



**BOARD OF COMMISSIONERS
AGENDA**

SEPTEMBER 3, 2013

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REVISED
Currituck County
Board of Commissioners Agenda
Historic Currituck County Courthouse

Date: Tuesday, September 03, 2013 Time: 7:00 PM

Work Sessions

5:30 PM Presentation and Review of the Pine Island Audubon Sanctuary
Master Plan

7:00 pm Call to Order

- A) Invocation – Reverend Glenn McCranie
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

Administrative Reports

Barbara Snowden to Give Update on Civil War Encampment and Presentation
of Flag

Public Hearings

- A) **Public Hearing and Action:** PB 84-11 Corolla Light, PUD: Request to amend the existing use permit and sketch plan for Corolla Light PUD to accommodate 16 duplexes totaling 32 units along NC12 south of Shad Street, Tax Map 115B, Parcel P51, Poplar Branch Township.
- B) **Public Hearing and Action:** PB 09-35 Rachel's Ranch: Request for a special use permit for an outdoor recreation facility located at 160 Owens Road, Powells Point, Tax Map 123, Parcel 6B, Poplar Branch Township.
- C) **Public Hearing and Action:** PB 13-16 Rosewood: Request for a preliminary plat/use permit for a 43 lot conservation subdivision located in Moyock, along both sides of Elrod Road, west side of Poyners Road, and

the south side of Tulls Creek Road, Tax Map 31, Parcels 1A, 1B, 1D, 15A, and 17A, Moyock Township.

- D) **Public Hearing and Action:** PB 94-18 Malco Mine, Phase 2: Request for a (special) use permit modification to expand an existing mining operation at 136 Griggs Acres Road in Point Harbor, Tax Map 132 Parcel 159, Poplar Branch Township.

New Business

A) **Board Appointments:**

1. Appointment to ABC Board

B) **Consent Agenda:**

1. Approval of August 19, 2013 Minutes
2. Budget Amendments
3. Resolution - Surplus 2005 Jeep from Inspections
4. Resolution approving Currituck County to use Raymond James to broker investments
5. CDBG Monthly Status Report
6. Proclamation for Literacy Month

C) **Commissioner's Report**

D) **County Manager's Report**

Special Meeting

Tourism Development Authority

- A) Budget Amendments

Adjourn

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county

DELETED

Adjourn



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 84-11 Corolla Light, PUD: Request to amend the existing use permit and sketch plan for Corolla Light PUD to accommodate 16 duplexes totaling 32 units along NC12 south of Shad Street, Tax Map 115B, Parcel P51, Poplar Branch Township.

Brief Description of Agenda Item

To amend the existing Use Permit and Sketch Plan to remove phase 12 from open space for the purposes of residential duplex development.

Planning Board Motion:

Mr. Cooper moved to approve PB 84-11 with the findings of fact and the technical review committee recommendations 1-4 included in the case analysis. Ms. Wilson seconded the motion. Motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: 9/3/2013
PB 84-11 COROLLA LIGHT PUD, PHASE 12

ITEM: PB 84-11 Corolla Light PUD, Phase 12, Amended Use Permit/Sketch Plan

LOCATION: Unassigned Address on Ocean Trail, Corolla Light, Poplar Branch Township

TAX ID: 115B0000P5I0000 & 115B0000OPEN007D

ZONING DISTRICT: Single Family Outer Banks (SFO) with Planned Unit Development (PUD) Overlay

PRESENT USE: Utility Open Space

OWNER: Outer Banks Ventures Inc.

APPLICANT: David Maso
100 Sportsman Drive
Kill Devil Hills, NC 27948

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Utility	SFO/PUD
SOUTH	Residential	SFO/PUD
EAST:	Residential	SFO
WEST:	Residential	SFO/PUD

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Corolla subarea.

SIZE OF SITE: 3.16 Acres

NUMBER OF UNITS: 32

PROJECT DENSITY: **Site Specific Density** (10 units/acre) **PUD Density** (2.45 units/acre)

UTILITIES: Water will be provided by Currituck County Southern Outer Banks Water System. Wastewater will be provided by Carolina Water via the Monterey Shores treatment plant expansion (currently not permitted).

PUD ALLOCATION: Total Land Area = 267.05 acres, Open Space = 128.51 acres, and Commercial Allocation = 26.53 acres

I. NARRATIVE OF REQUEST:

To amend the Use Permit and Sketch Plan for Corolla Light Resort, PUD to remove Phase 12 from open space wastewater use and convert to residential use. The applicant is requesting abandonment of existing wastewater facilities on the subject property in Corolla Light PUD. The property will be removed from open space and will be developed as residential duplexes. The Corolla Light sewer capacity lost by removing the existing wastewater system is proposed to be transferred to the Monterey Shores Wastewater Treatment Plant. Transfer will require expansion of the Monterey Shores plant. State permits are required for both removal of the existing Corolla Light system and expansion of the Monterey Shores Plant. The applicant has not provided copies of the required state permits at this time.

II. QUESTION(S) BEFORE THE BOARD:

Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

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

Suggested Findings:

- a. The proposed development will be accessed from existing Beacon Hill Court off of NC12 and will not endanger the public health or safety assuming wastewater concerns are resolved as proposed.

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

Suggested Findings:

- a. The use is proposed within an existing PUD which currently has multifamily use and is surrounded by residential use. The use will not injure the value of adjoining or abutting lands and will be in harmony with the lands in which it is located.

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

Suggested Findings:

The 2006 Land Use Plan classifies this site as full service within the Corolla subarea. Insert LUP classification narrative. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development and (4) away from environmentally sensitive areas, such as areas with extensive wetlands or the northern beaches of the Outer Banks.

POLICY WS8: CENTRAL AND PACKAGE TREATMENT PLANTS shall be designed using best available technology to eliminate or reduce odors. In addition, such plants shall be properly located so as not to adversely impact nearby land uses.

POLICY TR8: Local streets shall be designed and built to allow for convenient CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS and to encourage mobility by pedestrians and bicyclists. Care shall be taken to encourage local street “connectivity” without creating opportunities for cut-through traffic from outside the connected areas.

POLICY TR12: New residential developments shall provide for the installation of PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE at the time of development. This policy is intended to prevent the creation of substandard developments that must later correct for infrastructure problems that could have been avoided, had they been installed properly from the beginning. Family subdivisions and non-asphalt roads serving the northern beaches are the only exceptions to this policy.

4. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. The use will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval with the following conditions:

1. The project shall not move forward to the next stage of development (preliminary plat) until state permits for wastewater are provided.
2. The counties well field in Corolla Light shall not be used as sewer green space.
3. All cost for the Monterey Shores Treatment Plant expansion shall be paid by OBV or the developers of Corolla Light Phases 10, 12, 13 and 14.
4. Development shall not occur on phases 10, 12, 13, or 14 of Corolla Light until such time the required wastewater capacity is made available.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Cooper moved to approve PB 84-11 with the findings of fact and the technical review committee recommendations 1-4 included in the case analysis. Ms. Wilson seconded the motion. Motion carried unanimously.

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

PLANNING BOARD DISCUSSION (8/13/13)

Mr. Cooper asked if the open space that is being abandoned now is not required open space and if any of the Monterey Shores existing customers will be affected by the cost of the expansion.

Mr. Litteral stated that is correct.

Mr. Burgin stated he is working for Outer Banks Ventures in regards to the consolidation of the wastewater at the Monterey Shores treatment plant. Mr. Burgin provided an overview of the wastewater plan. Mr. Burgin stated neither the Monterey Shores nor Corolla Light existing customers will bear any of the costs of the expanded treatment facilities to service them. Outer Banks Ventures will incur all the costs.

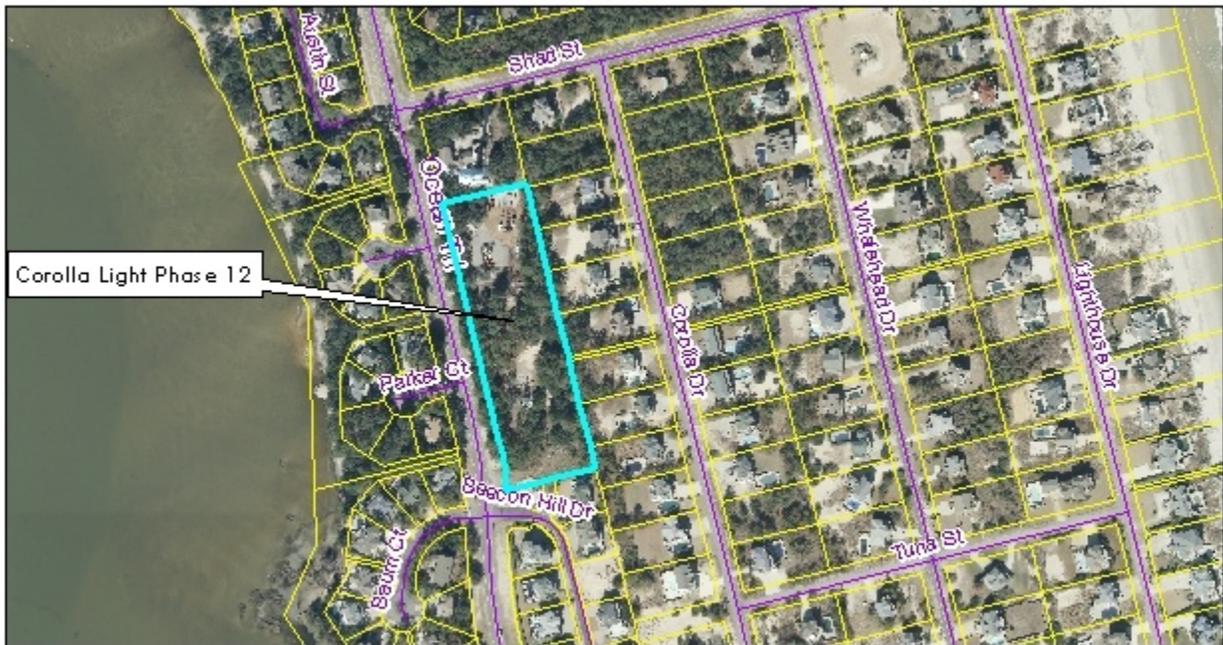
Ms. Wilson read a statement from Ms. Simons who is a homeowner on Beacon Hill and is concerned with the increase traffic that will occur on Beacon Hill with the residential development of Phase 12.

ACTION

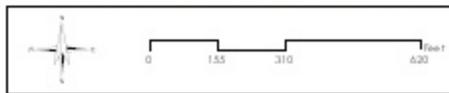
Mr. Cooper moved to approve PB 84-11 with the findings of fact and the technical review committee recommendations 1-4 included in the case analysis. Ms. Wilson seconded the motion. Motion carried unanimously.

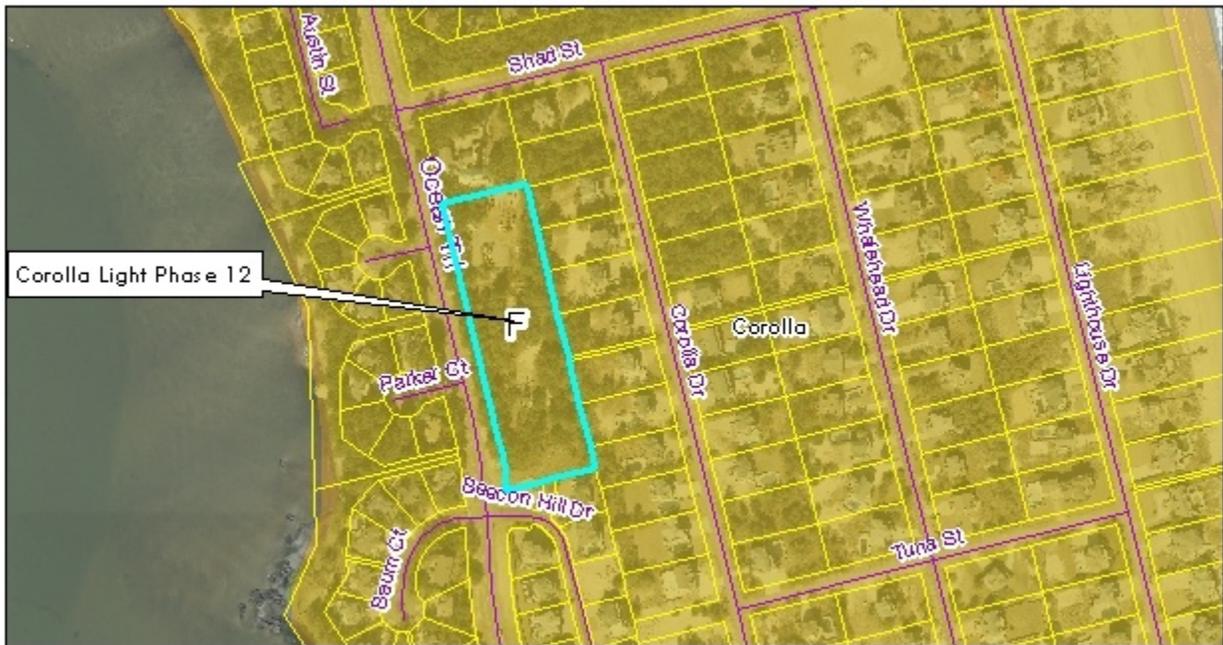


PB 84-11
Amended Use Permit/Sketch Plan
Zoning

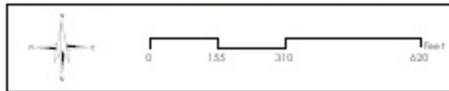


PB 84-11
Amended Use Permit/Sketch Plan
Aerial





PB 84-11
Amended Use Permit/Sketch Plan
Land Use Plan



MEMORANDUM

To: David Maso, Mitch Halloran (Coastal Engineering)

From: Planning Staff

Date: July 11, 2013

Re: PB84-11 Corolla Light PUD, Phase 12, Special Use Permit

The following comments have been received for the July 17th, 2013 TRC meeting. In order to be scheduled for the August 13th, 2013 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on July 22nd, 2013. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jason Litteral

Approved with comments.

1. Please indicate where the residential units shown in the residential density table are located by showing phases in the table.
2. If the Special Use Permit is approved, subsequent site design shall comply with chapters 5, 6, and 7 of the UDO, and community compatibility standards.

Currituck Soil and Water, Mike Doxey

Approved, No Comment

Currituck County Engineer, Eric Weatherly

I have the following comments regarding the subject submittal:

- The Monterey Shores wastewater treatment facility is proposed to be expanded so that the land used for the Corolla Light wastewater treatment facilities can be developed. Cost of the 200,000 gpd expansion of the Monterey Shores wastewater treatment facility to serve Corolla Light shall not be passed on to any existing development within Monterey Shores or Corolla Light. All cost for the expansion shall be paid by OBV or the developers of Corolla Light Phases 10, 12, 13 and 14.
- I need more information to understand how 50,984 gpd of the Monterey Shores wastewater treatment plant gets transferred to OBV for their Corolla Light developments. DWQ has approved 25,000 gpd of Phase 13 to be sent to the Monterey Shores wastewater treatment facility but has not approved any additional to my knowledge. Is OBV paying a tap fee to Monterey Shores for this capacity and if not, what is the justification to those that did fund the plant?
- It is stated that the design of the Monterey Shores plant expansion design will be complete by August 9, 2013. Provide a schedule for the plant expansion construction. If the expansion schedule is based on using the available capacity in the existing Monterey Shores plant first, provide an expansion schedule based on expected growth rate of the OBV developments.
- What is the ultimate expansion capacity of Monterey Shores plant to serve the existing Corolla Light plus Phases 10, 12, 13, and 14? I do not recommend approval of any of the proposed developments until full expansion capacity is permitted and verification of the funds for the expansion will not affect the rates of the current service area.
- The counties well field in Corolla Light shall not be used as sewer green space.
- Provide copies of all state regulatory permits by construction drawing submittal phase of TRC.

Currituck County Utilities, Pat Irwin

Approved, No Comment

Currituck County Local Volunteer Fire Department

Approval with corrections

1. I would like to see hydrants at both entrances and maybe one in middle if the distance is greater than 600ft

Currituck County GIS, Harry Lee

Reviewed,

1. Please propose a street name.

2. Addresses will be assigned by GIS after submittal of a site development plan.

Currituck County Parks and Recreation, Jason Weeks

No Comment

Currituck County Economic Development, Peter Bishop

Reviewed,

1. Will this be for-rent, year-round housing?
2. Will this be vacation-rental housing?
3. Will this be available for "short stays"?

NC Division of Coastal Management, Charlan Owens

No Comment

NC DENR Aquifer Protection, David May

Reviewed,

Division of Water Quality wastewater permit no. WQ0035060 is tied to the subject property/project. If the property is converted to residential use, the wastewater permit should be rescinded (intent to do so noted in Burgin Engineering June 26, 2013 letter). Expansion of Monterey Shores WWTP by 200,000 gpd as proposed is subject to permit modification approval.

NC State Archaeology, Lawrence Abbot

No Comment

US Army Corps of Engineers, Kyle Barnes

Reviewed,

Any impacts to Waters or Wetlands will require USACE approval.



Use Permit Application

OFFICIAL USE ONLY:

Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information**APPLICANT:**

Name: DAVID MASO
Address: 100 SPORTSMAN DR.
KILL DEVIL HILLS, NC 27948

Telephone: SAME
E-Mail Address: david4closurefl@gmail.com

PROPERTY OWNER:

Name: FLORIDA OBX, LLC
Address: 53 GULF BLVD. STREET
ST. PETE BEACH, FL 33706

Telephone: 727-386-3747
E-Mail Address: cmeyerusa@gmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: MEMBER MANAGER

Property Information

Physical Street Address: UNASSIGNED

Location: COROLLA LIGHT P.U.D. - PHASE 12 (FORMERLY PHASE 5I)

Parcel Identification Number(s): 115B0000P510000 & 115B0000OPEN007D

Total Parcel(s) Acreage: 3.08 + 0.08 = 3.16

Existing Land Use of Property: VACANT LANDS USED FOR OPEN SPACE

Request

Project Name: COROLLA LIGHT P.U.D. - AMENDED SKETCH PLAN

Proposed Use of the Property: MULTI-FAMILY

Deed Book/Page Number and/or Plat Cabinet/Slide Number: PC L, PG 161 & PC H, SL 333

Total square footage of land disturbance activity: N/A

Total lot coverage: N/A Total vehicular use area: N/A

Existing gross floor area: N/A Proposed gross floor area: N/A

Community Meeting

Date Meeting Held: 6/24/13 Meeting Location: COROLLA LIGHT LIBRARY

Purpose of Special Use Permit and Project Narrative (please provide on additional paper if needed): TO CONVERT THE SUBJECT PARCELS (PHASE 12 & PHASE 7D - OPEN SPACE) TO A 3.16 ACRE PARCEL OF LAND DESIGNATED FOR MUNTI-FAMILY USE

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

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

NO

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

THE PROPOSED USE WILL BE IN HARMONY WITH THE COROLLA LIGHT PUD AND WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING LANDS.

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

THE PROPOSED USE WILL BE RESIDENTIAL, WHICH IS IN CONFORMITY WITH THE LAND USE PLAN

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

THE PROPOSED USE WILL NOT EXCEED PUBLIC FACILITIES

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



Property Owner(s)/Applicant*

4/27/13

Date

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

LETTER	MIRAGE CONDOMINIUMS OWNER INFORMATION	DEED BOOK	PAGE
A	ROBERT F. & MARILYN C. BULLOCK	801	703
B	GEORGE M. & LINDA H. COSEY, AND FORREST J. CLARKE	578	284
C	DONALD & ANNE F. AVART	609	909
D	MICHAEL J. & CHERYL W. HASSETT	464	39
E	C. ALLEN MASON, JR. AND MELANIE L. MASON	785	121
F	JAMES L. & NANCY R. SOBECZ, TRUSTEES	596	231
G	DOUGLAS B. & REBECCA K. SMITH	549	197

LEGEND:

- OPEN SPACE
- LOT LINE
- BOUNDARY LINE
- SHORELINE
- EXISTING R/W
- PHASE LINE
- CMAA AEC SETBACK
- F.I.R.M. ZONE LINE

REFERENCES:

- PHASE 1 - P.C. "B", SL. 67-70
- PHASE 1A - P.C. "B", SL. 186-187
- PHASE 2A - P.C. "B", SL. 275
- PHASE 2B - P.C. "B", SL. 112-113
- PHASE 2C - P.C. "B", SL. 118
- PHASE 2D - P.C. "B", SL. 159
- PHASE 2E - P.C. "B", SL. 196-197
- PHASE 2F - D.B. 325, PG. 438-442
- PHASE 2G - P.C. "B", SL. 323
- PHASE 2X - P.C. "B", SL. 118
- PHASE 3 - D.B. 808, PG. 12-14
- PHASE 4A - D.B. 382, PG. 410
- PHASE 5A - P.C. "D", SL. 194
- PHASE 5B - P.C. "B", SL. 290-291
- PHASE 5C - P.C. "B", SL. 306-307
- PHASE 5D - P.C. "B", SL. 313-314
- PHASE 5E - P.C. "B", SL. 393-369
- PHASE 5F - P.C. "D", SL. 49-51
- PHASE 5H - P.C. "D", SL. 37
- PHASE 5J - P.C. "D", SL. 399
- PHASE 6A - P.C. "B", SL. 288
- PHASE 6B - P.C. "B", SL. 338-339
- PHASE 6C - P.C. "B", SL. 338-339
- PHASE 6D - P.C. "B", SL. 338-339
- PHASE 6E - P.C. "D", SL. 48
- PHASE 6F - P.C. "D", SL. 210
- PHASE 6G - P.C. "D", SL. 48
- PHASE 6K - P.C. "D", SL. 210
- PHASE 6M - P.C. "F", SL. 61
- PHASE 6P - P.C. "E", SL. 284-285
- PHASE 7A - CONDO BOOK 1 PG. 98-106
- PHASE 7A - SEC. F - CONDO BOOK 1 PG. 29
- PHASE 7A - SEC. G - CONDO BOOK 1 PG. 108-111
- PHASE 7A - SEC. H - CONDO BOOK 1 PG. 23-28
- PHASE 7D - P.C. "H", SL. 333
- PHASE 8 - P.C. "E", SL. 144-145
- PHASE 9A - P.C. "D", SL. 86
- PHASE 9A(R) - P.C. "F", SL. 70
- SOURCE DEED - D.B. 197, PG. 131-136
- WHALEHEAD CLUB - D.B. 309, PG. 184-186
- WHALEHEAD SECTION 3 - M.B. 3, PG. 66
- WHALEHEAD SECTION 4 - M.B. 3, PG. 67
- WHALEHEAD SECTION 5 - M.B. 3, PG. 68
- WHALEHEAD SECTION 6 - M.B. 3, PG. 69

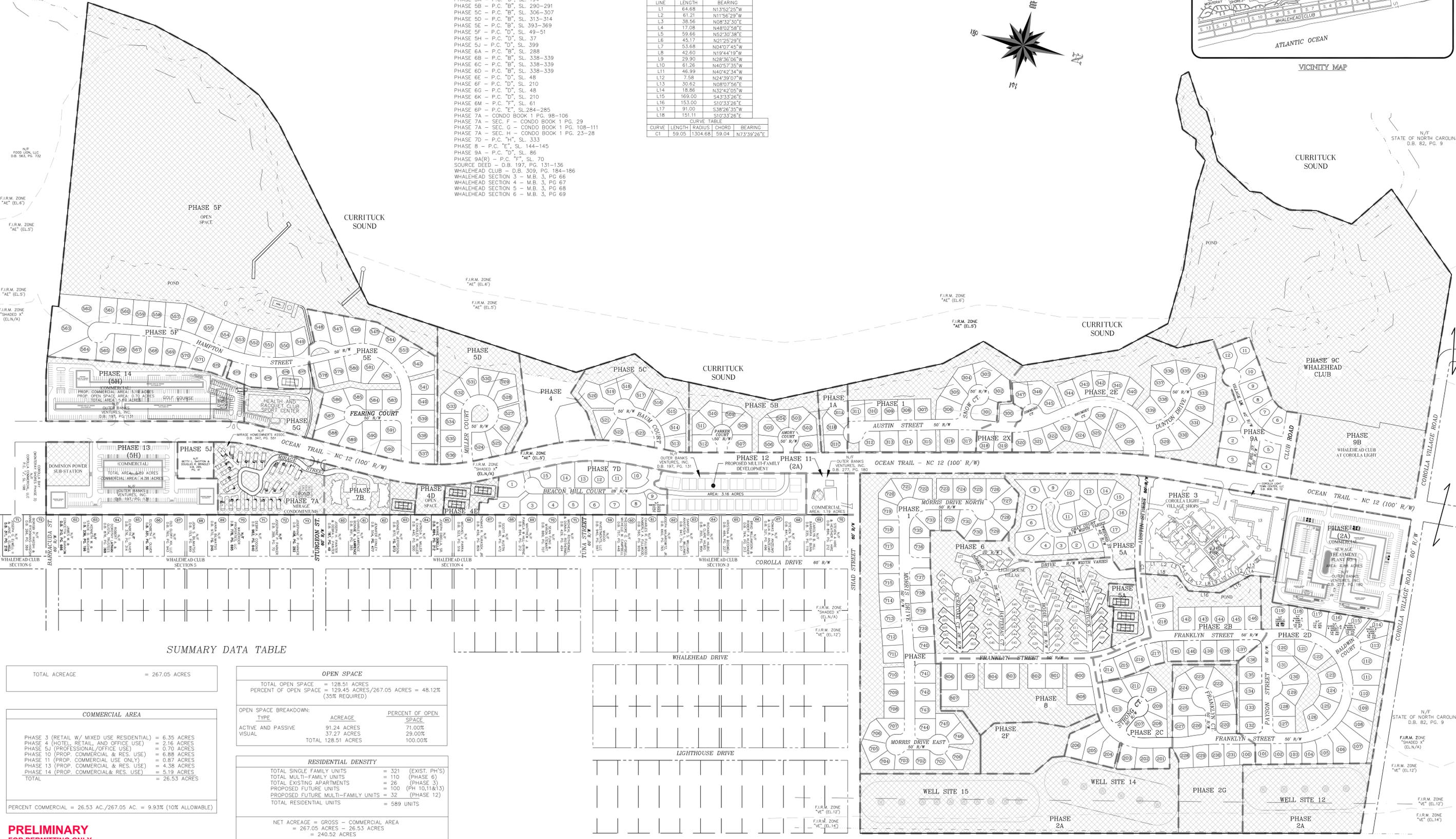
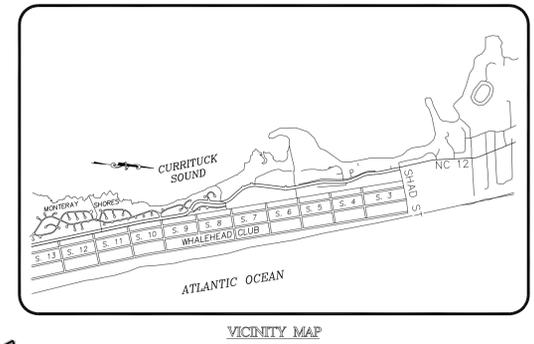
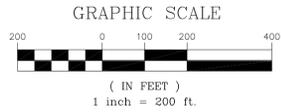
NOTES:

- PROPERTY LOCATED IN FLOOD ZONES AS SHOWN PER FIRM MAP NO. 3720993600J, PANEL NO. 9936, DATED 12 16 05.

PRELIMINARY FOR PERMITTING ONLY

LINE	LENGTH	BEARING
L1	64.68	N135°22'W
L2	61.21	N115°56'29"W
L3	38.56	N08°32'30"E
L4	17.08	N48°02'58"E
L5	59.66	N52°30'38"E
L6	45.17	N21°25'20"E
L7	53.68	N04°07'45"W
L8	42.60	N19°44'19"W
L9	29.90	N28°35'06"W
L10	61.26	N40°57'35"W
L11	46.99	N40°42'34"W
L12	7.58	N24°39'07"W
L13	30.62	N08°07'56"E
L14	18.66	N32°42'05"W
L15	169.00	S43°33'26"E
L16	153.00	S10°33'26"E
L17	91.00	S38°26'35"W
L18	151.11	S10°33'26"E

CURVE	LENGTH	RADIUS	CHORD	BEARING
CT	59.05	1304.68	59.04	N73°39'26"E



SUMMARY DATA TABLE

TOTAL ACREAGE	= 267.05 ACRES	
OPEN SPACE		
TOTAL OPEN SPACE	= 128.51 ACRES	
PERCENT OF OPEN SPACE	= 128.45 ACRES/267.05 ACRES = 48.12% (35% REQUIRED)	
OPEN SPACE BREAKDOWN:		
TYPE	ACREAGE	PERCENT OF OPEN SPACE
ACTIVE AND PASSIVE	91.24 ACRES	71.00%
VISUAL	37.27 ACRES	29.00%
TOTAL	128.51 ACRES	100.00%
COMMERCIAL AREA		
PHASE 3 (RETAIL W/ MIXED USE RESIDENTIAL)	= 6.35 ACRES	
PHASE 4 (HOTEL, RETAIL, AND OFFICE USE)	= 2.16 ACRES	
PHASE 5J (PROFESSIONAL/OFFICE USE)	= 0.70 ACRES	
PHASE 10 (PROP. COMMERCIAL & RES. USE)	= 6.88 ACRES	
PHASE 11 (PROP. COMMERCIAL USE ONLY)	= 0.87 ACRES	
PHASE 13 (PROP. COMMERCIAL & RES. USE)	= 4.38 ACRES	
PHASE 14 (PROP. COMMERCIAL & RES. USE)	= 5.19 ACRES	
TOTAL	= 26.53 ACRES	
PERCENT COMMERCIAL	= 26.53 AC./267.05 AC. = 9.93% (10% ALLOWABLE)	
RESIDENTIAL DENSITY		
TOTAL SINGLE FAMILY UNITS	= 321 (EXIST. PH'S)	
TOTAL MULTI-FAMILY UNITS	= 110 (PHASE 6)	
TOTAL EXISTING APARTMENTS	= 26 (PHASE 3)	
PROPOSED FUTURE UNITS	= 100 (PH 10,11&13)	
PROPOSED FUTURE MULTI-FAMILY UNITS	= 32 (PHASE 12)	
TOTAL RESIDENTIAL UNITS	= 589 UNITS	
NET ACREAGE = GROSS - COMMERCIAL AREA		
	= 267.05 ACRES - 26.53 ACRES	
	= 240.52 ACRES	
DENSITY	= 589 UNITS/240.52 ACRES = 2.45 UNITS/ACRE (3 UNITS / ACRE ALLOWED)	

PRELIMINARY FOR PERMITTING ONLY

Coastal
ENGINEERING & SURVEYING, INC.

COROLLA LIGHT P.U.D.
OUTER BANKS VENTURES, INC.
POPLAR BRANCH TWP.
CURRITUCK COUNTY
NORTH CAROLINA

AMENDED SKETCH PLAN

P.O. Box 1129
934 W. Kitty Hawk Rd.
Kitty Hawk, N.C. 27949
(252)-261-4151
(252)-261-1533

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NO.	DATE	DESCRIPTION	BY
1	8-22-06	REV. PER PLANING BOARD	ALC
2	9-24-06	REV. PER PLANING BOARD	ALC
3	10-10-06	REV. PER PLANING BOARD	ALC
4	7-20-11	REV. PER PLANING BOARD	ALC

DATE: 6-17-08 SCALE: 1"=200'
CHECKED: CFG DRAWN: ALC
PROJECT NO: P552
CAD FILE: P552-ASPR4
SHEET: 1 OF 1

Corolla Light Resort, P.U.D.

Developmental Impact Statement
for the
Amended Sketch Plan Submittal

Submitted by
Coastal Engineering & Surveying, Inc.
on
June 26, 2013

Owner: Outer Banks Ventures, Inc.



A handwritten signature in black ink, followed by the date 6/26/13.

Objective

To amend the sketch plan for Corolla Light Resort, P.U.D. for Phase 12 from open space waste water use to residential/multi family use.

Physical Analysis

Corolla Light P.U.D. is located on the Outerbanks of Currituck County. It is bounded on the south by Monterey Shores, P.U.D., Corolla Village Road to the north, the Atlantic Ocean to the east, and the Currituck Sound to the west. It consists of commercial and residential components. This amended sketch plan submittal is in regards to Phase 12.

In general, the Corolla Light P.U.D. residential component consists of single-family residence lots/units; apartments units (phase 3); and multi-family units (phase 6 & phase 7). The amended sketch plan proposes 32 multi-family units on the phase 12 tract of land.

The phase 12 tract of land is currently approved for utility open space for a Waste Water Treatment Plant intended to serve the Corolla Light community. However, with the proposed expansion of the Monterey Shores Waste Water Treatment Plant, the phase 12 utility open space use intended for waste water management will no longer be necessary. The Burgin Engineering, Inc. letter dated 6/26/13 better describes the future detail of the waste water management systems for Corolla Light.

Housing Market Analysis

1. Market Area

The Developer is planning to market the amended Corolla Light Resort, P.U.D. area to the visitors (renters) of the Outer Banks with expectation of occupants being year round residences, second and investment homes.

2. Supply and Demand Considerations

There are limited small single family and multi-family opportunities in the Corolla Light area. Based on the history of tourism in the area, the developer understands the need to develop the phase 12 areas for a residential use.

3. Development Profile

The amended Corolla Light Resort, P.U.D. will be a development of 32 well-coordinated residential units for second homes and as investment homes. This project is anticipated to build out over a period of less than 5 years.

Environmental Impact

1. Estimated Water Consumption

Proposed Multi-Family Residential Summary:

1 unit * 5 livable rooms (estimated) * 120 gpd/room = 600 gpd
40 units * 600 gpd = 24,000 gpd

Total Water Consumption: 24,000 gpd

It is expected that 100% of the water consumption will be processed by the development's wastewater treatment plant or Monterey Shores wastewater treatment plant future expansion. (see Burgin Engineering, Inc. letter dated 6/26/13)

Fiscal Analysis

This development is primarily targeted toward year round residential or residential rental properties and expected to stimulate the economy in Corolla, Currituck County, NC via taxes and general consumer consumption.

Impacts to fire, police, solid waste, health, social services, schools, and roads should be minimal overall considering the total acreage effected by the proposed development is small and peak activity would be seasonal. Data suggests that potential residence of the development are expected to be retired individuals with no expectations of year round school age occupants.

Traffic Analysis

1. General Site and Land Use Description

The proposed development site is located on 3.16 acres located on NC12 in Corolla, a community of the Currituck / Outer Banks area. The site will have 32 single-family residences with no commercial areas proposed in this development

2. General Trip Generation Analysis

The Outer Banks does not have a typical traffic flow pattern that has been studied and included in the *Trip Generation* manual. For instance, when leaving the residences by car, renters typically travel in minivans and large S.U.V.'s that contain enough people for 2 or more cars. And of course this is a resort community, it is seasonal. People are not going to work in the mornings, they are on vacation, so the weekday traffic does not peak between 7AM and 9AM or

4PM and 6PM as in the *Trip Generation* manual. Traffic on the Outer Banks peaks during the week from 12 to 5PM. This is verified in the *Trip Generation* manual for "Beach Parks". For the visitors, the weekends are the days that they have to work. As they leave, they are replaced. Traffic is heavy, but the net result is that the same number of people arrived as those that left. Saturday and Sundays represents the peak time of the vacation season being the most severe scenario for the vacation season.

Another rate to look at is the PM peak hour generator for a weekday. We have previously shown that the peak for a "Beach Park" is from 12 to 5PM.

The commercial trip generation will vary greatly depending upon the use. Also, of importance are the peak traffic times. Due to the turnover of tenants, the weekends are not the peak times of commercial use travel. For this reason, the peak time used will be PM on a weekday for a Shopping Center which is appropriate for this application since the studies in the manual included merchandising as well as non-merchandising uses. The non-merchandising uses included office buildings, movie theatres, banks, health clubs, etc.

3. Directional Distribution of Traffic

The majority of traffic from the development is estimated to travel south on NC12. It can be estimated that 75% of traffic leaving the development during the day will travel south to the shops, restaurants, recreation destinations, and points of interest of the southern beaches and 25% will travel north to the beaches, restaurants and shops in the areas each day during the peak of the vacation season.

4. Volume Impact

Existing traffic volume information is limited in the area of the proposed development. The impact to NC12 will be minimal considering that the development is located in the northernmost reaches of the Currituck / Outer Banks area where traffic is already moderate. There will continue to be a slowing of traffic on the weekends during the check-in's and check-out's.

The commercial impact will be different than that of the residential. Again, since the development is located in the northernmost reaches of the Currituck / Outer Banks area, there is a benefit. Residents north of the proposed development must travel south to the Monteray Shores Plaza area including Timbuck II for shopping purposes. With a commercial center at Corolla Bay, this traffic will be less likely to continue south. Residents between the two commercial areas will simply have an alternative shopping location to choose from in the area. Also, the Corolla Bay residential traffic impact will be minimized due to the close proximity of the commercial area.



Burgin Engineering Inc.

June 26, 2013

Mr. Eric Weatherly, PE
County Engineer
153 Courthouse Road
Suite 302
Currituck, NC 27929

**Re: Outer Banks Ventures, Inc. Phase 12
Wastewater Treatment Capacity
BEI Project Number 9-010**

Dear Mr. Weatherly:

We have been retained by Outer Banks Ventures, Inc. to design a 200,000 GPD wastewater treatment expansion to the currently permitted 520,000 gallons per day capacity of Monterey Shores WWTP along with associated transmittal and disposal facilities. Outer Banks Ventures, Inc. has acquired contractual rights for this expansion per its 2008 contract with Carolina Water Service, Inc. of NC to expand the Monterey Shores Wastewater Treatment Plant. OBV has also purchased as well as declarant rights from Monterey Shores, Inc and Bob DeGabrielle for Monterey Shores. The decision to do this expansion comes after numerous meetings and discussions with Carolina Water Service, Inc. of NC over the last year. It was decided by these meetings and discussions that all wastewater treatment for the Corolla Light and Monterey Shores service area should be consolidated at one treatment facility. Carolina Water Service, Inc. of NC felt that one consolidated plant served the best interest of its customers as well as the company. Further, multiple meetings on this subject have been held with DWQ concerning the matter. We have contracted with Outer Banks Ventures, Inc. to submit plans for the upgrade to DWQ by August 9th, 2013.

Currently, the proposed development of Phase 12 would have up to 40 units. Each unit as five (5) habitable spaces under DWQ rules including three (3) bedrooms, a loft and a living room. The five habitable spaces would require wastewater capacity of 600 GPD. Therefore, for planning purposes the development would require 24,000 GPD of wastewater capacity.

By July 8th, 2013, we will provide to your office a letter detailing current available capacity allocated to Outer Banks Ventures, Inc. in both the Corolla Light wastewater system and the Monterey Shores wastewater system. Also, by July 8th, 2013, we will provide your office with a letter detailing green areas currently in Monterey Shores for the existing 520,000 GPD. Secondly, the letter will detail green areas available to Outer Banks Ventures, Inc. in Corolla Light necessary to accomplish the proposed 200,000 GPD expansion along with documentation that

the State Attorney General has reviewed and approved the areas as being available for use for this purpose.

In light of the decision to consolidate all wastewater treatment at Monterey Shores WWTP and given Outer Banks Ventures, Inc. only needing to plan expanded capacity over and above the needs of Corolla Light (including 24,000 GPD dedicated for phase 12) to the degree it so desires, it is no longer necessary for Outer Banks Ventures to pursue a wastewater facility on its Phase 12 property or to plan to build the previously permitted OBV#1 wastewater treatment facility. Further, Outer Banks Ventures, Inc. will be asking for the OBV#1 permit to be rescinded in conjunction with the issuance of the expanded permit for Monterey Shores.

I hope this makes clear that Outer Banks Ventures, Inc.'s Phase 12 property is no longer needed for wastewater use. If, however, you have any questions concerning this matter, please feel free to email me at rgb@burginengineeringinc.com or arrange a phone call or meeting by contacting J.P. McCann with Outer Banks Ventures, Inc. at 252-305-7244.

Sincerely,

Burgin Engineering, Inc.



Robert G. Burgin, Jr., PE

Attachments

Cc: Mr. J.P. McCann with Outer Banks Ventures, Inc.
Mr. Carl Daniel with Carolina Water Service, Inc. of NC
Mr. David May with NCDENR-DWQ- Aquifer Protection
Mr. Carlos Gomez with Coastal Engineering and Surveying, Inc.



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 09-35 Rachel's Ranch: Request for a special use permit for an outdoor recreation facility located at 160 Owens Road, Powells Point, Tax Map 123, Parcel 6B, Poplar Branch Township.

Brief Description of Agenda Item

The applicant is proposing a multi-use outdoor recreational facility. The proposal features a summer concert series with a variety of national, international, and local performing artist. The project expects two to three events during weekdays in season. The request is being reviewed under the previous UDO.

Staff is recommending denial of the request as it fails to meet five of the seven special use permit criteria.

Planning Board Motion:

Ms. Bell moved to deny PB 09-35 with the findings of facts and staff recommendations in the case analysis. Mr. Craddock seconded the motion. Motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: September 3, 2013
PB 09-35 Rachel's Ranch Special Use Permit**

NOTE: *This item is being reviewed under the previous UDO since TRC comments made under that UDO were valid until July 16, 2013.*

ITEM: PB 09-35 Rachel's Ranch special use permit request for an outdoor recreation facility.

LOCATION: 160 Owens Road, Powells Point, Poplar Branch Township.

TAX ID: 0123-000-006B-0000

ZONING DISTRICT: Agricultural (AG)

PRESENT USE: Farmland

OWNER: Charles Edward Younts, Jr
7764 Caratoke Hwy
Powells Point NC 27966

DEVELOPER: Rachel Younts Penland
7764 Caratoke Hwy
Powells Point NC 27966

ENGINEER: Rick House
House Engineering PC
PO Box 466
Kitty Hawk NC 27949

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Low density residential/active farmland	AG
SOUTH	Low density residential/mining operation	AG
EAST:	Active farmland	AG
WEST:	Low density residential/active farmland	AG

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Limited Service within the Point Harbor subarea.

SIZE OF SITE: 47.5 acres

UTILITIES: The development will be served by portable lavatories. The applicant indicates on the site plan that they will install 1,000 linear feet of 6" PVC

water main to the Currituck County water main along Bayview Road. County water does not run along Bayview Road. The closest water line is along Caratoke Highway, approximately $\frac{3}{4}$ of a mile from the site.

I. NARRATIVE OF REQUEST:

The applicant is proposing a multi-use outdoor recreational facility. The proposal features a summer concert series with a variety of national, international, and local performing artist. The project expects two to three events during weekdays in season.

II. OUTSTANDING TECHNICAL REVIEW COMMITTEE COMMENTS:

1. A copy of the private solid waste disposal contract is required prior to permit approval. (UDO 9.5) (Planning)
2. Identify the 10' x 35' site triangles at entrance(s) on the site plan. (DRP) (Planning)
3. Correct existing Owens Road (SR 1117) right-of-way width to 16'. The plat measures at 18'. A previous NCDOT review indicates that this right of way width is 16'. (Planning)
4. Hard service accessible parking required, accessible route required to event restrooms and vendors. Calculate occupancy and show exit size and location. (Inspector)
5. Provide State Stormwater and E&SC Permits. (Engineer)
6. Provide a Stormwater Management Plan. (Engineer)
7. Show existing ditch to be re-routed so as not to impede any upstream flow. The existing ditch is shown on the existing conditions, but is not shown with its connection to the proposed grading and drainage system. (Engineer)
8. A 20' right-of-way is required for Fire and EMS vehicle access. Owen's Road is only 16' wide. Is there the availability of a second access to the site? (Fire Marshal)
9. Can pressurized fire hydrants be brought to the site? (Fire Marshal)
10. The Site and Utilities Plan states that the recreation area will be connected to a waterline along Bayview Road. There is no water line on Bayview Road. (Public Utilities)
11. Will need to consult with NC Public Water Supply Branch for public water supply approval and proposed use of a water truck. (ARHS)
12. Consult with a professional engineer to determine a plan and estimate in writing the number of portable bathrooms needed to accommodate employees and crowd in order to provide proper sanitary conditions at event. (ARHS)
13. All temporary food vendors and event coordinators will need to apply at least 15 days prior to even with Health Department in order to obtain required permits. (ARHS)
14. More than one acre to be disturbed, E & S plan must be submitted to and approved by Land Quality Section prior to any grading activity. (NCDENR)

III. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. Completeness of application.

Suggested Findings:

- a. The application is complete.
2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an “S”.

Suggested Findings:

- a. The proposed use is allowed with a special use permit. (Note: This use is not allowed in the AG district under the new UDO.)
3. The conditions proposed meet or exceed the minimum requirements of this ordinance.

