost everything in the lower level and had to replace structures like e retire and studs etc. 2016/17 similar situation as described above 2020 was literally just a thunderstorm but because of the lake, home flooded once again over 2k dollars in clean up and damages. Home was flooded prior to these years but we were not the owners. "

Unknown said:

"First flood: September 20, 2016. Cost of repairs: \$23,344. Damage to: structure, drywall, insulation, siding, carpet, interior doors, moldings, Damage to furniture, washer/dryer. Second flood: October 9, 2016. Cost of repairs \$165. (Note: this flood occurred in close proximity to the first flood of September 20, 2016. Repairs required for first flood had not started by the second flood of October 9, 2016. Damage from flood of October 9, 2016 essentially the same as flood of September 20, 2016. Cost of first flood, \$23,344 paid for repairs due to first flood of September 20, 2016 and second flood of October 9, 2016. Third flood September 9, 2019. Cost of repairs \$23,155. Damage to structure, drywall, insulation, siding, carpet, interior doors, moldings. Damage to furniture, washer/dryer."

Judy & Lyle Bechner said:

"2016 Hurricane Matthew-12 inches off water in our house; first floor furnishings destroyed; pool liner floated; \$40,000 damage 2016 Hurricane Hermine-6 inches of water in our house \$5,000 damage 2019 Hurricane Dorian-standing water up to our house; pool was compromised 2019 Subsequent Rain Event-2 inches of water in our house-\$1,000 damage"

BRUCE E MILLER said:

"2006 -- (damage unknown) \$27,951 2015 -- furniture, walls, carpets, linens, appliances, wooden deck, landscaping, etc. - \$29,251 2016 -- furniture, walls, carpets, linens, appliances, wooden deck, landscaping, etc. - \$27,407 2018 -- furniture, linens, landscaping (less damage because tile replaced carpet, appliances elevated, deck replaced with pavers, installed removable 12 inch plastic baseboards ) \$4,000 (about)"

Louise Mangarella said:

"Flooring, wainscoting, drywall, doorways, furnishings, mattresses, Christmas decorations, pool tables. two floods ago we had to pull out the whole bathroom. We've sustained over \$50k in flooding damage in our ground level over the last 20 years. Flood insurance probably covered half of it overall, we also had to replace our pool as the flooding washed the sand away underneath and it and it buckled and broke. That was an additional \$35k out of pocket."

EDWARD G & SHELLEY R LARGO said:

"In fall, 2018, needed to bleach clean walls and ceiling of ground-level floor due to mold residual from flooding inside. ~\$100 property damage. In both August and September, 2019, flooding resulted in ~\$500 expenses to hire contractor to dry out ground-level floor. In both July and August, 2020, flooding interrupted our stay at the house. On these occasions, as with each other prior incident when flooding occurred on our property, time and effort were spent drying and cleaning our ground-level room and driveway. In short, over the past 10 years there has been a significant cost in time, effort and inconvenience resulting from stormwater flooding on our property."

Matt & Diane Cormicle said:

"all floods damaged all flooring, walls up to 4', all furnishings. All floods required us to demolish, dry and reinstall all finishes on 1st floor. 2015-\$26,983.68 2016-\$33,153.64 2018-\$24,987.81 2019-\$28,151.89"

IVEY WALKER said:

"We had water on our ground level of our house. The carpeting and wall board got wet. We had renters in our property who had to leave and cut their vacation short."

David Austin said:

"Interior walls in a ground floor enclosure and hot tub motor flooded and destroyed near the swimming pool."

Michael Stilwell said:

"2005 - Major flood from TS Jose. Water surrounding property for 13 days, water inside home for 7 days. Damage to pool equipment, lower level furnishings, water heater, 4 feet of drywall in lower level. Carpet for stairs. Loss of items in storage room. 2017 - Major flooding from hurricane Matthew. Water surrounding property for 7 days, water inside for 2 days. Damage to pool equipment, 4 feet of drywall, dresser and bathroom vanity replaced. carpet for stairs. Loss of items in storage room. 2018 - Minor flooding from hurricane Florence. Water surrounding property for 3 days, water inside lower level for 1 day. No drywall work, just cleaning and replace dresser and TV stand. Had water pumped off property by septic company, \$500 2019 - Major flooding from Hurricane Dorian. Water surrounding property for 7 days, water inside for 3 days. Two feet of drywall replaced, dresser and bathroom vanity replaced in lower level. All 5 interior doors & door frames. Loss of storage room items."

tony fiorino said:

"Structure, furnishing, landscaping pool and equip. approx \$35k each event"

Dianne Martin said:

"10/2017 - vehicle totaled - \$11,000 all other years - 2" to two feet of water on first floor. Extensive damage. 1996 - \$4,500, 2007 - \$23,000"

Frank Jack said:

"ground level utility room flooded. damaging the Washer, dryer, tools, ... of course landscaping was washed away. Total cost less landscaping approximately \$2,500."

annie aylesworth said:

"We had to remove all our installed kitchen cabinets in our private ground level utility room. Stored rugs, blankets etc."

Cory & Christine Heisy said:

"Hurricane Matthew. Access for me in Indian summer OFA2 (641H Surfson lane. Renters in C building were stuck. Could not get vehicle out due to flood level I parked on the side of the road in the opposite direction Last Sept don't remember the storm had renters evacuate. Other storms had renters not be able to get in and needed to be placed elsewhere as water was knee deep. "

Cheryl Moore said:

"2015 structure, landscaping, pool (Approx 10K) 2016 structure, furnishings, pool and landscaping (Approx 20K) 2019 structure, furnishings (Approx 10K)"

Jeanne Fitzpatrick said:

"In each case we paid for the removal of the trees. In one instance in 2017 the root system uprooted, taking with it a portion of our cement parking pad costing us approximately \$1200 out of pocket. "

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Cheryl Rudzinski said:

"Actual FEMA reimbursements Sept 2003 building only did our own cleanup \$3772 Sept 2006 Building \$29,427 contents \$4799 Oct 2015 building \$42,920 contents \$2,647 Oct 2016 building \$43,959 contents \$1,877 storm #2 Oct 2016 building only \$4,834 July 2018 building only we did our own cleanup \$17,322 Now placed in a High Risk insurance group"

burkdm@aol.com said:

"T.S. Ernesto 9/1/2006: \$7500; hot water heater, drywall, insulation, doors, trim, carpet, landscaping, tear out, tryout, reconstruction. T.S. Hermine 9/20/2016 & Hurricane Mathew 10/7-8/2016: \$11,600; hot water heater, drywall, insulation, doors, trim, carpet, landscaping, tear out, tryout, reconstruction. Hurricane Dorian 9/5-6/19: \$2000; tear out, dry out, reconstruct (earlier replaced drywall up to one foot with PVC molding, and fiberglass insulation replaced with closed cell rigid insulation that can be dried, cleaned and reused)"

Charles & Margaret Walker said:

"The 2006 flooding event was worse with 6 inches of water. Damage to carpet, wainscoting, hot water heater, bathroom and insulation which all had to be removed and replaced. Furniture was damaged also but it was repaired. Cost was in excess of \$30,908. The November 2016 flood was not as severe with 4 inches of water which damaged wainscoting, insulation, furniture hot water heaters and bathroom. The cost for the 2016 flood was \$12,845."

Unknown said:

"Furnishings to include beds, chests, chairs, tables, bathroom vanity wallboard, wainscoting, electrical outlets, 2-50 gal water heaters, 2 a/c units, 1 sump pump, replacement of 7 doors 4 times and 3 doors 2 times.. remediation required pumping out of 12>25 inches of water then drying with fans for weeks, then application of mold/mildicide and cleaning of a/c vents after each flooding event. This was the same process in 2016, 2017 and slightly less in 2018 and 2019. Estimate of TOTAL loss is about \$15,000 NONE OF WHICH IS COVERED BY FLOOD INSURANCE DUE TO AE and now X flood zone determination. This is the total of LOSS, very little has been replaced ( i.e. no furnishings, only mechancals and doors)."

ALAN RAY HAUGEN said:

"July 2018 I had water more than knee deep under my carport and a few inches in my house. It cost \$2000 to dry out and treat, I lost a prime week at \$3000 and I lost my washer dryer \$1000. I did not replace the drywall I installed an unscrewable bead board in case it happened again. It does not look nearly as nice. \$100 Total cost of damage about \$6,100. September 2019 they exact same problem happened. This time it cost \$1200 to dry out and treat. I lost the washer and dryer again \$1000. I built a washer / dryer stand to try and keep from happening again \$100. Lost a carpet cleaner in owners closet \$300. Total cost of damage was \$2600 I did not repair the torn out dry wall in the owners closet down stairs. Even though I had to have flood insurance , the deductible was so high it was not worth filing a claim. Also, I'm extremely worried if I ever wanted to sell."

Unknown contact said:

"2016 - First floor carpet, walls, insulation. Total cost of \$25,000"

David Wray said:

"2006 Ernesto, Flooring, wall board, Insulation, doors, washer, dryer, step rugs, pool filter, water heater. \$9236 2011 Irene. \$1,000. Pool and filter 2016 Matthew \$7475. Wallboard, insulation, doors, dryer, rugs, pool, filter, hot tub, 2019 Dorian \$3200. Wall board, rugs, doors, pool"

ALAN RAY HAUGEN said:

"2016 OCT Mathew 4-6 inches in the house. Soaked carpet and walls requiring cutting sheetrock in bedroom and pulling wainscoting in billiard rm. , cutting and replacing insulation and wall board, warped entry door, damaged two hot tub motors. 3-4weeks of dehumidifying the house. 2 weeks of lost employment to take care of the situation. Easily \$5,000-\$7000 est. cost in time and material. 2019 Sept. The Monday following Dorian: 5-7 inches of rain fell and Dorian had

already soaked the ground. I took 1 inch of water inside the house. Lost work and labor to do cleanup and dehumidifying \$1000 eat cost."

William Van Arnam said:

"Inside of the bottom entrance has been flooded several times and required the work of my builder and an electrician. Gets expensive. "

TODD A & Anna CHAPMAN said:

"My ground floor floods frequently resulting in damaged drywall, insulation, molding, appliances, furniture, etc. Estimated cumulative damages are: \$150,000"

BECKY & ROBERT J STOUTER said:

"2015 - Doors replaced on ground level; bathroom cabinetry replaced on ground level 2018 - The entire ground level needed remediated by Blue Water. Total cost of renovation approximately \$30k. Salt treated wainscoting replaced with vinyl, all doors replaced, all furniture replaced (couch, loveseat, end table, coffee table), appliances replaced (refrigerator), outdoor cushions replaced, various rugs. Extensive cleaning required since it was a biohazard with feces in the floodwater. Water heater replaced. Pool needed extensive cleaning, patio furniture disposed of due to feces in the floodwater. Paint entire ground level. 2019 - Tree fell on neighbors fence. Cost to remove \$5k. Since wainscoting replaced with vinyl on the inside in 2016, only interior doors were damaged. Extensive cleaning required. 2020 - Exterior flooding in June, Interior flooding in May. No damage as water did not reach doors this time."

Nancy and Joe Krysiak said:

"The lower level of the house consisting of 2 bedrooms a full bath and a large game room . The room flooded and by the time the PM got to the house due to the flooded roads the room was cover with mold .we called ServPro who removed all the wall halfway up ,removed the wall to wall carpet and all the doors door frames and bathroom vanity that cost was ~\$750.00 We then hired Beach Construction to rebuild the rooms That cost was \$32,000.00."

ROBERT J. & KAPLAN, ROCHELLE K ELBICH said:

"Infestation of roaches and a number of decorative plants died. No data available as to direct cost."

Al D'Alessandro said:

"In all three cases, interior flooding in first level. Structures and furnishings. Sept 2016--\$35,000 (FEMA paid \$30,000) Oct. 2016---\$15,000---(FEMA paid \$13,000) Oct. 2019---\$13,000-- (FEMA paid \$12,000)"

Alyson McKee -Humphreys said:

"We had standing water all around our property as well as standing water in the first floor of our home in both storms September of 2006 and 2016. Both storms caused damage to our home inside requiring restoration and replacement of floor, parts of the interior walls and furnishings. Approximately \$28;000 in 2006 and \$22,000 in 2016"

Robert & Christopher Perry Lawson said:

"September 2019/Dorian: We have a small ground level entryway, so not much damage but the water sat for several days. It was about \$6k to remove walls and have someone dry out the space and spray anti mold spray on it and put it back together and power wash around our home and to remove the water line (it was about 12 inches of water). We ended up reassembling ourselves, so our out of pocket for that portion was about \$3300. Our pool was also flooded but outside of normal maintenance there was not cost. Another \$1200 was lost as we had renters that week that needed to relocate to another property."

JACK R CRUMRINE said:

"Damage incurred with Matthew was about \$10,000.00. This included replacing water heater, new entryway, including flooring, wainscoting, sheet rock and insulation."

GENE HUGHES said:

"9/2/2006 Ernesto flooded inside 6"+,lost washer,dryer, water heater, dresser, end tables, beds, wall had to be removed up to 24", heaters installed to dry out, treated for mold, carpet removed, and rebuild walls, etc. Estimate of damage was \$10,000. 10/3/2015 Jaquin aftermath: 4" water inside first floor, walls again had to be removed 24", dried out, etc FEMA has loss as \$14,447. "

LARRY H & Sarah HULL, said:

"Water intrusion into ground floor rooms. Some furniture ruined. Sheet rock interior walls had to be replaced first time with composite (hardy plank) siding so no wall damage second time. No idea on cost."

CONCEPCION & NICOLA KISLING said:

"The pool was flooded by the overflow from the lake and surroundings. water seepage on the first floor of the house. "

Bob Foley said:

"2016 - flooded 2 times (Sept and Oct.) - bottom floor - Mitigation, restoration and property damage approx. \$50,000 2018 - Mitigation, restoration and property damage approx \$20,000 Loss of rent \$3600 2019 - Mitigation, restoration and property damage approx. \$18,000"

SEAN M & CaTHERINE DOUGHERTY said:

"2006 - Sep \$45k in remediation, building structure, property and furnishing 2016 - Sep \$50k in remediation, building structure, property and furnishings 2016 - Oct \$5k in water removal and drying costs 2019 - Sep \$20k in remediation, building and property damage/furnishings"

Dennis Heffernan said:

"MATTHEW: ground floor: hvac, washer, dreyer, hot water heater, vinyl flooring, drywall damage. 6,500 total. Insurance covered \$1,500."

Bill & Mimi Goff said:

"Floor furniture drywall 4000.00 From the LAKE"

Thomas McKannon said:

"Structure: 6/00 (\$40,000). Landscape, furnishing in all cases, some structure: 9/99 (\$275), 7/00 (\$200), 4/05 (\$2,776), 8/05 (\$7,359), 10/06 (\$4389), 9/07 (\$825), 10/08 (\$532), 12/09 (\$350), 6/10 (\$1115), 9/10 (\$2,303), 7/13 (\$1,090), 4/15 (\$346), 7/15 (\$650), 9/15 (\$1,854), 11/15 (\$960), 12/15 (\$314), 7/16 (\$75), 9/16 (\$114), 2/17 (\$1,163), 4/19 (\$526)"

WALTER C. & Gloria OVERFIELD said:

"2020- minor interior mold, pool pump damaged - \$600 2019 - significant interior mold, damaged baseboard, \$100 about 2016 - washer/dryer damaged and replaced, storeroom damaged \$1500 about 2010 - entry floor damaged - \$600 about 2006 - damaged deck \$500"

Joseph & Susan Hurley said:

"2006--entire ground level flooring lost, lower half drywall, trim, doors, vanity, toilet, water heater, and furniture. Approx damage \$26,000. 2016 Julia & Matthew--same losses as 2006; damage approximated \$34000 for both storms--we spent additional monies to install more

materials that would not be as affected by water such as T-111. 2019-September storm, damage \$5000 for removing baseboard, sanitizing drying out, replacing water heater. "

Mary Levine said:

"In both storms all furnishings, water heater, washer & dryer, pool table, walls, outdoor grills, outdoor storage closets"

Faisal & Linda Hussain said:

"2015 - 12" water inside the first floor. Minor personal property loss, mitigation cost roughly 1100. 2016 - two events in 16. Julia 14" of water on 1st floor. Tenants were moved so we had lost rents. Paid 3,000 for mitigation. Matthew - 18" water. Lost hot water tank 1200, mitigation was 4000. Small amount of personal property lost. Took about a week before the water was dropped, so our 1st floor was submerged for the entire time. We locked off the first floor, moved the laundry to the second floor and left the 1st floor unfinished. Moving the laundry cost around 4000. 2019 - 10" or so of water in our 1st floor. One tenant was moved. In spring 19, we added 2 doors to first floor and finished the first floor to create a new smaller entry and left the remaining 1st floor as storage. We had to rip out and replace the walls. We used our own dehumidifier and heaters to dry it out. We put in new vinyl wallboard ourselves. The full cost was around 3000."

LOST RENTAL INCOME –

Robby & David Coeey said:

"Live here full time. We lost family dog do to standing water and back up of sewers"

Cheryl Rudzinski said:

"Most floods were after our rental season but we lost wages from our job in Washington DC to manage the insurance claim and repairs. 2018 we were retired and the house was taken off the rental program"

JOHN & Kathy RICHARDS said:

"Had to end our rental season prematurely in 2006 & 2016. Lost ~\$5K."

Unknown contact said:

"2018 - 2 weeks in July. Rent for those weeks were approximately \$4000+ per week. One week in September? due to Florence. Rent for this week was around \$1700. 2016 - a series of rain

events plus Hurricane Matthew caused flooding and loss of income in the neighborhood of \$1000. "

Unknown contact said:

"No"

Robin Vest said:

"2019- 3k dollars 2020- 1500k "

Judy & Lyle Bechner said:

"2016-\$4,500 2018-\$1,800"

BRUCE E MILLER said:

"2015, 2016 I didn't record the lost rents, but I would estimate \$3000 both times."

Matt & Diane Cormicle said:

"2015-\$5000 2016-\$5800 2018-\$32000 2019- \$6200"

IVEY WALKER said:

"July/August 2019-We had two times that there was heavy rain and the streets flooded flowing into our swimming pool when we had rentera. They gave us bad reviews and will not be returning to Corolla."

Michael Stilwell said:

"2019 - May \$1656, June \$3480"

tony fiorino said:

"approx \$10K Each event "

Dianne Martin said:

"2019- \$2,000; 2018 - \$4,000; 2017 - \$5,000; 2019 - \$2,000"

Frank Jack said:

"2019, \$3500"

Cheryl Moore said:

"2016 Approx. 10K"

MICHAEL S. & Kellie Ann LEMPNER said:  
"Tenants left early and asked for refund. 2018"

Mitchell & Mary Kernstine said:  
"2018, \$12,000. 2019, \$12,000"

Heidi Jack said:  
"October 2016 flooding prevented access to house. Lost at least 2-3 bookings for a total of approximately \$2,100."

JOHN & LAURA JACKSON said:  
"Depressed rental income in 2018-19 rental seasons from multiple storms and standing water impacting parking."

Karen Pfeifer said:  
"Losses occurred after we closed house for rentals on Labor Day. Did curtail pre-scheduled use of home by family and friends."

Cheryl Rudzinski said:  
"2006 2015 2016 Lost wages N/A"

burkdm@aol.com said:  
"Extended rain 7/22-29/18: Due to limited access from standing water, \$600 concession."

Unknown contact said:  
"2018 - lost \$5,332 in rents 2019 - lost \$9,996 in rents"

ALAN RAY HAUGEN said:  
"July 2018 I lost a week of \$3,000. The renters were there to check in but the water was higher than knee deep. "

DONALD R. & Donna MATTHEWS said:  
"I think it was 2017- during the sewer back up. I had a guest booked for two weeks. I lost \$3500 as she could not enter the property"

TIM PECARO said:

"2008 - \$7,500. 2011 - \$13,000. The issues were a lack of access to our home."

TODD A & Anna CHAPMAN said:

"2016 - \$16,000 2018 - \$14,000"

MICHAEL D. GROSS said:

"We usually loose about a week a year due to lack of access during flooding. I have owned my property since 2003 and the average loss due to flooding is \$3,000 per year."

Al D'Alessandro said:

"All three storms---Approx. \$20,000 total"

SEAN M & CaTHERINE DOUGHERTY said:

"2006- \$25k 2016- \$25k 2019- \$15k"

SUE ELLEN KNICKERBOCKER said:

"2018, \$3,000. 2019, \$2500. 2020, \$3500 I am in 753 Sand Dollar Court Section N. It has been flooded the last 3/4 summers, and you can't get into the house. Contractors were also unable to get in to fix the fence."

Thomas McKannon said:

"1999 (\$\$1.200), 2000 (\$10,725), 2015 (\$\$1,600), 2018 (\$250)"

Sharon & John Lamprinakos said:

"The last five years. Several thousand and impacts what my property is worth. "

Wade Kownatsky said:

"2018 during aforementioned crazy rain. Lost \$2,000 in rental income because the pool was unusable and had to pay approximately \$500 for the pool company to come out multiple times to treat the pool over and over"

## LOST SALES –

BRUCE E MILLER said:

"We had our house for sale for eighteen months 2018-2019. Prospective buyers were put off by the failure of the developer or the county to address the lake flooding issues. I am certain we failed to sell the house for this reason, no one made any offers. We have now taken it off the market."

EDWARD G & SHELLEY R LARGO said:

"We have not attempted to sell our home, but flooding is a significant concern should we plan to sell in the future."

Linc German said:

"home has been on the sales market for two years without a bid. What's that due to? Dunna Know! But rather obvious it's related to OSands flooding issue. Water Bill being high also."  
"We just bought our house in December of 2019"

Cheryl Rudzinski said:

"We refinanced the house in 2020 and the appraised value was negatively influenced by the houses sold in our flood prone area"

BECKY & ROBERT J STOUTER said:

"We have been advised by our real estate agent that she would not be able to sell our home due to the flooding issues unless we incur a substantial loss."

