



Currituck County BOARD OF COMMISSIONERS AGENDA

Monday, July 21, 2025, 6:00 PM
Historic Currituck Courthouse Board Room
153 Courthouse Road
Currituck, North Carolina 27929

Pages

Work Session - 5:00 PM

1. Voting Districts
2. Beach Management
3. Currituck County Soil and Water Supervisors

Call to Order - 6:00 PM

1. Invocation & Pledge of Allegiance
Pastor Tim Cooper, Kingdom Impact Ministries
2. Ethics Awareness and Conflicts of Interest Reminder
3. Approval of Agenda

3

Public Comment

Please limit comments to matters other than those appearing on this agenda as a Quasi-Judicial/Evidentiary Hearings. Public comments are limited to 3 minutes.

Administrative Reports

1. Trillium Health Annual Report-Bobbie Lowe, Regional Vice President

Quasi-Judicial/Evidentiary Hearings

1. PB 25-08 Grandy Manor:
Request for a preliminary plat/special use permit for a 20-lot conservation subdivision on property zoned Single-Family Residential Mainland. The subject properties are located between 732 Poplar Branch Road and Caratoke Highway in Grandy, Tax Map 94, Parcel 161G (formerly Tax Map 94, Parcels 161B, 161C) and Tax Map 94, Parcel 168 Poplar Branch Township.

4

New Business

1. Ordinance Amendment: Sec. 3-64-Animal Tethering 54
2. Sole Source Purchase Resolution-Sulzer Products from Pete Duty & Assoc. 56
3. Emergency Purchase Resolution-Sulzer Pump-Ocean Sands Spray Field 59
4. Sole Source Purchase Resolution-Shinmaywa (America) Ltd. Submersible Non-clog Pumps and Parts from Preferred Sources, Inc. 64

5. Board Appointments

- | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------|----|
| a. | Animal Services and Control Advisory Reappoint Caitlin Garrett and Julie Morgan to 1st Full Terms expiring 5/30/2027. | 67 |
| b. | Opioid Advisory Reappoint Karen Tejano, Alison Sholar, and Barbara Courtney to 1st Full Terms expiring July 15, 2027. | 68 |

6. Consent Agenda

- | | | |
|----|-------------------------------------------------------------------------------|----|
| a. | Budget Amendments | 69 |
| b. | Master Fee Schedule Revision | 73 |
| c. | Multi-year Lease Agreement-Adult Probation-Parole, Judicial Center Offices | 76 |
| d. | Approval of Minutes-July 7, 2025 | 89 |

Commissioner's Report

County Manager's Report

County Attorney's Report

Adjournment

ETHICS AWARENESS AND CONFLICTS OF INTEREST REMINDER:

Pursuant to G.S. 153A-44, a commissioner has a duty to vote on matters coming before the board but may be excused from voting on issues involving the commissioner's own financial interest, official conduct or on matters on which the commissioner is prohibited from voting under G.S. 14-234 or 160D-109. In accordance with Chapter 2, Division 3 of the Currituck County Code of Ordinances, it is the duty of every commissioner to avoid both conflicts of interest and appearances of conflict.

Does any commissioner have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board of Commissioners in this meeting? If so, please identify the conflict or appearance of conflict.



**STAFF REPORT
PB 25-08 GRANDY MANOR
PRELIMINARY PLAT/SPECIAL
USE PERMIT
BOARD OF COMMISSIONERS
JULY 21, 2025**

APPLICATION SUMMARY

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Property Owner: Howard Land Development, Inc. 2854A Caratoke Hwy Currituck, NC 27929 | Applicant: Howard Land Development, Inc. 2854A Caratoke Hwy Currituck, NC 27929 |
| Case Number: 25-08 | Application Type: Preliminary Plat/Special Use Permit |
| Parcel Identification Number: 0094-000-161G-0000 (formerly 0094-000-161B-0000 and 0094-000-161C-0000) 0094-000-0168-0000 | Existing Use: Woodland |
| Imagine Currituck Classification: G-2 Controlled Growth and G-3 Mixed-use Centers and Corridors Lower Currituck Grandy Sub-Area | Parcel Size (Acres): 23.04 (including private ROW) 22.86 |
| Small Area Plan Classification: N/A | Zoning: Single-Family Mainland (SFM) |
| Proposed Number of Lots: 20 | Project Density: 0.87 du/acre |
| Smallest Lot Size: 25,000 sq ft | Average Lot Size: 25,001 sq ft |
| Required Open Space: 9.21 acres | Provided Open Space: 9.22 acres |

SURROUNDING PARCELS

| | Land Use | Zoning |
|-------|-------------|------------------------------|
| North | Agriculture | Agriculture (AG) |
| South | Residential | Single-Family Mainland (SFM) |
| East | Residential | Single-Family Mainland (SFM) |
| West | Residential | General Business (GB) |

STAFF ANALYSIS

The applicant is requesting preliminary plat/special use permit approval for a 20-lot Type II Conservation Subdivision on property zoned SFM. The development consists of 20 lots, each measuring approximately 25,000 square feet. The site does not contain any environmentally sensitive areas that would qualify as Primary Conservation Areas. However, to meet the requirements of open space within a Conservation Subdivision, a total of 9.22 acres, 40% of the site, has been designated as Secondary Conservation Area. These areas, where not occupied by stormwater infrastructure or the USPS mail kiosk, will remain wooded or grassed to preserve the natural character of the site. A new street will be

PB 25-08 Grandy Manor
Preliminary Plat/Special Use Permit
Page 1 of 7

constructed to serve the subdivision and will be built to NCDOT construction standards. All additional improvements will comply with the requirements of Currituck County and NCDEQ.

After receipt of this major subdivision application, a minor subdivision was recorded to create two General Business lots fronting Caratoke Highway.

| INFRASTRUCTURE | |
|--------------------------------------------|-----------------------------------------------------------------------|
| Water | Public |
| Sewer | Septic |
| Transportation | 50' right-of-way |
| Pedestrian | Sidewalks provided on both sides of streets |
| Stormwater/Drainage | Swales and ditches draining to on-site BMP |
| Lighting | No lighting is proposed |
| Landscaping | Street trees and collector street screening required |
| Recreation and Park Area Dedication | A payment-in-lieu of land dedication will be paid prior to final plat |

SCHOOLS

This development is in the Griggs Elementary School district. Griggs Elementary has available capacity to serve the additional 5 elementary students generated by this development. This development is in the Currituck Middle School district. Currituck Middle School has available capacity to serve the additional student generated by this development. High schools in the county have available capacity to serve the two additional students generated by this development. The Adequate Public School Facilities ordinance requires that school capacity be in place at the time of approval or within two years after the initial approval of the special use permit. The Board of Commissioners may attach additional conditions of approval, including timing limits on residential building lots, to assure adequate public facilities remain sufficient to serve the development.

| ADEQUATE PUBLIC FACILITIES – SCHOOLS ¹ | | | | |
|---------------------------------------------------|----------------------------------------|----------------------------------------|---------------------------------|----------------------------------------------|
| School | 2024-2025 Actual Capacity ² | 2024-2025 Actual Capacity ² | Committed Capacity ³ | Proposed Capacity Changes |
| | | | | Number of Students |
| Moyock Elementary | 96% | 98% | 119% | |
| Shawboro Elementary | 103% | | | |
| Central Elementary | 93% | | | |
| Griggs Elementary | 62% | 66% | 92% | 20 lots x 0.25 students per lot = 5 students |
| Jarvisburg Elementary | 76% | | | |
| Knotts Island Elementary | 39% | 39% | 39% | |
| Moyock Middle | 81% | 80% | 92% | 20 lots x .08 students per lot = 1 students |
| Currituck Middle | 79% | | | |
| Currituck High | 86% | 86% | 104% | 20 lots x .14 students per lot = 2 students |
| JP Knapp Early College | 89% | | | |

¹Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

²Capacity percentages are based on 2024-2025 school year classroom standards and June 2025 enrollment

³Capacity percentages are based on the 2024-2025 school year classroom standards and June 2025 enrollment (updated through 2024)

STORMWATER

The applicant's proposed stormwater narrative is included in the agenda packet. The following narrative is drawn directly from the submitted stormwater narrative:

Site Information

Grandy Manor is a 23.04 acre project located adjacent to Poplar Branch Road to the east and just off U.S Highway 158 – Caratoke Highway to the west in Grandy, Poplar Branch Township. The site does not contain any U.S Army Corps of Engineers wetlands. Most of the site is wooded with some fallow field and consist of existing perimeter drainage ditches and a cross ditch that captures the over land runoff from the property and further conveys that runoff downstream to “Outlaw Ditch”.

The topography of the site is gently sloping from East to West from Poplar Branch Road to the wooded areas and ditches. Elevations range from 10 to 12-foot MSL.

Soils within the site consist primarily of Portsmouth (Pt) fine sandy loam in the central area of the site and a mix of Conetoe (CnA) and Dragstone (Ds) loamy fine sand soils throughout the remainder of the project.

Proposed Development

The proposed development will utilize vegetative swales to convey runoff from the proposed lots alongside property lines, to either rear property line ditches, new roadside ditches or directly to the stormwater BMP's. The BMP's will incorporate an outfall structure at the downstream ends that will outlet to the existing cross ditch that leads north to Outlaw Ditch. Off-site runoff from the adjacent parcels to the south of the property and highway drainage from the west will be allowed to continue draining through the existing ditches

Preliminary Analysis

The proposed development will not negatively affect the off-site drainage. Perimeter ditches will be unchanged and cross ditches only relocated as necessary to work with the proposed development pattern. It is the intention of the development to utilize the NCDEQ's Low Density Stormwater Permit option to ensure that the proposed development maintains a low impact design. The proposed BMP storage will be designed and constructed in accordance with the County's Stormwater Manual. It is anticipated that any rise in stormwater runoff to the downstream water surface of Outlaw Ditch will be below 0.01 feet. HEC-RAS models for the site will be provided during the Permitting & Construction document phase.

TRANSPORTATION

The subdivision entrance will connect directly to Poplar Branch Road (SR 1131) approximately 150 feet south of Turf Lane and 500 feet north of Tuckers Lair. New subdivision roads will be in a 50 foot right-of-way with sidewalks on both sides of the street.

WASTEWATER

The applicant proposes on-site septic systems for each lot. All lot evaluations submitted are classified as suitable.

STAFF REVIEW

TECHNICAL REVIEW COMMITTEE

The Technical Review Committee (TRC) reviewed the application and provided the following comments:

1. The Board of Commissioners may attach additional conditions of approval, including timing limits on residential building lots, to assure adequate public school facilities remain sufficient to serve the development.
2. The application is in compliance with the UDO.

Imagine Currituck

The ***Imagine Currituck 2040 Vision Plan*** classifies this site as G-2: Controlled Growth and G-3: Mixed-Use Centers and Corridors

The G-2 classification contains medium-density residential developments and neighborhood-scale commercial nodes. This sector is characterized by an interconnected local road network, available water or wastewater, and walkable neighborhoods that connect to parks, open space, commercial nodes, and other neighborhoods.

The G-3 classification is supported by major transportation networks, public water and wastewater infrastructure, and a community greenway system that links neighborhoods to mixed use areas. This sector provides for a wide range of uses including mixed residential subdivisions with a variety of housing types and mixed use developments that maximize the efficient use of space. Attractive mixed use development can be achieved by incentivizing multi-story buildings that comply with design standards that emphasize building form, orientation, and architecture.

The maximum density permitted in the G-2 transect in the Grandy sub-area is up to 2 dwelling units per acre. The maximum density permitted in the G-3 transect in the Grandy sub-area is up to 4 dwelling units per acre.

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

Land Use Policy 1.1: The Future Land Use Map is a guide for decision making, planning for infrastructure and conservation and should not be the sole basis for land use decisions.

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

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

Infrastructure and County Services Goal 1: Ensure sufficient provision of services to support associated growth and development and continue to enforce the adequate public facilities ordinance.

Infrastructure and County Services Policy 1.1: The costs of infrastructure, facilities, and services related to demand created by new growth and development shall be borne, in equitable proportion, by those creating the additional demand. This may include but is not limited to: land transfer tax, development fees, upzoning fees, and user fees.

Infrastructure and County Services Policy 3.1: New development shall connect to the County's water system at the expense of the developer. (Wherever available and in accordance with County standards.)

Infrastructure and County Services Policy 3.5: Septic systems in suitable soils are an environmentally acceptable means of treating and dispersing waste from low-density development.

Infrastructure and County Services Goal 4: Improve stormwater management and mitigation throughout the County by continuing to implement a watershed-based approach to stormwater management.

Infrastructure and County Services Policy 7.2: Continue enforcement of adequate public facilities ordinance to ensure sufficient school capacity.

Infrastructure and County Services Goal 8: Ensure that all public services remain at a sufficient level to provide superior service to the growing Currituck County population.

Transportation Policy 1.4: New development along the County's roadways shall be managed to preserve the intended purpose, protect taxpayer dollars invested, and minimize hazardous turning movements in and out of traffic flows. Methods include limits on frequency of driveway cuts, shared driveway access, minimum lot frontages, connections between adjoining parking lots, central medians, etc.

Transportation Policy 1.5: Concentrate development density at strategic locations along major corridors, while limiting highway access along intervening stretches of road.

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

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

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

Parks and Recreation Goal 3: Ensure that parks and recreation offerings remain relevant to meet the recreation needs of the population.

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

Lower Currituck Policy 1.1: Foster growth and development while maintaining the distinctive natural environment and rural character of the community

Lower Currituck Policy 1.2: New development and redevelopment should be properly planned so as to not adversely impact the character of the area and the peace and quiet traditionally enjoyed by its residents.

Lower Currituck G-2: Controlled Growth Policy 9.1: Predominately low to medium residential densities that support a variety of housing types

Grandy Sub-Area Policy 4.1: Plan for continued growth as a community center.

Grandy Sub-Area Policy 4.2: Encourage clustered housing developments, plan for buffering to transition from service areas to more rural and agricultural surrounding areas.

