



**BOARD OF COMMISSIONERS
AGENDA**

MAY 16, 2011

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Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

Date: Monday, May 16, 2011

Time: 7:00 PM

Work Sessions

6:00 p.m. Historic Jarvisburg Colored School

Regular Agenda

- 7:00 p.m. Invocation
Pledge of Allegiance
- Item 1 Approval of Agenda
- Item 2 Public Comment
Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.
- Item 3 **Kathleen Foremen to present the Governor's award for Outstanding Volunteer to Virginia Sikes**
- Item 4 **Presentation by** Jim Harrison, Recovery Innovation ECBH
- Item 5 **Public Hearing and Action:** PB 10-03 Swan Beach Corolla: Request to rezone 37.36 acres from Outer Banks Limited Access Residential (RO2) to Conditional District-General Business (CD-GB). The property is located in Swan Beach, Tax Map 101 and 101A, Parcels A,B,C,D,1A,M1 and M2, Fruitville Township.
- Item 6 **Consideration of Recommendation of Award for Maple Commerce Park Wastewater Treatment Plant**
- Item 7 **Consideration of Ordinance** amending Section 3-87 of the Code of Ordinances to make unlawful the feeding of stray animals on any property
- Item 8 **Consideration of Ordinance** amending Section 1-8 of Code of Ordinances providing that penalty for violation of certain sections of Chapter 10 shall be Civil Penalty only.
- Item 9 **Appointments to Game Board**

- Item 10 **Appointment to JCPC Board to replace Donald Cooper**
- Item 11 **Appointments to Agricultural Advisory Board**
- Item 12 **Consent Agenda:**
 - 1. Proclamation for County Employee Health and Fitness Day
 - 2. Resolution Designating Agent for Currituck County for Tornados on 4/16/2011
 - 3. Resolution Opposing "Game Fish Status"
 - 4. Budget Amendments
 - 5. Approval of May 2, 2011, Minutes
- Item 13 Commissioner's Report
- Item 14 County Manager's Report
- Adjourn

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
MEETING DATE: May 16, 2011
PB 10-03 Swan Beach Corolla, LLC**

ITEM: PB 10-03 Swan Beach Corolla, LLC request to rezone 37.36* acres from RO2 to CD-GB. * Narrative acreage is 37.57. Applications and GIS acreage is 37.36

LOCATION: Swan Beach, Corolla

OWNERSHIP/TAX ID:

Owner	Parcel ID	Acreage
Till Morning, LLC	101A000000B0001	2.98
Charles S. & Nancy Friedman	101A000000M20001	2.92
Second Star, LLC	101A000000A0001	2.96
Swan Beach Corolla, LLC	101A000000C0001	28.5
	101A000000D0001	
	0101000001A0000	
	101A000000M10001	

APPLICANT: Swan Beach Corolla, LLC
408 Dundaff Street, Apt. 110
Norfolk, VA 23501
757-718-8600

CURRENT ZONING: Outer Banks Limited Access Residential (RO2)

PROPOSED ZONING: Conditional District-General Business (CD-GB)

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Currituck National Wildlife Refuge	RO2
SOUTH:	Residential	RO2
EAST:	Atlantic Ocean	
WEST:	Residential/Marshland	RO2

**LAND USE PLAN
CLASSIFICATION:**

The 2006 Land Use Plan classifies this site as **Limited Service** within the **Carova Sub-Area**.

The Limited Service Area classification is to provide for primarily residential development at low densities. Base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending on whether service facilities are in place or planned as well as the potential impact on the surrounding community. With respect to nonresidential uses, it is essential that the

existing community character be preserved. Design criteria should be established to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. Businesses designed to serve the tourist industry such as small gift shops or agri-tourism related uses should not be prohibited provided the character and intensity of the use is in keeping with the character of the surrounding area.

The policy emphasis of the Carova Sub-Area identified in the Land Use Plan is to allow for very low to medium density residential development without infrastructure or service investments that could stimulate growth and development. Only services that protect health, safety, and welfare (i.e. law enforcement, fire, and rescue) will be authorized. Commercial and other convenience services shall not be allowed.

The Carova subarea is designated by the federal government as a COBRA (Coastal Barriers Resource Act) area, meaning no structure in this area is eligible for federally subsidized flood insurance and no federal money may be spent in this area that would stimulate development.

In addition, the following Land Use Plan policies are also relevant to this request:

POLICY CD1: NEIGHBORHOOD SERVING COMMERCIAL DISTRICTS should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size. Appropriately designed, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

POLICY OB6: Concerning the OFF-ROAD AREAS OF THE OUTER BANKS, Currituck County shall not permit or encourage the provision of growth-inducing facilities and services to these areas, including for example, commercial services, centralized sewage treatment and hard surface roads.

POLICY OB7: VEHICULAR ACCESS TO THE NORTH BEACHES (off-road area) shall not compromise the environmental integrity of wildlife refuges, the estuarine research reserve, other ecologically sensitive areas, or habitat for wild horses. Structures or other man-made improvements not specifically serving the public interest shall not be permitted to block vehicular access along the beach.

CURRENT LAND USE: Residential/Undeveloped

PROPOSED LAND USE: Hotel (cottage suites) for short and extended stay occupancy including accessory uses to support the lodging units (wellness center, indoor/outdoor pools, boardwalk), and neighborhood village business (office, service, retail, recreational, entertainment, institutional, and government).

PROPOSED DENSITY: The planned hotel density is projected at 7.82 hotel lodging units per acre. Each lodging unit will consist of one bedroom.

ZONING HISTORY: The Swan Beach subdivision plan was recorded September 1969 and identified several lots as business areas. The applicant contends that all parcels identified on the recorded plat as business areas are currently zoned business.

The Official Zoning Map with amendments through December 4, 1973 illustrates the property as RA-20 (Residential-Agricultural) zoning district. In 1975 the Currituck County Board of Commissioners zoned the off-road area for residential uses only (R-20). The 1989 Official Zoning Map identified the property as Outer Banks Limited Access Residential (RO2). The official zoning map currently identifies this property as Outer Banks Limited Access Residential (RO2).

In 2004, Swan Beach Corolla, LLC (PB04-22) submitted a request to rezone 18.88 acres from Outer Banks Limited Access Residential (RO2) to General Business (GB). The Planning Board recommended denial of the request on April 13, 2004 and the item was not acted on by the Board of Commissioners. Also in 2004, the applicant requested to rezone 25.77 acres from Outer Banks Limited Access Residential (RO2) to Off Road Historic Village Commercial Overlay District (PB 04-72). The Planning Board recommended denial of the rezoning on April 12, 2005. On November 17, 2008 the item was removed from the Board of Commissioners agenda. Also, on November 17, 2008 the Board of Commissioners denied a text amendment request to create an Off-Road Historic Village Commercial Overlay District (PB 04-71).

PUBLIC SERVICES AND UTILITIES: The Carova Volunteer Fire Department provides fire protection for this area. Individual wells and on-site septic is proposed for the development.

TRANSPORTATION: The site is accessible by four-wheel drive vehicle from the foreshore or beach strand.

FLOOD ZONE: This site is located in a special flood hazard area and coastal high hazard area. The development is designated by the federal government as a COBRA (Coastal Barriers Resource Act) area, meaning no structure in this area is eligible for federally subsidized flood insurance and no federal money may be spent in this area that would stimulate development.

WETLANDS: The wetland inventory maps do not identify wetlands on the property.

SOILS: The Currituck County Soils map indicates the property contains primarily marginal soils for on-site septic systems.

PROPOSED

ZONING CONDITIONS:

On May 6, 2011, the applicant modified the proposed zoning conditions that will apply to this property:

1. Proposed Uses
 - a. Inn/lodging units with a maximum lodging density of 294 units/bedrooms and accessory uses to include a wellness center, indoor/outdoor pool, and boardwalk.
 - b. Neighborhood village commercial of 19,200 square feet of first floor space to include office, service, retail, recreational, and entertainment.
 - c. Two acres to be rented to the existing illegal businesses located in the four-wheel drive area.
2. Proposed Zoning Conditions
 - a. Wastewater shall be provided per county policy.
 - b. Stormwater to be managed using LID/Best Management practice techniques.
 - c. Parking areas shall not be paved.
3. The following uses are removed from the request:
 - a. Helipad
 - b. Fishing pier

COMMUNITY MEETING:

A community meeting was held on February 2, 2010. After multiple requests by staff a complete report was not provided prior to the Planning Board meeting. Bissell Professional Group provided community meeting notes at the Planning Board meeting.

STAFF RECOMMENDATION:

Staff recommends **denial** of the request to establish 37.36* acres from "Outer Banks Limited Access Residential (RO2) to Conditional District General Business (CD-GB)"

The following points support the **denial** of this request as presented.

1. The proposed request is not consistent with the Carova Sub-Area Policy Emphasis and is not in keeping with the density requirements and community character emphasis of the Limited Service designation of the 2006 Land Use Plan.
2. The proposed uses and development plan does not promote compatibility between the subject property and surrounding area. The proposed inn and neighborhood commercial development is adjacent to the Currituck National Wildlife Refuge and within the Swan Beach residential subdivision. (LUP Policy CD5).

3. The intensity of the proposed uses and development plan will encourage commercial services in the off-road area. (LUP Policy OB6, Limited Service designation)

Outstanding Staff Concerns: The conditional zoning process provides an opportunity for an applicant to propose use limitations or development conditions that ensure development proposals are consistent with the policies set forth in adopted plans. Staff is concerned with the following issues not addressed in the application or development plan.

1. There appears to be a slight discrepancy in the calculated acreage of the request. The property acreages identified on the applications do not match the narrative.
2. Vehicular access in this remote area of the county is often affected by uncontrollable environmental conditions such as tides, shifting sands, high water table, localized flooding, lack of maintenance, and ocean over wash. In addition, encouraging an increase of daily and weekly visitors who expect public services could contribute to an inability to provide adequate public services in this remote area of the county. (LUP Policy PP2).
3. The property is located in a COBRA (Coastal Barriers Resource Act) area or otherwise protected areas as identified by the federal government. The COBRA prohibits the sale of NFIP flood insurance for structures built within the protected area, and federal money may not be spent in this area that would stimulate development. A majority of the development is located within a VE (coastal high hazard area) flood zone. All construction within the coastal high hazard area as shown on the Flood Insurance Rate Maps shall be constructed to V-zone construction standards.
4. The property is located in an area of the county identified by NC Division of Coastal Management with significant erosion rates of between 6.5 – 7.5 feet per year. The property south of the proposed development is identified as one of the highest erosion rates in the county (8.5 feet per year).
5. All structures should be constructed in a manner so as to blend in with the character of the area taking into consideration height, size, exterior materials, windows, doors, and other related exterior features. All applications should be accompanied by building elevations of proposed structures and a lighting plan.
6. Staff requests further clarification on the extended stay units within the inn and the existing dwelling units including items such as intended ownership, management, and how the units

will meet the UDO definition of Hotels and Motels. *Staff commentary: The units will not be sold and will remain under single ownership. A management company will oversee the entire resort.*

7. The northern property line is adjacent to the Currituck National Wildlife Refuge, natural heritage area. A report that identifies the environmental impacts of the proposed development to the natural plants and animals inventoried and catalogued by the NCDENR Natural Heritage Program shall be provided. Specific areas identified with significant habitat should be preserved and protected, and environmental impacts shall be reduced by adequate buffers and vegetation. No land disturbing activities shall occur within the buffer, and existing vegetation shall be preserved within the buffer. A plan and report shall be provided with the site plan submittal that adequately buffers and protects the environmentally sensitive areas.
8. Michael J. Hoff, Refuge Manager for the Currituck National Wildlife Refuge, reviewed the proposed plans and provided concerns for the proposed project on February 16, 2010. The concerns are as follows:
 - i. A helicopter landing pad is approximately 250 feet from the boundary of the refuge. Federal law regarding aircraft usage around refuges discourages operation that may result in the harassment of wildlife. While the 250 foot buffer may be sufficient for landing the helicopter, approaches to the pad could be over the refuge at levels lower than recommended by the Federal Aviation Administration.
 - ii. The proposal places a new road immediately adjacent to approximately 2,500 linear feet of refuge. Currently, vehicular trespass on the refuge behind the frontal dune is minimal due to the impassable nature of these front line dunes. Creating an access route to the secondary dunes would provide direct access to a dune system with no natural barrier. Vehicular trespass on the sensitive, and in some cases, rare ecotypes of the refuge would likely increase and cause irreparable harm to the refuge habitat types.
 - iii. Currently, the hydrologic flow of subsurface water is not well understood. Special care should be taken during the design phase of this project to ensure adequate septic systems to protect refuge subsurface resources.
 - iv. Many of our trust resources rely on the shallow wetland basins found on the refuge as a source for fresh water. Special care should be taken during the well field design phase of this project to ensure a

subsurface cone of depression does not form that may ultimately drain these surface wetlands. Loss of these wetlands would negatively impact the refuges plant and animal communities.

**PLANNING BOARD
RECOMMENDATION:**

The Planning Board recommended **denial** with staff recommendations and LUP Policies, OB6, CD5, ES8, ES7, and ES6 to rezone 37.36 acres from Outer Banks Limited Access Residential (RO2) to Conditional District- General Business (CD-GB).

PLANNING BOARD DISCUSSION (2-9-10)

Mr. Plumlee stated they are asking for conditional zoning meaning they would be required to follow the conditions set by the county. Mr. Plumlee stated his client has been paying taxes on this property since 1969 as a business parcel. What his client is proposing to build is a private beach resort for weekly rentals and special events. It would include a chapel, fire and rescue station, wellness center and commercial for neighborhood services. At the south end there would be a fishing pier. Mr. Plumlee addressed staff recommendations for denial.

- The proposed request is not consistent with the Carova Sub-area Policy: *What they are proposing is an old beach village style development and clearly these plans can be tailored by the county. They will be very small structures, 900 to 1200 sq. ft. They are looking into the potential of shuttle service for people using the resort.*
- The proposed uses and development plan does not promote compatibility between the subject property: *Having smaller structures is going to be a better development.*
- The intensity of the proposed uses and development plan will encourage commercial services in the off-road area: *The pier will be at the southern end of the property and the Inn will be at the northern end. The Inn will not encourage adjoining commercial structures because of shuttling people in. The fishing pier is to encourage fishing. Mr. Plumlee stated to consider these two items separately, the Inn and the pier. His client is mostly focused on the resort.*
- Vehicular access: *Mr. Plumlee stated he hopes they have addressed this with the shuttle services and they would have to buy their own private insurance.*

Mr. Bissell provided an overview of the project, addressed the community meeting comments, and examples of the building styles.