Joan Scully & Kenneth Schleinkofer said:

"NA - just purchased on 2/7/20. But almost walked away from the purchase due to flooding on final walk thru settlement day"

Karen Pfeifer said:

"We might have considered selling the property but did not feel comfortable passing this flooding potential on to someone else...we removed our ground floor living space instead at great expense."

Unknown said:

"July and August 2020"

ALAN RAY HAUGEN said:

"I concerned about listing it and have thought of selling solely based on water entering house the past 2 years. "

Unknown contact said:

"While sale has not been lost, cannot consider selling with storm damage that routinely occurs."

DONALD R. & Donna MATTHEWS said:

"We put it on the market but pulled it. Until this water issue is solved we don't feel we can move forward with a larger home in Ocean Sands."

JACK R CRUMRINE said:

"No, but we've lost value to the property, due to the high incidence of flooding in our community"

GENE HUGHES said:

"Our house has not been on the market during the flooding era. However, 752 Waters Edge lost a sale when it flooded right before closing. Then in 2019 almost lost the sale again when they flooded again. Owner managed to get it dried out after delayed closing and the sale went through. This property several years to sale."

Bill & Mimi Goff said:

"Trying to sell her house now and the Ocean Lakes is known supposedly for flooding And is scaring people away "

Sharon & John Lamprinakos said:

"3 years ago in the spring"

Mary Levine said:

"Lost 3 sales of this property due to flooding in May 2017, July 2017, Sept. 2017"

STANDING WATER COMMENTS --

Unknown contact said:

"We have standing water in our cul de sac from 1 to two weeks after the majority of the roads have dried up."

SAMPLING OF COMMENTS FROM OC/CP FLOOD DAMAGE SURVEY

CLINTON KEMP said:

"We have not experienced standing water on our property, which is higher than most of the neighboring properties, but areas in the immediate vicinity of our property have been completely flooded."

HEALTH IMPACTS --

Cathy Duffer said:

"My dog has has a skin infection since the storms and standing water in early spring"

Unknown contact said:

"Breathing issues and mosquito bites"

Robin Vest said:

"Sick to stomach and rash after staying in home "

Louise Manganella said:

"although we didnt get sick, two years ago the extreme flooding caused the sewer to back up in our yard and driveway and there was raw sewage. It smelled and we had to wear boots to get in and out of our house for 4 days. we could barely get our dogs in and out. It was horrible."

Unknown contact said:

"Severe diarrhea and vomiting. Also all of my dogs got severe diarrhea that took months to get corrected. "

Cheryl Rudzinski said:

"Severe asthma attack from mold forming in the water inside of our lower level for at least 10 days until pumping the lake lowered the outside water so our house could drain"

Charles & Margaret Walker said:

"We live in Norfolk so we were able to return to our home. However if we had been there we would have gotten sick."

DONALD R. & Donna MATTHEWS said:

"Flu like symptoms, stomach aches "

SAMPLING OF COMMENTS FROM OC/CP FLOOD DAMAGE SURVEY

Beth & Tim Williams said:

"Asthma"

Linda Garczynski said:

"Mother has suffered GI symptoms and dog also. "

GENE HUGHES said:

"Breathing problems while being in the house with first floor flooded. Interior door to first level is kept closed. Carport area turns black with mold during this time."

SUE ELLEN KNICKERBOCKER said:

"Asthma"

ED AGNEW said:

"Depression, general malaise"

Mary Levine said:

"Breathing problems, Headaches"

Susie Halligan said:

"my daughter (age 56) had a violent allergic reaction to the mold, so of course she is unable to assist with any clean-up after each storm. "

Faisal & Linda Hussain said:

"Respiratory issues from the humidity in the home due to first floor flooding."

COMMENTS RE: REQUEST FOR PHOTOS TO BE SENT TO COROLLA STORMWATER  
E-MAIL –

Unknown contact said:

"Will send emails. There have been a least 4 other times from Nor'easters that our house has been flooded from 3-6 inches and caused damaged that we have to come in and clean, do mold prevention. The depth of the water in 2016 was over 14 inches."

Robin Vest said:

"This is a major, major problem for us. Many construction contractors here come out and said the lake and the lack of drainage is the only reason we have flooding, our home would never be flooded if I was not for this. We have spent thousands and thousands of dollars trying to fix the project an appointment to do so again in the off-season. We will never be able to sell our home without a permanent solution to the flooding and we continue to have fucked every year. I wake up in the middle of the night after I receive thunderstorm warnings from Corolla looking to see if the house is flooded or not because even a swift thunderstorm with a few inches of rain can cause overflow with the lack of drainage. This is not normal and needs to be fixed. "

EDWARD G & SHELLEY R LARGO said:

"Yes, we have pictures from storms in 2019 and 2020. We will send those as requested. Thank you for focusing on this problem because it is a huge problem for us. Thank You."

Sandy Fortunato, trustee said:

"I do not own a house in Crown Point anymore part of my reason for selling was the \$40,000. I spent on repairs the year they started building in our community. If you still want me to send more info feel free to email again thank you Sandra Fortunato"

Karen Pfeifer said:

"We have had 4 flood experiences since we have owned the property for only 6 years, each requiring ripping out wallboard, replacing furniture, HVAC systems, doors, etc. It has created much stress and work in our lives. We would not even feel comfortable selling the property to escape this nightmare as we would not want to pass on the problem to someone else. We took the drastic measure this year to remove our ground floor room and construct a new entrance to the second floor to reduce the anxiety and stress associated with any major rain event in Corolla which might cause repeated flooding. This was huge expense for us which was not eligible for FEMA assistance as we are technically NOT in a flood zone, even though our FEMA policy is now considered a Repetitive Loss History policy for which we have to pay higher premiums. Needless to say, we never would have purchased a home in Ocean Sands if we had been aware of this continual ground water flooding issue. "

Unknown said:

"These houses are expensive to buy and expensive to maintain. In order to maintain our property values, this problem needs to be fixed or permanently mitigated. We should not have to deal with

this obfuscation of responsibilities on an ongoing basis. Please help us, we are only trying to maintain our properties and our investments and should be met with a reasonable expectation of provided security on matters out of our control. Thank you. "

ALAN RAY HAUGEN said:

"Pictures have been sent separately. I have had to move furnishing off of the ground floor 3 times since I bought in Dec 2015. Flooding has devalued my property greatly and will make it a difficult sale in the future. We need some solution please and thank you."

GENE HUGHES said:

"We have also flooded many times since 2015 but have not filed any more flood claims. Because we no longer rent, we have been able to remove furnishings before flooding. Walls below chair rail are removable and water resistant, as is floor board. Flooring is tiled. It is a major inconvenience to move everything up a flight of stairs and results in losing another bedroom due to storing the first level contents. After each flood the lower level must be dried out, cleaned, treated for mold, and put back together. Not an easy task as we get older. Will submit photos."

JEFFREY LEES said:

"The largest impact for me is inability to access the mailboxes at the corner of Route 12 and Marlin Way due to 6-12" of standing water after major storms."

Don Wilhour said:

"I only have pics of standing water flooding my entire back yard right up to the pool fence and also on both sides of the house. If those would be helpful I can send some."

Faisal & Linda Hussain said:

"I'd like to add that prior to these flooding events, we used to fully book, June through September. Since Matthew, our annual rents have dropped by several thousand each year, as much as 10,000."

John Aubin said:

"I am fortunate that the ground floor level of my house is 1-2' above that of my neighbors. While some of my neighbors have water issues nearly every year I don't think my house has ever had water damage. I do think something needs to be done about this, if for no other reason, the reputation of ocean sands as an attractive place to own and vacation."

## SHORT HISTORY OF FLOODWATER MANAGEMENT IN OCEAN SANDS & CROWN POINT

We have a Service District (an official unit of County government) that manages all matters related to flooding and flood mitigation. The geographical boundaries of the service district include Ocean Sands North, Crown Point, and certain areas adjacent to Crown Point and on the west side of Route 12 across from sewer plant. As such, the Ocean Sands and Crown Point POA's are not involved in flood mitigation except to the extent they may encourage practices that help the flooding situation, such as rain gardens, swales, and permeable surfaces.

**1973 – 2013.** For the first 40 years that Coastland ran Ocean Sands, little was required, and nothing was done about the flooding problem. In 2004, due to some new stormwater requirements, Coastland was required to obtain a stormwater permit from the State for Section O. However, it appears that Coastland never bothered to comply with the conditions of the permit, thus exacerbating the flooding problems in Ocean Lakes (Section O). As more properties were developed, Route 12 was paved, the Harris Teeter went in, etc., the problem grew progressively worse. This was inevitable with development as Ocean Sands & Crown Point sit in a “bowl” between the dunes and Rt. 12. The *only* global solution to our flooding problem is a pumping system that lowers the groundwater level by moving groundwater to the Sound, thereby creating storage capacity in the ground for rainwater and runoff. For a summary of the problem, see: <http://oshoa.org/wp-content/uploads/2016/04/FINAL-Stormwater-Presentation-4.6.16.pdf>

**2014 - Community Demands that Flooding be Addressed.** The community resolved to form a “stormwater committee” at the 2014 Annual OSPOA Meeting. Starting in May 2014, a committee of 20 including homeowners in Ocean Sands and Crown Point, several OSPOA/Coastland participants and Eric Weatherly, the County Engineer, met monthly to develop a plan to solve the community’s flooding problem. The mission & key objectives of the Stormwater Committee were as follows:

- First, to determine the reasons why our two Northern Outer Banks communities are experiencing the levels and constancy of floods.
- Second, to identify any potential solutions that address all aspects – topographic, land use, regulatory, technical, fiscal, as well as political constraints.
- Third, to determine the optimal resolution which considers the cost and financing aspects, the engineering challenges, government regulations and the needs of all constituencies.
- Fourth, provide property owners with a full understanding of all aspects of this very complex, yet recurring, multi-community problem.

The national engineering firm of Moffatt & Nichols (M&N) was hired to do a feasibility study, which was presented at the 2015 OSPOA Annual Meeting. This “30,000 foot” study outlined options for flood mitigation systems and potential costs. Coastland loaned the committee the money for the M&N study with the understanding that it

would be paid back when a funding source for the system was secured. Nonetheless, Coastland then decided to immediately repay itself out of POA funds with no notice and no regard for the POA budget then in effect. The M&N study was paid for using homeowner dues; Coastland bore none of the costs. Link to M&N study: <https://www.dropbox.com/s/jj7hit87knz84o6/20150615%20OCEAN%20SANDS%20FINANCIAL%20REPORT.pdf?dl=0>

As the months went by, it became clear to the homeowner committee members that Coastland was unwilling to move forward to solve the problem. Coastland stalled on all issues and continually gave the committee the run-around regarding granting access to open space for system construction. The homeowner committee members continued to send out numerous educational e-mails to the homeowner. It finally became clear that the only way to solve the problem was to work around Coastland and develop a plan to obtain owner buy-in to support the creation of a governmental service district. The committee even did a YouTube video to “sell” the service district approach. [https://vimeo.com/161797335?utm\\_source=email&utm\\_medium=vimeo-cliptranscode-201504&utm\\_campaign=29220](https://vimeo.com/161797335?utm_source=email&utm_medium=vimeo-cliptranscode-201504&utm_campaign=29220)

**2016 – Formation of “Stormwater” Service District.** A “tax service district” is a subdivision of County government created at the request of affected property owners and administered publicly by the County Commissioners sitting as the Board of the Service District, with guidance and input from an advisory board consisting of property owners. This is the same way the Ocean Sands Water & Sewer District operates. Another way to think of it is as a vehicle to raise funds to pay for the studies, design, construction, and ongoing operation and maintenance of the flood mitigation system. The taxes are added to property tax bills. County professionals manage the long-term operation and maintenance of the system once it is constructed. This is what the Whalehead community has done to mitigate their flooding.

The stormwater committee designed a survey to measure community support for the service district and used the results in presenting the case to the Commissioners at the Public Hearing. Key presenters at the hearing were Ed Pence, Barb Marzetti, Linda Garczynski, Al Marzetti and Gerri Adams. The late Braxton Hill represented Coastland in opposition to formation of the district. Following the testimony, the Commissioners voted unanimously to form the district, with one of the Commissioners commenting to Braxton Hill: “Coastland has had 40 years to do something about the problem and has done absolutely nothing.”

The Ocean Sands North and Crown Point Service District for Watershed Improvement was thus established by Currituck County in May 2016, effective July 1, 2016. A citizen Advisory Board was appointed by the County Commissioners. The original Advisory Board members were Ed Pence, Barbara Marzetti, Gerri Adams, Linda Garczynski, Terry Anderson, Al Marzetti, and Bryan Daggett. The late Braxton Hill, representing Coastland, was originally on the Advisory Board but resigned. This position was offered to Coastland COO Jonathan Guion, but he refused.

In July 2016, the Advisory Board sent out a Request for Qualifications to over 30 Engineering firms. After a rigorous vetting process, 3 firms were chosen to interview with the Advisory Board and on September 9, 2016, Albemarle & Associates, Ltd. of Kitty Hawk, NC was selected to do the “Phase 1” work, which included completion of the necessary hydrology testing, assistance in the development of an Emergency Pumping Plan, development of a Report providing recommendations for stormwater management (i.e., Conceptual System Design) and recommendations for potential “quick hit” actions that could be taken to help alleviate the problem while the overall system was being constructed.

**2017 – Hydrology Testing, Coastland Lawsuit and Development of Emergency Pumping Plan.** The Advisory Board put in countless hours of work on the Emergency Pumping Plan, which was completed in September 2017 and submitted to the NC Department of Environmental Quality for approval, which was granted in February 2018. Note that Emergency Pumping is designed primarily to pump out streets and provide access for emergency vehicles and not water under every home. It is not a substitute for a comprehensive flood mitigation system and has run up to \$80K in prior flooding events.

Hydrology testing began in late 2016 and extended into 2017 due to the need to obtain groundwater data over a 12 – 18-month period. This was accomplished only because of the cooperation of numerous homeowners who allowed piezometers and test wells to be placed in their yards, as Coastland refused to grant access to open space for this purpose. Luckily, Crown Point had already broken free of Coastland control, as use of Crown Point open space was crucial to this process.

Shortly after formation of the Service District, Coastland filed a lawsuit against the County claiming that the formation of the service district was invalid, demanding that its undeveloped properties be excluded from the service district and demanding damages for being included (i.e., reimbursement of the very nominal taxes that Coastland must pay). A Court ruled that formation of the service district was valid, and denied Coastland’s demand for damages.

**2018 – Albemarle & Associates Report & Recommendations.** The Report & Recommendations for Stormwater Management was completed and approved by the Advisory Board in January 2018. In very general terms, the Report recommends pump stations be strategically located throughout the community (based on the results of the hydrology testing) with variable speed pumps that can be fine-tuned to maintain groundwater at optimum levels. Each of the pump stations would be fed by 5 to 7 shallow wells connected to the pump and interconnected to an underground conveyance system. In advance of a major storm, the pumps could be “cranked up” to further lower groundwater to allow for greater rain absorption. Ultimately, the collected water stormwater/groundwater would be discharged into Currituck Sound in a permitted fashion.

Following finalization of the Report & Recommendations, normally we would immediately proceed to the Detailed Engineering Design phase. However, at this time,

no further progress can be made because Coastland hasn't granted access to its open space and undeveloped properties for system construction. We believe that a solid case has been presented to Coastland as to why it makes economic sense for Coastland to cooperate in the development of a global solution. We were hopeful that Coastland would see the merits and advantages of this global system (e.g., development of Section G cannot happen without flood mitigation and a stand-alone system for Section G is not viable) and would be able to sort out its issues with the County. This can be a win-win for everybody. We were optimistic that Coastland would get on board but six years after the committee started working on this, we are stymied from making any progress solving the pervasive, repetitive and exorbitantly expensive flooding problem which threatens public health. Thus, our request to the County for exercising its eminent domain powers to gain easements on the open space controlled by Coastland so that the global system can be built.

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# Guidance on Microbial Contamination in Previously Flooded Outdoor Areas

Environmental Health Services Branch  
National Center for Environmental Health  
Centers for Disease Control and Prevention  
4770 Buford Highway NE (F-60)  
Atlanta, GA 30341

March 2011

Attachment: CDC Guidance\_Contamination\_of\_Flooded\_Areas (WS-OSN/CP Advisory Board)



# Guidance on Microbial Contamination in Previously Flooded Outdoor Areas

## *Problem Statement*

Microbial contamination—both bacterial and viral—of flood waters can cause great concern for use of previously flooded outdoor areas. Limited guidance exists on how to determine safe use of these areas. This guidance was developed for public health authorities, emergency response managers, and government decision makers. This document defines how to assess the public health risks for using outdoor areas after a flood event where potential exposure to microbial contamination exists. This guidance is not intended to serve as a conclusive determination on public access and use of previously flooded outdoor areas.

## *Introduction and Background*

After a flood event, questions arise about health risks associated with using outdoor areas such as ball fields, playgrounds, and residential yards. Microbial exposure is a concern because wastewater treatment plants, residential septic systems, municipal sanitary sewer systems, and agricultural operations can be affected by flood waters and can contaminate flooded areas. This document addresses concerns associated only with microbial contamination after a flood event. Chemical contamination issues associated with flood events are not addressed in this document.

Due to many variables, health authorities should characterize potential health exposure risks posed by flood waters on a case-by-case basis. Risk characterization involves identifying potential contamination sources, determining factors that may influence microbial concentration and survival, determining the potential effect on exposed populations, and considering the intended use for previously flooded outdoor areas. A discussion about safely occupying previously flooded areas is provided later in this document in the risk assessment section.

Flood waters commonly contain microbial contaminants and can directly affect public health. Increased levels of microbes in floodwaters increase the risk of human exposure and the likelihood for infection. A study (1) after Hurricane Katrina determined that microbial contaminants, specifically fecal coliforms, were elevated and considered consistent with levels detected historically in typical storm-water discharges in the area. A study (2) conducted during the Midwest flooding of 2001 identified an increased incidence of gastrointestinal illness during the flood event.

## *Microbes and Viability*

Floodwater contaminated by microbes may contain bacteria, viruses, protozoa, and helminthes (3). Exposure to these pathogens can cause illnesses ranging from mild gastritis to serious diseases such as dysentery, infectious hepatitis, and severe gastroenteritis (4). The concentration of microbes in flood water depends on how many and what kind of sources contributed to the contamination, the volume of contaminants released and the degree of their

dispersion in the environment, and the level of treatment of the affected wastewater-treatment facilities before the flooding (3,5).

Typically, it takes 2–3 months for enteric bacteria to significantly reduce in soil, with certain exceptions (6). Environmental factors including temperature, soil desiccation, pH, soil characteristics, and sunlight influence microbial survival and persistence (5–9). Microbial survival in soil and the resulting potential for human exposure is difficult to predict because of natural variability in those environmental factors and varying microbial susceptibilities. For example, shigella has survived in soil at room temperature for 9–12 days (10) and cryptosporidium oocysts may survive in a moist environment for 60–180 days (3). Spore-forming microbes such as coccidioides, a fungus that exists in semiarid southwestern U.S. soil (11), and anthrax spores can survive in soil for many years (12). Aside from the microbe's ability to survive, availability is another important factor to consider. Certain microbes can sorb to stable soil, which may lengthen their survival time.

Due to different microbial responses to the environment, providing universal guidance is difficult. Intensity of sunlight exposure, level of soil desiccation, and ambient temperatures necessary to effectively kill all microbes within a specified time varies among microbes. Survival characteristics for microbes under specified conditions have been reported, however generalizing study results proves more difficult. The scientific inability to generalize microbial viability reinforces the need to implement a risk-assessment approach that considers all variables that could influence potential exposure.

### ***Control and Remediation***

Exposure risk to microbes in soil after a flood event can be influenced by emphasizing the importance of personal hygiene. Public health education efforts should include personal hygiene precautions and guidance. Education efforts should emphasize proper handwashing and adequate handwashing and drying supplies and equipment in public restrooms and at temporary handwashing facilities should be provided. Education efforts should include cautions to avoid standing water, areas saturated with floodwater, and areas with visible debris. Those areas create concern for microbial exposure and may also cause public safety concerns.

Signs may be used to indicate public health and safety concerns and to discourage use of potentially hazardous areas. Intended use of outdoor areas (e.g., grass-covered high school soccer field versus daycare outdoor play area), with special consideration for areas where young children are likely to play, should be determined and considered. For example, sand in sandboxes and soil, mulch, and wood chips around outdoor playground equipment may need to be removed. All outdoor items with cleanable surfaces that were in contact with flood water should be adequately cleaned before they are used.

Small areas of gross contamination (i.e., sewage with visible solid material) should be cleaned, and treatment with hydrated lime may be considered. Hydrated lime can be applied to increase pH to a level that kills microbes. The U.S. Environmental Protection Agency (EPA) requires that the pH of sewage sludge treated for land application be held at 12 for a minimum of 2 hours to

kill microbes, and be held at a minimum of 11.5 for 22 additional hours to reduce vector attraction (13). In addition to maintaining an adequate pH level, sludge dryness can affect how easily and quickly microbes die (14). Applying quicklime, which can help dry areas of gross contamination, may be considered. The National Lime Association promotes using quicklime to expedite drying of mudded areas (15).

Of significance, the pH level requirements discussed earlier pertain to treating sewage sludge and not soil. Lime effectiveness for treating microbial-contaminated soils was not proven during literature review. Wide-scale application of lime could affect human health and the environment, which could outweigh potential risks posed by a flood event. Exposure to hydrated or quicklime may be hazardous to applicators and the public. Exposure routes include inhalation, ingestion, and skin or eye contact. Exposure to hydrated or quicklime may cause irritation to skin, eyes, upper respiratory system, skin vesiculation, cough, bronchitis, and pneumonitis, and may burn eyes and skin (16).