Suggested Findings:

- a. The conditions proposed do not meet the minimum requirements of this ordinance in regards to Fire and EMS access and water supply.
4. The special use will not endanger the public health or safety:

Suggested Findings:

- a. This special use will endanger the public health and safety since there is not an adequate 20’ wide right-of-way for Fire and EMS access.
5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located

Suggested Findings:

- a. This special use will not be in harmony with the area in which it is located. The lack of primary access to the highway may contribute to the lack of harmony. The area is primarily low density residential dwelling units.
6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

- a. The 2006 Land Use Plan classifies this site as Limited Service within the Point Harbor subarea. The Point Harbor Subarea Summary of Area Character warns of the potential for conflicts between land uses. The area must be watchful not to allow poorly planned non-residential uses to adversely impact the character of the area and the peace and quite traditionally enjoyed by its residents. The proposed use is not in keeping with the policies of the plan, some of which are:
 - TR11: “Access to higher intensity development shall generally not be permitted through an area of lower intensity development. For example, access to a multi-family development, a major park facility, or other large traffic generator shall not be permitted through a local street serving a single-family residential neighborhood.”
Note: Staff expresses concern for the amount of traffic generated from the commercial establishment accessing Owens Road, a local street. Owens Road (SR 1117) is a 16’ wide gravel road serving approximately three lots, including one single family dwelling. It should be noted that NCDOT issued a commercial driveway permit for the subject property during a previous review.
 - CD5: “Incompatible or poorly planned commercial encroachment within or immediately adjoining existing residential areas shall be prohibited. Such incompatible encroachments often include, but are not limited to, large scale commercial uses or automobile oriented commercial uses such as service stations, car lots, car washes, drive through restaurants, and the like.”

7. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. Although the county has adequate facilities and infrastructure to service this use, Fire and EMS would have great difficulty servicing the site due to inadequate right-of-way widths and improvements.

IV. STAFF RECOMMENDATION:

The submittal does not appear to meet all of the requirements for approval and **TRC recommends denial** of this special use permit subject to the above finds of fact.

V. PLANNING BOARD RECOMMENDATION:

Ms. Bell moved to deny PB 09-35 with the findings of facts and staff recommendations in the case analysis. Mr. Craddock seconded the motion. Motion carried unanimously.

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

PLANNING BOARD DISCUSSION (8/13/13)

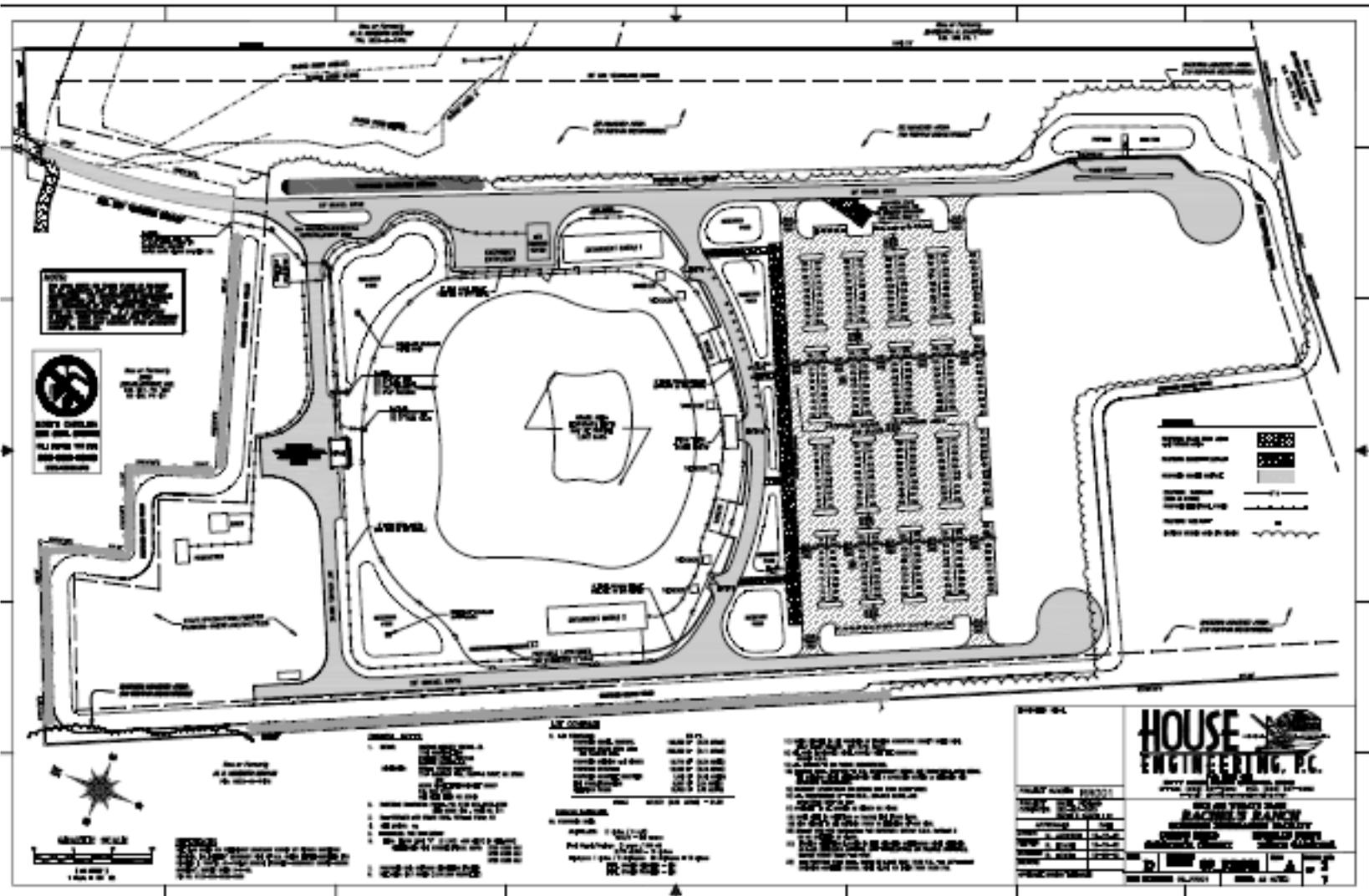
Mr. House stated he has been on this project since 2002. Mr. House talked about different options for access to the property. Mr. House stated this request is very similar to the traffic generator of Muddy Motor Sports Park. Mr. House stated buffering/berms could be used to help with noise.

Mr. Craddock stated that he spoke to Brent Bass at the Department of Transportation. Mr. Bass stated that Owens Road was one of the anomalies in the state where the state maintains the road, but the state does not own a right-of-way. The only way this road would have a legal right-of-way is if the land owners on each side of the road would grant a right-of-way easement to the state.

Ms. Heider stated she is concerned with noise, traffic, falling home values, and quality of life. Ms. Heider is asking the board to deny this request.

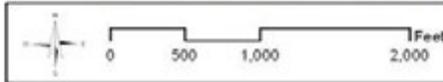
Mr. Griffin stated he agrees with Ms. Heider. Mr. Griffin is asking the board to deny this request.

Mr. House stated noise could be lessened with buffering or berms, traffic could be controlled with hours of operation for events and lighting can be controlled. This would bring jobs to Currituck and it is a good thing.

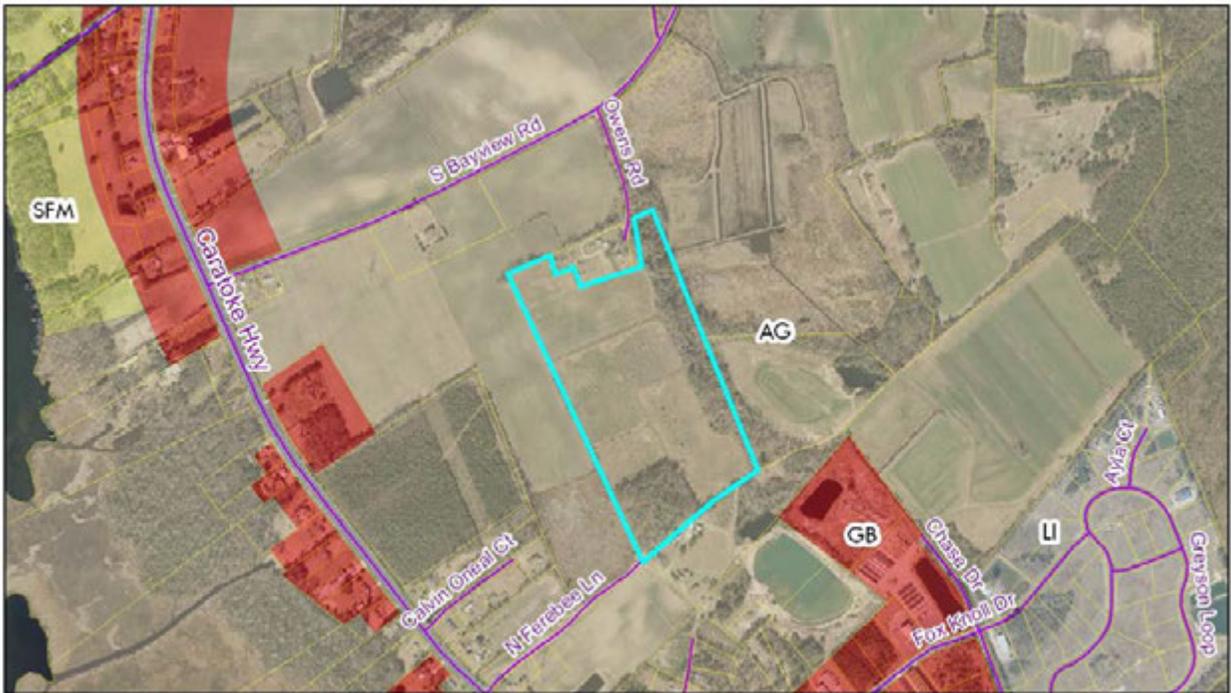




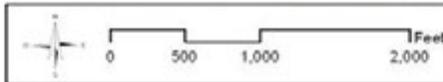
PB 09-35 Rachel's Ranch
SUP
Aerial Photography



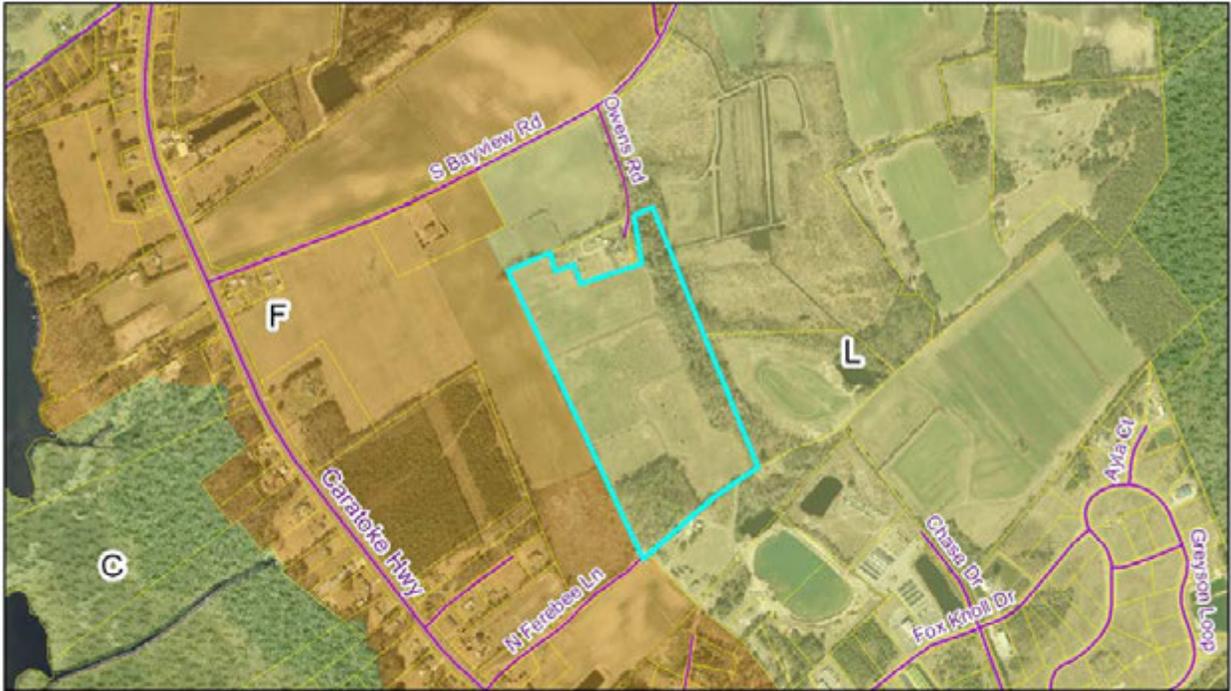
Currituck County
Planning and
Community Development



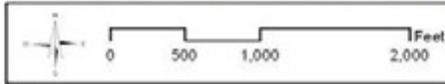
PB 09-35 Rachel's Ranch
SUP
Zoning



Currituck County
Planning and
Community Development



PB 09-35 Rachel's Ranch
 SUP
 Land Use Classification



Currituck County
 Planning and
 Community Development

Currituck County

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

TO: Rachel Penland
Charles E. Younts, Jr.
Rick House, House Engineering

FROM: Tammy Glave, Planner II

DATE: January 10, 2013

SUBJECT: Rachel's Ranch, Site Plan/SUP
January 16, 2013 TRC Comments

The following comments have been received for the January 16, 2013 TRC meeting. In order to be scheduled for the February 12, 2013 Planning Board meeting, please address all comments and resubmit corrected plans by 3:00 p.m. on January 18, 2013. TRC comments are valid for six months from the date of the TRC meeting.

Currituck County Planning Division (Tammy Glave, 252-232-6025):

Reviewed/Resubmit:

Site Plan Requirements

1. Illustrate on the site plan the legally deeded/plated access for North Ferebee Lane from Caratoke Highway to the property and provide the deed book and page number from the Currituck County Register of Deeds that created the access. (Development Review Process (DRP) Manual)
2. Illustrate on the site plan the path of travel from the terminus of the gravel drive to the North Ferebee Lane right of way. (DRP)
3. Culvert certifications will be required prior to final inspection if new culverts are installed. (DRP)
4. A copy of the private solid waste disposal contract is required prior to permit approval. (UDO 9.5)
5. Even though lighting will be portable, please note that it shall not excessively illuminate adjoining property. (UDO 9.4)
6. Identify the 10' x 35' site triangles at entrance(s) on the site plan. (DRP)
7. Correct existing Owens Road (SR 1117) right of way width to 16'. The plat measures at 18'. A previous NCDOT review indicates that this right of way width is 16'. See June 15, 2011 TRC comment below.

SUP - Land Use Plan Compatibility Requirements

Staff is concerned that this proposal is not compatible with the following Land Use Plan policies:

1. This land is classified by the Land Use Plan as a Limited Service Area within the Point Harbor Subarea. According to the plan, "The Point Harbor sub-area must be watchful to not allow poorly planned non-residential uses that will adversely impact the character of the area and the peace and quiet traditionally enjoyed by its residents." Hours of operation, public safety, noise, etc. must be addressed to insure compatibility with the Land Use Plan.

2. TR11: "Access to higher intensity development shall generally not be permitted through an area of lower intensity development. For example, access to a multi-family development, a major park facility, or other large traffic generator shall not be permitted through a local street serving a single-family residential neighborhood." Staff expresses concern for the amount of traffic generated from the commercial establishment accessing Owens Road, a local street. Owens Road (SR 1117) is a 16' wide gravel road serving approximately three lots, including one single family dwelling. It should be noted that NCDOT issued a commercial driveway permit for the subject property during a previous review. Staff has contacted NCDOT for review comments for this submittal, but they have not yet responded.
3. CD5: "Incompatible or poorly planned commercial encroachment within or immediately adjoining existing residential areas shall be prohibited. Such incompatible encroachments often include, but are not limited to, large scale commercial uses or automobile oriented commercial uses such as service stations, car lots, car washes, drive through restaurants, and the like." This area is comprised mostly of low-density single family uses.

Currituck County Building Inspector (Spence Castello, 252-232-6020)

Reviewed with comment:

1. Hard service accessible parking required, accessible route required to event restrooms and vendors. Calculate occupancy and show exit size and location.

Currituck County Economic Development Director (Peter Bishop, 252-232-6015)

Reviewed with comment:

1. Any projections on jobs, taxable revenues, and total value-added would be helpful.

Currituck County Code Enforcement (Stacey Smith, 252-232-6027)

Reviewed without comment.

Currituck County Engineer (Eric Weatherly, 252-232-6035) and Soil and Water (Mike Doxey 252-232-3360)

Approved with corrections:

1. Provide State Stormwater and E&SC Permits.
2. Please provide a Stormwater Management Plan.
3. Please show existing ditch to be re-routed so as not to impede any upstream flow. (ie. The existing ditch is shown on the existing conditions, but is not shown with its connection to the proposed grading and drainage system.)

Currituck County Emergency Management (James Mims, 252-232-4024)

Reviewed with comment:

1. Spoke to Rick House; I explained that I would overlook the 18 foot area of roadway that they are unable to get if they had pressurized fire hydrants on site and 20' roadway on their property as shown.

Note: NCDOT advised that Owens Road is 16' wide from Bay View Drive (SR 1118) until it enters the proposed site. (It is 16' wide for approximately 730'). Mr. Mims re-reviewed and ask the following questions:

1. Is there the availability of a second access to the site?
2. Can fire hydrants be brought to the site?

Currituck County Information Technology (Harry Lee, 252-232-2034)

Reviewed without comment.

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

Approved without comment.

Currituck County Public Utilities (Pat Irwin, 252-232-2769)

Denied/Resubmit:

1. The Site and Utilities Plan states that the recreation area will be connected to a waterline along Bayview Road. There is no water line on Bayview Road.

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

Reviewed with comment:

1. WILL NEED TO CONSULT WITH NC PUBLIC WATER SUPPLY BRANCH(WASHINGTON REGIONAL OFFICE) AT (252)946-6481 FOR PUBLIC WATER SUPPLY APPROVAL AND PROPOSED USE OF A WATER TRUCK.
2. CONSULT WITH A PROFESSIONAL ENGINEER TO DETERMINE A PLAN AND ESTIMATE IN WRITING THE NUMBER OF PORTABLE BATHROOMS NEEDED TO ACCOMODATE EMPLOYEES AND CROWD IN ORDER TO PROVIDE PROPER SANITARY CONDITIONS AT EVENT.
3. ALL TEMPORARY FOOD VENDERS AND EVENT COORDINATORS WILL NEED TO APPLY AT LEAST 15 DAYS PRIOR TO EVENT WITH HEALTH DEPT. IN ORDER TO OBTAIN ANY REQUIRED PERMITS.

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

Reviewed without comment.

NCDOT (James Hoadley, 252-331-4737) (Please note, this comment is from the June 15, 2011 review.)

Approved with comment:

1. In reviewing the outline of Rachel's Ranch project the second paragraph states that Owens Road has 18ft right of way. The North Carolina Department of Transportation maintains a 16 ft right of way on Owens Road.

NC DENR Land Quality, Pat McClain (252-946-6481)

Reviewed with comment:

1. More than one acre to be disturbed, E & S plan must be submitted to and approved by Land Quality Section prior to any grading activity.

NC State Archeology (Lawrence Abbott, 919-807-6554)

Reviewed with comment:

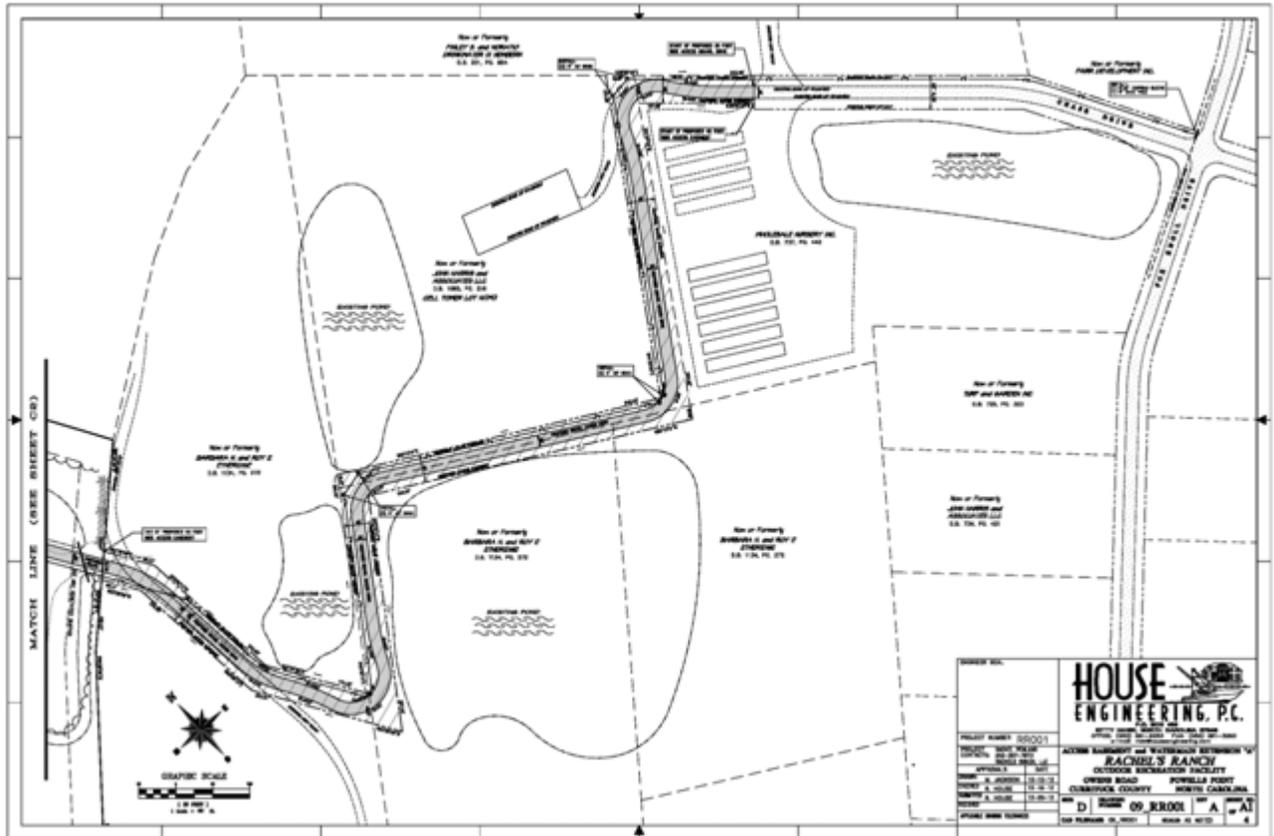
1. No previously recorded archaeological sites noted in the project area. An archaeological survey is not recommended.

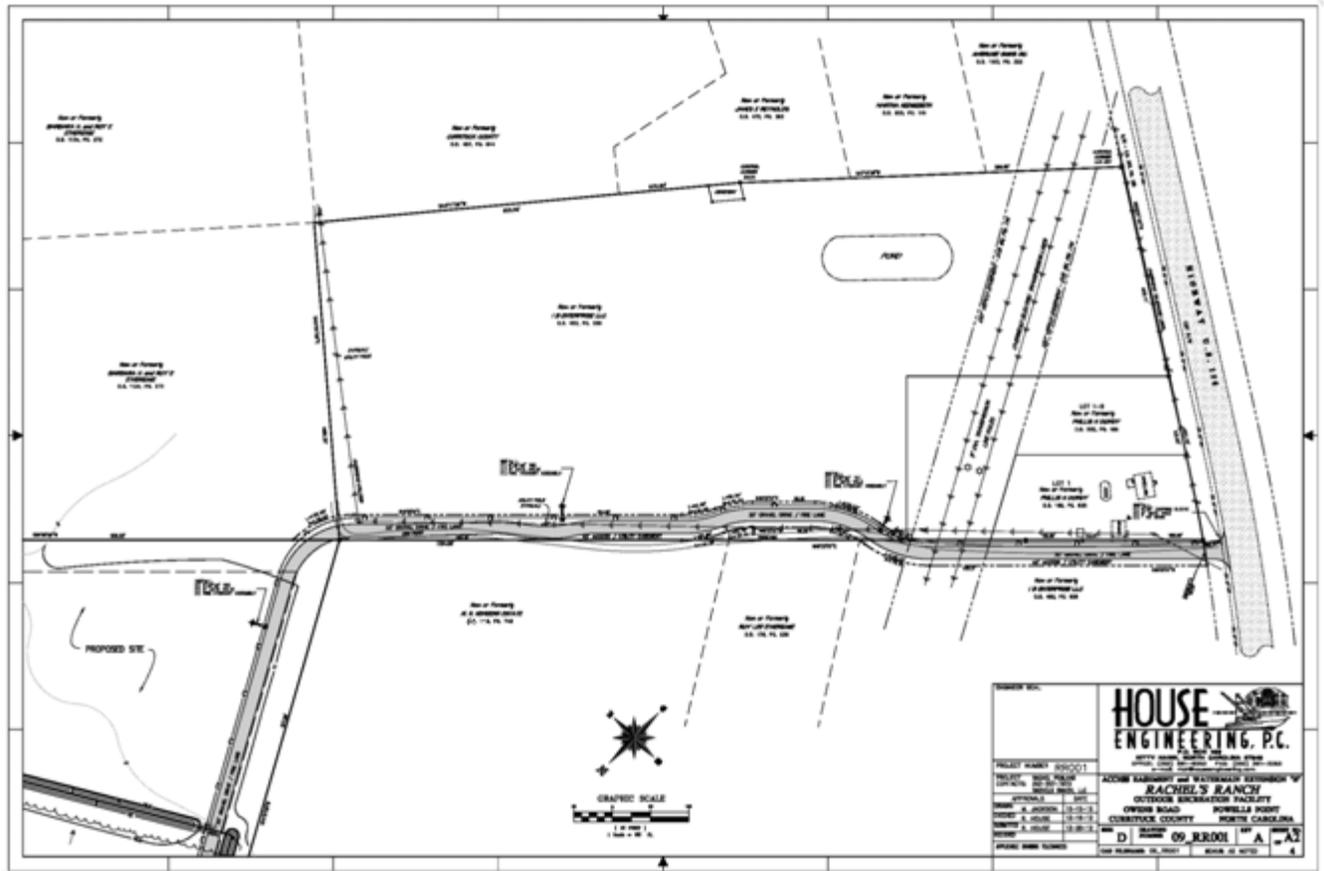
US Army Corps of Engineers (Kyle Barnes, 919-343-4647)

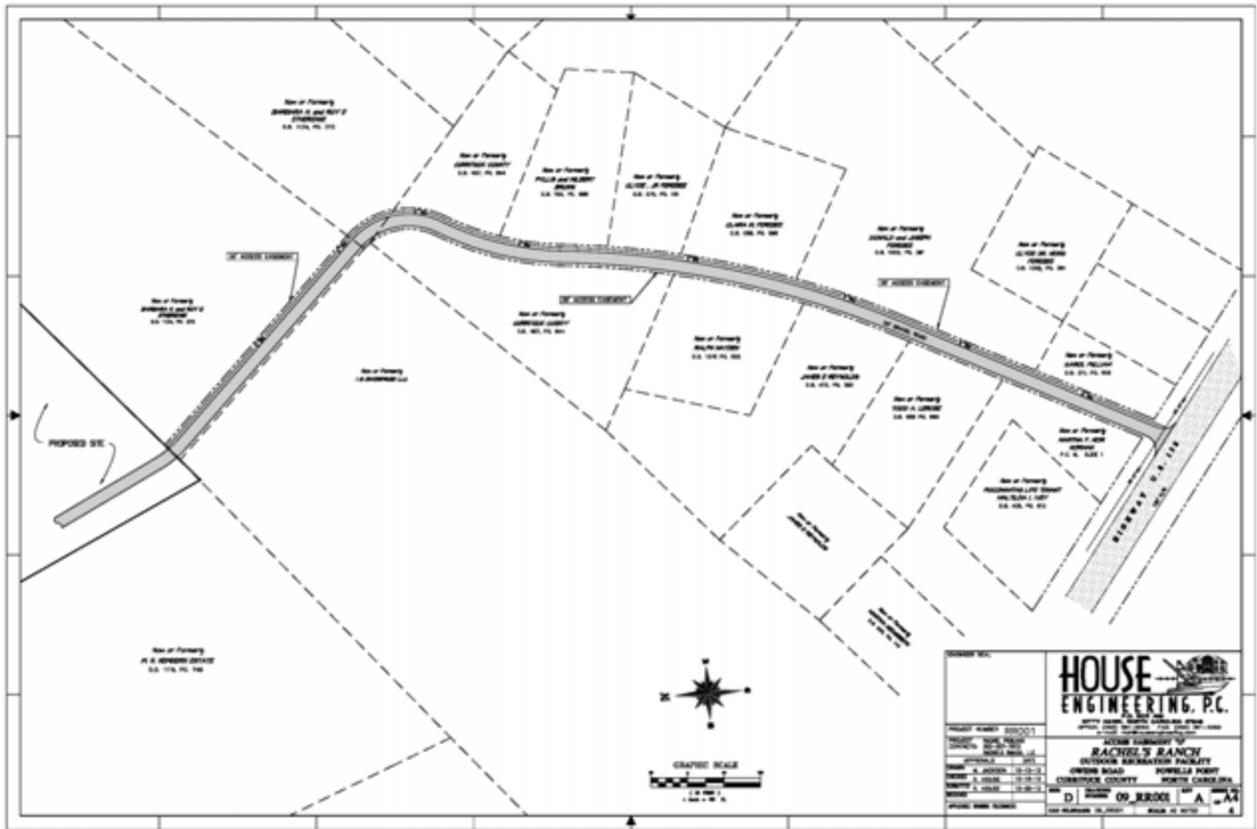
Reviewed with comment:

1. Any impacts to waters or wetlands of the United States will require approval prior to installation.

The following accessway alternative maps were submitted the afternoon of the Planning Board meeting. The documentation legally creating the alternative accessways was not submitted.









Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 13-16 Rosewood: Preliminary plat/special use permit for a 43 lot conservation subdivision, located in Moyock along both sides of Elrod Road, west side of Poyners Road, and the south side of Tulls Creek Road, Moyock Township, PINS: 0031-000-001A-0000, 0031-000-001D-0000, 0031-000-015A-0000, 0031-000-017A-0000, and 0031-000-001B-0000.

Brief Description of Agenda Item

Harbinger Land and Timber LLC is requesting preliminary plat/special use permit approval of a 43 lot residential subdivision with an overall project density of 1 unit per acre in the CD-SFM zoning district and .33 units per acre in the AG zoning district. The purpose of a conservation subdivision is to provide landowners in the AG and SFM zoning districts a development option that provides additional development flexibility to build on smaller lots when additional open space set-asides are provided and the development is designed and located in a way that protects the agricultural activities or natural and historic features on the site. The applicant is proposing to conserve wetlands.

Parcel 0031-000-001B-0000 (15.49 acres) has been transferred to Fellowship Baptist Church.

Planning Board Motion:

Mr. Cooper moved to approved PB 13-16 with the findings of facts and the technical review recommendations included in the case analysis. Mr. Cartwright seconded the motion. Motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: September 3, 2013
PB 13-16 Rosewood

ITEM: PB 13-16 Rosewood, Preliminary Plat/Special Use Permit for a 43 lot conservation subdivision.

LOCATION: In Moyock, along both sides of Elrod Road, west side of Poyners Road, and the south side of Tulls Creek Road, Moyock Township.

TAX ID: 0031-000-001A-0000; 0031-000-001D-0000; 0031-000-015A-0000; 0031-000-017A; 0031-000-001B-0000

ZONING DISTRICT: Single Family Mainland (SFM); Conditional District Single Family Mainland (CD-SFM); and Agricultural (AG)

PRESENT USE: Agriculture

OWNER: Harbinger Land and Timber, LLC
PO Box 4
Harbinger NC 27941

APPLICANT: Hyman and Robey PC
PO Box 339
Camden NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Low density residential	SFM
SOUTH	Low density residential	AG
EAST:	Low density residential	SFM/AG
WEST:	Low density residential/woodlands	AG

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Limited Service within the Courthouse subarea.

SIZE OF SITE: 57 acres

NUMBER OF UNITS: 43 Residential Lots

PROJECT DENSITY: SFM = 1 unit per acre (37.68 acres = 37 Units)
AG = .33 units per acre (19.32 acres = 6 Units)

CONSERVATION: 22.80 acres required conservation area (40% x 57 acres)
AREA 19.32 acres conservation area provided.

UTILITIES: The individual lots will be served by county water and on-site septic systems.

I. NARRATIVE OF REQUEST:

1. Harbinger Land and Timber LLC is requesting preliminary plat/special use permit approval of a 43 lot residential subdivision with an overall project density of 1 unit per acre in the SFM zoning district and .33 units per acre in the AG zoning district.
2. The purpose of a conservation subdivision is to provide landowners in the AG and SFM zoning districts a development option that provides additional development flexibility to build on smaller lots when additional open space set-asides are provided and the development is designed and located in a way that protects the agricultural activities or natural and historic features on the site. The applicant is proposing to conserve wetlands.
3. Parcel 0031-000-001B-0000 (15.49 acres) has been transferred to Fellowship Baptist Church.

II. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

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

Suggested Findings:

- a. The use should have little to no impact on public health or safety.

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

Suggested Findings:

- a. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area as the subdivision is of similar density to the surrounding area; and,
- b. The developer expects that the homes will be between 1,200 to 1,800 square feet in size and with home/lot values of \$180,000 to \$225,000. This is in harmony with the surrounding neighborhood.

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

Suggested Findings:

The 2006 Land Use Plan classifies this site as Limited Services within the Courthouse subarea. The Limited Services area is to provide for primarily residential development at low densities. The policy emphasis is for the Courthouse area to continue to grow as a small community center. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of

sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

POLICY AG2: Farms and woodlands shall be recognized as an integral part of the county's OPEN SPACE SYSTEM. Efforts to keep these areas viable as part of the area's resource-based economic sector, shall be encouraged.

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

Suggested Findings:

- a. The proposed 43 lot subdivision will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following:

1. Since the minimum required conservation area is 22.80 acres and the available conservation area on the site exceeds the minimum, the entire 22.80 acres must be conserved. The plat is showing 19.32 acres conservation area and 3.94 acres of open space that is not within the conservation area. (Section 6.4.4.C.2)
2. Need to establish minimum dimensional standards for setbacks and lot coverage. This can be depicted in site data and/or on a diagram at final plat. (UDO Section 6.4.4.F and G)

3. The TRC recommends payment in lieu of recreation and park area dedication. (UDO Section 6.5.4)
4. Provide NCDOT driveway permit. (Administrative Manual)
5. Submit street name approval form to GIS for review and approval. (Administrative Manual)

IV. PLANNING BOARD RECOMMENDATION:

Mr. Cooper moved to approved PB 13-16 with the findings of facts and the technical review recommendations included in the case analysis. Mr. Cartwright seconded the motion. Motion carried unanimously.

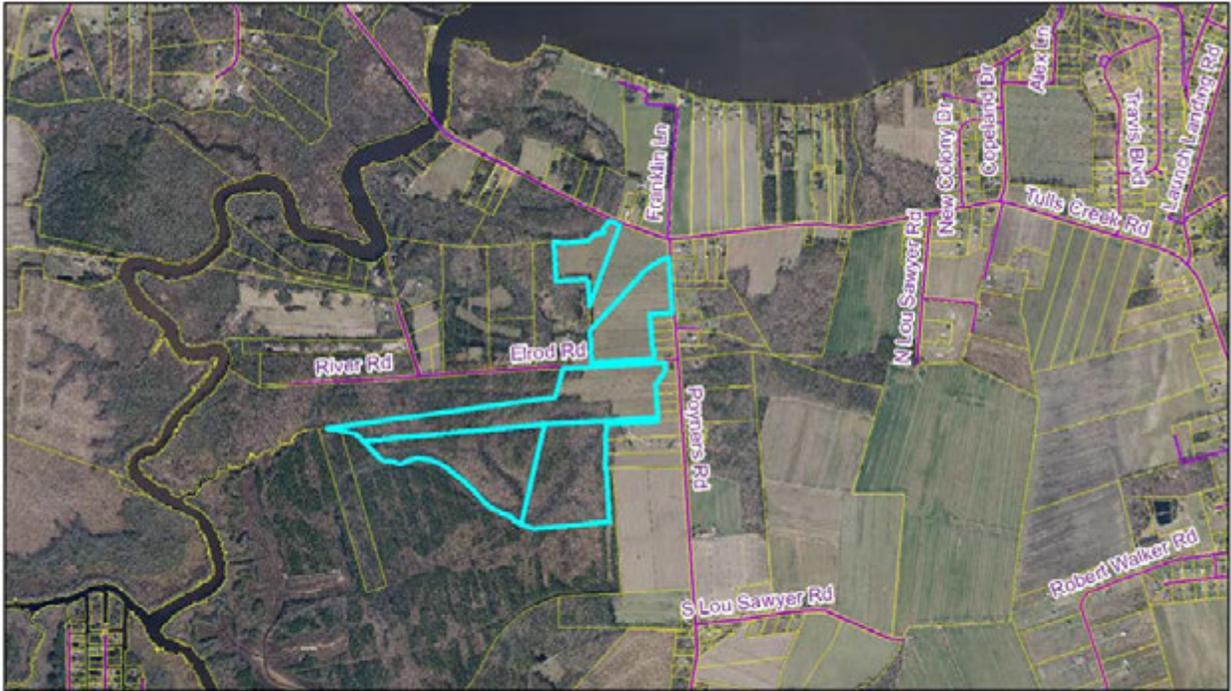
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (8/13/13)

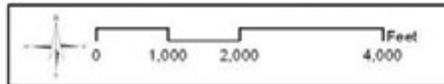
Mr. Hyman provided an overview of the project. Mr. Hyman stated concerns with buffering have been addressed and a homeowners association would be formed so residents have a point of contact.

Ms. Belote stated she is not opposing this request but would like to have a fence to keep trespassers out from her property.

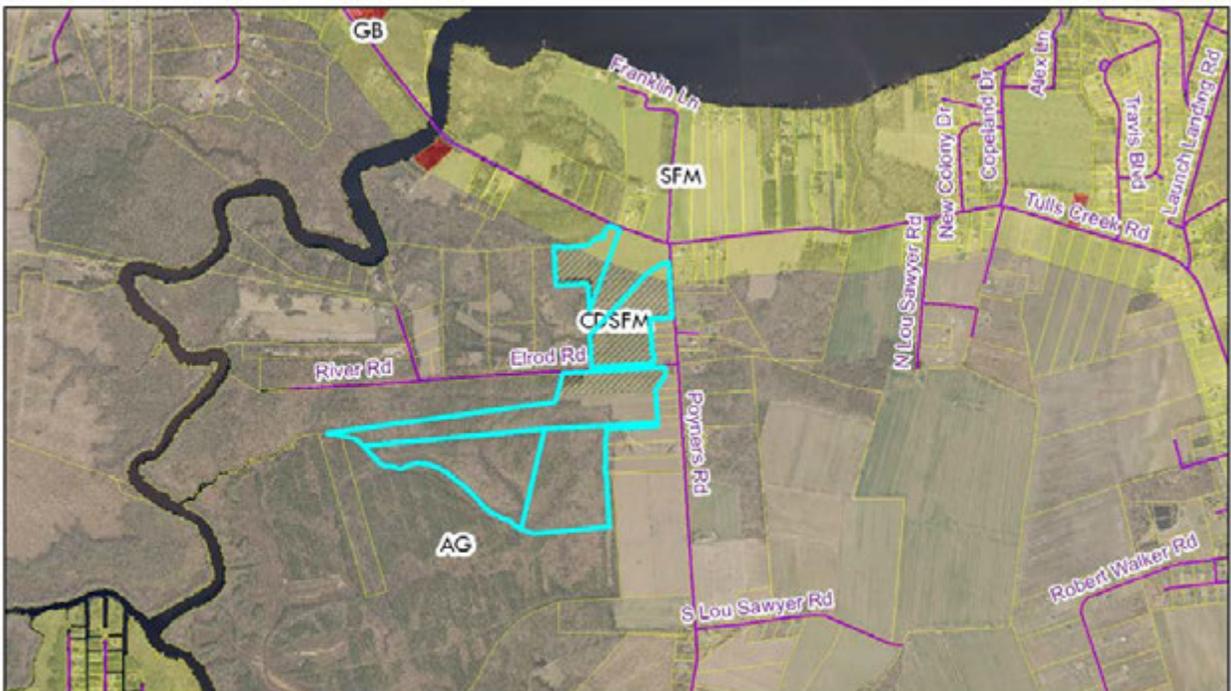
Mr. Hyman stated a fence could not be put up across the church property, but he feels they have adequately addressed this with buffering, setbacks, and a pond.



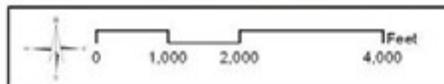
PB 13-16 Rosewood Subdivision
 Preliminary Plat/SUP
 2012 Aerial Photography



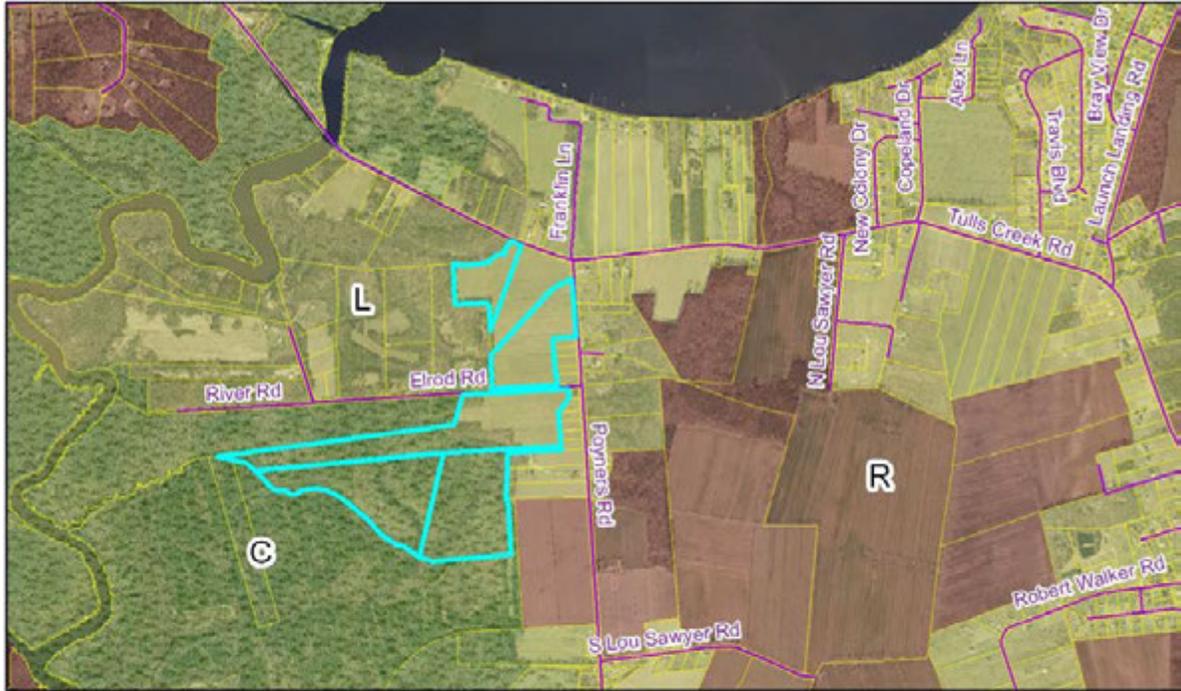
Currituck County
 Planning and
 Community Development



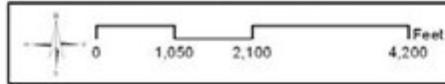
PB 13-16 Rosewood Subdivision
 Preliminary Plat/SUP
 Zoning



Currituck County
 Planning and
 Community Development



PB 13-16 Rosewood Subdivision
 Preliminary Plat/SUP
 Land Use Classification



Currituck County
 Planning and
 Community Development

MEMORANDUM

To: Doug Abbott, Hyman & Robey
Harbinger Land & Timber, LLC

From: Ben Woody

Date: July 11, 2013

Re: Rosewood Preliminary Plat/SUP, TRC Comments

The following comments have been received for the July 17, 2013 TRC meeting. The preliminary plat will require Planning Board recommendation and Board of Commission's action. The preliminary plat comments listed below must be addressed and resubmitted by July 22, 2013 in order to be placed on the August 13, 2013 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Ben Woody 252-232-6032

Approved with comments

Site Data:

1. Include all parcel identification numbers: 0031000017A0000, 003100000180000, and 0031000001B0000
2. Define future development area.
3. "Off-site" should be labeled as primary or secondary conservation area. Need to discuss how common open space is calculated in subdivision site and conservation area.
4. Need to establish minimum dimensional standards for: lot area, lot width, setbacks, and lot coverage. This can be depicted in site data and/or on a diagram.
5. Correct UDO reference in note 12.
6. The TRC recommends payment in lieu of recreation and park area dedication.
7. Mulch path surface does not meet hard surface material requirement for sidewalks/trails.
8. Correct street connectivity index: $3 \text{ Links} / 2 \text{ Nodes} = 1.50$

Plan Review Comments:

9. Correct lot numbers
10. Correct zoning classification of parcel: 0031000001B0000 (and development parcels on other plan sheets)
11. Show existing features, including structures, within 50 feet of the development's property line on the existing conditions plan.
12. Provide NCDOT driveway permit.
13. Sidewalks/trails should be indicated on preliminary plat, including in open area. Lots on Elrod Road should provide a sidewalk and connection to proposed sidewalk/trail system on Rosewood Drive/open area (this also allows future development to be connected). Can sidewalk system be connected through rear portion of church property?
14. Show reserve utility open space and easement.
15. Note that all new utilities, including electric lines, must be underground.
16. Label "open area" as "open space."
17. What is the 20' timber easement?
18. Provide community meeting written summary.