Ms. Taylor asked where in Corolla are the cars are going to be parked.

Mr. Bissell stated the developer has a special use permit for a remote parking site.

Mr. Wright asked how vehicles or emergency vehicles will pass under the pier when the water comes up and the height of the pier will decrease as it gets closer to the dune line.

Mr. Bissell stated this will have to be addressed in the design.

The Board was concerned with more traffic being routed from the beach to the local roads.

Mr. West asked for clarification on the Inn and individual cottages.

Mr. Bissell stated it is an Inn in multiple structures. Two buildings will have 8000 sq. ft. on each floor with 12 units per floor. It will be operated under single management. Mr. Bissell stated each unit will have their own individual septic system.

Ms. Wilson stated that Mr. Plumlee stated that Mr. Friedman is doing this for the community. She lives in the community and from the community meeting that was held the community is not asking for this. Ms. Wilson stated that architecturally it is nice but it is still a commercial development. Ms. Wilson stated it is setting a precedent because other properties that are currently zoned residential could put in a request for conditional rezoning for commercial.

Mr. Clark asked if the beach would be open in front of the development so the public to drive down the beach.

Mr. Bissell stated yes.

Ms. White stated she is a resident of Swan Beach and the president of the Swan Beach Property Association. The members of the Swan Beach Property Association are against the conditional rezoning request and are in agreement with staff recommendations for denial. Ms. White stated this request will lead to incompatible and disruptive activity and will be detrimental to the general welfare, safety, health and well-being of their community. The community is not requesting any of the services in this proposal. The Swan Beach Property Association is asking that the board deny this request.

Ms. Lanucci stated she is property owner in Swan Beach and is against the rezoning request because it is a drastic change in the landscape of Swan Beach.

Ms. Daniels stated she hopes the board will deny this request and leave it like it is. It has worked in the past and hopefully will work in the future.

Mr. Albrecht stated he is against the rezoning request because of the lack of an adequate infrastructure, septic systems, and not in harmony with residential nature of the community.

Mr. Cherry stated he is the former president of the Swan Beach Property Association. Mr. Cherry stated he lives in a house that had been moved and if the pier was built this would eliminate the ability to do this. Mr. Cherry stated this project is not in harmony with the residential nature of the community and asking that the board deny the request.

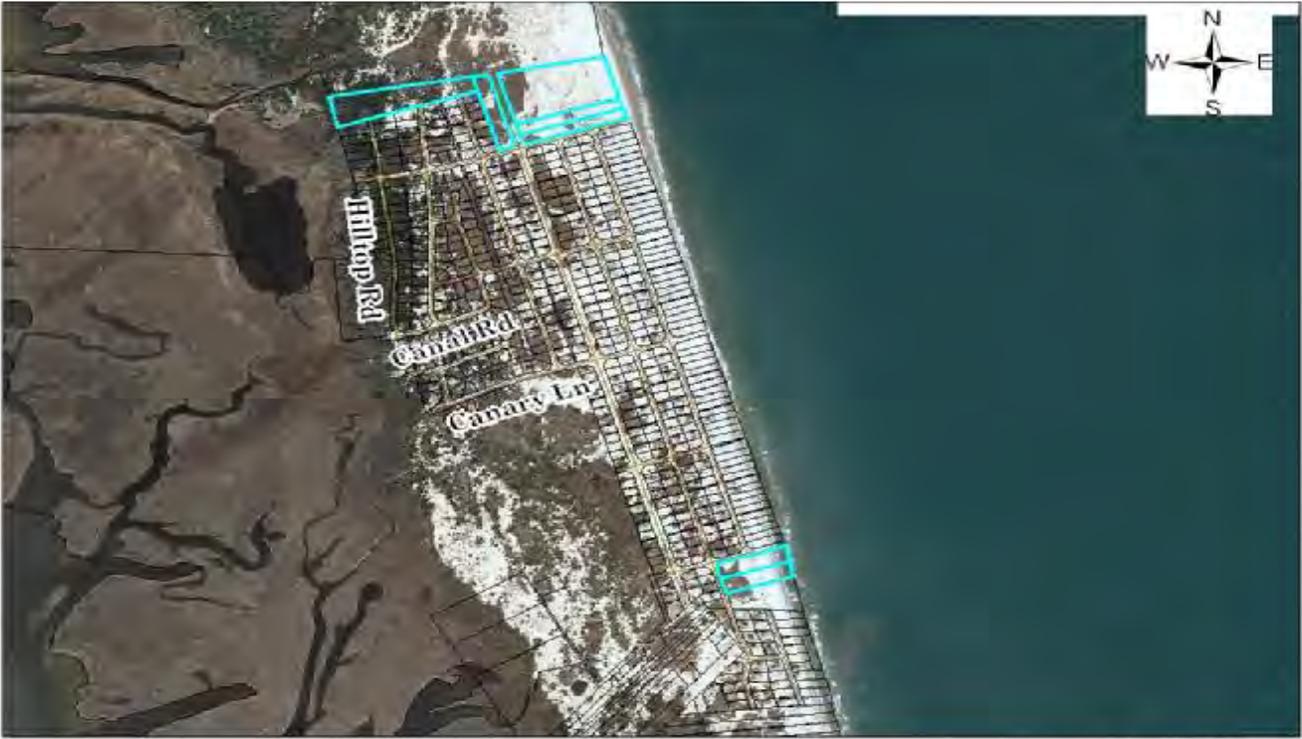
Mr. Lampy asked the board to deny this request.

Mr. Plumlee stated what is popular is not always right and what is unpopular is not always wrong. They do believe this project would reduce impacts compared to the results of residential developments at this location. The pier is not the main part of the project. This development will not decrease the value of adjoining properties. This is a lower impact plan. If it is the concern to lessen impacts then you would adopt this plan, if it is the issue of controlling what is happening at all times around you then you would reject it, it is as simple as that.

Ms. Wilson stated she has a letter from the North Swan Beach Property Owners Association, a statement from the C.O.A.S.T. environmental group and the Corolla Wild Horse Fund in opposition to this rezoning request.

ACTION

Ms. Wilson recommended denial with staff recommendations and LUP Policies, OB6, CD5, ES8, ES7, and ES6 to rezone 37.36 acres from Outer Banks Limited Access Residential (RO2) to Conditional District- General Business (CD-GB). Ms. Taylor seconded the motion. Motion carried unanimously.



PB 10-03 SWAN BEACH COROLLA
Conditional Zoning

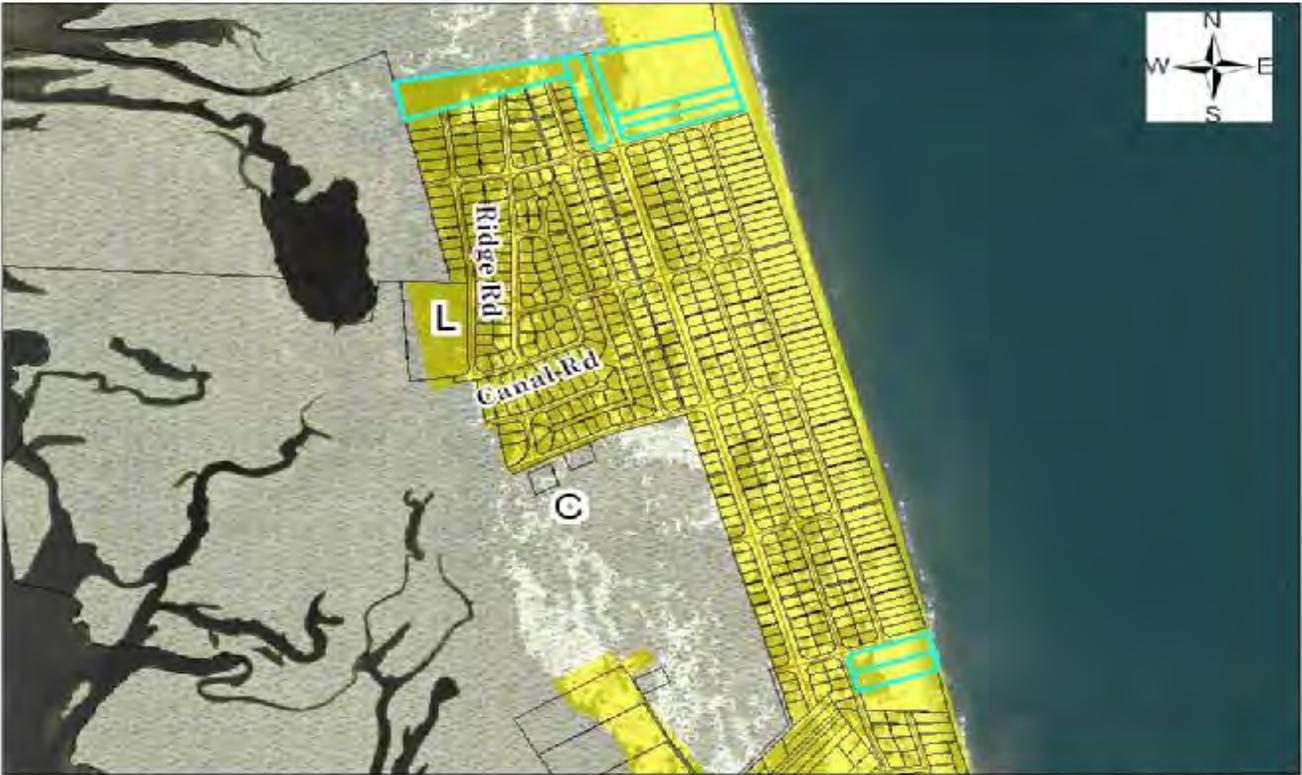
0 900 1,800 3,600 Feet
Currituck County Planning Department



PB 10-03 SWAN BEACH COROLLA
Conditional Zoning

0 500 1,000 2,000 3,000 Feet
Currituck County Planning Department



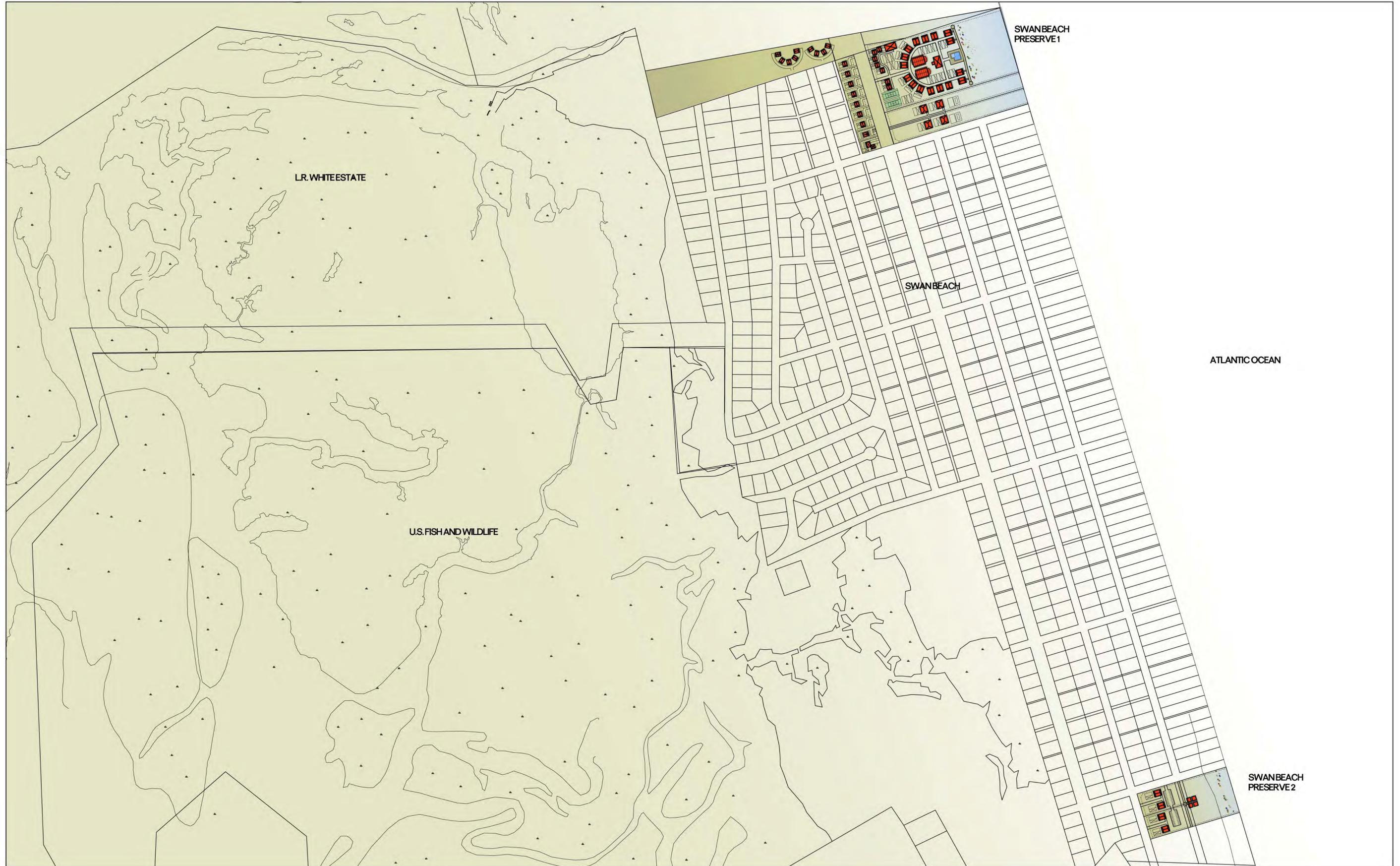


PB 10-03 SWAN BEACH COROLLA
Conditional Zoning

0 475 950 1,900 2,850 Feet
Currituck County Planning Department



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FUTURE SWAN BEACH PRESERVE 1 & 2 - CONTEXT

NOT TO SCALE

6 MAY 2011

TYMOFF+MOSS ARCHITECTS

ARCHITECTURE INTERIORS URBAN DESIGN
512 BOTETOURT STREET NORFOLK VA 23510 757.627.0013



SWAN BEACH PRESERVE 1 - FUTURE



6 MAY 2011

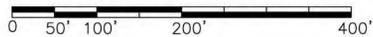
TYMOFF+MOSS ARCHITECTS

ARCHITECTURE INTERIORS URBAN DESIGN
 512 BOTETOURT STREET NORFOLK VA 23510 757.627.0013



F.E.M.A. F.I.R.M. PANEL # 370078 9929 J
EFFECTIVE DATE: 12/16/2005 (SUBJECT TO CHANGE BY F.E.M.A.)