If lime is applied in small, heavily contaminated areas, applicators should wear appropriate personal protective equipment as required by occupational health and safety regulations and described in the manufacturer's Material Safety Data Sheet and product label. In addition to health hazards, the inappropriate use of lime can cause damage to personal property (17). Environmental effects may include damaged vegetation (increasing potential for soil erosion), excessive soil dehydration, and lime in run-off waters.

Other remedial and control options may be considered. Exposure to potential pathogens in soil may be controlled by

- depositing new soil on top of the affected soil and compacting,
- planting new grass,
- watering to flush organisms out of the upper soil layers,
- covering the affected ground with asphalt, brick, stone, cement, or other solid paving material, and
- applying dust-suppressant products where air dispersion is a concern.

### ***Risk-assessment Approach***

After a flood event, health authorities should assess human health risk by using a systematic approach because many variables must be considered. Following a risk-assessment process will help authorities determine how to safely use previously flooded outdoor areas.

The four steps of the risk-assessment process (18) (Figure 1; see page 7) are

1. Hazard identification: determines if adverse health effects may be caused by exposure to the contaminant (Can the contaminants found affect human health?).
2. Dose-response assessment: examines the magnitude of the exposure and probability of adverse health effects (Are contaminants found to the extent that can affect health?).
3. Exposure assessment: measures or estimates the extent of human exposure to the contaminant (Who may be exposed, for how long or how frequently, and how much?).

4. Risk characterization: interprets information from the proceeding steps to form an overall conclusion about human risk.

This comprehensive approach also considers risks to flora and fauna, and the effect of remedial action on human health and the environment.

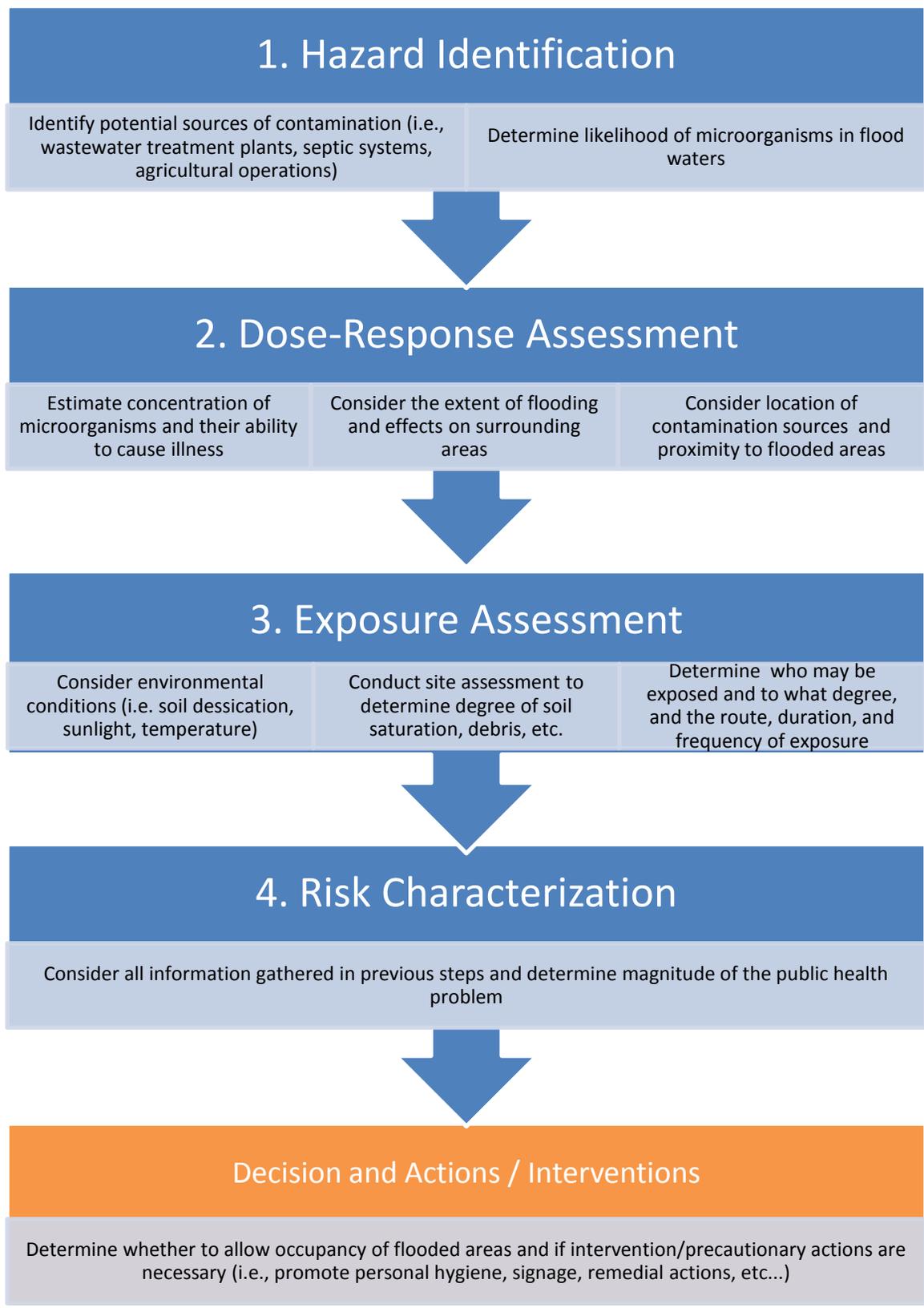
## ***Conclusion***

Determining when to allow use of previously flooded public areas requires analyzing and considering many variables. This guidance is intended to help health authorities assess the level of risk posed by microbial contamination after a flood event. This guidance is not intended to represent all variables that should be considered—any flood event may present many complexities. The following flow chart may help prompt discussion and consideration of various risk factors.

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Attachment: CDC Guidance Contamination of Flooded Areas (WS-OSN/CP Advisory Board)

Figure 1. The Four Steps of the Risk-assessment Process (18)

# Ocean Sands

## welcome to ocean sands

With this 'residents' handbook, we would like to welcome you as a part owner in one of the most unusual coastal communities in the world. This handbook describes the thinking process that has gone into developing this community and provides information that will aid you in the enjoyment and protection of this prize possession.

Ocean Sands is unique in several ways from other ocean developments. It is located in a microclimate that brings warm air masses, prevalent to north Florida, to their northern most point, providing a favorable year-round climate within easy reach of many major metropolitan areas. Ocean Sands is located in one of the major fishing capitals of the world and near numerous leisure and vacation activities, yet it is private and protected from the masses that flock to enjoy the Outer Banks. It has a private entrance and security system and miles of protected beaches.

Historically, the area is also unique. The first English settlement (before Jamestown or Plymouth Rock) was established at nearby Manteo and became known as "The Lost Colony"; the Wright Brothers made their historic first flight just a few miles south of Ocean Sands; and the pirate Blackbeard plundered merchant vessels near its shores.

A utility system is being provided to supply a permanent water supply and to treat sewage in a manner that will minimize pollution. These utilities will all be underground to maintain the aesthetic appeal of the terrain. The circulation system has been designed to service clusters with a limited access drive which guarantees that no residential dwelling unit will front directly on a thoroughfare. A permanent open space system allows visual and physical access to the ocean for the greatest number of people and preserves areas most vulnerable to development. Finally, a management system is provided to guarantee citizens that the open space and community facilities provided in the development will be managed and maintained in the years to come.

The development framework that has been established is an important step in building a new community; however, in the long run, the success of the community will depend on how you, the citizens, build on and use the land. This manual focuses on some of the issues that you will face as property owners on the Outer Banks. In order for you to have every advantage in planning and designing your individual dwelling unit, information has been outlined including an explanation of the coastland environment; a review of the planning process through which the plan has evolved; some practical advice about how to plan your individual dwelling to best take advantage of your lot and open space amenities; and a description of the architectural review process to which each dwelling unit is subject.

As the developer, we will be happy to assist you in any way possible to make your participation in Ocean Sands as successful and enjoyable as possible.



James E. Johnson, Jr., President  
COASTLAND CORPORATION

## the land system

### INTRODUCTION TO THE LAND SYSTEM

The Currituck and Dare Outer Banks are narrow barrier islands that extend south from Virginia along the North Carolina coast. For six thousand years these islands have served as a buffer between the ocean and the mainland, absorbing the force of the ocean and off-shore storms. This uniquely fragile world, which ecologists call a high energy zone, places some major constraints on development. Any development plan therefore should be based on an understanding of the land. This introduction to the Ocean Sands development process, then, begins with an introduction to the land system and the ground rules that the system dictates.

### SURF

The perpetual motion of the ocean against the beach makes the surf a very exciting recreation zone. Because of the great force of the surf, constantly cleaning and repairing the beach, it is a difficult area to damage; and, as a result, it has the capacity to accommodate an unlimited number of people.

Although the surf is used primarily for active recreation, there are some unique wildlife forms to be observed. Offshore ocean animals, and some of the inshore ones, occasionally get caught in the surf and become stranded on the beach. Marine turtles come ashore to lay their eggs in the sands of the beach in May, June, and July. Many of the ocean birds approach the surf in stormy weather. Porpoises can be seen playing close to shore. It is a regular feeding ground for horned grebes, brown pelicans, gannets, cormorants, redbreasted mergansers, black skimmers, and many gulls and terns. Channel bass migrate through the area in the spring and fall and are valuable to sport fisherman during those seasons. Other fish are available as local residents or complete some portion of their life cycle in the nearshore or sound area.

### BEACH

The entire Outer Banks string of islands is

a buffer between the ocean and the mainland. The leading edge of this buffer is the beach which changes shape with each season.

In summer the waves deposit sand and build long beaches that slope gently up to the dunes. On these long beaches, the sand berm is established that serves as a buffer for the winter storms that erode the beach and leave it shorter and much steeper. The result of this summer deposition and winter erosion is a constantly changing beach that is nearly impossible to stabilize and therefore unsuitable for building.

But the constant activity of the elements allows the beaches, like the surf, to accommodate intense recreational activity without damage because the washing action and changing sand are always in the process of cleaning and repairing the beach.

Very few animals can live on the beach because of the surf and constant movement of the sand. Two that do escape the pounding of the elements are the coquina clam and the mole crab. These burrow in the sand and are protected from wave energy and predators by riding tide waters from the low part to the high part of the beach. As waves come in, the animal is uncovered and swept along until the wave reaches the high part of the beach where he buries himself and waits for another wave. Both are filter feeders. The coquina siphons like most clams; the mole crab uses its antennae, which are equipped with many hairlike projections that serve as nets, to catch food and materials from the water as it passes over.

Other animals wash up on the beaches in seaweed called sargassum, a brown seaweed (algae) that is normally found floating on ocean currents far out to sea. Some are colored so much like the algae that they are difficult to see. A piece of sargassum on the beach may be a habitat for crabs, shrimp, shelled snails, and sargassum fish, as well as a very pretty but dangerous floating animal called the Portuguese man-of-war. The large purple balloon-like sail that allows the animal to float is attractive to children playing on the

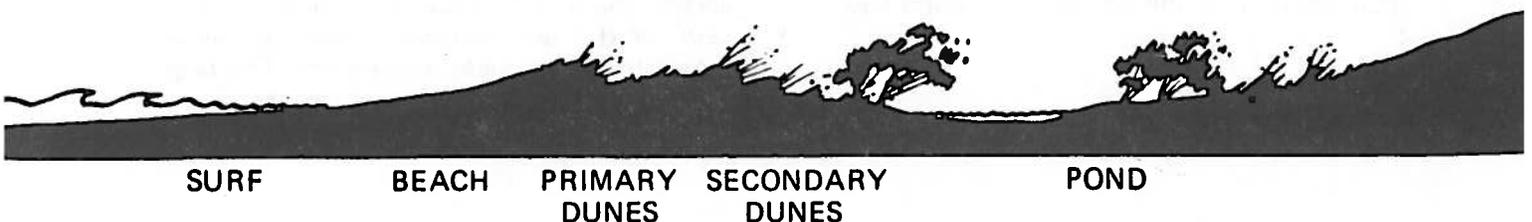
beach but its toxic tentacles are capable of a painful sting.

Higher on the dry part of the beach, one can detect round holes in the sand which are burrows of the ghost crab. The ghost crab and the beach fleas (sandhoppers) both live burrowed in the sand or under debris by day. At night they emerge and begin to search for food. Though they live on land, they must still wet their gills to breathe. Birds such as the black-bellied plover, ruddy turnstone, wimbrell, willet, knot, semi-palmated sandpiper and sanderling run along and feed actively on the washline of the breakers.

## DUNES

When sand blows high on the beach and is trapped by grass and debris, dunes begin to form. There are several different kinds of dunes, each with a different role in the natural, constantly changing sand transfer process. The sand berms already described as part of the beach system are the young dunes. Behind the berm, there are larger dunes (primary dunes) with very little vegetation on

the windward side. Like the berm, the primary dune is subject to wind and occasional water erosion. The leeward side of the primary dune quite often is stabilized by vegetation which slows the migration of the dune. Further inland is a more protected range of dunes called secondary dunes. These are much more established and anchored by a thick cover of sea oats and salt meadow card grass. The grasses thrive because of their ability to tolerate sunlight, extreme temperatures, strong winds and salt spray. These dunes and their grasses are very important because they provide a storm buffer which cannot be replaced with artificial barriers, such as cement and wooden seawalls. Where dunes are needed for protection, they can be encouraged by arranging snow fencing or planting grasses to catch sand particles. When these structures are put in place, the sea does not have a sand buffer to react against and the beach is quickly eroded along with the sand under and behind the structure. Unlike the beach, the dunes can be easily destroyed by even the slightest traffic. Construction, beach buggies,



motorcycles and foot traffic have destroyed miles of North Carolina's dunes or left them susceptible to overwash during storms. At Ocean Sands, care has been taken to strategically locate elevated dune crossings and to provide convenient beach access. It takes just a few people crossing at one point to kill the grass and make a channel or create a low area which could easily break a dune in a period of months.

The high inland dunes which border Ocean Sands to the west are similar to those at Kitty Hawk and Kill Devil Hills and are unique to Currituck and the Outer Banks. There are several theories as to how the dunes were formed. One account is that there was vegetation on the banks but the early settlers, by grazing their livestock, destroyed the vegetation, leaving sand free to blow into a maritime forest where it settled to form the large dunes. Other accounts indicate that the dunes were there long before the settlers grazed the land, since they were mentioned by early explorers.

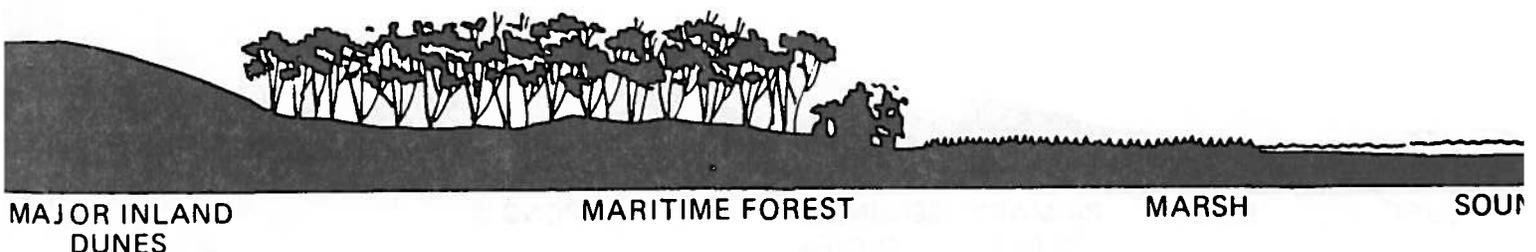
The dunes are drifting about fifty feet a year in a southwesterly direction (paralleling

Outer Banks), and, because they are moving, they have very little vegetation. In mature dune areas, herbs become established, offering food and some cover for dune wildlife. The Canada goose feeds on wild beans. Hawks, falcons, and owls forage here, along with smaller land birds such as mourning doves, swallows, fish crows, starlings, meadowlarks, redwinged blackbirds, boat-tailed grackle, savannah sparrows, and song sparrows.

Where salt resistant herbacious shrubs take root, opossum, cottontail, gray fox, raccoon, least shrew, mole, and house mouse are found ranging or living. The cold blooded animals such as race runner, glass lizard, hognose snake, black racer, Fowler's toad, green treefrog, squirrel treefrog and leopard frog also find homes here.

#### MARITIME FOREST

The grass community eventually succeeds into thicket clumps composed of wax myrtle, yaupon, willow, and grapevines. This woody growth is subject to wind blown salt spray and sand, and as a result, the growth takes on beautifully bent gnarled forms.

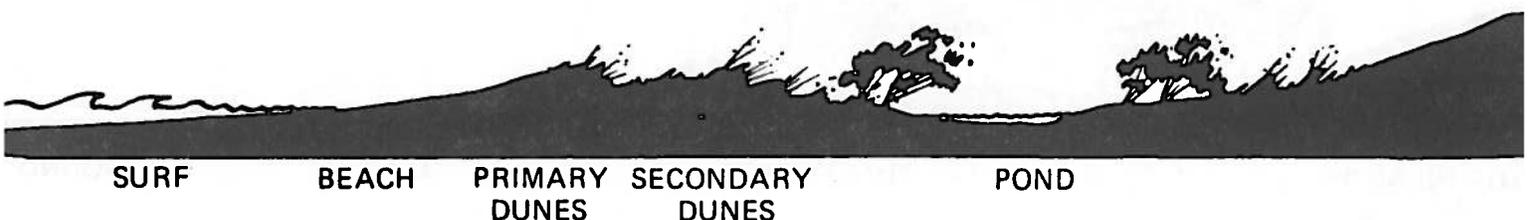


The Maritime Forest is protected by the dunes and shrub thickets. It is the one relatively stable area of the Outer Banks although parts of the forest have been buried by the ever moving dunes. In addition to the plants found on the shrub thickets, the forest includes pines, live oaks, the groundsel tree, red cedar, red bay, hercules club, marsh elder, and green briar. Since this is the most protected zone on the Banks, it houses an incredible array of wildlife. The forests behind Ocean Sands are located on the Pine Island Gun Club to the south and the Currituck Gun Club west to the Sound. It is important to remember that these forests are *not* located on Ocean Sands property, but on the private property of the Pine Island and Currituck Gun Clubs. The owners are dedicated to the protection of these forests and the marshes that lead to the Currituck Sound. It is in the interest of the residents of Ocean Sands to respect their boundaries and not trespass on this wildlife preserve. We are fortunate to be able to gaze on its natural beauty.

Throughout the thicket and maritime forest area, the towhee, dove, pheasant, flicker, kingbird, wren, mocking bird, warbler, and grackle can be found. In the open parts are open-country hawks, barn and short-eared owls, common snipe, swallows, purple martin, fish crow, Carolina and short-billed marsh wrens, robin, waxwing, starling, myrtle, yellowthroat, house sparrow, meadowlark, redwinged blackbird, and savannah and song sparrows.

Deeper in the maritime forest are green heron, nesting colonies of the little blue, Louisiana, and black-crowned night herons, common and snowy egrets and glossy ibis; sharp-shinned Coopers, and red-shouldered hawks; common snipe, yellow-billed cuckoo, crested flycatcher; common and fish crows; catbird, brown thrasher, robin, waxwing, and cardinal.

Some of the mammals, reptiles, and amphibians in this zone are opossum, gray fox, least shrew, mole, cottontail, rice rat, meadow mole, yellow rat snakes, and green and squirrel treefrogs.



**CURRITUCK SOUND**

Currituck Sound is from 25 to 40 miles long, depending on whether Virginia's Back Bay is included. It is three and one-half miles wide and averages seven feet deep. The mouth of the Sound opens into Albemarle Sound to the south and Bay Back, Virginia, to the north. Since 1828, when Caffey's Inlet (which used to exist at the Dare County Line) was closed, Oregon Inlet (which is 22 miles south of Currituck Sound) has been the only inlet through which the highly saline waters can infiltrate the Sound; consequently, Currituck Sound is a fresh water system fed primarily through the water which flows from Back Bay, the Northwest River, and the Northwest Landing River. This distinguishes Currituck Sound from other North Carolina sounds and marshes, which are primarily salt water. The salinity content of Currituck is approximately 4% of that of seawater. The low salt content allows large mouth bass and alawives to thrive, and the Sound is one of the most important wintering grounds on the Atlantic Flyway. A wide variety of water fowl move along this

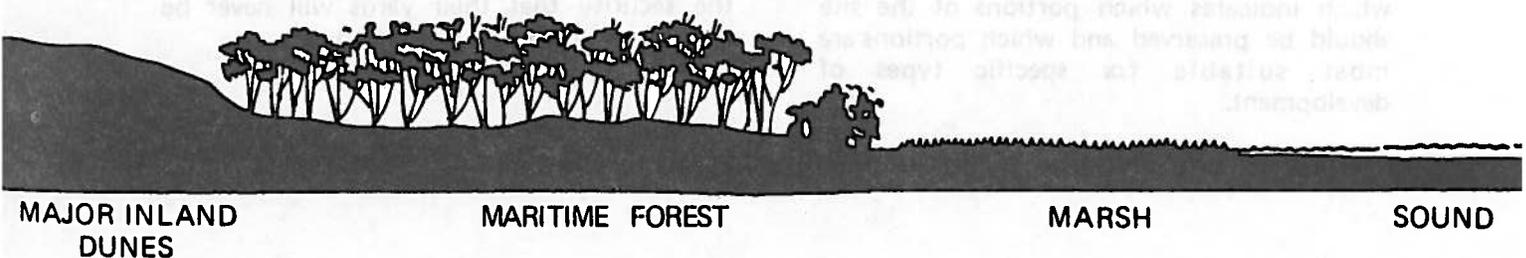
natural flyway, including ducks, geese, swan, pelicans, gannets, loons, grebes, and cormorants.