Conservation and Development Plan:

19. Title as "Conservation and Development Plan"

20. Delineate conservation and development areas as outlined in UDO Section 6.4.5.

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly 252-232-6035

Approved with corrections

1. Provide stormwater plan and calculations at construction submittal.

Currituck County Utilities, Pat Irwin 252-232-6061

Approval with corrections

1. Place two valves at tees and place a blow off on the waterline at the end of Elrod Road.

Currituck County Fire and Emergency Management, James Mims 252-232-6641

Reviewed

1. The fire hydrant can be moved from Lot 37 so that all of Lots 21 and 22 can be covered. This utilizes the existing fire hydrant located at Tulls Creek and Poyners Road intersection.

Currituck County Building Inspections, Spence Castello

No comment

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed

1. Consult with Kevin Carver concerning septic system approval for each lot that makes up this proposed subdivision.

Currituck County GIS, Harry Lee 252-232-4039

Denied/Resubmit

1. Submit street name approval form. Cannot use street name "Rosewood." Rosewood Court already exists in the county.

Currituck County Economic Development, Peter Bishop

Reviewed

NC DENR, Division of Water Quality, Amy Adams 252-948-3917

Reviewed

1. Will need State stormwater permit review and will require wetland delineation from US Army Corps of Engineers (*follow-up correspondence: After reviewing more detailed plan sheets, a wetland delineation will not be necessary. Impacts are limited to upland areas of the site and no wetland impacts are proposed, eliminating the need for a wetland jurisdictional determination*).

NC Division of Coastal Management, Charlan Owens

No comment

NC State Archaeology, Lawrence Abbot

No comment

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Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 94-18 Malco Mine, Phase 2: Request for a (special) use permit modification to expand an existing mining operation at 136 Griggs Acres Road in Point Harbor, Tax Map 132 Parcel 159, Poplar Branch Township.

Brief Description of Agenda Item

Requests a Special Use Permit modification to expand an existing mining operation at 136 Griggs Acres Road, Poplar Branch Township. The existing special use permit was approved October 4, 2004 for a mining operation of 13.8 acres and is valid for ten years. The requested mine expansion is 0.9 acres. The expansion includes an unexcavated buffer for the haul road and stock pile of materials. New excavation area is proposed on the western side of the existing mining operation. The applicant is requesting a setback reduction along the western property line and a portion of the northern property line to include the unexcavated buffer.

Planning Board Motion:

Mr. Bell moved to approve PB 94-18 with the findings of fact and technical review recommendations included in the case analysis and the following condition:

- Extend the use permit 10 years.

Mr. Clark seconded the motion. Motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: September 3, 2013**

PB 94-18 Malco Mine, Phase 2, Special Use Permit Modification

ITEM: PB 94-18 Malco Mine, Phase 2, Special Use Permit Modification

LOCATION: Point Harbor: 136 Griggs Acres Road

TAX ID: 0132-000-0159-0000

ZONING DISTRICT: Agricultural (AG)

PRESENT USE: Extractive Industry - Mining Operation

OWNER: James I. Malco
135 James Griggs Road
Point Harbor, NC 27964

APPLICANT: TR Equipment Company, Inc.
PO Box 190
Harbinger, NC 27941

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Undeveloped - Woodland	GB
SOUTH	Low Density Residential	SFM
EAST:	Utility/Low Density Residential	SFM
WEST:	Undeveloped/Low Density Residential	SFM/GB

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as **Limited Services** within the **Point Harbor** subarea.

SIZE OF SITE: 46.1 acres

SIZE OF MINE: 14.7 Acres
Existing Mine: 13.8 Acres
Expansion: 0.9 Acres

WETLANDS: 7.5 Acres (NCDENR, DCM)

STREETS: The mine access is from a private road off of SR 1101 (Griggs Acres Road)

UTILITIES: There will be no new utilities associated with the use.

I. NARRATIVE OF REQUEST:

1. The applicant is seeking modifications to the special use permit. The modifications include:
 - a. Mine expansion of 0.9 acres. The expansion area includes an unexcavated buffer for the haul road and stockpile of materials. In addition new excavation area is proposed near the existing private road.
 - b. Reduction in setback along the western property line and a portion of the northern property line.
 - c. Removal of permit condition 2 which places a restriction on mine size. This is being removed to allow staff to approve expansions of the mine up to 40% of the total tract as allowed by the UDO.
2. The existing operation (cumulative total of 13.8 acres including all phases) was approved by the Board of Commissioners on October 4, 2004. The permit is valid for ten years. The Board of Commissioners, at request of the applicant, can grant the UP for ten years from the date of the approval.
3. The mining operation has maintained compliance with the state permits and the county special use permit for the past five years.

II. USE PERMIT REVIEW STANDARDS:

Use Permit Criteria and Staff Findings:

Although, this request is a modification of the existing Special Use Permit, this application is being reviewed under the current standards that require a Use Permit. Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and staff findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.
Staff Findings:
 - a. The 0.9 acre expansion of the 14.7 acre existing mining operation should have little or no additional impact on public health or safety.
 - b. The site will be posted for "No Trespassing" every 250 feet.
2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
Staff Findings:
 - a. The existing mining activities have been operational for the past 19 years.
 - b. The surrounding land uses include farmland, undeveloped properties, Dominion Power transition site and low density residential.
 - c. The UDO permits mining operations in the Agricultural zoning district with a use permit.
3. The use will be in conformity with the Land Use Plan or other officially adopted plan.
Staff Findings:

The 2006 Land Use Plan classifies this site as Limited Services within the Point Harbor subarea. The policy emphasis of the Point Harbor subarea is to allow the area to continue to evolve as a full service community, but with better attention to the planning needed to

protect residential areas and natural features that make the area so attractive. The proposed use is in keeping with the policies of the plan, some of which are:

- a. The 2006 Land Use Plan classifies this site as Limited Services within the Point Harbor subarea. The proposed expansion is in keeping with the policies of the plan, such as:

Policy ID8: MINING ACTIVITIES, or secondary impacts of mining activities not subject to permit approval by the State of North Carolina, may be subject to review and management by Currituck County. Activities to be addressed may include, but not be limited to, the adequacy of roads serving the mine site, visual impacts during operation and after closing of the mine site, noise and dust considerations, etc.

- b. The UDO permit extractive industries in the Agricultural (AG) district with the issuance of a use permit.
4. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Staff Findings:

- a. The proposed mine expansion will have no impact on schools.
- b. The county should have adequate public facilities to service this subdivision.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following plan corrections: (Cross through text is to be removed and underlined text is to be added)

1. If at any time the State permit issued for this mining operation is suspended or revoked, the suspension or revocation shall cause this Special Use Permit to become void.
2. ~~No more than 30% of the total tract, or 13,83 acres, tract shall be excavated at any given time during the mining operation and after completion. The permit is allow the mining of Phase 2 for a total of 6.90 acres.~~
3. Any modifications to the State permits shall be filed within 10 working days of issuance or submittal in the Planning/inspections Department of Currituck County.
4. This special use permit shall be valid for a period of ten years from the date of permit issuance. granted. The Planning Director may, upon receiving a written request for extension, grant an extension not to exceed ten years provided the existing mine has maintained compliance with all applicable state and local regulations
5. The maximum dewatering depth shall be 25' below natural ground or an elevation of -16' below mean sea level.
6. The maximum mining depth shall be 34' below natural ground or an elevation of -25' below mean sea level.
7. A benchmark shall be set proximate to the new mining area to establish the elevation of the natural ground. The benchmark location shall be shown on the mining site plan.
8. The hours of operation of all mining related activities on this site, as determined by the Currituck County Board of Commissioners shall be Monday through Friday from 7 am to 5 pm, Saturday 7 am to 5pm, and no mining activity shall occur on Sunday.

9. No mining activity shall take place in the 120' VEPCO power easement until a written agreement has been reached. The agreement shall be filed within 10 working days of the issuance with the Planning/Inspections Department of Currituck County.
10. Mined materials shall not be stored in excess of 25' in height.
11. All roads utilized to access the mining site shall be maintained free of dust and sediment and shall be properly graded and drained.
12. All trucks hauling mined materials shall be covered with a tarpaulin.
13. Stockpile areas and overburden to be used for future reclamation shall be placed where it will not be disturbed by normal mining activities and shall be stabilized to reduce wind and water erosion.
14. No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on the site.
15. Off-site discharging of water from the mine site is permitted under this permit. The County may take random samples and have the results tested for settleable solids, turbidity, and pH at the operator's expense. Such testing shall not exceed six tests per year.
16. "No Trespassing" signs shall be posted around the site being mined at a minimum distance of 250 feet apart indicating that a mining operation is being conducted on the property.
17. Reclamation shall be conducted simultaneously with mining operations. Annual reclamation reports shall be submitted to the Planning/Inspections Department of Currituck County within 10 days of being filed with the State.
18. Drainage patterns shall not be altered so as to cause flooding off-site while the permit is valid and after reclamation.
19. All provisions of State and local permits issued for the operation shall be met.
20. No mining activities shall adversely affect surrounding in use wells. Any person owning or operating a mining site in a manner that adversely affects an in use well through contamination or diminution of groundwater shall provide the well owner with a replacement water supply or equal quantity and quality.
21. A reserve fund shall be established, to be held by the property owner, to finance the initial capital expenses of establishing the anticipated future lake use of the property. At a minimum, the estimated capital expense shall be an amount equal to \$1,000 times the number of acres in the total site. The reserve fund shall include an assumed inflationary rate of 5% per year for the expected life of the mining site. Any funds held by the State of North Carolina pursuant to G.S. 74-54 will be credited towards the required amount.
22. The owner shall place funds in the reserve annually in amounts equal to the capital cost estimates provided above divided by the number of years the mining site will be open.
23. The annual amount shall be calculated as follows:

$$46.1 \text{ acres} \times \$1,000 = \$46,100 - \$11,900 \text{ State Bond} = \$34,200$$

$$\$34,200 / 10 \text{ years} = \$3,420;$$

Year + 5% Inflationary Rate:

Year 1	\$3,420.00
Year 2	\$3,580.50
Year 3	\$3,759.53
Year 4	\$3,947.50
Year 5	\$4,144.88
Year 6	\$4,352.12
Year 7	\$4,569.73
Year 8	\$4,798.21
Year 9	\$5,038.12

Year 10 \$5,290.03

24. The first payment shall be made prior to commencement of excavation activities and evidence of such payment, in the form of a notarized statement by the property owner, must be presented to the administrator. Such evidence shall be submitted annually, along with the total balance of reserve funds, to the administrator on or before the anniversary of the initial notarized statement. In the event the mining operation permanently discontinues before the expected timetable submitted, the owner shall pay all remaining amounts to the reserve fund as evidenced by a notarized statement to the administrator.
25. The reclamation shall be in accordance with the state approved reclamation plan.
26. Should any conditions within this permit conflict with any other permit issued for this activity, then the more restrictive condition shall prevail.
27. That warning signs noting "Truck Entering Highway" be posted on Caratoke Highway before Griggs Acres Road.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Bell moved to approve PB 94-18 with the findings of fact and technical review recommendations included in the case analysis and the following condition:

- Extend the use permit 10 years.

Mr. Clark seconded the motion. Motion carried unanimously.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE:

Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (8/13/13)

Mr. Thompson talked about the operations and is requesting the use permit be extended for 10 years.

ACTION

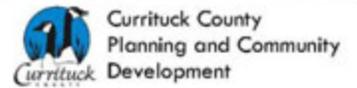
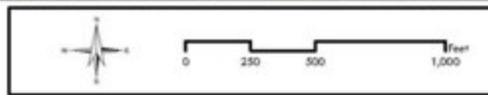
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- Extend the use permit 10 years.

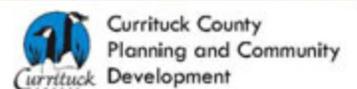
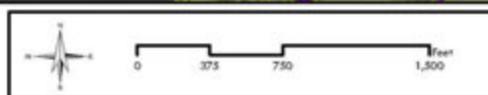
Mr. Clark seconded the motion. Motion carried unanimously.



PB 94-18
Malco Mine, Phase 2
Use Permit - Aerial

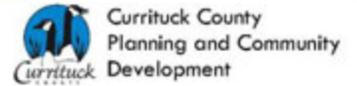
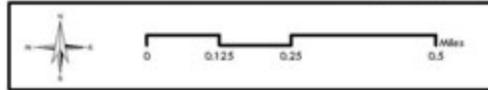


PB 94-18
Malco Mine, Phase 2
Use Permit - Zoning





PB 94-18
Malco Mine, Phase 2
Use Permit - LUC



MEMORANDUM

To: Gary Thompson, TR Equipment Company, Inc.
James I. Malco

From: Donna Voliva, Planner

Date: July 2, 2013

Re: Malco Mine, Use Permit Modification, TRC Comments

The following comments have been received for the July 17, 2013 TRC meeting. The use permit will be reviewed by the technical review committee (TRC), recommended by the Planning Board, and acted on by the Board of Commissioners. In order for the item to remain on the July Planning Board the following TRC comments must be addressed and revised plans resubmitted by July 22, 2013. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva 252-232-6032

Approved with comments

1. Please clarify the phasing of excavation area and expansions.
2. Please clarify and explain the proposed mine limits.
3. Please provide the sloping detail for the banks of the pond.
4. Please provide the right-of-way encroachment agreement from the power company to allow excavation inside the power line right-of-way.
5. The county suggests quarterly water sampling and testing of any discharged water. The samples shall be tested for settleable solids, turbidity, and pH.

Currituck County Utilities, Pat Irwin

No comment

Currituck County Fire and Emergency Management, James Mims

No comment

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly

Approved

Albemarle Regional Health Services, Joe Hobbs

Reviewed

1. *Note: any mining ponds must be located a minimum 50 feet from any private well(s) and a minimum 50 feet from any existing septic system/septic system repair areas. Thanks.

Currituck County Parks and Recreation, Jason Weeks

No comment

Currituck County GIS, Harry Lee

Reviewed

Currituck County Economic Development, Peter Bishop

Reviewed

NC State Archaeology, Lawrence Abbot

No comment

NC DENR - Division of Coastal Management, Charlan Owens

No Comment

US Army Corps of Engineers, Kyle Barnes

Reviewed

1. Any impacts to waters or wetlands will require USACE approval prior to impacts.

Comments not received from:

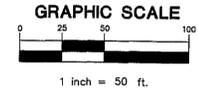
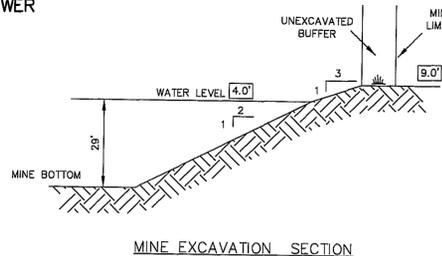
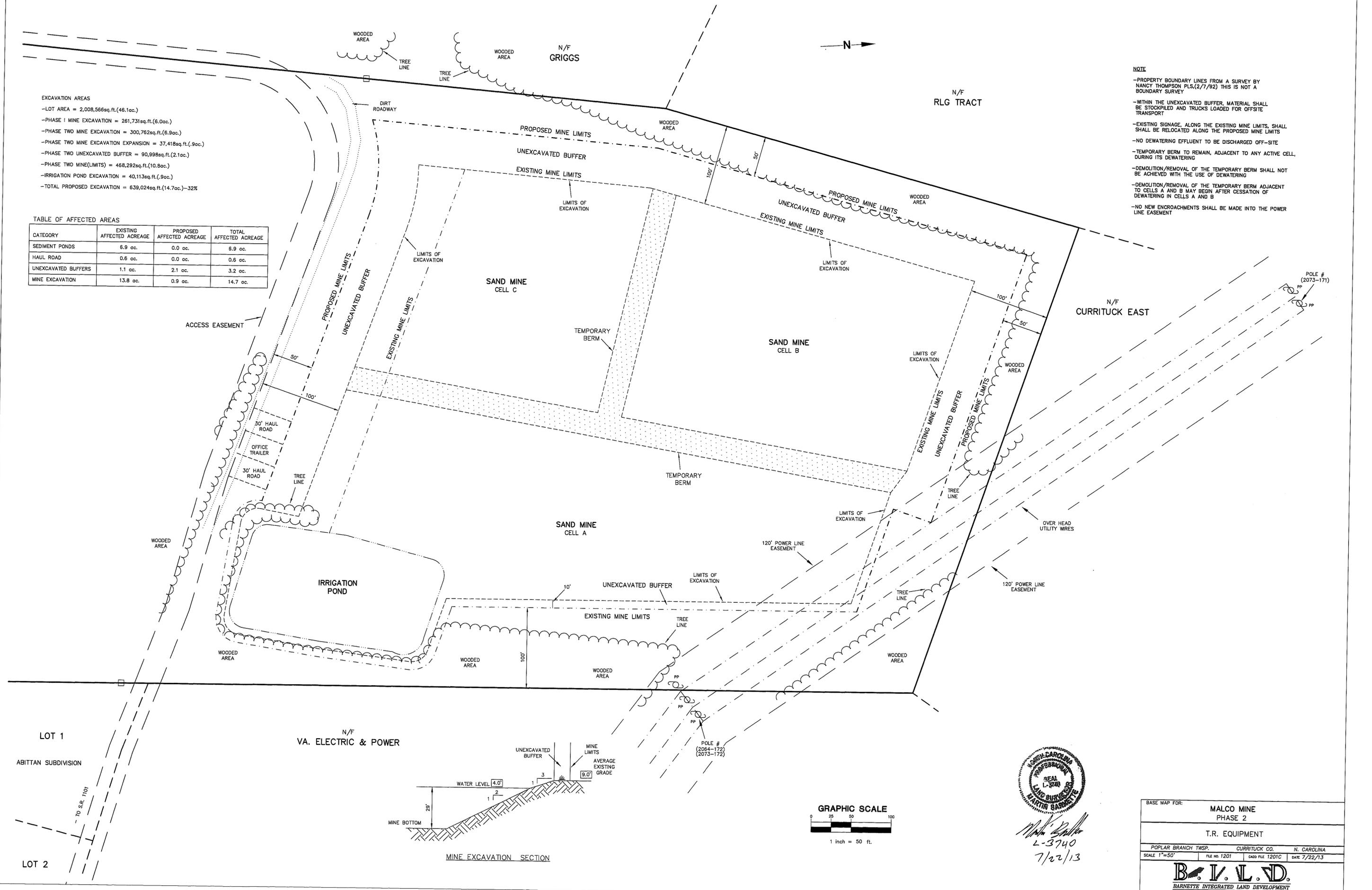
Currituck County Building Inspections, Spence Castello

- EXCAVATION AREAS
- LOT AREA = 2,008,566sq.ft.(46.1ac.)
 - PHASE I MINE EXCAVATION = 261,731sq.ft.(6.0ac.)
 - PHASE TWO MINE EXCAVATION = 300,762sq.ft.(6.9ac.)
 - PHASE TWO MINE EXCAVATION EXPANSION = 37,418sq.ft.(.9ac.)
 - PHASE TWO UNEXCAVATED BUFFER = 90,998sq.ft.(2.1ac.)
 - PHASE TWO MINE(LIMITS) = 468,292sq.ft.(10.8ac.)
 - IRRIGATION POND EXCAVATION = 40,113sq.ft.(.9ac.)
 - TOTAL PROPOSED EXCAVATION = 639,024sq.ft.(14.7ac.)-32%

TABLE OF AFFECTED AREAS

CATEGORY	EXISTING AFFECTED ACREAGE	PROPOSED AFFECTED ACREAGE	TOTAL AFFECTED ACREAGE
SEDIMENT PONDS	6.9 ac.	0.0 ac.	6.9 ac.
HAUL ROAD	0.6 ac.	0.0 ac.	0.6 ac.
UNEXCAVATED BUFFERS	1.1 ac.	2.1 ac.	3.2 ac.
MINE EXCAVATION	13.8 ac.	0.9 ac.	14.7 ac.

- NOTE
- PROPERTY BOUNDARY LINES FROM A SURVEY BY NANCY THOMPSON PLS.(2/7/92) THIS IS NOT A BOUNDARY SURVEY
 - WITHIN THE UNEXCAVATED BUFFER, MATERIAL SHALL BE STOCKPILED AND TRUCKS LOADED FOR OFFSITE TRANSPORT
 - EXISTING SIGNAGE, ALONG THE EXISTING MINE LIMITS, SHALL BE RELOCATED ALONG THE PROPOSED MINE LIMITS
 - NO DEWATERING EFFLUENT TO BE DISCHARGED OFF-SITE
 - TEMPORARY BERM TO REMAIN, ADJACENT TO ANY ACTIVE CELL, DURING ITS DEWATERING
 - DEMOLITION/REMOVAL OF THE TEMPORARY BERM SHALL NOT BE ACHIEVED WITH THE USE OF DEWATERING
 - DEMOLITION/REMOVAL OF THE TEMPORARY BERM ADJACENT TO CELLS A AND B MAY BEGIN AFTER CESSATION OF DEWATERING IN CELLS A AND B
 - NO NEW ENCROACHMENTS SHALL BE MADE INTO THE POWER LINE EASEMENT



M. J. Balle
L-3740
7/22/13

BASE MAP FOR:		
MALCO MINE PHASE 2		
T.R. EQUIPMENT		
POPLAR BRANCH TWS.	CURRITUCK CO.	N. CAROLINA
SCALE 1"=50'	FILE NO. 1201	DATE FILE 1201C DATE 7/22/13
B. I. L. D. BARNETTE INTEGRATED LAND DEVELOPMENT		
POB 7159 KDH, NC 27948 (252)441-5154 F-0594		



Special Use Permit Application

OFFICIAL USE ONLY:

Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information**APPLICANT:**Name: TR Equipment Company, Inc.Address: P.O Box 190
Harbinger, NC 27941Telephone: (252) 491-2128 (252) 202-1770Fax Number: N/AE-Mail TREquipment@embarqmail.com**PROPERTY OWNER:**Name: James I. MalcoAddress: 135 James Griggs Road
Point Harbor, NC 27964Telephone: (252) 491-8266Fax Number: N/AE-Mail address: N/ALEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: N/A**Property Information**Physical Street Address: 136 Griggs Acres RoadLocation: Point HarborParcel Identification Number(s): 0132-000-0159-0000Total Parcel(s) Acreage: 46 AcresExisting Land Use of Property: Farming, Timber, and Sand Mining**Request**Proposed Use of the Property: Expand Phase 2 of Existing Sand MineTotal square footage of land disturbance activity: .9 acreTotal structure coverage: 0 Total vehicular area: 0Total square footage of all existing and proposed buildings: 0Existing gross floor area: 0 Proposed gross floor area: 0Purpose of Special Use Permit and Project Narrative: The applicant request a SUP for a Sand MiningOperation located at the Malco Mine. The hours of operations are Monday – Saturday, 7:00am – 5:00pm.The proposed Phase 2 expansion of .9 acre equals a total of 14.7 acres or 32% of the total site area. Off-Site dewatering has been previously approved for this site. Maximum mining depth to be -25' Mean Sea Level.

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

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

The nearest residential dwelling to the site is in excess of 900'. The county has on file a hydrologic report on dewatering of the mine. Estimate 10 truckloads a day on average.

B. The use will not substantially injure the value of adjoining or abutting property.

The site has been mined for the past 19 years. The property is surrounded by farm land, vacant commercial land, woodland, Dominion Power site and a few improved residential lots.

C. The use will be in harmony with the particular neighborhood or area in which it is to be located (even though the proposed use and surrounding uses are generally permissible in the same district and therefore usually compatible).

The use will be in harmony with surrounding farm land and Dominion Power site.

D. The use will be in general conformity with the Land Use Plan or other plan officially adopted by the board.

The use will be in general conformity with the Land Use Plan. This area is appropriate for agriculture, forestry and mineral extraction.

E. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, and law enforcement.

The proposed mining use will not exceed County's ability to provide adequate public facilities.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

James Malco
Owner

[Signature]
Applicant

Special Use Permit Application
Page 5 of 7
9/10

DATE		BY	
5-78	J.C.P. & L.H.D.	5-78	J.C.P. & L.H.D.
7-78	R.M.S.	7-78	R.M.S.
8-78	M.B.H.	8-78	M.B.H.
8-78	R.M.B.	8-78	R.M.B.

PLAN		PROFILE	
BOOK NO. V-1356	BOOK NO. V-1355	DATE	BY
ALIGNMENT CHK'D	PLANNING	5-78	J.C.P. & L.H.D.
RIGHT OF WAY CHK'D	PLOTTING	7-78	R.M.S.
STRUCTURES CHK'D	GRADES CHK'D	8-78	M.B.H.
	BENCH MARKS NOTED		R.M.B.
	STRUCTURES CHK'D		

NO.	DATE	BY	DESCRIPTION
1	1-28-74	J.C.P.	3-DRAW, 2-POLE
2	1-28-74	J.C.P.	3-DRAW, 2-POLE
3	1-28-74	J.C.P.	3-DRAW, 2-POLE
4	1-28-74	J.C.P.	3-DRAW, 2-POLE
5	1-28-74	J.C.P.	3-DRAW, 2-POLE
6	1-28-74	J.C.P.	3-DRAW, 2-POLE
7	1-28-74	J.C.P.	3-DRAW, 2-POLE
8	1-28-74	J.C.P.	3-DRAW, 2-POLE
9	1-28-74	J.C.P.	3-DRAW, 2-POLE
10	1-28-74	J.C.P.	3-DRAW, 2-POLE

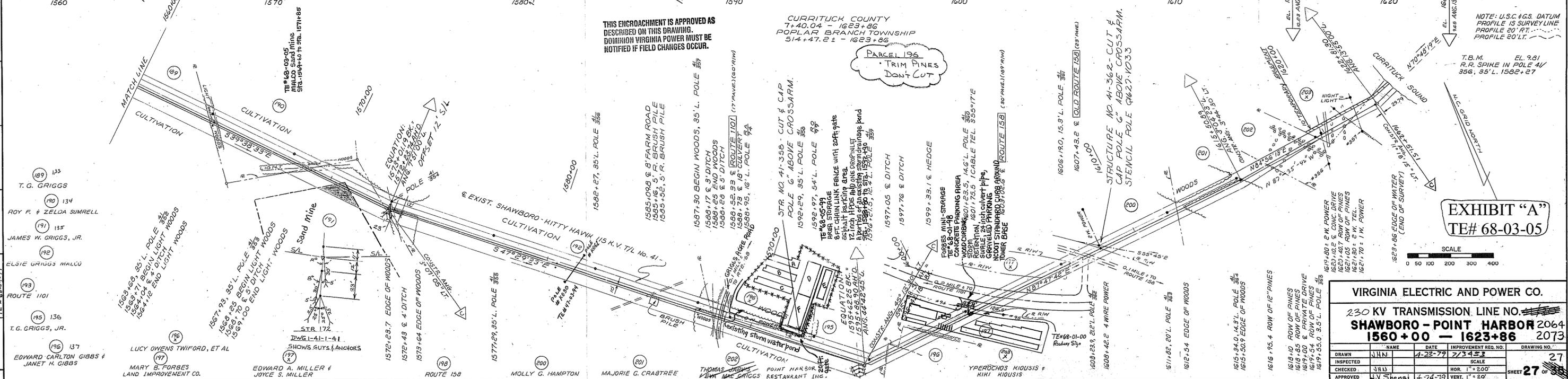
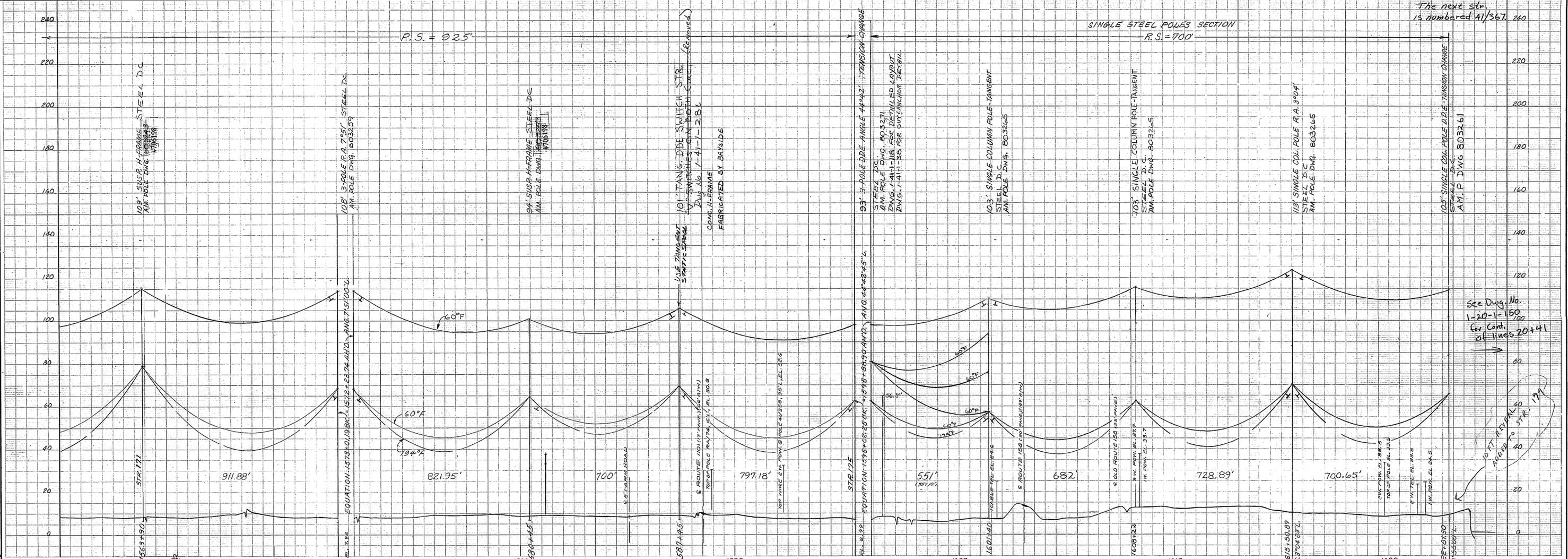


EXHIBIT "A"
TE# 68-03-05

VIRGINIA ELECTRIC AND POWER CO.			
230 KV TRANSMISSION LINE NO. 2064			
SHAWBORO - POINT HARBOR			
1560+00 - 1623+86			
DATE	APPROVED	SCALE	SHEET
4-28-79	J.C.P.	1" = 200'	27

DESIGN SPECIFICATIONS (N.E.S.C.)	BUNDLE CONDUCTOR	STRING TENS. 60°F	MAX. TENS.	1-3/8" CHART	MAX. ALLOW. SIZE	INSTALLED SIZE	STATIC WIRE	STRING TENS. 60°F	MAX. TENS.	1-3/8" CHART	SIZE	CLEARANCES	GROUND	ROAD	RAILROAD	LOADING	ICE	WIND	INSULATOR UNITS	ON WOOD	ON STEEL	RULING SPAN	
	2300#	6905#	73,68		545.6 ACAR	545.6 ACAR		1300#	3000#	84,79	3#6 ALUM		25 FT.	25 FT.	33 FT.		1/4"	4"	150	DE 14	HIGH LEAK SUSP. 13	DE 14	925'

SHEET NO. 1-41-1-27
DRAWER NO.

Pole-Tower Location Sheets, Drawing No. 713453
Work Order No. 713453
Bill of Material 5248

TR EQUIPMENT COMPANY, INC.
POST OFFICE BOX 190
HARBINGER, NC 27941
PHONE (252) 491-2128 MOBILE (252) 202-1770
EMAIL: TREQUIPMENT@EMBARQMAIL.COM

Office
Copy

March 25, 2013

Ms. Judy Wehner
NCDENR – Div. Of Land Resources
Land Quality Section
1612 Mail Service Center
Raleigh, NC 27699-1612

Re: Malco Mine, Permit No. 27-39 Minor Modification Request

Dear Ms. Wehner,

I am writing to make application for a modification to my existing permit, No. 27-39. The modification entails the addition of 4.1 acres mine area, including the required buffer. Also, involved are haul roads and existing irrigation pond which will be incorporated as a settling basin. The existing excavated area will also be used as a settling basin.

With respect to how this modification request will not evoke any of the seven denial criteria as set forth in G.S. 74-51 of the Mining Act of 1971, I submit the following:

1. To my knowledge, nothing in this proposed modification will violate any rule promulgated under the Act.
2. I have no reason to believe that any adverse impacts to potable ground water supplies, wildlife, freshwater, estuaries or marine fisheries will result from the proposed modification. The operation only entails dewatering fresh water into an existing wetlands slew with approximately 1,000' available for filtration between the dewatering discharge point and the open waters of the Albemarle Sound.
3. Regarding air quality, surface water quality and ground water quality, again the nature of the operation is such that there are no anticipated adverse impacts. The haul road is consistently wetted to minimize dust and the trucks are covered when traveling full. The proposed Phase 2 excavation area is located farther from any existing residences or other habitable structures than existing Phase 1 of the excavation site. There have been no indications of adverse impacts to surface or ground water resulting from the on-going operation of the mine.
4. In light of the isolated nature of the mine site and the imposition of a "no trespassing" order by the property owner, I feel there is no threat to public health and safety resulting from existing mine or the proposed expansion.

TR EQUIPMENT COMPANY, INC.
POST OFFICE BOX 190
HARBINGER, NC 27941
PHONE (252) 491-2128 MOBILE (252) 202-1770
EMAIL: TREQUIPMENT@EMBARQMAIL.COM

Page 2 of 2, letter to Ms. Judy Wehner, 3/25/13, Re Malco Mine

5. There are no publicly owned forests located in the area. Currituck County has a publicly owned park and recreation area located 2,100' on the North side of US Hwy 158, on the Currituck Sound.
6. The mine has been operational for nineteen years with no occurrences of sedimentation, landslides or acid water pollution. Nothing in the proposed modification will increase the probability of any such occurrence.
7. I have operated the mine for nineteen years with no violations, permit revocations, bond forfeitures or legal incidences.

Hopefully, you will find the submittal package complete and easy to review. If you have any questions or concerns please contact me at (252) 202-1770 email: trequipment@embarqmail.com.

Sincerely,

R. Gary Thompson, President
TR EQUIPMENT COMPANY, INC.

NORTH CAROLINA MINING PERMIT APPLICATION

**State of North Carolina
Department of Environment
and Natural Resources
Division of Land Resources
Land Quality Section**

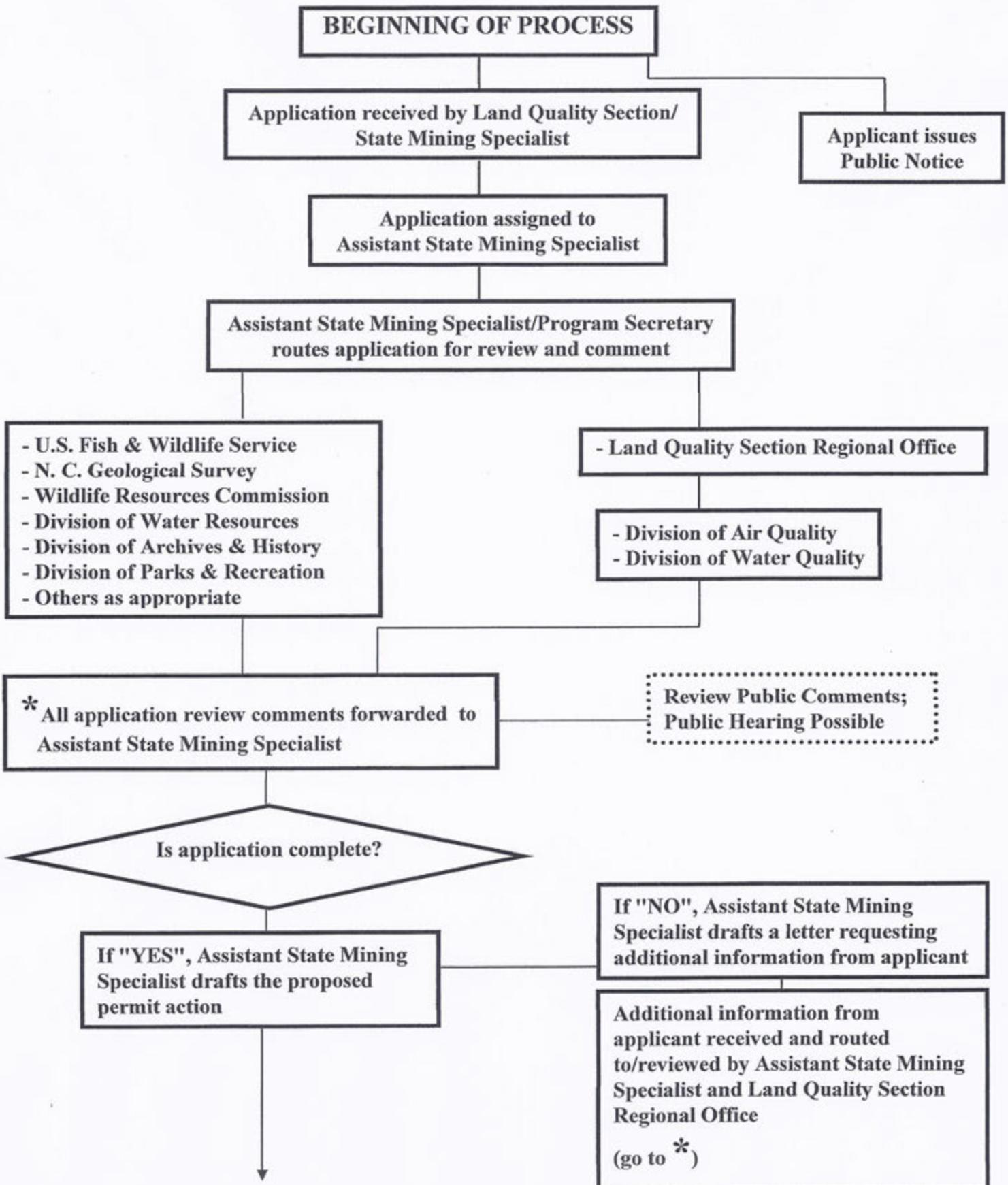
**1612 Mail Service Center
Raleigh, North Carolina 27699-1612
(919) 707-9220**

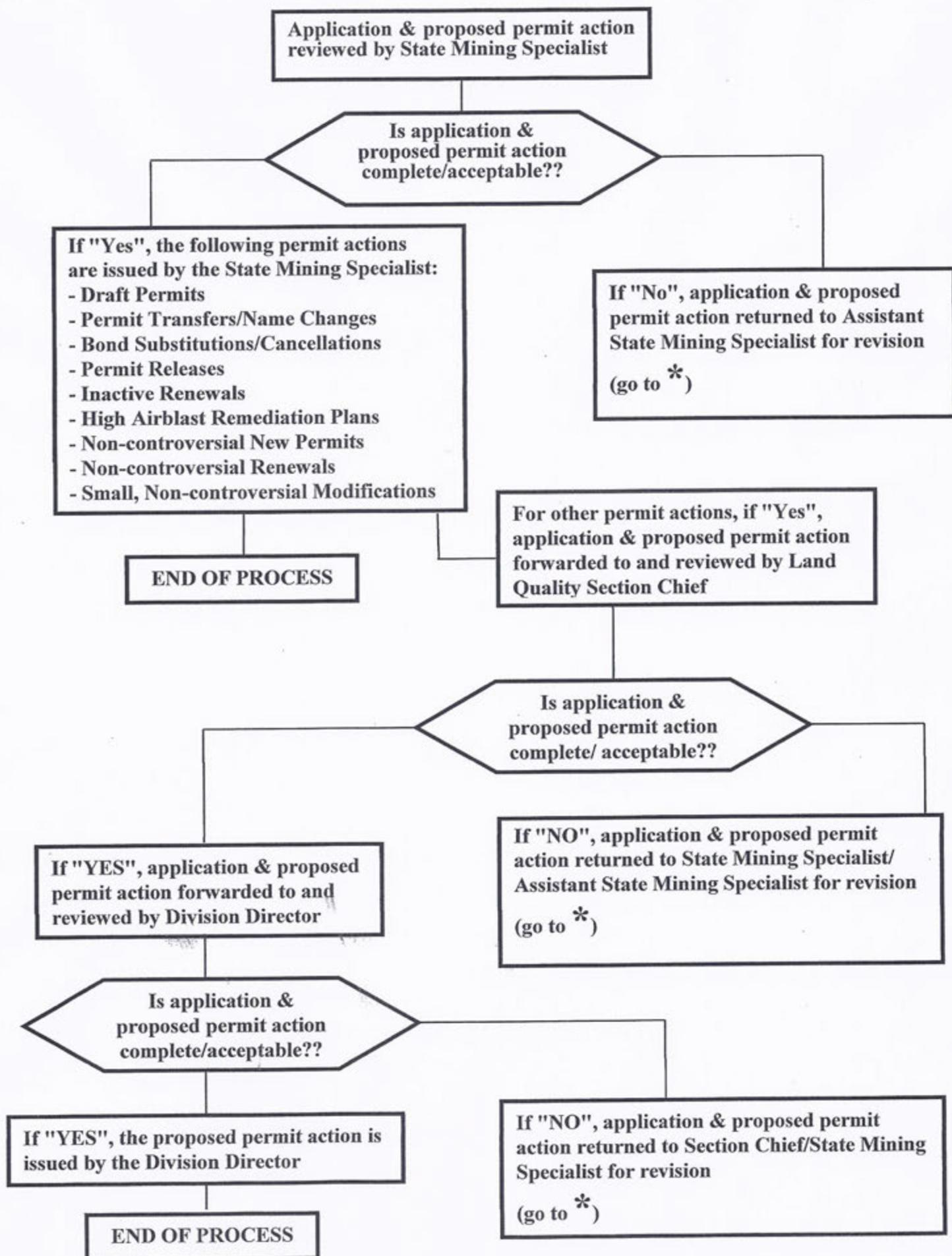
Revised: February 24, 2012

NOTE:

**It is recommended that you contact the appropriate
Regional Office (see Regional Office listing in the back of this
booklet) or the Raleigh Central Office for a
PRE-APPLICATION MEETING
to discuss your intentions and address any questions.**

MINING PERMIT APPLICATION REVIEW PROCESS FLOWCHART





APPLICATION FOR A MINING PERMIT

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES

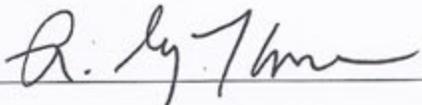
LAND QUALITY SECTION

APPLICATION FOR A MINING PERMIT

(PLEASE PRINT OR TYPE)

1. Name of Mine MALCO MINE County CURRITUCK
River Basin PASQUOTANK
Latitude (decimal degrees to four places) 36 DEGREES 4' 53"
Longitude (decimal degrees to four places) -75 DEGREES 48' 30"
2. Name of Applicant* T R EQUIPMENT COMPANY, INC.
3. Permanent address for receipt of official mail** PO BOX 190
HARBINGER, NC 27941
Telephone (252) 491-2128 Alternate No. (252) 202-1770
4. Mine Office Address 136 GRIGGS ACRES ROAD
POINT HARBOR, NC 27964 Telephone (252) 491-2128
5. Mine Manager R. GARY THOMPSON

We hereby certify that all details contained in this Permit Application are true and correct to the best of our knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit revocation.

***Signature  Date 4-5-13
Print Name R. GARY THOMPSON
Title PRESIDENT

* This will be the name that the mining permit will be issued to and the name that must be indicated on the reclamation bond (security) that corresponds to this site.