SWAN BEACH PRESERVE 2 - FUTURE



1 JUNE 2010

TYMOFF+MOSS ARCHITECTS

ARCHITECTURE INTERIORS URBAN DESIGN
512 BOTETOURT STREET NORFOLK VA 23510 757.627.0013

RECEIVED
MAY 05 2011

Swan Beach Village Preserve Narrative

BY:.....

This narrative is provided in support of the application for Conditional Zoning for a proposed development known as Swan Beach Village Preserve, to be developed on the Platted areas know as Swan Beach Business North and Swan Beach Business South.

Swan Beach Village will provide much needed legacy jobs and produce over \$570,000.00 per year in Real Estate, Occupancy, Sales and Land Transfer Taxes at fruition of this \$100,000,000.00 Oceanfront Village.

Property Included

The Swan Beach North property includes five parcels with a total combined area of 31.71 acres. Three of the parcels are oceanfront, one fronts along the western right-of-way of Ocean Pearl, and the fifth is a nine acre tract to the west.

The southern portion, Swan Beach Business South consists of two parcels with a total area of 5.86 acres. The total acreage proposed for the conditional zoning is 37.57 +/- acres.

The Northern property currently contains two residential structures, with the majority of the land being vacant; The Swan Beach Business South property is all vacant.

History

This section of the Swan Beach Subdivision was originally platted in 1969, with the Business Block Areas that became Swan Beach Business North and Swan Beach Business South intended for future commercial development in support of the large surrounding residential community. Swan Beach is 1,400 acres, 577 lots on approximately 500 acres and 37.57 +/- acres of business areas set aside and included on the original plat of the Planned Development.

Recombination plats we recorded for Swan Beach Business North and Swan Beach Business South in 2003.

A proposal was made to Currituck County in 2004 and 2008 for a text amendment to allow for an Off-road Historic Commercial Overlay District.

Current Proposal

Accommodations will be considered within Swan Beach Village Preserve for the existing 25 plus off-road business. It is proposed that the parcels be developed as **land saving clusters of cottage suites** with multiple structures, ranging in size from two to twenty cottage residential suites, which are intended for both short and extended stay occupancy.

An attractive, campus style layout is proposed, with buildings designed in the north beach vernacular, which will include accessory structures in support of the cottages. The accessory uses will include a wellness center, indoor and outdoor pools, neighborhood village businesses uses that will support the cottages.(small shops, offices, and small food service establishments).

A summary of the development proposal follows :

Approximate Development Summary

	North	South	Total
20-unit buildings (2 floors @ 6,000 s.f.)	2	-	2
8- unit buildings (2 floors @ 2,500 s.f.)	20	4	24
4- unit buildings (2 floors @ 1,200 s.f.)	9	-	9
2- unit buildings (upper fl @ 1,200 s.f.)	13	-	13
Neighborhood Village Commercial (ground floor @900-1,200 s.f.)	14	4	18

Development density will be approximately as follows

	Acreage	Cottage Suites	Village Commercial
North	31.71	262(8.26)	15,600 s.f. (500 s.f./ac.)
South	5.86	32(5.5/ac.)	3,600 s.f. (600 s.f./ac.)
Total	37.57	294(7.82ac.)	

One Bedroom Equals One Unit
Other Development Considerations

It is intended that low impact development techniques be utilized throughout. These techniques will include the use of cisterns for capturing rain water, along with best management practices for storm water infiltration around the site.

The development will not include the paving of any roads or parking areas, Individual septic systems will be provided on a building by building basis, in accordance with Currituck County Guidelines.

It is proposed that a new access road along the northern property line be established to also route traffic to Ocean Pearl from the beach access.

It is intended that the property to the west be developed in accordance with Maritime Forest Guidelines as outlined in the Unified Development Ordinance.



Eric T. Weatherly, P.E.
County Engineer

Currituck County

Post Office Box 38
Currituck, North Carolina 27929
252-232-6035
FAX 252-232-3298
Eric.Weatherly@CurrituckCountyNC.Gov

MEMORANDUM

Date: May 5, 2011

To: Board of Commissioners
County Manager

From: Eric T. Weatherly

RE: Recommendation of Award
Maple Commerce Park Wastewater Treatment Plant

Background

This project consists of a new wastewater treatment plant that will serve the new Maple Commerce Park area. This park and the surrounding area consists of approximately 11 lots averaging 5 acres each, the new YMCA/Community Center, Cooperative Extension, school and the facilities around the airport. The wastewater plant will be located behind the school on 17 acres acquired from the Board of Education. The plant is a 40,000 gpd system that can be expanded up to 160,000 gpd.

The wastewater treatment plant is scheduled to be completed this November. As soon as the plant is complete, the YMCA/Community Center, school and Cooperative Extension will be connected to the plant.

Analysis

Attached is the analysis of the bids and recommendation of award letter from the design engineers, Hyman and Robey of Camden. The low bid was received from Hatchell Concrete, Inc. of Manteo in the amount of \$2,070,687.20. We recommend that the bid be lowered by \$129,825 as outlined in Hyman and Robey's letter. Hyman and Robey also outlines that \$248,200 of the bid is for road construction within the future commerce park. The cost of this project will be \$2,070,687.20 less \$129,825.00 for total of \$1,940,862.20.

Recommendation

We are recommending to the Board of Commissioners that the Maple Commerce Park Wastewater Treatment Plant be awarded to Hatchell Concrete, Inc for the amount of \$1,940,862.20. With your concurrence, we will move forward with finalizing contracts to begin construction.



May 5, 2011

Mr. Eric T. Weatherly, PE - County Engineer
Currituck County
P. O. Box 38
Currituck, NC 27929-0038

Subject: Bid Opening
Maple Commerce Park Wastewater Treatment Plant
H&R 090077

Dear Mr. Weatherly,

On Monday, April 25, 2011 at 3:00 PM bids were opened for the Maple Commerce Park Wastewater Treatment Plant. Four (4) bids were received from the following contractors: Hatchell Concrete, Inc., George Raper & Son, Inc., Eberhart Construction, Inc., and M & W Construction, Inc.

The apparent low bidder was Hatchell Concrete, Inc., with a Base Bid + Total Unit Prices of \$ 2,070,687.20.

Hatchell Concrete, Inc. is using Basnight Construction and Barnhill Contracting Co. as a subcontractors. Hyman & Robey staff have visited several of the Amphidrome wastewater plants constructed by Basnight Construction and are satisfied with their work. We have worked many projects with Barnhill Contracting Co. and are satisfied with their work as well.

The bid documents have been reviewed by our office and appear to be intact and correct. There were no required corrections to the bid form and a copy of the documents along with a copy of the Bid Tabulation Sheet is attached to this letter.

Our engineer's estimate for the work associated with the bid is \$1,500,000 for the Wastewater Treatment Plant portion of the work and \$269,985 for the roadway, drainage, water and sewer utilities in Aviation Parkway and Barco Way for a total estimated expenditure of \$1,769,985.

At the direction of Currituck County, we have undergone a value engineering process with Hatchell Concrete, Inc. to reduce construction costs. The following cost reductions have been approved by Hatchell Concrete, Inc.

	Savings
- Reduce the Equipment Allowance to \$15,000	\$ 10,000
- Remove the Telemetry Allowance	\$ 20,000
- Delete the paving within the sewer plant site	\$ 35,000
- Allow 3 weeks additional contract time	\$ 20,000
- Building Discount (No change in work scope)	\$ 10,000
- Remove the Odor Control Air Scrubber Unit and the associated roof vent	\$ 34,825
=====	
Total Savings	\$ 129,825

Mr. Eric T. Weatherly, PE
May 5, 2011

These savings, if approved by the Owner, would reduce the contract amount to \$ 1,940,862.20. According to Derek Hatchell of Hatchell Concrete, Inc, the cost of construction of the roadway, drainage, water and sewer utilities in Aviation Parkway and Barco Way is \$248,200. Therefore the bid breakdown is:

	Bid Price	Engineer's Estimate
Roadway, drainage, water and sewer utilities in Aviation Parkway and Barco Way	\$ 248,200.00	\$ 269,985.00
Wastewater Treatment Plant	\$ 1,692,662.20	\$ 1,500,000.00
=====		
Total	\$ 1,940,862.20	\$ 1,769,985.00

A copy of the Maple Commerce Park budget dated 4-28-11 is attached for reference.

As part of the value engineering, the Contractor offered to reduce his price by \$20,000 if three additional weeks were added to the contract time, making the substantial completion date November 4, 2011 and final completion November 25, 2011. As part of this extension of time, Hatchell Concrete, Inc. has agreed to handle all of the wastewater from the Currituck YMCA at no cost to the Owner. The wastewater from the YMCA will be allowed to be pumped to the proposed Maple sewage treatment plant. From there, Hatchell Concrete, Inc. will either pump it to the septic tanks at the Central Elementary School or haul the wastewater away as necessary at their cost. With plumbing trim out scheduled for the end of September, it is likely that only testing and cleaning water will be generated by the YMCA in the month of October. Note that substantial completion required the wastewater plant to be operational.

After a review of all bid documents, negotiation of the value engineering items and consideration of the low Bidder to accept and dispose of all wastewater generated by the YMCA facility under construction, we recommend the Contract for the Maple Commerce Park Wastewater Treatment Plant be awarded to Hatchell Concrete, Inc. for the price of \$1,940,862.20. The Contract shall include all of the value engineering items mentioned above and shall reflect a contract times for Substantial Completion of November 4, 2011 and Final Completion of November 25, 2011.

Regards,


Sean C. Robey, PE
5-5-11



enclosures

cc:file



Description	Quantity	Unit	Eberhart Construction		M&W Construction		Hatchell Concrete, Inc.		George Raper & Son, Inc	
			Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
Base Bid	1	LS	\$ 2,257,500.00	\$ 2,257,500.00	\$ 3,367,000.00	\$ 3,367,000.00	\$ 1,949,287.20	\$ 1,949,287.20	\$ 2,016,964.00	\$ 2,016,964.00
100 Undercut and Backfill (stipulated price)	2700	CY	\$ 18.00	\$ 48,600.00	\$ 18.00	\$ 48,600.00	\$ 18.00	\$ 48,600.00	\$ 18.00	\$ 48,600.00
101 Additional Pond Excavation- High Rate Infiltration Pond	450	CY	\$ 12.00	\$ 5,400.00	\$ 12.00	\$ 5,400.00	\$ 4.00	\$ 1,800.00	\$ 5.50	\$ 2,475.00
102 Additional Select Porous Pond Fill	450	CY	\$ 50.00	\$ 22,500.00	\$ 46.00	\$ 20,700.00	\$ 40.00	\$ 18,000.00	\$ 7.50	\$ 3,375.00
103 Equipment Allowance	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
104 Allowance- Abandonment of County Well	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
105 Allowance - Telemetry System	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
106 Allowance - Inspection and Testing of High-Rate Infiltration Pond	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
Prices				\$ 129,500.00		\$ 127,700.00		\$ 121,400.00		\$ 107,450.00
Contractor Bid Amount: Total Base Bid + Total Base Bid			As Read	\$ 2,387,000.00	As Read	\$ 3,494,700.00	As Read	\$ 2,070,687.20	As Read	\$ 2,124,414.00
			As Calculated	\$ 2,387,000.00	As Calculated	\$ 3,494,700.00	As Calculated	\$ 2,070,687.20	As Calculated	\$ 2,124,414.00

I hereby certify that I have reviewed the bids as depicted above and that the bids are responsive and complete.



(Signature)
Sean C. Robney, PE 4-27-11

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APPROVED AS TO FORM:

Donald I. McRee, Jr., County Attorney

Date adopted: _____

Motion to adopt by Commissioner _____

Second by Commissioner _____

Vote: _____ AYES _____ NAYS

1 **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS**
2 **AMENDING CHAPTER 1, SECTION 1-8 OF THE CURRITUCK COUNTY CODE OF**
3 **ORDINANCES TO PROVIDE FOR GENERAL PENALTIES FOR CODE VIOLATIONS**
4 **AND TO MAKE OTHER CORRECTIVE AND CONSISTANCY CHANGES**

5
6 WHEREAS, pursuant to N.C. Gen. Stat. §153A-123 a county may provide for fines and
7 penalties for violation of its ordinances and may by ordinance provide that violation of a county
8 ordinance subjects the offender to a civil penalty to be recovered by the county in a civil action
9 in the nature of a debt; and

10
11 WHEREAS, it is necessary and advisable to provide that the penalty for certain county
12 ordinance violations subject the offender only to civil penalties.

13
14 NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the
15 County of Currituck as follows:

16
17 Part I. **Section 1-8. General penalty; continuing violation** of the Currituck County Code of
18 Ordinances is rewritten to read as follows:

19
20 Sec. 1-8. General penalty; continuing violations.

21
22 (a) Wherever in this Code or in any ordinance of the county any act is prohibited or is
23 made or declared to be unlawful or an offense or a misdemeanor, or wherever in such
24 Code or ordinance the doing of any act is required or the failure to do any act is declared
25 to be unlawful or an offense or an infraction or a misdemeanor, where no specific penalty
26 is provided therefor the violation of any such provision of this Code or any such
27 ordinance shall be punished by a fine of not more than \$500.00 or by imprisonment for
28 not more than 30 days for each separate violation; provided, that no fine shall exceed
29 \$50.00 unless the ordinance expressly states that the maximum fine is greater than
30 \$50.00. Each day any violation of this Code or any ordinance shall continue shall
31 constitute a separate offense, unless otherwise specified.

32
33 (b) In addition to any criminal penalty set out in this section, violations of this Code
34 shall subject the offender to a civil penalty upon the issuance of a citation for such
35 violation as hereinafter provided. The civil penalty, if not paid to the county finance
36 officer within 15 days of the issuance of a citation, may be recovered by the county in a
37 civil action in the nature of debt. Unless otherwise provided by a specific provision of
38 this Code, such civil penalties shall be no more than \$500.00 for each violation, and each
39 day any single violation continues shall be a separate violation.

40 Violations of the following provisions of this Code shall, except for the civil remedies
41 provided in subsections (c), (d) and (e) of this section, subject the offender only to a civil
42 penalty:

1 (1) Chapter 10, sections 57, 58, 59, 60, 61, 62, 63, and 108;

2 (2) Chapter 12, section 62.