The Sound is extremely productive; but because of its limited water source and flushing activity, it is highly susceptible to pollution and damage. It is important that everyone living in the coastal region understands the importance of maintaining the Sound the way it is now. The salt content must stay the same for bass and fresh water fish to continue to reproduce. Any new development will endanger the Sound's production unless it is planned with suitable treatment facilities and constructed with attention to erosion control. Dredging must be minimized; farmland must be managed so that agricultural wastes and chemicals will not come through the streams and pollute the bay. These precautions provide the basis of the Ocean Sands Development Plan.

Currituck Sound is an unparalleled resource. If treated properly, it can continue to be an unlimited source of recreation, fishing and hunting and an opportunity to preserve wildlife for future generations.

Reference: T.L. Quay. 1959, *"The Birds, Mammals, Reptiles, and Amphibians of the Cape Hatteras National Seashore Recreational Area."* Professor of Horticulture, North Carolina State University.

Attachment: Welcome to Ocean Sands from Coastland marketing materials (WS-OSN/CP Advisory Board)



## the ocean sands plan

The Ocean Sands development plan was designed to provide the greatest human use of the land with the least possible damage to the delicate ecological nature of the area. As designed, the plan satisfies state and federal environmental concerns; provides the necessary utilities and amenities; and guarantees to future property owners that these amenities and the living environment will be maintained in the years to come. This section of the homeowners' manual explains the Ocean Sands plan by describing the process of land analysis and program development through which the plan evolved.

### LAND ANALYSIS

The first step in the design process used to form the Ocean Sands master plan was to analyze the physiographic site features, including soils, vegetation, topography, ground water conditions, erodable areas, and significant visual features. Each of these elements has been individually mapped according to its capacity to accommodate development. As an example, soil conditions have been mapped to indicate both those areas which are most affected by wind and water erosion and those which are not stable enough to support construction.

Subsurface water has been located to determine the areas that are too wet for construction; the location of quantities of ground water sufficient for use by Ocean Sands; and the distance below the surface that ground water occurs.

By mapping the topography, primary dunes and major inland dunes were located and classified according to their environmental and visual importance. With all of the site features individually mapped, the maps were then superimposed on each other to produce a composite drawing, similar to the land analysis illustrated in this manual, which indicates which portions of the site should be preserved and which portions are most suitable for specific types of development.

### THE DEVELOPMENT PROGRAM

The development program for Ocean Sands is based on the concept of clustering buildings and surrounding them with open space. The advantages of this type of development are obvious when compared to the typical strip development that occurs along most of the east coast.

In the design of the Ocean Sands master plan, clusters (called colonies at Ocean Sands) were established to allow people to live in a neighborhood environment. Each of the colonies features a different range of uses, from small clusters devoted to single family dwellings to larger clusters that are a mixture of single family dwellings, low and high density condominiums and a commercial complex.

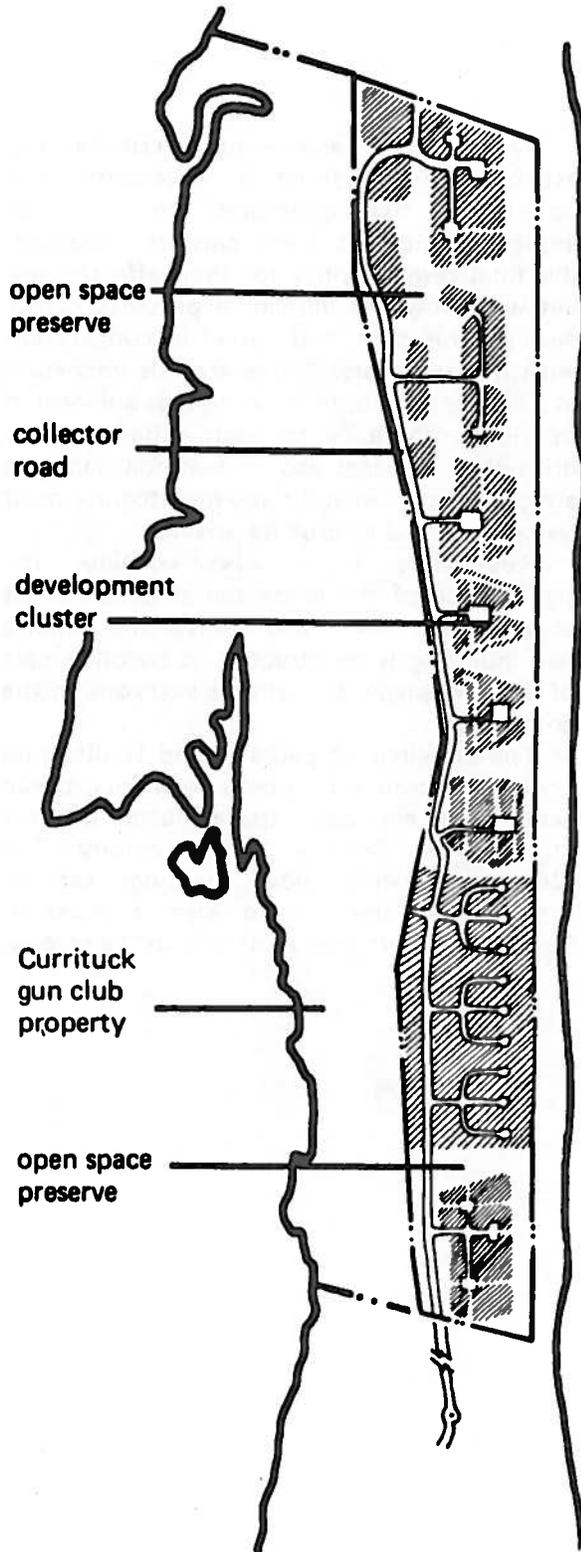
Clustering offers a flexible method of development that can be adapted to unique parcels of land by simply placing the cluster on the most buildable sections of the land and allowing the rest of the property to remain in the open space. At Ocean Sands the beach and the open space immediately adjacent to the colony clusters will remain undeveloped and will accommodate active play and unrestricted pedestrian access. Pedestrians will be allowed to cross the foredunes on boardwalks strategically located to allow access to the beach, while minimizing dune destruction.

A cluster development is also efficient for service functions. At Ocean Sands this is most evident in the circulation system which is fed by a main collector street that provides a pleasant drive through the open space zone that will never become strip commercial. No property fronts directly on this collector, as the building clusters are fed by smaller lanes. Since the density on these lanes will be increased, residents have the advantage of living on a secondary, low-traffic street with the security that their yards will never be condemned for street expansion.

## WATER AND SEWER

A central water and sewer system will serve the residents of Ocean Sands. Water for Ocean Sands will initially be provided by using a series of horizontal wells to tap the fresh ground water lense that exists on the property. These wells will be approximately 200' by 300' and will be located in the open space. Although the cluster development provides enough open space for this interim water supply, the county, by monitoring observation, is taking great care to make certain that the lense is not over-pumped and that the salt water intrusion does not take place before a major permanent supply of water can be provided to the Outer Banks from the mainland or from a deep water aquifer.

Waste water will be treated by efficient tertiary type package treatment plants which will be part of the county sewage treatment system.



**DEVELOPMENT PLAN**

## architectural guidelines

The purpose of the guidelines is to provide architectural design and planning information to assist property owners in planning a home that suits their individual needs and the requirements of the site.

The guidelines begin with general information concerning a building's orientation and its place in the cluster, and evolve toward specific considerations about the building's relationship to the site, the organization of space within the building, and some recommendations about materials and outdoor furnishings.

The guidelines are organized sequentially around specific considerations such as building location, flooding considerations, space requirements, etc. Though these items are discussed separately, they should be considered simultaneously and in relationship to one another in the process of designing the house. During the process, the guidelines can be used as a check list in evaluating more detailed changes once a general scheme has emerged.

All of these suggestions have been summarized and incorporated into a special check list for specific lot types and inserted in the back of the manual.

The architectural guidelines are not regulations but suggestions. Their intention is to provide the home builder information and ideas that will make the planning experience a genuinely rewarding one that satisfies the real needs of the residents, and at the same time, contributes to the quality of the community.

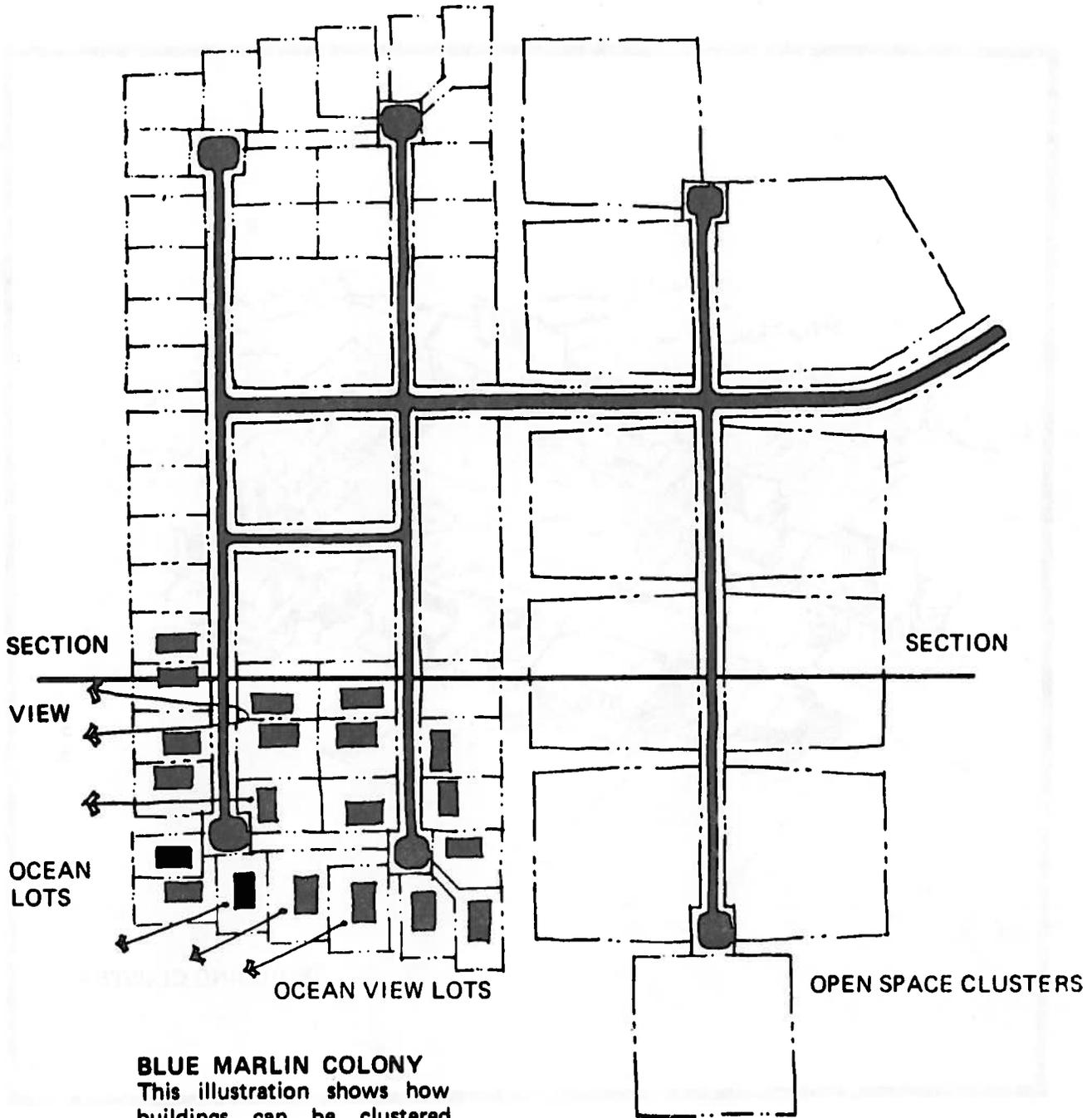
### CLUSTER CONCEPT

The cluster has already been described as a community unit surrounded by open space that controls size and land use. The developer has established the overall character of the colony or cluster through the planning process outlined in the first two chapters of the manual. The visual effect of the colony will be influenced primarily by the construction of the individual buildings that make up the cluster.

By preparing architectural criteria and establishing restrictive covenants, the developer has attempted to influence implementation of these clusters. However, the final responsibility for their effectiveness lies with how the individual property owner develops his own land parcel in cooperation with his neighbors. Cooperation is important in a cluster development; buildings are located in close proximity to each other, and to driveways. Services and recreational facilities are often open so walls and architecture must be manipulated to provide privacy.

Residents must also consider the significance of the landscape at Ocean Sands as a prime amenity and realize that when a new building is constructed, it becomes part of the landscape, and affects everyone in the community.

The drawings on pages 15 and 16 illustrate how the ocean lots, ocean view lots, ocean access lots and open space cluster lots are arranged to form a typical colony. The illustrations show how buildings can be arranged on the lots to form a series of building clusters that exist within the colony.



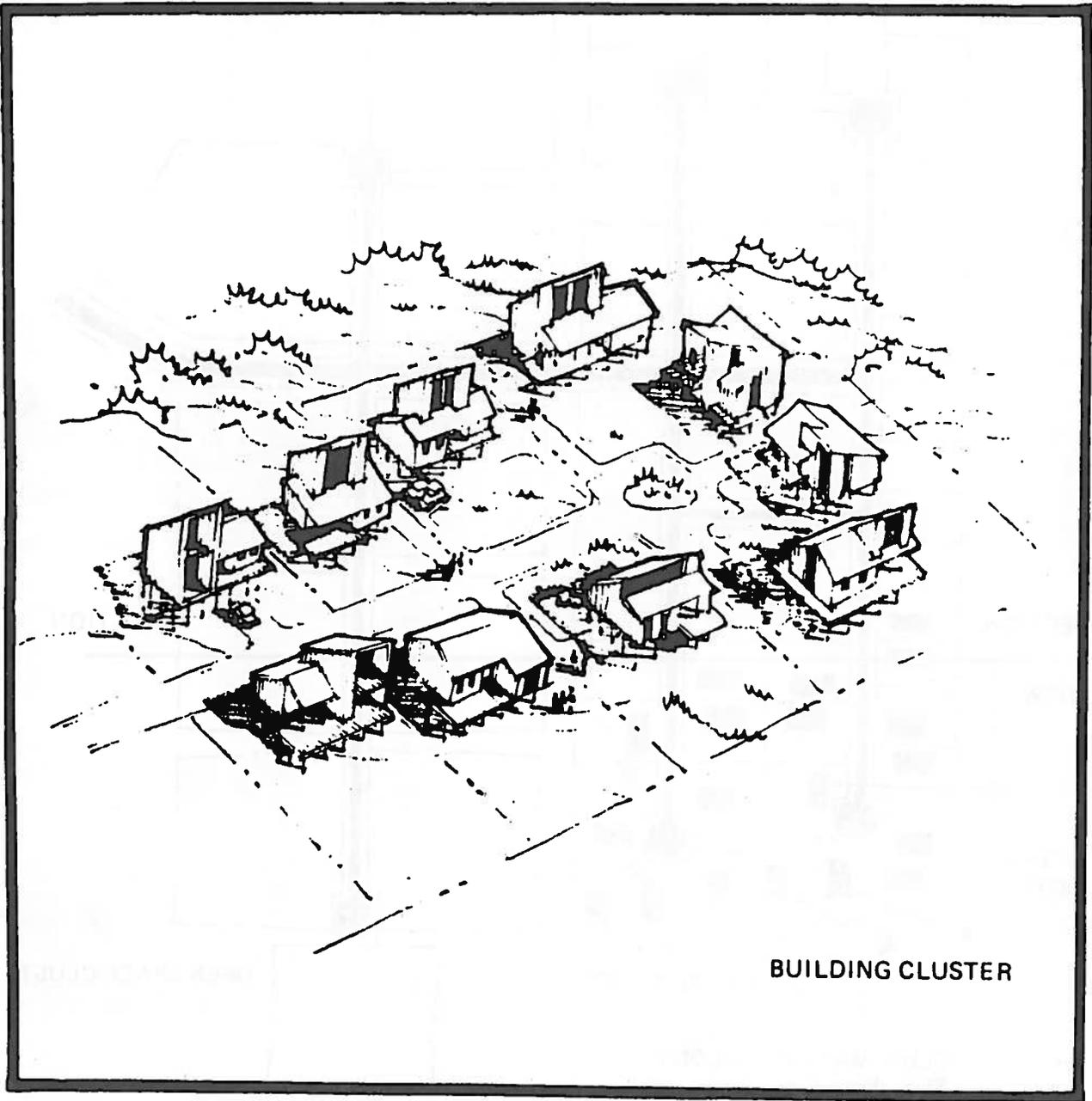
**BLUE MARLIN COLONY**  
 This illustration shows how buildings can be clustered within a residential colony.

**SECTION THROUGH BLUE MARLIN COLONY**



PRIMARY DUNE OCEAN LOTS ROAD OCEAN ACCESS LOTS ROAD OCEAN ACCESS LOTS

Attachment: Welcome to Ocean Sands from Coastland marketing materials (WS-OSN/CP Advisory Board)



BUILDING CLUSTER



OPEN SPACE CLUSTERS

ROAD

OPEN SPACE CLUSTERS

Attachment: Welcome to Ocean Sands from Coastland marketing materials (WS-OSN/CP Advisory Board)

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF  
COMMISSIONERS INSISTING ON THE RESUMPTION OF A FREE FERRY  
OPERATION FROM KNOTTS ISLAND, NORTH CAROLINA TO  
CURRITUCK, NORTH CAROLINA**

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

**WHEREAS**, the Knotts Island ferry was originally instituted to provide a path for Knotts Island residents to enjoy economic opportunities, students to have access to quality and equal education, and provide a way for public safety services to be provided quickly in times of emergency; and

**WHEREAS**, further detrimental impact of Knotts Island ferry operation suspension was recently experienced following Hurricane Isaias when Currituck County officials were unable to access Knotts Island for damage assessment due to blocked roads in Virginia which could have resulted in dire public safety consequences; and

**WHEREAS**, although ferry travel is the main form of transportation and only connection to the Currituck Mainland from Knotts Island, the Knotts Island ferry has not operated since March 2020 while every other ferry route in North Carolina is now in operation; and

**WHEREAS**, suspending operation of the Knotts Island ferry the North Carolina Department of Transportation is treating citizens, children, and business owners of Knotts Island and Currituck County in a manner that does not equate to treatment of other ferry dependent citizens and communities of Aurora, Bayview, Cedar Island, Cherry Branch, Kure Beach, Hatteras, Minnesott Beach, Ocracoke, and Swan Quarter.

**NOW THEREFORE BE IT RESOLVED** that the Currituck County Board of Commissioners insists that the North Carolina Department of Transportation immediately resume operation of the Knotts Island ferry and failing immediate return to operation explain in a community meeting why citizens of Currituck County are treated differently than those of other North Carolina communities now enjoying ferry service.

**BE IT FURTHER RESOLVED THAT** the Clerk to the Board of Commissioners is directed to forward a copy of this resolution to Governor Roy Cooper, State Senator Bob Steinburg, State Representative Bobby Hanig and North Carolina Department of Transportation Secretary J. Eric Boyette.

**ADOPTED** the 8<sup>th</sup> day of September 2020.

\_\_\_\_\_  
Bob White, Chairman

ATTEST:

\_\_\_\_\_  
Clerk to the Board of Commissioners

[COUNTY SEAL]

Attachment: Resolution Insisting on Resumption of KI Ferry 090820 (Resolution-Resume Operation of the Knotts Island Ferry)



## COUNTY OF CURRITUCK

### **RESOLUTION AUTHORIZING THE PURCHASE OF KAMSTRUP METERS FROM FORTILINE, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the county's Mainland Water System requires replacement meters compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of Kamstrup AMR and AMI meters in the State of North Carolina, Fortiline, Inc. is the only entity capable of providing the county with meters compatible with current Mainland Water System equipment and operational systems, and

WHEREAS, Mainland Water System has been using Fortiline, Inc. to construct, develop and upgrade its system; and

WHEREAS, Mainland Water Department needs replacement meters and Fortiline, Inc. is the sole supplier of compatible meters; and

WHEREAS, Fortiline, Inc. is supplying Mainland Water Department with two thousand 5/8x3/4 FlowIQ 2100 Kamstrup meters at a cost of \$164/meter; and

WHEREAS, the total cost for the Mainland Water Department meter purchase is \$328,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina as follows:

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$328,000.00 with Fortiline, Inc. for the sole source purchase of FlowIQ 2100 Kamstrup meters in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Fortiline, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the 8th day of September 2020.

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Bob White, Chairman  
Board of Commissioners

ATTEST:

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Leeann Walton  
Clerk to the Board of Commissioners

(COUNTY SEAL)

1 AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF  
2 COMMISSIONERS AMENDING SECTION 2-99 OF THE CURRITUCK  
3 COUNTY CODE OF ORDINANCES BY REMOVING THE PROHIBITION  
4 FOR COUNTY COMMISSIONER ABC BOARD MEMBER COMPENSATION

5 WHEREAS, pursuant to N.C. Gen. Stat. §153A-76 a board of commissioners  
6 may change the composition and manner of selection of boards, commissions, and  
7 agencies, and may generally organize and reorganize the county government in  
8 order to promote orderly and efficient administration of county affairs; and

9 WHEREAS, pursuant to N.C. Gen. Stat. §153A-77 a board of commissioners  
10 may appoint advisory boards, committees, councils and agencies composed of  
11 qualified and interested county residents to study, interpret and develop community  
12 support and cooperation in activities conducted by or under the authority of the  
13 board of commissioners; and

14 WHEREAS, pursuant to N.C. Gen. Stat. §18B-700(c) county ABC board  
15 members shall be appointed by the board of county commissioners.