** The Land Quality Section must be notified of any changes in the permanent address or telephone number.

*** Signature of company officer required.

G.S. 74-51 provides that the Department shall grant or deny an application for a permit within 60 days of receipt of a complete application or, if a public hearing is held, within 30 days following the hearing and the filing of any supplemental information required by the Department. **All questions must be addressed and all required maps provided before this application can be considered complete. Attach additional sheets as needed.**

APPLICATION FOR A MINING PERMIT

NOTE: All of the following questions must be thoroughly answered regarding your mining operation for the intended life of the mine. All responses must be clearly conveyed on a corresponding, detailed mine map.

A. GENERAL CHARACTERISTICS OF THE MINE

1. Answer all of the following that apply:

If this is an application for a **NEW** permit, indicate the total acreage at the site to be covered by the permit (this is the acreage that the "new permit" fee will be based upon): N/A

Of this acreage, how much is owned and how much is leased? Acres owned: N/A
Acres leased: N/A Property owner if leased: N/A

If this is an application for **RENEWAL** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit: Mining Permit No.: N/A
Total permitted acreage (this is the acreage that the "renewal" fee will be based upon): N/A

If this is an application for a **MODIFICATION** to a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.
Mining Permit No.: 27-39 Total permitted acreage: 6.90

Does the modification involve acreage within the previously approved permitted boundary?
Yes No If yes, indicate the acreage to be covered by this modification (this is the acreage that the "major modification" fee will be based upon): .90 ac

Does the modification involve acreage outside the previously approved permitted boundary?
Yes No If yes, indicate the additional acreage to be covered by this modification: .90 ac. (NOTE: you must complete all of Section F. of this application form entitled Notification of Adjoining Landowners).

Of this acreage to be added to the permit, will any portion of this acreage be affected (i.e.: disturbed, ground cover removed) by the mining operation? Yes No (If no, a "minor modification" fee of \$100.00 is required, despite the "undisturbed" acreage to be added). If yes, indicate the acreage to be affected within the acreage to be added to the permit (the total acreage to be added to the permit is the acreage that the "major modification" fee will be based upon): 4.1 ac

If this is an application for **TRANSFER** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.
Mining Permit No.: N/A Total permitted acreage: N/A

SEE THE FEE SCHEDULE AT THE END OF THIS FORM FOR THE PROPER FEE AMOUNT TO BE PAID FOR THE REQUESTED PERMIT ACTION(S) AND CORRESPONDING ACREAGE NOTED ABOVE

2. Name of all materials mined: SAND

3. Mining method:
 Hydraulic Dredge Front-end Loader & Truck Shovel & Truck
 Dragline & Truck Self-loading Scraper

Other (explain): EXCAVATOR & TRUCK

4. a. Expected maximum depth of mine (feet) -25 M.S.L.
Depth is relative to what benchmark? (e.g., natural ground level, mean sea level, road elevation, etc.)
Mean Sea Level

b. Expected average depth of mine (feet) 34'

APPLICATION FOR A MINING PERMIT

5. Has any area(s) at this site been mined in the past? Yes No
If yes, when and by whom was this activity conducted? SINCE 1994 BY CURRENT PERMITTEE
6. Number of years for which the permit is requested (10 years maximum): 10

B. MAPS

1. Clearly mark and label the location of your mining operation on six (6) copies of a 7.5-minute quadrangle and a county highway map. These maps, in addition to six (6) copies of all mine maps and reclamation maps, must be submitted with each permit application.

7.5-minute quadrangles may be obtained from the N.C. Geological Survey:

Mailing Address:
1612 Mail Service Center
Raleigh, North Carolina 27699-1612
(919) 733-2423
http://portal.ncdenr.org/web/lr/geological_home

OR

Physical Address:
512 North Salisbury Street, 5th Floor
Raleigh, North Carolina 27604

County highway maps may be obtained from the N.C. Department of Transportation:

North Carolina Department of Transportation – Geographic Information Systems (GIS)

Mailing Address:
NCDOT GIS Unit
1587 Mail Service Center
Raleigh, North Carolina 27699-1587

Physical Address:
NCDOT GIS Unit
3401 Carl Sandburg Court
Raleigh, North Carolina 27610
(919) 212-6000
<http://www.ncdot.org/it/gis/>

2. Mine maps must be accurate and appropriately scaled drawings, aerial photographs or enlarged topographic maps of the entire mine site. **All aspects of the mine site must be clearly labeled on the maps along with their corresponding (approximate) acreage. As a reminder, mining permits can only be issued for up to 10 years; thus, all mine and reclamation maps must only denote those activities that are intended to be conducted during the life of the mining permit.** All maps must be of a scale sufficient (see minimum requirements listed below) to clearly illustrate the following, **at a minimum:**
- Property lines of the tract or tracts of land on which the proposed mining activity is to be located including easements and rights-of-way.
 - Existing or proposed permit boundaries.
 - Initial and ultimate limits of clearing and grading.
 - Outline and width of all buffer zones (both undisturbed and unexcavated).
 - Outline and acreage of all pits/excavations.
 - Outline and acreage of all stockpile areas.
 - Outline and acreage of all temporary and/or permanent overburden disposal areas.
 - Location and acreage of all processing plants (processing plants may be described as to location and distance from mine if sufficiently far removed).
 - Locations and names of all streams, rivers and lakes.
 - Outline and acreage of all settling and/or processing wastewater ponds.
 - Location and acreage of all planned and existing access roads and on-site haul roads.
 - Location of planned and existing on-site buildings.
 - Location and dimensions of all proposed sediment and erosion control measures.
 - Location of 100-year floodplain limits and wetland boundaries.
 - Names of owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary, must be provided on the mine map.

APPLICATION FOR A MINING PERMIT

- p. Names of owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary, must be provided on the mine map(s). NOTE: "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.
- q. Map legend:
1. Name of applicant
 2. Name of mine
 3. North arrow
 4. County
 5. Scale
 6. Symbols used and corresponding names
 7. Date prepared and revised
 8. Name and title of person preparing map

Map scales should meet the following guidelines:

PERMITTED ACREAGE

0-49 Acres
50-199 Acres
200+ Acres

MAP SCALE

1 inch = 50 feet
1 inch = 100 feet
1 inch = 200 feet

(NOTE: Smaller scaled maps may be acceptable if they clearly illustrate the above items)

APPLICATION FOR A MINING PERMIT

A table/chart must be provided on the mine map that clearly lists the approximate acreage of tailings/sediment ponds, stockpiles, wastepiles, processing area/haul roads, mine excavation and any other major aspect of the mining operation that is proposed to be affected/disturbed during the life of the mining permit. A table/chart similar to the following will be acceptable:

CATEGORY	AFFECTED ACREAGE
Tailings/Sediment Ponds	
Stockpiles	
Wastepiles	
Processing Area/Haul Roads	
Mine Excavation	
Other (Explain)	
Total Disturbed Acreage	

NOTE:

IN ADDITION TO THE ABOVE, THE MAPS MUST ALSO INCLUDE ANY SITE-SPECIFIC INFORMATION THAT IS PROVIDED IN THE ANSWERS TO THE FOLLOWING QUESTIONS IN THIS APPLICATION FORM (*PLEASE NOTE THE ITALICIZED QUESTIONS/STATEMENTS THROUGHOUT THE FORM*). THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT ALL RELEVANT ITEMS BEING ADEQUATELY ADDRESSED ON THE MINE MAPS.

APPLICATION FOR A MINING PERMIT

C. PROTECTION OF NATURAL RESOURCES

1. Describe in detail the sequence of events for the development and operation of the mine and *reference the sequence to the mine map(s)*. Attach additional sheets as needed.

COMMENCE EXCAVATING, MAINTAINING GARDING AT PERIMETER TO MEASURE POSITIVE DRAINAGE IN THE DIRECTION OF THE OEN CUT.

2. Describe specific erosion control measures to be installed prior to land disturbing activities and during mining to prevent offsite sedimentation (*include specific plans for sediment and erosion control for mine excavation(s), waste piles, access/mine roads and process areas*), and give a detailed sequence of installation and schedule for maintenance of the measures. *Locate and label all sediment and erosion control measures on the mine map(s) and provide typical cross-sections/construction details of each measure*. Engineering designs and calculations are required to justify the adequacy of any proposed measures.

AREA ADJACENT TO PIT WILL BE GRADED SO AS TO PROVIDE SURFACE DRAINAGE TOWARDS THE PIT, THUS PREVENTING OFF-SITE SEDIMENTATION BY EROSION.

3. a. Will the operation involve washing the material mined, recycling process water, or other waste water handling? Yes No . If yes, briefly describe all such processes including any chemicals to be used.

- b. Will the operation involve discharging fresh or waste water from the mine or plant as a point discharge to the waters of the State? Yes No . *If yes, briefly describe the nature of the discharge and locate all proposed discharge points (along with their method of stabilization) on your mine map(s)*.

THE DISCHARGE WILL CONSIST OF FRESH WATER EXCLUSIVELY. PRIOR TO DISCHARGE, THE WATER WILL BE ROUTED THROUGH TWO SETTLING BASINS AND APPROXIMATELY 800 FT OF GRASSED SWALE. DISCHARGED WATER WILL BE FILTERED THROUGH APPROXIMATELY 1,000 FT OF WOODS AND WETLANDS PRIOR TO ENTERING THE ALBEMARLE SOUND.

APPLICATION FOR A MINING PERMIT

APPLICATION FOR A MINING PERMIT

- c. Will any part of the proposed mine excavation(s) extend below the water table? Yes No .
If yes, do you intend to dewater the excavation(s)? Yes No .
If yes, what impact, if any, will mine dewatering have on neighboring wells? Estimated withdrawal rate in gallons per day: 288,000. *Locate all existing wells on the mine map(s) that lie within 500 feet of the proposed excavation area.* Provide data to support any conclusions or statements made, including any monitoring well data, well construction data and current water withdrawal rates. Indicate whether the proposed mine locale is served by a public water system or private wells.

PUMPS WILL OPERATE AN AVERAGE OF 10 DAYS PER MONTH. NO EXISTING WELLS ARE LOCATED 500 FT OF PROPOSED ESCAVATION AREA. CURRITUCK COUNTY'S WATER DISTRIBUTION SYSTEM EXTENDS INTO THE GENERAL LOCALITY OF THE MINE. HOWEVER, NO PROPERTIES ABUTTING THE MINE SITE ARE SERVED BY THE SYSTEM.

- d. If you answered yes to any of the above questions, provide evidence that you have applied for or obtained the appropriate water quality permit(s) (i.e., non-discharge, NPDES, Stormwater, etc.) from the Division of Water Quality, Water Quality Section. In addition, the applicant is required to register water use with the Division of Water Resources if the operation withdraws more than 10,000 gallons per day and needs a capacity use permit from the Division of Water Resources if the operation lies in a capacity use area and withdraws more than 100,000 gallons per day.

THE MINE SITE IS NOT LOCATED IN A CAPACITY USE AREA.
(SOURCE: MS. GABRIELLE COOPER, NCDENR DIV. OF WATER RESOURCES 5/5/04)

4. a. Will the operation involve crushing or any other air contaminant emissions? Yes No .
If yes, indicate evidence that you have applied for or obtained an air quality permit issued by the Division of Air Quality or local governing body.

- b. How will dust from stockpiles, haul roads, etc., be controlled?

AN ALL-WHEEL TANKER TRUCK WITH 2,500 GAL CAPACITY IS KEPT ON SITE TO WATER HAUL ROAD AS A MESSURE FOR DUST SUPPRESSION. STOCKPILES WILL BE OF MINIMAL SIZE TO LIMIT AREAS EXPOSED TO WIND. TRUCKS WILL BE COVERED WITH TARPS WHEN FULL.

APPLICATION FOR A MINING PERMIT

5. a. A buffer will be required between any mining activity and any mining permit boundary or right-of-way. It may be an unexcavated buffer (no excavation, but roadways, berms and erosion & sedimentation control measures may be installed within it), an undisturbed buffer (no disturbance within the buffer whatsoever), or a combination of the two, depending upon the site conditions. Note that all buffers must be located within the mining permit boundaries.

How wide a buffer will be maintained between any mining activity and any mining permit boundary or right-of-way at this site? A minimum buffer of 25 feet is recommended, although a wider buffer may be needed depending on site conditions. *Show all buffer locations and widths on the mine map(s).*

A 10' UNEXCAVATED BUFFER HAS BEEN MAINTAINED THROUGHOUT THE LIFE OF PHASE ONE IN ACCORDANCE WITH THE CONDITIONS OF THE EXISTING PERMIT. THIS BUFFER HAS BEEN MAINTAINED FOR PHASE TWO AS WELL.

PHASE 2 WILL ADD SOME 50' BUFFERS IN THIS MODIFICATION TO STOCKPILE MATERIAL DURING COMPLETION OF POND EXCAVATIONS.

- b. A minimum 50 foot wide undisturbed buffer will be required between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands unless smaller undisturbed buffers can be justified. Depending on site conditions, a buffer wider than 50 feet may be needed.

How wide an undisturbed buffer will be maintained between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands at this site? *Show all buffer locations and widths on the mine map(s).*

A 50 FT BUFFER FROM ADJACENT WETLANDS HAS BEEN MAINTAINED THROUGHOUT THE LIFE OF PHASE ONE. NO NATURAL WATERCOURSES OR FEET OF THE PHASE TWO EXCAVATION AREA.

6. a. Describe methods to prevent landslide or slope instability adjacent to adjoining permit boundaries during mining. Minimum 2 horizontal to 1 vertical slopes or flatter for clayey material and minimum 3 horizontal to 1 vertical slopes or flatter for sandy material are generally required, unless technical justification can be provided to allow steeper slopes.

3:1 SLOPES WILL BE MAINTAINED ABOVE THE WATERLINE
2:1 SLOPES WILL BE MAINTAINED BELOW THE WATERLINE

SEE MINE MAP FOR PROFILE OF MINE EXCAVATION

APPLICATION FOR A MINING PERMIT

APPLICATION FOR A MINING PERMIT

- b. *Provide a cross-section on the mine map(s) for all fill slopes (berms, wastepiles, overburden disposal areas, etc.), clearly indicating the intended side slope gradient, installation of any benches and/or slope drains (with supporting design information) if needed, and the method of final stabilization.*

THERE ARE NO FILL SLOPES, WASTEPILES OR OVER BURDEN DISPOSAL AREAS ASSOCIATED WITH THIS MINING OPERATION.

- c. In excavation(s) of unconsolidated (non-rock) materials, specify the angle of all cut slopes including specifications for benching and sloping. *Cross-sections for all cut slopes must be provided on the mine map(s).*

CUTS TO BE 1:3 ABOVE THE WATERLINE, 1:2 BELOW THE WATERLINE

- d. In hardrock excavations, specify proposed bench widths and heights in feet. *Provide cross-sections of the mine excavation clearly noting the angles of the cut slopes, widths of all safety benches and mine benches, and the expected maximum depth of the excavation.*

N/A

7. Describe other methods to be taken during mining to prevent physical hazard to any neighboring dwelling house, public road, public, commercial or industrial building from any mine excavation. *Locate all such structures on the mine map if they are within 300 feet of any proposed excavation.*

NO PERMANENT STRUCTURES EXIST WITHIN 300 FT OF MINE EXCAVATION

8. Describe what kind of barricade will be used to prevent inadvertent public access along any high wall area and when it will be implemented. *Vegetated earthen berms, appropriate fencing and adequate boulder barriers may be acceptable high wall barricades. A construction detail/cross-section and location of each type of barricade to be used must be indicated on the mine map(s).*

NO HIGHWALLS EXIST OR WILL BE CREATED DUE TO THE NATURE OF THE EXISTING LOCAL TOPOGRAPHY.

APPLICATION FOR A MINING PERMIT

APPLICATION FOR A MINING PERMIT

9. Are acid producing minerals or soils present? Yes No .
If yes, how will acid water pollution from the excavation, stockpiles and waste areas be controlled?

10. a. Describe specific plans (including a schedule of implementation) for screening the operation from public view such as maintaining or planting trees, bushes or other vegetation, building berms or other measures. *Show the location of all visual screening on the mine map(s) and provide cross-sections through all proposed berms or proposed spacing, sizes and species for tree plantings.*

THE MINE SITE IS NOT LOCATED IN CLOSE PROXIMITY TO ANY PUBLIC ROADWAYS OR AREAS ACCESSIBLE TO THE PUBLIC. A HEAVILY WOODED AREA BUFFERS RESIDENCES TO THE EAST. THE REMAINING ADJACENT LANDS ARE UNDER CULTIVATION OR INDUSTRIAL.

- b. Could the operation have a significantly adverse effect on the purposes of a publicly owned park, forest or recreation area? If so, how will such effects (i.e., noise, visibility, etc.) be mitigated?

THERE ARE NO PUBLICLY OWNED FOREST LOCATED IN THE AREA. CURRITUCK COUNTY HAS A PUBLICLY OWNED PARK AND RECREATION AREA LOCATED 2,100' ON THE NORTH SIDE OF US HWY 158, ON THE CURRITUCK SOUND.

11. Will explosives be used? Yes No .
If yes, specify the types of explosive(s) and describe what precaution(s) will be used to prevent physical hazard to persons or neighboring property from flying rocks or excessive air blasts or ground vibrations. Depending on the mine's location to nearby structures, more detailed technical information may be required on the blasting program (such as a third-party blasting study). *Locate the nearest offsite occupied structure(s) to the proposed excavation(s) on the mine map and indicate its approximate distance to the proposed excavation.*

12. Will fuel tanks, solvents, or other chemical reagents be stored on-site? Yes No .
If yes, describe these materials, how they will be stored and method of containment in case of spill. Indicate the location(s) of all storage facilities on the mine map(s).

APPLICATION FOR A MINING PERMIT

D. RECLAMATION PLAN

1. Describe your intended plan for the final reclamation and subsequent use of all affected lands and indicate the sequence and general methods to be used in reclaiming this land. This must include the method of reclamation of settling ponds and/or sediment control basins and the method of restoration or establishment of any permanent drainage channels to a condition minimizing erosion, siltation and other pollution. *This information must be illustrated on a reclamation map and must correspond directly with the information provided on the mine map(s). In addition, design information, including typical cross-sections, of any permanent channels to be constructed as part of the reclamation plan and the location(s) of all permanent channels must be indicated on the reclamation map.*

A RECLAMATION PLAN HAS BEEN PREPARED AND APPROVED BY THE NCDENR- DIVISION OF LAND RESOURCES PURSUANT TO THE EXISTING PERMIT NO. 27-39

2. Is an excavated or impounded body of water to be left as a part of the reclamation? Yes No .
If yes, illustrate the location of the body(s) of water on the reclamation map and provide a scaled cross-section(s) through the proposed body(s) of water. The minimum water depth must be at least 4 feet, measured from the normal low water table elevation, unless information is provided to indicate that a more shallow water body will be productive and beneficial at this site.

Will the body(s) of water be stocked with fish? Yes No .
If yes, specify species.

PERCH AND CATFISH

3. Describe provisions for safety to persons and to adjoining property in all completed excavations in rock including what kind of permanent barricade will be left. Acceptable permanent barricades are appropriate fencing, large boulders placed end-to-end, etc. *Construction details and locations of all permanent barricades must be shown on the reclamation map.*

N/A

APPLICATION FOR A MINING PERMIT

APPLICATION FOR A MINING PERMIT

4. Indicate the method(s) of reclamation of overburden, refuse, spoil banks or other such on-site mine waste areas, including specifications for benching and sloping. *Final cross-sections and locations for such areas must be provided on the reclamation map.*

NO SUCH AREAS ARE PROPOSED.

5. a. Describe reclamation of processing facilities, stockpile areas, and on-site roadways.

ALL DISTURBED AREAS OUTSIDE OF OPEN WATER AREA WILL BE GRADED AND STABILIZED WITH VEGETATION COVER IN ACCORDANCE WITH THE PREVIOUSLY SUBMITTED AND APPROVED STABILIZATION PLAN. THIS PLAN WAS PREPARED BY MR. JOHN TOLL, REGISTERED LANDSCAPE CONTRACTOR, REGISTRATION NO. 863.

- b. Will any on-site roadways be left as part of the reclamation? Yes No .

If yes, identify such roadways on the reclamation map and provide details on permanent road and ditch line stabilization.

6. Describe the method of control of contaminants and disposal of scrap metal, junk machinery, cables, or other such waste products of mining. (Note definition of refuse in The Mining Act of 1971.)

No off-site generated waste shall be disposed of on the mine site without prior written approval from the NC Department of Environment and Natural Resources, Land Quality Section and either the Division of Waste Management (DWM) or local governing body. If a disposal permit has been issued by DWM for the site, a copy of said permit must be attached to this application. All temporary and permanent refuse disposal areas must be clearly delineated on the mine map(s) and reclamation map, along with a list of items to be disposed in said areas.

ALL WASTE MATERIALS AND EQUIPMENT WILL BE REMOVED FROM THE SITE PURSUANT TO THE APPROVED RECLAMATION PLAN. NO SCRAP METAL, JUNK, MACHINERY OR CABLES WILL BE STORED ON SITE.

APPLICATION FOR A MINING PERMIT

APPLICATION FOR A MINING PERMIT

7. Describe your plan for revegetation or other surface treatment of the affected areas. This plan must include recommendations for year-round seeding, including the time of seeding and the amount and type of seed, fertilizer, lime and mulch per acre. The recommendations must include general seeding instructions for both permanent and temporary revegetation. Revegetation utilizing only tree plantings is not acceptable. Recommendations can be sought from:
- Authorized representatives of the local Soil and Water Conservation District;
 - Authorized representatives of the Division of Forest Resources, Department of Environment and Natural Resources;
 - Authorized county representatives of the North Carolina Cooperative Extension Service, specialists and research faculty with the Colleges of Agriculture and Life Sciences and Forest Resources at North Carolina State University;
 - North Carolina licensed landscape architects;
 - Private consulting foresters referred by the Division of Forest Resources, Department of Environment and Natural Resources;
 - N.C. Erosion and Sedimentation Control Planning and Design Manual;
 - N.C. Surface Mining Manual: A Guide for Permitting, Operation and Reclamation;
 - Others as may be approved by the Department.

LIME - RATE OF APPLICATION (tons/acre):

FERTILIZER - ANALYSIS AND RATE OF APPLICATION (pounds/acre):

SEED - TYPE(S) AND RATE(S) OF APPLICATION INCLUDING YEAR-ROUND SEEDING SCHEDULE (pounds/acre): [NOTE: Include Legumes]

Seed Types:

Seeding Dates:

Seeding Rates:

SEE APPROVED STABILIZATION PLAN PREPARED BY JOHN TOLL, REGISTERED LANDSCAPE CONTRACTOR, NO. 863.

MULCH - TYPE AND RATE OF APPLICATION (pounds/acre) AND METHOD OF ANCHORING:

OTHER VEGETATIVE COVERS - TYPE (S) AND RATE (S) OF APPLICATION INCLUDING SEEDING SCHEDULE (pounds/acre, trees/acre, spacing of trees/shrubs, etc):

Revegetation and/or reforestation plan approved by:

Signature _____ Date _____

Print Name _____

Title _____

Agency _____

APPLICATION FOR A MINING PERMIT
RECLAMATION PLAN

9. Describe your plan for revegetation or other surface treatment of the affected areas. This plan must include recommendations for time of seeding and the amount and type of seed, fertilizer, lime and mulch per acre and general seeding instructions for permanent revegetation and, if necessary, temporary revegetation. Revegetation utilizing pine seedlings only is not acceptable. NOTE: Revegetation Plan must be approved and signed by one of the following:

- (a) Authorized representatives of the local Soil and Water Conservation District having jurisdiction over lands in question;
- (b) Authorized representatives of the Office of Forest Resources, Department of Environment, Health, and Natural Resources;
- (c) County Agricultural Extension chairmen or Research and Extension personnel headquartered at North Carolina State University in the School of Agriculture and Life Sciences;
- (d) North Carolina licensed landscape architects;
- (e) Private consulting foresters referred by the Office of Forest Resources, Department of Environment, Health, and Natural Resources;
- (f) Others as may be approved by the Department.

LIME - RATE OF APPLICATION:

FERTILIZER - ANALYSIS AND RATE OF APPLICATION:

SEED - TYPES(S) AND RATE OF APPLICATION INCLUDING SEEDING SCHEDULE:

MULCH - TYPE AND RATE OF APPLICATION:

OTHER VEGETATIVE COVERS:

Revegetation and/or reforestation plan approved by:

Signature *John Toll* Date 2/27/94

Print Name JOHN TOLL

Title REGISTERED LANDSCAPE CONTRACTOR

Agency NCRCC



GENERAL NOTES- SEEDING FROM EROSION CONTROL MANUAL

SEED MIXTURE	RATE	OPTIMUM PLANT DATE
Kentucky 31 Tall Fescue	5 lb/1000 sq.ft.	Mar 15-May 1 & Aug 15 to Oct. 15
Rye Grain	40 lb/acre	Spring / Fall
Common Bermuda Grass (hulled)	2 lb/1000 sq.ft.	May 1 - June 30
Fescue	5 lb/1000 sq. ft.	Oct. 15- Mar. 15
German Millet	10 lb/Acre	Summer

as to be seeded shall be fertilized at the rate of 25 lb/1000 sq.ft. with 10-10 fertilizer. Lime will be applied at a rate of 1000 lb. per acre or soil tests require.

ch will be applied at a rate of 4000# per acre and roll disked to hold place.

APPLICATION FOR A MINING PERMIT

E. DETERMINATION OF AFFECTED ACREAGE AND BOND

The following bond calculation worksheet is to be used to establish an appropriate bond (based upon a range of \$500 to \$5,000 per affected acre) for each permitted mine site based upon the acreage approved by the Department to be affected during the life of the mining permit. Please insert the approximate acreage, for each aspect of the mining operation, that you intend to affect during the life of this mining permit (in addition, please insert the appropriate reclamation cost/acre for each category from the Schedule of Reclamation Costs provided with this application form) OR you can defer to the Department to calculate your bond for you based upon your maps and standard reclamation costs:

CATEGORY	AFFECTED ACREAGE		RECLAMATION COST/ACRE*	=	RECLAMATION COST
Tailings/Sediment Ponds:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Stockpiles:	0 _____ Ac.	X	\$ _____/Ac.	=	\$ _____ 0
Wastepiles:	0 _____ Ac.	X	\$ _____/Ac.	=	\$ _____ 0
Processing Area/Haul Roads:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Mine Excavation:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Other:	0 _____ Ac.	X	\$ _____/Ac.	=	\$ _____
TOTAL AFFECTED AC.:	_____ Ac.				
(TOTAL PERMITTED AC.:	_____ Ac.)				

Temporary & Permanent Sedimentation & Erosion Control Measures:

Divide the **TOTAL AFFECTED AC.** above into the following two categories: a) affected acres that drain into proposed/existing excavation and/or b) affected acres that will be graded for positive drainage where measures will be needed to prevent offsite sedimentation and sedimentation to onsite watercourses and wetlands.

- a) Internal Drainage _____ Ac.
- b) Positive Drainage _____ Ac. X \$1,500.00 = \$ _____ 0

SUBTOTAL COST: \$ _____

Inflation Factor:

0.02 X SUBTOTAL COST: \$ _____ X Permit Life (1 to 10 years): _____ 10

INFLATION COST: \$ _____

TOTAL COST = SUBTOTAL COST + INFLATION COST = \$ _____

Total Reclamation Bond Cost: \$ _____ (round down to the nearest \$100.00)

APPLICATION FOR A MINING PERMIT

F. NOTIFICATION OF ADJOINING LANDOWNERS

The "Notice" form, or a facsimile thereof, attached to this application must be sent certified or registered mail, return receipt requested, to:

- (1) the chief administrative officer of each county and municipality in which any part of the permitted area is located as indicated on the mine map(s);
- (2) all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s); and
- (3) all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s). "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.

The only exception to the above method of giving notice is if another means of notice is approved in advance by the Director, Division of Land Resources.

A copy of a tax map (or other alternative acceptable to the Department) must be mailed with the completed "Notice" form (the proposed overall permit boundaries and the names and locations of all owners of record of lands adjoining said boundaries must be clearly denoted on the tax map).

The "Affidavit of Notification" attached to this application must be completed, notarized and submitted to the Department, with the remainder of the completed application form, before the application will be considered complete.

NOTES:

THIS SECTION MUST BE COMPLETED FOR ALL APPLICATIONS FOR NEW MINING PERMITS AND ALL MODIFICATIONS OF A MINING PERMIT TO ADD LAND TO THE PERMITTED AREA, AS REQUIRED BY NCGS 74-50(b1).

SEE THE NEXT TWO PAGES FOR THE "NOTICE" FORM AND THE "AFFIDAVIT OF NOTIFICATION"

NOTICE

Pursuant to provisions G.S. 74-50(b1) of The Mining Act of 1971, Notice is hereby given that

T R EQUIPMENT COMPANT, INC. has applied on 5-April-2013
(Applicant Name) (Date)

to the Land Quality Section, Division of Land Resources, North Carolina Department of Environment and Natural Resources, 1612 Mail Service Center, Raleigh, North Carolina 27699-1612, for (check one):

- a new surface mining permit,
- a modification of an existing surface mining permit to add land to the permitted area; or
- a modification of an existing surface mining permit to add land to the permitted area with no disturbance in the area proposed. **Please note that future modification(s) may be submitted by the applicant to allow disturbance within this area without re-notification of adjoining landowners.**

The applicant proposes to mine SAND on .90 AC acres located 1
(Mineral, Ore) (Number) (Miles)
NORTH of POINT HARBOR off/near road GRIGGS ACRES ROAD
(Direction) (Nearest Town) (Number/Name)
in CURRITUCK County.

SEE ATTACHED MAP FOR PROPOSED PERMIT BOUNDARIES AND CORRESPONDING ADJOINING LANDOWNER NAMES AND LOCATIONS

In accordance with G.S. 74-50(b1), the mine operator is required to make a reasonable effort, satisfactory to the Department, to notify all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary). In addition, the mine operator must also notify the chief administrative officer of the county or municipality in which any part of the permitted area is located. Any person may file written comment(s) to the Department at the above address within thirty (30) days of the issuance of this Notice or the filing of the application for a permit, whichever is later. Should the Department determine that a significant public interest exists relative to G.S. 74-51, a public hearing will be held within 60 days of the end of the 30-day comment period specified above.

A copy of the permit application materials is on file and available for public review during normal business hours at the above listed address as well as at the appropriate regional office. **For information regarding the specifics of the proposed mining activity, please contact the applicant at the following telephone number: (252) 202-1770**. For information on the mining permit application review process, please contact the Mining Program staff at (919) 707-9220. **Please note that the Department will consider any relevant written comments/documentation within the provisions of the Mining Act of 1971 throughout the application review process until a final decision is made on the application.**

JAMES MALCO 135 JAMES GRIGGS ROAD,
PT. HARBOR, NC 27964
(Addressee/Owner of Record's
Name and Address)

R. GARY THOMPSON / T R EQUIP. CO., INC.
(Name of Applicant: Include Contact Person
& Company Name, if Applicable)

06-April-2013
(Date of Issuance of this Notice/
Mailed to Addressee/Owner of Record)

P.O. BOX 190, HARBINGER, NC 27941
(Address of Applicant)

APPLICATION FOR A MINING PERMIT

AFFIDAVIT OF NOTIFICATION

I, R. GARY THOMPSON, an applicant, or an agent, or employee of an applicant, for a new Mining Permit, or a modification of an existing Mining Permit to add land to the permitted area, from the N.C. Department of Environment and Natural Resources, being first duly sworn, do hereby attest that the following are all known owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary (including, where an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary) and that notice of the pending application has been caused to be mailed, by certified or registered mail, return receipt requested, to said owners of record at their addresses shown below, such notice being given on a form provided by the Department:

(Adjoining Landowner Name) (Address)
SEE ATTACHED LIST SEE ATTACHED LIST

(Attach additional list if necessary)

I do also attest that the following individual is the chief administrative officer of the county or municipality in which any part of the permitted area is located and that notice of the pending application has been caused to be mailed, by certified or registered mail, return receipt requested, to said office at the following address:

(Chief Administrative Officer Name) (Address)
[i.e.: City Manager, County Manager, Mayor, etc.]

DAN SCANLON, COUNTY MANAGER P.O. BOX 70, CURRITUCK, NC 27929

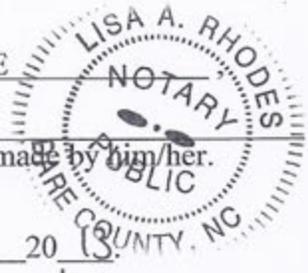
The above attestation was made by me while under oath to provide proof satisfactory to the Department that a reasonable effort has been made to notify all known owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary (including, where an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary) and the chief administrative officer of the county or municipality in which any part of the permitted area is located in compliance with N.C.G.S. 74-50(b1) and 15A NCAC 5B .0004(d). I understand that it is the responsibility of the applicant to retain the receipts of mailing showing that the above notices were caused to be mailed and to provide them to the Department upon request.

Signature of Applicant or Agent Date
4-5-13

If person executing Affidavit is an agent or employee of an applicant, provide the following information:
Name of applicant: R. GARY THOMPSON
Title of person executing Affidavit: PRESIDENT

I, LISA A. RHODES a Notary Public of the County of DARE

State of North Carolina, do hereby certify that R. GARY THOMPSON appeared before me this day and under oath acknowledged that the above Affidavit was made by him/her.



Witness my hand and notarial seal, this 5th day of April 2013.
Notary: [Signature] my Commission expires: 7/2/2015

APPLICATION FOR A MINING PERMIT

G. LAND ENTRY AGREEMENT

We hereby grant to the Department or its appointed representatives the right of entry and travel upon our lands or operation during regular business hours for the purpose of making necessary field inspections or investigations as may be reasonably required in the administration of the Mining Act of 1971 pursuant to G.S. 74-56.

We further grant to the Department or its appointed representatives the right to make whatever entries on the land as may be reasonably necessary and to take whatever actions as may be reasonably necessary in order to carry out reclamation which the operator has failed to complete in the event a bond forfeiture is ordered pursuant to G.S. 74-59.

LANDOWNER:

Signature: James I Malco

Print Name: James I. Malco
(Title, if applicable)

Company _____
(If applicable)

Address: 135 James Griggs Road

Point Harbor, NC 27964

Telephone: (252) 491-8266

Date Signed: 4-5-13

APPLICANT:

Signature*: R. Gary Thompson

Print Name: R. Gary Thompson

Title: President

Company: T R Equipment Company, Inc.

Mine Name: Malco Mine

Telephone: (252) 202-1770

Date Signed: 4-5-13

*Signature must be the same as the individual who signed Page 1 of this application.

One original and five (5) copies of the completed application, six (6) copies of all location maps, mine maps and reclamation maps, and the appropriate processing fee (see next page for fee schedule) in the form a check or money order payable to the North Carolina Department of Environment and Natural Resources must be sent to the Land Quality Section Central Office at the address listed on the front cover of this application form.

Inquiries regarding the status of the review of this application should be directed to the Mining Program staff at (919) 707-9220.

APPLICATION FOR A MINING PERMIT

MINING FEE SCHEDULE

A nonrefundable permit application processing fee when filing for a new mining permit, a major permit modification or a renewal permit is required as follows:

	<u>0-25 acres</u>	<u>26+acres</u>
New Permit Applications	\$3,750.00	\$5,000.00
Permit Modifications	\$750.00	\$1,000.00
Permit Renewals	\$750.00	\$1,000.00
Transfers/Minor Modifications*	\$100.00	\$100.00

* A nonrefundable \$100.00 permit application processing fee is required for minor permit modifications. Minor permit modifications include ownership transfers, name changes, bond substitutions and permit renewals where the mine is inactive and fully stabilized. A minor permit modification also includes lands added to a permitted area, outside of the minimum permit buffer zone requirements, where no plans for mining related disturbance of the added lands have been approved. All other changes are considered major permit modifications.

Acres for new permits and renewal permits means the total acreage at the site. Acres for major modification of permits means that area of land affected by the modification within the permitted mine area, or any additional land that is to be disturbed and added to an existing permitted area, or both.

APPLICATION FOR A MINING PERMIT

SCHEDULE OF RECLAMATION COSTS
(Based upon range of \$500 - \$5,000 per affected acre)

COMMODITY CODES: SG = Sand and/or Gravel, GS = Gemstone, Borrow = Borrow/fill dirt, CS = Crushed Stone, DS = Dimension Stone, FS = Feldspar, MI = Mica, LI = Lithium, PF = Pyrophyllite, OL = Olivine, KY = Kyanite/Sillimanite/Andalusite, PH = Phosphate, CL = Clay/Shale, PE = Peat, AU = Gold, TI = Titanium, and OT = Other

Type	T/S Ponds	S.piles	W.piles	P.area/H.R.	Mine Excav.
SG, GS, Borrow	\$500/ac.(L) 1500(FI)	\$1800/ac.	\$2000/ac.	\$1800/ac.	\$500/ac.(L) \$2000(PD)
CS, DS, FS, MI, LI, PF, OL, KY	500(L) 1500(FI)	1800	2000	2000	500(L) 2500(PD)
PH	1000(L) 2500(FI)	2500	5000	5000	2000(L) 5000(PD)
CL	1000(L) 2500(FI)	2500	5000	5000	2000(L) 3700(PD)
PE, AU, TI, OT	1000(L) 2500(FI)	2500	3000	3500	2000(L) 5000(PD)

(L) = reclamation to a lake and revegetating sideslopes
 (FI) = reclamation by filling in and revegetating
 (PD) = reclamation by grading for positive drainage & revegetating

AS PER NCAC 15A 5B.0003, IF YOU DISAGREE WITH THE BOND AMOUNT DETERMINED BY THE BOND CALCULATION WORKSHEET, YOU MAY SUBMIT AN ESTIMATE OF RECLAMATION COSTS FROM A THIRD PARTY CONTRACTOR. SAID ESTIMATE MUST BE PROVIDED WITHIN 30 DAYS TO THE FOLLOWING ADDRESS: Mining Program, Land Quality Section, 1612 Mail Service Center, Raleigh, North Carolina 27699-1612

ALL ESTIMATES MUST INCLUDE THE FOLLOWING, AS A MINIMUM:

- FINAL GRADING COSTS PER ACRE
- LIME AND FERTILIZER COSTS PER ACRE
- YEAR-ROUND SEEDING MIXTURE COSTS PER ACRE (FROM APPROVED REVEGETATION PLAN IN APPLICATION/PERMIT DOCUMENT)
- MULCH AND ANCHORING COSTS PER ACRE
- ANY OTHER RECLAMATION COSTS NECESSARY TO COMPLY WITH THE APPROVED RECLAMATION PLAN FOR THE SITE IN QUESTION

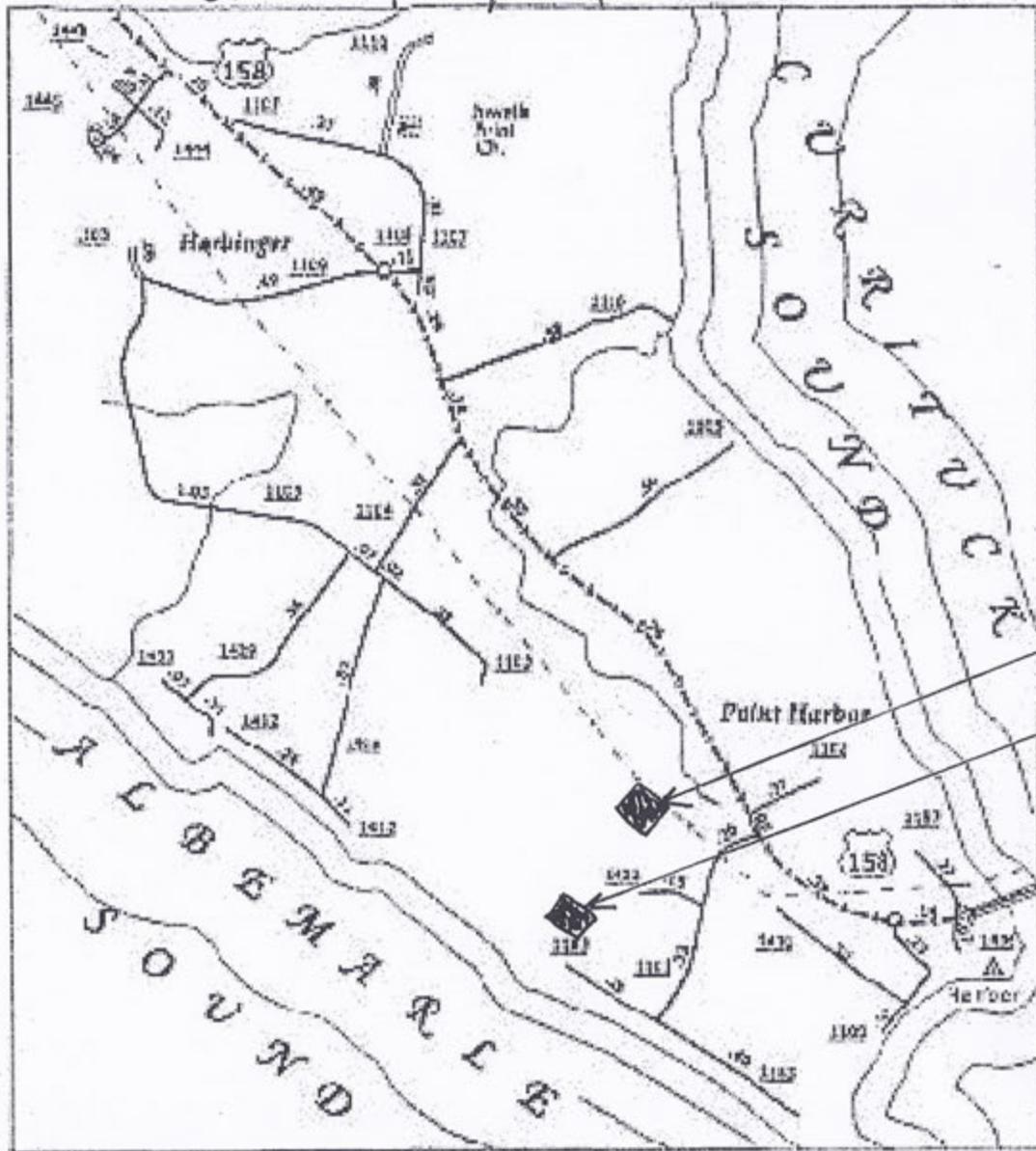
YOU WILL BE NOTIFIED AS SOON AS POSSIBLE OF THE DIRECTOR'S FINAL BOND DETERMINATION.

ADJOINING LANDOWNERS

NAME	ADDRESS	PIN #
Abittan, Daniel	92 Lake Herentalstraap, 2818 Antwerpen, Belgium	0132-000-160H-0000
Abbott, Evelyn E. & Shrader, Linda M.	112 Woddberry Court Point Harbor, NC 27962	132H-000-0007-0000
Crawford, Jerry D. & Barbara F.	P.O. Box 2110 Kill Devil Hills, NC 27948	0132-000-160C-0000
Currituck East, LLC	P.O. Box 313 Corolla, NC 27927	0132-000-144G-000
Griggs, David L.	P.O. Box 124 Point Harbor, NC 27962	0132-000-158A-0000
James I. Malco	135 James Griggs Road Point Harbor, NC 27964	0132-000-0159-0000
Moore Family, LLC	P.O. Box 130 Point Harbor, NC 27964	0132-177A-0000
RLG Tract, LLC	P.O. Box 130 Point Harbor, NC 27964	0132-000-0145-0000
Robbins, John B.	109 Woodberry Court Point Harbor, NC 27964	132H-000-0006-0000
Robbins, John B. & Margaret J.	109 Woodberry Court Point Harbor, NC 27964	132H-000-0005-0000
V.E.P.C.O.	P.O. BOX 26532 Richmond, VA 23261	0132-000-160A-000
Zion Ministries, Inc.	P.O. Box 7 Harbinger, NC 27941	0132-000-160F-0000

of accuracy or completeness. If you find that it is incorrect, please send your request to the H&MU Section.

NCDOT Highway Map Currituck Co.