3 (c) In addition to any civil or criminal penalties set out in this section, any provision of
4 this Code or any other county ordinance may be enforced by an appropriate equitable
5 remedy issuing from a court of competent jurisdiction. In such case, the general court of
6 justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not
7 be a defense to the application of the county for equitable relief that there is an adequate
8 remedy at law.

9 (d) In addition to any civil or criminal penalties set out in this section, any provision of
10 this Code or any other county ordinance that makes unlawful a condition existing upon or
11 use made of real property may be enforced by injunction and order of abatement, and the
12 general court of justice shall have jurisdiction to issue such orders. When a violation of
13 such a provision occurs, the county may apply to the appropriate division of the general
14 court of justice for a mandatory or prohibitory injunction and order of abatement
15 commanding the defendant to correct the unlawful condition upon or cease the unlawful
16 use of the property. The action shall be governed in all respects by the laws and rules
17 governing civil proceedings, including the Rules of Civil Procedure in general and Rule
18 65 in particular.

19 (e) In addition to an injunction, the court may enter an order of abatement as a part of
20 the judgment in the cause. An order of abatement may direct that:

21 (1) Buildings or other structures on the property be closed, demolished or
22 removed;

23 (2) Fixtures, furniture or other movable property be removed from buildings on
24 the property;

25 (3) Grass and weeds be cut;

26 (4) Improvements or repairs be made; or

27 (5) Any other action be taken that is necessary to bring the property into
28 compliance with this Code or such ordinance.

29 If the defendant fails or refuses to comply with an injunction or with an order of
30 abatement within the time allowed by the court, he may be cited for contempt, and the
31 county may execute the order of abatement. The county shall have a lien on the property
32 for the cost of executing an order of abatement in the nature of a mechanic's and
33 materialman's lien. The defendant may secure cancellation of an order of abatement by

1 paying all costs of the proceedings and posting a bond for compliance with the order. The
2 bond shall be given with sureties approved by the clerk of superior court in an amount
3 approved by the judge before whom the matter is heard and shall be conditioned on the
4 defendant's full compliance with the terms of the order of abatement within a time fixed
5 by the judge. Cancellation of an order of abatement shall not suspend or cancel an
6 injunction issued in conjunction therewith.

7 (f) The provisions of this Code and any other ~~town~~ county ordinances may be enforced
8 by one all or a combination of the remedies authorized and prescribed by this section;
9 except that any provision the violation of which incurs a civil penalty shall not be
10 enforced by criminal penalties.

11 (g) Except as otherwise specifically provided, each day's continuing violation of any
12 provision of this Code or any other ~~town~~ county ordinance shall be a separate and distinct
13 offense.

14 (h) A violation of this Code, the penalty for which is a civil penalty, shall be
15 enforced as provided in subsections (i), (j), and (k) of this section.

16 (i) Upon determination of a violation of any section of this Code, the penalty for which
17 is a civil penalty, the county shall cause a warning citation to be issued to the violator,
18 setting out the nature of the violation, the date of the violation and an order to
19 immediately cease the violation or, if the violation is in the nature of an infraction for
20 which an order of abatement would be appropriate in a civil proceeding, stating a
21 reasonable period of time in which the violation must be abated. The warning citation
22 shall specify that a second citation shall incur a civil penalty. The initial issuance of a
23 warning citation upon a violator as provided above shall not be required for the
24 immediate imposition of civil penalties for a determination of a violation of any of the
25 following provisions:

26 (1) Chapter 3, Section 3-36;

27 (2) Chapter 9, Section 9-4, Section 9-7, Section 9-33;

28 (3) Chapter 10, Section 10-57, 10-58, Section 10-59, Section 10-60 Section 10-
29 61, Section 10-62(~~b~~), ~~Section 10-62(e)~~, Section 10-63(~~e~~), Section 10-64, Section
30 10-104 and Section 10-108;

31 (4) Chapter 12, Section 12-62;

32 (j) Upon failure of the violator to obey the warning citation, a civil citation shall be
33 issued by the appropriate official of the ~~town~~ county and either served directly on the
34 violator or his duly designated agent, or registered agent if a corporation, in person or

1 posted in the United States mail service by first class mail addressed to the last known
2 address of the violator as contained in the records of the ~~town~~ county, or obtained from
3 the violator at the time of the issuance of the warning citation. The violator shall be
4 deemed to have been served upon the mailing of such citation. The citation shall direct
5 the violator to ~~appear before the town treasurer, located in the town hall,~~ within 15 days
6 of the date of the citation, ~~or alternatively to pay the citation by mail.~~ The violation for
7 which the citation is issued must have been corrected by the time the citation is paid;
8 otherwise, further citations shall be issued. Citations may be issued for each day the
9 offense continues until the prohibited activity is ceased or abated. Within a 12-month
10 period, any repeat violation for which a notice of violation, warning citation, or civil
11 citation has been issued shall be considered a continuation of the original violation.

12 (k) If the violator fails to respond to a citation within 15 days of its issuance and pay the
13 penalty prescribed therein, the county may institute a civil action in the nature of debt in
14 the appropriate division of the state general court of justice for the collection of the civil
15 penalty.
16

17 PART II. **Section 10-54. Violation of division.** of the Currituck County Code of Ordinances is
18 stricken in its entirety as follows:
19

20 **~~Sec. 10-54. Violation of division.~~**

21
22 ~~Whoever violates any provision of this division shall, upon conviction, be punished by a~~
23 ~~fine of not more than \$500.00 or by imprisonment for not more than 30 days for each~~
24 ~~separate violation.~~
25

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

28 PART IV. This ordinance is effective upon its adoption.
29

30 ADOPTED this _____ day of May, 2011.
31

32 _____
33 O. Vance Aydlett, Jr., Chairman
34

35 ATTEST:
36

37 _____
38 Gwen H. Keene
39 Clerk to the Board
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APPROVED AS TO FORM:

Donald I. McRee, Jr.
County Attorney

Date adopted: _____

Motion to adopt by Commissioner _____

Second by Commissioner _____

Vote: _____ AYES _____ NAYS

GAME COMMISSION
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Richard Williams	District 1		Vance Aydlett	5/24/2010	1st term 6/1/2012
Janet Ross	District 2		John Rorer	5/24/2010	5th term 6/1/2012
Larry Beasley	District 3		Butch Petrey	6/7/2010	2nd term 6/1/2012
Paul Bradley	District 4		Owen Etheridge	7/6/2009	6/1/2011
Charles Eley	District 5		Marion Gilbert	7/6/2009	6/1/2011
Clay Cartwright	At-Large		Paul Martin	7/6/2009	6/1/2011
Jimmy Markert	At-Large		Paul O'Neal	7/6/2009	6/1/2011

JCPC effective 7-1-11

Currituck County FY 2010-2011

Instructions: N.C.G.A. 143B-543 (2002 Session) specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

Specified Members (G.S. 147-33.61)	Name	Title	Designee	Race	Gender
1) School Superintendent or designee	?		<input type="checkbox"/>		
2) Chief of Police	n/a		<input type="checkbox"/>		
3) Local Sheriff or designee	Sandy Casey	Chief Deputy Capt	<input checked="" type="checkbox"/>	w	m
4) District Attorney or designee	Kim Pellini	Asst. DA	<input checked="" type="checkbox"/>	w	f
5) Chief Court Counselor or designee	Sherri Ellington	Cheif	<input type="checkbox"/>	w	f
6) Director, AMH/DD/SA, or designee	Sarah Massey	System of Care Coordinator	<input checked="" type="checkbox"/>	w	f
7) Director DSS or designee	Patty Halstead	Social Worker	<input checked="" type="checkbox"/>	w	f
8) County Manager or designee	Sandra Hill	Finance Officer	<input checked="" type="checkbox"/>	w	f
9) Substance Abuse Professional	Keba Baldwin ?	SADFS	<input type="checkbox"/>	b	m
10) Member of Faith Community			<input type="checkbox"/>		
11) County Commissioner	Gene Gregory Paul Mather ?	County Commissioner	<input type="checkbox"/>	w	m
12) Two Persons under age 18 (State Youth Council Representative, if available)	Krysta Messier X		<input type="checkbox"/>	b w	f
			<input type="checkbox"/>		
13) Juvenile Defense Attorney	Bill Brumsey	Juv. Defense Attorney	<input type="checkbox"/>	w	m
14) Chief District Judge or designee	Hon. Edgar Barnes	District Court Judge	<input type="checkbox"/>	w	m
15) Member of Business Community	Cathy Midgett ?	Business Owner & School Board	<input type="checkbox"/>	w	f
16) Local Health Director or designee	Amy Cowan Undehill	Health Educator	<input type="checkbox"/>	w	f
17) Rep. United Way/other non-profit	Ellen Owens	Coop. Extension	<input type="checkbox"/>	w	f
18) Representative/Parks and Rec.	Jason Weeks	Director	<input type="checkbox"/>	w	m
19) County Commissioner appointee	Randy Matusko	Court Counselor	<input type="checkbox"/>	w	m
20) County Commissioner appointee	Paul Pollock	Court Counselor	<input type="checkbox"/>	w	m
21) County Commissioner appointee	Jean Snider	Citizen	<input type="checkbox"/>	w	f
22) County Commissioner appointee	Donald Cooper X	Court Counselor	<input type="checkbox"/>	b	m
23) County Commissioner appointee	Alysia Bailey	PASS Program Manger	<input type="checkbox"/>	b	f
24) County Commissioner appointee	Angie Patterson	Clerk of Court	<input type="checkbox"/>	w	f
25) County Commissioner appointee	Jennifer Goscinski	School Social Worker	<input type="checkbox"/>	w	f

Meet
 2ND MONDAY / MO
 33
 11:30
 12:00
 1:00

FARMLAND PRESERVATION AGRICULTURAL ADVISORY BOARD

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
	District 1				
Jerry Wright	District 2	Jerry Wright	John Rorer	February 2009	June 30, 2011
	District 3				
Harvey Roberts	District 4	Harvey Roberts	Owen Etheridge	February 2009	June 30, 2012
Martin Jarvis	District 5	Martin Jarvis	Marion Gilbert	February 2009	June 30, 2011
Wade Morgan	At-Large	Wade Morgan	Paul Martin	February 2009	June 30, 2012
Sidney Garrett	At-Large	Sidney Garrett	Paul O'Neal	February 2009	June 30, 2011

Currituck County Employee Health and Fitness Day

Proclamation

WHEREAS, Currituck County Government is concerned about the health of its employees; and

WHEREAS, May 20, 2011, is designated Currituck County Employee Health and Fitness Day; and

WHEREAS, heart disease and cancer are the two leading causes of death in Currituck and are largely affected by what we eat and how physically active we are; and

WHEREAS, employers with highly effective health and productivity management programs have cost increases that are: 5 times lower for sick leave; 4.5 times lower for long-term disability; 4 times lower for short-term disability; and 3.5 times lower for general health care coverage.

WHEREAS, regular physical activity has curative and protective health benefits and can improve the quality of life for everyone; and

WHEREAS, a healthier populace means long-term cost savings for our county government; and

WHEREAS, County government shall encourage more physical activity opportunities for their employees; and

WHEREAS, County employees are becoming more aware of the need to eat smart and move more to improve their quality of life and reduce health care costs; and

WHEREAS, more fitness and nutrition educational programs shall be offered to county employees that support and encourage physical activity, healthy eating and worksite wellness;

NOW, THEREFORE, the Currituck Board of Commissioners hereby proclaims May 20, 2011, as Currituck County Employee Health & Fitness Day.

This the 16th day of May, 2011.

O. Vance Aydlett, Jr.
Chairman

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
 North Carolina Division of Emergency Management

Organization Name (hereafter named Organization)	Disaster Number:
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
Applicant's Fiscal Year (FY) Start	
Month:	Day:
Applicant's Federal Employer's Identification Number	
-	
Applicant's Federal Information Processing Standards (FIPS) Number	
- -	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name	Agent's Name
Organization	Organization
Official Position	Official Position
Mailing Address	Mailing Address
City ,State, Zip	City ,State, Zip
Daytime Telephone	Daytime Telephone
Facsimile Number	Facsimile Number
Pager or Cellular Number	Pager or Cellular Number

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and **the assurances printed on the reverse side hereof**. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20__.

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title	Name
Name and Title	Official Position
Name and Title	Daytime Telephone

CERTIFICATION

I, _____, (Name) duly appointed and _____ (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of _____ (Organization) on the _____ day of _____, 20__.

Date: _____ **Signature:** _____

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

**RESOLUTION
OPPOSING “GAME FISH STATUS”**

WHEREAS, the Fisheries Reform Act (FRA) recognizes that commercial fishermen perform an essential function by providing wholesome food for the citizens of the State while struggling to earn a living in an industry whose resources are managed by both State and Federal agencies and whose labor accounts for revenue, jobs, and a significant tax base; and

WHEREAS, designating “Game Fish Status” for Red Drum, Striped Bass, Spotted Sea Trout and other fish species will deprive consumers in North Carolina and across the nation of access to fresh locally harvested seafood; and

WHEREAS, allocating 100% of the resource to less than 3% of the population of our state and to specific user groups would be a travesty of fairness, a violation of the FRA, and devastating to the economies of coastal communities; and

WHEREAS, degrading a resource to “Game Fish Status Only” has never enhanced the resource, and will threaten coastal communities with the loss of jobs and access for all citizens; and

WHEREAS, North Carolina as a recognized leading producer of seafood has one of the most diverse fisheries in the United States and should be allowed to continue harvesting wild caught fish species in order to bring to market a wonderfully fresh, sustainably managed, revenue producing, protein resource for all its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Currituck County Board of Commissioners requests the North Carolina General Assembly oppose “Game Fish Status” and honor the Fisheries Reform Act by continuing to make all fish species available for the benefit and enjoyment of all North Carolina citizens.

This the 16th day of May, 2011

Currituck County Board of Commissioners

By: _____
O. Vance Aydlett, Jr, Chairman

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th day of May, 2011, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10797-534000	Wellness Program	\$ 1,720	
10797-514000	Travel		\$ 300
10330-448600	FIT Communities Grant		\$ 1,420
		<u>\$ 1,720</u>	<u>\$ 1,720</u>

Explanation: *FIT Communities Grant (10797)* - To record increase in grant funding.

Net Budget Effect: Operating Fund (10) - Increased by \$1,420.