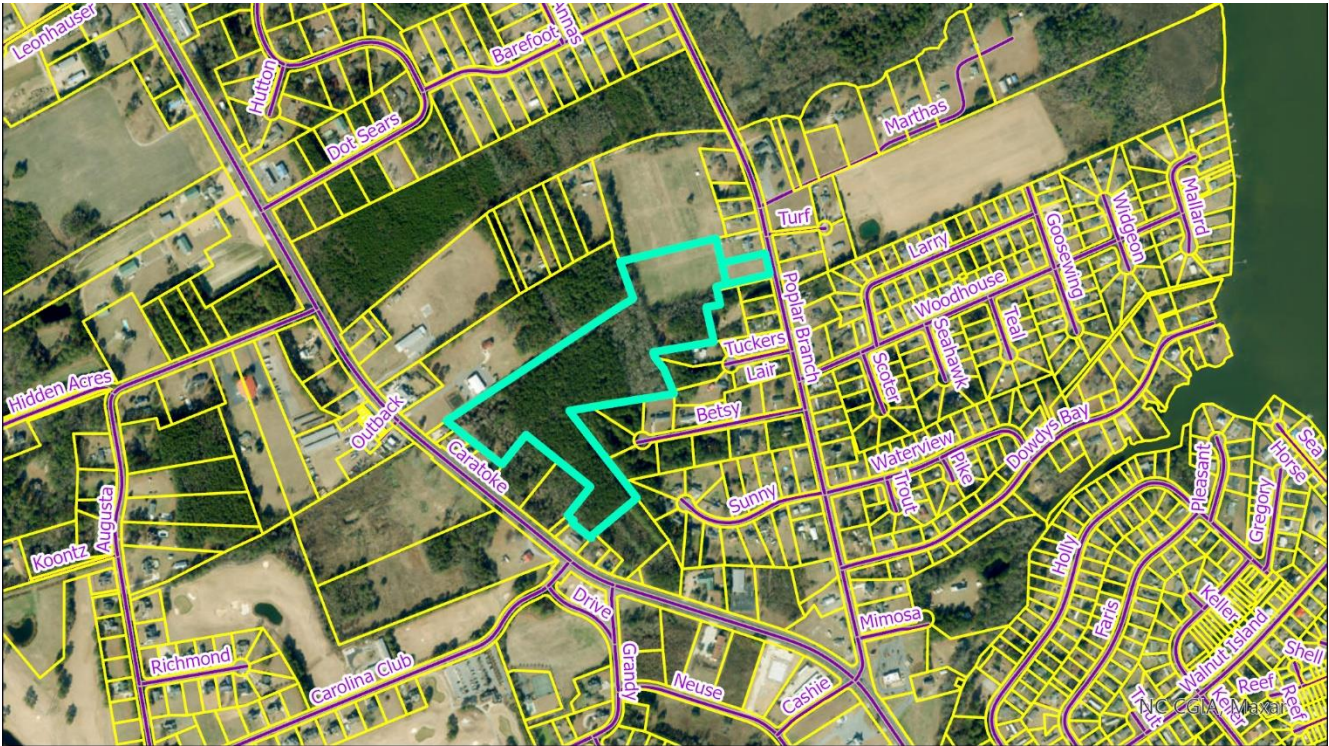
SPECIAL USE PERMIT REVIEW STANDARDS

Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards. It is the burden of the applicant to provide evidence to address the Review Standards. The applicant's findings can be found in the attached application.

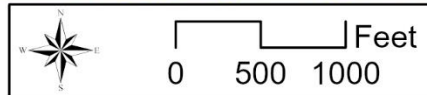
Special Use Permit Review Standards

A special use permit shall be approved on a finding that the applicant demonstrates the proposed use is in compliance with the provisions of the Unified Development Ordinance and will:

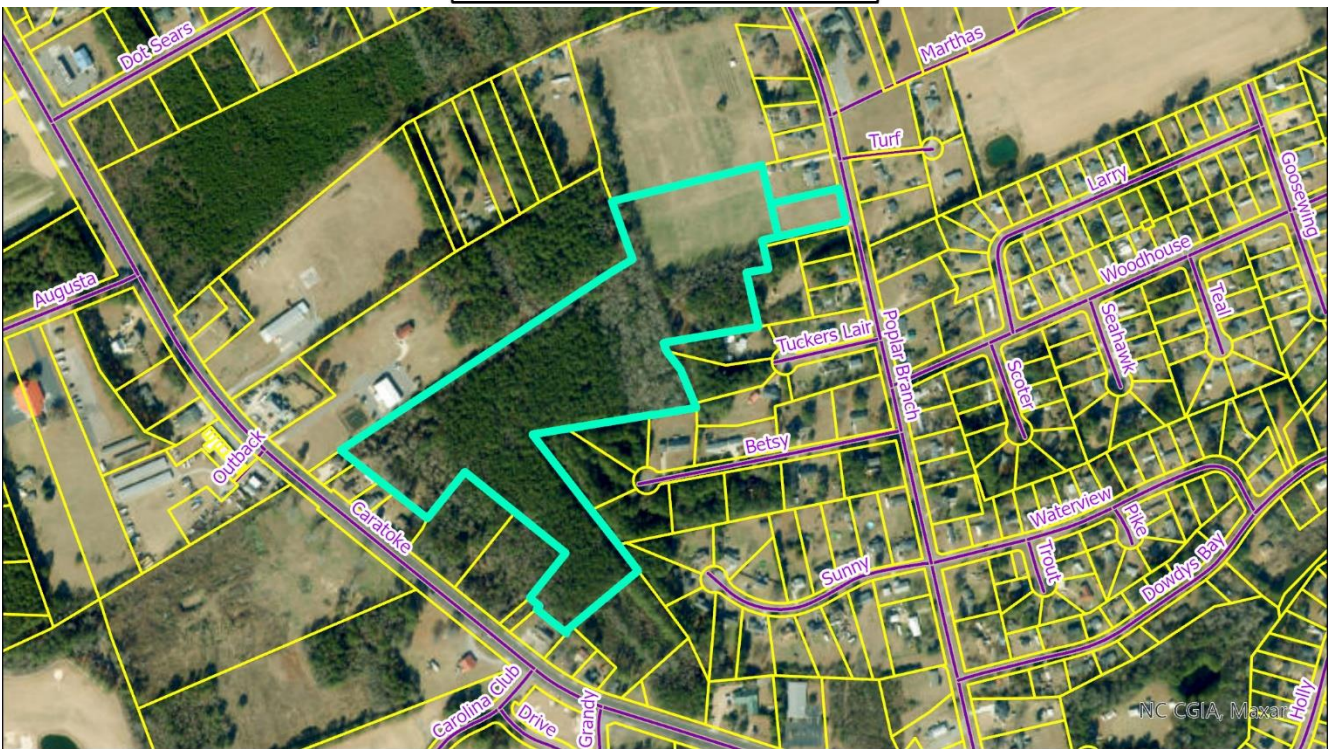
1. Not endanger the public health or safety.
2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
3. Be in conformity with Imagine Currituck or other officially adopted plan.
4. Not exceed the county's ability to provide adequate public school facilities.



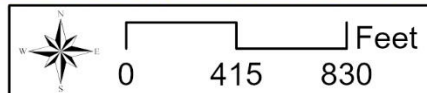
PB 25-08 Grandy Manor
Preliminary Plat/Special Use Permit
Context Map



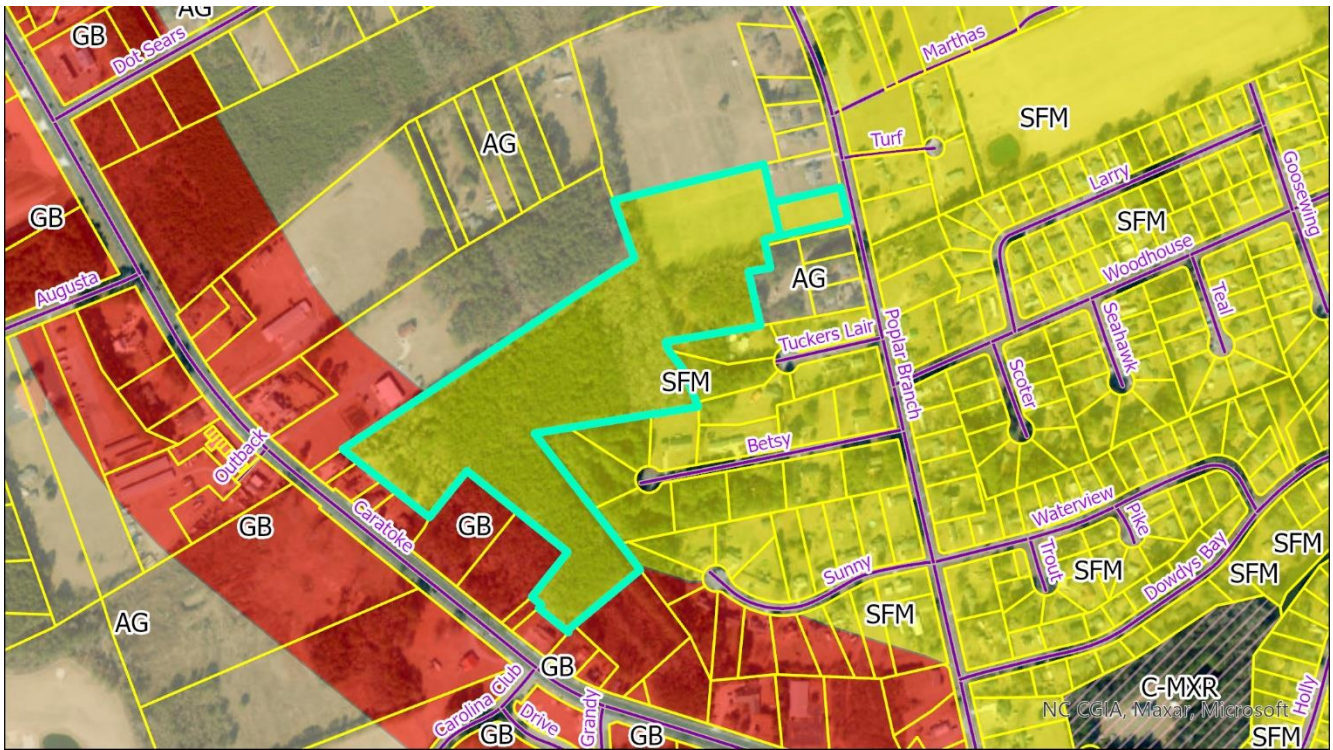
Currituck County
Planning and Inspections
Department



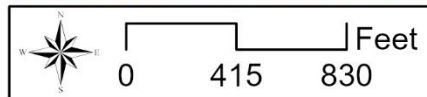
PB 25-08 Grandy Manor
Preliminary Plat/Special Use Permit
2024 Aerial Photography



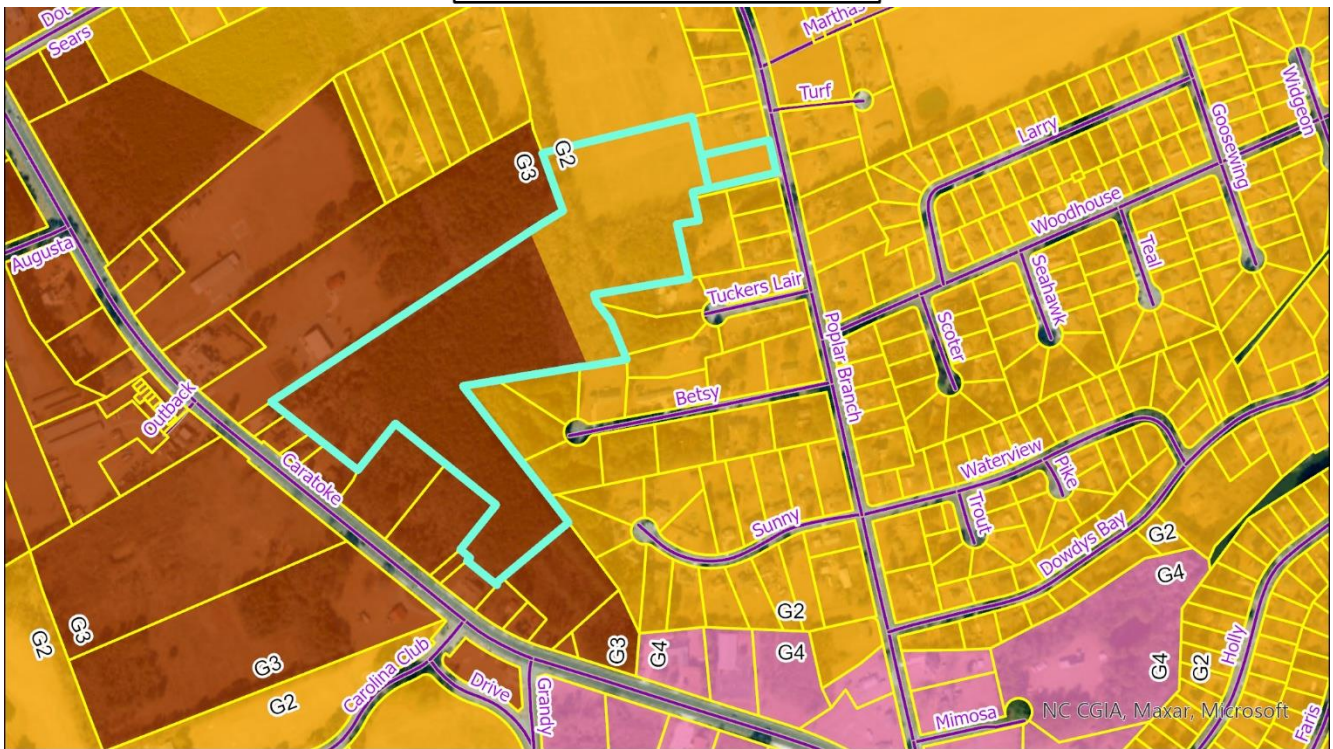
Currituck County
Planning and Inspections
Department



PB 25-08 Grandy Manor
Preliminary Plat/Special Use Permit
Official Zoning Map



Currituck County
Planning and Inspections
Department



PB 25-08 Grandy Manor
Preliminary Plat/Special Use Permit
Imagine Currituck FLUM



Currituck County
Planning and Inspections
Department

S:\109\56469 - Grandy Manor - Poplar Branch, NC\DWG\Sheet\PRELIMINARY\56469.CO.0 - COVER.dwg [Plotted on 8/20/2025 3:12 PM] by John Sawyer

- SITE DATA:
- OWNER/DEVELOPER
HOWARD LAND DEVELOPMENT, INC.
2854 A CARATOKE HIGHWAY
CURRITUCK, NC 27929
252-202-3500
CAHOWARDJR@HOTMAIL.COM
 - SITE INFORMATION
PIN: 0094000161B0000
POPLAR BRANCH ROAD, GRANDY, NC 27939
D.B. 1743, PG. 778
P.C. R. SLD. 936
ZONING: SFM
8.27 AC
EXISTING USE: VACANT
PROPOSED USE: RESIDENTIAL

PIN: 0094000161C0000
CARATOKE HIGHWAY, GRANDY, NC 27939
D.B. 1718, SLD. 224
P.C. M. SLD. 58
ZONING: SFM
13.82 AC (NOT INCLUDING PENDING NON-RESIDENTIAL SUBDIVISION)
EXISTING USE: VACANT
PROPOSED USE: RESIDENTIAL

PIN: 009400001680000
CARATOKE HIGHWAY, GRANDY, NC 27939
D.B. 1743, SLD. 778
P.C. R. SLD. 936
ZONING: AG
0.76 AC
EXISTING USE: VACANT
PROPOSED USE: OPEN SPACE & R/W

EXISTING 24' R/W
P.C. R. SLD. 936
ZONING: SFM
0.19 AC
EXISTING USE: R/W
PROPOSED USE: R/W
 - THIS SITE IS LOCATED IN FLOOD ZONE X AS SHOWN ON FIRM PANEL 3720990200K, DATED DECEMBER 21, 2016. SUBJECT TO CHANGE BY FEMA.
 - THERE ARE NO JURISDICTIONAL WETLANDS PRESENT ON THE SITE. REFER TO USACE ACTION ID. SAW-2022-01949 DATED 02-02-2023.
 - SITE AREA: 1,003,994 SF / 23.04 AC

LOT AREA: 500,018 SF / 11.47 AC (49.80%)
RIGHT-OF-WAY AREA: 102,229 SF / 2.34 AC (10.18%)
(GRANDY MANOR WAY)
OPEN SPACE AREA: 401,747 SF / 9.22 AC (40.02%)
TOTAL AREA: 1,003,994 SF = 23.04 AC (100.0%)

CONSERVATION THEME: WOODLANDS AND OPEN SPACE

CONSERVATION AREA REQUIRED:
40% OF TOTAL ACREAGE TO BE OPEN SPACE SET-ASIDE
0.40 X 23.04 = 9.21 AC OPEN SPACE REQUIRED

PRIMARY CONSERVATION AREA PROVIDED = 0 AC
SECONDARY CONSERVATION AREA PROVIDED = 9.22 AC
TOTAL CONSERVATION AREA PROVIDED = 9.22 AC

OVERALL DENSITY CALCULATION PER UDO SECTION 3.3.2

THE PROPERTY IS CLASSIFIED AS G-2 AND G-3 IN THE GRANDY SUB-AREA OF THE IMAGINE CURRITUCK 2040 VISION PLAN.