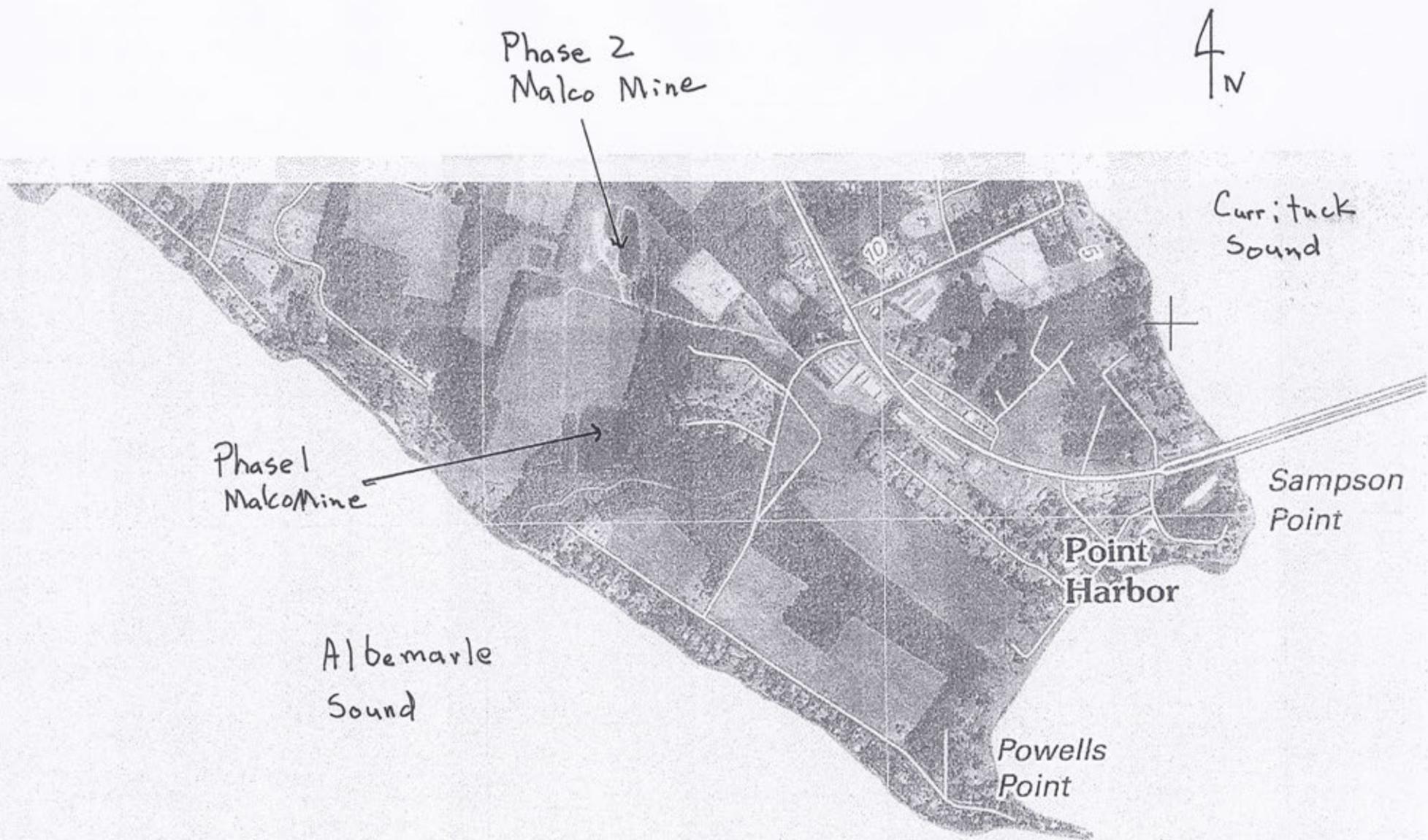


Malco Mine

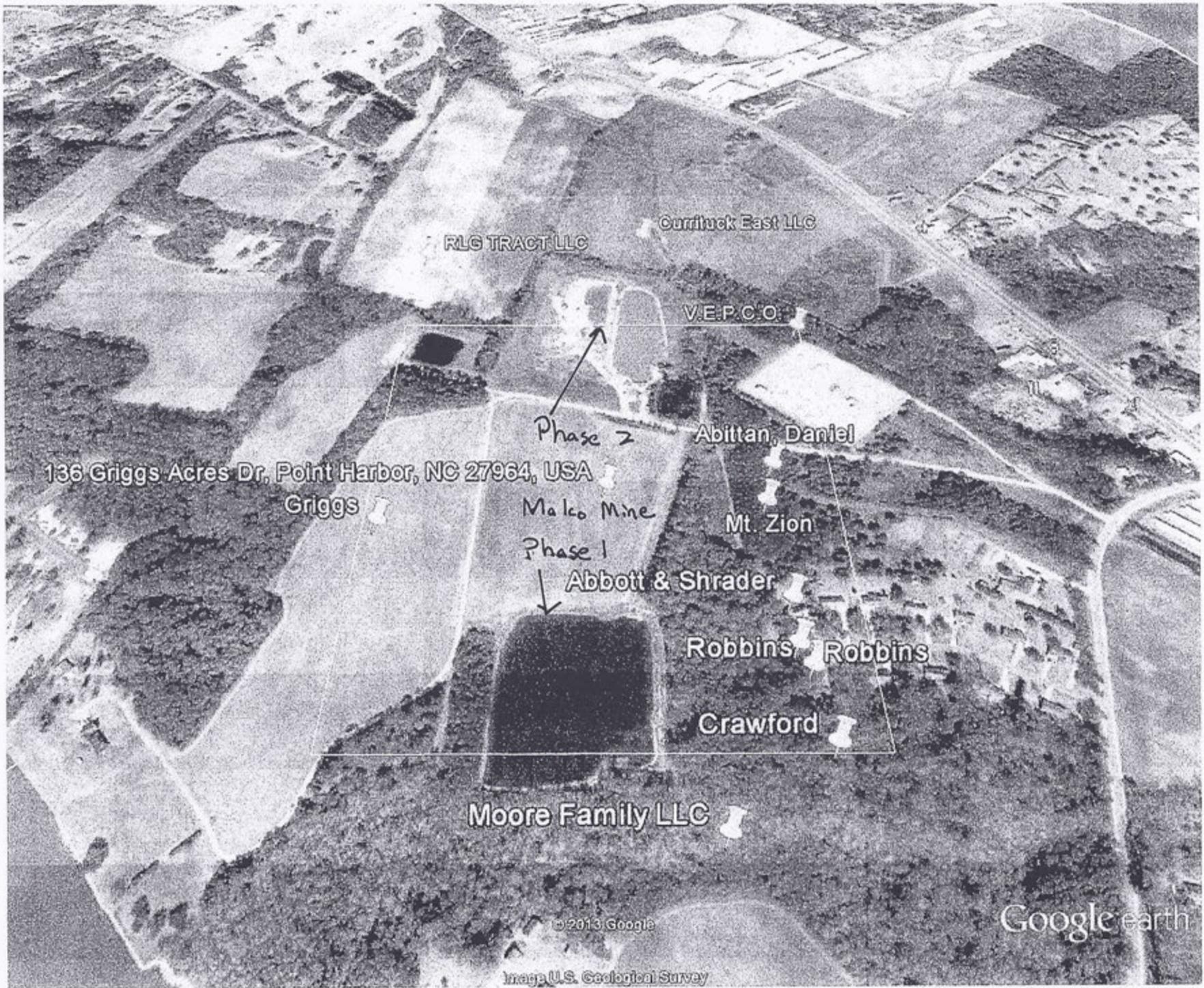
Phase 2

Phase 1

Point Harbor



U.S.G.S - Point Harbor
Quadrangle





North Carolina Department of Environment and Natural Resources
Division of Water Quality

Beverly Eaves Perdue
Governor

Coleen H. Sullins
Director

Dee Freeman
Secretary

February 11, 2010

R Thompson
Tr Equipment Co
PO Box 190
Harbinger, NC 27941

Subject: NPDES Stormwater Permit Coverage Renewal
Tr Equipment Co- Malco Mine
COC Number NCG020361
Currituck County

Dear Permittee:

In response to your renewal application for continued coverage under stormwater General Permit NCG020000 the Division of Water Quality (DWQ) is forwarding herewith the reissued stormwater General Permit. This permit is reissued pursuant to the requirements of North Carolina General Statute 143-215.1 and the Memorandum of Agreement between the state of North Carolina and the U.S. Environmental Protection Agency, dated October 15, 2007 (or as subsequently amended).

The following information is included with your permit package:

- A new Certificate of Coverage
- A copy of stormwater General Permit NCG020000
- A copy of a Technical Bulletin for the General Permit
- Two copies of the Tier 2 / Exceedence Discharge Monitoring Report (DMR) Form for Stormwater
- One copy each of the Annual Summary DMR Forms for Stormwater and Wastewater
- Two copies of the Limit Violation DMR Form for Wastewater
- Two copies of the Qualitative Monitoring Report Form

The General Permit authorizes discharges of stormwater and wastewater, and it specifies your obligations with respect to discharge controls, management, monitoring, and record keeping. Please review the new permit to familiarize yourself with all the changes in the reissued permit. If your Certificate of Coverage (COC) restricts authorization to discharge **stormwater only** (or other limited terms) based on your original application, or subsequent modifications to your COC, you must continue to meet these requirements or contact the Stormwater Permitting Unit to request a modification of this renewal COC.

The more significant changes in the General Permit since your last Certificate of Coverage include the following:

- Part II:
 - Section B – Language referencing PAMS has been changed. Flocculants may now be used if evaluated by the Division and administered in accordance with maximum application doses and other requirements.
- Part III:
 - Section A – The permit now requires a Stormwater Pollution and Prevention Plan (SPPP) tailored to the mining industry, in lieu of a Stormwater BMP Plan.
 - Section A - Inactive mines may be inspected on a reduced schedule: at least once per month and after 0.5" (or more) of rain. To qualify, inactive mines must possess an "Inactive Renewal" from DLR or certify to DWQ the site has been stabilized. The permittee must notify the DWQ Regional Office of inactive status. Discharges from inactive mines must still be monitored on the same schedule as active mines.

Wetlands and Stormwater Branch
1617 Mail Service Center, Raleigh, North Carolina 27699-1617
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604
Phone: 919-807-6300 \ FAX: 919-807-6494 \ Customer Service: 1-877-623-6748
Internet: www.ncwaterquality.org

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Your coverage under the General Permit is transferable only through the specific action of DWQ.

This permit does not affect the legal requirements to obtain other permits which may be required by DENR, nor does it relieve the permittee from responsibility for compliance with any other applicable federal, state, or local law, rule, standard, ordinance, order, judgment, or decree.

If you have any questions regarding this permit package please contact these members of the Stormwater Permitting Unit: Jennifer Jones at (919) 807-6379 or Bethany Georgoulis at (919) 807-6372.

Sincerely,

Bradley Bennett

for Coleen H. Sullins

cc: DWQ Central Files
Stormwater Permitting Unit Files
Washington Regional Office

14170

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES



**INVOICE
Annual Permit Fee**

This annual fee is required by the North Carolina Administrative Code. It covers the administrative costs associated with your permit. It is required of any person holding a permit for any time during the annual fee period, regardless of the facility's operating status. Failure to pay the fee by the due date will subject the permit to revocation. Operating without a valid permit is a violation and is subject to a \$10,000 per day fine. If the permit is revoked and you later decide a permit is needed, you must reapply, with the understanding the permit request may be denied due to changes in environmental, regulatory, or modeling conditions.

Permit Number: NCG020361 Currituck County Tr Equipment Co- Malco Mine	Annual Fee Period: 2012-12-01 to 2013-11-30
	Invoice Date: 11/06/12
	Due Date: 12/06/12
R Gary Thompson Tr Equipment Co PO Box 190 Harbinger, NC 27941	Annual Fee: \$100.00

Notes:

1. A \$25.00 processing fee will be charged for returned checks in accordance with the North Carolina General Statute 25-3-512
2. Non-Payment of this fee by the payment due date will initiate the permit revocation process.
3. Remit payment to:
**NCDENR - Division of Water Quality
1617 Mail Service Center
Raleigh, NC 27699-1617**
4. Should you have any questions regarding this invoice, please contact the Annual Administering and Compliance Fee Coordinator at 919-807-6321.

12/6/2012

NC D.E.N.R.

**100.00

One Hundred and 00/100*****

NC D.E.N.R..Div.of Water Quality
1617 Mail Service Center
Raleigh, NC 27699-1617

NCG020361

NC D.E.N.R.
License/Permits

NCG020361 12/01/12 to 11/30/13

12/6/2012

100.00

Cash - BB&T

NCG020361

100.00

NC D.E.N.R.
License/Permits

NCG020361 12/01/12 to 11/30/13

12/6/2012

100.00

Cash - BB&T

NCG020361

100.00

HYDROGEOLOGIC INVESTIGATION
FOR
MALCO MINE RELOCATION (Permit No. 21 - 39)
CURRITUCK COUNTY, N.C.

June 14, 2004

Prepared in Support of: Performance Engineering & TR Equipment

EDWIN ANDREWS & ASSOCIATES, P. C.
CONSULTING HYDROGEOLOGISTS & SOIL SCIENTISTS
P.O. BOX 30653
RALEIGH, N.C. 27622
Andwater@AOL.COM

EDWIN ANDREWS & ASSOCIATES, P.C.
CONSULTING HYDROGEOLOGISTS

P.O. BOX 30653
RALEIGH, N.C. 27622 - 0653
PHONE: (919) 783 - 8395
FAX: (919) 783 - 0151

June 14, 2004

C/O: Mr. Gary Thompson
TR Equipment
P.O. Box 190
Harbinger, N.C. 27941

Re: Hydrogeologic Investigation Permit Application
Mine Operation - Malco Mine (Permit No. 21-39)
Harbinger, Currituck County, NC

Dear Mr. Thompson:

This evaluation is performed to comply with the requirements of The Currituck County, Planning Board, Unified Development Ordinance (Article 14, Conditional and Special Use, Section 1402 General Standards [12. (s) and (s(16))] - Amended 7/24/00). *"no mining activities shall adversely affect surrounding in use wells. Hydrological report as provided below shall be required and the Board may consider that report in adjusting setbacks or imposing other conditions on the applicant. Such conditions shall be designed to avoid adverse impacts on in use well owners,, including but not limited to requiring monitoring wells, additional hydrological studies, or surety to protect in use well owners from loss. Any person owning or operating a mining site in a manner that adversely affects an in use well through contamination or diminution of groundwater shall provide the well owner with a replacement water supply of equal quantity and quality. A rebuttal is permitted that contamination or diminution of water has been caused by the mining activity (Amended 7/24/00)."*

This report addresses the basic requirements for hydrogeologic site analysis to support your engineering evaluation needed to obtain a permit for the expansion of the existing Malco Mine, Currituck County, North Carolina. A field evaluation was performed to quantify the hydrogeological coefficients needed for predictive modeling. This evaluation identifies the nature and degree of potential impact on in use water wells.

In order to calibrate the predictive modeling a series of shallow piezometers were constructed to determine the depth to water and the water table contour (Figure No. 1, Site Map). This contour reflects the effects of the drainage and recharge, which includes the existing mine operation (Figure No. 2, Water Table Contour Map).

The field testing included the construction of a water table aquifer test well and two observation wells, seven piezometers, a water level synoptic and an aquifer test. The information gathered from

C/O: Mr. Gary Thompson

TR Equipment

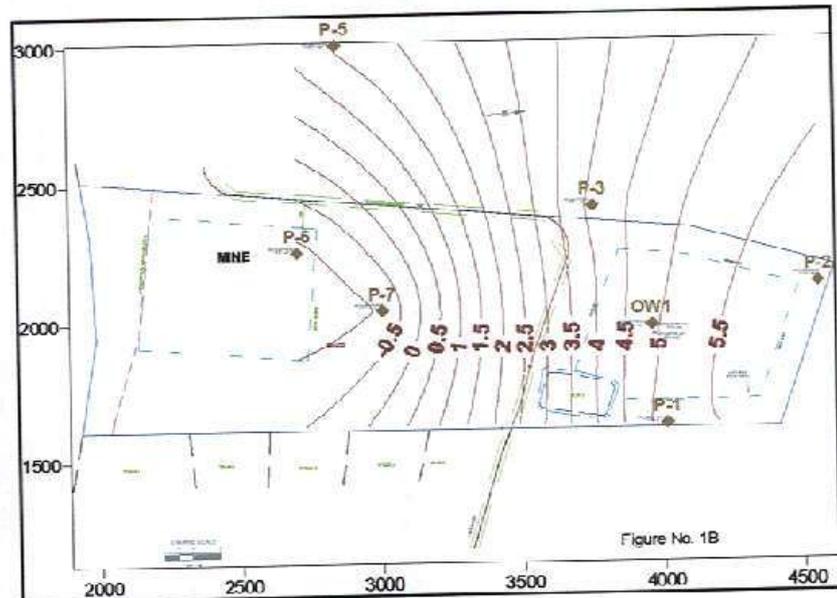
Re: Hydrogeologic Investigation Permit Application
Mine Operation - Malco Mine (Permit No. 21-39)
Harbinger, Currituck County, NC

June 14, 2004

Page 2

the field testing was used to construct a computer model of the water flow through the surficial aquifer. The 24 hour aquifer test was monitored using a totalizing flow meter and two observation wells. The flow meter was valved and checked periodically to insure that the pumping rate remained at 6.8 gallons per minute. The observation wells were placed west northwest 20.7 feet (OW-1) and south southwest 30.1 feet (OW-2) from the pumping well.

Using Neuman delayed yield curves, the calculated Transmissivity was 3690 square feet per day, Specific Yield was 0.0327, and Hydraulic Conductivity was estimated to be approximately 75 feet per day (Table No. 2A and 2B, Aquifer Test Results). Inspection of the drill cuttings confirms a fine to medium sand to greater than 45 feet below land surface, forming the water table aquifer.



Using these mathematical coefficients, a Modflow simulation was configured based on the existing mine operating using the time of calibration. The initial calibration was made using a hydraulic conductivity of 75 feet per day. The calculated water levels were calibrated to the observed water levels with a normalized root mean square error approximately 5%, using a hydraulic conductivity of 85 feet per day (Figure No. 3A, Calibration Graph). The calibrated equipotential map revealed the effect of the current pumping (Table 3B, Calibration Map). The model was constructed for the region surrounding the Malco Mine site, the Albermarle Sound and the Currituck Sound with associated drainage (Figure No. 3C, Grid Map). The calibration map has been applied to the water table contour map (observed water levels), to confirm the calibration.

A dewatering model was prepared to determine the water level and drawdown due to mine operations. The model was a simulation of an excavation to a depth to 25 feet with dewatering to more than 20 feet below mean sea level (Figures Numbered 4A through 4I, Area of Influence Map - Excavation Depth of 25 feet - Pumping Level at 20 feet below mean sea level). The equipotential lines show the projected water table surface responding to the pumping. The drawdown from a

C/O: Mr. Gary Thompson

TR Equipment

Re: Hydrogeologic Investigation Permit Application
Mine Operation - Malco Mine (Permit No. 21-39)
Harbinger, Currituck County, NC

June 14, 2004

Page 3

hypothetical static condition reveals that the dewatering to more than 20 feet below mean sea level from a 25 foot deep excavation will influence shallow pumping wells with more than 5 feet of drawdown within a distance of 1050 feet from the edge of the mine (Figure Numbered 6A, Water Level Results for Maximum Excavation Depth of 25 feet). If a "in use" well uses a centrifugal pump on one of the three parcels within this area of potential influence, five feet of interference will range from 20 to 25% of the well yield (Area shaded with a magenta slash hatch). The three parcels identified as being within the five foot drawdown contour potential impact area are shaded with a light purple solid shading.

Inspection of this map reveals the dampening effect of placing the pumped water in the vicinity of the existing mine toward the Albermarle Sound. This effect results in the long axis of the drawdown to be parallel to the shore of the Albermarle Sound.

Conclusions:

This report provides part of the hydrological study provided by Performance Engineering as required by UDO Section 1402 (S)(16): *"hydrological study prepared by a qualified and licensed engineer showing impact of mining on existing private in use wells located within a 2,000 foot radius of the excavation area, addressing impact on quality and quantity of in use wells. The study shall include findings as to any adverse impact the excavation will have on these in use wells in addition to recommended mitigation action. (Amended 7/24/00).* This analysis is the specific hydrogeological analysis needed to complete the hydrologic evaluation.

It is the conclusion of this analysis that drawdown from the excavation dewatering may influence groundwater withdrawals from shallow wells within a distance of 1050 feet. Shallow wells with centrifugal pumps may experience more than 20% reduction of yield if the wells are within 1050 feet of the 25 foot deep mine.

This analysis also concludes that the mining activity will not result in an increased risk of groundwater quality degradation from pollution at the mine. If an accident were to occur resulting in a pollution plume, the plume will be drawn to the dewatering pump in the center of the mining activity. The results of the accident would need to be treated if necessary. Actually, if there were pollution from septic tanks, highway accidents or industrial/commercial activities within the cone of depression (Figure 4J, Water Level Contour Map - 10 Years) the movement would be to the center of the mine, not away. If contamination were to occur after mine closure, the risks of contamination would be the same as the pre-mine condition. Unlike Northwestern Currituck County, there is not a clay loam

C/O: Mr. Gary Thompson
TR Equipment

Re: Hydrogeologic Investigation Permit Application
Mine Operation - Malco Mine (Permit No. 21-39)
Harbinger, Currituck County, NC

June 14, 2004
Page 4

surface layer that would retard contaminant migration into the surficial aquifer. An open or flooded mine may act as an open wound when the surrounding geology and soil contains confining material such as clay. In a sand environment such as Southern Currituck County, the sand is not a good filter medium anyway.

The other potential risk of groundwater contamination may come from salt water intrusion. The placement of the dewatering discharge into an open ditch and the existing mine excavation will help to prevent salt water intrusion by placing a positive hydraulic head between the new mine and the source of salt water to the southwest (Albermarle Sound). Therefore, there is not a significant risk of salt water intrusion from the Albermarle sound.

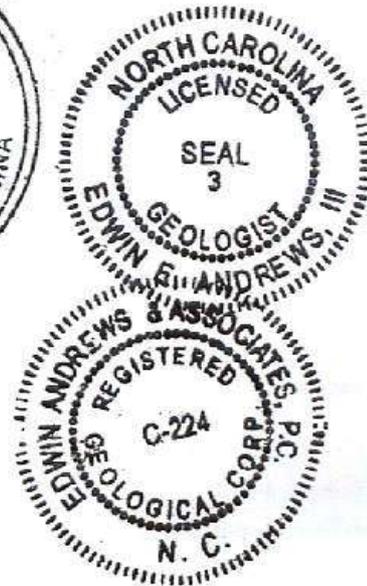
If you have any questions, please contact my office.

Very truly yours,
Edwin Andrews & Associates, P.C.



Edwin E. Andrews III, P.G., N.C.L.S.S.
Consulting Hydrogeologist and Soil Scientist

encl.



TABLES

MALCO MINE
TABLE NO. 1, WATER LEVEL DATA

X-AXIS FT.	Y-AXIS FT.	WATER LEVEL MSL	DEPTH WATER	DEPTH FT. L.S.D.		DEPTH FT - TOC	STICK-UP FT	TOC	LSD
4013	1625	5.26	2.39	2.39	P-1	3.54	1.15	8.8	7.65
4554	2131	5.9	2.95	2.95	P-2	3.9	0.95	9.8	8.85
3757	2412	4.15	4.03	4.03	P-3	4.55	0.52	8.7	8.18
2852	3004	1.58	6.02	6.02	P-5	9.32	3.30	10.9	7.60
2707	2255	-1.13	1.25	1.25	P-6	4.53	3.28	3.4	0.12
3008	2044	-0.97	11.52	11.52	P-7	12.47	0.95	11.5	10.55
3962	1981	4.92	4.10	4.10	OW1	5.38	1.28	10.3	9.02

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Pumping test analysis
 NEUMAN's method
 Unconfined aquifer with
 delayed water table response

TABLE 5-B, Page 1

Project: MALCO MINE

Evaluated by: EEA

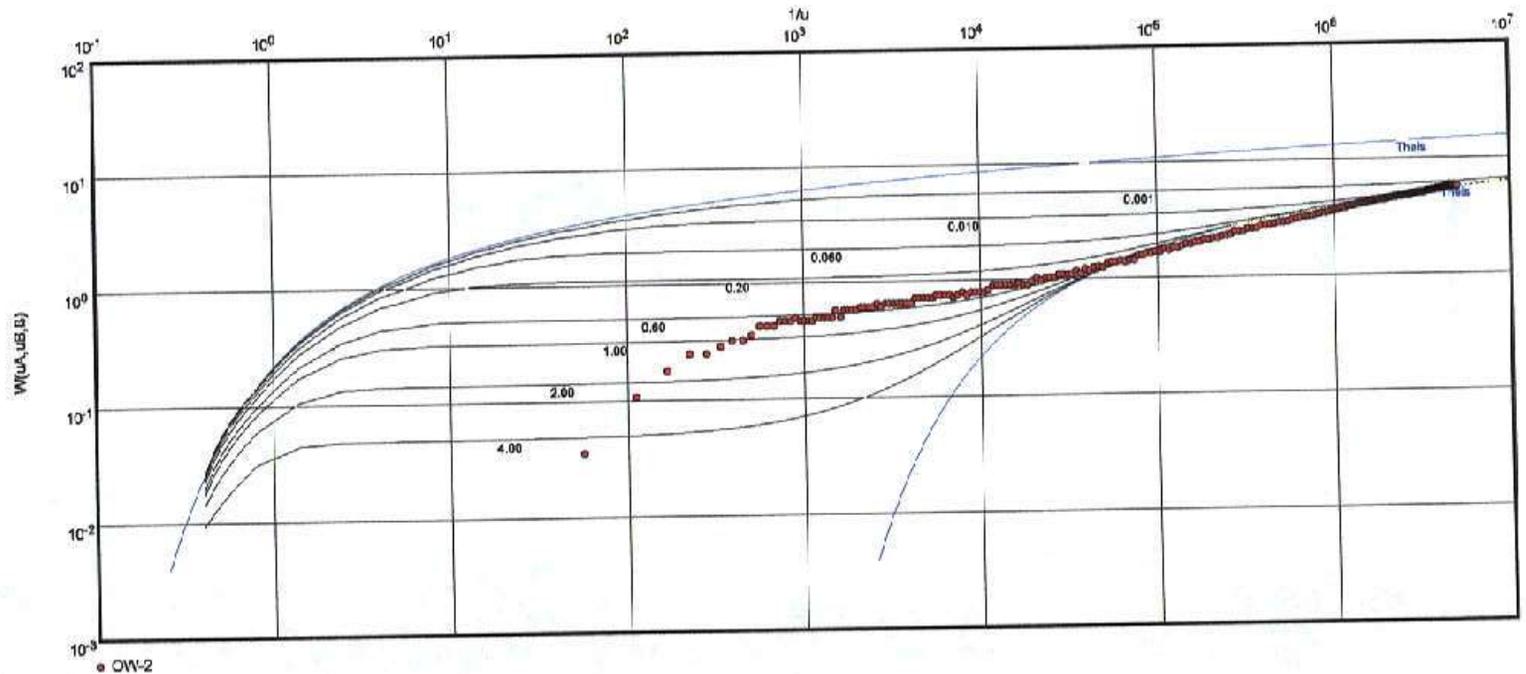
Date: 09.05.2004

Pumping Test No. 1

Test conducted on: 5/3/04

OW-2

Discharge 8.60 U.S. gal/min



Transmissivity [ft²/d]: 3.69×10^3

Hydraulic conductivity [ft/d]: 7.29×10^1

Aquifer thickness [ft]: 60.00

Storativity: 3.27×10^{-2}

Hydraulic conductivity vertical [ft/d]: 4.10×10^1

Specific yield: 3.27×10^{-2}

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Pumping test analysis
NEUMAN's method
Unconfined aquifer with
delayed water table response

TABLE 2-A, Page 2

Project: MALCO MINE

Evaluated by: EEA

Date: 06/05/2004

Pumping Test No. 1

Test conducted on: 5/3/04

OW-2

OW-2

Discharge 20.60 U.S.gal/min

Distance from the pumping well 30.00 ft

Static water level: 0.00 ft below datum

	Pumping test duration	Water level	Drawdown
	[d]	[ft]	[ft]
2	0.00001	0.00	0.00
3	0.00002	0.00	0.00
4	0.00003	0.01	0.01
5	0.00004	0.01	0.01
6	0.00006	0.01	0.01
7	0.00007	0.01	0.01
8	0.00008	0.01	0.01
9	0.00009	0.01	0.01
10	0.00010	0.01	0.01
11	0.00011	0.01	0.01
12	0.00012	0.01	0.01
13	0.00013	0.01	0.01
14	0.00016	0.01	0.01
15	0.00016	0.01	0.01
16	0.00017	0.01	0.01
17	0.00018	0.01	0.01
18	0.00019	0.01	0.01
19	0.00020	0.01	0.01
20	0.00021	0.01	0.01
21	0.00022	0.01	0.01
22	0.00024	0.01	0.01
23	0.00026	0.01	0.01
24	0.00026	0.01	0.01
25	0.00028	0.01	0.01
26	0.00029	0.01	0.01
27	0.00031	0.02	0.02
28	0.00032	0.01	0.01
29	0.00034	0.02	0.02
30	0.00036	0.02	0.02
31	0.00038	0.02	0.02
32	0.00040	0.02	0.02
33	0.00042	0.02	0.02
34	0.00044	0.02	0.02
36	0.00047	0.02	0.02
36	0.00049	0.02	0.02
37	0.00052	0.02	0.02
38	0.00056	0.02	0.02
39	0.00058	0.02	0.02
40	0.00061	0.02	0.02
41	0.00066	0.02	0.02
42	0.00068	0.02	0.02
43	0.00072	0.02	0.02
44	0.00076	0.02	0.02
45	0.00081	0.02	0.02
46	0.00085	0.02	0.02
47	0.00090	0.02	0.02
48	0.00096	0.02	0.02
49	0.00101	0.02	0.02
50	0.00107	0.02	0.02

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Pumping test analysis
 NEUMAN's method
 Unconfined aquifer with
 delayed water-table response

TABLE 2-A, Page 3

Project: MALCO MINE

Evaluated by: EEA

Date: 09.06.2004

Pumping Test No. 1

Test conducted on: 5/3/04

OW-2

OW-2

Discharge 20.00 U.S. gal/min

Distance from the pumping well 30.00 ft

Static water level: 0.00 ft below datum

	Pumping test duration		Water level		Drawdown	
	[d]		[ft]		[ft]	
01	0.00113		0.02			
02	0.00116		0.02		0.02	
03	0.00120		0.02		0.02	
04	0.00133		0.02		0.02	
05	0.00141		0.02		0.02	
06	0.00149		0.02		0.02	
07	0.00158		0.02		0.02	
08	0.00167		0.02		0.02	
09	0.00177		0.02		0.02	
10	0.00187		0.02		0.02	
11	0.00198		0.02		0.02	
12	0.00210		0.02		0.02	
13	0.00222		0.02		0.02	
14	0.00235		0.03		0.02	
15	0.00249		0.03		0.03	
16	0.00264		0.03		0.03	
17	0.00279		0.03		0.03	
18	0.00295		0.03		0.03	
19	0.00313		0.03		0.03	
20	0.00331		0.03		0.03	
21	0.00351		0.03		0.03	
22	0.00371		0.03		0.03	
23	0.00393		0.03		0.03	
24	0.00418		0.03		0.03	
25	0.00441		0.03		0.03	
26	0.00467		0.03		0.03	
27	0.00494		0.03		0.03	
28	0.00523		0.03		0.03	
29	0.00554		0.03		0.03	
30	0.00587		0.03		0.03	
31	0.00621		0.03		0.03	
32	0.00658		0.03		0.03	
33	0.00697		0.03		0.03	
34	0.00738		0.03		0.03	
35	0.00782		0.03		0.03	
36	0.00828		0.03		0.03	
37	0.00877		0.04		0.03	
38	0.00929		0.04		0.04	
39	0.00983		0.04		0.04	
40	0.01042		0.04		0.04	
41	0.01103		0.04		0.04	
42	0.01168		0.04		0.04	
43	0.01237		0.04		0.04	
44	0.01311		0.04		0.04	
45	0.01388		0.04		0.04	
46	0.01470		0.04		0.04	
47	0.01557		0.04		0.04	
48	0.01649		0.04		0.04	
49	0.01747		0.05		0.04	
50	0.01850		0.05		0.05	

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Raleigh, NC 27612
Manual

Pumping test analysis
NEUMAN's method
Unconfined aquifer with
delayed water table response

E-2A

Project: MALCO MINE

Evaluated by: EEA

Date: 09.05.2004

Pumping Test No. 1

Test conducted on: 5/3/04

CW-2

CW-2

Discharge 20.50 U.S.gal/min

Distance from the pumping well 30.00 ft.

Static water level: 0.00 ft below datum

	Pumping test duration	Water level	Drawdown
	[d]	[ft]	[ft]
101	0.01660	0.05	0.05
102	0.02076	0.05	0.05
103	0.02198	0.05	0.05
104	0.02329	0.05	0.05
105	0.02466	0.05	0.05
106	0.02612	0.05	0.05
107	0.02767	0.05	0.05
108	0.02931	0.06	0.06
109	0.03104	0.06	0.06
110	0.03288	0.06	0.06
111	0.03483	0.06	0.06
112	0.03689	0.06	0.06
113	0.03907	0.06	0.06
114	0.04139	0.06	0.06
115	0.04384	0.06	0.06
116	0.04644	0.06	0.06
117	0.04919	0.06	0.06
118	0.05210	0.07	0.07
119	0.05513	0.07	0.07
120	0.05845	0.07	0.07
121	0.06192	0.07	0.07
122	0.06558	0.07	0.07
123	0.06947	0.07	0.07
124	0.07358	0.07	0.07
125	0.07794	0.08	0.08
126	0.08256	0.08	0.08
127	0.08745	0.08	0.08
128	0.09263	0.08	0.08
129	0.09812	0.08	0.08
130	0.10393	0.08	0.08
131	0.11008	0.08	0.08
132	0.11661	0.09	0.09
133	0.12351	0.09	0.09
134	0.13046	0.09	0.09
135	0.13740	0.09	0.09
136	0.14435	0.09	0.09
137	0.15129	0.09	0.09
138	0.15824	0.09	0.09
139	0.16616	0.10	0.10
140	0.17213	0.10	0.10
141	0.17907	0.10	0.10
142	0.18601	0.10	0.10
143	0.19296	0.10	0.10
144	0.19990	0.10	0.10
145	0.20685	0.10	0.10
146	0.21379	0.10	0.10
147	0.22074	0.11	0.11
148	0.22768	0.11	0.11
149	0.23463	0.11	0.11
150	0.24157	0.11	0.11

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Manual

Pumping test analysis
NEUMAN's method
Unconfined aquifer with
delayed watertable response

TABLE 2-A, Page 5

Project: MALCO MINE

Evaluated by: EEA

Date: 09.05.2004

Pumping Test No. 1

Test conducted on: 5/3/04

OW-2

OW-2

Discharge 20.50 U.S.gal/min

Distance from the pumping well 30.00 ft.

Static water level: 0.00 ft below datum

	Pumping test duration		Water level		Drawdown	
	[d]		[ft]		[ft]	
151	0.24851		0.11		0.11	
152	0.25546		0.11		0.11	
153	0.26240		0.11		0.11	
154	0.26935		0.11		0.11	
155	0.27629		0.12		0.12	
156	0.28324		0.12		0.12	
157	0.29018		0.12		0.12	
158	0.29713		0.12		0.12	
159	0.30407		0.12		0.12	
160	0.31101		0.12		0.12	
161	0.31796		0.12		0.12	
162	0.32490		0.12		0.12	
163	0.33185		0.12		0.12	
164	0.33879		0.12		0.12	
165	0.34574		0.12		0.12	
166	0.35268		0.12		0.12	
167	0.35963		0.12		0.12	
168	0.36657		0.12		0.12	
169	0.37351		0.13		0.13	
170	0.38046		0.13		0.13	
171	0.38740		0.13		0.13	
172	0.39435		0.13		0.13	
173	0.40129		0.13		0.13	
174	0.40824		0.13		0.13	
175	0.41518		0.13		0.13	
176	0.42213		0.13		0.13	
177	0.42907		0.13		0.13	
178	0.43601		0.13		0.13	
179	0.44296		0.13		0.13	
180	0.44990		0.13		0.13	
181	0.45685		0.13		0.13	
182	0.46379		0.13		0.13	
183	0.47074		0.13		0.13	
184	0.47768		0.13		0.13	
185	0.48463		0.13		0.13	
186	0.49157		0.13		0.13	
187	0.49851		0.13		0.13	
188	0.50546		0.13		0.13	
189	0.51240		0.13		0.13	
190	0.51935		0.13		0.13	
191	0.52629		0.13		0.13	
192	0.53324		0.13		0.13	
193	0.54018		0.13		0.13	
194	0.54713		0.14		0.14	
195	0.55407		0.14		0.14	
196	0.56101		0.14		0.14	
197	0.56796		0.14		0.14	
198	0.57490		0.14		0.14	
199	0.58185		0.14		0.14	
200	0.58879		0.14		0.14	

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Pumping test analysis
NEUMAN's method
Unconfined aquifer with
delayed watertable response

TABLE 2-A, Page 6

Project: MALCO MINE

Evaluated by: EEA

Date: 09.05.2004

Pumping Test No. 1

Test conducted on: 5/3/04

CW-2

CW-2

Discharge 20.50 U.S.gal/min

Distance from the pumping well 30.00 ft

Static water level: 0.00 ft below datum

	Pumping test duration	Water level	Drawdown
	[d]	[ft]	[ft]
201	0.59574	0.14	0.14
202	0.60298	0.14	0.14
203	0.60983	0.14	0.14
204	0.61857	0.14	0.14
205	0.62351	0.14	0.14
206	0.63046	0.14	0.14
207	0.63740	0.14	0.14
208	0.64435	0.14	0.14
209	0.65129	0.14	0.14
210	0.65824	0.14	0.14
211	0.66518	0.14	0.14
212	0.67213	0.14	0.14
213	0.67907	0.15	0.15
214	0.68601	0.15	0.15
215	0.69296	0.15	0.15
216	0.69990	0.15	0.15
217	0.70685	0.15	0.15
218	0.71379	0.15	0.15
219	0.72074	0.15	0.15
220	0.72768	0.15	0.15
221	0.73463	0.15	0.15
222	0.74157	0.15	0.15
223	0.74851	0.15	0.15
224	0.75546	0.15	0.15
225	0.76240	0.15	0.15
226	0.76935	0.15	0.15
227	0.77629	0.15	0.15
228	0.78324	0.15	0.15
229	0.79018	0.15	0.15
230	0.79713	0.15	0.15
231	0.80407	0.15	0.15
232	0.81101	0.15	0.15
233	0.81796	0.15	0.15
234	0.82490	0.15	0.15
235	0.83185	0.15	0.15
236	0.83879	0.15	0.15
237	0.84574	0.15	0.15
238	0.85268	0.15	0.15
239	0.85963	0.15	0.15
240	0.86657	0.15	0.15
241	0.87351	0.15	0.15
242	0.88046	0.15	0.15
243	0.88740	0.15	0.15
244	0.89435	0.15	0.15
245	0.90129	0.15	0.15
246	0.90824	0.15	0.15
247	0.91518	0.15	0.15
248	0.92213	0.15	0.15
249	0.92907	0.15	0.15
250	0.93601	0.15	0.15

TABLE 3 CONT.

MALCO MINE TABLE 3, RECHARGE DATA - OPERATION MODELS		
Start	End	to 25 ft. Recharge
Day	Day	ft/day
0	30	0.012
30	60	0.012
60	90	0.012
90	120	0.012
120	150	0.012
150	180	0.012
180	210	0.012
210	240	0.012
240	270	0.012
270	300	0.012
300	330	0.012
330	360	0.012
360	390	0.012
390	420	-0.65
420	450	-0.65
450	480	-0.65
480	510	-0.65
510	540	-0.65
540	570	-0.65
570	600	-0.65
600	630	-0.65
630	660	-0.65
660	690	-0.65
690	720	-0.65
720	750	-0.65
750	780	-0.65
780	810	-1.3
810	840	-1.3
840	870	-1.3
870	900	-1.3
900	930	-1.3
930	960	-1.3
960	990	-1.3
990	1020	-1.3
1020	1050	-1.3
1050	1080	-1.3
1080	1110	-1.3
1110	1140	-1.3
1140	1170	-1.3
1170	1200	-1.9
1200	1230	-1.9
1230	1260	-1.9
1260	1290	-1.9
1290	1320	-1.9
1320	1350	-1.9
1350	1380	-1.9
1380	1410	-1.9
1410	1440	-1.9
1440	1470	-1.9
1470	1500	-1.9

TABLE 3 CONT.

1500	1530	-1.9
1530	1560	-1.9
1560	1590	-1.9
1590	1620	-1.9
1620	1650	-1.9
1650	1680	-1.9
1680	1710	-1.9
1710	1740	-1.9
1740	1770	-1.9
1770	1800	-1.9
1800	1830	-1.9
1830	1860	-1.9
1860	1890	-1.9
1890	1920	-1.9
1920	1950	-1.9
1950	1980	-1.9
1980	2010	-1.9
2010	2040	-1.9
2040	2070	-1.9
2070	2100	-1.9
2100	2130	-1.9
2130	2160	-1.9
2160	2190	-1.9
2190	2220	-1.9
2220	2250	-1.9
2250	2280	-1.9
2280	2310	-1.9
2310	2340	-1.9
2340	2370	-1.9
2370	2400	-1.9
2400	2430	-1.9
2430	2460	-1.9
2460	2490	-1.9
2490	2520	-1.9
2520	2550	-1.9
2550	2580	-1.9
2580	2610	-1.9
2610	2640	-1.9
2640	2670	-1.9
2670	2700	-1.9
2700	2730	-1.9
2730	2760	-1.9
2760	2790	-1.9
2790	2820	-1.9
2820	2850	-1.9
2850	2880	-1.9
2880	2910	-1.9
2910	2940	-1.9
2940	2970	-1.9
2970	3000	-1.9
3000	3030	-1.9
3030	3060	-1.9
3060	3090	-1.9
3090	3120	-1.9
3120	3150	-1.9
3150	3180	-1.9
3180	3210	-1.9
3210	3240	-1.9

TABLE 3 CONT.

3240	3270	-1.9
3270	3300	-1.9
3300	3330	-1.9
3330	3360	-1.9
3360	3390	-1.9
3390	3420	-1.9
3420	3450	-1.9
3450	3480	-1.9
3480	3510	-1.9
3510	3540	-1.9
3540	3570	-1.9
3570	3600	-1.9
3600	3630	-1.9
3630	3660	-1.9
3660	3690	-1.9
3690	3720	-1.9
3720	3750	-1.9
3750	3780	-1.9
3780	3810	-1.9
3810	3840	-1.9
3840	3870	-1.9
3870	3900	-1.9
3900	3930	-1.9
3930	3960	-1.9
3960	3990	-1.9
3990	4020	-1.9
4020	4050	-1.9
4050	4080	-1.9
4080	4110	-1.9
4110	4140	-1.9
4140	4170	-1.9
4170	4200	-1.9
4200	4230	-1.9
4230	4260	-1.9
4260	4290	-1.9
4290	4320	-1.9
4320	4350	-1.9
4350	4380	-1.9
4380	4410	-1.9
4410	4440	-1.9
4440	4470	-1.9
4470	4500	-1.9
4500	4530	-1.9
4530	4560	-1.9
4560	4590	-1.9
4590	4620	-1.9
4620	4650	-1.9
4650	4680	-1.9
4680	4710	-1.9
4710	4740	-1.9
4740	4770	-1.9
4770	4800	-1.9
4800	4830	-1.9
4830	4860	-1.9
4860	4890	-1.9
4890	4920	-1.9
4920	4950	-1.9
4950	4980	-1.9

TABLE 3 CONT.