16 NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for  
17 the County of Currituck, North Carolina as follows:

18 PART I. Sec. 2-99. County commissioner to serve as county ABC board member  
19 without compensation. is amended to read as follows

20 **Sec. 2-99. County commissioner to serve as county ABC board member**  
21 **without compensation.**

22 A county commissioner shall be appointed by the board of commissioners to serve  
23 as a member of the county ABC board. ~~The county commissioner member of the~~  
24 ~~county ABC board shall not receive compensation for service on the county ABC~~  
25 ~~board.~~

26 PART II. All ordinances or parts of ordinances in conflict with this ordinance are  
27 hereby repealed.

28 PART III. This ordinance is effective upon its adoption.

29  
30 ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

31  
32  
33  
34 \_\_\_\_\_  
35 Bob White, Chairman

36 ATTEST:

37 \_\_\_\_\_  
38 Leeann Walton, Clerk to the Board

[COUNTY SEAL]

1  
2 APPROVED AS TO FORM:  
3  
4 \_\_\_\_\_  
5 Donald I. McRee, Jr.  
6 County Attorney  
7  
8 Date adopted: \_\_\_\_\_  
9  
10 Motion to adopt by Commissioner \_\_\_\_\_  
11 Second by Commissioner \_\_\_\_\_  
12 Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS  
13



Vernon Brooks Hart, Jr  
Fire Chief

Mills Riddick  
President

**Lower Currituck Volunteer Fire Department**  
**PO Box 207**  
**Grandy, North Carolina 27939**  
**252-453-2761**

8-27-2020

County Manager Ben Stikeleather,

The Lower Currituck Volunteer Fire Department (LCVFD) is requesting funding from Currituck County for repairs on Engine-5, a 1993 E-One pumper with 104,312 miles for an engine repair. It has a possible blown head gasket (see attached quote) with an estimated repairs cost of \$9687.66. Engine 5 was purchased as a used apparatus and replaced our frontline engine, which served us well until it needed repairs that well exceeded its worth.

Currently, we are down this frontline engine (engine 5) as well as our primary tanker which is being repaired with the County's help. We strive to provide the best fire response for our community and this engine is critical to that response. We request that assistance from the County is available to help repair this engine.

We appreciate your time and consideration in this important matter and please do not hesitate to contact us if needed. Thank you!

Vernon "Brooks" Hart Jr

Fire Chief

Lower Currituck Volunteer Fire Department

252-619-7515

[chiefhart@lcvfd.org](mailto:chiefhart@lcvfd.org)

Attachment: Engine5quote (Lower Currituck VFD-Repairs to Fire Apparatus)



2520 N. Wesleyan Blvd.  
Rocky Mount, NC 27804

| Repair Estimate |            |
|-----------------|------------|
| Date            | Estimate # |
| 8/26/2020       | 20-2904    |

| Name / Address                                        |
|-------------------------------------------------------|
| Lower Currituck VFD<br>PO Box 207<br>Grandy, NC 27939 |

| Rep | Apparatus ID/ SO # |
|-----|--------------------|
| RI  | E5                 |

| Qty | Item                            | Description                                                                                                                                                                                                                                                                                                                                                                                                                                      | Rate                     | Total              |
|-----|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------|
|     |                                 | THE FOLLOWING IS A ESTIMATE TO MAKE REPAIRS TO E5 FOR A LEAKING HEAD GASKET. THIS IS JUST A ESTIMATE. THE TRUCK HAS NOT BEEN SEEN BY A FCI TECH. IF ADDITIONAL REPAIRS ARE DISCOVERED IT WILL BE IN ADDITION TO THIS ESTIMATE. ENGINE SERIAL NUMBER: 44884388 - 1993 MODEL 6C 8.3 LITER ENGINE<br><br>REMOVE/REPLACE CYLINDER HEAD GASKET<br>CHECK CYLINDER LINER PROTRUSION<br>PRESSURE TEST THE HEAD<br>SHAVE THE BLOCK IF NEEDED<br>PUMP TEST |                          |                    |
| 1   | TOWING                          | TOWING                                                                                                                                                                                                                                                                                                                                                                                                                                           | 977.50                   | 977.50             |
| 1   | MISC - PARTS<br>FCISG-PUMP T... | MISC PARTS<br>COMPLETE PUMP TEST @ OSFM GUIDELINES                                                                                                                                                                                                                                                                                                                                                                                               | 7,847.59                 | 7,847.59<br>250.00 |
|     |                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Subtotal</b>          | \$9,075.09         |
|     |                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Sales Tax (6.75%)</b> | \$612.57           |
|     |                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Total</b>             | \$9,687.66         |

Attachment: Engine5quote (Lower Currituck VFD-Repairs to Fire Apparatus)

A Recreational Vehicle Sales, Parts and Service Dealer can have an off-site storage yard if the following conditions are met:

Recognizing that one of the expressed goals of the Currituck County Unified Development Ordinance is avoiding excessive paved surface areas (Section 5.1.1), the Currituck County Board of Commissioners hereby adopts the following standards for allowing for the off-street parking and storage of recreational vehicles:

1. The area designated for the off-site parking of recreational vehicles must be no farther than 2,000 feet from the use it is intended to serve, as required by Section 5.1.6 of the UDO, but no Pedestrian Way is required between the two areas if they are on different sides of a state-maintained highway, street or right-of-way. (Sections 5.1.5 C. (1) and (2).
2. When the area designed for off-site parking of recreational vehicles abuts a public street, perimeter landscaping strips shall be provided and shall comply with the requirements of Sections 5.2.5 and 5.2.6 of the UDO.
3. The area designated for off-site parking of recreational vehicles which abuts any public right-of-way shall also be screened, but the screening materials may include chain link fencing or other non-opaque materials.
4. The area designated for off-site parking of recreational vehicles may be illuminated by exterior lights during the hours of between one hour prior to sunset and one hour after sunrise by appropriate light fixtures so as to provide protection against trespass or other criminal activity on the site. All such lighting shall be designed and installed so as to minimize excessive light spillage and glare onto adjacent lands, neighboring areas and adjoining highways and streets. Maximum illumination levels shall comply with the standards applicable to Parking Lots in the Table contained in Section 5.4.6 (D)(1) of the UDO.
5. It shall not be required that any area designated for the storage of recreational vehicles be paved or surfaced with concrete, asphalt, or other permanent surfacing materials. The use of crushed stone shall be allowed, as long as the area in question is kept free of grass, weeds or other debris, and the area is maintained in a smooth, well-graded condition. The area must be maintained in a safe condition at all times so as not to constitute a hazard to public safety. (Section 5.1.4 (12) of UDO).

FIRE AND EMS ADVISORY BOARD  
2 Year Term

| Incumbent                                              | District Served | New Appointee                                          | Nominated by | Date of Appointment | End of Term                  |
|--------------------------------------------------------|-----------------|--------------------------------------------------------|--------------|---------------------|------------------------------|
| <b>Fire/EMS Chief</b><br>Ralph "Chip" Melton           | Consensus       |                                                        |              | 12/2/2019           | EMS Repres.<br>5/31/2021     |
| <b>Fire Services Representative</b><br>Ryland Poyner   | Consensus       |                                                        |              | 1/6/2020            | Unexpired<br>5/31/2021       |
| <b>Fire Services Representative</b><br>Michael D. Hurt | Consensus       |                                                        |              | 3/2/2020            | Unexpired<br>5/31/2021       |
| <b>Citizen Representative</b><br><b>William Bailey</b> | Consensus       | <i>Can Be Reappointed-<br/>2-year term-exp. 5/2022</i> |              | 6/4/2018            | 1st-2 Year Term<br>5/31/2020 |
| <b>Commissioner*</b><br>Paul Beaumont                  | Consensus       |                                                        |              | 12/5/2016           | BOC<br>Member                |
| <b>Corolla Fire District Rep</b><br>Tim Bostaph        | Consensus       |                                                        |              | 2/17/2020           | Init.<br>5/31/2022           |
| <b>KI Fire District Rep</b><br>John Wunder             | Consensus       |                                                        |              | 2/17/2020           | Init.<br>5/31/2022           |
|                                                        |                 |                                                        |              |                     |                              |

\*Commissioner term expiration extended to December to correlate with election cycles.

Fire/EMS Chief serves as required by ordinance

Commissioner Beaumont serves on this Board

Attachment: Fire EMS Advisory Appt Form (Board Appt-Fire and EMS)

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 2020, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

| Account Number | Account Description                  | Debit                                |         | Credit                               |         |
|----------------|--------------------------------------|--------------------------------------|---------|--------------------------------------|---------|
|                |                                      | Decrease Revenue or Increase Expense |         | Increase Revenue or Decrease Expense |         |
| 10490-561000   | Professional Services                | \$                                   | 33,186  |                                      |         |
| 10511-545000   | Contract Services                    | \$                                   | 15,252  |                                      |         |
| 10530-516200   | Vehicle Repair                       | \$                                   | 2,000   |                                      |         |
| 10550-516000   | Maintenance & Repair                 | \$                                   | 500     |                                      |         |
| 10980-545000   | Contract Services                    | \$                                   | 9,250   |                                      |         |
| 10660-561000   | Professional Services                | \$                                   | 14,580  |                                      |         |
| 10390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 74,768  |
| 12541-536104   | Personal Protective Equip - Crawford | \$                                   | 2,730   |                                      |         |
| 12390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 2,730   |
| 25607-545000   | Contract Services                    | \$                                   | 50,793  |                                      |         |
| 25390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 50,793  |
| 28450-545000   | Contract Services                    | \$                                   | 295,042 |                                      |         |
| 28390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 295,042 |
| 43848-590000   | Capital Outlay                       | \$                                   | 3,500   |                                      |         |
| 43390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 3,500   |
| 63838-545001   | Contract Services - Collection       | \$                                   | 15,041  |                                      |         |
| 63838-545600   | Site Work/Landscaping                | \$                                   | 5,706   |                                      |         |
| 63838-561000   | Professional Services                | \$                                   | 25,760  |                                      |         |
| 63390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 46,507  |
| 66868-590000   | Capital Outlay                       | \$                                   | 13,320  |                                      |         |
| 66390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 13,320  |
| 67878-561000   | Professional Services                | \$                                   | 1,720   |                                      |         |
| 67878-590000   | Capital Outlay                       | \$                                   | 6,468   |                                      |         |
| 67390-499900   | Appropriated Fund Balance            |                                      |         | \$                                   | 8,188   |
|                |                                      | \$                                   | 494,848 | \$                                   | 494,848 |

**Explanation:** Court Facilities (10490); Detention Center (10511); EMS (10530); Airport (10550); Disaster Recovery (10980); Planning (10660); Fire Services (12541); Guinea Mill Watershed (25607); Revaluation (28450); Land Banking (43848); Solid Waste (63838); Southern Outer Banks Water (66868); Mainland Central Sewer (67878) - Carry-forward funds from prior fiscal year for purchases/contracts in process on June 30, 2020 that were not completed.

**Net Budget Effect:** Operating Fund (10) - Increased by \$74,768.  
 Fire Services Fund (12) - Increased by \$2,730.  
 Guinea Mill Watershed District Fund (25) - Increased by \$50,793.  
 Revaluation Fund (28) - Increased by \$295,042.  
 Land Banking Fund (43) - Increased by \$3,500.  
 Solid Waste Fund (63) - Increased by \$46,507.  
 Southern Outer Banks Water Fund (66) - Increased by \$13,320.  
 Mainland Central Sewer Fund (67) - Increased by \$8,188.

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

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210009

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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</u> | <u>Increase Expense</u> | <u>Increase Revenue or</u> | <u>Decrease Expense</u> |
| 61818-545000          | Contract Services          | \$                         | 194,523                 |                            |                         |
| 61818-590000          | Capital Outlay             |                            |                         | \$                         | 194,523                 |
|                       |                            | <u>\$</u>                  | <u>194,523</u>          | <u>\$</u>                  | <u>194,523</u>          |

**Explanation:** Mainland Water (61818) - To reclassify water tank maintenance.

**Net Budget Effect:** Mainland Water Fund (61) - No change.

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Clerk to the Board

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210010

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |              | <u>Increase Revenue or<br/>Decrease Expense</u> |              |
| 210546-590006         | Capital Outlay             | \$                                              | 6,182        |                                                 |              |
| 210546-516006         | Repairs & Maintenance      |                                                 |              | \$                                              | 6,182        |
|                       |                            | <u>\$</u>                                       | <u>6,182</u> | <u>\$</u>                                       | <u>6,182</u> |

**Explanation:** Corolla Volunteer Fire Department (210546) - Transfer funds to purchase a radio.

**Net Budget Effect:** Corolla Fire District Fund (210) - No change.

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Clerk to the Board

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210011

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |              | <u>Increase Revenue or<br/>Decrease Expense</u> |              |
| 10795-590000          | Capital Outlay             | \$                                              | 4,860        |                                                 |              |
| 10350-464795          | Rent - Parks & Rec Fields  |                                                 |              | \$                                              | 3,000        |
| 10350-465003          | Recreation Concessions     |                                                 |              | \$                                              | 1,860        |
|                       |                            | <u>\$</u>                                       | <u>4,860</u> | <u>\$</u>                                       | <u>4,860</u> |

**Explanation:** Parks & Recreation (10795) - Increase appropriations to replace diesel particulate filter in 2011 F-250 truck for parks & recreation.

**Net Budget Effect:** Operating Fund (10) - Increased by \$4,860.

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

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210012

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |            | <u>Increase Revenue or<br/>Decrease Expense</u> |            |
| 10650-516200          | Vehicle Maintenance        | \$                                              | 100        |                                                 |            |
| 10650-531000          | Fuel                       |                                                 |            | \$                                              | 100        |
|                       |                            | <u>\$</u>                                       | <u>100</u> | <u>\$</u>                                       | <u>100</u> |

**Explanation:** Economic Development (10650) - Transfer budgeted funds for vehicle maintenance for the Economic Development vehicle.

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

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Clerk to the Board

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210013

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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</u> | <u>Increase Expense</u> | <u>Increase Revenue or</u> | <u>Decrease Expense</u> |
| 10531-532000          | Supplies                   | \$                         | 10,839                  |                            |                         |
| 10531-545000          | Contract Services          | \$                         | 11,250                  |                            |                         |
| 10531-590000          | Capital Outlay             | \$                         | 50,625                  |                            |                         |
| 10390-499900          | Appropriated Fund Balance  |                            |                         | \$                         | 72,714                  |
|                       |                            | <u>\$</u>                  | <u>72,714</u>           | <u>\$</u>                  | <u>72,714</u>           |

**Explanation:** Emergency Management (10531) - Increase appropriations to carry forward unspent Emergency Management Program Grant funds and Search and Rescue Grant funds to be used for supplies for the medical bus. Capital Outlay items consist of an event trailer (message board, traffic cones, barricades, safety vests) - \$30,625; and camera system for medical bus - \$20,000.

**Net Budget Effect:** Operating Fund (10) - Increased by \$72,714.

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

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210014

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |                | <u>Increase Revenue or<br/>Decrease Expense</u> |                |
| 20609-590000          | Capital Outlay             | \$                                              | 600,000        |                                                 |                |
| 20609-588000          | Contingency                |                                                 |                | \$                                              | 324,875        |
| 20390-499900          | Appropriated Fund Balance  |                                                 |                | \$                                              | 275,125        |
|                       |                            | <u>\$</u>                                       | <u>600,000</u> | <u>\$</u>                                       | <u>600,000</u> |

**Explanation:** Whalehead Watershed Drainage District (20609) - Increase appropriations for drainage system upgrade to serve the Sailfish drainage basin.

**Net Budget Effect:** Whalehead Watershed Drainage District Fund (20) - Increased by \$275,125.

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Clerk to the Board

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210015

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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</u> | <u>Increase Expense</u> | <u>Increase Revenue or</u> | <u>Decrease Expense</u> |
| 51848-598004          | Central Ctr Wing Roof 2020     | \$                         | 25,000                  |                            |                         |
| 51848-592010          | Griggs - HVAC Ph III (7 Units) | \$                         | 28,000                  |                            |                         |
| 51380-425001          | State Lottery Proceeds         |                            |                         | \$                         | 53,000                  |
|                       |                                | <u>\$</u>                  | <u>53,000</u>           | <u>\$</u>                  | <u>53,000</u>           |

**Explanation:** School Construction (51848) - Increase appropriations for school projects funded with lottery proceeds.

**Net Budget Effect:** School Capital Construction Fund (51) - Increased by \$53,000.

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Clerk to the Board

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210016

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |        | <u>Increase Revenue or<br/>Decrease Expense</u> |        |
| 12543-582203          | Debt Service               | \$                                              | 31,187 |                                                 |        |
| 12543-561003          | Professional Services      |                                                 |        | \$                                              | 31,187 |
|                       |                            | <u>\$ 31,187</u>                                |        | <u>\$ 31,187</u>                                |        |

**Explanation:** Moyock Volunteer Fire Department (12543) - Transfer budgeted funds from professional services to debt service for the debt payments 6 & 7. No payment made in FY 2020. In FY 2021 the PPE was budgeted twice, which will cover both debt payments for FY 2020 and FY 2021.

**Net Budget Effect:** Fire Services Fund (12) - No change.

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

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210017

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |     | <u>Increase Revenue or<br/>Decrease Expense</u> |     |
| 10510-526200          | Promotional efforts        | \$                                              | 350 |                                                 |     |
| 10510-526000          | Advertising                |                                                 |     | \$                                              | 350 |
|                       |                            | <u>\$ 350</u>                                   |     | <u>\$ 350</u>                                   |     |

**Explanation:** Sheriff (10510) - Transfer budgeted funds for Sheriff Challenge Coins.

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

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

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

Number 20210018

# BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 8th day of September 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</u> | <u>Increase Expense</u> | <u>Increase Revenue or</u> | <u>Decrease Expense</u> |
| 10511-554000          | Insurance & Bonds          | \$                         | 15                      |                            |                         |
| 10511-557100          | Software License Fees      | \$                         | 327                     |                            |                         |
| 10511-506000          | Insurance Expense          |                            |                         | \$                         | 342                     |
| 10531-557100          | Software License Fees      | \$                         | 40                      |                            |                         |
| 10531-531000          | Fuel                       |                            |                         | \$                         | 40                      |
| 10460-557100          | Software License Fees      | \$                         | 362                     |                            |                         |
| 10460-516000          | Repairs & Maintenance      |                            |                         | \$                         | 362                     |
| 10795-576008          | Grass Cutting/Spraying     | \$                         | 12                      |                            |                         |
| 10795-506000          | Insurance Expense          |                            |                         | \$                         | 12                      |
|                       |                            | <u>\$</u>                  | <u>756</u>              | <u>\$</u>                  | <u>756</u>              |

**Explanation:** Detention Center (10511); Emergency Management (10531); Public Works (10460); Parks & Recreation (10795) - Transfer budgeted funds for contract increases in this fiscal year.

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

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

Attachment: BudAmends\_Sep 8\_General Meeting (Budget Amendments)

**AGREEMENT FOR MUTUAL / AUTOMATIC AID FIRE AND EMERGENCY  
MEDICAL SERVICES ASSISTANCE BETWEEN THE CITY OF VIRGINIA BEACH,  
VA AND CURRITUCK COUNTY, NC**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between the CITY OF VIRGINIA BEACH, VIRGINIA and CURRITUCK COUNTY, NORTH CAROLINA, IN ACCORDANCE WITH THE PROVISIONS OF Code of Virginia §27-2, and Article 20, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, each of the parties hereto maintains equipment and personnel for fire, emergency medical and rescue services responses within its own areas; and

WHEREAS, the parties hereto desire to augment this emergency response availability in their respective areas; and

WHEREAS, the lands or districts of the parties hereto are adjacent or contiguous so that mutual assistance in an emergency is deemed feasible; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this Agreement to render assistance to one another in accordance with these terms.

**WITNESSETH**

For and in consideration of the mutual promises and covenants set forth herein, and for other valuable consideration, the parties do hereby agree as follows:

- 1) The rendering of assistance under the terms of this Agreement shall be accomplished in accordance with detailed plans and procedures of operation drawn and agreed to be the technical heads of the Fire and Emergency Medical Services (EMS) departments involved.
- 2) Whenever it is deemed advisable by the senior officer of the department belonging to a party to this Agreement, or by the senior officer of such department actually present at an emergency scene to request fire or emergency medical assistance under the terms of this Agreement he/she is authorized to do so, and the senior officer on duty of the department receiving the request shall forthwith take the following action:
  - a. Immediately determine if the requested apparatus and personnel are available to respond to the call.

- b. In accordance with the terms of this Agreement, forthwith dispatch such apparatus and personnel as in the judgment of the senior officer receiving the call could be sent.
- 3) The City of Virginia Beach Departments of Fire and EMS shall be the primary responder for fire, emergency medical and other emergent responses to the Currituck County area of Gibbs Woods.
  - 4) The City of Virginia Beach Departments of Fire and EMS shall be the secondary responder for fire, emergency medical and other emergent responses to the Currituck County area of Knotts Island.
  - 5) The Currituck County Department of Fire-EMS shall automatically be dispatched for fire, emergency medical and other emergent responses assistance on the northern end, the Virginia Beach section, of Knotts Island.
  - 6) The Currituck County Department of Fire-EMS shall be the secondary responder for emergency medical services south of the 600 block of Princess Anne Road and may respond beyond these boundaries at the request of the City of Virginia Beach.
  - 7) The Knotts Island Volunteer Fire Department shall:
    - a. Automatically be dispatched for fire, emergency medical and other emergent responses assistance on the northern end, the Virginia Beach section, of Knotts Island.
    - b. Be the secondary responder for fire suppression, vehicle extrication and other emergent responses assistance south of the 600 block of Princess Anne road, and may respond beyond these boundaries at the request of the City of Virginia Beach.
  - 8) The senior officer of the department requesting service shall assume full charge of the operations. However, under procedures agreed to by technical heads of the departments involved, a senior officer of the department furnishing the assistance may assume responsibility for the coordination of the overall operation.