ALLOWABLE NUMBER OF CONSERVATION SUBDIVISION LOTS
G2 = 1.0 UNIT / AC = 23 UNITS

PROPOSED NUMBER OF CONSERVATION SUBDIVISION LOTS: 20
DENSITY AS PROPOSED: 0.86 UNITS PER ACRE
 - MINIMUM REQUIRED BUILDING SETBACKS:
FRONT: 50'
SIDE: 10'
REAR: 25'
 - MINIMUM DIMENSIONAL STANDARDS:
MINIMUM LOT SIZE: 25,000 SF
SMALLEST LOT SHOWN: 25,000 SF
AVERAGE LOT SIZE: 25,000 SF
MAXIMUM LOT COVERAGE: 30%
MINIMUM LOT WIDTH AT FRONT SETBACK: 80'
 - PROPOSED STREET: 50' R/W, 1,880 LF
 - A 20' DRAINAGE, LANDSCAPE, UTILITY, & PEDESTRIAN EASEMENT IS HEREBY ESTABLISHED ALONG ALL RIGHT OF WAYS. A 10' DRAINAGE & UTILITY EASEMENT ALONG SIDE AND REAR LOT LINES, UNLESS OTHERWISE NOTED.
 - ANY EXCAVATED MATERIAL REMOVED FROM SITE MUST BE TRANSPORTED TO AN APPROVED LOCATION THAT IS PERMITTED BY NCDEQ. ANY FILL MATERIAL TRANSPORTED TO SITE MUST BE FROM AN APPROVED LOCATION THAT IS PERMITTED BY NCDEQ.
 - SOIL TYPES PRESENT ON SITE:
CNA (CONETOE), DS (DRAGSTON), & PT (PORTSMOUTH)
 - NO STREET LIGHTING IS PROPOSED.
 - PARKS AND RECREATION FEE-IN-LIEU WILL BE CALCULATED AT TIME OF FINAL PLAN.
 - ALL UTILITIES WILL BE UNDERGROUND.

APPROVAL CERTIFICATE

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY TECHNICAL REVIEW COMMITTEE AND SIGNED BY THE ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE CURRITUCK COUNTY REGISTRY WITHIN 90 DAYS OF THE DATE BELOW.

DATE ADMINISTRATOR

OWNERSHIP AND DEDICATION CERTIFICATE

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF CURRITUCK COUNTY, THAT I HEREBY FREELY ADOPT THIS PLAT OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREA SHOWN ON THIS PLAT AS STREETS, UTILITIES, ALLEYS, WALKS, RECREATION AND PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY OR HOME OWNERS' ASSOCIATION. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH USE IS APPROVED BY THE APPROPRIATE PUBLIC AUTHORITY IN THE PUBLIC INTEREST.

DATE OWNER

I, A NOTARY PUBLIC OF

COUNTY,

NORTH CAROLINA, DO HEREBY CERTIFY THAT

PERSONALLY APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND OFFICIAL SEAL THIS DAY OF , 20 .

NOTARY PUBLIC

MY COMMISSION EXPIRES

PUBLIC STREETS DIVISION OF HIGHWAY DISTRICT ENGINEER CERTIFICATE

I HEREBY CERTIFY THAT THE PUBLIC STREETS SHOWN ON THIS PLAT ARE INTENDED FOR DEDICATION AND HAVE BEEN DESIGNED OR COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE NC DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF SUBDIVISION STREETS ON THE NC HIGHWAY SYSTEM FOR MAINTENANCE.

DATE OWNER

EASEMENT ESTABLISHMENT STATEMENT

A 10 FOOT EASEMENT FOR UTILITIES AND DRAINAGE ALONG REAR AND SIDE PROPERTY LINES AND A 20' DRAINAGE, LANDSCAPE, UTILITY, & PEDESTRIAN EASEMENT ALONG THE FRONT PROPERTY LINE IS HEREBY ESTABLISHED.

PAYMENT-IN-LIEU OF RECREATION AND PARK AREA STATEMENT

A PAYMENT-IN-LIEU OF RECREATION AND PARK AREA DEDICATION HAS BEEN PROVIDED IN ACCORDANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE. PAYMENTS-IN-LIEU RECEIVED BY THE COUNTY SHALL BE USED ONLY FOR THE ACQUISITION OR DEVELOPMENT OF RECREATION AND PARK AREAS, AND OPEN SPACE SITES CONSISTENT WITH THE REQUIREMENTS OF NORTH CAROLINA GENERAL STATUTES SECTION 153A-331.

STORMWATER STATEMENT

NO MORE THAN TBD SF OF ANY LOT SHALL BE COVERED BY IMPERVIOUS STRUCTURES AND MATERIALS, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK STONE, SLATE, OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH THE STORMWATER PERMIT NUMBER ISSUED BY THE STATE OF NORTH CAROLINA. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON. THE LOT COVERAGE ALLOWANCE PROVIDED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE MAY BE DIFFERENT THAN THE NC STATE STORMWATER PERMIT. THE MOST RESTRICTIVE LOT COVERAGE SHALL APPLY.

I, JASON A. MIZELLE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; DEED DESCRIPTION RECORDED IN DEED BOOK 1743, PAGE 778 & DEED BOOK 1718; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

F(11) A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS XXTH DAY OF XX, 20XX.

JASON A. MIZELLE, PLS L-4917

IMPROVEMENTS CERTIFICATE

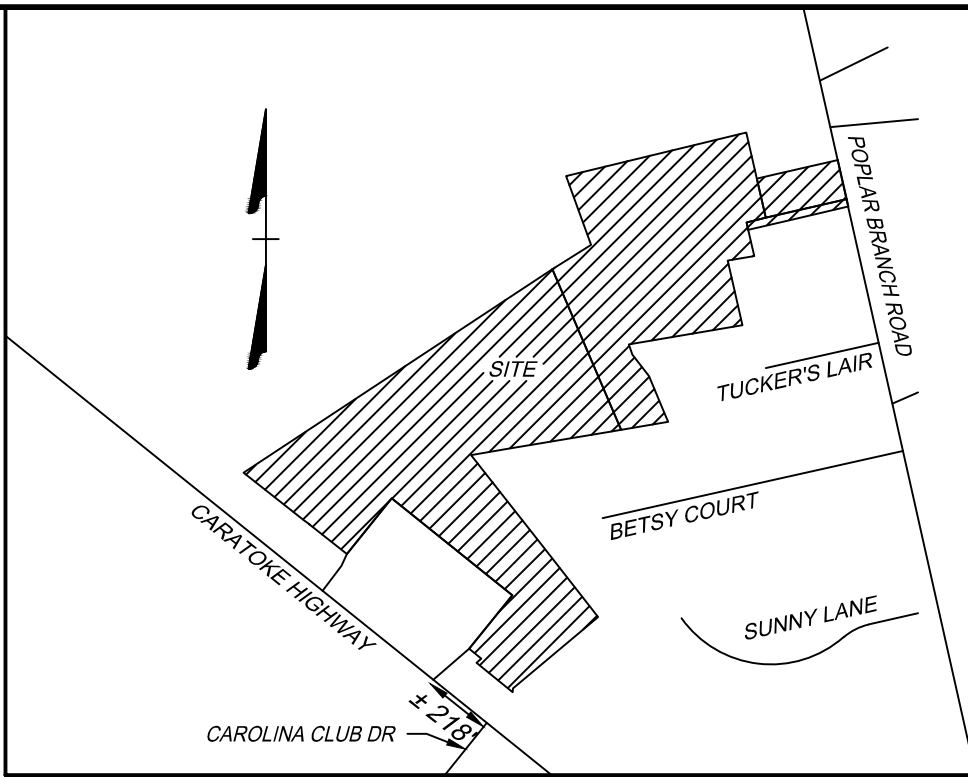
I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY THE TIMMONS GROUP, AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

DATE REGISTERED LAND SURVEYOR/ENGINEER

REGISTRATION NUMBER

PRELIMINARY PLAT
MAY 20, 2025
NOT FOR RECORDATION
OR CONVEYANCE

PRELIMINARY PLAT
MAY 20, 2025
NOT FOR RECORDATION
OR CONVEYANCE



VICINITY MAP
NO SCALE

PROGRESS PRINT
MAY 20, 2025
NOT FOR
CONSTRUCTION

THIS DRAWING PREPARED AT THE
ELIZABETH CITY OFFICE
1805 West City Drive, Unit E | Elizabeth City, NC 27909
TEL 252.621.3030 FAX 252.592.0974 www.timmons.com

REVISION DESCRIPTION

ADDRESS TRAC COMMENTS

DATE

03-26-2025

DRAWN BY

JHS

DESIGNED BY

N/A

CHECKED BY

JAM

SCALE

N/A

TIMMONS GROUP

NORTH CAROLINA LICENSE NO. C-1652

GRANDY MANOR

POPLAR BRANCH TOWNSHIP - CURRITUCK COUNTY - NORTH CAROLINA

COVER SHEET

JOB NO.

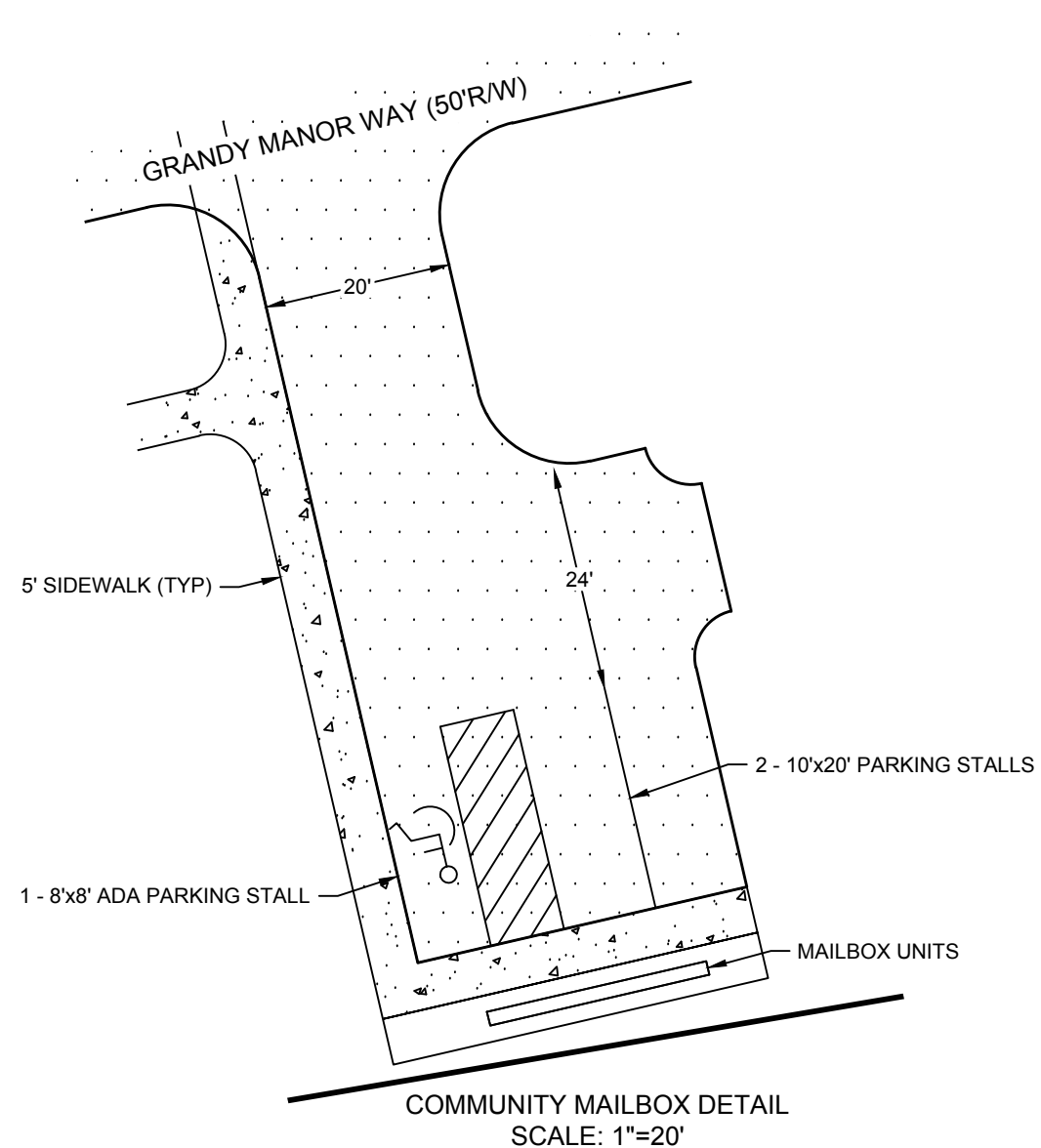
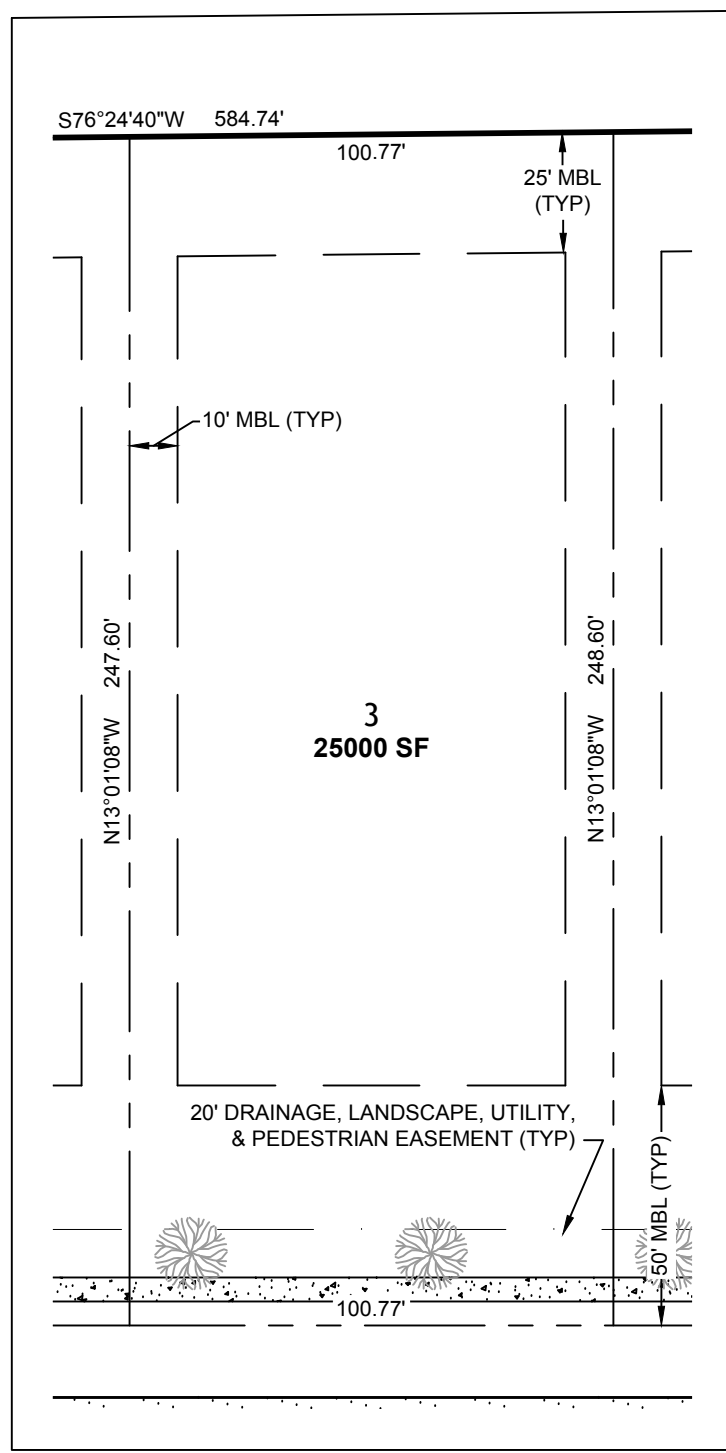
56469

SHEET NO.