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BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th day of May, 2011 , passed the following amendment to the budget resolution for the fiscal year ending June 30, 2011.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10796-545000	Contracted services	\$ 1,190	
10796-532000	Supplies		\$ 1,190
		<u>\$ 1,190</u>	<u>\$ 1,190</u>

Explanation: *Rural Center (10796) - Transfer funds for concrete walk-way at the Rural Center.*

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

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Clerk to the Board

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10795-590000	Capital Outlay	\$ 3,000	
10795-513000	Utilities - Schools		\$ 1,000
10795-516000	Repairs & Maintenance - Schools		\$ 1,000
10795-526000	Advertising		\$ 1,000
		<u>\$ 3,000</u>	<u>\$ 3,000</u>

Explanation: *Parks & Recreation (10795) - Transfer funds for a sign at Sound Park.*

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10441-545000	Contracted Services	\$ 4,480	
10441-590000	Capital Outlay		\$ 4,480
		<u>\$ 4,480</u>	<u>\$ 4,480</u>

Explanation: *Information Technology Services (10441)* - To transfer funds for installation, configuration, migration and training for the Exchange server.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10660-516200	Vehicle Maintenance	\$ 300	
10660-514500	Training & Education	\$ 4	
10660-526000	Advertising		\$ 300
10660-514800	Fees Paid to Officials		\$ 4
		<u>\$ 304</u>	<u>\$ 304</u>

Explanation: *Planning (10660)* - Transfer funds for emergency repair to Planning Jeep brakes and training.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
18609-545000	Contracted Services	\$ 480	
18330-449900	Miscellaneous Grants		\$ 480
		<u>\$ 480</u>	<u>\$ 480</u>

Explanation: *Hog Bridge Ditch Watershed Improvement District (18609) - Increase appropriations to record grant funds received.*

Net Budget Effect: Hog Bridge Ditch Watershed Improvement District Fund (18) - Increased by \$480.

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10775-503000	Salaries - Part time	\$ 2,500	
10775-505000	FICA Expense	\$ 192	
10775-511000	Telephone & Postage	\$ 400	
10775-511010	Data Transmission	\$ 150	
10775-514800	Fees Paid to Officials	\$ 300	
10775-514500	Training & Education	\$ 62	
10775-545000	Contract Services - Nutrition		\$ 550
10775-561300	Instructor Fees		\$ 362
10775-506000	Insurance Expense		\$ 2,692
		<u>\$ 3,604</u>	<u>\$ 3,604</u>

Explanation: *Senior Centers (10775)* - Transfers for operations for the remainder of this fiscal year.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
60808-545005	Purchase Water from Another	\$ 40,000	
60360-470001	Utilities Charges - Sewer		\$ 20,000
60390-499900	Retained Earnings Appropriated		\$ 20,000
		<u>\$ 40,000</u>	<u>\$ 40,000</u>

Explanation: *Ocean Sands Water and Sewer District Fund (60808)* - Increase appropriations for increased water usage.

Net Budget Effect: Ocean Sands Water and Sewer District Fund (60) - Increased by \$40,000.

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10450-514000	Travel		\$ 450
10450-514500	Training & Education	\$ 450	
		<u>\$ 450</u>	<u>\$ -</u>

Explanation: Tax (10450) - Transfer for continuing education required by NC Dept of Revenue to be completed by June 30.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10752-590443	Technology > \$1,000 - Spec Adopt	\$ 4,500	
10752-532003	Supplies - Special Adoption		\$ 4,500
		<u>\$ 4,500</u>	<u>\$ 4,500</u>

Explanation: *Public Assistance (10752)* - Transfer funds to purchase 2 computers for special adoption assistance.

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

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10530-513000	Utilities	\$ 450	
10530-511000	Postage/Telephone	\$ 3,250	
10530-553000	Dues and Subscriptions	\$ 200	
10530-503500	Temporary Services	\$ 5,000	
10530-532000	Supplies	\$ 1,250	
10530-533900	Ambulance Supplies	\$ 2,400	
10530-516200	Vehicle Maintenance	\$ 2,000	
10530-531000	Gas, Oil, etc.	\$ 20,000	
10530-557100	Software License Fee	\$ 1,000	
10530-506000	Insurance Expense		\$ 21,000
10530-545000	Contracted Services		\$ 11,500
10530-511010	Data Transmission		\$ 850
10530-514800	Fees Paid to Officials		\$ 1,000
10530-516000	Repairs and Maintenance		\$ 1,200
		<u>\$ 35,550</u>	<u>\$ 35,550</u>

Explanation: *Emergency Medical Services (10530)* - Transfer funds for operations for the remainder of this fiscal year.

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

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10511-513000	Utilities	\$ 5,000	
10511-547000	Meals		\$ 5,000
10510-532001	Canine Supplies	\$ 1,500	
10510-506000	Insurance Expense		\$ 1,500
		<u>\$ 6,500</u>	<u>\$ 6,500</u>

Explanation: Sheriff (10510); Jail (10511) - Transfer for operations for the remainder of this fiscal year.

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

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10460-511000	Telephone & Postage	\$ 400	
10460-513000	Utilities	\$ 6,500	
10460-532000	Supplies	\$ 3,000	
10460-561000	Professional Services		\$ 9,900
10490-532003	Supplies	\$ 700	
10490-516000	Repairs & Maintenance		\$ 700
63838-545900	Tire Disposal	\$ 15,000	
63838-571500	Recycling		\$ 15,000
		<u>\$ 25,600</u>	<u>\$ 25,600</u>

Explanation: *Public Works (10460); Court Facilities (10490); Solid Waste (63838) - Transfer for operations for the remainder of this fiscal year.*

Net Budget Effect: Operating Fund (10) - No change.
Solid Waste Fund (63) - No change.

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Clerk to the Board

CURRITUCK COUNTY
NORTH CAROLINA
May 2, 2011

The Board of Commissioners met at 6:30 p.m. to discuss the Comprehensive Transportation Plan.

The Board of Commissioners met at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Commissioners O'Neal, Gilbert, Martin, Etheridge and Rorer. Chairman Aydlett was absent.

Invocation and Pledge of Allegiance

Renee Edwards, Sharon United Methodist Church, was present to give the invocation.

Approval of Agenda

Commissioner Gilbert moved to amend the agenda by adding Item 6A, Consideration of Currituck Chamber Proposal and Item 8A, Appointment to Tourism Board. Commissioner Martin seconded the motion. Motion carried.

- Item 1 Approval of Agenda
- Item 2 Public Comment
Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.
- Item 3 **Proclamation for Asthma Awareness to Isis Saunders**
- Item 4 **Recognition of Dr. Meghan Doyle, Currituck County Superintendent**
- Item 5 **National Day of Prayer**
- Item 6 **Public Hearing and Action:** PB 11-02 Kitty Hawk Kites - Cotton Gin: Request for a special use permit for an outdoor recreation facility (tandem hang gliding training facility) located in Jarvisburg at 6997 Caratoke Highway (Immediately behind Cotton Gin), Tax Map 108, Parcel 39, Poplar Branch Township.
- Item 6A **Consideration of Currituck Chamber of Commerce Proposal**
- Item 7 **Amendments to Wastewater Ordinances**
- Item 8 **Appointment to Fire and EMS Board**
- Item 8A **Appointment to Tourism Board**

- Item 9 **Consent Agenda:**
 - 1. Budget Amendments

2. Social Services request to reappoint of Walter Gallop to DSS Board
3. Approval of April 18, 2011, Minutes
4. Resolution approving the exhibition, use and discharge of pyrotechnics at the Whalehead Club
5. Approval of request for Lower Currituck VFD to purchase a new command vehicle

Item 10 Commissioner's Report

Item 11 County Manager's Report

Adjourn

Public Comment

Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.

Vice Chairman Rorer opened the public comment period.

James Innes, recognized the accomplishments of the Currituck Association Soccer Team. The Coach introduced the Soccer Team members.

Meghan Doyle, Superintendent, recognized the members of the Currituck Soccer Team. She also thanked the Board for their continued support of education in Currituck County.

Bob Kohler, stated that there will be a July 4th dedication of the North Carolina Veterans Park in Fayetteville, NC, and requested that a Board member attend this event. Commissioner Martin stated that he would attend.

Donna Benson, Tulls Bay Colony, requested the Board's help in getting a neighbor to remove his sunken boat from the water behind her house. The county will send a letter to the Tulls Bay Property Owners Association.

There being no further comments, Vice Chairman Rorer closed the public comment period.

Proclamation for Asthma Awareness to Isis Saunders

Board presented the Proclamation to Isis Saunders.

**PROCLAMATION
SUPPORTING
ASTHMA AWARENESS MONTH
MAY 2011**

WHEREAS, there is an epidemic of asthma in the United States, affecting 20 million people; and

WHEREAS, asthma is the leading cause of childhood long term illness, hospitalization and school absenteeism; and

WHEREAS, asthma affects up to 23% of children in the Currituck County Schools; and

WHEREAS, asthma is a treatable and controllable disease; and

WHEREAS, there are simple steps people can take to monitor and prevent asthma attacks and effective treatments to control asthma;

NOW, THEREFORE, the Currituck County Board of Commissioners hereby proclaims May 2011 as "**Asthma Awareness Month**" for the County of Currituck.

Recognition of Dr. Meghan Doyle, Currituck County Superintendent

**RESOLUTION
RECOGNIZING
DR. MEGHAN DOYLE**

WHEREAS, the citizens of Currituck County have long recognized the historic link between education and a strong, free nation; and

WHEREAS, the Currituck County School System has enabled generations of Currituck families to build upon the lessons of the past to achieve the dreams of tomorrow; and

WHEREAS, Dr. Meghan Doyle came to Currituck County as an Assistant Superintendent of Secondary Education in 2008, and was named Superintendent of Currituck County Public Schools in 2009; and

WHEREAS, Dr. Doyle's mission was to ensure resources are available for students to graduate ready to achieve success in a 21st century global society; and

WHEREAS, Dr. Doyle has devoted her time, energy and talents to this county and its children and provided experience and sound judgment on its behalf with integrity, dignity and thoughtful reflection.

NOW, THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners and county staff do hereby express our sincere appreciation to Dr. Doyle for her leadership and dedicated, distinguished service to the citizens and children of Currituck County and extend to her our best wishes in her future endeavors.

National Day of Prayer

**PROCLAMATION
NATIONAL DAY OF PRAYER
MAY 5, 2011**

WHEREAS, National Days of Prayer have been part of our country's heritage since the first one was declared by the Continental Congress in 1775; and

WHEREAS, leaders of our Nation have relied upon the power of prayer throughout American history; and

WHEREAS, May 5, 2011, marks the 60th consecutive observance of National Day of Prayer, as mandated by both Houses of Congress and by our President in Public Law 100-307; and May 5, 2011, has been set aside as our National Day of Prayer; and

WHEREAS, it is good that we acknowledge that we are all God's handiwork, and that it is appropriate to call upon Him in prayer; and

WHEREAS, National Day of Prayer's theme is "**A Mighty Fortress Is Our God**" and the scripture is "I will say of the Lord, He is my refuge and my fortress, my God, in whom I trust" Psalm 91:2, and

WHEREAS, while American troops fight for democracy and freedom around the globe and battle the war on terror, citizens of the United States will gather on May 5, 2011, to worship and pray for the American troops, our nation, churches, families, education, businesses, media and government, asking the Lord to grant them wisdom for the challenges they face on a daily basis;

NOW, THEREFORE, the Board of Commissioners of Currituck County, North Carolina, does hereby proclaim May 5, 2011, as "**NATIONAL DAY OF PRAYER**" in Currituck, North Carolina, and urges its citizens to join together in their homes, places of work, and places of worship to pray for the unity of the hearts of all mankind and to continue in prayer for our State and our Nation.

Janis Adams received the Proclamation.

**Public Hearing and Action: PB 11-02 Kitty Hawk Kites -
Cotton Gin: Request for a special use permit for an**

outdoor recreation facility (tandem hang gliding training facility) located in Jarvisburg at 6997 Caratoke Highway (Immediately behind Cotton Gin), Tax Map 108, Parcel 39, Poplar Branch Township.

Ike McRee, County Attorney, reviewed the rules of procedure for special use permit.

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

John Dulucia, Engineer, reviewed the applicant's operation.

John Harris, Kitty Hawk Kites, made a presentation on noise comparison and discussed his request.

Commissioner Etheridge questioned how far up is glider released and wind pattern.

Commissioner Petrey, addressed time of activity.

Commissioner Rorer questioned what light sport aircraft was and would there be any signage.

Barry Lipman, adjacent property owner, had several questions for the applicant such as how many flights per hour and FAA regulations.

Brenda Weaver, questioned what Kitty Hawk Kites plans were for the next 5 years.

Barry Lipman, questioned how they notified adjacent property owners.

Paula Lipman, questioned danger to the area waterfowl.

Howard Forbes, opposes this project.

David Weber, stated this request was hazardous to the community and opposes request.

Paula Lipman, opposes the request.

Roy Etheridge, expressed concerns with traffic and not in harmony and opposes the request.

Andy Newbern, questioned hours of operation and how close it was to his property.

Citizens in support of request:

Chris Shultz, supports project.

David Hughes, supports project.

John Snowden, Maple, representing the Airport Board, supports project.

Doug Brindley, supports more outdoor attractions.

Cheryl Bell, supports project.

Brad Kovac, supports project.

Uli Benewitz, Weeping Radish, supports this project.

Elaine Minton, supports request.

Rick Schneck, supports request.

Rachel Smith, supports request.

Bruce Weaver, answered some of the questions that have come up during hearing and supports the project.

Tommy Wright, Cotton Gin, applicant stated this was a way to get tourists to return to the mainland.

John Harris, applicant, stated that the FAA controls air space.

Jerry Wright, property owner, stated that they have 200 acres for this project.

Joe Harington, supports request.

Owen Etheridge questioned distance from Newbern property which is 800 ft.

Commissioner Gilbert, stated that this is positive for Currituck County.

Public Hearing was closed.

Commissioner Petrey moved to approve with finding of facts, staff recommendations and for a 1 year permit.

Commissioner O'Neal seconded the motion. Motion carried.

Consideration of Chamber Proposal.

Mike Florez, Chairman of Board of Directors for the Chamber of Commerce, was present to answer questions.

The Contract will be to implement the Buy Local Campaign. The contract will be for \$60,000 for one year.

Commissioner O'Neal asked if the Economic Development Board, Tourism Board and County Manager support the proposal.

Commissioner Etheridge moved to approve. Commissioner Martin seconded the motion. Motion carried.

Amendments to Wastewater Ordinances

Pat Irwin, Water Superintendent, reviewed the questions about the wastewater ordinances.