4980	5010	-1.9
5010	5040	-1.9
5040	5070	-1.9
5070	5100	-1.9
5100	5130	-1.9
5130	5160	-1.9
5160	5190	-1.9
5190	5220	-1.9
5220	5250	-1.9
5250	5280	-1.9
5280	5310	-1.9
5310	5340	-1.9
5340	5370	-1.9
5370	5400	-1.9
5400	7200	-1.9

FIGURES

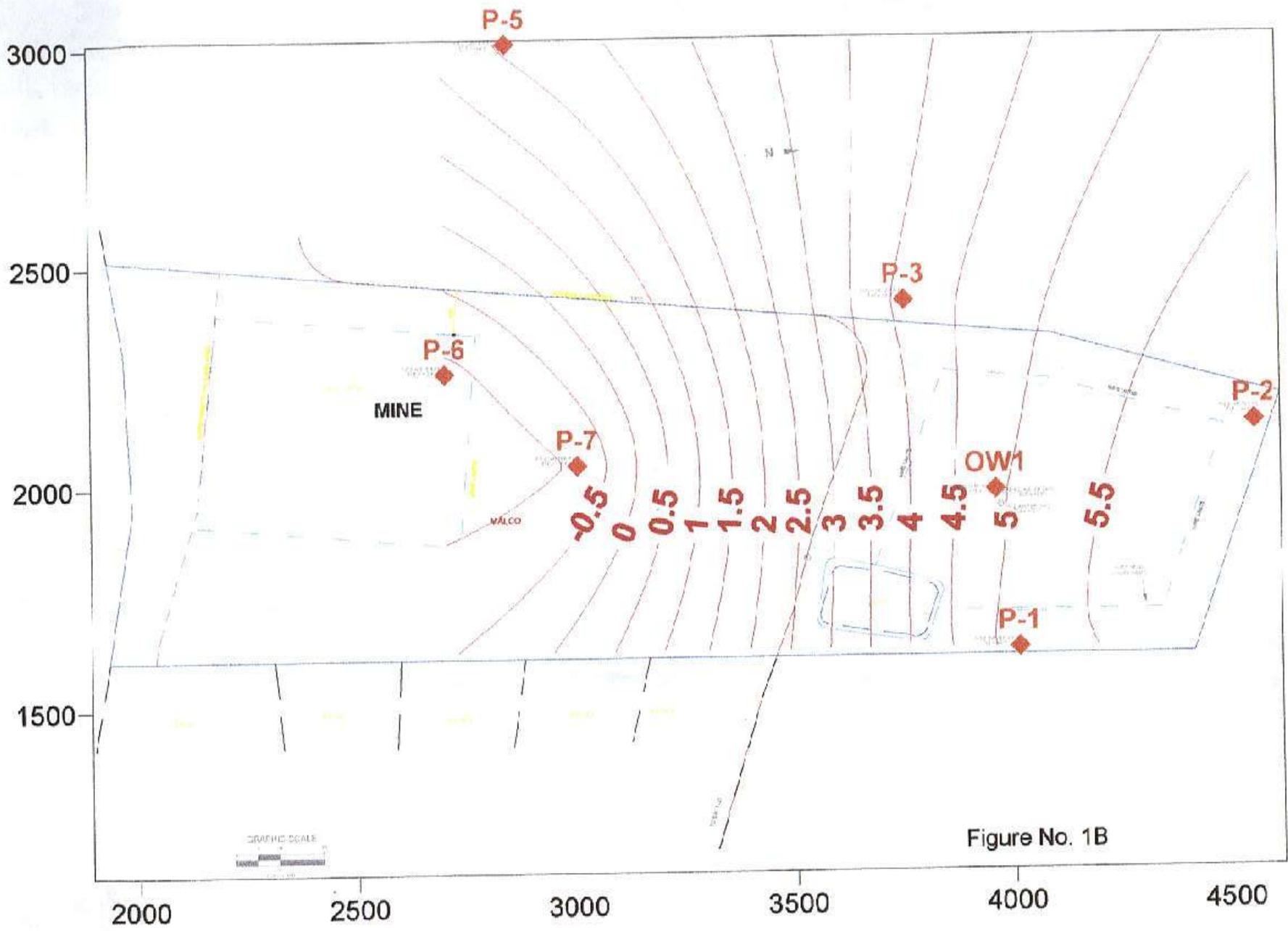


Figure No. 1B

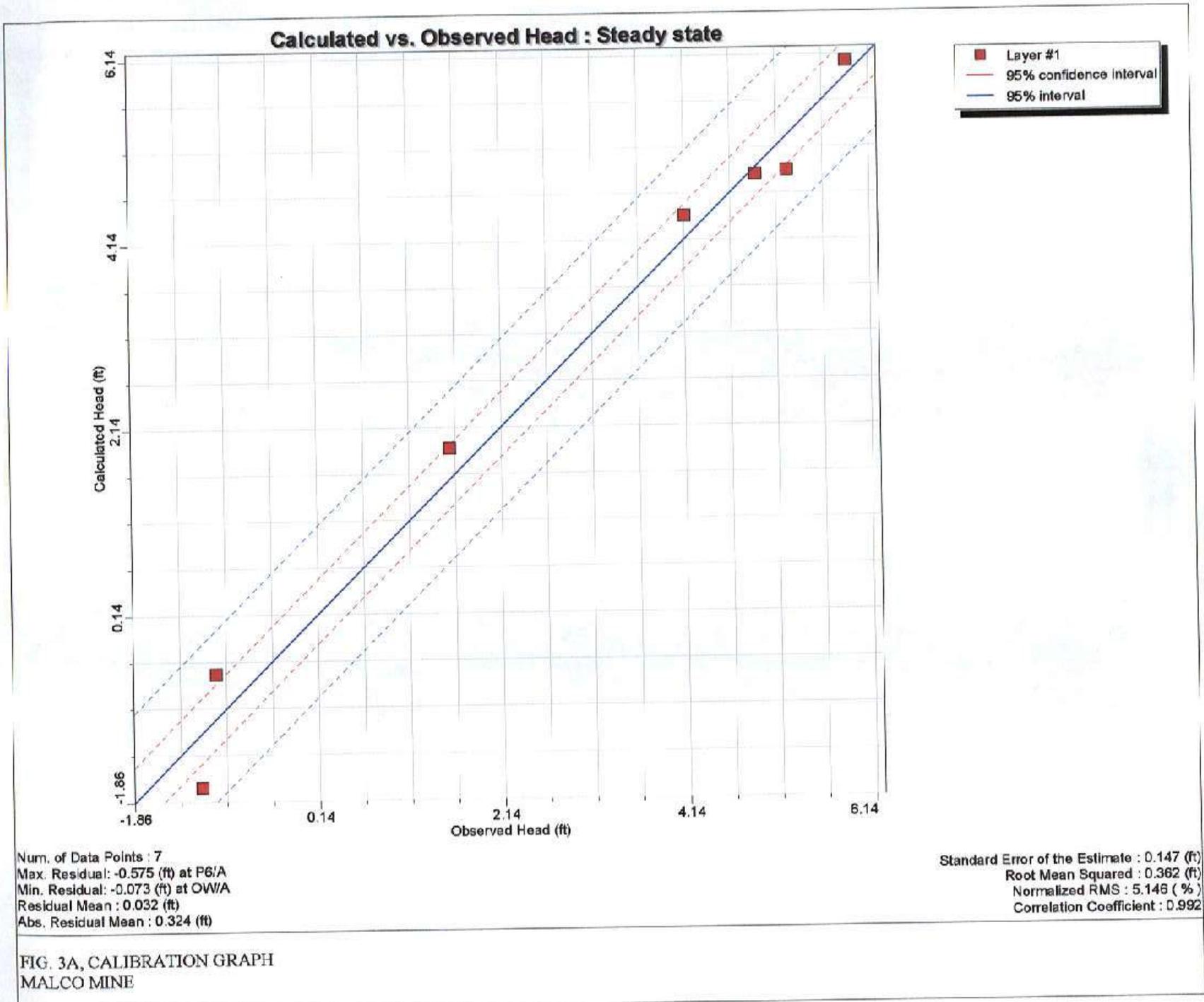


FIG. 3A, CALIBRATION GRAPH
MALCO MINE



FIG. 3B, CALIBRATION EQUIPOTENTIAL GRAPH
MALCO MINE

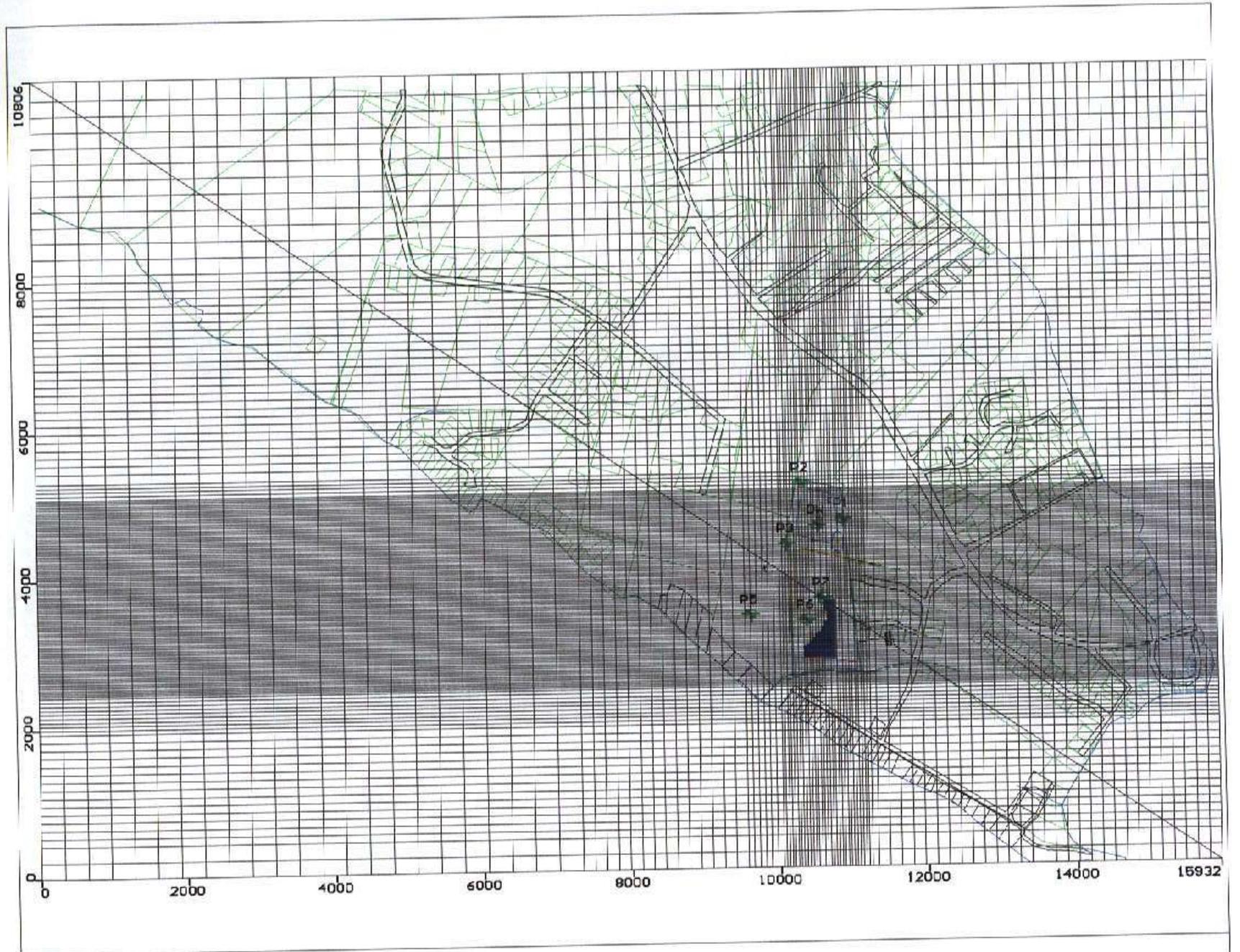


FIG. 3C, GRID MAP
MALCO MINE

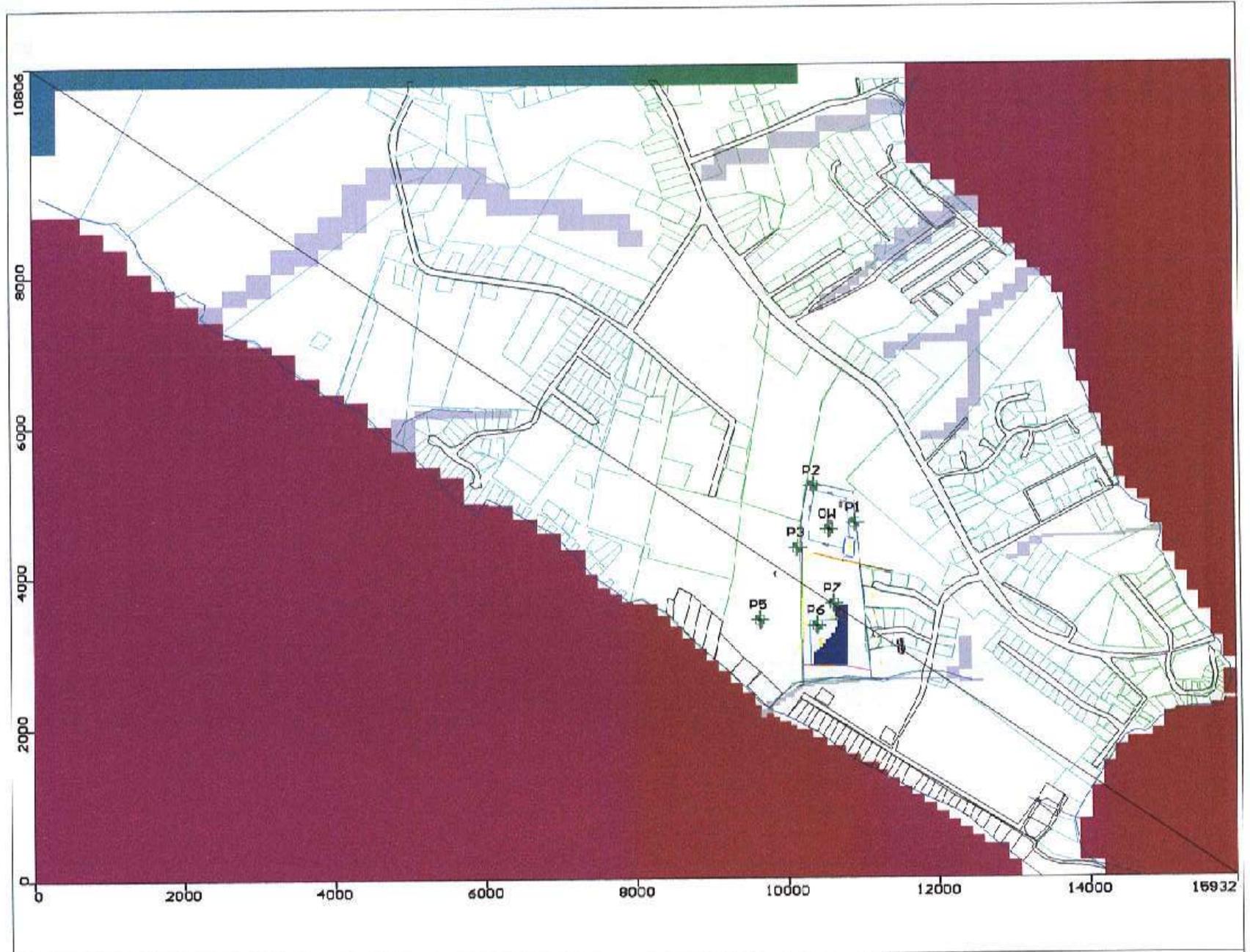


FIG. 3D, BOUNDARY CONTITION MAP
MALCO MINE

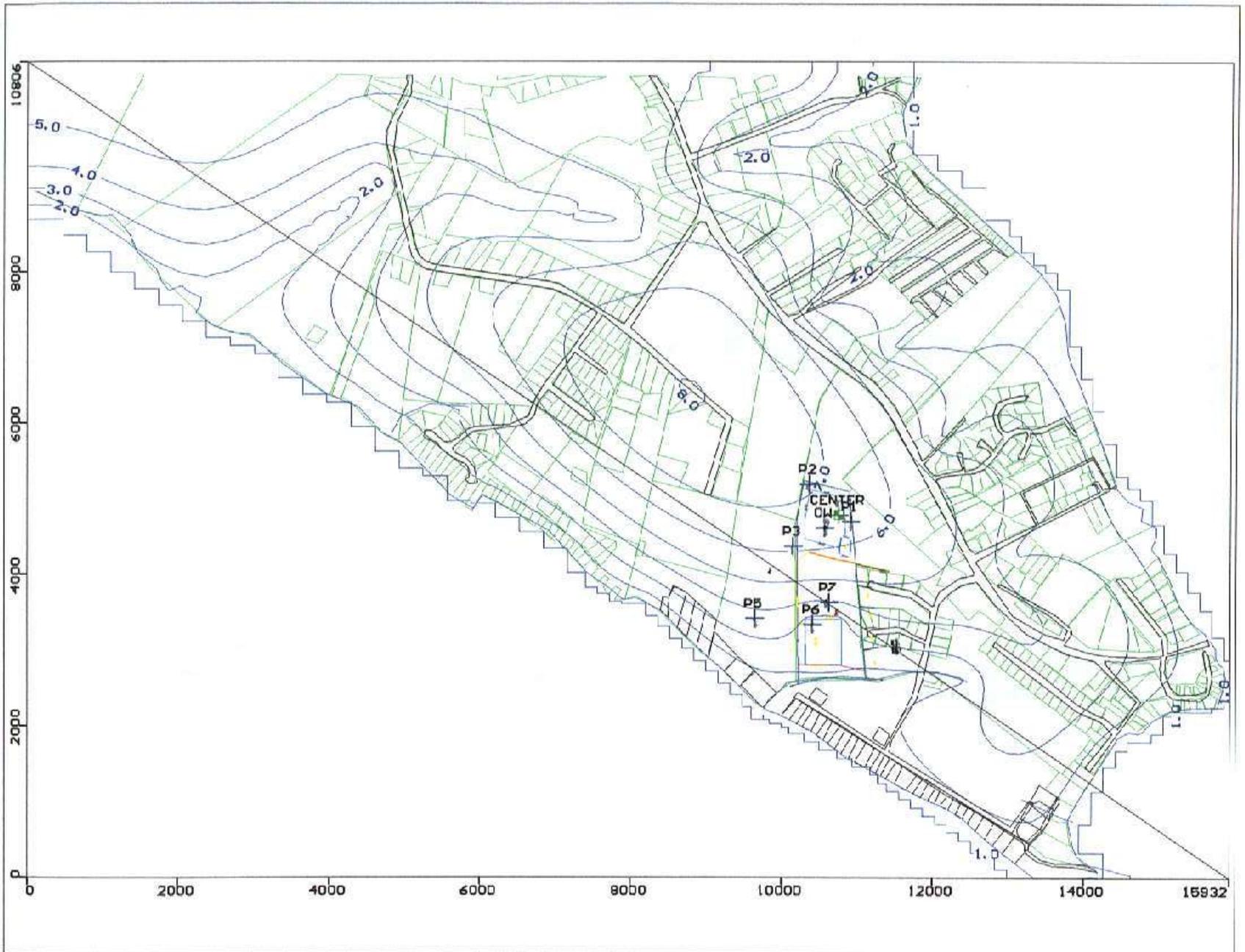


FIG. 4A, EQUIPOTENTIAL
 YEAR 1 - CLOSURE EXISTING MINE
 MALCO MINE

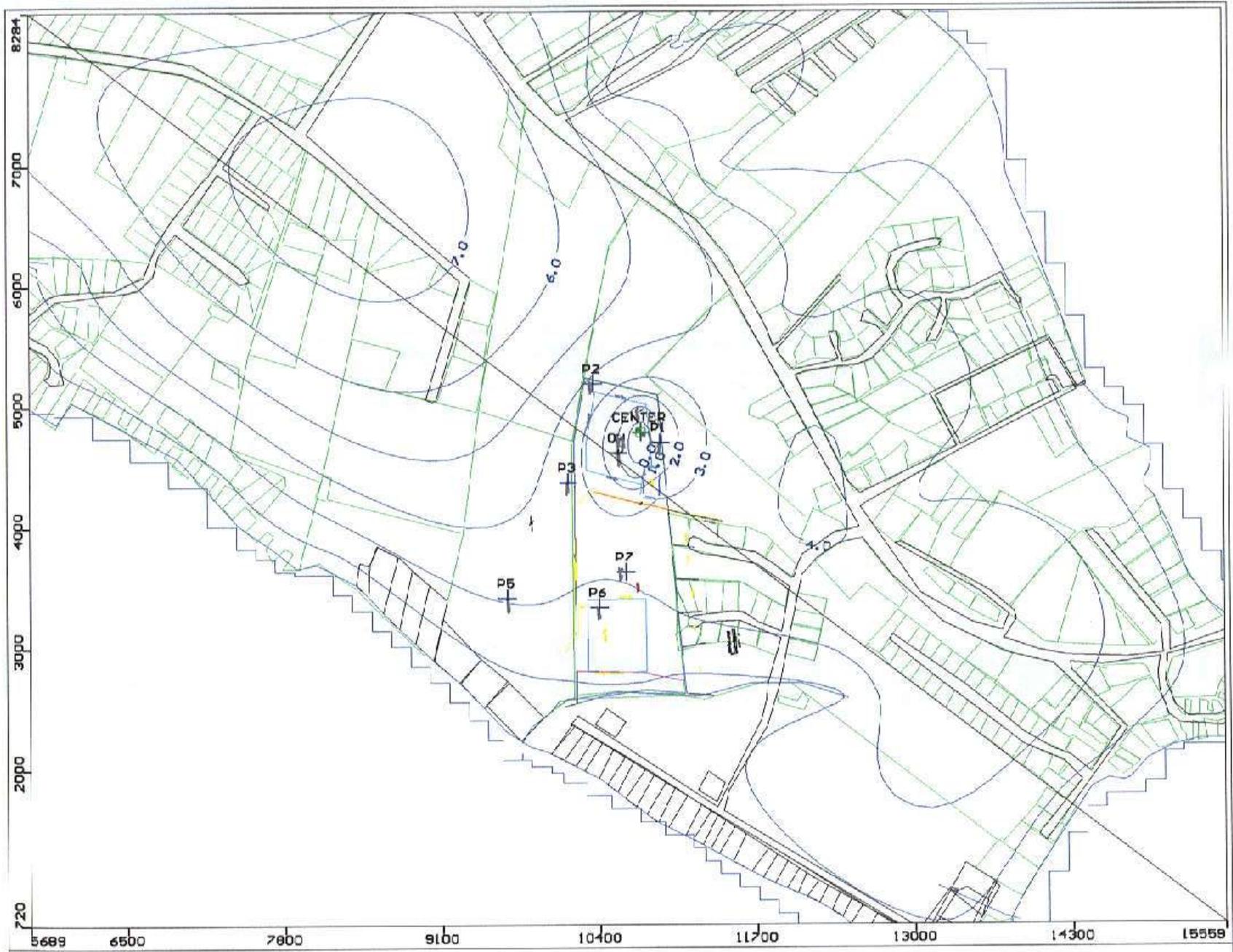


FIG. 4B, EQUIPOTENTIAL
 YEAR 2 - NEW MINE
 MALCO MINE

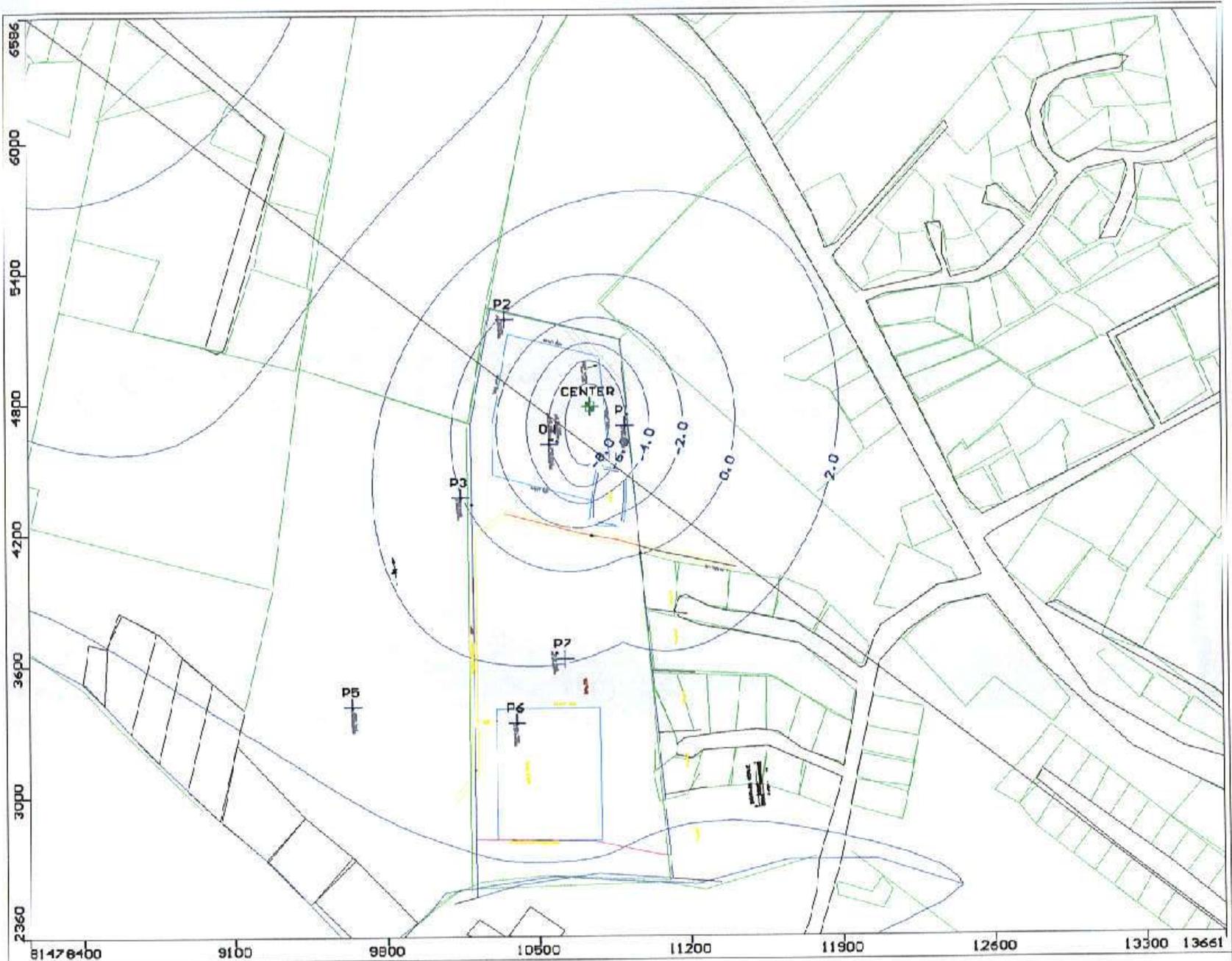


FIG. 4C, EQUIPOTENTIAL
 YEAR 3 - NEW MINE
 MALCO MINE

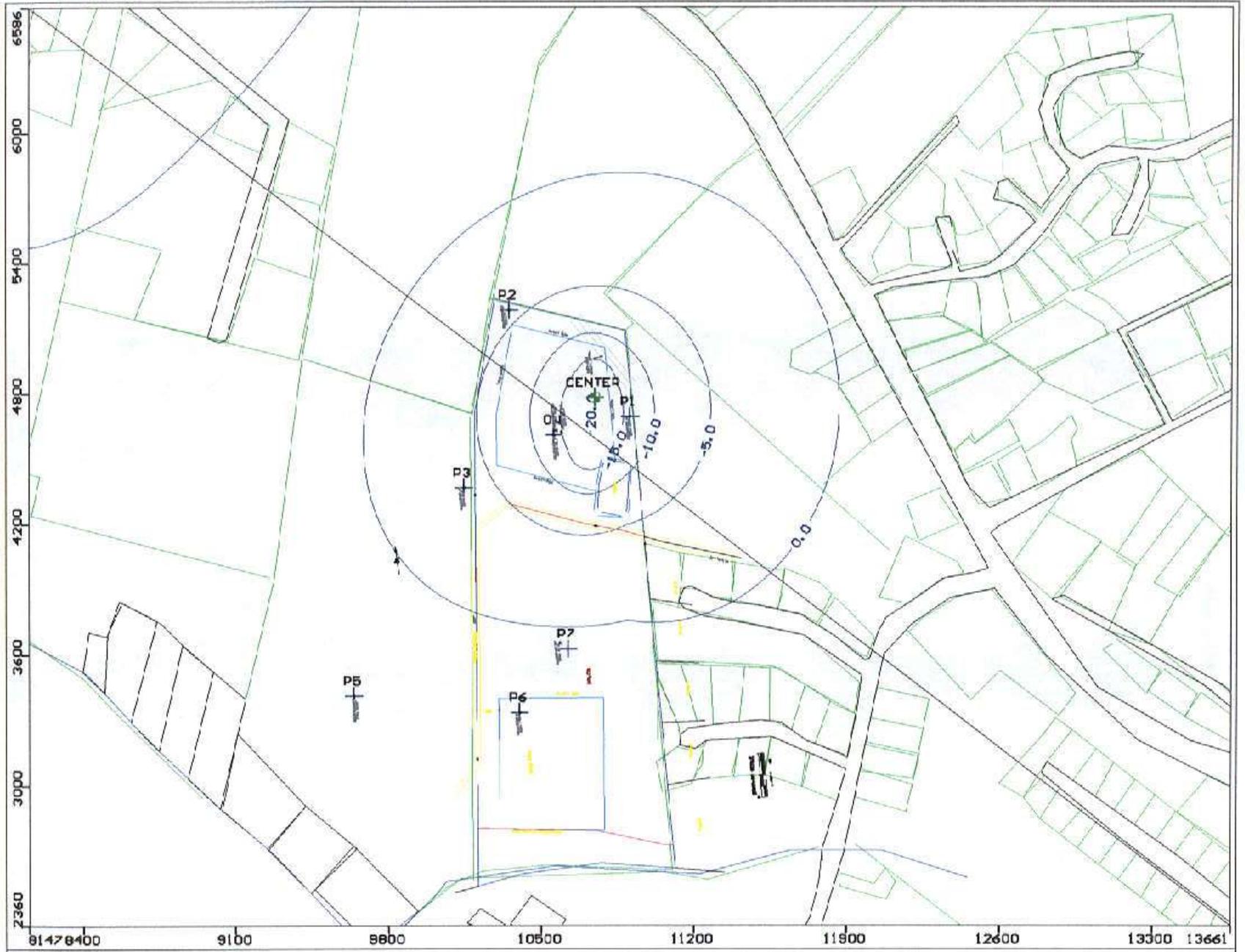


FIG. 4D, EQUIPOTENTIAL
 YEAR 4 - NEW MINE
 MALCO MINE

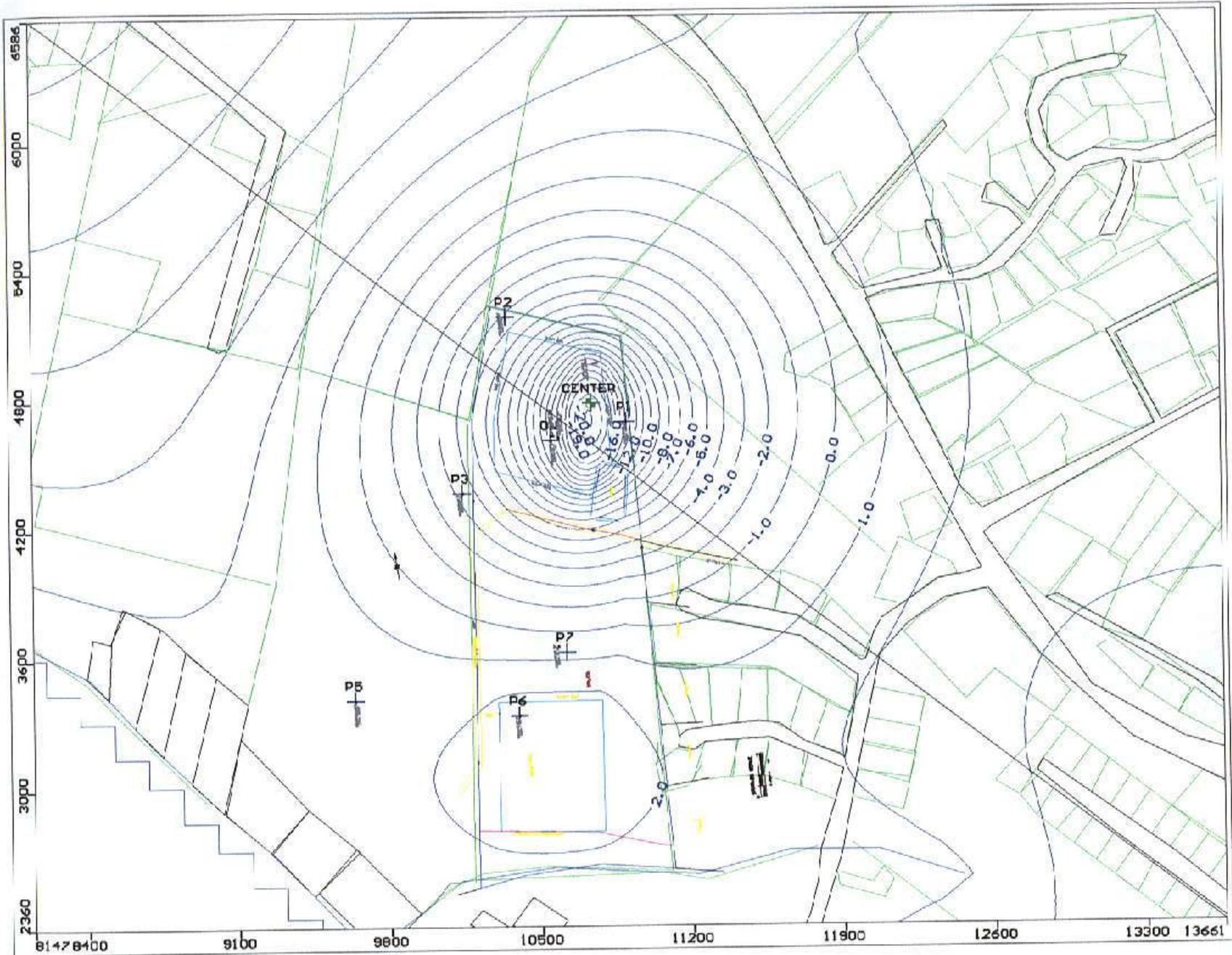


FIG. 4E, EQUIPOTENTIAL
 YEAR 5 NEW MINE
 MALCO MINE

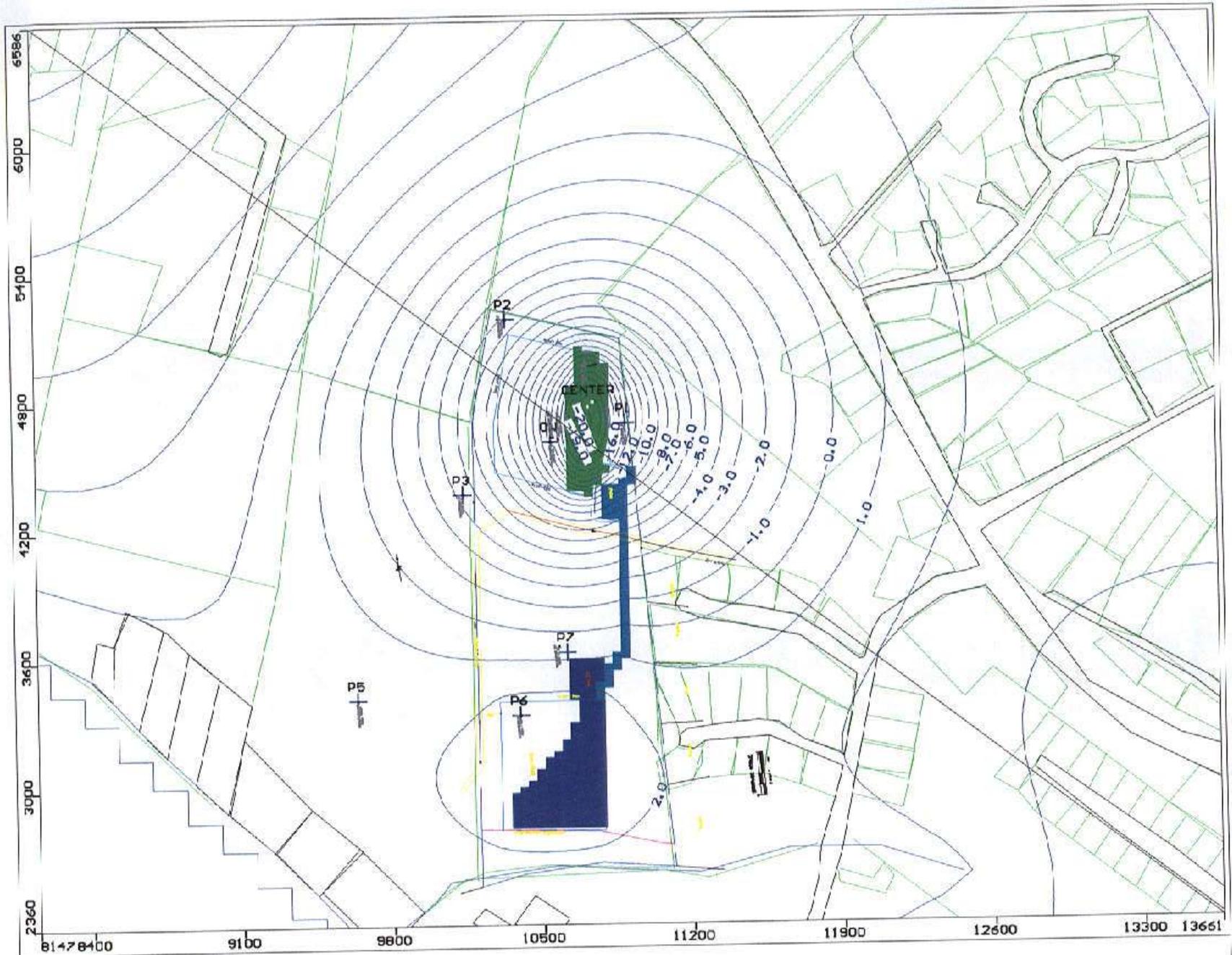


FIG. 4G, EQUIPOTENTIAL
 YEAR 7 - NEW MINE
 MALCO MINE

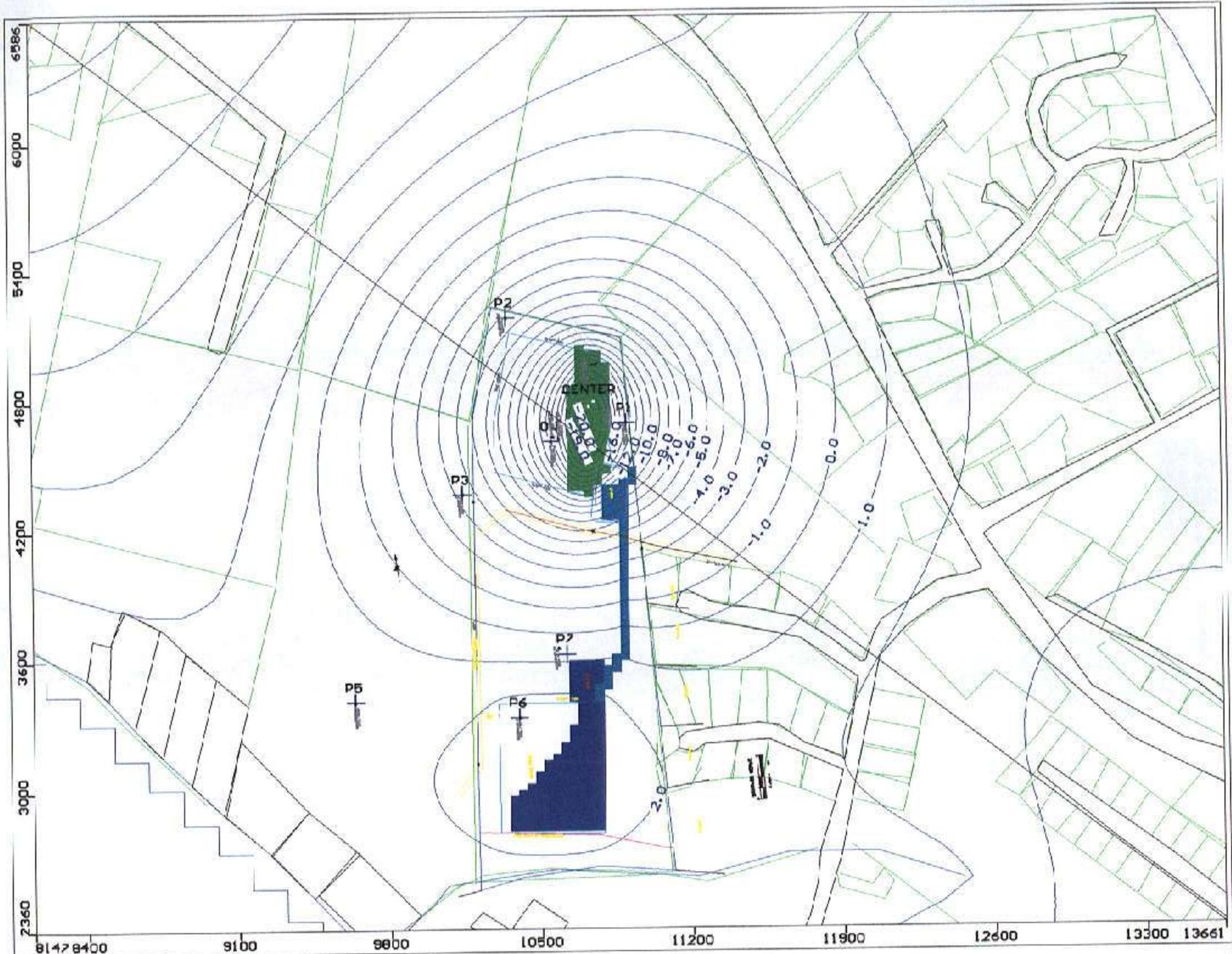


FIG. 4I, EQUIPOTENTIAL
 YEAR 9 - NEW MINE
 MALCO MINE

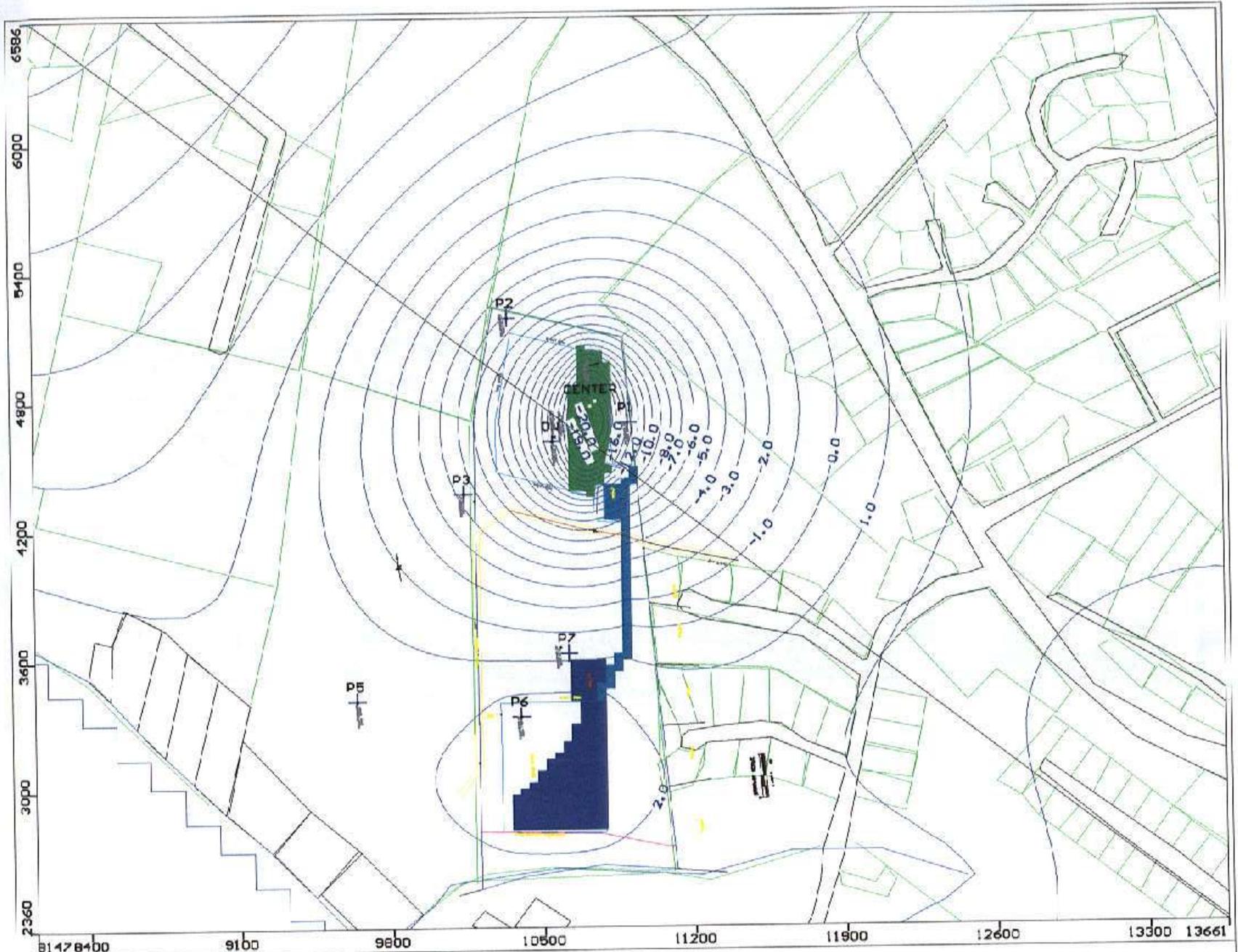


FIG. 4I, EQUIPOTENTIAL
 YEAR 10 - NEW MINE
 MALCO MINE

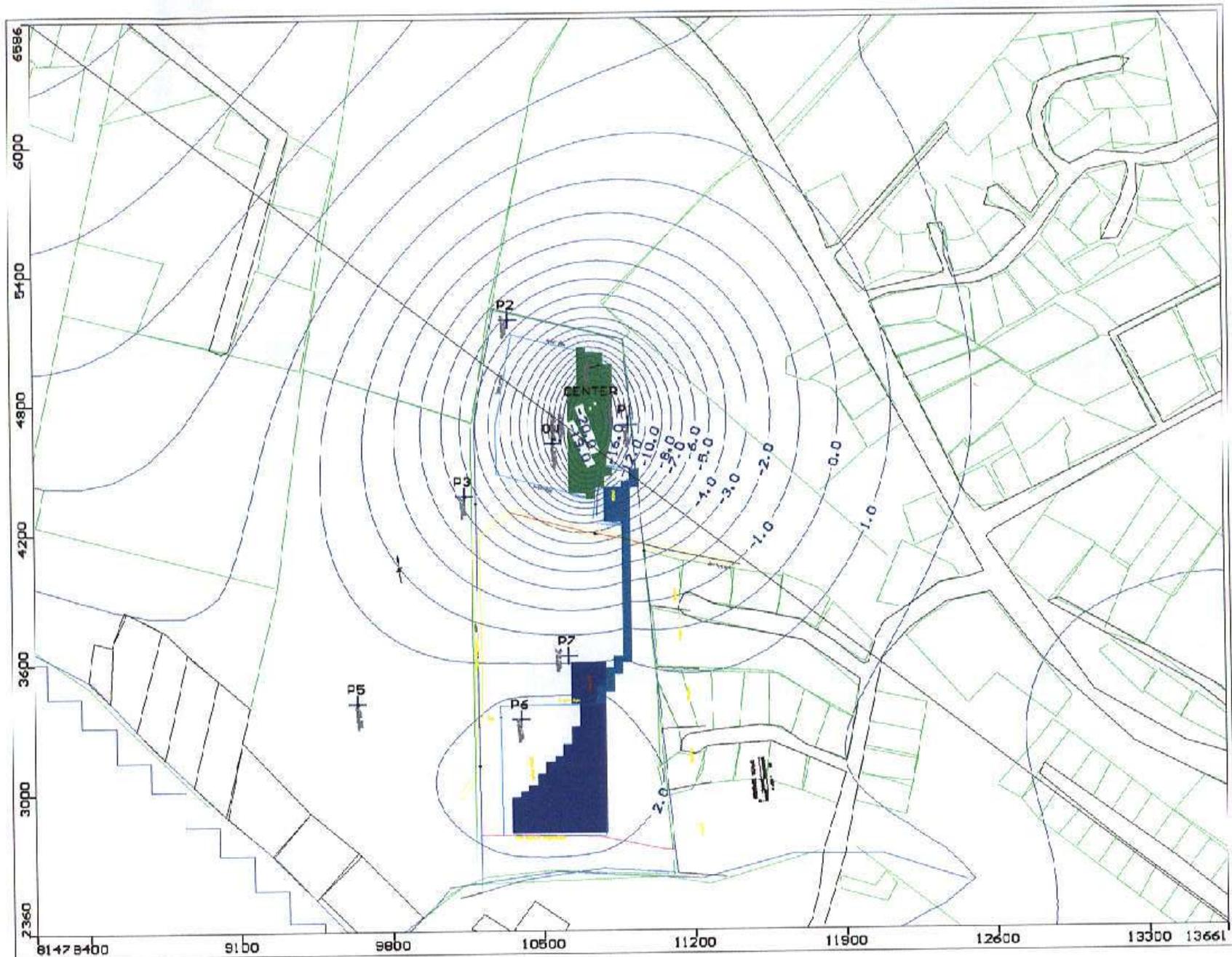


FIG. 4K, EQUIPOTENTIAL
 YEAR 15 - NEW MINE
 MALCO MINE

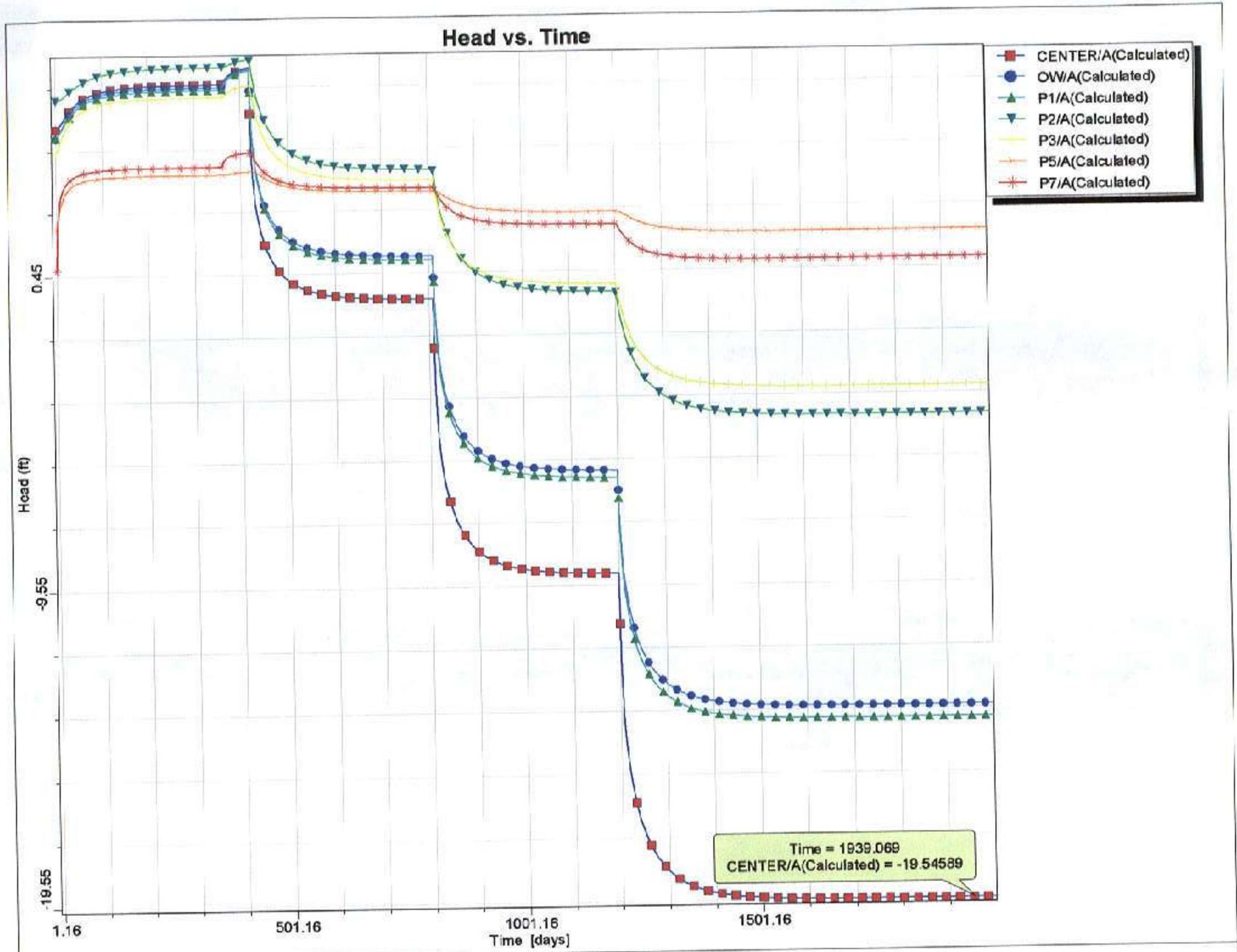


FIG. 4M, TIME VS. EQUIPOTENTIAL TO STEADY STATE AFTER 2000 DAYS MALCO MINE



FIG. 5A, DRAWDOWN
 YEAR 1
 MALCO MINE



FIG. 5B, DRAWDOWN
 YEAR 2
 MALCO MINE

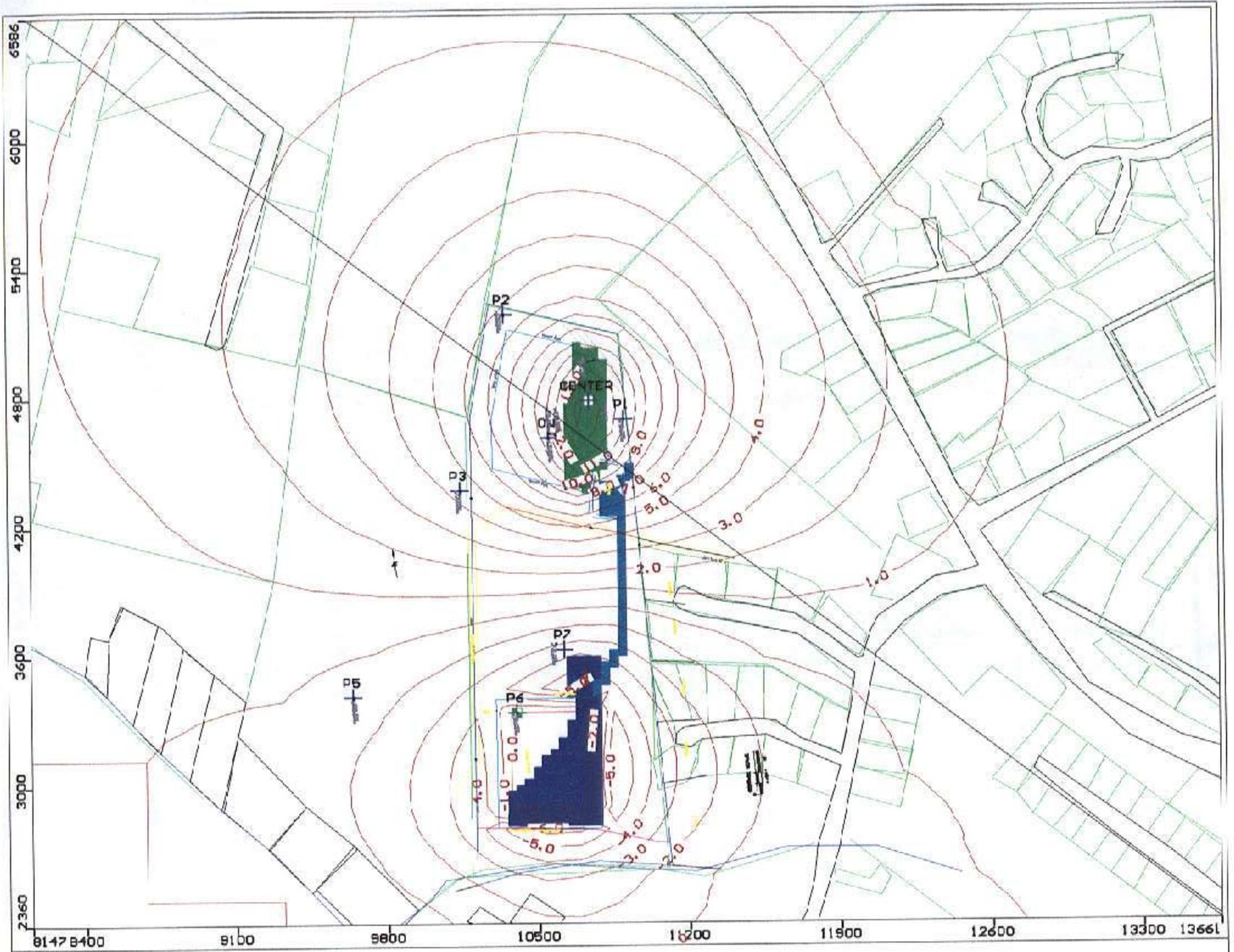


FIG. 5C, DRAWDOWN
 YEAR 3
 MALCO MINE

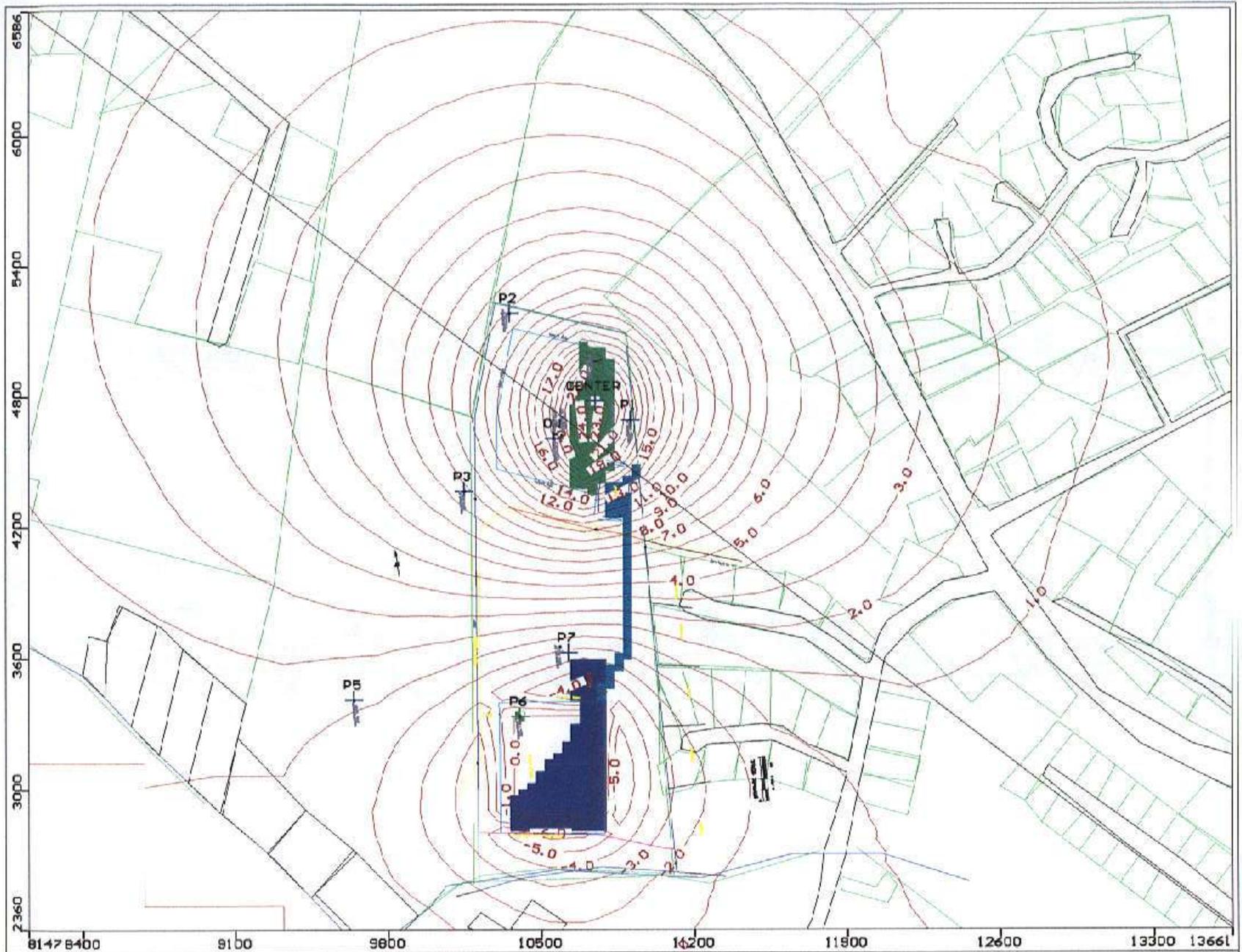


FIG. 5D, DRAWDOWN
 YEAR 4
 MALCO MINE

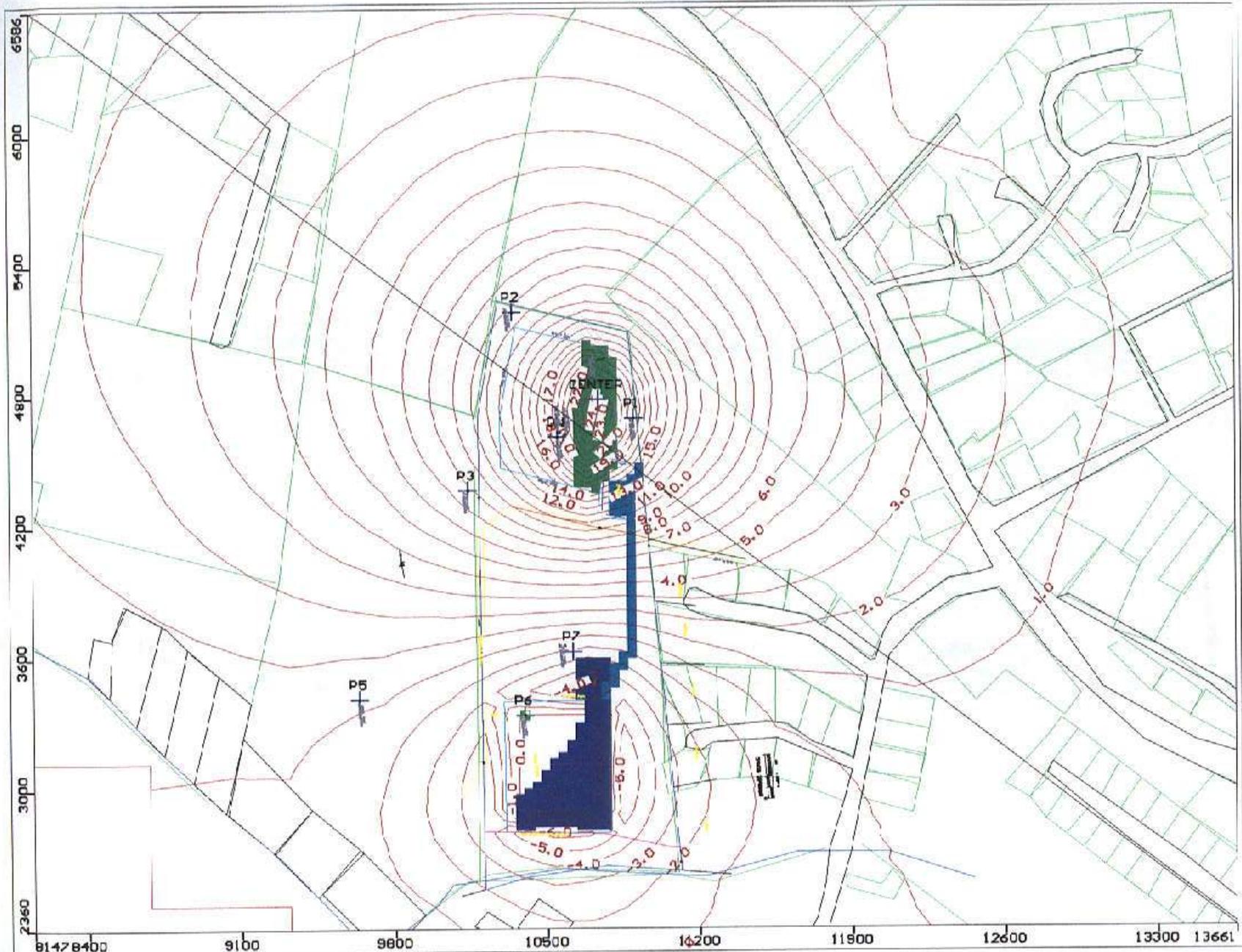


FIG. 5F, DRAWDOWN
 YEAR 6
 MALCO MINE

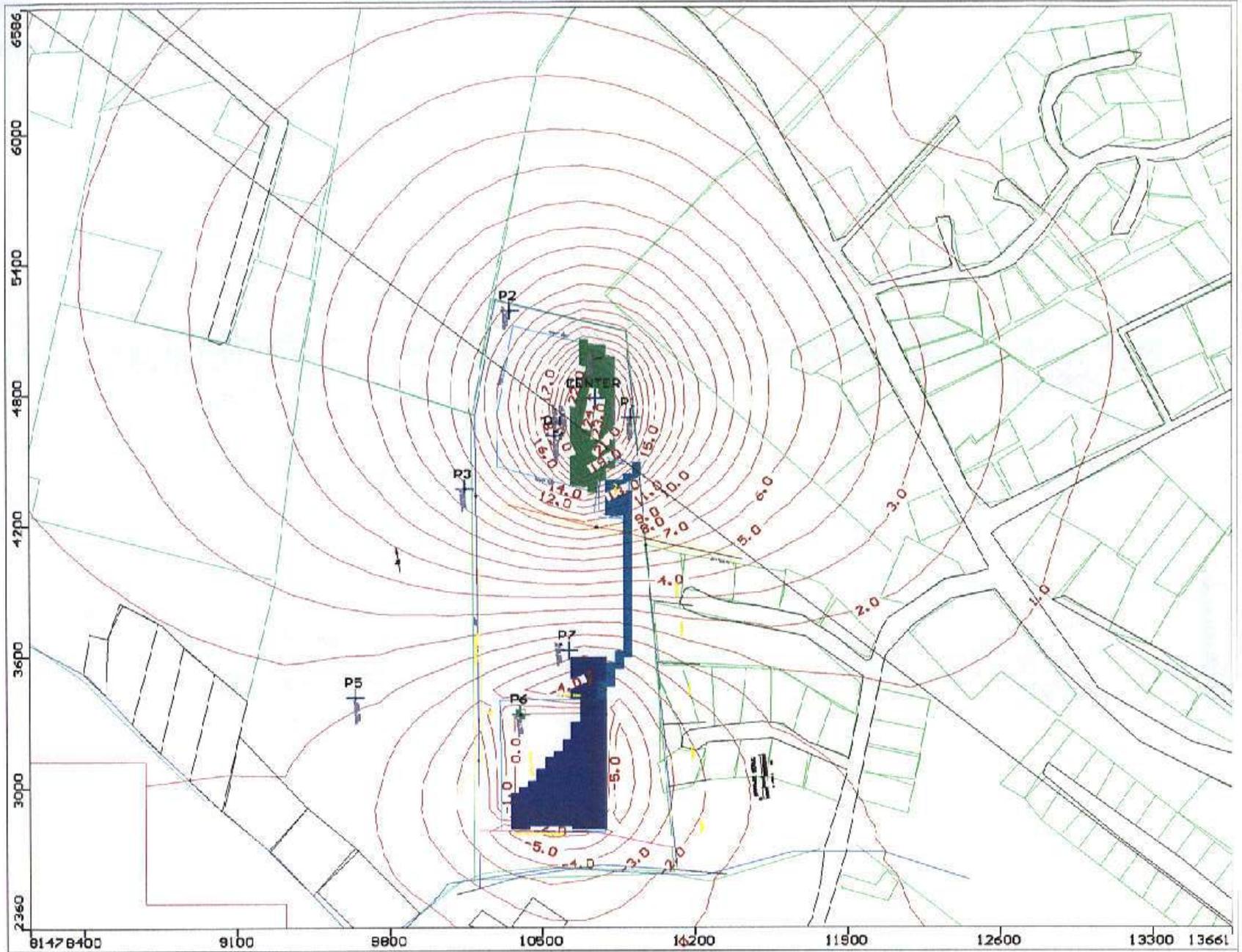


FIG. 5G, DRAWDOWN
 YEAR 7
 MALCO MINE

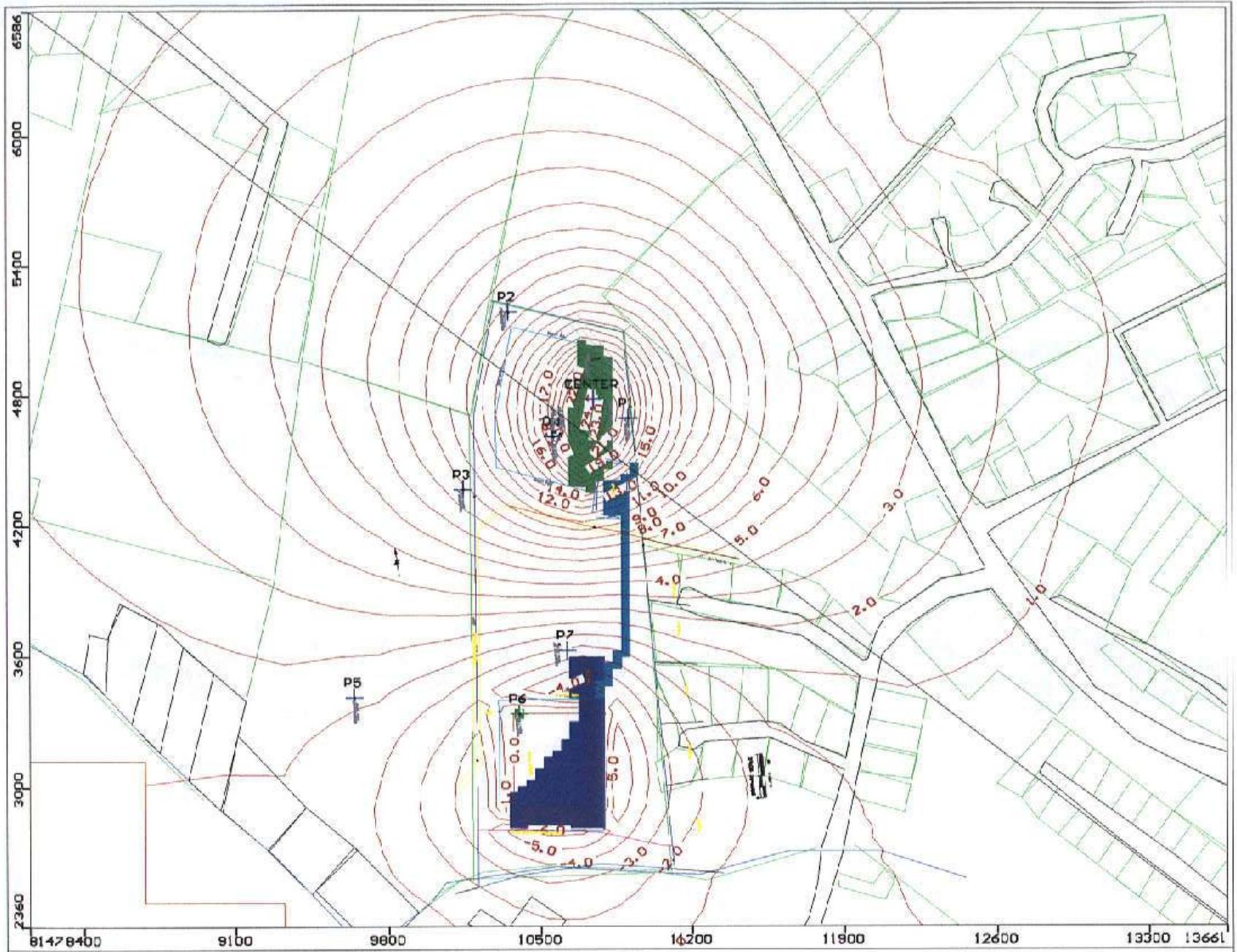


FIG. 5H, DRAWDOWN