C0.0

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.





Typical lot scale: 1"=40'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

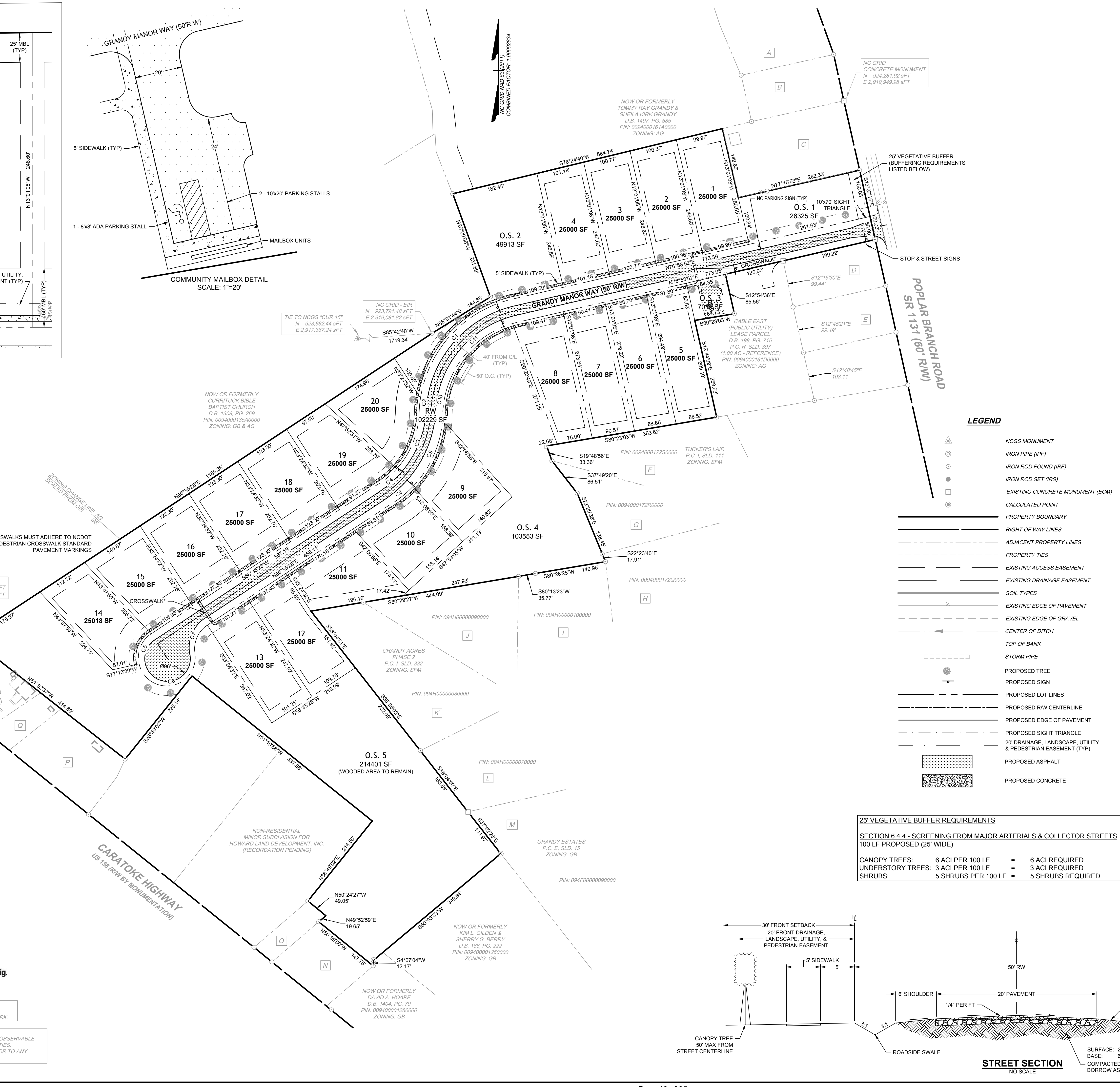
Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'

Community mailbox detail scale: 1"=20'



SITE DATA:

- OWNER/DEVELOPER
HOWARD LAND DEVELOPMENT, INC.
2854 A CARATOKE HIGHWAY
CURRITUCK, NC 27929
252-202-3500
CAHOWARDJR@HOTMAIL.COM
- SITE INFORMATION
PIN: 009400016180000
CARATOKE HIGHWAY, GRANDY, NC 27939
D.B. 1743, SLD. 224
P.C. M. SLD. 58
ZONING: SFM
13.82 AC (NOT INCLUDING PENDING NON-RESIDENTIAL SUBDIVISION)
EXISTING USE: VACANT
PROPOSED USE: RESIDENTIAL
- EXISTING 24' RW
P.C. R. SLD. 936
ZONING: SFM
0.19 AC
EXISTING USE: RW
PROPOSED USE: RW
- THIS SITE IS LOCATED IN FLOOD ZONE X AS SHOWN ON FIRM PANEL 3720990200K, DATED DECEMBER 21, 2018. SUBJECT TO CHANGE BY FEMA.
- THESE ARE NO JURISDICTIONAL WETLANDS PRESENT ON THE SITE. REFER TO USACE ACTION ID. SAW-2022-01949 DATED 02-02-2023.
- SITE AREA: 1,003,994 SF / 23.04 AC
LOT AREA: 500,018 SF / 11.47 AC (49.80%)
RIGHT-OF-WAY AREA: 102,229 SF / 2.34 AC (10.18%)
(GRANDY MANOR WAY)
OPEN SPACE AREA: 401,747 SF / 9.22 AC (40.02%)
TOTAL AREA: 1,003,994 SF = 23.04 AC (100.0%)
CONSERVATION THEME: WOODLANDS AND OPEN SPACE
CONSERVATION AREA REQUIRED:
40% OF TOTAL ACREAGE TO BE OPEN SPACE SET-ASIDE
0.40 X 23.04 = 9.21 AC OPEN SPACE REQUIRED
PRIMARY CONSERVATION AREA PROVIDED = 0 AC
SECONDARY CONSERVATION AREA PROVIDED = 9.22 AC
TOTAL CONSERVATION AREA PROVIDED = 9.22 AC
OVERALL DENSITY CALCULATION PER UDO SECTION 3.3.2
THE PROPERTY IS CLASSIFIED AS G-2 AND G-3 IN THE GRANDY SUB-AREA OF THE IMAGINE CURRITUCK 2040 VISION PLAN.
ALLOWABLE NUMBER OF CONSERVATION SUBDIVISION LOTS
G2 = 1.0 UNIT / AC = 23 UNITS
PROPOSED NUMBER OF CONSERVATION SUBDIVISION LOTS: 20
DENSITY AS PROPOSED: 0.88 UNITS PER ACRE
- MINIMUM REQUIRED BUILDING SETBACKS:
FRONT: 50'
SIDE: 10'
REAR: 25'
- MINIMUM DIMENSIONAL STANDARDS:
MINIMUM LOT SIZE: 25,000 SF
SMALLEST LOT SHOWN: 25,000 SF
AVERAGE LOT SIZE: 25,000 SF
MAXIMUM LOT COVERAGE: 30%
MINIMUM LOT WIDTH AT FRONT SETBACK: 80'
- PROPOSED STREET: 50' RW, 1,880 LF
- A 20' DRAINAGE, LANDSCAPE, UTILITY, & PEDESTRIAN EASEMENT IS HEREBY ESTABLISHED ALONG ALL RIGHT OF WAYS. A 10' DRAINAGE & UTILITY EASEMENT ALONG SIDE AND REAR LOT LINES, UNLESS OTHERWISE NOTED.
- ANY EXCAVATED MATERIAL REMOVED FROM SITE MUST BE TRANSPORTED TO AN APPROVED LOCATION THAT IS PERMITTED BY NCDEQ. ANY FILL MATERIAL TRANSPORTED TO SITE MUST BE FROM AN APPROVED LOCATION THAT IS PERMITTED BY NCDEQ.
- SOIL TYPES PRESENT ON SITE:
CNA (CONTOUR), DS (DRAGSTON), & PT (PORTSMOUTH)
- NO STREET LIGHTING IS PROPOSED.
- PARKS AND RECREATION FEE-IN-LIEU WILL BE CALCULATED AT TIME OF FINAL PLAN.
- ALL UTILITIES WILL BE UNDERGROUND.

| CURVE TABLE | | | | | |
|-------------|--------|--------|---------|------------|---------------|
| CURVE | RADIUS | LENGTH | TANGENT | DELTA | CHORD BEARING |
| C1 | 255.00 | 302.34 | 171.78 | 67°56'00" | S43°00'52"W |
| C2 | 255.00 | 25.99 | 13.01 | 5°50'24" | S6°07'40"W |
| C3 | 182.70 | 135.49 | 71.03 | 42°29'32" | S20°52'43"W |
| C4 | 182.70 | 57.53 | 29.00 | 18°02'30" | S51°08'44"W |
| C5 | 60.00 | 72.64 | 41.52 | 69°21'49" | S21°54'34"W |
| C6 | 60.00 | 194.32 | 172.37 | 176°00'43" | N79°13'18"E |
| C7 | 60.00 | 68.46 | 36.50 | 65°22'32" | N23°54'12"E |
| C8 | 227.26 | 65.24 | 32.85 | 16°26'58" | N51°56'30"E |
| C9 | 227.26 | 196.98 | 81.77 | 39°34'43" | N23°55'40"E |
| C10 | 212.74 | 82.61 | 41.83 | 22°14'58" | N10°00'29"E |
| C11 | 205.00 | 199.23 | 108.27 | 55°41'00" | N49°08'22"E |

STREET SECTION

NO SCALE

30' FRONT SETBACK
20' FRONT DRAINAGE, LANDSCAPE, UTILITY, & PEDESTRIAN EASEMENT
5' SIDEWALK
5' SHOULDER
20' PAVEMENT
1/4" PER FT
1" PER FT
CANOPY TREE 50' MAX FROM STREET CENTERLINE
ROADSIDE SWALE
SURFACE: 2" TYPE SF9.5A ASPHALT BASE: 6" ABC STONE COMPACTED SUBGRADE (SELECT BORROW AS NECESSARY)

PROGRESS PRINT
MAY 20 2025
NO FOR CONSTRUCTION

THIS DRAWING PREPARED AT THE
ELIZABETH CITY OFFICE
1805 West City Drive, Unit E | Elizabeth City, NC 27909
TEL 252.621.3030 FAX 252.592.0574 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION

DATE
03-20-2025

DRAWN BY
JHS

DESIGNED BY
JAM

CHECKED BY
JAM

SCALE
1" = 100'

GRANDY MANOR
POPULAR BRANCH TOWNSHIP - CURRITUCK COUNTY - NORTH CAROLINA
NORTH CAROLINA LICENSE NO. C-1652
PRELIMINARY PLAT

JOB NO.
56469

SHEET NO.
C2.0



- | | |
|--|----------------------------------|
| | NCGS MONUMENT |
| | IRON PIPE (IPF) |
| | IRON ROD FOUND (IRF) |
| | IRON ROD SET (IRS) |
| | EXISTING CONCRETE MONUMENT (ECM) |
| | CALCULATED POINT |
| | PROPERTY BOUNDARY |
| | RIGHT OF WAY LINES |
| | ADJACENT PROPERTY LINES |
| | PROPERTY TIES |
| | EXISTING ACCESS EASEMENT |
| | EXISTING DRAINAGE EASEMENT |
| | SOIL TYPES |
| | EXISTING EDGE OF PAVEMENT |
| | EXISTING EDGE OF GRAVEL |
| | CENTER OF DITCH |
| | TOP OF BANK |
| | STORM PIPE |
| | PROPOSED WATER METER |
| | PROPOSED REDUCER |
| | PROPOSED VALVE |
| | PROPOSED FIRE HYDRANT |
| | PROPOSED LOT LINES |
| | PROPOSED R/W CENTERLINE |
| | PROPOSED EDGE OF PAVEMENT |
| | PROPOSED DITCH |
| | PROPOSED STORM PIPE |
| | PROPOSED WATER MAIN |
| | PROPOSED ASPHALT |
| | PROPOSED CONCRETE |

JOB NO.
56469
SHEET NO
C3.0

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.