Fats, Oils, and Grease (FOG) Program

1. Introduction

Fats, oils, and grease (FOG) is the leading cause of sanitary sewer overflows (SSO) in North Carolina, and FOG is a primary concern of Currituck County. FOG includes animal fats, vegetable oils, and by-products from food service establishments. Residential and commercial users alike commonly introduce FOG into home and building plumbing, and into County-owned sanitary sewer systems. ~~(i.e. Newtown Water and Sewer District, Moyock Commons Sewer District, and Ocean Sands Water and Sewer District).~~

Over time, FOG can build up and form blockages in pipes leading to wastewater backing up into homes, businesses, and resulting in sanitary sewer overflows (SSO) in the streets. Cleanup can be expensive for homeowners, and especially expensive for businesses such as restaurants, which can also be subject to fines and closures. In addition to heavy remediation costs, SSOs carry the potential for health risks which come from contact with disease-causing organisms. Raw sewage can carry bacteria, viruses, and parasitic organisms which cause a number of diseases, ranging from mild gastroenteritis (diarrhea) to life threatening ailments such as cholera, dysentery and hepatitis. SSOs also increase sewer system maintenance costs and present potential impacts to the environment.

2. Definitions

"County Engineer" shall mean the duly designated Department Head of the County Engineering Department or Department of Public Works, or his duly authorized agent.

"District" shall mean any centralized sewer system (consisting of wastewater collection and treatment) operated by Currituck County. ~~including, Newtown Water and Sewer District, Moyock Commons Sewer District, and Ocean Sands Water and Sewer District.~~

"FOG" shall mean material either liquid or solid, composed primarily of fat, oil, or grease from animal or vegetable sources. Examples of FOG include kitchen cooking grease, vegetable oil, bacon grease, etc.

"Food Handling Facilities" shall mean any commercial facility discharging kitchen or food preparation wastewaters including restaurants, motels, hotels, cafeterias, hospitals, schools, bars, churches, etc.

"Grease Trap" shall mean indoor, "under the counter" units designed to collect, contain, and remove food wastes and grease from the wastewater while allowing the remaining wastewater to be discharged to the District's wastewater collection system by gravity.

"Grease Interceptor" shall mean a device, usually located underground and outside of a Food Handling Facility designed to collect, contain, and remove food wastes and grease from the wastewater while allowing the remaining wastewater to be discharged to the District's wastewater collection system by gravity.

“*Oil Water Separator*” shall mean a device, designed to remove oil (e.g. petroleum-based) from the waste stream while allowing the remaining wastewater to be discharged to the District’s wastewater collection system by gravity.

“*User*” shall mean any person, establishment, or facility that contributes, causes, or permits the contribution of FOG into the District’s sanitary sewer system.

3. FOG Reduction Best Management Practices

The easiest and most efficient way of reducing FOG in plumbing and in the District’s wastewater collection system is to prevent it at the source, the drain. Household sinks (bathroom and kitchen) and toilets all discharge to the sanitary sewer system. Residences are encouraged to mix fats, oils, and grease with absorbent waste such as paper towels, coffee grounds, kitty litter, or shredded newspaper, and discard them in the trash. Controlling grease at its source is critical in reducing blockages and backups which result from grease build-up. Appendix A is a *Fact Sheet For Best Management Practices* for commercial establishments prepared by the North Carolina Pretreatment, Emergency Response, and Collection Systems Unit. Special procedures may be required for specific applications.

In addition to controlling FOG at the drain, the District performs systematic annual cleaning operation and maintenance procedures at its pump stations and collection lines. Cleaning includes flushing and vacuuming of residues and deposits in the collection system. The District cleans a minimum of 10% of the total system per year.

4. General Requirements

In order to reduce sewer blockages, Food Handling Facilities that discharge into the District’s sanitary sewer system must install a Grease Interceptor. Grease Interceptors shall be required at the User’s expense, when such User operates food preparation or serving facilities. Grease Interceptors may be required in other commercial or industrial applications when deemed necessary by the County Engineer. The County Engineer reserves the right to make determinations of Grease Interceptor or Grease Trap adequacy and need based on review of all relevant information regarding Grease Interceptor/Trap performance, maintenance, and facility site and building review to require repairs, modifications or replacement of such Interceptors or Traps. Automotive-related facilities that may contribute petroleum-based oil to the District’s sanitary sewer collection system are required to install an approved Oil-Water Separator. Wastewater from sanitary facilities shall not be introduced into any Grease Interceptor, Grease Trap or Oil/Water Separator. New Food Handling Facilities will not be allowed to initiate operations until a Grease Interceptor is approved and inspected by the County Engineer. Any facility with an existing Grease Interceptor or Trap that anticipates expanding food handling or preparation operations must receive approval from the County Engineer.

5. Authority

The North Carolina Clean Water Act of 1999 requires that municipal wastewater systems obtain a permit from the North Carolina Department of Environment and Natural Resources (NCDENR) for the operation of wastewater collection systems. All Currituck County wastewater systems are permitted by NCDENR. ~~Permits for each of the District’s collection systems have been obtained, and are listed below.~~

- ~~● Ocean Sands Wastewater Collection System: DWQ Permit No. WQCS00273~~
- ~~● Newtown Sanitary District Collection System: DWQ Permit No. WQ0004082~~
- ~~● Moyock Commons Sewer District Collection System: DWQ Permit No. WQ0015053~~

Each permit requires the implementation of a FOG enforcement program, and routine inspection and cleaning of the District's collection system to monitor FOG. This document fulfills these requirements.

6. Design Guidelines

Detailed plans, showing the Grease Interceptor facilities and operating procedures, must be approved by the County Engineer prior to construction. The review and approval by the County Engineer shall in no way relieve the User from the responsibility of meeting effluent discharge limitations or properly maintaining the device.

6.1 Grease Traps

Small, indoor, point source Grease Traps incorporated into the kitchen plumbing may be allowed for existing facilities if the installation of a suitable outdoor Grease Interceptor is infeasible, a "hardship" is acknowledged, and a variance is approved by the County Engineer. Certain conditions may be imposed by the County Engineer, such as an increased clean out frequency. All Grease Traps must be designed and installed in accordance with the latest edition of the Uniform Plumbing Code.

6.2 Grease Interceptor Design

For new and existing facilities, in-ground outdoor Grease Interceptors are required, unless a variance is granted by the County Engineer. Grease Interceptors are typically pre-cast concrete units that are plumbed to receive only kitchen wastes (pot sinks, prep sinks, can wash, floor drains, dishwasher, and food grinder waste). The Grease Interceptor should be located as close to the source as possible, and in a manner that is fully accessible for regular and safe maintenance, cleaning and sampling, without creating a nuisance. A registered North Carolina Professional Engineer must seal all designs that encroach in public right-of-ways (not on private property).

Minimum design criteria for pre-manufactured Grease Interceptors shall include:

- Minimum capacity of 1,000 gallons
- 2-inch inlet and outlet differential
- 3-inch minimum wall thickness and reinforced with 6-inch x 6-inch, #10 gauge welded wire
- Minimum 2:1 length/width ratio
- At least two compartments with an interior baffle wall located two-thirds to three-quarters of the distance from the inlet end wall, vented at the top and with adequate flow through holes
- Outlet tee constructed of PVC, PE or equivalent, minimum class 160 pipe extending 50 percent of liquid depth
- Minimum concrete compressive strength of 3,500 psi
- 24-inch minimum access openings over both compartments brought up to at least finished grade and protected from surface water runoff. Access covers shall be cast iron or equivalent.

- Design shall facilitate sampling of the interceptor's effluent, measurement of the grease layer, and clean out pumping operations.
- Watertight per vacuum or exfiltration test
- Properly sealed joints to prevent infiltration or exfiltration.
- Minimum structural criteria should include:
- Minimum structural design at 150 lbs./ft² (non-traffic installations)
- H-20 bridge load for vehicular traffic conditions
- ACI Building Code 318 (reinforced concrete design)
- ASTM C1227-93 Standards for Pre-cast Concrete Tanks
- ASTM C890 Structural Design Load for Pre-cast Water and Wastewater Structures.

A licensed North Carolina Plumbing Contractor shall install all Grease Interceptors and Grease Traps in compliance with the latest edition of the Uniform Plumbing Code and obtain a building permit from the County prior to installation.

The User shall verify the minimum tankage required based on the anticipated flow rates and organic loads, using generally accepted methods of design such as Environmental Protection Agency, North Carolina Division of Environmental Health, or Uniform Plumbing Code methods. The User shall be solely responsible for the performance of the device and its ability to consistently reduce effluent FOG concentrations below 100 mg/l as measured by EPA Method 1664A.

7. Maintenance Practices/Records

Grease Interceptors and Traps should be cleaned as frequently as necessary to maintain FOG concentrations below 100 mg/l in the effluent, but in no case shall cleaning intervals exceed 30 days. Grease Traps may require more frequent cleaning. Grease Interceptors that accumulate a grease cap of greater than 25% of the Interceptor's depth are also considered in violation. Special maintenance requirements may be imposed for undersized installations, which are the result of a hardship or have received a variance. All waste removed from the Grease Interceptor or Trap must be disposed of at a facility permitted by the North Carolina Division of Solid Waste Management to receive such waste. The User shall be responsible for the proper removal and lawful disposal of the Grease Interceptor/Trap waste. The use of enzymes, chemical, or biological additives is not considered acceptable Grease Interceptor/Trap maintenance practice.

All Food Handling Facilities that discharge into the District's sanitary sewer system shall maintain written records on site of Grease Interceptor maintenance. A copy of an approved Grease Interceptor Maintenance form is provided in Appendix B. A Grease Interceptor Maintenance Log form that summarizes maintenance activities is provided in Appendix D. This form should be clearly posted to summarize maintenance activities and compliance with these regulations. Maintenance records must be kept for at least three (3) years and shall be provided upon request from representatives of the District or the Albemarle Regional Health Services (local North Carolina Division of Environmental Health). Failure to provide maintenance records upon request shall be considered a violation.

8. Determination of Compliance with Maintenance Requirements

A Grease Interceptor shall be considered out of compliance if any of the following conditions exist:

- The grease layer exceeds 25% of the units depth.
- FOG concentrations are found to exceed 100 mg/1 as measured by EPA Method 1664A.
- Maintenance cleaning has not been accomplished every 30 days.
- Failure to submit records.
- Inspection hindrance.
- Failure to maintain on-site records.
- Failure to maintain Interceptors or Traps in proper working order.
- Source of sewer blockage.
- Source of sanitary sewer overflow.
- Falsification of records.

Typically, the FOG generator will be evaluated based on maintenance cleaning compliance. The District may perform random inspections to determine if grease layers exceed 25% of the interceptor's depth and/or collect samples for determination of effluent FOG concentrations.

9. Inspection and Sampling

The County Engineer may conduct inspections of Food Handling Facilities connected to the sanitary sewer system, as the County Engineer deems necessary to ascertain whether the purpose and requirements of these FOG regulations are being met. Persons or occupants of premises where wastewater is created, discharged or suspected to be discharged, shall allow the County Engineer ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, and records examination. The County Engineer shall have the right to set up on the Users property such devices as are necessary to conduct sampling, inspection, and compliance monitoring operations. Denial of the County Engineer access to the User's property shall be deemed a violation. Unreasonable delays may be considered denial of access. A Grease Interceptor Inspection Form is contained in Appendix C.

10. Variance

A variance to the design and maintenance requirements contained herein may be requested. The User must submit sufficient documentation as required by the County Engineer that explains the need to vary from design or maintenance requirements. After review of the documentation, the County Engineer will notify the Food Handling Facility in writing of acceptance or denial of the variance request. If a variance is granted and the User subsequently increases anticipated food

service production or, the County Engineer later determines that the discharge adversely impacts the sanitary sewer collection system or treatment works, the variance may be revoked.

11. Enforcement

If any residence or Food Handling Facility is determined to be the source, in whole or in part, of a sanitary sewer blockage and/or overflow, the residence or Facility will be assessed a fine of not less than \$100 and not more than \$5,000, plus remediation costs for clean up, in addition to any fines dispensed from the State of North Carolina. The fines contained herein are not exclusive and the County Engineer may use other methods to remedy the situation, such as the termination of wastewater service, legal action, etc. Fines for violations are listed below:

Minor Violations

Violation	Offense			
	1st	2nd	3rd	4 th & Up
Inspection Hindrance	Warning	\$50	\$75	\$100
Failure to Maintain On-Site Records	Warning	\$50	\$75	\$100

Moderate Violations

Violation	Offense			
	1st	2nd	3rd	4 th & Up
Failure to Maintain Grease Interceptors and Traps in Proper Working Order	Warning	\$75	\$100	\$150
Failure to Clean Out Grease Interceptors and Traps Every 30 Days	Warning	\$75	\$100	\$150

Major Violations

Violation	Offense	
	Minimum Fine	Maximum Fine
Source of Sewer Blockage	\$500	\$5,000 plus State Fines
Source of Sanitary Sewer Overflow	\$1,000	\$5,000 plus State Fines
Falsification of Records	\$1,000	\$5,000 plus State Fines

Sanitary Sewer Ordinance

1. General Provisions

1.1 Purpose and Policy

This ordinance sets forth uniform requirements for direct and indirect discharges into the wastewater collection and treatment system of any centralized sewer operated by Currituck County (~~Newtown Water and Sewer District, Moyock Commons Sewer District, and Ocean Sands Water and Sewer District~~), herein referred to as the "District", and enables the District to comply with all applicable State and Federal laws.

The objectives of the ordinance are:

- a. To prevent the introduction of pollutants into the public wastewater system which will interfere with the operation of the system or the treatment or disposal of wastewater;
- b. To prevent the introduction of pollutants into the public wastewater system which will pass through the system, inadequately treated, into any waters of the State or otherwise be incompatible with the system;
- c. To protect both District personnel who may be affected by sewage, sludge, and effluent in the course of their employment as well as protecting the general public; and
- d. To provide for equitable distribution of the cost of operation, maintenance and improvement of the public wastewater system.
- e. To ensure that the District complies with its NPDES or non-discharge permit conditions, sludge use and disposal requirements and any other federal or state laws to which the wastewater system is subject.

This ordinance provides for the regulation of direct and indirect discharges into the District's System, through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting and provides for the setting of fees necessary to carry out the program established herein.

1.2 Applicability of Sewer Use Provisions

The ordinance shall apply to the District and users of the District's System.