 YEAR 8
 MALCO MINE

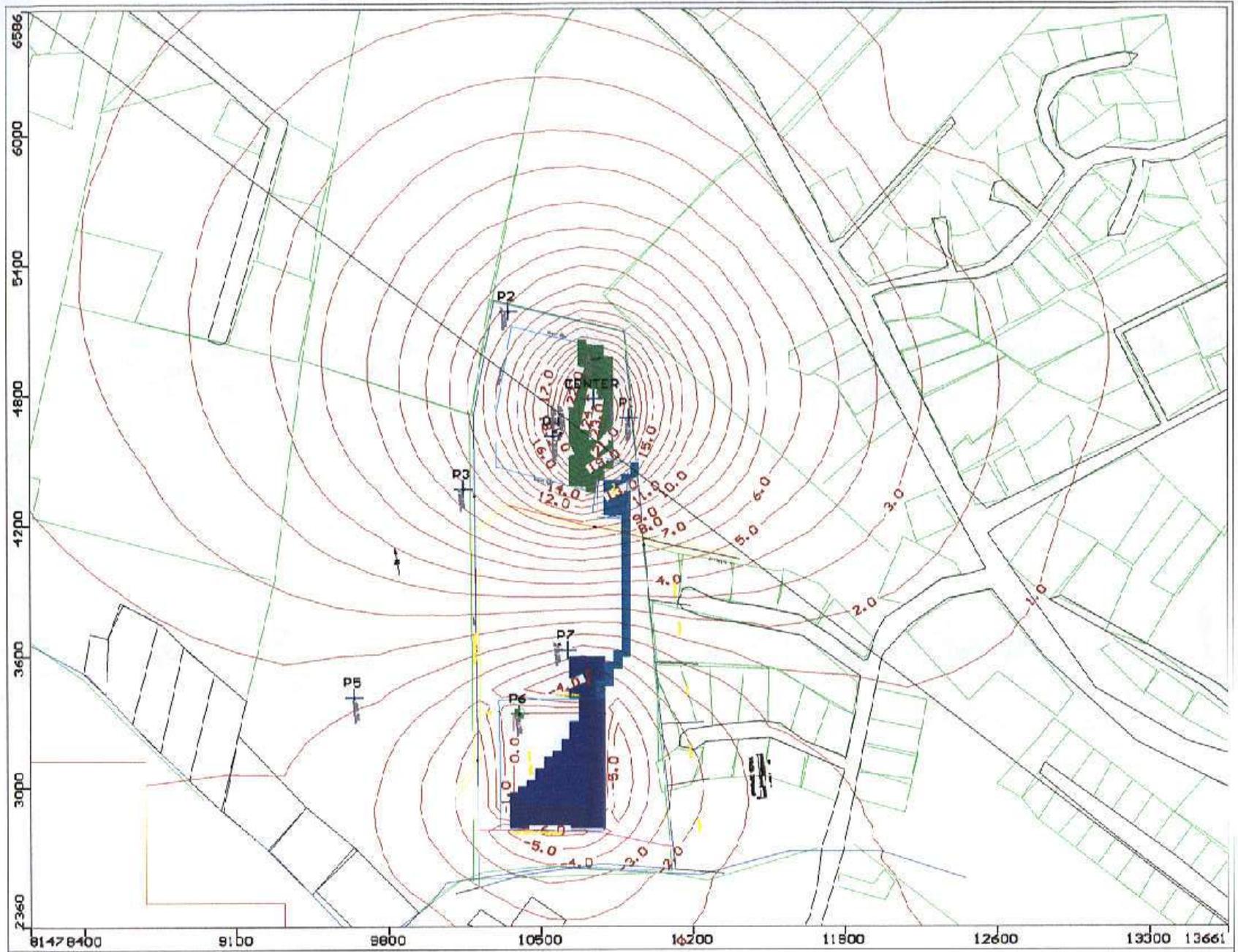


FIG. 5I, DRAWDOWN
 YEAR 9
 MALCO MINE

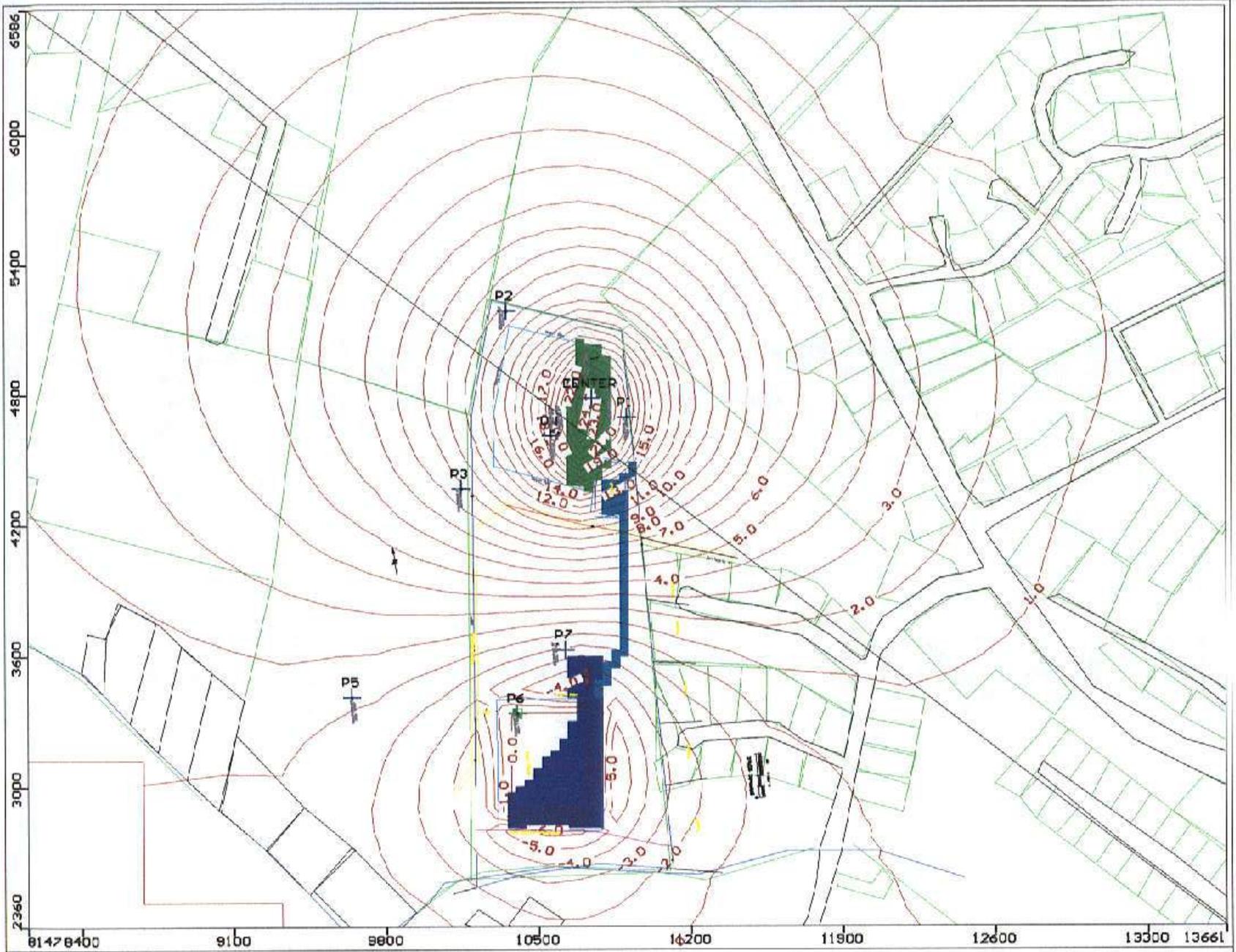


FIG. 5J, DRAWDOWN
 YEAR 10
 MALCO MINE

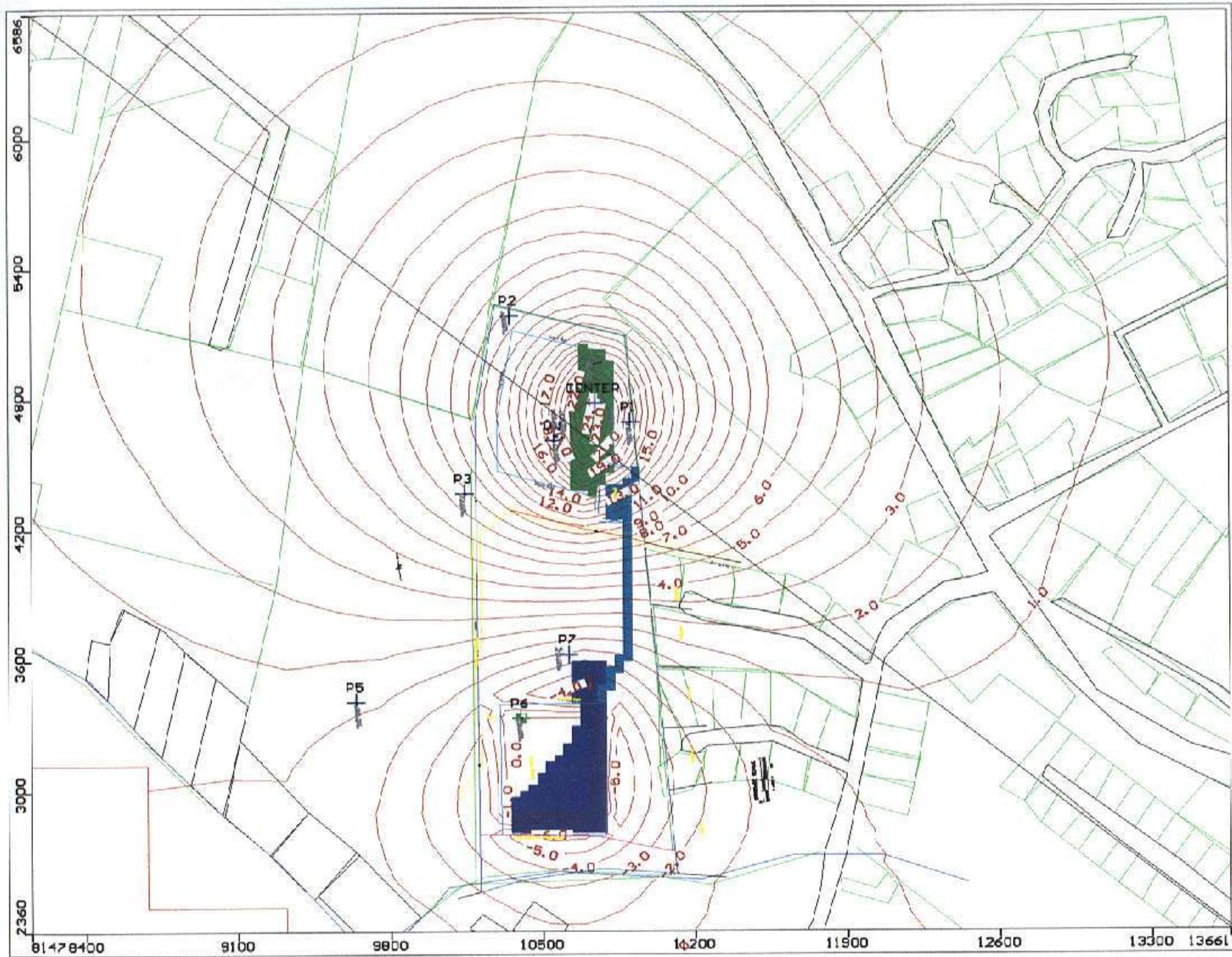


FIG. 5K, DRAWDOWN
 YEAR 15
 MALCO MINE

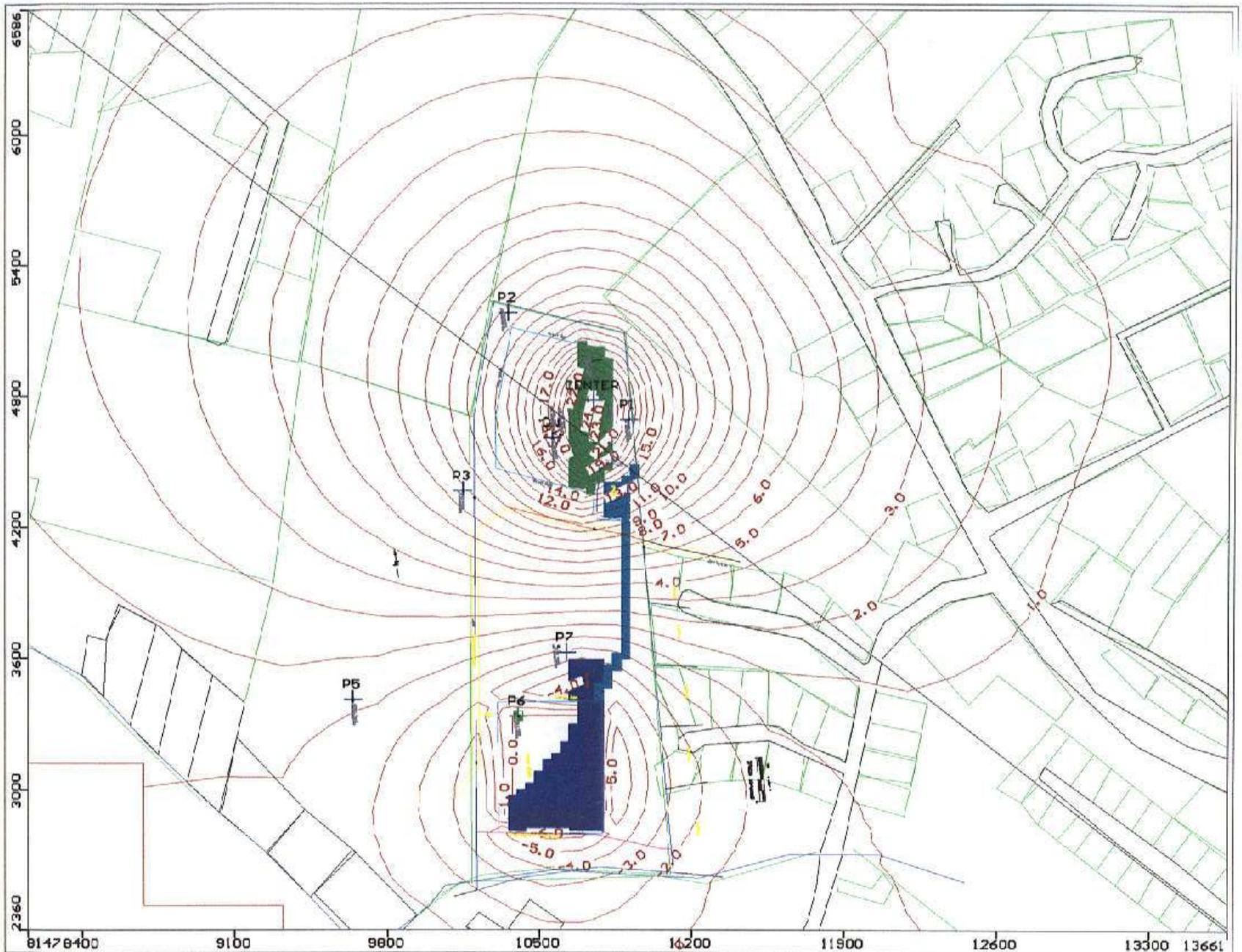


FIG. 5L, DRAWDOWN
 YEAR 20
 MALCO MINE

APPENDIX

COMPLETION REPORTS - GW-1

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test PW

2. WELL LOCATION:
Nearest Town: Powells Point County Currituck
US 158 and SR 1169 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)
Latitude/longitude of well location
36.08490 ; -75.80708
(degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 190
(Street or Route No.)
Harbinger NC 27941
City or Town State Zip Code
(252) 491-2128
Area code- Phone number

Latitude/longitude source: GPS Topographic map
(check box)

4. DATE DRILLED 4/19/04

5. TOTAL DEPTH: 20

6. DOES WELL REPLACE EXISTING WELL? YES NO

7. STATIC WATER LEVEL Below Top of Casing: 5.25 FT.
(Use "+" if Above Top of Casing)

8. TOP OF CASING IS .5 FT. Above Land Surface*
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.

9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal

10. WATER ZONES (depth): 15-20

DEPTH		DRILLING LOG
From	To	Formation Description
<u>0 - 20</u> ft		<u>Yellow fine sand</u>

11. DISINFECTION: Type hth Amount 20 g

12. CASING: Wall Thickness or Weight/Ft. Material

From	To	Depth	Diameter	Material
<u>0</u>	<u>15</u>	<u>Ft.</u>	<u>1.25 in</u>	<u>Sch. 40 PVC</u>

13. GROUT: Depth Material Method

From	To	Depth	Material	Method
<u>0</u>	<u>10</u>	<u>Ft.</u>	<u>Hole Plug</u>	<u>Gravity</u>

14. SCREEN: Depth Diameter Slot Size Material

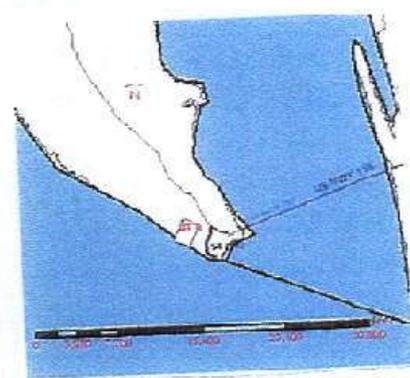
From	To	Depth	Diameter	Slot Size	Material
<u>15</u>	<u>20</u>	<u>Ft.</u>	<u>1.25 in</u>	<u>.01 in</u>	<u>PVC</u>

15. SAND/GRAVEL PACK: Depth Size Material

From	To	Depth	Size	Material
<u>10</u>	<u>20</u>	<u>Ft.</u>	<u>#2</u>	<u>Quartzite</u>

LOCATION SKETCH

Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER.