Major Subdivision Application

Contact Information

APPLICANT:

Name: Howard Land Development, Inc.
Address: 2854 A Caratoke Hwy
Currituck, NC 27929
Telephone: 252.202.3500
E-mail Address: cahowardjr@hotmail.com

PROPERTY OWNER:

Name: Howard Land Development, Inc.
Address: 2854 A Caratoke Hwy
Currituck, NC 27929
Telephone: 252.202.3500
E-Mail Address: cahowardjr@hotmail.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Request

Physical Street Address: adjacent to 732 Poplar Branch Road
Parcel Identification Number(s): 0094000161B0000, 0094000161C0000 009400001680000
Subdivision Name: Grandy Manor *Minor subdivision recorded subsequent to application receipt
Number of Lots or Units: 20 the current parcels are 0094-000-161G-0000 (formerly 0094-000-161B-0000 and 0094-000-161C-0000)
Phase: 0094-000-0168-0000

TYPE OF SUBMITTAL

- ☐ Conservation and Development Plan
☐ Amended Sketch Plan/Special Use Permit
☒ Preliminary Plat (or amended)
 ☐ Type I OR ☒ Type II
☐ Construction Drawings (or amended)
☐ Final Plat (or amended)

TYPE OF SUBDIVISION

- ☐ Traditional Development
☒ Conservation Subdivision
☐ Planned Unit Development
☐ Planned Development

I hereby authorize county officials to enter my property for the purpose of determining compliance with all applicable standards. All information submitted and required as part of this process shall become public record.

Applicant

Property Owner(s)

Date

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.

Community Meeting, if applicable

Date Meeting Held: _____ Meeting Location: _____

Special Use Permit Review Standards, if applicable

Amended Sketch Plan/Special Use Permit, Type I Preliminary Plat (when Adequate Public School Facilities are at 85% capacity), and Type II Preliminary Plat

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

See attached

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.

See attached

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

See attached

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

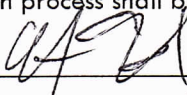
See attached

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

See attached

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 the purpose of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

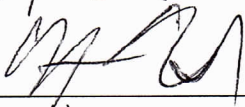
Applicant



3-26-25

Date

Property Owner(s)



3-26-25

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.

Major Subdivision Submittal Checklist – Preliminary Plat

Staff will use the following checklist to determine the completeness of your application for preliminary plat within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

Major Subdivision Submittal Checklist – Preliminary Plat

Date Received: 4/21/2025 TRC Date: 5/14/2025

Project Name: Grandy Manor

Applicant/Property Owner: Howard Land Development, Inc.

| Major Subdivision – Preliminary Plat Submittal Checklist | | |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1 | Complete Major Subdivision application | |
| 2 | Complete Special Use Permit Review Standards, if applicable | |
| 3 | Stormwater Review Fee Deposit (see fee schedule) | |
| 4 | Community meeting written summary, if applicable | |
| 5 | Preliminary Plat with professional's seal | |
| 6 | Existing features plan | |
| 7 | Proposed landscape plan, including common areas, open space set-aside configuration and schedule, required buffers, fences and walls, and tree protection plan | |
| 8 | Stormwater management narrative and preliminary grading plan | |
| 9 | Completely executed street name approval form | |
| 10 | Septic evaluations (suitable or provisionally suitable) by ARHS for each individual lot or letter of commitment from owner of centralized sewer service provider | |
| 11 | Letter from DWQ indicating intent to approve connection to an existing centralized wastewater system. | |
| 12 | Letter of commitment from centralized water provider, if applicable | |
| 13 | Wetland certification letter and map, if applicable | |
| 14 | Geological analysis for development or use of land containing a significant dune, if applicable | |
| 15 | Economic and public facilities impact narrative, if required by administrator | |
| 16 | Conservation Subdivision: Approved conservation and development plan | |
| 17 | Plans | |
| 18 | Application fee for Preliminary Plat - \$150 per lot or \$250 total for amended plat | |

For Staff Only

Pre-application Conference

Pre-application Conference was held on 10/10/2024 and the following people were present:

Comments See attached

From: [Jason Litteral](#)
To: [Jason Mizelle](#)
Cc: [Jennie Turner](#); [Jason Litteral](#); [Bill Newns](#); [Richard Godsey](#)
Subject: Grandy Manor Pre-Application meeting notes
Date: Tuesday, October 15, 2024 4:40:14 PM

All,

Below are the meeting notes from the Grandy Manor Pre-Application meeting.

Grandy Manor, Major Subdivision, Type II

Pre-Application Conference

Attendees: Jason Mizelle, Jason Litteral, Jennie Turner, Bill Newns, Rick Godsey

October 15, 2024

1. This will be a Type II Major Subdivision
 - a. More than 20 lots
 - b. Adequate public facilities
2. This project requires a Special Use Permit to be submitted with the Major Subdivision application
3. This project is required to be a Conservation Subdivision due to the SFM zoning
 - a. Requires a conservation and development plan including a site visit with staff and a map (Section 6.4.3)
 - b. Required to meet all standards for a conservation subdivision in the UDO
4. Streetscape landscaping is required when within 1,000 feet of a major arterial street (Caratoke Hwy.)
5. Screening is required between the development and collector streets (Poplar Branch Rd.)
6. SFM zoning district requires a minimum 40% open space and allows 1 dwelling unit per acre.
7. Be aware of the recent text amendment to section 6.4.1.F which describes the process for transferring maintenance responsibility to the HOA.
8. Provide Suitable or provisionally suitable site evaluations for each lot.
9. Please utilize low impact development techniques to the maximum extent practicable.
10. This development does not require boat and RV parking because the proposed lots are greater than 20,000 square feet.
11. Street trees and sidewalks are required on both sides of all streets. Sidewalks are required to wrap all the way around cul-de-sacs.
12. Connection to county water is required. 8-inch water lines are required due to the require for fire hydrants within all portions of road frontage of all proposed lots.
13. Fire Hydrants cannot be installed more than 1,000 feet apart.

14. A street stub out is required to connect with the undeveloped property to the north. This should eliminate the need for the pedestrian right of way leading from the cul-de-sac head to Caratoke Highway but a new index score is will be determined when the plan is revised.
15. Please provide all required state permit applications.
16. Contact Jason Weeks at the Parks and Recreation Department to determine if land can be dedicated or if a fee in lieu of dedication is preferred.

Feel free to contact me to discuss.

Thanks,

Jason Litteral, CFM
Senior Planner
Currituck County
Planning and Inspectons
Phone: 252-232-6052
Fax: 252-232-3026
Jason.litteral@currituckcountync.gov
www.currituckgovernment.com

Use Permit – Findings of Fact

Purpose of Use Permit and Project Narrative

Grandy Manor is a proposed Conservation Subdivision of 23.04 acres off Poplar Branch Road, in Grandy. The project will consist of 20 single-family lots with lot sizes of 25,000 square feet. The project does not contain any wetlands or other areas that would constitute Primary Conservation. 23.04 acres of Secondary Conservation area are being dedicated to achieve the required 40% open space for a SFM Conservation Subdivision. The Secondary Conservation area where not utilized for stormwater requirements or USPS mail kiosk, shall remain in wooded or as green space. The new street will be built in accordance with NCDOT construction standards, and all other improvements shall be built in accordance with the requirements of Currituck County and NC DEQ.

Specific Findings of Fact

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

The use shall follow all County State and Federal health and safety standards including but not limited to: Albemarle Regional Health Services, NC Department of Environmental Quality, NC Department of Transportation and US Army Corp of Engineers. The project should not adversely affect the public health and safety.

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

There are single-family developments to the south and east. The main conservation area will provide an adequate buffer to Caratoke Highway to the west. The use will not injure the value of the adjoining lands and will be in harmony with the surrounding area.

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

The 2040 Land Use Plan designates these a 13.82-acre portion of the project as G-3 (3-4 dwelling units per acre) & the remaining 9.22-acres as G-2 (2 dwelling units per acre) which would result in an potential allowable density of 59-73 units. However, Single-family Residential, Conservation Subdivisions are only permitted to have 1.0 dwelling units per acre which would result in a maximum of 23 units for this site. The proposed development of only 20 lots is less at 0.86 units per acre and is in keeping with surrounding developments.

The following Land Use Policies are referenced in support of the proposed use:

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

LAND USE POLICY 1.3: Consider community character and established visions for the community.
GRANDY SUB-AREA POLICY 4.2: Encourage clustered housing developments, plan for buffering to transition from service areas to more rural and agricultural surrounding areas.

- D. The use will not exceed the county's ability to provide adequate public schools facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.
- The project is located within the following School attendance zones: Griggs Elementary School, Currituck County Middle School and Currituck County High School.
 - Based on the NC State, Institute for Transportation Research and Education's Student Generation Rate, the proposed 20 lots are estimated to generate (9) nine K-12 students (0.45/lot). Source: <https://itre.ncsu.edu/focus/school-planning/ored/faqs/>



Currituck County

Planning & Inspections Department
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Jason Mizelle, Timmons Group
C.A Howard, Howard Land Development, Inc.

From: Planning Staff

Date: May 15, 2025

Re: Grandy Manor Preliminary Plat/Special Use Permit, TRC Review Comments

The following comments were received for the May 14, 2025 TRC meeting. In order to be scheduled for the July 21, 2025 Board of Commissioners meeting, please address all comments and resubmit a corrected plan by noon on May 22, 2025. TRC comments are valid for six months from the date of the TRC meeting.

Planning (Millicent Ott, 252-232-6066)

1. The proposed subdivision is subject to a special use permit which requires an evidentiary hearing. The applicant must present evidence for the BOC to make a finding that the proposed development meets the UDO and the findings of fact including:
 - a. Not endanger the public health or safety.
 - b. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
 - c. Be in conformity with the Land Use Plan or other officially adopted plan.
 - d. Not exceed the county's ability to provide adequate public-school facilities.
2. The property is classified as G-2, Controlled Growth, and G-3, Mixed Use Centers in the Grandy Subarea of the Imagine Currituck 2040 Vision Plan. The proposed density is 0.87 du/acre in SFM. The Imagine Currituck 2040 Vision Plan allows up to 2 du/acre in this subarea.
3. The proposed development is in the Griggs Elementary School District. The BOC may attach additional conditions of approval, including timing limits on residential building lots available for occupancy to assure adequate public-school facilities remain sufficient to serve the development. Staff will share monthly enrollment numbers prior to the SUP hearing.
4. Please amend the application with the correct parcel ID of #0094000161C0000.
5. Please amend the Special Use Permit Findings of Fact, specifically
 - a. Please remove the reference to Full Service, adding language for the G-2 and G-3 transects.
 - b. Please provide Findings of Fact for adequate public school facilities.
6. Please provide SAW-2022-01949 referenced on Page 1, comment 4.
7. Please include details of ditch relocation in Stormwater Narrative.
8. What is the timing for the proposed minor subdivision?
9. Please consider proposed phasing.
10. Please provide overall density calculations to Site Area Details on Page 1.
11. Please clarify the proposed number of lots, referenced in in Site Area Details on Page 1.
12. Parks and Recreation fee-in-lieu will be calculated and paid at the time of final plat.
13. Please include a note that all utilities will be underground.
14. Please complete the stormwater statement with the proposed impervious surface percentage.
15. Please provide property owners for adjacent properties of Grandy Acres and Tucker's Lair on Page 2 of plat.

16. Per Section 6.2.1.F of the UDO, a cul-de-sac must be a minimum diameter of 96'. Please call out measurement.
17. Please consider bringing the sidewalk all the way around the cul-de-sac.
18. Please provide note of crosswalk striping.
19. Please provide the size of the proposed water line extension.
20. Please consider an easement along Poplar Branch Road for future sidewalk installation.
21. Please adjust the reference for the 25' Vegetative Buffer to Section 6.4.4., Screening from Major Arterials and Collector Streets.

Currituck County Building and Fire Inspections (Rick Godsey, 252-232-6020)

1. Will need no parking signs to maintain 20' road width for emergency access.
2. Will need to submit testing results of new hydrants.

Currituck County Engineering (Michelle Perry, 252-232-6034)

County projects only

Currituck Fire and Emergency Medical Services (Chief Ralph Melton, 252-232-7746)

1. General Life Safety & Access Requirements:
2. Emergency Access and Turnaround:
 - a. An access and emergency services turnaround easement is noted on the plans. However, please clarify whether this turnaround meets minimum requirements for fire apparatus, specifically:
 - b. Turning radii: Minimum 28' inside radius and 48' outside radius for fire apparatus.
 - c. Surface: It must be an all-weather surface capable of supporting 75,000 pounds (fire truck load).
 - d. Dimensions: Hammerhead or cul-de-sac should meet NC Fire Code design standards.
 - e. Street Width and Construction:
 - f. The proposed street (Grandy Manor Way) shows a 20' wide paved section within a 50' right-of-way.
3. Concern:
 - a. 20' width is narrow for two-way fire apparatus access if vehicles are parked along the street.
 - b. Recommendation: Either prohibit parking along the roadway (marked signage) or increase the pavement width to minimum 26' unobstructed in compliance with NC Fire Code Section D103.6.
4. Emergency Response & Operational Considerations:
5. Street Signage:
 - a. Confirm that reflective street name signs will be installed prior to final plat approval to assist emergency responders in wayfinding.
6. Mail Kiosk Location:
 - a. Mail kiosks can create congestion at subdivision entrances. Ensure the proposed kiosk will not impede emergency vehicle access and that adequate pull-off area is provided.
7. Street Lighting:
 - a. It is noted that no street lighting is proposed.
 - b. Comment: Lack of lighting can delay emergency response during nighttime incidents. Developer should consider limited lighting at key intersections, mailbox kiosk, and the emergency turnaround for responder safety.
8. EMS Demand Projection:
9. Development Impact on EMS Services:
 - a. The project proposes 20 new residential lots. → Using the Currituck Fire-EMS standard:
 - i. $20 \text{ units} \div 3 = \sim 6.67$ additional EMS calls per year.
 - ii. Monthly Impact: ~ 0.56 EMS calls per month
 - iii. Weekly Impact: ~ 0.13 EMS calls per week
 - b. This impact, while modest individually, cumulatively stresses EMS resources over time and should be considered in broader operational planning.
10. Missing Information / Requests for Clarification:

- a. Provide a detailed hydrant layout plan with coverage calculations.
- b. Confirm turnaround dimensions and surface load capacity.
- c. Clarify if parking restrictions will be posted along Grandy Manor Way to maintain emergency access width.
- d. Verify that the fire flow analysis meets or exceeds minimum residential requirements (1,000 GPM at 20 PSI).

Currituck Soil and Stormwater (John Morrow, 252-232-3360)

Currituck County Public Utilities Director (Ken Griffin, 252-232-6035)

Currituck County Public Utilities – Mainland Water (Brian Cafferello 252-454-4975)

1. Approved. Water Utilities are ok.

Currituck County Public Utilities - Wastewater (Will Rumsey, 252-232-6065)

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

1. Reviewed.
2. GIS will assign addresses during the Final Plat review phase.

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

1. Reviewed

Stormwater Consultant, McAdams (Daniel Wiebke, 919-361-5000)

NC Division of Coastal Management (Rachel Love-Adrick, (252) 515-5403)

NC DOT (Caitlyn Spear, 252-331-4737)

Albemarle Regional Health Services (Kevin Carver, 252-232-6603)

US Army Corps of Engineers (Joshua Tutt, 910-251-4629)

See attached letter.

Mediacom (252-482-5583)

See attached letter.

US Post Office

Contact the local post office for mail delivery requirements

The following items are necessary for resubmittal:

- 1- PDF digital copy of all revised documents and plans uploaded to the online Citizen Self Service Portal.