1.3 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated:

- a) "Act" or "the Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251.
- b) "Approval Authority" shall mean the Director of the Division of Water Quality of the North Carolina Department of Environment, and Natural Resources or his designee.
- c) "Board" shall mean the members of the Currituck County Board of Commissioners.
- d) "Biochemical Oxygen Demand" (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees centigrade, expressed in terms of weight and concentration, milligrams per liter (mg/l).
- e) "Building Sewer" shall mean a sewer conveying wastewater from the premises of a user to the System.
- f) "Department of Environment and Natural Resources or NCDENR". The North Carolina Department of Environment and Natural Resources, Division of Water Quality or its

- successor. For the purposes of this Section references to the Division of Water Quality or DWQ shall be deemed to be DENR.
- g) "Director" shall mean the Currituck County Public Utilities Director.
 - h) "Domestic user" shall mean any person who discharges domestic wastewater to the public sanitary sewer.
 - i) "Domestic wastewater" shall mean wastewater generated from normal human living processes which have constituent strength within the range defined for standard strength wastewater, and which contains no constituents of a quantity or concentrations exceeding the limits stated in Section 7. Normal human living processes include wastewater from bathroom and toilets, noncommercial kitchens and non industrial and noncommercial laundries. The discharge rate shall not exceed twenty-five thousand (25,000) gallons per day.
 - j) "Environmental Protection Agency" (EPA) shall mean the United States Environmental Protection Agency.
 - k) "Flow" shall mean the quantity of wastewater expressed in gallons or cubic feet per twenty-four (24) hours.
 - l) "Grease interceptor" shall mean any device constructed in conformity with the plumbing code, operated by the customer of the wastewater system for removing oil and grease before contributing liquid wastes to the wastewater system.
 - m) "Hauled wastewater" shall mean any waste from holding tanks, including but not limited to such holding tanks as vessels, chemical toilets, campers, trailers, septic tanks, grease/grit interceptors, and vacuum-pump tank trucks.
 - n) "Indirect discharge" or "Discharge". The discharge or the introduction from any nondomestic source regulated under section 307(b), (c), or (d) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).
 - o) "Industrial user or User" shall mean any person which is a source of indirect discharge.
 - p) "Industrial wastewater" shall mean the wastewater generated from activities, operations or processes which require water and which add to the wastewater pollutant constituents at a strength or at a quantity or concentration exceeding allowable limits defined in Section 7 of this Article.
 - q) "Interference" shall mean the inhibition, or disruption of the District treatment processes, operations, or its sludge process, use, or disposal, which causes or contributes to a violation of any State or Federal requirements or prevents sewage sludge disposal in compliance with specified applicable State and Federal Statutes.

- r) "Medical Waste" shall mean isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- s) "Owner" shall mean the fee simple owner of real property whose premises is or can be provided utility service by the District.
- t) "POTW Treatment Plant" shall mean the portion of the POTW designed to provide treatment to wastewater.
- u) "Pretreatment Regulations" shall mean the introduction of pollutants or wastes into the POTW from any nondomestic source regulated under Section 301 (b), (c), or (d) of the Act.
- v) "Publicly Owned Treatment Works" (POTW) shall mean the treatment works as defined by Section 212 of the Act, which is owned by the municipality (as defined by Section 502(4) of the Act). This includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works plant.
- w) "Significant Industrial User" shall mean (1) all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, subchapter N; and (2) any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW Treatment Plant (excluding sanitary wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment Plant, or is designated as such by the Currituck County Public Utilities Director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW Treatment Plant's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).
- x) "Suspended Solids" shall mean the total suspended matter that floats on the surface of, or is suspended in wastewater, and which is removable by a standard glass fiber filter.
- y) "User" shall mean any person who discharges, causes, or permits the discharge of wastewater into the POTW.
- z) "Wastewater" shall mean the liquid and water-carried domestic wastes from dwellings, commercial buildings, and mobile sources, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which are contributed into or permitted to enter the POTW.

2. Applicability of Sewer Use Provisions

This Article shall apply to all users of the District's wastewater system. By discharging wastewater into the wastewater system, industrial users within the District service area agree to

comply with the terms and conditions established in this Article as well as any permits, enforcement actions, or orders issued hereunder.

2.1 Administrative Authority

The Public Utilities Director is hereby assigned the responsibility of administering all provisions of this Article, and shall exercise these responsibilities in accordance with the intent of this Article in a fair and objective manner. The Director may exercise discretion when necessary to administer these provisions fairly and responsibly. Any powers or responsibilities granted to or imposed on the Director may be delegated by the Director to other County or District personnel.

2.2 Sewer Use Required

- a) When the owner of a property inside the District service area shall use such property in any manner which results in the generation of wastewater, and such wastewater shall be discharged into a public sanitary sewer, the owner shall install, at his expense, a suitable building sewer and any other facilities necessary to connect the building sewer directly to the public sewer at an access point provided by the District.
- b) When the District is unable to serve single-family residential property through the gravity sanitary sewer system, as determined by the POTW director, the District may, upon written notification, approve the owner of the property to purchase and install a motor, lines, and pump so that wastewater can be pumped to the public sewer at the provided access point. It will be the responsibility of the property owner to complete the sewer connection with the purchased equipment and to maintain the pump, lines and motor to the property line at his own expense.
- c) Whenever a building sewer connected to the public sanitary sewer becomes clogged, broken, out of order or detrimental to the use of the public sewer, the owner having charge of any building or premises through which the building sewer collects wastewater shall, upon notification of the POTW director, reconstruct, alter, clean or repair the building sewer as the condition of such may require within thirty (30) days after receiving notification.

3. Procedures for New Connections

3.1 Application for Service

An owner or developer proposing to extend utility lines and/or to make other improvements to be served by the District shall first obtain approval by the District. The applicant shall employ at the applicant's expense an engineer registered in the State of North Carolina to prepare plans for the project. Approval of plans or specifications for a project does not relieve the owner/developer/applicant from meeting the requirements or obtaining other approvals that may be necessary for other regulating agencies including but not limited to Currituck County, North Carolina Department of Transportation, and North Carolina Department of Environment and Natural Resources. The submission of a master plan and/or engineering report may be required at the discretion of the Director in addition to plans and specifications and other documentation described herein.

The applicant shall construct infrastructure to be accepted by the District utilizing the District-approved Technical Standards and Specifications. No extension to the sanitary sewer system of the District shall be made and no application shall be approved except in accordance with the requirements of this ordinance.

3.2 Abandonment of Private Systems

All private septic systems and other similar facilities shall be properly abandoned, or removed at the time service to the POTW is made available to real estate upon which is located any structure serviced by a private septic system, and the applicable property owner shall be required to connect to the POTW at the time of such abandonment or removal.

Upon 24 hours notice, representatives of the District may enter any property having a private wastewater disposal system for the purpose of inspecting such system and making such other investigations and tests as are deemed necessary. Entry shall be made during the daylight hours unless abnormal or emergency circumstances require otherwise.

4. Standards for Building Sewers

4.1 Method of Connection

Connections of Building Sewers to the District's wastewater collection system will be made in accordance with the following requirements:

- a) All Connections shall be made in accordance with the provisions of the State of North Carolina Building Code Volume II, Plumbing, current edition.
- b) No person, unless authorized, shall uncover, make any connections with, or disturb any portion of the District's wastewater collection system, except in accordance with the applicable provisions of this Ordinance.
- c) All costs and expenses incident to the installation and connection of the Building Sewer for non-residential connections and connections occurring after the initial installation of the POTW shall be borne by the Owner. The owner shall indemnify and hold harmless the District from any loss or damage to the POTW that may directly or indirectly be occasioned by the installation of the Building Sewer.
- d) A separate and independent Building Sewer shall be provided for every building. An exception may be granted where one building on an interior lot stands at the rear of another and it is not economically feasible for the District to provide a tap to the rear building. In such event, the Building Sewer may be extended to the tap for the front building and the whole considered as one (1) Building Sewer. Exceptions such as these require a permit to be issued by the District, and shall require a written agreement between the Owners and the District as to the share of the costs of construction and maintenance that each will contribute.
- e) All Building Sewers shall be brought to the building at an elevation below the lowest floor level having sanitary facilities. In all buildings in which any building drain is below a point which will permit a minimum average slope of the Building Sewer of one (1) foot per one hundred (100) feet, wastewater carried by such Building Sewer shall be lifted by pumping units or other approved means and discharged through a Building Sewer having that minimum average slope. Costs of the pumping units, piping, and power shall be borne by the Owner.

- f) Old building sewers may be used in connections with new buildings only when they are found, upon examination and testing by the District, to meet all requirements of this ordinance.
- g) No connections that will allow inflow to enter the POTW shall be permitted. Such prohibited Connections shall include but not be limited to roof down spouts, exterior foundation drains, or other sources of storm water or groundwater.
- h) The Building Sewer shall include any preliminary treatment, pretreatment, flow equalizing facilities for grease, oil, grit and sands traps or other interceptors as required by these Rules and Regulations.
- i) Connections to POTW will be made at the tap provided for the structure to be served.
- j) Any new connections to the POTW shall be prohibited unless sufficient capacity is available in all downstream portions of the POTW and at the POTW Treatment Plant, including, but not limited to capacity for flow, BOD and suspended solids, as determined by the District.
- k) The size of gravity sewer collection and gravity outfall lines shall be determined by the ultimate size of the area to be serviced and by the projected use and population of the area. The sewer collection and outfall lines shall be designed to maintain a velocity of at least two (2) feet per second at full flow.
- l) The District may require the developer to install sewer collection and outfall lines at a deeper depth and/or larger size than that needed by the existing proposed immediate development in order to provide future service to undeveloped area anticipated to be developed in the future or an existing development which will require service.

4.2 Inspection and Testing

The applicant for the connection shall notify the District when the work is ready for final inspection and no underground portions shall be covered before the final inspection is completed. The connection shall be made under the supervision of the District or its representative.

Sewer collection and outfall lines shall be tested and inspected by the Director, County Engineer, or their designees to determine the accuracy of alignment and grade. The allowable amount of infiltration is defined as 0 gallons per diameter inch per mile per day.

The District shall be allowed to inspect the work at any stage of construction.

4.3 Maintenance of Building Sewer/Damages

- a) Whenever a Building Sewer connected to POTW becomes clogged, broken, out of order or detrimental to the use of POTW, or the public health and welfare, the Owner of any building or premises through which the Building Sewer collects wastewater shall, upon notification by the Director, reconstruct, alter, clean or repair the Building Sewer, as the condition of such may require, within thirty (30) days after receiving notification.

- b) No Person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the POTW.

5. Use of Public Sewers

- a) It shall be unlawful to discharge into any natural outlet within the District or in any area under the jurisdiction of the District any wastewater or other polluted water.
- b) It shall be unlawful within the District to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater. Temporary portable toilet facilities may be permitted by special permit issued by the District for the purpose of providing toilet services for construction projects or special events or purposes.
- c) Construction of any new structures within the District from which wastewater is or shall be discharged shall not occur without first securing a connection to the POTW.
- d) The Owner of any building or property which is located within the District, or in any area under the jurisdiction of the District, and from which wastewater is discharged, shall be required to connect to the POTW, at the Owner's expense, within sixty (60) days after service of official notice to do so, provided that said public sewer is reasonably available for connection. Additionally, if the building or property is used for human occupancy, employment or recreation, the owner shall be required to install at the same time toilet facilities in accordance with the North Carolina Building Code and this ordinance. Said official notice shall be given by the District, or its designated agent, and shall be served upon the Owner personally or by certified mail.
- e) In the event an Owner shall fail to connect to a public sewer in compliance with a notice given under this section, the District may undertake to have said connection made and shall charge the cost thereof against the property and said charge shall be a lien against said property. Such charge, when made, shall bear interest at the rate of eight percent (8%) per annum and shall be certified to the auditor of Currituck County in which the land is situated and shall be collected and remitted to the District in the same manner as assessments for local improvements. The rights of the District under this subdivision shall be in addition to any other remedial or enforcement provisions of this ordinance.
- f) Storm water and all other unpolluted water shall be discharged to a storm sewer or other appropriate outlet, subject to existing regulatory requirements.
- g) No connection shall be permitted that will allow inflow other than sanitary waste to enter the District's wastewater collection and treatment system. Said prohibited connections shall include but not be limited to the connection of roof downspouts, exterior foundation drains or other sources of storm waters or groundwater to a building sewer which is connected directly or indirectly to a public sanitary sewer.

6. Industrial Uses and Users Prohibited

Discharge of wastewater into the sewer from a Significant Industrial User within the District is prohibited.

7. Limitations on Wastewater Strength

7.1 Federal Pretreatment Standards

Federal Pretreatment Standards and general regulations promulgated by the EPA pursuant to the Act shall be met by all users which are subject to such standards in any instance where they are more stringent than the limitations in this ordinance unless the Director has applied for, and obtained from the Currituck County Engineer, approval to modify the specific limits in the federal pretreatment standards. In all other respects, industrial users subject to Pretreatment Standards shall comply with all provisions of these rules and any permit issued thereunder, notwithstanding less stringent provisions of the Pretreatment Regulations or any applicable pretreatment standard.

7.2 State Requirements

State requirements and limitations on discharges shall be met by all Users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this ordinance.

7.3 District's Right of Revision

The District reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the POTW if deemed necessary to comply with the objectives of this ordinance.

7.4 Local Limits

Any discharge to the District's wastewater system shall meet the average discharge limits listed below. If the limits are exceeded, then the District reserves the right to require pre-treatment or preliminary treatment of waste prior to discharge into the District's wastewater system, or may assess a surcharge on the user.

Parameter	Value (mg/L)
Aluminum	2
Ammonia-Nitrogen	17
Arsenic	0.003
Barium	0.15
Beryllium	0.2
BOD	200
Boron	1
Cadmium	0.003
CBOD	200
Chlorides	343
Chromium	0.002
COD	600
Copper	0.041

Cyanide	0.015
Iron	2.9
Lead	0.049
Manganese	60
Mercury	0.0003
Methylene Chloride	0.1
Nickel	0.021
Oil and Grease (Hexane Extraction)	73
Organic Nitrogen	18
Phosphorus Ortho	3
Phosphorus Total	6.1
Selenium	0.2
Silver	0.005
Sulfates	250
Sulfides	8
Tetrachloroethylene	0.5
TKN	35
Total Solids	831
Total Suspended Solids	200
Trichloroethylene	0.5
Zinc	0.165

7.5 Dilution

No User shall increase the use of process water, or in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in any local or state requirements or federal pretreatment standards.

7.6 Reports

Reports specified in Code of Federal Regulations, Title 40, Section 403.12 of the Pretreatment Regulations shall be submitted to the District by affected Users.