- 9) The various officers and personnel of the Fire and EMS departments of the parties to this Agreement are invited and encouraged, on a reciprocal basis, to frequently visit each other's activities for guided familiarization tours consistent with local security requirements and, as feasible, to jointly conduct pre-fire planning inspections, drills, and training.
- 10) Each party hereto waives all claims against the other party for compensation for any loss, damage, personal injury, or death, which may arise out of the activities of the other party outside their respective jurisdiction.
- 11) It is understood and agreed that at all times the responding party's employees are employees of the responding party and not employees of the requesting party. The responding party's employees shall not receive any employee benefits from the requesting party.
- 12) The responding party shall ensure that the responding party's employees are covered, during the time the responding party's employees are providing services within the territorial jurisdiction of the requesting party, by the Workman's Compensation insurance which the responding party regularly provides to its employees pursuant to its policies.
- 13) To the extent authorized by law, each party hereto agrees to indemnify and save harmless the other party for all claims by third parties for property damage or personal injury, which may arise out of the activities of the other party outside their respective jurisdiction.
- 14) In lieu of directly billing patients for services provided in Virginia Beach, Currituck County will send the invoices to the City of Virginia Beach Department of Emergency Medical Services (4160 Virginia Beach Blvd., Virginia Beach, VA 23452) for payment. Virginia Beach Emergency Medical Services will submit payment within a reasonable frame. The City of Virginia Beach will not directly bill patients for service provided in Currituck County, North Carolina, but will invoice Currituck County Fire-EMS annually for an amount equal to the total of all invoices received from Currituck County during that particular year.

- 15) The parties hereto acknowledge the provisions of Virginia Code §27-2 are applicable to the provisions of this Agreement and each party hereto agrees as a condition of the Agreement that an ordinance or resolution by its governing body meeting to the requirements of §27-2 shall be enacted before this Agreement may enter into force.
- 16) This Agreement shall not be modified or amended except in writing signed by the parties.
- 17) This Agreement shall become effective upon the date hereof and shall remain in full force c\_ and effect until canceled by mutual agreement of the parties hereto or by written notice by one party to the other party with sixty (60) days' notice of said cancellation.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

CITY OF VIRGINIA BEACH

CURRITUCK COUNTY, NORTH CAROLINA

BY: \_\_\_\_\_

City Manager, Patrick A. Duhaney

BY: \_\_\_\_\_

Chairman, Board of Commissioners  
Bob White

Attest:

Attest:

\_\_\_\_\_  
City Clerk, Amanda Barnes

\_\_\_\_\_  
Finance Officer, Sandra Hill

This instrument has been preaudited to the requirements of the Local Government Budget and Fiscal Control Act.

Attachment: Virginia Beach CC Mutual Auto Aid 2020 (Mutual Aid Agreement with VA Beach)

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r

APPROVED AS TO CONTENT

\_\_\_\_\_  
EMS Chief, Ed Brazle  
Virginia Beach

\_\_\_\_\_  
Fire & EMS Chief Ralph Melton  
Currituck County NC

\_\_\_\_\_  
Fire Chief David Hutcheson  
Virginia Beach

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
City Attorney, Mark D. Stiles  
Virginia Beach

\_\_\_\_\_  
County Attorney, Donald McRee Jr.  
Currituck County NC

Attachment: Virginia Beach CC Mutual Auto Aid 2020 (Mutual Aid Agreement with VA Beach)



## Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between

COUNTY OF CURRITUCK

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in North Carolina as Dominion Energy North Carolina, with its principal office in Richmond, Virginia ("GRANTEE").

### WITNESSETH:

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

Initials: \_\_\_\_\_

This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Energy North Carolina, 304 NC Highway 11N, Ahoskie, NC 27910 .

(Page 1 of 5 Pages)  
NCROW No(s). 68-20-0060

### Right of Way Agreement

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said easement shall extend THIRTY (30) feet in width across the lands of **GRANTOR**; and

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in Currituck County, North Carolina, as more fully described on Plat(s) Numbered 68-20-0060 , attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

Initials: \_\_\_\_\_

(Page 2 of 5 Pages)  
NCROW No(s). 68-20-0060

Form No. 721043-2 (May 2019)  
© 2020 Dominion Energy

Attachment: Corolla ABC Store-Dominion Power Easement (Corolla ABC Store-Dominion Power Easement)

### Right of Way Agreement

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE's** option, for other damage done to **GRANTOR's** property inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE's** facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE's** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE's** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE's** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE's** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such of its facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE** shall have the right to assign or transfer, without limitation, to any public service company all or any part of the perpetual right, privilege and easement granted herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: \_\_\_\_\_

(Page 3 of 5 Pages)  
NCROW No(s). 68-20-0060

Form No. 721043-3 (May 2019)  
© 2020 Dominion Energy

Attachment: Corolla ABC Store-Dominion Power Easement (Corolla ABC Store-Dominion Power Easement)



# Right of Way Agreement

11. **GRANTOR** covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of **GRANTOR** warrants that they have been duly authorized to execute this easement on behalf of said County.

**IN WITNESS WHEREOF, GRANTOR** has caused its name to be signed hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

COUNTY OF CURRITUCK

\_\_\_\_\_  
(Name)

By: \_\_\_\_\_

\_\_\_\_\_  
(Title)

Title: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_, to-wit:

I, \_\_\_\_\_, a Notary Public in and for the State of \_\_\_\_\_ at Large, do hereby certify that this day personally appeared before me in my jurisdiction aforesaid

\_\_\_\_\_, \_\_\_\_\_,  
(Name of officer or agent) (Title of officer or agent)

on behalf of Currituck County, North Carolina, whose name is signed to the foregoing writing dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and acknowledged the same before me. Given under my hand \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public (Print Name)

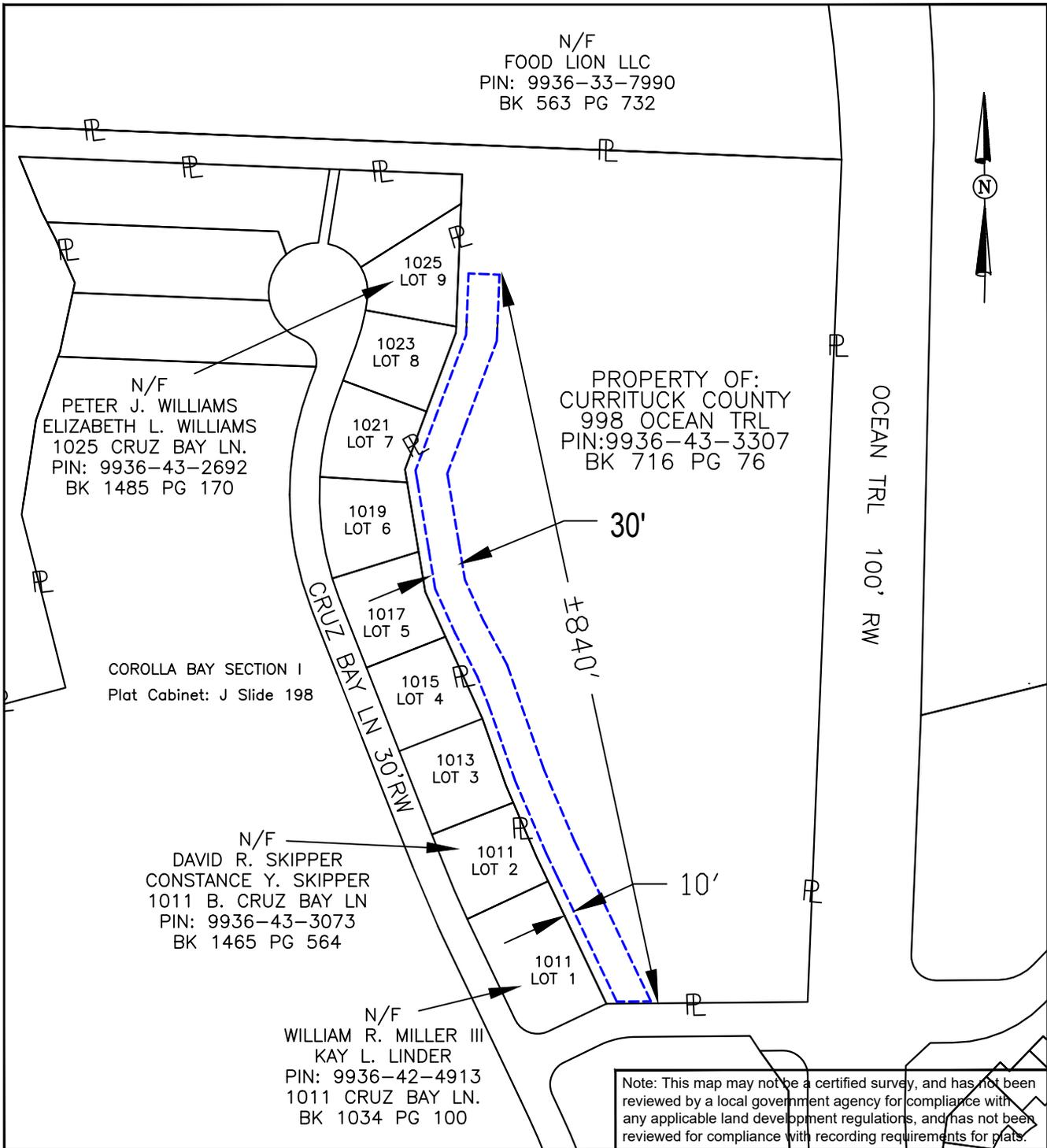
\_\_\_\_\_  
Notary Public (Signature)

My Commission Expires: \_\_\_\_\_

(Page 4 of 5 Pages)

NCROW No(s). 68-20-0060

Attachment: Corolla ABC Store-Dominion Power Easement (Corolla ABC Store-Dominion Power Easement)



Attachment: Corolla ABC Store-Dominion Power Easement (Corolla ABC Store-Dominion Power Easement)

|                                                                                                                                                 |                                      |                           |                                                                                                                                                                                         |                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| <b>LEGEND</b><br>--- Location of Boundary Lines of Right-of-Way 30' in Width.<br>Indicates Property Line is Right-of-Way Boundary 30' in Width. | District<br>68                       | Scale<br>NTS              | PLAT TO ACCOMPANY<br>RIGHT-OF-WAY AGREEMENT<br>VIRGINIA ELECTRIC AND POWER COMPANY<br>doing business as<br><b>Dominion Energy North Carolina</b><br>Page 5 of 5<br>OWNER INITIALS _____ |                            |
|                                                                                                                                                 | District-Township-Borough<br>Corolla | County-City<br>Currituck  |                                                                                                                                                                                         | State<br>NC                |
|                                                                                                                                                 | Office<br>Kitty Hawk                 | Plat Number<br>68-20-0060 |                                                                                                                                                                                         | Grid Number<br>Q1641EB0700 |
|                                                                                                                                                 | Estimate Number<br>10315620          |                           |                                                                                                                                                                                         |                            |
| DATE 8/4/2020                                                                                                                                   | BY Kate Blanton/ Clay Carter         |                           |                                                                                                                                                                                         |                            |

**CHANGE ORDER NO. CO001**

**PROJECT:**  
 Currituck Public Safety Center & Support Building  
 125 College Way Barco, NC 27919  
 101 College Way Barco, NC 27919  
**TO CONTRACTOR:**  
 Sussex Development Corporation  
 109 S. Lynnhaven Road, Suite 200  
 Virginia Beach VA 23452

**CHANGE ORDER**  
**Date:** Aug 07, 2020

**OWNER:**   
**ARCHITECT:**   
**CONTRACTOR:**   
**FIELD:**   
**OTHER:**

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)*

|         |                            |        |
|---------|----------------------------|--------|
| RFC 001 | Request for Time Extension | \$0.00 |
|---------|----------------------------|--------|

|                                                                        |                 |
|------------------------------------------------------------------------|-----------------|
| The original Contract Sum was                                          | \$22,979,453.16 |
| The net change by previously authorized Change Orders                  | \$0.00          |
| The Contract Sum prior to this Change Order was                        | \$22,979,453.16 |
| The Contract Sum will be increased by this Change Order in the amount  | \$0.00          |
| The New Contract Sum Including This Change Order                       | \$22,979,453.16 |
| The Contract Time will be increased by                                 | 41 Days         |
| The date of Substantial Completion as of the date of this Change Order | March 14, 2021  |

**NOTE:**

This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER**

|                                                         |                                                          |                                            |
|---------------------------------------------------------|----------------------------------------------------------|--------------------------------------------|
| Boomerang Design                                        | Sussex Development Corporation                           | County of Currituck                        |
| <b>ARCHITECT</b> (Firm name)                            | <b>CONTRACTOR</b> (Firm name)                            | <b>OWNER</b> (Firm name)                   |
| 6131 Falls of Neuse Road Suite 204 Raleigh NC 27609 USA | 109 S. Lynnhaven Road, Suite 200 Virginia Beach VA 23452 | 153 Courthouse Road Currituck NC 27929 USA |
| <b>ADDRESS</b>                                          | <b>ADDRESS</b>                                           | <b>ADDRESS</b>                             |
| Angela Crawford Easterday                               | Harry L. Davis, III                                      | Ben Stikeleather                           |
| (Typed Name)                                            | (Typed Name)                                             | (Typed Name)                               |
| _____<br><b>BY</b> (Signature)                          | _____<br><b>BY</b> (Signature)                           | _____<br><b>BY</b> (Signature)             |
| _____<br><b>DATE</b>                                    | _____<br><b>DATE</b>                                     | _____<br><b>DATE</b>                       |

Attachment: Public Safety Bldg-CO #001 Time Extension Request (Public Safety Bldg Change Order #1-Time Extension)

# SUSSEX

August 7<sup>th</sup>, 2020

County of Currituck  
County Manager Ben Stikeleather  
153 Courthouse Road, Suite 204  
Currituck NC, 27929

Project: **Currituck Public Safety Center**  
Subject: **Request for Change #001 – Time Extension Request**

SDC Project No.: 2019-015

Dear Mr. Stikeleather,

We respectfully submit this Request for Change #001 for the County’s consideration on the subject project. We are requesting a No-Cost time extension of (8) eight work weeks, a total of (41) forty-one workdays, on this project. There are a few factors that affected the project in the first nine months that have incurred delays to the critical path schedule.

1. The overall wet site conditions during the beginning stages delayed and slowed the project progress. The project was delayed by (5) five weeks due the combination of rain days and the high level of the ground water.

- Days of precipitation .10 inch over the NOAA 20-year Average (Contract allowance) were recorded at an additional (26) twenty-six days.

| <u>Month</u>  | <u>(20 YR Av. Rain Days)</u> | <u>*Actual Rain Days</u> | <u>Variance</u> |
|---------------|------------------------------|--------------------------|-----------------|
| ½ November    | 3                            | 6                        | +3              |
| December      | 6                            | 7                        | +1              |
| January       | 7                            | 8                        | +2              |
| February      | 7                            | 15                       | +8              |
| March         | 7                            | 11                       | +4              |
| April         | 6                            | 8                        | +2              |
| May           | 7                            | 11                       | +4              |
| June          | 7                            | 9                        | +2              |
| July          | 8                            | 7                        | 0               |
| <b>Totals</b> | <b>58</b>                    | <b>82</b>                | <b>+26</b>      |

\*Site Rain Gauge and Currituck County Airport (KNOX) precipitation record data

Attachment: Public Safety Bldg-CO #001 Time Extension Request (Public Safety Bldg Change Order #1-Time Extension)

# SUSSEX

2. Building foundations, elevator pit and the footers required additional undercut and stone placement due to the high-water table. The project was delayed by (1.5) one and half weeks due to additional foundation and footing preparation required by site conditions and directed by the Geotechnical Engineer, GET Solutions. The foundation and footer excavations filled with ground water requiring additional form work and stone placement to properly place the structural concrete.

3. In addition, undercut at both sites and additional offsite select fill were required. The project was delayed by (1.5) one and half weeks by undercut and select fill required by the site conditions and directed by the Geotechnical Engineer, GET solutions. We had to remove additional organic material to reach a suitable subgrade and replace unusable onsite fill with select off-site fill material.

In summary, all the events described above have resulted in a concurrent delay on this project, not attributable to the Owner's or Contractor's sole fault. Sussex requests this (41) forty-one - day time extension at no-cost to reset the critical path of the project schedule to carry a Substantial Completion Date of Friday March 14<sup>th</sup>, 2021.

Sincerely,

Mike Spicer  
Senior Project Manager

---

Ben Stikeleather  
Authorized Signature

Date

Attachment: Public Safety Bldg-CO #001 Time Extension Request (Public Safety Bldg Change Order #1-Time Extension)



## **CURRITUCK COUNTY JOB DESCRIPTION**

### **JOB TITLE: SUPPORT TECHNICIAN INFORMATION TECHNOLOGY SERVICES**

#### **GENERAL STATEMENT OF JOB**

Under supervision of the Information Technology Director, performs technical work in the Information Technology Services department to provide support for all items related to hardware, software, networks and telephone systems.

#### **SPECIFIC DUTIES AND RESPONSIBILITIES**

##### **ESSENTIAL JOB FUNCTIONS**

Installs, maintains, troubleshoots, and repairs servers, computers, laptops, printers, network equipment, modems, scanners, digital cameras, PDAs, and other related hardware.

Installs, updates, and troubleshoots various software; trains end users in various software applications as needed.

Responds to end user reports concerning hardware or software problems.

Responds to after hours calls as necessary.

Relocates computer related hardware and personal information for organizational moves.

Restores backed up files as needed by users.

Enforces the County's Technology Appropriate Use Policy.

Establishes and maintains back-up procedures for computers and assists users with housekeeping functions.

Establishes and maintains a user reference library.

Assists in telephone related problems as requested.

Maintains inventory of computer equipment.

Maintains list of surplus equipment and prepares surplus equipment for disposal or resale.

Lists surplus items on Govdeals.com for auction.

Assists in the administration of VOIP phone and voicemail systems.

Assists in security audits.

## SUPPORT TECHNICIAN

Educates users on safe computer practices, proactive measures and cyber awareness.

Acts as copier administrator (creates copier accounts, collects monthly copy counts, codes copier bills).

Assists in the administration of domain accounts using Active Directory, Group Policy, etc.

Provides and recommends specifications for new hardware and software.

### **ADDITIONAL JOB FUNCTIONS**

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as required.

### **MINIMUM TRAINING AND EXPERIENCE**

Graduation from a two-year technical school, trade school, or industrial school with degree related to computer or electronics technology, and three years experience in the installation, maintenance and repair of computer/electronic equipment. ~~CompTIA's A+ certification is required.~~ Must have CompTIA A+ certification and/or higher level certification as determined appropriate by the IT Director.

Experience in communications and networking environments is desired. Equivalent combination of educational and experience will be considered. Possession of a valid NC driver's license.

### **MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS**

**Physical Requirements:** Must be physically able to operate a variety of computers and their peripheral equipment; hand tools, such as screwdrivers, pliers, soldering irons, and electronic test instruments; as well as common office machines such as typewriters, telephones, etc. Must be able to exert up to 50 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects. Physical demands are in excess of those for Sedentary work. Light Work usually involves walking or standing for periods of time.

**Data Conception:** Requires the ability to compare and/or judge the readily observable, functional, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of data, people or things.

**Interpersonal Communication:** Requires the ability of speaking and/or signaling people to convey or exchange information. Includes giving instructions, assignments and/or directions to subordinates or assistants.

**Language Ability:** Requires the ability to read a variety of reports and records, invoices, purchase orders, budgets, blue prints and engineering schematics, etc. Requires the ability to prepare a variety of correspondence, reports, forms, charts, requests for bids and bid specifications, purchase orders, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction and style. Requires the ability to speak to people with poise, voice control and confidence.

## SUPPORT TECHNICIAN

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatical form; and to deal with several abstract and concrete variables.

**Verbal Aptitude:** Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages including computer and electrical terminology.

**Numerical Aptitude:** Requires the ability to utilize mathematical formulas; to add and subtract totals; to multiply and divide; and to determine percentages and decimals; understand and apply the theories of algebra.

**Form/Spatial Aptitude:** Requires the ability to inspect items for proper length, width and shape.

**Motor Coordination:** Requires the ability to coordinate hands and eyes rapidly and accurately in using computer equipment.

**Manual Dexterity:** Requires the ability to handle a variety of office equipment, control knobs, switches, etc. Must have minimal levels of eye/hand/foot coordination.

**Color Discrimination:** Requires the ability to differentiate between colors and shades of color.

**Interpersonal Temperament:** Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under minimal levels of stress when confronted with persons acting under stress.

**Physical Communication:** Requires the ability to talk and/or hear: (talking: expressing or exchanging ideas by means of spoken words; hearing: perceiving nature of sounds by ear).

### **KNOWLEDGE, SKILLS AND ABILITIES**

Knowledge of the installation, maintenance, and repair of computer hardware and related equipment.

Knowledge of various operating systems including Windows 2012, 2016 Server, and Windows command line.

Knowledge of various software packages and tools including Microsoft Office, Microsoft Exchange/Outlook, Windows Remote Desktop Connection tool, VNC, and various network testing software tools.

Knowledge of patch panels, telco blocks, electronic testing equipment, PC's and working knowledge of network and systems control and applications programs.

Skill in troubleshooting, diagnosing, and repairing hardware and software problems.

Skill in the installation and maintenance of computer hardware and software.

Skill in the installation, repair, and maintenance of information technology systems.

Skill in planning, organization, and decision making.

Skill in the training of end users in various software operations.

**SUPPORT TECHNICIAN**

Skill in oral and written communication.

Ability to explain computer program functions and operating procedures.

Ability to troubleshoot and make repairs on a variety of electronic equipment.

Ability to work under time constraints and other demands.

Ability to establish and maintain effective working relationships with private and public officials, and other employees. Must have excellent communication skills, be polite, professional, courteous, and helpful to staff at all times.

Ability to perform the duties in a proficient and professional manner.