SPECIAL USE PERMIT HEARING

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

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

Typical Special Use Permit Evidentiary(Quasi-Judicial) Hearing at BOC

- Swearing in of witnesses/speakers
- Presentation by County Staff on Application
- Required Presentation by Applicant or Authorized Agent
 - Applicant to Present Findings of Fact
- Public Participation Period
- Applicant Rebuttal
- BOC Deliberation & Decision



Currituck County

Planning & Inspections Department
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

MEMORANDUM

To: Jason Mizelle, PLS, Timmons Group
C.A Howard, Howard Land Development, Inc.

From: Planning Staff

Date: June 11, 2025

Re: PB 25-08 Grandy Manor Preliminary Plat/Special Use Permit, 2nd TRC Review Comments

The following comments were received for the June 11, 2025 TRC meeting. In order to be scheduled for the July 21, 2025 Board of Commissioners meeting, please address all comments by noon on June 26, 2025. TRC comments are valid for six months from the date of the TRC meeting.

Planning (Millicent Ott, 252-232-6066)

General Comments

1. The proposed subdivision is subject to a special use permit which requires an evidentiary hearing. The applicant must present evidence for the BOC to make a finding that the proposed development meets the UDO and the findings of fact including:
 - a. Not endanger the public health or safety.
 - b. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
 - c. Be in conformity with the Land Use Plan or other officially adopted plan.
 - d. Not exceed the county's ability to provide adequate public-school facilities.
2. The property is classified as G-2, Controlled Growth, and G-3, Mixed Use Centers in the Grandy Subarea of the Imagine Currituck 2040 Vision Plan. The proposed density is 0.87 du/acre in SFM. The Imagine Currituck 2040 Vision Plan allows up to 2 du/acre in this subarea.
3. The proposed development is in the Griggs Elementary School District. The BOC may attach additional conditions of approval, including timing limits on residential building lots available for occupancy to assure adequate public-school facilities remain sufficient to serve the development. Staff will share monthly enrollment numbers prior to the SUP hearing.

Comments that need to be addressed

1. Lets discuss the timing of the minor subdivision.
2. Please provide the earliest date of final plat recordation for the proposed lots.

Currituck County Building and Fire Inspections (Rick Godsey, 252-232-6020)

1. Approved. No parking signs needed along road.

Currituck Fire and Emergency Medical Services (Chief Ralph Melton, 252-232-7746)

1. Projected EMS Service Demand
 - a. The development proposes 20 single-family residential lots. Using the Currituck County Fire-EMS planning metric of 1 EMS call per year per 3 new residential rooftops, this subdivision is expected to generate approximately:

6.67 additional EMS calls per year
(20 units ÷ 3 = 6.67 calls/year)

- b. For planning purposes, this equates to: ~0.56 EMS calls per month; ~1 EMS call every 6 weeks
- c. This increase should be factored into long-range staffing and unit availability assessments, especially considering proximity to the Grandy VFD station

Currituck County Public Utilities – Mainland Water (Brian Cafferello 252-454-4975)

1. Approved. Water Utilities are ok.

US Army Corps of Engineers (Joshua Tutt, 910-251-4629)

See attached letter.

Mediacom (252-482-5583)

See attached letter.

US Post Office

Contact the local post office for mail delivery requirements

The following items are necessary for resubmittal:

- 1- PDF digital copy of all revised documents and plans uploaded to the online Citizen Self Service Portal.

SPECIAL USE PERMIT HEARING

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

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

Typical Special Use Permit Evidentiary(Quasi-Judicial) Hearing at BOC

- Swearing in of witnesses/speakers
- Presentation by County Staff on Application
- Required Presentation by Applicant or Authorized Agent
 - Applicant to Present Findings of Fact
- Public Participation Period
- Applicant Rebuttal
- BOC Deliberation & Decision



Kim Mason, NC Area Director

kmason@mediacomcc.com

216 B Shannonhouse Road

Edenton NC, 27932

Edenton: 252-482-5583

Plymouth: 252-793-2491

Mobile: 252-497-0328

RE: New Build & Development

Dear Development manager;

As you know the key need for all homes in this 21st Century is a solid internet connection, be it for business, education or entertainment, the public demand is here.

With this in mind, as you plan for your development and build out, we would like to encourage you to reach out to us, as you do for other essential utilities. It is most economical and reasonable for you to work with us and have this valuable infrastructure in advance of selling and building the homes. Any build out costs can easily be recouped as the lots are developed and make your neighborhoods more appealing to families and professionals.

We invite, you to partner with us and contact us locally. We will process a ROI for your location to determine partnership feasibility and estimated cost to ensure your development has access to the best internet services available.

Our key contacts are, Kim Mason, Director for North Carolina – information above and our construction coordinator Nathaniel Harris at 252- 793-5256 or 252-339-9375.

Mediacom launched 1-Gig broadband speeds in the following areas of North Carolina and operates customer service offices in Edenton and Plymouth.

Bertie County

Colerain

Kelford

Lewiston

Powellsville

Roxobel

Windsor

Camden County

Camden

Shiloh

South Mills

Martin County

Jamesville

Northampton County

Conway

Galatia

Jackson

Rich Square

Seaboard

Severn

Woodland

Chowan County

Arrowhead / Chowan Beach

Edenton

Currituck County

Barco

Currituck

Grandy

Moyock

Point Harbor

Poplar Branch

Tulls Bay

Perquimans County

Hertford

Winfall

Tyrrell County

Columbia

Washington County

Creswell

Plymouth

Roper

About Mediacom Communications

Mediacom Communications Corporation is the 5th largest cable operator in the U.S. serving over 1.3 million customers in smaller markets primarily in the Midwest and Southeast. Mediacom offers a wide array of information, communications and entertainment services to households and businesses, including video, high-speed data, phone, and home security and automation. Through Mediacom Business, the company provides innovative broadband solutions to commercial and public sector customers of all sizes and sells advertising and production services under the OnMedia brand. More information about Mediacom is available at www.mediacomcable.com.

We look forward to partnering with you to ensure your projects are successful and your development has the best services available for your buyers.

Best regards,

Kim Mason

Kim Mason

Operations Director, North Carolina

May 8, 2025

Jennie Turner
Currituck Historic Courthouse
153 Courthouse Road
Suite 110
Currituck, North Carolina 27929

RE: Currituck County Stormwater Development Review – CTK25001
Grandy Manor
732 Poplar Branch Road [Mainland]
Major Subdivision – Preliminary Plat Type II
First Submittal
PIN(s): 0094000161B0000, 009400161C0000, 009400001680000

Dear Ms. Turner,

McAdams has reviewed the above-referenced project that was received on April 28, 2025, and reviewed on May 7, 2025. The project has been reviewed for conformance with:

- > The Currituck County Code of Ordinances
- > Chapter 7.3 – Stormwater Management, Chapter 7.4 – Flood Damage Prevention, Chapter 7.6 – Riparian Buffers, and Chapter 7.7 – Protection of Significant Dunes of the Unified Development Ordinance
- > The Currituck County Stormwater Manual

Based on the review, McAdams recommends approving the preliminary plat for this project.

Sincerely,

MCADAMS



Daniel Wiebke PE, CFM
Project Manager, Water Resources



Rebecca Benfield, EI
Designer II, Water Resources

GRANDY MANOR
POPLAR BRANCH TOWNSHIP, CURRITUCK COUNTY, NORTH CAROLINIA

**PRELIMINARY STORMWATER
MANAGEMENT NARRATIVE**

MARCH 27, 2025

PREPARED BY:



1805 West City Drive, Unit E
Elizabeth City, NC 27909
252.621.5030
License No. C-1652
www.timmons.com



Grandy Manor – 20-LOT SUBDIVISION

Site Information

Grandy Manor is a 23.04-acre project located adjacent to Poplar Branch Road to the east and the just off of U.S. Highway 158 – Caratoke Highway on the West in Grandy, Poplar Branch Township. The site does not contain any U.S. Army Corps of Engineers wetlands. The majority of the site is wooded with some fallow field and consist of existing perimeter drainage ditches and a cross ditch that captures the over land runoff from the property and further conveys that runoff downstream to “Outlaw Ditch.”

The topography of the site is gently sloping from East to West from Poplar Branch Road to the wooded areas and ditches. Elevations range from 10 to 12-foot MSL.

Soils within the site consist primarily of Portsmouth (Pt) fine sandy loam in the central area of the site and a mix of Conetoe (CnA) and Dragston (Ds) loamy fine sand soils throughout the remainder of the project.

Proposed Development

The proposed development will utilize vegetative swales to convey runoff from the proposed lots alongside property lines, to either rear property line ditches, new roadside ditches or directly to the stormwater BMP's. The BMP's will incorporate an outfall structure at the downstream ends that will outlet to the existing cross ditch that leads north to Outlaw Ditch. Off-site runoff from the adjacent parcels to the south of the property and highway drainage from the west will be allowed to continue draining through the existing ditches.

Preliminary Analysis

The proposed development will not negatively affect the existing off-site drainage. Perimeter ditches will be unchanged and cross ditches only relocated as necessary to work with the proposed development pattern. Is the intention of this development to utilize the NCDEQ's Low Density Stormwater Permit option to ensure that the proposed development maintains a low impact design. The proposed BMP storage will be designed and constructed in accordance with the County's Stormwater Manual. It is anticipated that any rise in stormwater runoff to the downstream water surface of Outlaw Ditch will be below 0.01 feet. HEC-RAS models for the site will be provided during the Permitting & Construction document phase.

Proposed Street Name Review and Addition to Master Street List Form

To Be Completed By Applicant

| | | | |
|---------------------------|-------------------------------------------------------------------------------|------------------------|---------|
| Subdivision Name: | <u>Grandy Manor</u> | | |
| Subdivision Type: | <u>Conservation Subdivision</u> | | |
| Applicant: | <u>Howard Land Development, Inc.</u> | | |
| Address: | <u>2854A Cataoke Highway</u> | | |
| | <u>Subject Parcel - PIN # 009400161B0000, 009400161C0000, 009400001680000</u> | | |
| Phone: | <u>252-202-3500</u> | Fax: | <u></u> |
| Proposed Street Name(s): | | | |
| <u>Eldon Drive</u> | <u>X</u> | <u>ELDON LN DENIED</u> | <u></u> |
| <u></u> | <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> | <u></u> |
| Alternate Street Name(s): | <i>Please provide at least one (1) alternate street name</i> | | |
| <u>Grandy Manor Way</u> | <u>✓</u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> | <u></u> |

To Be Completed By County Staff

Proposed street names with a check mark have been approved. Proposed street names with an X mark have been denied.

| | | | |
|---------------------------------------------------|---------------------|-------|----------------|
| Reviewed By: | <u>Harry P. Lee</u> | Date: | <u>3/27/25</u> |
| Add the following data to the Master Street List: | | | |
| Street Name: | <u></u> | | |
| Address Range: | <u></u> | | |
| F&R #: | <u></u> | | |
| Community: | <u></u> | | |
| ZIP: | <u></u> | | |
| Location: | <u></u> | | |
| | <u></u> | | |
| Plat Approval Date: | <u></u> | | |
| Plat Approved By: | <u></u> | | |



Currituck County Mainland Water Capacity Availability Form

County Contact Information

Will Rumsey, Utilities Manager
444 Maple Road
Maple, NC 27956

Phone: 252.232.2769
Fax: 252.453.3721

Website: <https://co.currituck.nc.us/departments/water/>

Request

This request is for:

- ☐ Single Family Residence
☒ Residential Development
☐ Non-residential

Owner Information

Name(s): Howard Land Development, Inc. _____

Mailing Address: 2854 A Caratoke Hwy., Currituck, NC 27929 _____

E-Mail Address: cahowardjr@hotmail.com _____

Phone Number: 252.202.3500 _____

Applicant Information (if different from Owner)

Name(s): _____

Mailing Address: _____

E-Mail Address: _____

Phone Number: _____

Parcel Information

PIN(s): 0094000161B0000, 0094000161C00000, 0094000016800000

Street Address: Poplar Branch Road _____

Project Information

Name of Project: Grandy Manor _____

Number of Units: 20

Projected Daily Project Demand (gpd): 7200

Anticipated Water Access Date: August 2025

Applicant's Signature

I declare, that to the best of my knowledge, the information provided herein is true, correct, and complete.

Property Owner/Applicant Signature

4-15-25

Date

Note: Water connection and/or developmental fees are due at building permit application. See the Currituck County Master Fee Schedule for rates.

<https://co.currituck.nc.us/master-fee-schedule/>

For Office Use Only

☒ Water capacity is available for this project.

☐ Water capacity is not available for this project.

Utilities Manager

4-16-25

Date

County Manager

4/16/2025

Date

This capacity availability is good for one year

Currituck County

Public Services Department

Will Rumsey, Utilities Manager



446 Maple Rd.
Maple NC 27956
Phone 252-232-6061
Fax 252-453-3721
Email: will.rumsey@CurrituckCountyNC.gov

March, 28 2025

Mr. Jason Mizelle / Timmons Group
1805 West City Drive
Elizabeth City, NC 27909
2600 North Croatan Hwy Suite 100
Kill Devil Hills, NC 27948

Subject: Commitment to serve letter for Grandy Manor

The Currituck Mainland Water System will commit to serving water for Grandy Manor a 20-lot subdivision off Poplar Branch Road, when all fees are paid to the system and the project final approval is given by the Currituck County Engineering and Planning staff. Please submit a Mainland Water Capacity Availability Form.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Rumsey", is written over a horizontal line.

Will Rumsey
Utilities Manager
Currituck County

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Action Id. **SAW-2022-01949** County: **Currituck** U.S.G.S. Quad: **NC-Camden Point**

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Requestor: **Howard Land Development, Inc.**
CA Howard, Jr.
Address: **2854A Caratoke Highway**
Currituck, North Carolina 27929
Telephone Number: **(252) 202-3500**
E-mail: **cahowardjr@hotmail.com**

Size (acres) **26.83**
Nearest Waterway **Currituck Sound**
USGS HUC **03010205**

Nearest Town **Grandy**
River Basin **Pasquotank**
Coordinates Latitude: **36.246609,**
Longitude: **75.884235**

Location description: **The review area for this Jurisdictional Determination consists of two tracts composing approximately 26.83-acre portion and known as Currituck County Parcel Pin #s: 0094000161C0000 and 0094000161B0000 is located off Caratoke Highway in Grandy, Currituck County, NC. The site is located on the northeastern side of Caratoke Highway between Poplar Branch Road and Caratoke Highway. The review area is comprised entirely of uplands.**

Indicate Which of the Following Apply:

A. Preliminary Determination

- ☐ There appear to be **waters** on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The **waters** have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. The approximate boundaries of these waters are shown on the enclosed delineation map date. Therefore, this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.
- ☐ There appear to be **waters** on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the **waters** have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the **waters** at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the **waters** on your project area/property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

B. Approved Determination

- ☐ There are Navigable Waters of the United States within the above described project area/property subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- ☐ There are **waters** on the above-described project area/property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- ☐ We recommend you have the **waters** on your project area/property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

- ☐ The **waters** on your project area/property have been delineated and the delineation has been verified by the Corps. The approximate boundaries of these waters are shown on the enclosed delineation map dated. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.
- ☐ The **waters** have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- ☒ There are no waters of the U.S., to include wetlands, present on the above-described project area/property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- ☒ The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in **in Elizabeth City, NC, at (252) 264-3901** to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **Anthony D. Scarbraugh at (910) 251-4619 or anthony.d.scarbraugh@usace.army.mil.**

C. Basis For Determination: See the approved jurisdictional determination form dated 02/02/2023.

D. Remarks: The review area for this Jurisdictional Determination is shown on the attached map entitled, "Wetland Map for Phyllis C. Hutchison, James A. Hutchinson, Jr. & Howard Land Development, Inc.", dated 02/02/2023.