8. Discharge of Certain Materials Prohibited

No person shall discharge or cause or allow to be discharged, directly or indirectly, into the POTW any of the following waste pollutants:

- a) All waste of any type generated from any source outside the designated sewer service area as provided for in this Agreement.
- b) All waste generated from septic tank contents, portable toilets, privy vault contents, sewage holding tanks and the like generated from within the limits of the designated sewer service area.
- c) Any wastes which may directly or indirectly impair the proper functioning of the POTW.

- d) Any wastes with strength or pollution effects of which are not effectively altered by ordinary treatment processes, or the presence of which in the receiving stream would violate State and Federal water quality standards.
- e) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way or to the operation of the POTW. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, and any wastes with a closed cup flash point of less than 140 degrees Fahrenheit (60 degrees Centigrade). At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter.
- f) Solid or viscous substances in amounts which will cause obstruction to the flow in the sewer resulting in interference with the operation of the POTW. Substances and items include, but are not limited to, grease, garbage with particles greater than one-half inch (1/2 in.) in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, gas, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- g) Any wastewater having a pH less than 5.0 or more than 10.0 or wastewater having any other corrosive property capable of causing damage to the POTW, the POTW Treatment Plant, or District personnel.
- h) Any wastewater having a temperature greater than 150 degrees Fahrenheit (65 degrees Centigrade), or which will inhibit biological activity in the POTW Treatment Plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 105 degrees Fahrenheit (40 degrees Centigrade).
- i) Any pollutants which result in the presence of toxic gases, vapors or fumes in the receiving waters of the POTW in a quantity that may cause any worker health and safety problems. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Federal Water Pollution Control Act as amended.
- j) Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- k) Any substance which may cause treated effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW Treatment Plant to be in noncompliance with sludge use or disposal regulations or permits issued under section 405 of the Act; the Solid Waste Disposal Act,

the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

- l) Any wastewater which imparts color which cannot be removed in the treatment process, including, but not limited to, dye wastes and vegetable tanning solutions.
- m) Any wastewater containing any radioactive wastes or isotopes that violate any statute or any rule, regulations, or ordinance of any public agency or State or Federal regulatory body.
- n) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l, or containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit (0 degrees Centigrade and 65.6 degrees Centigrade); and any wastewater containing oil and grease concentrations of mineral origin of greater than 25 mg/l, whether emulsified or not. See Section 8.2 for requirements for grease interceptors.
- o) Any medical wastes, except as specifically authorized by the Director in a wastewater discharge permit.
- p) Any material containing ammonia, ammonia salts, or other chelating agents which will produce metallic complexes that interfere with the POTW.
- q) Any wastewater causing the treatment plant effluent to violate State Water Quality Standards for toxic substances as described in 15A NCAC 2B .0200; or wastewater causing, alone or in conjunction with other sources, the treated effluent to fail a toxicity test.

It is unlawful for any person to make or maintain a connection between eaves trough, rainspouts, footing drains, or any other conductor used to carry natural precipitation or ground water, and the sanitary system or any part thereof.

Any property owner in violation of this section and upon receiving notice of said violation, shall disconnect the conductor from the POTW. Any property owner in violation of this section shall be assessed a monthly surcharge, the amount of which will be established by the Board, for each month that the conductor is not permanently disconnected. Failure to permanently disconnect the conductor, or reconnection of a disconnected conductor, may result in the suspension from use of POTW.

9. Pre-Treatment of Wastewater

9.1 Grease Removal

- a) Grease traps or other interceptors shall be provided at the user's expense, when such user operates an establishment preparing, processing or serving food and/or food products. Grease interceptors are required for the proper handling of liquid wastes containing oil and/or grease to ensure concentrations do not exceed one hundred sixty (25) mg/l by weight (hexane extractable).
- b) All such traps, tanks, chambers or other interceptors shall be of a type and capacity approved by the Director and as outlined in the District's Technical Standards and

Specifications Manual and the Fats, oils, and grease policy. The interceptor shall be readily and easily accessible for cleaning and inspection. No more than twenty (20) percent of the interceptor's total volume will be used for a sludge pocket. The interceptor shall be kept free of materials including kitchen utensils, paper or plastic products, and rags which may settle into the required sludge pocket, and all other floating material shall be skimmed from the trap or basin tank at intervals of a frequency sufficient to avoid accumulation of scum covering the surface of the liquid.

- c) All such interceptors shall be serviced and emptied of the waste content as required, but not less often than every thirty (30) days, in order to maintain their minimum design capability to intercept oils and greases from the wastewater discharged to the public sanitary sewer.
- d) No waste removed from the interceptor shall be reintroduced into the sanitary sewer or back into the interceptor which will cause the interceptor's discharge to exceed sewer use ordinance limits. The owner shall be responsible for sanitary disposal of such waste.
- e) The owner shall maintain a written record of trap maintenance for three (3) years. A copy of this record shall be sent to the District on the 15th day of the month following service.

9.2 Sand, Grit and Oil removal

- a) Sand, grit, and oil traps or other interceptors shall be provided at the owner's expense when they are necessary for the proper handling and control of liquid wastes containing sand, grit, oil, or flammable waste in excessive amounts.
- b) All such interceptors shall be of a type and capacity approved by the Director and shall be readily and easily accessible for cleaning and inspection. All such interceptors shall be serviced and emptied of their contents as required, in order to maintain their minimum design capability to intercept grit, sand, oil, and flammable waste prior to the discharge of wastewater to the public sanitary sewer.
- c) Wastes removed from sand, grit and oil interceptors shall not be discharged into the public sanitary sewer. The owner shall be responsible for the sanitary disposal of such wastes.
- d) The owner shall maintain a written record of trap maintenance for three (3) years. A copy of this record shall be sent to the District on the 15th day of the month following service.

9.3 Preliminary Treatment Devices

Where pretreatment, or grease; oil, grit and sand traps or other interceptors are provided for any wastewater, they shall be continuously maintained in satisfactory condition and effective operation by the owner at his expense.

10. Accidental Discharges

Accidental discharges of prohibited waste into the POTW, directly or through another disposal system, or to any place from which such waste may enter the POTW, shall be reported to the District and County by the persons responsible for the discharge, or by the Owner or occupant of

the premises where the discharge occurred, immediately upon obtaining knowledge of the fact of such discharge. Such notification will not relieve users of liability for any expense, loss or damage to the wastewater disposal system or treatment process, or for any fines imposed on the District on account thereof under any state or federal law. The responsible person shall take immediate action as is reasonably possible to minimize or abate the prohibited discharge.

The responsible person shall send a letter describing the prohibited discharge to the District and County within seven (7) days after obtaining knowledge of the discharge. The letter shall include the following information:

- a) the time and location of the spill;
- b) description of the accidentally discharged waste, including estimate of pollutant concentrations;
- c) time period and volume of wastewater discharged;
- d) actions taken to correct or control the spill;
- e) a schedule of corrective measures to prevent further spill occurrences.

11. Inspection and Sampling

The District may conduct such tests as are necessary to enforce this ordinance, and employees of the District may enter upon any property for the purpose of taking samples, obtaining information or conducting surveys or investigations relating to such enforcement. Entry shall be made during operating hours unless circumstances require otherwise. In all cases where tests are conducted by the District for the purpose of determining whether the User is in compliance with regulations, the cost of such tests shall be charged to the User and added to the User's User Fee. In those cases where the District determines that the nature or volume of a particular User's wastewater requires more frequent than normal testing, the District may charge such User for the tests, after giving the User ten (10) days written notice of its intention to do so, and the cost thereof shall be added to the User's User Fee.

While performing the necessary work on private properties referred to in this section, the authorized employees of the District shall observe all safety rules applicable to the premises established by the User.

Duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds an easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the POTW lying within said easement. All entry and subsequent work, if any, on said easement shall be done in all accordance with the terms of the easement pertaining to the private property involved.

12. Confidential Information

Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs, and from inspections shall be available to the public or other governmental agencies without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the User. Any such request must be asserted at the time of submission of the information or data.

When requested by the person furnishing a report, the portions of a report that might disclose trade secrets or secret processes shall not be made available for inspection by the public, but

shall be made available upon written request to governmental agencies for uses related to this ordinance, state disposal system permit, and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

13. Enforcement

13.1 Consent Order

The District is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the discharger to correct the noncompliance within a time period also specified by the order.

13.2 Suspension

The District may suspend the wastewater treatment service when such suspension is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, or interferes with the POTW.

13.3 Civil Penalties

Any User who is found to have failed to comply with any provisions of this ordinance, or the orders, rules, regulations and permits issued hereunder, may be fined up to one thousand dollars (\$1,000) per day per violation.

14. Effective Date

This ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

Commissioner O'Neal moved to adopt. Commissioner Gilbert seconded the motion. Motion carried.

Appointment to Fire and EMS Board

Commissioner Etheridge moved to appoint Paul Beaumont, George Bergamini, Mitch Copeland and Kurt Black for a 2 year term. Commissioner Petrey seconded the motion. Motion carried.

Appointment to Tourism Board

Commissioner Gilbert moved to appoint Jeff Nelson. Commissioner Etheridge seconded the motion. Motion carried.

Consent Agenda:

1. Social Services request to reappoint Walter Gallop to DSS Board

2. Approval of April 18, 2011, Minutes
3. Resolution approving the exhibition, use and discharge of pyrotechnics at the Whalehead Club
4. Approval of request for Lower Currituck VFD to purchase a new command vehicle
5. Budget Amendments

Commissioner Etheridge moved to approve. Commissioner Martin seconded the motion. Motion carried.

RESOLUTION APPROVING THE EXHIBITION, USE AND DISCHARGE OF PYROTECHNICS AT THE WHALEHEAD CLUB IN COROLLA, NORTH CAROLINA

WHEREAS, pursuant to N.C. Gen. Stat. §§14-410 and 14-413 a display operator that will exhibit, use or discharge pyrotechnics at a public exhibition must receive written authority for such public exhibition from the board of commissioners for a county; and

WHEREAS, a display operator must provide proof of insurance in the amount of at least \$500,000.00; and

WHEREAS, Dominion Fireworks, Inc. is under contract with Currituck County to provide an exhibition of fireworks at the county’s property known as The Whalehead Club in Corolla, North Carolina on July 4, 2011 which will be a public exhibition and Dominion Fireworks, Inc. has provided a certificate of insurance evidencing insurance coverage in an amount in excess of \$500,000.00.

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

Section 1. Dominion Fireworks, Inc. is authorized to exhibit, use or discharge pyrotechnics for public exhibition at that property known as The Whalehead Club in Corolla, North Carolina on July 4, 2011.

Section 2. This resolution shall be effective upon adoption

<u>Account Number</u>	<u>Account Description</u>	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10510-502100	Salaries - Overtime	\$ 34,000	
10510-505000	FICA	\$ 2,601	
10510-507000	Retirement	\$ 2,179	
10510-508000	Supplemental Retirement	\$ 1,700	
10510-532001	Canine Supplies	\$ 400	
10510-590000	Capital Outlay	\$ 7,289	

10510-526000	Advertising	\$	400
10511-502000	Salaries - Regular	\$	34,000
10511-505000	FICA	\$	2,601
105110-507000	Retirement	\$	3,879
10330-449900	Miscellaneous Grants	\$	7,289
		<u>\$</u>	<u>48,169</u>
		<u>\$</u>	<u>48,169</u>

Explanation: Sheriff (10510); Jail (10511) - Transfer funds for operations for the remainder of this fiscal year and to purchase tasers that were funded through a State grant.

Net Budget Effect: Operating Fund (10) - Increased by \$7,289.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10531-532000	Supplies	\$	1,000		
10531-590000	Capital Outlay			\$	1,000
		<u>\$</u>	<u>1,000</u>	<u>\$</u>	<u>1,000</u>

Explanation: Emergency Management (10531) - Transfer funds for phones to set up the Emergency Operations Center.

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
66868-531000	Gas, Oil Etc	\$	4,900		
66868-545000	Contract Services			\$	2,500
66868-514500	Training & Education			\$	300
66868-531400	Equipment Fuel			\$	500
66868-516400	Equipment Maintenance			\$	500
66868-536000	Uniforms			\$	100
66868-532000	Supplies			\$	1,000
		<u>\$</u>	<u>4,900</u>	<u>\$</u>	<u>4,900</u>

Explanation: Southern Outer Banks Water System (66868) - Transfer funds for operations for the remainder of this fiscal year.

Net Budget Effect: Southern Outer Banks Water System Fund (66) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10640-514500	Training & Education	\$ 246	
10640-514100	Camp Transportation		\$ 246
		<u>\$ 246</u>	<u>\$ 246</u>

Explanation: *Cooperative Extension (10640)* - Transfer funds for MAPS supervisors training.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10441-590000	Capital Outlay	\$ 6,000	
10441-514500	Training & Education	\$ 1,175	
10441-557100	Software License Fee	\$ 2,160	
10440-506000	Insurance Expense		\$ 358
10441-506000	Insurance Expense		\$ 2,000
10460-506000	Insurance Expense		\$ 6,977
		<u>\$ 9,335</u>	<u>\$ 9,335</u>

Explanation: *Information Technology Services (10441)* - Transfer budgeted funds to purchase Employee Self Service for Human Resources. This program will enable employees and department heads to enter timesheets and access leave balances electronically.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
61818-532000	Supplies	\$ 5,000	
61818-533200	Lab Tests	\$ 600	
61818-516000	Repairs & Maintenance		\$ 5,600
		<u>\$ 5,600</u>	<u>\$ 5,600</u>

Explanation: *Mainland Water (61818)* - Transfer funds for operations.

Net Budget Effect: *Mainland Water (61818)* - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
60808-590000	Capital Outlay	\$ 10,221	
60808-516000	Repairs & Maintenance		\$ 8,000
60808-545000	Contracted Services		\$ 2,221
		\$ 10,221	\$ 2,221

Explanation: *Ocean Sands Water & Sewer (60808)* - Transfer funds for operations.

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

Commissioner's Report

Commissioner Rorer, commented on the Duck Wine Festival that supported the Currituck Kids First.

Commissioner Gilbert thanked Chris Dailey for his presentation to the Airport Board. The Moyock VFD will have a fish fry on May 4.

Commissioner Martin commented on the closure to 9/11.

Commissioner Etheridge commended our men and women in uniform.

Commissioner O'Neal objects to a toll for the Knotts Island Ferry and directed staff to send a letter to be added to Representative Spear's bill. He also stated that they needed to have a work session on businesses on the northern beaches.

County Manager's Report

County Manager stated that there will be a work session on the budget on Wednesday, May 11, from 8:30 to 4:00 p.m.

Adjourn

There being no further business, the meeting adjourned.