Ability to organize work, and work efficiently.

Ability to work with minimal supervision.

ED: ~~10/07/2019 (REV BOC)~~

ED: 09/08/2020 (REV BOC)



**CURRITUCK COUNTY  
NORTH CAROLINA**

August 17, 2020

Minutes – Regular Meeting of the Board of Commissioners

**WORK SESSION**

**1. 5:00 PM Education Consulting and School Construction**

The Currituck County Board of Commissioners held a work session at 5:00 PM in the Board Meeting Room of the Historic Courthouse to discuss education and school construction. County Manager, Ben Stikeleather, provided Commissioners with a comparison chart of North Carolina schools compiled by the North Carolina Association of County Commissioners and, following a brief review, Board members discussed the possibility of hiring an education consultant to perform an assessment and advise the Board on matters related to general education, funding, and facilities.

Commissioner Beaumont and Commissioner Mary Etheridge spoke in favor of hiring a consultant to work with the county and school system to make recommendations on core areas of concern for Commissioners, citing funding, budgeting, school capacities and facilities, among others. Challenges working with the former Superintendent were discussed, and a majority of the Board agreed to hold a joint meeting with the Board of Education to discuss concerns and allow time for the new Superintendent to respond and address those concerns. A tentative date of September 10, 2020, was set for the joint meeting. The County Manager agreed to reach out to peer counties to inquire if any had performed education evaluations in the past.

Moving to the topic of school facilities, Mr. Stikeleather reported he had located construction plans for an expansion of the existing Moyock Elementary School, as well as for Central Elementary and Moyock Middle School. He used the overhead to review increased capacity with expansion and the designs for the three schools, which were noted as the areas where capacity issues need to be addressed. Costs for each expansion were reviewed and result in a considerable savings when compared with building new schools. Mr. Stikeleather said a redistricting plan would be necessary. The expansion plan for Moyock Elementary would be discussed with the Board of Education at the upcoming joint meeting and, if approved, the county will move forward with the next steps.

Discussion concluded at 5:54 PM.

**6:00 PM CALL TO ORDER**

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

| Attendee Name | Title    | Status  | Arrived |
|---------------|----------|---------|---------|
| Bob White     | Chairman | Present |         |

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|                        |               |         |  |
|------------------------|---------------|---------|--|
| 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 |  |

Chairman White called the meeting to order.

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

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

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

Commissioner Beaumont added Item J to New Business, following Consent Agenda, to discuss extending the lifeguard services contract.

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

Approved agenda:

### **Work Session**

5:00 PM Education Consulting and School Construction

### **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**

### **Administrative**

### **Reports**

A) **Interfaith Community Outreach-Jennifer Albanese,**  
Executive Director

**Public Hearings**

- A) **PB 20-11 Steven W. Craddock** Request to amend the Unified Development Ordinance Chapter 4, Use Standards, to modify the extractive industry (mining) and accessory use standards for minor excavations (ponds). The proposed amendment removes extractive industry from the Heavy Industrial (HI) and Light Industrial (LI) zoning districts, Full Service and Limited Service land use designations, modifies the lot and access requirements, and the expansion and extension requirements. The proposed amendment requires excavation accessory uses (ponds less than one acre) to use the excavated materials on the subject property.

**Old Business**

- A) **Action Item: PB 19-24 New Bridge Creek Estates: Request for a Preliminary Plat/Use Permit for a 37 lot Conservation Subdivision located off Caratoke Highway, Parcel Identification Number 0031-000-064N-0000, Moyock Township.**

**New Business**

- A) **Consideration of Resolution Authorizing Exchange of County Property for Property Owned by Jeffery G. Brodil**
- B) **Consideration and Possible Action to Adopt the Strategic Plan for Currituck County**
- C) **Purchasing and Contracting Policy Update**
- D) **Consideration of Resolution Updating Requirements for the Award of Public Building and Repair Construction Contracts and Adopting a Minority Business Participation Outreach Plan Pursuant to N.C. Gen. Stat. §143-128.2**
- E) **Consideration of Resolution Adopting a Prequalification Policy for Construction and Repair Work Pursuant to N.C. Gen. Stat. §143-135.8**
- F) **Consideration of a Resolution Authorizing the Sole Source Purchase of Computer Hardware and Software from Instrulogic, LLC for Operation of Mainland Water and Southern Outer Banks Water Systems**

**G) Budget Amendment-CARES Act****H) Lower Currituck VFD-Use of Equipment Replacement Fund for Fiberglass Tank Replacement****I) Consent Agenda**

1. Budget Amendments
2. Personnel Policy Revision-Emergency Family Medical Leave
3. Job Description Revisions
4. Petition for Road Addition: Hidden Oaks Subdivision-Shady Oaks, Oak Bend, N. Heritage Tree, S. Heritage Tree, N. Gumberry, S. Gumberry, Arrow Head
5. Petition for Road Addition: Windswept Pines Subdivision-Parrish Point, Snoozy Manor, Anvil Bend, Alden Run
6. Approval Of Minutes-July 20, 2020 BOC, Strategic Planning Sessions and Work Session-Strategic Planning

**J) Amended Item-Discussion for Consideration to Extend Lifeguard Services Contract****Closed Session**

Closed Session pursuant to G.S. 143-318.11(a)(6) to discuss personnel matters.

**Adjourn**

|                  |                                                                                                                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Paul M. Beaumont, Commissioner                                                                                                                                                                                            |
| <b>SECONDER:</b> | Mary "Kitty" Etheridge, Commissioner                                                                                                                                                                                      |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**PUBLIC COMMENT**

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

Chairman White opened the Public Comment period.

Richard Duregger, Countryside Estates, expressed concerns over flooding problems within the subdivision. He reported on the recent flooding from storms and discussed issues with

ponds, flooded roadways and the need to clear ditches. He asked the county to meet with the developer to see what can be done.

Jessica Sykes and Jamie and Karen Coolman, homeowners on Old Jury Road in Moyock, each relayed concerns with flooding at their respective properties and described conditions that have gotten steadily worse. Both property owners cited construction of additional homes on the adjacent property as contributing to the problem and asked the Board of Commissioners for help.

Commissioners said water draining onto the properties from the neighboring subdivision would be an issue, as suggested by the Coolman's. Methods to alleviate flooding by utilizing larger culverts and resolving ditching issues downstream were discussed, although the Chairman noted county funds could not be spent to fix the problem in this circumstance.

Mike Hall, an Old Jury Road resident, discussed flooding issues in Moyock and their progressive worsening over the last few years. He suggested halting construction until a determination can be made as to what is causing the problem to worsen.

Commissioner Payment acknowledged flooding issues in the southern end of the county and described flooding at his own home. Commissioner McCord noted twenty inches of rain were received in the county in thirteen days time. The Chairman said there is a need for a larger discussion amongst the Board of Commissioners and staff, as flooding is worsening and causing harm to property owners.

At the Board's request Eric Weatherly, County Engineer, explained how stormwater plans for development work with the utilization of retention ponds and calculated release rates. He said the repeated rains are causing issues. He reported on a site visit to assess the area around Old Jury Road. He discussed effects of the recent rain events and the existing culverts.

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

### **COMMISSIONER'S REPORT**

Chairman White reported that the contract for roads maintenance in the Carova Roads District was bid this year, which saved money but caused a delay with maintenance to allow questions posed by members of the Carova Road Maintenance Service District Advisory Board to be answered. He reported further repairs to the horse fencing on the off-road beach will likely take place this winter. A meeting of stakeholders and staff to discuss flooding and stormwater management was announced.

Commissioner Payment reported his attendance at the Topping Out and beam signing ceremony at the site of the new Public Safety Center. He provided an update on Covid-19 cases and testing in Currituck County, with no deaths reported in the county.

Commissioner Mary Etheridge welcomed students back to school. She noted school will be very different this year and encouraged patience.

Commissioner McCord reported that, due to Covid-19, not enough registrations were received for Parks and Recreation to put teams together for spring baseball and softball programs. He said they are looking at these programs for the fall.

Commissioner J. Owen Etheridge commented on how Covid-19 has changed the way we do things. He believes it will continue and asked that people don't allow it to divide us as friends and neighbors.

Commissioner Jarvis acknowledged the education challenges for parents, students and teachers and asked all to have grace during this time and to extend it to others. She also attended the Topping Out and beam signing at the Public Safety Center. Commissioner Jarvis announced she will be sworn in as a College of the Albemarle Board Trustee and thanked Commissioners for the opportunity to serve.

## **COUNTY MANAGER'S REPORT**

County Manager, Ben Stikeleather, reviewed changes for fall Parks and Recreation programs that comply with the North Carolina Governor's Executive Order related to Covid-19.

## **ADMINISTRATIVE REPORTS**

### **A. Interfaith Community Outreach-Jennifer Albanese, Executive Director**

Jennifer Albanese, Executive Director of Interfaith Community Outreach (ICO), presented information and statistics on the assistance provided by the agency to Currituck County residents during the 2019-2020 fiscal year. She said funds provided by Currituck County do not meet the cost of support to residents, and she would like to see more funding provided to assist residents. She suggested Covid-19 funds received by the county could be made available to the ICO to further assist residents during this time. Kelly Harmon, a Currituck County resident serving on the ICO Board was present, and Ms. Albanese said the agency is looking to fill an additional seat on their Board. The application process was reviewed for residents who wish to apply for assistance.

Chairman White called for a brief recess at 7:08 PM. The meeting reconvened at 7:15 PM.

## **PUBLIC HEARINGS**

### **A. PB 20-11 Steven W. Craddock**

Assistant Planning Director, Donna Voliva, prior to reviewing the application, explained a modification to language in the Text Amendment had been made by the applicant, Steven Craddock, just prior to the earlier Planning Board meeting. The change was to the language regarding removal of the extractive use from heavy and light industrial zoning districts and Land Use restrictions. Ms. Voliva confirmed the revised language is what was heard by the Planning Board. The text amendment application was reviewed for Commissioners and Ms. Voliva said existing mine operators have expressed concerns with their own operations. These concerns related to both operational and secondary impacts were reviewed.

Ms. Voliva responded to Commissioner questions during presentation. She said the language revisions left some existing mining operations to become non-conforming. She explained concerns with small, one-acre or less mining operations impacting neighboring properties with truck traffic for removal of extracted material. The County Manager noted staff concerns with administrative approval for expansion of operations, and Commissioners discussed expansion requirements.

Ms. Voliva said staff recommends the Board take no action and table the request until concerns of current operators are addressed by the applicant.

The applicant, Steven Craddock of Grandy, addressed Commissioners. He said he submitted the application after noting some abuses and contradictions in the Unified Development Ordinance during his service on the Planning Board and Board of Adjustment. He thanked county staff for their hard work and reiterated the earlier modifications to the text. He agreed that tabling the item prior to Public Hearing would provide the opportunity for him to speak to existing operators and work out language through the Planning Department so mine operators are not negatively affected.

Commissioner J. Owen Etheridge moved to table the item to the September 21, 2020 Board of Commissioners meeting to allow the applicant time to work with staff and operators.

Commissioner Beaumont asked the Board to consider moving forward and holding Public Hearing. Following discussion, the Board chose to table the item so the current mining operators can be part of the process and engaged in crafting the text amendment language.

Commissioner Mary Etheridge seconded the motion. The motion passed on a 6-1 vote, with Commissioner Beaumont opposed.

Chairman White called a recess at 7:53 PM. The meeting was reconvened at 8:04 PM.

|                  |                                                                                                                                                                                           |                                |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>TABLED [6 TO 1]</b>                                                                                                                                                                    | <b>Next: 9/21/2020 6:00 PM</b> |
| <b>MOVER:</b>    | J. Owen Etheridge, Commissioner                                                                                                                                                           |                                |
| <b>SECONDER:</b> | Mary "Kitty" Etheridge, Commissioner                                                                                                                                                      |                                |
| <b>AYES:</b>     | Bob White, Chairman, Mike H. Payment, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner |                                |
| <b>NAYS:</b>     | Paul M. Beaumont, Commissioner                                                                                                                                                            |                                |

**OLD BUSINESS**

**A. Action Item: PB 19-24 New Bridge Creek Estates: Request for a Preliminary Plat/Use Permit for a 37 lot Conservation Subdivision located off Caratoke Highway, Parcel Identification Number 0031-000-064N-0000, Moyock Township.**

The Public Hearing for New Bridge Creek Estates Use Permit/Preliminary Plat was held at the July 20, 2020, Board of Commissioners meeting after which the item was tabled to the

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August 17, 2020 meeting of the Board. Chairman White was not present for Public Hearing but announced he watched the meeting video and testimony. He disclosed he received an email from a citizen that showed the proposed development site following a rain event but that he had reached a decision based on the testimony in the video. County Attorney, Ike McRee, confirmed decisions should be based solely on testimony presented at the meeting, and the email should not be considered. Commissioner McCord disclosed he visited the site when responding to a Sheriff's call nearby. Mr. McRee said site visits are allowed, but no comment should be made as to the condition of the site since the visit took place after Public Hearing.

Commissioner Beaumont spoke to the four elements necessary for approval and noted no expert testimony was given regarding development impacts to adjoining or abutting properties. Commissioner Payment referred to the prior discussion pertaining to land elevations and flooding, for clarification.

Applicant, Jerry Old, addressed Commissioner concerns. He proposed a stormwater assessment to accommodate a 100 year storm as opposed to a ten year plan. He confirmed his agreement to install a type B buffer at the adjoining ten acre parcel and proposed paving of the road up to the start of the existing ten-acre parcels, addressing concerns expressed by nearby property owners at Public Hearing. Mr. Old said septic approvals have been received from Albemarle Regional Health Services.

There were no further questions or discussion and Commissioner J. Owen Etheridge made a motion for approval. The motion was seconded by Commissioner McCord. The motion failed with a vote of 3 in favor and 4 opposed. Voting in favor were Commissioners J. Owen Etheridge, McCord and Payment. Opposed were Chairman White and Commissioners Mary Etheridge, Beaumont, and Jarvis.

Commissioner Beaumont moved to deny PB 19-24, New Bridge Creek Estates, because the applicant has not demonstrated the proposed use meets the use permit review standards of the Unified Development Ordinance, specifically, in the absence of testimony that it will not injure adjoining or abutting property, not enough evidence was provided that neighboring properties would not be injured by the development.

Commissioner Jarvis seconded the motion.

Commissioner J. Owen Etheridge presented the benefits offered by the developer to the neighboring properties, such as water lines and paving of the existing road. Commissioner Beaumont said the applicant failed to meet the burden to provide the expert testimony needed for approval.

Discussion concluded and the motion carried, with 4 voting in favor and 3 opposed. Commissioners J. Owen Etheridge, McCord, and Payment voted against the motion to deny.

|                |                                                                                                                           |
|----------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b> | <b>MOTION PASSED-ITEM DENIED [4 TO 3]</b>                                                                                 |
| <b>AYES:</b>   | Bob White, Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner |
| <b>NAYS:</b>   | Mike H. Payment, Vice Chairman, J. Owen Etheridge, Commissioner, Kevin E. McCord, Commissioner                            |

## NEW BUSINESS

### A. Consideration of Resolution Authorizing Exchange of County Property for Property Owned by Jeffery G. Brodil

County Attorney, Ike McRee, reviewed the Resolution that will shift lot lines of county-owned property on Grandy Road, Grandy, to provide a better access for the property adjoining the county site. Staff recommended approval of the request and Commissioner Payment made a motion to approve the Resolution. The motion was seconded by Commissioner Mary Etheridge. The motion carried.

#### RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AUTHORIZING EXCHANGE OF PROPERTY WITH JEFFREY G. BRODIL

WHEREAS, Currituck County owns land approximately one acre in size located along the west side of Grandy Road, approximately 108 feet southeast of the intersection of Grandy Road and Uncle Graham Road with Parcel Identification Number 0095000039B0000; and

WHEREAS, Jeffrey G. Brodil is the owner of land located adjacent to and north of the county's property along the west side of Grandy Road with Parcel Identification Number 00950000039000; and

WHEREAS, Currituck County and Jeffrey G. Brodil desire to make an exchange of real property by which Currituck County will convey 0.219 acres of its property described in this resolution for 0.426 acres of Jeffrey G. Brodil's property described in this resolution; and

WHEREAS, Section 160A-271 of the General Statutes of North Carolina authorizes Currituck County to make the exchange or property if authorized by its Board of Commissioners by a resolution adopted at a regular meeting of the board upon at least ten days' public notice; and

WHEREAS, Currituck County has given the required public notice and the Board of Commissioners is considering this resolution while convened in a regular meeting.

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners that:

Section 1. The exchange of Currituck County property for that property of Jeffrey G. Brodil as shown on that plat entitled in part "Recombination Plat for Jeffrey G. Brodil and Currituck County, Properties Described In Deed Book 1450, Page 395 and Deed

Book 208, Page 798, Poplar Branch Township, Currituck County, North Carolina” dated April 22, 2020 and prepared by Timmons Group described in this resolution is authorized.

Section 2. The appropriate Currituck County officials are directed to execute the appropriate instruments necessary to carry out the exchange.

ADOPTED the 17<sup>th</sup> day of August, 2020.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Mike H. Payment, Vice Chairman                                                                                                                                                                                            |
| <b>SECONDER:</b> | Mary "Kitty" Etheridge, Commissioner                                                                                                                                                                                      |
| <b>AYES:</b>     | Bob White, Chairman, 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. Consideration and Possible Action to Adopt the Strategic Plan for Currituck County**

County Manager, Ben Stikeleather, reviewed the Strategic Plan document crafted earlier by the Board of Commissioners during a two-day work session. He discussed the development of the plan and presented the goals and priorities set by the Board. Mr. Stikeleather said an action plan would be created and the document would be published for citizen review.

Chairman White moved for adoption of the plan. Commissioner Jarvis seconded the motion. The motion carried.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Bob White, Chairman                                                                                                                                                                                                       |
| <b>SECONDER:</b> | Selina S. Jarvis, Commissioner                                                                                                                                                                                            |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**C. Purchasing and Contracting Policy Update**

Rebecca Gay, Contract and Purchasing Agent, presented an updated Purchasing and Policy for Board consideration. The policy was revised from an earlier version adopted in 2019. Ms. Gay reviewed the items addressed in the policy and noted the document meets all statutory requirements for contracting and procurement.

Following presentation, Commissioner Beaumont said he would like Veteran-owned businesses and service-disabled Veteran-owned businesses specifically addressed in the policy. Commissioners agreed to the revision.

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Commissioner Beaumont moved for approval of the Purchasing and Contracting Policy with the additional language to specifically include Veteran and service disabled Veteran-owned businesses. Commissioner McCord seconded the motion. The motion carried.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Paul M. Beaumont, Commissioner                                                                                                                                                                                            |
| <b>SECONDER:</b> | Kevin E. McCord, Commissioner                                                                                                                                                                                             |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**D. Consideration of Resolution Updating Requirements for the Award of Public Building and Repair Construction Contracts and Adopting a Minority Business Participation Outreach Plan Pursuant to N.C. Gen. Stat. §143-128.2**

Purchasing and Contracting Agent, Rebecca Gay, reviewed the Resolution that recognizes the requirements of the county and contractors to reach out to minority businesses through development of a minority business outreach plan.

Commissioner J. Owen Etheridge moved for approval. The motion was seconded by Commissioner McCord. The motion carried.

**RESOLUTION UPDATING REQUIREMENTS FOR THE AWARD OF PUBLIC BUILDING AND REPAIR CONSTRUCTION CONTRACTS AND ADOPTING A MINORITY BUSINESS PARTICIPATION OUTREACH PLAN PURSUANT N.C. GEN. STAT. § 143-128.2**

Original Resolution June 18, 1990

WHEREAS, the North Carolina General Assembly has amended Article 8 of N.C. General Statute Chapter 143, Public Contracts, to enhance and improve the good faith efforts to recruit and select minority businesses for participation in public building construction and repair contracts by adding N.C. Gen. Stat. § 143-128.2; and

WHEREAS, on June 18, 1990, the County of Currituck, North Carolina adopted a resolution to establish a ten percent (10%) verifiable percentage goal for participation by minority businesses in the awarding of building construction contracts exceeding \$100,000 under a separate prime or single-prime contract system pursuant to N.C. Gen. Stat. § 143-128; and

WHEREAS, N.C. Gen. Stat. § 143-128(a1) has increased the permissible methods that public bodies may use in awarding construction contracts; and

WHEREAS, N.C. Gen. Stat. §§ 143-128.2(a) and 143-128.2(j) require each city, county, or other local public entity to adopt an appropriate verifiable percentage goal for

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participation by minority businesses in the total value of work for building projects costing \$300,000 or more; and

WHEREAS, N.C. Gen. Stat. §§ 143-128.2(b) and 143-128.2(j) require a public entity awarding a building contract where the total value of work equals or exceeds \$300,000 to establish, prior to solicitation of bids, good faith efforts that it will take to make it feasible for minority businesses to submit successful bids or proposals for contracts for public buildings, and require public entities to require contractors to make good faith efforts pursuant to N.C. Gen. Stat. § 143-128(f); and

WHEREAS, N.C. Gen. Stat. §§ 143-128.2(a), 143-128.2(b), and 143-128.2(e)(1) require a public entity awarding a building construction or repair contract where the total value exceeds \$300,000, prior to awarding a contract, to develop and implement a minority business participation outreach plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina as follows:

1. Minority business participation requirements shall be followed pursuant to any of the following construction methods described in N.C. Gen. Stat. § 143-128(a1):
  - (a) Separate-prime bidding.
  - (b) Single-prime bidding.
  - (c) Dual bidding.
  - (d) Construction management at risk.
  - (e) Alternative contracting methods.
  - (f) Design-build contracts.
  - (g) Design-build bridging contracts.
  - (h) Public-private partnership construction contracts.
2. The threshold requiring good faith efforts for the award of a public building construction or repair contract not involving State of North Carolina appropriations shall be increased from \$100,000 to \$300,000.
3. Currituck County shall make good faith efforts as set forth in N.C. Gen. Stat. § 143-128(e).
4. Currituck County shall require contractors to make good faith efforts pursuant to N.C. Gen. Stat. § 143-128(f).
5. Currituck County adopts a Minority Business Participation Outreach Plan and shall follow the guidelines established therein.
6. That this resolution shall become effective upon its adoption.