E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Mr. Philip A. Shannin
Administrative Appeal Review Officer
60 Forsyth Street SW, Floor M9
Atlanta, Georgia 30303-8803
AND
PHILIP.A.SHANNIN@USACE.ARMY.MIL

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **04/03/2023**.

****It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.****

Corps Regulatory Official: 

Date of JD: **02/02/2023** Expiration Date of JD: **02/01/2028**

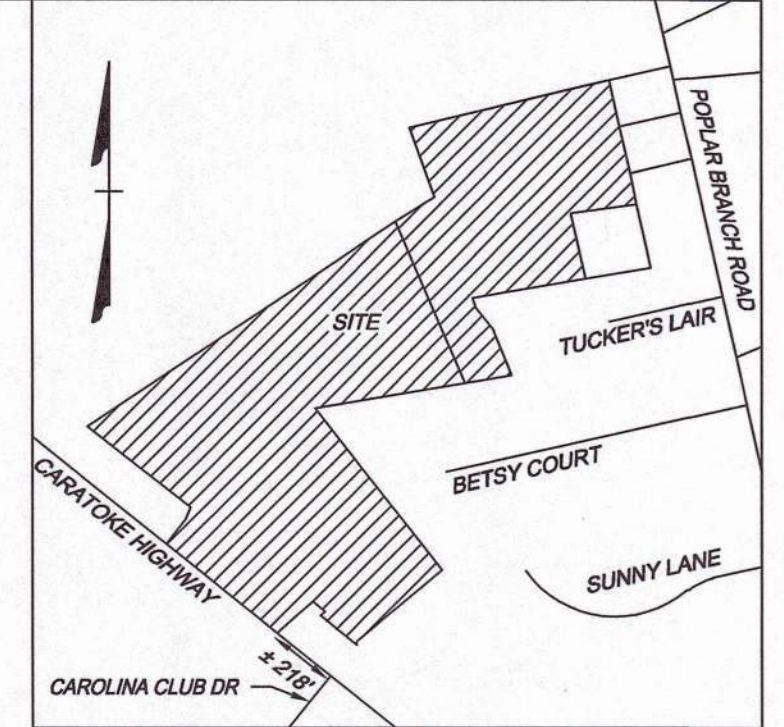
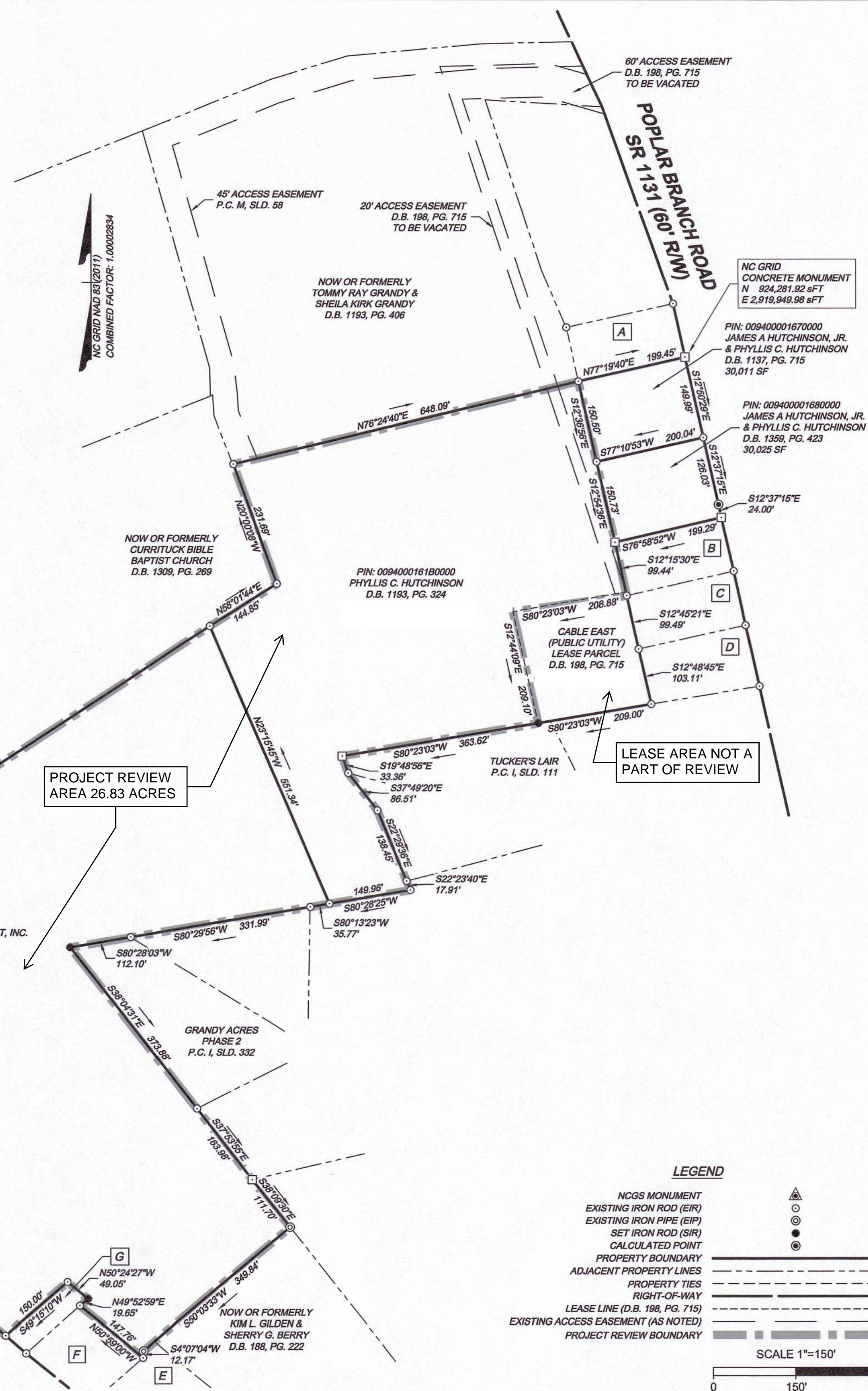
THIS CERTIFIES THAT THIS COPY OF THIS PLAT IDENTIFIES ALL AREAS OF WATERS OF THE UNITED STATES REGULATED PURSUANT TO SECTION 404 OF THE CLEAN WATER ACT AS DETERMINED BY THE UNDERSIGNED ON THIS DATE. UNLESS THERE IS CHANGE IN THE LAW OR OUR PUBLISHED REGULATIONS, THIS DETERMINATION OF SECTION 404 JURISDICTION MAY BE RELIED UPON FOR A PERIOD NOT TO EXCEED FIVE YEARS FROM THIS DATE. THE UNDERSIGNED COMPLETED THIS DETERMINATION UTILIZING THE APPROPRIATE REGIONAL SUPPLEMENT TO THE 1987 U.S. ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL.

REGULATORY OFFICIAL _____
TITLE _____
DATE _____
USACE ACTION ID NO.: _____

TOTAL PARCEL AREA: 29.18 ACRES
PROJECT REVIEW BOUNDARY: 26.83 ACRES
POTENTIAL WETLANDS WITHIN PROJECT BOUNDARY: 0.00 ACRES

ADJOINING PROPERTY OWNER KEY
NOW OR FORMERLY

| | | | |
|---|-------------------------------------------------------------|---|-------------------------------------------------------------|
| A | TIMOTHY R. FLORY & GERALDINE L. FLORY D.B. 1422, PG. 347 | G | KAREN R. ETHERIDGE D.B. 758, PG. 771 |
| B | CLARA M. SYKES D.B. 120, PG. 382 | H | MEGAN WILABY & JAMES M. WILABY D.B. 1497, PG. 424 |
| C | JOSEPH M. SANTORO & MARIE E. SANTORO D.B. 264, PG. 380 | I | RICHARD WHITE D.B. 1318, PG. 238 |
| D | GLENDA HILL OWENS D.B. 118, PG. 241 | J | JACOB S. MCSPADDEN & BREANNA R. NIXON D.B. 1717, PG. 718 |
| E | DAVID A. HOARE D.B. 1404, PG. 79 | K | LOLA MARIE PERRY & DARREL R. LONG D.B. 1711, PG. 357 |
| F | KAREN R. ETHERIDGE D.B. 795, PG. 464 | | |



VICINITY MAP
(NOT TO SCALE)

I, JASON A. MIZELLE CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM THE DEED DESCRIPTION RECORDED IN D.B. 1137, PG. 715, D.B. 1193, PG. 324, D.B. 1359, PG. 423, D.B. 1718, PG. 224, & D.B. 198, PG. 715; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 95% CONFIDENCE; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 2ND DAY OF FEBRUARY, A.D., 2023.

I, JASON A. MIZELLE, PLS-4917, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GNSS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- 1.) CLASS OF SURVEY: CLASS A
- 2.) POSITIONAL ACCURACY: 2 CENTIMETERS
- 3.) TYPE OF GPS FIELD PROCEDURE: "RTK"
- 4.) DATES OF SURVEY: 10-18, 10-20, 11-07, 11-08, & 12-13-2022
- 5.) DATUM/EPOCH: NC-GRID NAD83(2011); EPOCH 2010
- 6.) PUBLISHED/FIXED-CONTROL USE: OPUS-SOLUTION
- 7.) GEOID MODEL: GEOID12B
- 8.) COMBINED GRID FACTOR: 1.00002834
- 9.) UNITS: US SURVEY FEET



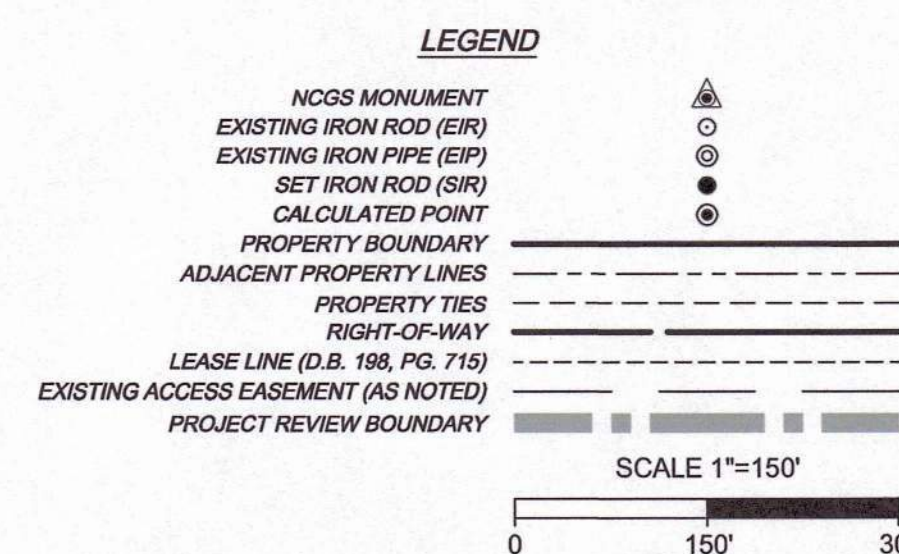
I, JASON A. MIZELLE, PLS-4917, CERTIFY,

F(11) D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

JASON A. MIZELLE, PLS L-4917

NOTES:

1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
2. THE PROPERTY IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON FLOOD MAP PANEL 3720990200K, DATED DECEMBER 21, 2018. SUBJECT TO CHANGE BY FEMA.
3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR/OWNER TO VERIFY ALL BUILDING SETBACKS AND RESTRICTIVE COVENANTS PRIOR TO CONSTRUCTION.
4. THIS IS A WETLAND MAP ONLY NOT A BOUNDARY SURVEY. SEE RECORDED REFERENCES.



WETLAND MAP FOR
PHYLLIS C. HUTCHINSON, JAMES A. HUTCHINSON, JR., & HOWARD LAND DEVELOPMENT, INC.
BEING PROPERTY DESCRIBED IN D.B. 1137, PG. 715, D.B. 1193, PG. 324, D.B. 1359, PG. 423, D.B. 1718, PG. 224, & D.B. 198, PG. 715
POPLAR BRANCH TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

TIMMONS GROUP
1805 West City Drive, Unit E, Elizabeth City, NC 27909
TEL 252.621.5030 www.timmons.com
North Carolina License Number C-1652

| | | | | | |
|----------------|----------------|-----------------------------------|--------------|-------------------------|--------------|
| SCALE: 1"=150' | FILE NO: 56469 | DATE OF SURVEY: DECEMBER 13, 2022 | DRAFTED: JHS | DATE: FEBRUARY 02, 2023 | CHECKED: JAM |
|----------------|----------------|-----------------------------------|--------------|-------------------------|--------------|

SAW-2022-01949

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the Customer Satisfaction Survey located at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0

Copy furnished:

Agent: **Atlantic Environmental Consultants, LLC**
Doug Dorman
Address: **Post Office Box 27949**
Kitty Hawk, North Carolina 27949
Telephone Number: **(252) 261-7707**
E-mail: **dougdaec@gmail.com**

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: **Howard Land Development, Inc., CA**
Howard, Jr.

File Number: **SAW-2022-01949**

Date: **02/02/2023**

Attached is:

See Section below

| | | |
|-------------------------------------|--------------------------------------------------------------------|---|
| <input type="checkbox"/> | INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission) | A |
| <input type="checkbox"/> | PROFFERED PERMIT (Standard Permit or Letter of permission) | B |
| <input type="checkbox"/> | PERMIT DENIAL | C |
| <input checked="" type="checkbox"/> | APPROVED JURISDICTIONAL DETERMINATION | D |
| <input type="checkbox"/> | PRELIMINARY JURISDICTIONAL DETERMINATION | E |

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at or <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or the Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

**District Engineer, Wilmington Regulatory Division
Attn: Anthony D. Scarbraugh
Washington Regulatory Office
U.S Army Corps of Engineers
2407 West Fifth Street
Washington, North Carolina 27889**

If you only have questions regarding the appeal process you may also contact:

**MR. PHILIP A. SHANNIN
ADMINISTRATIVE APPEAL REVIEW OFFICER
CESAD-PDS-O
60 FORSYTH STREET SOUTHWEST, FLOOR M9
ATLANTA, GEORGIA 30303-8803**

PHONE: (404) 562-5136; FAX (404) 562-5138
EMAIL: PHILIP.A.SHANNIN@USACE.ARMY.MIL

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: Anthony D. Scarbraugh, 69 Darlington Avenue, Wilmington, North Carolina 28403

For Permit denials, Proffered Permits and Approved Jurisdictional Determinations send this form to:

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Philip Shannin, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801
Phone: (404) 562-5137**

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 02/02/2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Wilmington District, Grandy / 0 Caratoke Hwy / Grandy NC / Currituck County, SAW-2022-01949

C. PROJECT LOCATION AND BACKGROUND INFORMATION: The review area for this Jurisdictional Determination consists of two tracts composing approximately 26.83-acre portion and known as Currituck County Parcel Pin #s: 0094000161C0000 and 0094000161B0000 is located off Caratoke Highway in Grandy, Currituck County, NC. The site is located on the northeastern side of Caratoke Highway between Poplar Branch Road and Caratoke Highway. The review area is comprised entirely of uplands.