SIGNATURE OF PERSON CONSTRUCTING THE WELL DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test OW-1

2. WELL LOCATION:
Nearest Town: Powells Point County Currituck
US 158 and SR 1169 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)

Latitude/longitude of well location
36.0849 ; -75.80718
(degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 190

Latitude/longitude source: GPS Topographic map
(check box)

(Street or Route No.)
Harbinger NC 27941
City or Town State Zip Code
(252) 491-2128

DEPTH DRILLING LOG
From To Formation Description

0 - 20 ft Yellow fine sand

Area code- Phone number

4. DATE DRILLED 4/19/04

5. TOTAL DEPTH: 20

6. DOES WELL REPLACE EXISTING WELL? YES NO

7. STATIC WATER LEVEL Below Top of Casing: 525 - 532 FT.
(Use "+" if Above Top of Casing)

8. TOP OF CASING IS .5 FT. Above Land Surface*

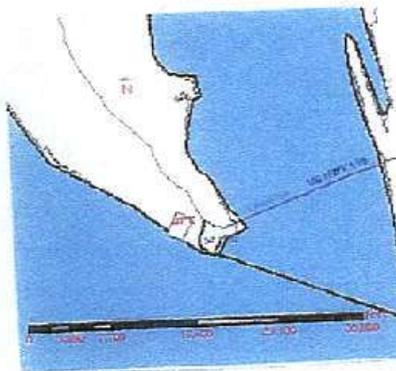
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.

9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal

10. WATER ZONES (depth): 15-20

LOCATION SKETCH

Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



11. DISINFECTION: Type hh Amount 20 g

12. CASING: Wall Thickness or Weight/Ft. Material

From	To	Depth	Diameter	Wall Thickness or Weight/Ft.	Material
0	15	Ft.	1.25 in	Sch. 40	PVC
From	To	Ft.			
From	To	Ft.			

13. GROUT: Depth Material Method

From	To	Depth	Material	Method
0	10	Ft.	Hole Plug	Gravity
From	To	Ft.		

14. SCREEN: Depth Diameter Slot Size Material

From	To	Depth	Diameter	Slot Size	Material
15	20	Ft.	1.25 in.	.01 in.	PVC
From	To	Ft.			

15. SAND/GRAVEL PACK: Depth Size Material

From	To	Depth	Size	Material
10	20	Ft.	#2	Quartzite
From	To	Ft.		

16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

SIGNATURE OF PERSON CONSTRUCTING THE WELL _____

DATE _____

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test - DW-2

2. WELL LOCATION:

Nearest Town: Powells Point County Currituck
US 158 and SR 1189 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)

Latitude/longitude of well location
36.08493; -75.80708
(degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 190

Latitude/longitude source: GPS Topographic map
(check box)

(Street or Route No.)
Harbinger NC 27941
City or Town State Zip Code
(252) 491-2128
Area code- Phone number

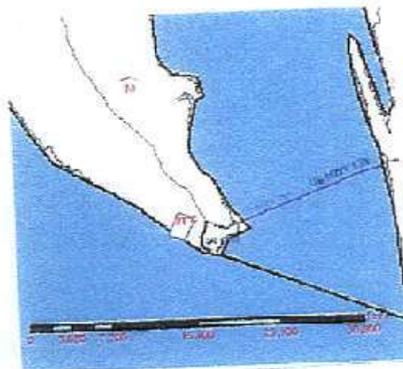
DEPTH **DRILLING LOG**
From To Formation Description

From	To	Formation Description
0	20 ft	Yellow fine sand

4. DATE DRILLED 4/19/04
5. TOTAL DEPTH: 20
6. DOES WELL REPLACE EXISTING WELL? YES NO
7. STATIC WATER LEVEL Below Top of Casing: 5.25 5.73 FT.
(Use "+" if Above Top of Casing)
8. TOP OF CASING IS 1.5 FT. Above Land Surface*
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.
9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal
10. WATER ZONES (depth): 15-20

LOCATION SKETCH

Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



11. DISINFECTION: Type HTH Amount 20 g
12. CASING:

From	To	Depth	Diameter	Wall Thickness	Material
0	15	Ft.	1.25 in	Sch. 40	PVC

From	To	Depth	Material	Method
0	10	Ft.	Hole Plug	Gravity

From	To	Depth	Diameter	Slot Size	Material
15	20	Ft.	1.25 in.	.01 in.	PVC

From	To	Depth	Size	Material
10	20	Ft.	#2	Quartzite

16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

SIGNATURE OF PERSON CONSTRUCTING THE WELL

DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2808

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 298-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test

2. WELL LOCATION:
Nearest Town: Powells Point County Curtuck
US 158 and SR 1169 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)

Latitude/longitude of well location
36.08 50.9; -75.80597
(degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 190
(Street or Route No.)
Harbinger NC 27941
City or Town State Zip Code
(252) - 491-2128
Area code- Phone number

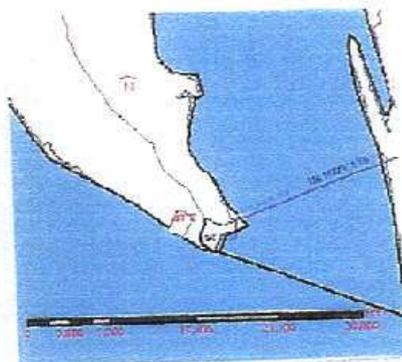
Latitude/longitude source: GPS Topographic map
(check box)

DEPTH		DRILLING LOG
From	To	Formation Description
0	-20 ft	Yellow fine sand

4. DATE DRILLED 4/19/04
5. TOTAL DEPTH: 10
6. DOES WELL REPLACE EXISTING WELL? YES NO
7. STATIC WATER LEVEL Below Top of Casing: 3.54 FT.
(Use "+" if Above Top of Casing)
8. TOP OF CASING IS 1.5 FT. Above Land Surface*
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.
9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal
10. WATER ZONES (depth): 15-20

LOCATION SKETCH

Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



11. DISINFECTION: Type hth Amount 20 g
12. CASING:

Depth	Diameter	Wall Thickness	Material
From	To	or Weight/Ft.	
0	6	1 in Sch. 40	PVC

Depth	Material	Method
From	To	
0	5	Hole Plug Gravity

Depth	Diameter	Slot Size	Material
From	To	in.	
5	10	1 in .01 in	PVC

Depth	Size	Material
From	To	
10	20	#2 Quartzite

16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

SIGNATURE OF PERSON CONSTRUCTING THE WELL DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908
 WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665
 STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
 (if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
 Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test P-2

2. WELL LOCATION:
 Nearest Town: Powells Point County Currituck
US 158 and SR 1169 - at Malco Mine Site
 (Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
 (check appropriate box)
 Latitude/longitude of well location
36.08649; -75.80784
 (degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
 Address P.O. Box 190
 (Street or Route No.)
Harbinger NC 27941
 City or Town State Zip Code
(252) - 491-2128
 Area code- Phone number

Latitude/longitude source: GPS Topographic map
 (check box)

4. DATE DRILLED 4/19/04
 5. TOTAL DEPTH: 10
 6. DOES WELL REPLACE EXISTING WELL? YES NO
 7. STATIC WATER LEVEL Below Top of Casing: 3.90 FT.
 (Use "+" if Above Top of Casing)
 8. TOP OF CASING IS .5 FT. Above Land Surface*
 *Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.
 9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal
 10. WATER ZONES (depth): 15-20

DEPTH		DRILLING LOG
From	To	Formation Description
0 - 10 ft		Yellow fine sand

11. DISINFECTION: Type nth Amount 20 g
 12. CASING:

From	To	Depth	Diameter	Wall Thickness	Material
		Ft.	in.	Sch.	
0	6		1	40	PVC

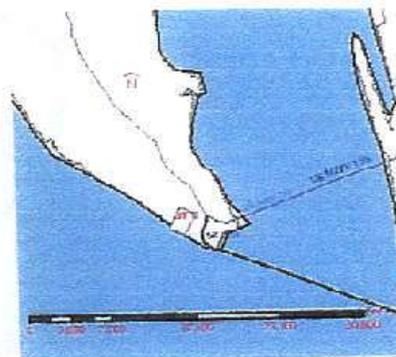
From	To	Depth	Material	Method
		Ft.		
0	5		Hole Plug	Gravity

From	To	Depth	Diameter	Slot Size	Material
		Ft.	in.	in.	
5	10		1	.01	PVC

From	To	Depth	Size	Material
		Ft.	#	
10	20		#2	Quartzite

LOCATION SKETCH

Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

 SIGNATURE OF PERSON CONSTRUCTING THE WELL

 DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC
 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test P-3

2. WELL LOCATION:
Nearest Town: Powells Point County Currituck
US 158 and SR 1169 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)

Latitude/longitude of well location
36.08 49; -75.8 44
(degrees/minutes/seconds) - degrees

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 190
(Street or Route No.)
Harbinger NC 27941
City or Town State Zip Code
(252) - 491-2128
Area code- Phone number

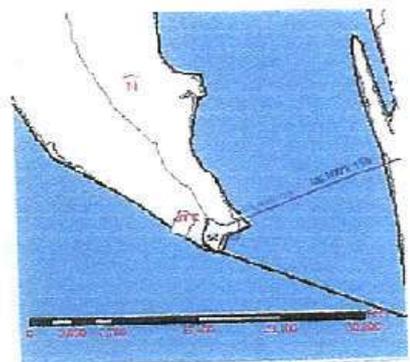
Latitude/longitude source: GPS Topographic map
(check box)

DEPTH		DRILLING LOG
From	To	Formation Description
0	30 ft	Yellow fine sand

4. DATE DRILLED 4/19/04
5. TOTAL DEPTH: 10
6. DOES WELL REPLACE EXISTING WELL? YES NO
7. STATIC WATER LEVEL Below Top of Casing: 4.55 FT.
(Use "+" if Above Top of Casing)
8. TOP OF CASING IS 1.5 FT. Above Land Surface*
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.
9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal
10. WATER ZONES (depth): 15-20

LOCATION SKETCH

Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



11. DISINFECTION: Type hth Amount 20 g
12. CASING:

From	To	Depth	Diameter	Wall Thickness or Weight/Ft.	Material
0	6	Ft.	1 in	Sch. 40	PVC

From	To	Depth	Material	Method
0	5	Ft.	Hole Plug	Gravity

From	To	Depth	Diameter	Slot Size	Material
5	10	Ft.	1 in.	.01 in.	PVC

From	To	Depth	Size	Material
10	20	Ft.	#2	Quartzite

16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

SIGNATURE OF PERSON CONSTRUCTING THE WELL _____ DATE _____

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2808

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test P-4

2. WELL LOCATION:
Nearest Town: Powells Point County Currituck
US 158 and SR 1169 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)

Latitude/longitude of well location
36.08374; -75.80661
(degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 190
(Street or Route No.)
Harblinger NC 27841
City or Town State Zip Code
(252) - 491-2128
Area code- Phone number

Latitude/longitude source: GPS Topographic map
(check box)

DEPTH		DRILLING LOG
From	To	Formation Description
0 - 30 ft		Yellow fine sand

4. DATE DRILLED 4/19/04

5. TOTAL DEPTH: 10

6. DOES WELL REPLACE EXISTING WELL? YES NO

7. STATIC WATER LEVEL Below Top of Casing: 6.4 FT.
(Use "+" if Above Top of Casing)

8. TOP OF CASING IS 3.5 FT. Above Land Surface*
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .011B.

9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal

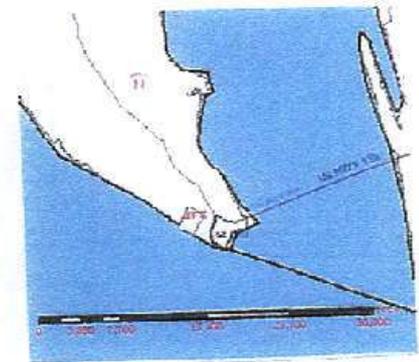
10. WATER ZONES (depth): 15-20

11. DISINFECTION: Type hth Amount 20 g

12. CASING:

From	To	Depth	Diameter	Wall Thickness	Material
		Ft.	1 in	Sch. 40	PVC
From 0	To 6	Ft.			
From _____	To _____	Ft.			
From _____	To _____	Ft.			

LOCATION SKETCH
Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



13. GROUT:

From	To	Depth	Material	Method
		Ft.	Hole Plug	Gravity
From 0	To 5	Ft.		
From _____	To _____	Ft.		

14. SCREEN:

From	To	Depth	Diameter	Slot Size	Material
		Ft.	1 in	.01 in	PVC
From 5	To 10	Ft.			
From _____	To _____	Ft.			

15. SAND/GRAVEL PACK:

From	To	Depth	Size	Material
		Ft.	#2	Quartzite
From 10	To 20	Ft.		
From _____	To _____	Ft.		

16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

SIGNATURE OF PERSON CONSTRUCTING THE WELL DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test P-5

2. WELL LOCATION:
Nearest Town: Powells Point County Currituck
US 15B and SR 1169 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)

Latitude/longitude of well location
36.08169; -75.81043
(degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 180

Latitude/longitude source: GPS Topographic map
(check box)

(Street or Route No.)
Harbinger NC 27941
City or Town State Zip Code
(252)-481-2128
Area code- Phone number

DEPTH DRILLING LOG
From To Formation Description

DEPTH	DRILLING LOG	
From	To	Formation Description
0	80 ft	Yellow fine sand

4. DATE DRILLED: 4/19/04

5. TOTAL DEPTH: 10

6. DOES WELL REPLACE EXISTING WELL? YES NO

7. STATIC WATER LEVEL Below Top of Casing: 9.32 FT.
(Use "+" if Above Top of Casing)

8. TOP OF CASING IS 1-D FT. Above Land Surface*
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.

9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal

10. WATER ZONES (depth): 15-20

11. DISINFECTION: Type hth Amount 20 g

12. CASING: Wall Thickness

From	To	Depth	Diameter	Material
0	6	Ft.	1 in	PVC

13. GROUT: Method

From	To	Depth	Material	Method
0	5	Ft.	Hole Plug	Gravity

14. SCREEN: Material

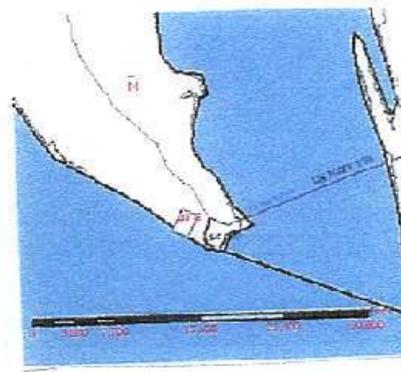
From	To	Depth	Diameter	Slot Size	Material
5	10	Ft.	1 in	.01 in	PVC

15. SAND/GRAVEL PACK: Material

From	To	Depth	Size	Material
10	20	Ft.	#2	Quartzite

16. REMARKS: _____

LOCATION SKETCH
Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

SIGNATURE OF PERSON CONSTRUCTING THE WELL DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908

WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665

STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
(if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test - P-6

2. WELL LOCATION:

Nearest Town: Powells Point County Currituck
US 158 and SR 1169 - at Malco Mine Site
(Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
(check appropriate box)

Latitude/longitude of well location
36.08140; -75.80706
(degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
Address P.O. Box 190

Latitude/longitude source: GPS Topographic map
(check box)

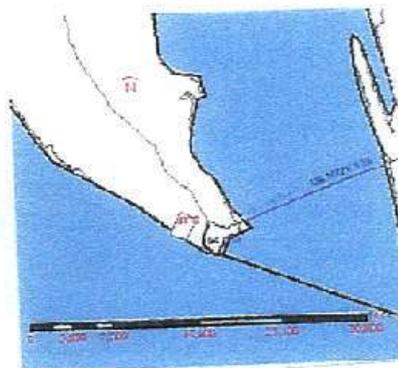
(Street or Route No.)
Harbinger NC 27941
City or Town State Zip Code
(252) 491-2128
Area code- Phone number

DEPTH		DRILLING LOG
From	To	Formation Description
<u>0</u>	<u>70</u> ft	<u>Yellow fine sand</u>

4. DATE DRILLED 4/19/04
5. TOTAL DEPTH: 10
6. DOES WELL REPLACE EXISTING WELL? YES NO
7. STATIC WATER LEVEL Below Top of Casing: 4.53 FT.
(Use "+" if Above Top of Casing)
8. TOP OF CASING IS 2.5 FT. Above Land Surface*
*Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.
9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal
10. WATER ZONES (depth): 15-20

LOCATION SKETCH

Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



11. DISINFECTION: Type hth Amount 20 g
12. CASING: Wall Thickness
From 0 To 6 Ft. 1 in Sch. 40 Material PVC
From _____ To _____ Ft. _____ Sch. _____ Material _____
From _____ To _____ Ft. _____ Sch. _____ Material _____
13. GROUT: Depth Material Method
From 0 To 5 Ft. Hole Plug Gravity
From _____ To _____ Ft. _____ Method _____
14. SCREEN: Depth Diameter Slot Size Material
From 5 To 10 Ft. 1 in .01 in PVC
From _____ To _____ Ft. _____ in. _____ in. _____
15. SAND/GRAVEL PACK:
From 10 To 20 Ft. #2 Quartzite
From _____ To _____ Ft. _____ Size _____ Material _____

16. REMARKS: _____

I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER

SIGNATURE OF PERSON CONSTRUCTING THE WELL

DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

WELL CONSTRUCTION RECORD

North Carolina - Department of Environment and Natural Resources - Division of Water Quality - Groundwater Section

WELL CONTRACTOR (INDIVIDUAL) NAME (print) Earl Wayne Thompson CERTIFICATION # 2908
 WELL CONTRACTOR COMPANY NAME Groundwater Well & Pump Co. PHONE # (757) 288-4665
 STATE WELL CONSTRUCTION PERMIT# _____ ASSOCIATED WQ PERMIT# _____
 (if applicable) (if applicable)

1. WELL USE (Check Applicable Box): Residential Municipal/Public Industrial Agricultural
 Monitoring Recovery Heat Pump Water Injection Other If Other, List Use Test P-7

2. WELL LOCATION:
 Nearest Town: Powells Point County Currituck
US 158 and SR 1189 - at Malco Mine Site
 (Street Name, Numbers, Community, Subdivision, Lot No., Zip Code)

Topographic/Land setting
 Ridge Slope Valley Flat
 (check appropriate box)
 Latitude/longitude of well location
36.08 224 ; -75.80711
 (degrees/minutes/seconds)

3. OWNER: Mr. Gary Thompson, TR Equipment
 Address P.O. Box 190
 (Street or Route No.)
Harbinger NC 27941
 City or Town State Zip Code
(252) 491-2128
 Area code- Phone number

Latitude/longitude source: GPS Topographic map
 (check box)

DEPTH		DRILLING LOG
From	To	Formation Description
0	10 ft	Yellow fine sand

4. DATE DRILLED: 4/19/04

5. TOTAL DEPTH: 10

6. DOES WELL REPLACE EXISTING WELL? YES NO

7. STATIC WATER LEVEL Below Top of Casing: 12.57 FT.
 (Use "+" if Above Top of Casing)

8. TOP OF CASING IS 3.5 FT. Above Land Surface*
 *Top of casing terminated at/or below land surface requires a variance in accordance with 15A NCAC 2C .0118.

9. YIELD (gpm): 21.3 METHOD OF TEST centrifugal

10. WATER ZONES (depth): 15-20

11. DISINFECTION: Type hth Amount 20 g

12. CASING: Wall Thickness or Weight/Ft. Material

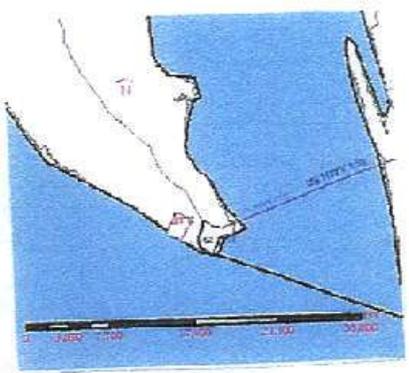
13. GROUT: Depth Diameter Material Method

14. SCREEN: Depth Diameter Slot Size Material

15. SAND/GRAVEL PACK: Depth Size Material

16. REMARKS: _____

LOCATION SKETCH
 Show direction and distance in miles from at least two State Roads or County Roads. Include the road numbers and common road names.



I DO HEREBY CERTIFY THAT THIS WELL WAS CONSTRUCTED IN ACCORDANCE WITH 15A NCAC 2C, WELL CONSTRUCTION STANDARDS, AND THAT A COPY OF THIS RECORD HAS BEEN PROVIDED TO THE WELL OWNER.

 SIGNATURE OF PERSON CONSTRUCTING THE WELL DATE

Submit the original to the Division of Water Quality, Groundwater Section, 1636 Mail Service Center - Raleigh, NC 27699-1636 Phone No. (919) 733-3221, within 30 days. GW-1 REV. 07/2001

**ABC BOARD
3 Year Terms**

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Harold Capps*				9/2010	2nd 9/1/2013
David Griggs				2/2013	2/16/2016
David Myers				7/2012	3rd 5/4/2015
Horace Bell, III				7/2012	3rd 6/15/2015
Gene Gregory				2/2013	2/16/2016

*** To Be Replaced**

CURRITUCK COUNTY
NORTH CAROLINA
August 19, 2013

The Board of Commissioners met at 6:00 p.m. in the Historic Courthouse Conference Room for a presentation by Holly White, Chief Planner, on Connecting Corolla, Public Access Plan, a comprehensive study and plan for improving the Corolla area for the safety of the residents and visitors.

The Board of Commissioners met at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Board Meeting Room with the following members present: Chairman Paul O'Neal, Vice-Chair Paul Martin, Commissioners Aydlett, Gilbert, Griggs, McCord, and Petrey.

- A) Invocation**
- B) Pledge of Allegiance**

Reverend Bill Masciangelo, Moyock United Methodist Church, was present to give the invocation and lead the Pledge of Allegiance.

C) Approval of Agenda

Chairman O'Neal stated Public Hearing, Item A would be deleted as the applicant had requested to continue to a future meeting. Commissioner Petrey moved to approve the Agenda as amended. Commissioner Gilbert seconded the motion. Motion carried unanimously.

APPROVED AGENDA

Work Sessions

6:00 PM Connecting Corolla

7:00 pm Call to Order

- A) Invocation – Reverend Bill Masciangelo, Moyock United Methodist Church
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

Public Hearings

- A) **Consideration and Action:** PB 13-12 Moyock Commons (PD): Request to rezone 27.66 acres from Agricultural (AG) to Planned Development - Residential (PD-R). The property is located at the westerly terminus of Moyock Commons Drive, behind the Food Lion Shopping Center, Tax Map 15, Parcel 79, Moyock Township. - **CONTINUED**

New Business

- A) **Recommendation of Award of Solid Waste Services Contracts**

B) Consent Agenda:

1. Approval of August 5, 2013 Minutes
2. Resolution Opposing the United States Fish & Wildlife Service's Proposed Designation of Critical Habitat for the Northwest Atlantic Ocean Distinct Population Segment of the Loggerhead Sea Turtle

C) Commissioner's Report**D) County Manager's Report****Adjourn****D) Public Comment**

Chairman O'Neal opened the public comment period. Since there were many present who had signed up for the continued public hearing, the Board gave them opportunity to speak.

Mary Etheridge, Shawboro, stated she had been involved in litigation with the County for two years concerning illegal spot zoning. Although the courts had ruled in her favor, the County did not pay her legal fees. She wanted to prevent this same thing from happening to anyone else. She commented on the concern for quality expressed for projects in other neighborhoods.

Peggy Lusk, Moyock, with the Concerned Citizens of Moyock, was opposed to improper development. She expressed the need for a recreational park and keeping a rural country setting.

Peter Thornton, Sr., Moyock, stated there was a problem with safety on the highway. He encouraged the use of trains for traveling to medical facilities. He also expressed the need for a safety center.

Ginger Sikes, Currituck, stated that ALAL supporters donated \$88,000 last year as well as thousands of volunteer hours at the animal shelter. She invited everyone to the Bark in the Park on October 5 as well as a barbeque dinner at P.J.'s in Moyock on September 13, both fundraisers for the animal shelter. She thanked the Commissioners for their support of a new shelter.

Ann Edge Dale, Moyock, spoke of how Moyock had changed. She spoke of the benefit of trees to take care of storm water. She supported a quality of life, preserving Rattlesnake Woods and restoring a sense of community.

Marshall Gore, Moyock, was concerned with water pollution relating to runoff from new development. He related that all runoff goes to Shingle Landing Creek and ultimately to Currituck Sound.

Wende Shannon, Moyock, was concerned with flooding. She suggested communicating with all Moyock residents about new developments, not just adjacent landowners. More development affected public services, school capacity and traffic concerns in addition to flooding. She urged waiting to take action on the Moyock Commons rezoning until the Small Area Plan was finished.

William Sanderlin, Moyock, spoke about the problem with flooding, partially caused by sediment in Rowland Creek.

Veronica Gubbs, Moyock, expressed the need for infrastructure. She stated Moyock had been promised a high school two years ago and that the new wastewater treatment plant was already at 80% capacity.

Jim Bradford, Volvo Parkway, Chesapeake, VA, stated he was representing the development applicant and would speak later.

Charles Eley, Moyock, stated the flooding began when the road was widened and NCDOT tried to force storm water to flow south instead of north. He urged the Commissioners not to create more drainage problems.

George Winslow, Carrollton, VA, farms land adjacent to proposed development. He spoke of flooding fields causing lost crops and the need to maintain roads for school buses.

June Raffa, Harbinger, spoke of the Buy Local campaign – but buy what? – as there is a lack of businesses where one can buy clothing, furnishings, and household goods. She indicated that too much money had been spent for buildings with little or no return while nothing had been done about the ramshackle highway corridor with its many storage facilities. She was of the opinion the Commissioners have a lack of vision.

Andy Deel, Deel Engineering, had been retained by the Concerned Citizens of Moyock. He related facts about a study completed four years ago while he was employed with Quible. He had observed the flooding from Hurricane Ida and had done an analysis of the complex drainage system in the area of the new development.

Mike Doxey, Soil & Water Conservation District Technician, related the ditches which need clearing and widening to improve drainage are privately owned or are in the state right-of-way. All but one private landowner have refused to grant a wider easement. NC Department of Transportation eliminated culverts when building the road which caused flooding; however, NCDOT is unconcerned since the road itself does not flood.

Chairman O'Neal felt NCDOT should fix the problem since it caused it.

There was further discussion between the Commissioners and Mr. Doxey regarding where the stormwater empties as well as the easements needed to enlarge the ditches - forty foot easements plus access.

Commissioner Gilbert urged residents not to dump yard waste in the ditches.

Mr. Deel responded to a question of cost to expand the critical ditch #6. At the time of the study, the engineer's estimate was \$130,000.

There being no further comments, Chairman O'Neal closed the public hearing and called a short recess.

After reconvening, Jim Bradford, applicant's representative, stated he would work with Ben Woody, Planning and Community Development Director, to reschedule the public hearing within the required six months.

Public Hearings

- A) Consideration and Action: PB 13-12 Moyock Commons (PD): Request to rezone 27.66 acres from Agricultural (AG) to Planned Development - Residential (PD-R). The property is located at the westerly terminus of Moyock Commons Drive, behind the Food Lion Shopping Center, Tax Map 15, Parcel 79, Moyock Township. CONTINUED**

New Business

A) Recommendation of Award of Solid Waste Services Contracts

Dan Scanlon, County Manager, explained the solid waste services contract is renewed every five years. The current contract combines Corolla curbside collection as well as servicing the convenient sites. For the next contract, the services were bid separately. The recommended contractor for Corolla curbside collection was Bay Disposal and for the convenient sites – Waste Management.

Bay Disposal had suggested a different schedule, but a survey of Corolla customers revealed most wanted to keep to the current schedule.

Waste Management had suggested closing one day a week for maintenance, both of equipment and the sites; however, the Commissioners did not favor that idea, although the sites did need some upgrading.

Commissioners asked about electronics collection bins to which Mr. Scanlon responded it was being investigated.

It was noted funding for the two proposed contracts would come from user fees in the form of surcharges on tax bills.

Commissioner Aydlett moved to award the contracts as recommended. Commissioner Gilbert seconded the motion. Motion carried unanimously.

B) Consent Agenda:

1. Approval of August 5, 2013 Minutes
2. Resolution Opposing the United States Fish & Wildlife Service's Proposed Designation of Critical Habitat for the Northwest Atlantic Ocean Distinct Population Segment of the Loggerhead Sea Turtle

Commissioner Gilbert moved to approve the Consent Agenda. Commissioner McCord seconded the motion. Motion carried unanimously.

RESOLUTION OPPOSING THE UNITED STATES FISH & WILDLIFE SERVICE'S PROPOSED DESIGNATION OF CRITICAL HABITAT FOR THE NORTHWEST ATLANTIC OCEAN DISTINCT POPULATION SEGMENT OF THE LOGGERHEAD SEA TURTLE

WHEREAS, On March 25, 2013, nearly thirty-five years after listing the loggerhead sea turtle as threatened, the United States Fish and Wildlife Service (USF&WS) proposed to designate 740 miles of shoreline in six states as critical habitat, including 96 miles in North Carolina; and

WHEREAS, designation of critical habitat would impact a wide variety of coastal projects involving federal action (activities or programs of any kind authorized, funded, or carried out, in whole or in part, by federal agencies), including, but not limited to, coastal and inlet

management activities, such as dredging and beach re-nourishment permitted, funded or implemented by the United States Army Corps of Engineers and hurricane recovery activities funded by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the USF&WS's specifically disclosed that special management considerations will be necessitated to address the following 12 threats to critical habitat that are quoted as follows; recreational beach use, beach driving, predation, beach sand placement activities, in-water shoreline alterations, coastal development, artificial lighting, beach erosion, climate change, habitat obstructions, human-caused disasters, and military testing and training activities; and

WHEREAS, the special management considerations that will be required for the 12 threats identified by the USF&WS will likely include other federal actions such as the implementation of the National Flood Insurance Program, implementation of building codes, federal grants for public access and infrastructure improvements, and more; and

WHEREAS, these special management considerations therefore will unnecessarily and negatively impact the local, state, and federal economies; and the public's access and enjoyment of the beach; and

WHEREAS, despite these far reaching impacts on the federal, state, and local economy, the USF&WS failed to include an economic analysis at the time of its proposed designation as stipulated in the Endangered Species Act; and

WHEREAS, not only would designation of critical habitat for the loggerhead sea turtle result in more regulatory hurdles for federal coastal projects, the USF&WS ignored other successful measures already in place as coastal governments have constructed and maintain active shore damage reduction projects, which not only provide protection of and benefits to public and private infrastructure, small businesses, the tourism industry, public recreation, and state and local tax bases; but also maintain and enhance habitat for loggerhead sea turtles; and

WHEREAS, these coastal storm damage reduction projects are conducted pursuant to stringent federal and state regulations that ensure habitat for threatened and endangered species, including the loggerhead sea turtle, is protected before, during and after these events; and

WHEREAS, local volunteers, in coordination with the North Carolina Wildlife Resources Commission, also conduct a sea turtle management program whereby sea turtle activity is monitored daily during nesting season, and volunteers assist in protecting nesting sites and during hatching and assist in tending to and collecting data with respect to stranded turtles; and

WHEREAS, if critical habitat is designated, some of these existing and successful programs will be burdened with additional and unnecessary regulations, and therefore will become more costly, which will increase the threat to the loggerhead sea turtle and its habitat.

NOW, THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners is strongly opposed to the USF&WS's proposed designation of loggerhead sea turtle critical habitat along the shorelines of North Carolina as set forth in Document Number 2013-06458

of the Federal Register and will work with state and federal resource officials and elected representatives to ensure the proposed designation is in no manner included in the final rule.

BE IT FURTHER RESOLVED, that the designation of critical habitat thirty-five years after the listing of the loggerhead sea turtle is the wrong management tool for the conservation of the species and the Currituck County Board of Commissioners will continue to support the protection and recovery of the loggerhead sea turtle by utilizing effective management guidelines and rules currently in place, while evaluating new practices as they develop.

C) Commissioner's Report

Commissioner Martin reminded residents that school would begin the following week so to watch out for kids on the highway.

Commissioner Petrey was appreciative of the County form of government and was glad for those who voiced their opinion.

Commissioner Gilbert agreed with Commissioner Petrey. She also announced the upcoming Airport Advisory Board meeting on Wednesday, August 21.

D) County Manager's Report

No report.

Adjourn

There being no further business, Commissioner Aydlett moved to adjourn. Commissioner Martin seconded the motion. The meeting was adjourned.

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10540 557000	Refunds	\$ 1,642	
10340 454000	Building Permits		\$ 1,642
		<u>\$ 1,642</u>	<u>\$ 1,642</u>

Explanation: *Inspections (10540)* - Increase appropriations to refund building permit issued in prior fiscal year.

Net Budget Effect: Operating Fund (10) - Increased by \$1,642.

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Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
14460 545000	Contract Services	\$ 120,000	
14390 499900	Fund Balance Appropriated		\$ 120,000
		<u>\$ 120,000</u>	<u>\$ 120,000</u>

Explanation: *Carova Beach Service District (14460)* - Increase appropriations to carry-forward funds from prior fiscal year for service district improvements.

Net Budget Effect: Carova Beach Service District Fund (14) - Increased by \$120,000.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
20609 590000	Capital Outlay	\$ 1,682,000	
20390 499900	Fund Balance Appropriated		\$ 1,682,000
		<u>\$ 1,682,000</u>	<u>\$ 1,682,000</u>

Explanation: *Whalehead Subdivision Drainage Dist (20609) - Carry-forward funds for completion of Phases 1-4 of drainage project.*

Net Budget Effect: Whalehead Subdivision Drainage District (20) - Increased by \$1,682,000.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50512 596100	Professional Services	\$ 60,000	
50390 495040	T F - Capital Improvements		\$ 60,000
		<u>\$ 60,000</u>	<u>\$ 60,000</u>

Explanation: *Animal Shelter Construction (50512)* - Increase appropriations for the design portion of contract with Virtexco for design and construction of the animal shelter.

Net Budget Effect: County Governmental Facilities (50) - Increased by \$60,000.

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Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50795 590001	Signage	\$ 200,000	
50380 481000	Investment Earnings		\$ 200,000
		<u>\$ 200,000</u>	<u>\$ 200,000</u>

Explanation: *YMCA/Recreation/Maple Commerce Park (50795) - Increase appropriations for signage for the Maple Community Center & Commerce Park properties.*

Net Budget Effect: County Governmental Facilities (50) - Increased by \$200,000

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Clerk to the Board

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on September 3, 2013 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be sold at auction, on Gov Deals or by advertised sale:

<u>Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
6002	2005 Jeep	1J4GR48K95C651855

ADOPTED, this 3rd day of September, 2013.

S. Paul O'Neal
Currituck County Board of
Commissioners

ATTEST:

Mary S. Gilbert

Clerk to the Board

Corporate Resolution – Institutional Accounts

RAYMOND JAMES®

01163		
Form #	Account #	
Branch #	FA #	Speed Dial #

(Security Cash Account only – Full Authority)

I, Mary S Gilbert, Secretary of County of Currituck,
(Secretary's Name) (Name of Corporation)

a corporation organized and existing under and by virtue of the Laws of the State of North Carolina (the "Corporation") do hereby certify that the following is a true and complete copy of resolutions adopted at a meeting of the Board of Directors of the Corporation duly called and held on September 3, 2013, at which a quorum was present and voting, or by unanimous written consent of directors in lieu of a meeting; that said resolutions are now in full force and effect and have not been rescinded; and that said resolutions are not in conflict with the Charter or By-Laws of the Corporation.

Resolved --

First: That the President or any Vice President of this Corporation or any officers designated below with signatures, be and they hereby are, and each of them individually is, authorized and empowered, for and on behalf of this Corporation, to establish and maintain one or more accounts, with **Raymond James & Associates, Inc.** (herein called the "Broker") for the purpose of purchasing, investing in, or otherwise acquiring, selling, possessing, transferring, exchanging, pledging, or otherwise disposing of, and generally dealing in and with any and all forms of securities including, but not limited to shares, stocks, bonds, debentures, notes, options, script, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgages, choses in action, evidences of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind of nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise.

The fullest authority at all times with respect to any such commitment or with respect to any transaction deemed by any of the said officers and/or agents to be proper in connection therewith is hereby conferred, including authority (without limiting the generality of the foregoing) to give written or oral instructions to be the Broker with respect to said transactions; to bind and obligate the Corporation to and for the carrying out of any contract, arrangement, or transaction, which shall be entered into by any such officer and/or agent for and on behalf of the Corporation with or through the Broker; to pay such sums as may be necessary in connection with any of the said accounts; to deliver securities to, and deposit funds with the Broker; to order the transfer or delivery of securities to any other person whatsoever, and/or to order the transfer of record of any securities in order to pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign on behalf of the Corporation all releases, powers of attorney and/or other documents in connection with any such accounts, and to agree to any terms or conditions to control any such account; to direct the Broker to surrender any securities to the proper agent or party for the purpose of effecting any exchange or conversion, or for the purpose of deposit with any protective or similar committee, or otherwise; to accept delivery of any securities; to appoint any other person or person to do any and all things which any of the said officers and/or agents is hereby empowered to do, and generally to do and take all action necessary in connection with the account, or considered desirable by such officer and/or agent with respect thereto.

Second: That the Broker may deal with any and all persons directly or indirectly by the foregoing resolution, empowered, as though they were dealing with the Corporation directly.

Third: That the Secretary of the Corporation be and is hereby authorized, empowered and directed to certify to the Broker.

(a) a true copy of these resolutions;

(b) specimen signatures of each and every person by these resolutions empowered;

Fourth: That the Broker may rely upon any certification given in accordance with these resolutions, as continuing fully effective unless and until the Broker shall receive due written notice of a change in or the rescission of the authority so evidenced, and the dispatch or receipt of any other form of notice shall not constitute a waiver of this provision, nor shall the fact that any person hereby empowered ceases to be an officer of the Corporation or becomes an officer under some other title, in any way affects the powers hereby conferred. The failure to supply any specimen signature shall not invalidate any transaction if the transaction is in accordance with authority actually granted.

Fifth: That in the event of any change in the office or powers of persons hereby empowered, the Secretary shall certify such changes to the Broker in writing in the manner herein above provided, which notification, when received, shall be adequate both to terminate the powers of the persons theretofore authorized, and to empower the persons thereby substituted.

Sixth: That the foregoing resolutions and the certificates actually furnished to the Broker by the Secretary of the Corporation pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by the Broker.

[]
Account #

Seventh: If the Corporation has an investment policy or other limitation on its universe of investments or investment products ("Investment Policy"), it acknowledges that the Broker may not monitor the Investment Policy; that Broker is relying on the persons identified on page 2 of this document (or any additional individuals designated hereunder) to know any investment limitations and to promptly review all confirmations and statements to verify the accuracy of any trades. Corporation agrees that it shall indemnify and hold Broker harmless from any transactions that are directed to be made by an individual identified as having authority hereunder.

Eighth: In connection with all potential transaction in any account opened pursuant to these resolutions, the Corporation acknowledges that (1) it is capable of evaluating investment risks independently, both in general and with regard to all transactions and investment strategies involving a security or securities; and (2) will exercise independent judgement in evaluating the recommendations of the Broker or its associated persons.

I further certify that each of the following has been duly elected and is now legally holding the office set opposite his/her name and that this is the true and accurate specimen signature of those authorized by the foregoing resolutions.

President (Please Print) S. Paul O'Neal, Chairman	President's Signature
Vice President (Please Print) Daniel F. Scanlon, County Manager	Vice President's Signature
Other Officer, specify title (Please Print)	Officer's Signature
Other Officer, specify title (Please Print)	Officer's Signature

Secretary Signature	Date 9/3/2013
---------------------	-------------------------

(Note: This certification should be used in conjunction with either the assignment provided on each certificate of stock and registered bond, or a separate assignment. The officer certifying the resolution must not execute the assignment. The certification and assignment must both bear the same date.)



Reset Form

Currituck County Agenda Item Summary Sheet

Agenda Item Title

Consent Agenda - July 2013 CDBG Monthly Progress Report

Brief Description of Agenda Item

July 2013 monthly status report for the 2011 Community Development Block Grant.

Board Action Requested

Information

Person Submitting Agenda Item

Tammy Glave



COUNTY OF CURRITUCK

Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
Telephone (252) 232-3055 / Fax (252) 232-3026

Memorandum

TO: Board of Commissioners

FROM: Ben Woody, AICP
Planning Director

DATE: August 16, 2013

SUBJECT: July 2013 CDBG #11-C-2308 Scattered Site Housing Project Update

The 2011 Community Development Block Grant remains on schedule for the month of July. A summary of July's progress follows:

- Site visits were conducted with three reconstruction recipients to refine specifications for selected floor plans.
- Site visits were conducted to develop scopes of work for demolition.
- The need for temporary relocation resources was discussed with the three reconstruction recipients.
- A list of available temporary relocation resources is being developed through local realtors.
- The Notice to Proceed for asbestos inspections was issued.
- The asbestos inspections to be performed by Matrix Health and Safety Consultants, LLC, will be conducted the first week in August.
- General administration and financial management responsibilities are continuing.

Attached is the July's Monthly Status Report for your review. Thank you.

Monthly Performance Status Report

(Due on 15th of each month)

Grantee Name: Currituck County Grant Number: 11-C-2308 Month: July Year: 2013

<u>Activity</u>	<u>Performance Schedule (On/Off)</u>	<u>Current Performance Status (If Off Schedule)</u>	<u>Remedy to get back on Schedule (If Off Schedule)</u>
Rehabilitation-Rehabilitation	ON		
Rehabilitation-Reconstruction	ON		
Rehabilitation-Clearance	ON		
Planning	ON		
Administration	ON		

Prepared By: Brendan Nolan Title: Project Manager
 Endorsed By: Dan Scanlon  Title: County Manager *(City/County Manager or Clerk)*
 Board or Council Update: Dan Scanlon, County Manager Date: 9/3/13

Performance Schedule
(Based on Performance Based Contract)
On/Off Schedule

- ❖ *On* Performance Schedule: Stop and submit report, no current performance status or remedy to get back on schedule is required
- ❖ *Off* Performance Schedule: Provide current performance status and remedy to get back on schedule and submit report

PROCLAMATION

WHEREAS, the need for a literate citizenry in Currituck County has increased with the expanded labor market; and

WHEREAS, many Currituck County citizens experience literacy issues that impact severely on their lives and families, their ability to work productively, and their full participation as citizens and residents of our State; and

WHEREAS, the 2000 Census showed 20 percent of North Carolina's adult population had not completed high school; and according to the North Carolina Literacy Association, North Carolina's community colleges, literacy councils, libraries and community-based organizations provided basic skills and literacy services to 162,000 people across the State in 2004-2005; and

WHEREAS, Currituck County Libraries and the College of the Albemarle provide guidance and resources to those wishing to improve literacy in their own or someone else's life; and

WHEREAS, the promotion of a literate population should be a primary goal of every governmental unit; and

NOW, THEREFORE, BE IT PROCLAIMED that September 2013 is proclaimed as "NATIONAL LITERACY MONTH" in Currituck County, and all fellow citizens are challenged to become invested in making the eradication of illiteracy in Currituck County a reality.

This the 3rd day of September, 2013.

S. Paul O'Neal
Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 3rd day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15447-545006	Hist Jburg Colored School	\$ 11,000	
15320-415000	Occupancy Tax		\$ 11,000
		<u>\$ 11,000</u>	<u>\$ 11,000</u>

Explanation: Occupancy Tax - Tourism Related (15447) -Increase appropriations for operating costs associated with the Historic Jarvisburg Colored School.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$11,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 3rd day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<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>
15447-545001	Beach Services	\$ 49,284	
15447-545002	Historic Preservation	\$ 326,380	
15447-592000	Whalehead Club	\$ 89,528	
15390-499900	Fund Balance Appropriated		\$ 465,192
		<u>\$ 465,192</u>	<u>\$ 465,192</u>

Explanation: Occupancy Tax - Tourism Related (15447) - Carry-forward funds from prior fiscal year for projects in process as follows:

<u>Prior Year PO</u>	<u>Description</u>	<u>Amount</u>
20131235	Ocean Rescue	\$ 49,284
20130359	Whalehead dredging	\$ 29,492
20130361	Whalehead dredging	\$ 34,325
20130377	Whalehead dredging	\$ 25,711
20130364	Historical Overviews Manuscript	\$ 1,500
20130373	Historical Overviews Manuscript	\$ 4,000
20130379	Historical Overviews Manuscript	\$ 3,000
20130791	Prelim proposal for book design	\$ 27,777
20130792	1500 copies of historical book	\$ 16,337
20131414	Historic Colored School	\$ 9,321
	Funding for Jarvisburg School and Historic Jail	\$ 264,445
		<u>\$ 465,192</u>

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$465,192.

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Clerk to the Board