ADOPTED, this 17th day of August, 2020.

|                  |                                                                                                                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | J. Owen Etheridge, Commissioner                                                                                                                                                                                           |
| <b>SECONDER:</b> | Kevin E. McCord, Commissioner                                                                                                                                                                                             |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**E. Consideration of Resolution Adopting a Prequalification Policy for Construction and Repair Work Pursuant to N.C. Gen. Stat. §143-135.8**

Purchasing and Contracting Agent, Rebecca Gay, reviewed the Resolution to support provisions included in the updated Purchasing and Contracting policy related to prequalification requirements for contractors.

Commissioner Beaumont moved for approval. Commissioner McCord seconded the motion. The motion carried.

**RESOLUTION ADOPTING A PREQUALIFICATION POLICY FOR CONSTRUCTION AND REPAIR WORK PURSUANT TO N.C. GEN. STAT. § 143-135.8**

WHEREAS, prequalification is a process to evaluate and determine whether potential bidders have the skill, judgement, integrity, sufficient financial resources, and ability necessary for the faithful performance of a contract for construction or repair work; and

WHEREAS, N.C. Gen. Stat. § 143-135.8 authorizes counties to prequalify bidders for construction or repair work projects when using certain construction methods when the county's governing board adopts an objective prequalification policy applicable to all construction or repair work prior to the advertisement of the contract for which the county intends to prequalify bidders, and when the county has adopted the assessment tool and criteria for that specific project, which must include the prequalification scoring values and minimum required score for prequalification on that project; and

WHEREAS, N.C. Gen. Stat. § 143-135.8 further requires that the objective prequalification policy meets the following criteria:

- 1) Must be uniform, consistent, and transparent in its application to all bidders.
- 2) Must allow all bidders who meet the prequalification criteria to be prequalified to bid on the construction or repair work project.
- 3) Clearly state the prequalification criteria, which must:
  - a. Be rationally related to construction or repair work;

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- b. Not require that the bidder has previously been awarded a construction or repair project by the governmental entity;
  - c. Permit bidders to submit history or experience with projects of similar size, scope, or complexity.
- 4) Clearly state the assessment process of the criteria to be used.
  - 5) Establish a process for a denied bidder to protest to the county denial of prequalification, which process shall be completed prior to the opening of bids under N.C. Gen. Stat. § 143-129(b) and which allows sufficient time for a bidder subsequently prequalified pursuant to a protest to submit a bid on the contract for which the bidder is subsequently prequalified.
  - 6) Outline a process by which the basis for denial of prequalification will be communicated in writing, upon request, to a bidder who is denied prequalification; and

WHEREAS, the Currituck County has developed an objective prequalification policy applicable to construction and repair work using one the delivery methods authorized in N.C. Gen. Stat. § 143-128(a1) (1) through (3).

NOW THEREFORE, be it resolved that the Currituck County Board of Commissioners adopts the Prequalification Policy as described in the Currituck County Purchasing and Contracting Policy.

ADOPTED, this 17th day of August, 2020.

|                  |                                                                                                                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Paul M. Beaumont, Commissioner                                                                                                                                                                                            |
| <b>SECONDER:</b> | Kevin E. McCord, Commissioner                                                                                                                                                                                             |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**F. Consideration of a Resolution Authorizing the Sole Source Purchase of Computer Hardware and Software from Instrulogic, LLC for Operation of Mainland Water and Southern Outer Banks Water Systems**

Purchasing and Contracting Agent, Rebecca Gay, presented the Resolution to contract for the sole source procurement of water system hardware and software compatible with the county's current system software and hardware.

Commissioner Payment moved for approval. The motion was seconded by Chairman White. The motion carried.

**COUNTY OF CURRITUCK**

Communication: Minutes for August 17, 2020 (Approval Of Minutes-August 17, 2020)

**RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER HARDWARE AND SOFTWARE FROM INSTRULOGIC, LLC FOR THE OPERATION OF MAINLAND WATER SYSTEM AND SOUTHERN OUTER BANKS WATER SYSTEM THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the County's Mainland Water System and Southern Outer Banks Water System requires the purchase of computer hardware and necessary software compatible with existing systems equipment and remote site equipment and;

WHEREAS, InstruLogic, LLC is the only entity capable of providing the County with computer hardware and necessary software compatible with current Mainland Water System and Southern Outer Banks Water System equipment and operational systems, and

WHEREAS, Mainland Water System and Southern Outer Banks Water System have been using InstruLogic, LLC to construct, develop and upgrade its system; and

WHEREAS, InstruLogic, LLC is supplying Mainland Water System with computer hardware and necessary software at a cost of \$127,500.00; and

WHEREAS, InstruLogic, LLC is supplying Southern Outer Banks Water System with computer hardware and necessary software at a cost of \$142,468.00; and

WHEREAS, the total cost for the Mainland Water System and Southern Outer Banks Water System purchase is \$269,968.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina as follows:

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$269,968.00 with InstruLogic, LLC for the sole source purchase of computer hardware and necessary software in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with InstruLogic, LLC for the acquisition of computer hardware and necessary software described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the 17th day of August, 2020.

|                  |                                                                                                                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Mike H. Payment, Vice Chairman                                                                                                                                                                                            |
| <b>SECONDER:</b> | Bob White, Chairman                                                                                                                                                                                                       |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**G. Budget Amendment-CARES Act**

CARES funding is federal COVID funding that flows through the state. We have received a first allotment of \$701,713. Our plan for this allotment is to use the majority to offset public safety salary costs. The planned use of these funds and the next allotment can be changed easily.

County Manager, Ben Stikeleather, reviewed the budget amendment and spending plan for state funding received by the county through the CARES Act, aimed at off-setting costs related to Covid-19. Mr. Stikeleather said additional funding will be received in a second phase.

Commissioner Beaumont moved for approval. Commissioner Jarvis seconded the motion. The motion carried.

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|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Debit                                           | Credit                                          |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|
| <u>Account Number</u>     | <u>Account Description</u>                                                                                                                                                                                                                                                                                                                                                                                                                                    | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10990-587200              | T T - CARES ACT COVID19                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$ 701,713                                      |                                                 |
| 10390-499900              | Appropriated Fund Balance                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                 | \$ 701,713                                      |
| 200981-502000             | Salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$ 377,744                                      |                                                 |
| 200981-502100             | Salaries - Overtime                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$ 100,000                                      |                                                 |
| 200981-503000             | Salaries - Part time                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$ 25,000                                       |                                                 |
| 200981-503500             | Temporary Services                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$ 25,000                                       |                                                 |
| 200981-505000             | FICA                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$ 40,372                                       |                                                 |
| 200981-507000             | Retirement                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$ 83,597                                       |                                                 |
| 200981-532000             | Supplies                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$ 25,000                                       |                                                 |
| 200981-545000             | Contract Services                                                                                                                                                                                                                                                                                                                                                                                                                                             | \$ 25,000                                       |                                                 |
| 200390-495010             | T F - Operating Fund                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                 | \$ 701,713                                      |
|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <u>\$ 1,403,426</u>                             | <u>\$ 1,403,426</u>                             |
| <b>Explanation:</b>       | CARES ACT - COVID 19 (200981) - To set-up a special revenue fund for the CARES ACT - COVID19 funding as required by the grant. This funding was received on 5/29/2020 and recorded in the operating fund. This amendment will move the funds from the general fund to the required special revenue fund. At this time, funding must be spent by December 31, 2020 and cannot replace any items that were already budgeted prior to approval of grant funding. |                                                 |                                                 |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$701,713.                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                 |                                                 |
|                           | CARES ACT COVID19 (200) - Increased by \$701,713.                                                                                                                                                                                                                                                                                                                                                                                                             |                                                 |                                                 |

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Paul M. Beaumont, Commissioner  
**SECONDER:** Selina S. Jarvis, Commissioner  
**AYES:** Bob White, Chairman, 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

**H. Lower Currituck VFD-Use of Equipment Replacement Fund for Fiberglass Tank Replacement**

Commissioner Beaumont, who serves on the Fire and Emergency Medical Services Advisory Board, described the need for a tank replacement on the Lower Currituck Volunteer Fire Department's fire apparatus. Money for the tank would come from the equipment replacement fund.

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Commissioner Payment moved for approval of the request. The motion was seconded by Commissioner McCord. The motion carried.

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|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Mike H. Payment, Vice Chairman                                                                                                                                                                                            |
| <b>SECONDER:</b> | Kevin E. McCord, Commissioner                                                                                                                                                                                             |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**I) Consent Agenda**

Commissioner J. Owen Etheridge moved for approval of the Consent Agenda. Commissioner Jarvis seconded the motion. The motion carried.

|                  |                                                                                                                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | J. Owen Etheridge, Commissioner                                                                                                                                                                                           |
| <b>SECONDER:</b> | Selina S. Jarvis, Commissioner                                                                                                                                                                                            |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**1. Budget Amendments**

|                           |                                                                                                             | Debit                                       | Credit                                      |
|---------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|
| <u>Account Number</u>     | <u>Account Description</u>                                                                                  | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10640-532004              | FCS Supplies                                                                                                | \$ 1,226                                    |                                             |
| 10330-449900              | Miscellaneous Grants                                                                                        |                                             | \$ 1,226                                    |
|                           |                                                                                                             | <u>\$ 1,226</u>                             | <u>\$ 1,226</u>                             |
| <b>Explanation:</b>       | Cooperative Extension (10640) - To carry-forward NC Department of Insurance (SHIIP base funds) grant funds. |                                             |                                             |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$1,226.                                                                 |                                             |                                             |

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|                           |                                                                                                                                                                                                                                                                                                                 | Debit                                   | Credit                                  |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------|
| <u>Account Number</u>     | <u>Account Description</u>                                                                                                                                                                                                                                                                                      | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 10531-590000              | EM Capital Outlay                                                                                                                                                                                                                                                                                               | \$ 4,506                                |                                         |
| 10990-587061              | Transfer to Mainland Water                                                                                                                                                                                                                                                                                      | \$ 8,188                                |                                         |
| 10330-445000              | Emergency Mgmt                                                                                                                                                                                                                                                                                                  |                                         | \$ 12,694                               |
| 61818-545000              | Contract Services                                                                                                                                                                                                                                                                                               | \$ 8,188                                |                                         |
| 61390-495010              | Transfer from Operating Fund                                                                                                                                                                                                                                                                                    |                                         | \$ 8,188                                |
|                           |                                                                                                                                                                                                                                                                                                                 | <u>\$ 20,882</u>                        | <u>\$ 20,882</u>                        |
| <b>Explanation:</b>       | Emergency Management (10531); Mainland Water (61818) - Receiving Emergency Management Performance Grant Supplemental funding to support COVID19 response. Projects to include; an upgrade to the electronic lock system at the mainland water plant to increase security and an 800mhz radio for the EM office. |                                         |                                         |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$12,694.<br>Mainland Water (61) - Increased by \$8,188.                                                                                                                                                                                                                     |                                         |                                         |

|                           |                                                                                                                                                                                                                      | Debit                                   | Credit                                  |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------|
| <u>Account Number</u>     | <u>Account Description</u>                                                                                                                                                                                           | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 66868-590000              | Capital Outlay                                                                                                                                                                                                       | \$ 250,000                              |                                         |
| 66390-499900              | Appropriated Fund Balance                                                                                                                                                                                            |                                         | \$ 250,000                              |
|                           |                                                                                                                                                                                                                      | <u>\$ 250,000</u>                       | <u>\$ 250,000</u>                       |
| <b>Explanation:</b>       | Southern Outer Banks Water System (66868) - Carry-forward funds to complete Hazen & Sawyer, Magette Well Drilling and Dominion Power contracts for the Sailfish Well Project that has been in process since FY 2019. |                                         |                                         |
| <b>Net Budget Effect:</b> | Southern Outer Banks Water (66) - Increased by \$250,000.                                                                                                                                                            |                                         |                                         |

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|                                                                                        |                                                                                                               | Debit                                   | Credit                                  |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------|
| <u>Account Number</u>                                                                  | <u>Account Description</u>                                                                                    | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 10440-545100                                                                           | Credit Card Fees                                                                                              | \$ 15,000                               |                                         |
| 10340-450420                                                                           | Beach Parking Permits                                                                                         |                                         | \$ 15,000                               |
|                                                                                        |                                                                                                               | <u>\$ 15,000</u>                        | <u>\$ 15,000</u>                        |
| <b>Explanation:</b>                                                                    | Finance (10440) - Increase credit cards fees due to online beach parking permits purchases.                   |                                         |                                         |
| <b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$15,000.                 |                                                                                                               |                                         |                                         |
|                                                                                        |                                                                                                               | Debit                                   | Credit                                  |
| <u>Account Number</u>                                                                  | <u>Account Description</u>                                                                                    | Decrease Revenue or<br>Increase Expense | Increase Revenue or<br>Decrease Expense |
| 26535-557100                                                                           | Software License Fees                                                                                         | \$ 3,952                                |                                         |
| 26390-499900                                                                           | Appropriated Fund Balance                                                                                     |                                         | \$ 3,952                                |
|                                                                                        |                                                                                                               | <u>\$ 3,952</u>                         | <u>\$ 3,952</u>                         |
| <b>Explanation:</b>                                                                    | Emergency Telephone System (26535) - Increase appropriations due to increase in software license for FY 2021. |                                         |                                         |
| <b>Net Budget Effect:</b> Emergency Telephone System Fund (26) - Increased by \$3,952. |                                                                                                               |                                         |                                         |

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|                           |                                                                                                                                                                                                                                               | Debit                                           | Credit                                          |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|
| <u>Account Number</u>     | <u>Account Description</u>                                                                                                                                                                                                                    | <u>Decrease Revenue or<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 10441-514000              | Travel                                                                                                                                                                                                                                        | \$ 1,600                                        |                                                 |
| 10441-514500              | Training & Education                                                                                                                                                                                                                          | \$ 6,000                                        |                                                 |
| 10441-532000              | Supplies                                                                                                                                                                                                                                      | \$ 9,200                                        |                                                 |
| 10441-545000              | Contract Services                                                                                                                                                                                                                             | \$ 11,000                                       |                                                 |
| 10441-590000              | Capital Outlay                                                                                                                                                                                                                                | \$ 16,345                                       |                                                 |
| 10441-590003              | BOC Meeting Room Technology                                                                                                                                                                                                                   | \$ 681                                          |                                                 |
| 10440-514000              | Travel                                                                                                                                                                                                                                        | \$ 12,007                                       |                                                 |
| 10440-514500              | Training & Education                                                                                                                                                                                                                          | \$ 5,020                                        |                                                 |
| 10440-526000              | Advertising                                                                                                                                                                                                                                   | \$ 2,451                                        |                                                 |
| 10440-532000              | Supplies                                                                                                                                                                                                                                      | \$ 1,890                                        |                                                 |
| 10440-545000              | Contract Services                                                                                                                                                                                                                             | \$ 4,500                                        |                                                 |
| 10440-561000              | Professional Services                                                                                                                                                                                                                         | \$ 650                                          |                                                 |
| 10460-516000              | Maintenance & Repairs                                                                                                                                                                                                                         | \$ 7,000                                        |                                                 |
| 10460-545000              | Contract Services                                                                                                                                                                                                                             | \$ 17,695                                       |                                                 |
| 10460-545800              | Contract Services - COA                                                                                                                                                                                                                       | \$ 5,000                                        |                                                 |
| 10460-592000              | Courthouse Projects                                                                                                                                                                                                                           | \$ 1,250                                        |                                                 |
| 10980-545000              | Contract Services                                                                                                                                                                                                                             | \$ 251,558                                      |                                                 |
| 10330-445100              | FEMA Public Assistance                                                                                                                                                                                                                        |                                                 | \$ 251,558                                      |
| 10390-499900              | Appropriated Fund Balance                                                                                                                                                                                                                     |                                                 | \$ 102,289                                      |
|                           |                                                                                                                                                                                                                                               | <u>\$ 353,847</u>                               | <u>\$ 353,847</u>                               |
| <b>Explanation:</b>       | Information Technology (10441); Finance (10440); Public Works (10460); Disaster Recovery - Hurricane Dorian (10980) - Carry-forward funds from prior fiscal year for purchases/contracts in process on June 30, 2020 that were not completed. |                                                 |                                                 |
| <b>Net Budget Effect:</b> | Operating Fund (10) - Increased by \$353,847.                                                                                                                                                                                                 |                                                 |                                                 |

## 2. Personnel Policy Revision-Emergency Family Medical Leave

### 3. Job Description Revisions

The job descriptions attached have been adjusted based on a review of the department heads because of the salary study.

### 4. Petition for Road Addition: Hidden Oaks Subdivision-Shady Oaks, Oak Bend, N. Heritage Tree, S. Heritage Tree, N. Gumberry, S. Gumberry, Arrow Head

### 5. Petition for Road Addition: Windswept Pines Subdivision-Parrish Point, Snoozy Manor, Anvil Bend, Alden Run

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**6) Approval Of Minutes-July 20, 2020 BOC, Strategic Planning Sessions and Work Session-Strategic Planning**

- 1. Minutes for July 20, 2020**
- 2. Strategic Planning Sessions-Oct. 15-16, 2019**
- 3. Minutes-Strategic Planning W/S 7-16**

**J. Amended Item-Discussion for Consideration to Extend Lifeguard Services Contract**

The agenda was amended to include a discussion to consider extending the contract for Lifeguard services on the county's beaches. Commissioner Beaumont discussed the lengthier season and suggested extending the contract through Columbus Day, in October. The contract would provide for three additional stands at an approximate cost of \$15,000.

Discussion resulted in the Board agreeing to the extension and Commissioner Beaumont made a motion to approve an extended contract. Chairman White seconded the motion. The motion carried.

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|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Paul M. Beaumont, Commissioner                                                                                                                                                                                            |
| <b>SECONDER:</b> | Bob White, Chairman                                                                                                                                                                                                       |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

**CLOSED SESSION**

- 1. Closed Session pursuant to G.S. 143-318.11(a)(6) to discuss personnel matters.**

The Board of Commissioners entered into Closed Session pursuant to G.S. 143-318.11(a)(6) to discuss Personnel matters.

**RECLASSIFICATION-ASSISTANCE FINANCE DIRECTOR**

Commissioners returned and action was taken based on discussion that took place during the Closed Session. Commissioner Beaumont moved to modify the position of Assistance Finance Director by raising the position classification to a Grade 78. Commissioner Jarvis seconded the motion. The motion carried.

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|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Paul M. Beaumont, Commissioner                                                                                                                                                                                            |
| <b>SECONDER:</b> | Selina S. Jarvis, Commissioner                                                                                                                                                                                            |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

## ADJOURN

### Motion to Adjourn Meeting

There was no further business and Commissioner McCord motioned for adjournment. Commissioner Jarvis seconded the motion. The motion carried and the regular meeting of the Board of Commissioners adjourned at 9:25 PM.

|                  |                                                                                                                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                                                                               |
| <b>MOVER:</b>    | Kevin E. McCord, Commissioner                                                                                                                                                                                             |
| <b>SECONDER:</b> | Selina S. Jarvis, Commissioner                                                                                                                                                                                            |
| <b>AYES:</b>     | Bob White, Chairman, 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 |

### BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |               | <u>Increase Revenue or<br/>Decrease Expense</u> |               |
| 15447-545004          | Corolla Wild Horse Fund    | \$                                              | 24,015        |                                                 |               |
| 15447-545002          | Historic Preservation      | \$                                              | 29,481        |                                                 |               |
| 15390-499900          | Appropriated Fund Balance  |                                                 |               | \$                                              | 53,496        |
|                       |                            | <u>\$</u>                                       | <u>53,496</u> | <u>\$</u>                                       | <u>53,496</u> |

**Explanation:** Occupancy Tax - Tourism Related (15447) - Increase appropriations to carry forward contract in process at June 30, 2020.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$53,496.

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

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

Attachment: BAs\_Sept 8\_TDA (TDA Budget Amendments)

### BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 8th day of September 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<br/>Increase Expense</u> |               | <u>Increase Revenue or<br/>Decrease Expense</u> |               |
| 15447-545001          | Beach Services             | \$                                              | 22,500        |                                                 |               |
| 15390-499900          | Appropriated Fund Balance  |                                                 |               | \$                                              | 22,500        |
|                       |                            | <u>\$</u>                                       | <u>22,500</u> | <u>\$</u>                                       | <u>22,500</u> |

**Explanation:** Occupancy Tax - Tourism Related (15447) - Increase appropriations for three additional life guards for the Fall.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$22,500.

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

Attachment: BAs\_Sept 8\_TDA (TDA Budget Amendments)

# BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Ocean Sands Water and Sewer Authority, at a meeting on the 8th day of September 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<br/>Increase Expense</u> | <u>Increase Revenue or<br/>Decrease Expense</u> |
| 59808-594500          | Contract Services          | \$ 25,963                                       |                                                 |
| 59808-588000          | Contingency                |                                                 | \$ 10,525                                       |
| 59808-596100          | Professional Services      |                                                 | \$ 15,438                                       |
|                       |                            | <u>\$ 25,963</u>                                | <u>\$ 25,963</u>                                |

**Explanation:** Ocean Sands Water and Sewer (59808) - Transfer funds from contingency and professional services for Phase I Odor Control project at the Ocean Sands Wastewater Treatment Plant.

**Net Budget Effect:** Ocean Sands Water and Sewer District Construction Fund (59) - No change.

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

Attachment: BA\_Sept 8\_Ocean Sands (OSWSD Budget Amendments)