State: NC

County/parish/borough: Currituck

City: Grandy

Center coordinates of site (lat/long in degree decimal format): Lat. 36.246609, , Long. 75.884235

Universal Transverse Mercator:

Name of nearest waterbody: Currituck Sound

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows:

Name of watershed or Hydrologic Unit Code (HUC): 03010205

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form:

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☐ Office (Desk) Determination. Date:

☒ Field Determination. Date(s): 09/08/2022 and 09/21/2022050

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are no “navigable waters of the U.S.” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

☐ Waters subject to the ebb and flow of the tide.

☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are “waters of the U.S.” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

☐ TNWs, including territorial seas

☐ Wetlands adjacent to TNWs

☐ Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs

☐ Non-RPWs that flow directly or indirectly into TNWs

☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

☐ Impoundments of jurisdictional waters

☐ Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet, wide, and/or acres.

Wetlands: acres.

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least “seasonally” (e.g., typically 3 months).

- c. Limits (boundaries) of jurisdiction** based on:
Elevation of established OHWM (if known):

2. Non-regulated waters/wetlands (check if applicable):³

☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW:

Summarize rationale supporting determination:

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is “adjacent”:

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are “relatively permanent waters” (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size:

Drainage area:

Average annual rainfall: inches

Average annual snowfall: inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

☐ Tributary flows directly into TNW.

☐ Tributary flows through tributaries before entering TNW.

Project waters are river miles from TNW.

Project waters are river miles from RPW.

Project waters are aerial (straight) miles from TNW.

³ Supporting documentation is presented in Section III.F.

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

Project waters are aerial (straight) miles from RPW.
Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW⁵:
Tributary stream order, if known:

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☐ Natural
☐ Artificial (man-made). Explain:
☐ Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):

Average width: feet
Average depth: feet
Average side slopes: .

Primary tributary substrate composition (check all that apply):

☐ Silts ☐ Sands ☐ Concrete
☐ Cobbles ☐ Gravel ☐ Muck
☐ Bedrock ☐ Vegetation. Type/% cover:
☐ Other. Explain:

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:

Presence of run/riffle/pool complexes. Explain:

Tributary geometry:

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for:

Estimate average number of flow events in review area/year:

Describe flow regime:

Other information on duration and volume:

Surface flow is: . Characteristics:

Subsurface flow: . Explain findings:

☐ Dye (or other) test performed:

Tributary has (check all that apply):

☐ Bed and banks

☐ OHWM⁶(check all indicators that apply):

| | |
|--------------------------------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> the presence of litter and debris |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> shelving | <input type="checkbox"/> the presence of wrack line |
| <input type="checkbox"/> vegetation matted down, bent, or absent | <input type="checkbox"/> sediment sorting |
| <input type="checkbox"/> leaf litter disturbed or washed away | <input type="checkbox"/> scour |
| <input type="checkbox"/> sediment deposition | <input type="checkbox"/> multiple observed or predicted flow events |
| <input type="checkbox"/> water staining | <input checked="" type="checkbox"/> abrupt change in plant community |
| <input type="checkbox"/> other (list): | |

☐ Discontinuous OHWM.⁷ Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☐ High Tide Line indicated by:

☐ Mean High Water Mark indicated by:

⁵Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

- ☐ oil or scum line along shore objects
- ☐ fine shell or debris deposits (foreshore)
- ☐ physical markings/characteristics
- ☐ tidal gauges
- ☐ other (list):
- ☐ survey to available datum;
- ☐ physical markings;
- ☐ vegetation lines/changes in vegetation types.

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Explain:
Identify specific pollutants, if known:

(iv) Biological Characteristics. Channel supports (check all that apply):

- ☐ Riparian corridor. Characteristics (type, average width):
- ☐ Wetland fringe. Characteristics:
- ☐ Habitat for:
 - ☐ Federally Listed species. Explain findings:
 - ☐ Fish/spawn areas. Explain findings:
 - ☐ Other environmentally-sensitive species. Explain findings:
 - ☐ Aquatic/wildlife diversity. Explain findings:

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: Explain:

Surface flow is:

Characteristics:

Subsurface flow: . Explain findings:

☐ Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

☐ Directly abutting

☐ Not directly abutting

☐ Discrete wetland hydrologic connection. Explain:

☐ Ecological connection. Explain:

☐ Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are river miles from TNW.

Project waters are aerial (straight) miles from TNW.

Flow is from: .

Estimate approximate location of wetland as within the floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:

Identify specific pollutants, if known:

(iii) Biological Characteristics. Wetland supports (check all that apply):

- ☐ Riparian buffer. Characteristics (type, average width):

- ☐ Vegetation type/percent cover. Explain:
- ☐ Habitat for:
- ☐ Federally Listed species. Explain findings:
- ☐ Fish/spawn areas. Explain findings:
- ☐ Other environmentally-sensitive species. Explain findings:
- ☐ Aquatic/wildlife diversity. Explain findings:

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis:
Approximately acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

| | | | |
|------------------------------|------------------------|------------------------------|------------------------|
| <u>Directly abuts? (Y/N)</u> | <u>Size (in acres)</u> | <u>Directly abuts? (Y/N)</u> | <u>Size (in acres)</u> |
|------------------------------|------------------------|------------------------------|------------------------|

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream food webs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

- 1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
- 2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
- 3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

- 1. TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
 - ☐ TNWs: linear feet, wide, Or acres.
 - ☐ Wetlands adjacent to TNWs: acres.

2. RPWs that flow directly or indirectly into TNWs.

- ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
- ☐ Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet wide.
- ☐ Other non-wetland waters: acres.

Identify type(s) of waters:

3. Non-RPWs⁸ that flow directly or indirectly into TNWs.

- ☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

- ☐ Tributary waters: linear feet, wide.
- ☐ Other non-wetland waters: acres.

Identify type(s) of waters:

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

- ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
- ☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:
- ☐ Wetlands directly abutting an RPW where tributaries typically flow “seasonally.” Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.

- ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.

- ☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. Impoundments of jurisdictional waters.⁹

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- ☐ Demonstrate that impoundment was created from “waters of the U.S.,” or
- ☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
- ☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

⁸See Footnote # 3.

⁹To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
- ☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- ☐ which are or could be used for industrial purposes by industries in interstate commerce.
- ☐ Interstate isolated waters. Explain:
- ☐ Other factors. Explain:

Identify water body and summarize rationale supporting determination:

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet, wide.
- ☐ Other non-wetland waters: acres.
Identify type(s) of waters:
- ☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
☐ Prior to the Jan 2001 Supreme Court decision in “*SWANCC*,” the review area would have been regulated based solely on the “Migratory Bird Rule” (MBR).
- ☐ Waters do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction. Explain:
- ☐ Other: (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams):linear feet, wide.
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams):linear feet, wide.
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☐ Wetlands: acres.

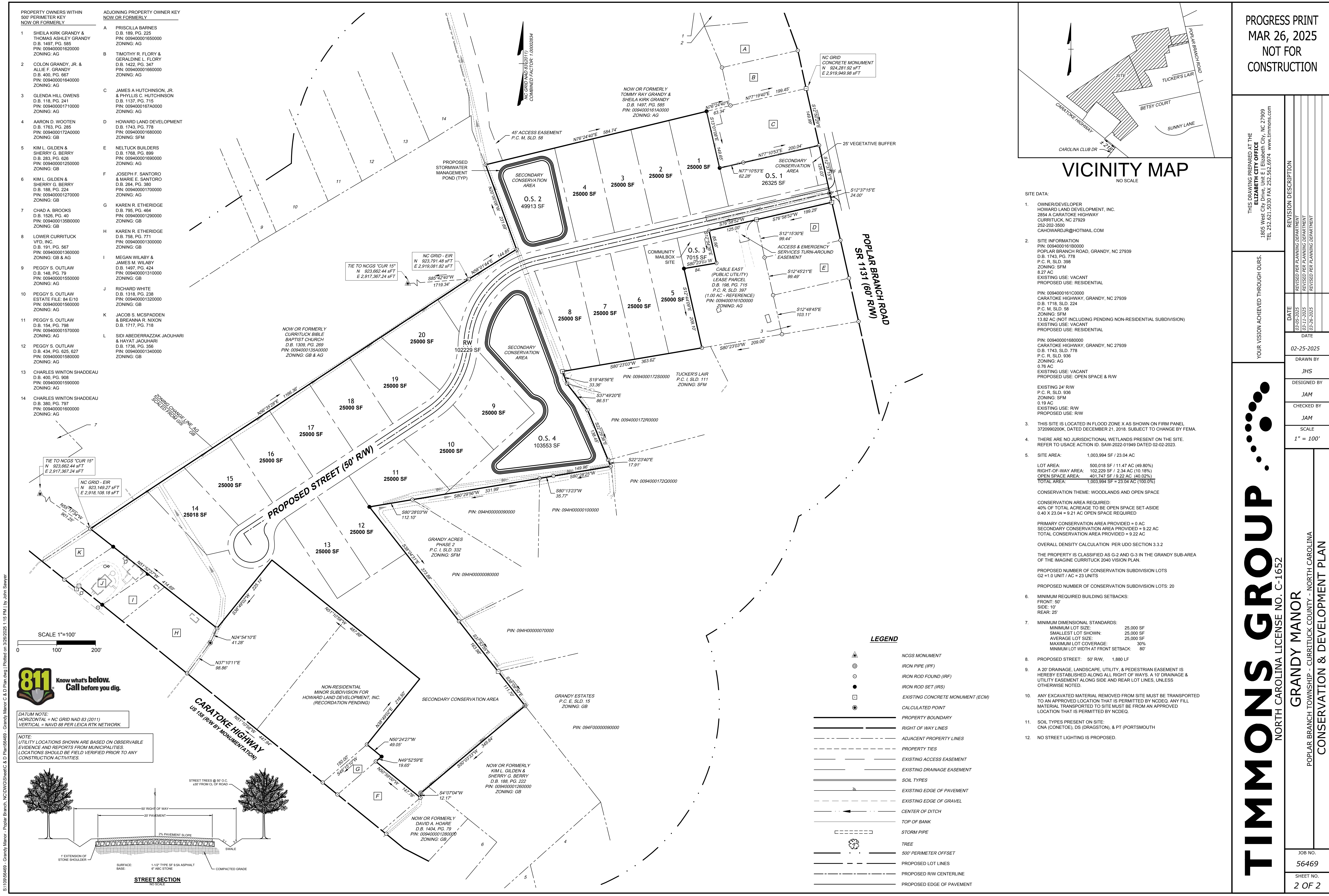
SECTION IV: DATA SOURCES.

- A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):**
- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: **Atlantic Environmental Consultants, LLC (AEC) submitted a jurisdictional determination to USACE WFO on August 22, 2022, and September 7, 2022, with final survey received on February 2, 2023.**
 - ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant. **AEC provided data sheet on August 22, 2022, to revision received on November 11, 2022.**
 - ☒ Office concurs with data sheets/delineation report.
 - ☐ Office does not concur with data sheets/delineation report.
 - ☐ Data sheets prepared by the Corps:
 - ☐ Corps navigable waters’ study:
 - ☐ U.S. Geological Survey Hydrologic Atlas:
 - ☐ USGS NHD data.
 - ☐ USGS 8 and 12 digit HUC maps.

- ☐ U.S. Geological Survey map(s). Cite scale & quad name:
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: **NRCS Web Soil Survey accessed on February 2, 2023.**
- ☒ National wetlands inventory map(s). Cite name: **USFWS NWI Mapper accessed on September 8, 2022.**
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☐ Photographs: ☐ Aerial (Name & Date):
Or ☐ Other (Name & Date):
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☒ Other information (please specify): **LiDAR and APT from 08/18/2022, 09/05/2022, 09/08/2022, 09/19/2022, and 09/21/2022.**

B. ADDITIONAL COMMENTS TO SUPPORT JD:

The review area totals approximately 26.83 acres and is comprised entirely of uplands.



ALBEMARLE REGIONAL HEALTH SERVICES

451417

Applicant:

Howard Land Dev. Co
2854 A Caratoke Hwy
Currituck, NC 27929

Owner:

Howard Land Dev. Co
2854 A Caratoke Hwy
Currituck, NC 27929

Site Location:

Lot 1 Poplar Branch Road
Grandy, NC 27939

Lots 1 - 20 have the same modifications

| | | |
|-----------------|--------------------|---------------------------------|
| GPD: 360 | LTAR: 0.500 | Classification: Suitable |
|-----------------|--------------------|---------------------------------|

If unsuitable, the site may be reclassified to provisionally suitable with the following modification(s):

- * Shallow Placement - Type II System

To obtain an Authorization to Construct:

- * Submit a plat or scale drawing of the lot, showing location and dimensions of all property lines, proposed structures and driveways
- * Pay permit fee of \$420

Comments:

A benchmark should be set so original grade is known. Some sand fill may be needed since removal of trees typically lowers ground elevation.

EHS:



Carver, Kevin

Date: 04/09/2025

THIS APPROVAL WILL BECOME VOID AFTER 12 MONTHS AND A NEW APPLICATION WILL BE NECESSARY.

Bertie (252) 794-5303 Camden (252) 338-4460 Chowan (252) 482-1199 Currituck (252) 232-6603
Gates (252) 357-1380 Pasquotank (252) 338-4490 Perquimans (252) 426-2100

1 **AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS**
2 **AMENDING SECTION 3-64 OF THE CURRITUCK COUNTY CODE OF**
3 **ORDINANCES TO PROHIBIT TETHERING OF ANIMALS DURING CERTAIN**
4 **CONDITIONS**

5 WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define,
6 regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or
7 welfare of its citizens and the peace and dignity of the county; and

8 WHEREAS, pursuant to N.C. Gen. Stat. §§153A-127 and 153A-131, a county may by
9 ordinance define and prohibit the abuse of animals; and

10 WHEREAS, there is an increasing problem with tethering animals in severe weather or
11 unsafe conditions that creates an environment intolerable.

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

14 PART I. The Code of Ordinances, Currituck County, North Carolina is amended as follows:

15 **Sec. 3-64. Cruelty to animals.**

16 (a) It shall be unlawful for any person to molest, torture, torment, deprive of necessary
17 sustenance, cruelly beat, needlessly mutilate or kill, wound, injure, poison, abandon or
18 subject to conditions detrimental to its health or general welfare any animal, or to cause
19 or procure such action. The words “torture” or “torment” shall be held to include every
20 act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused
21 or permitted; but such terms shall not be construed to prohibit lawful taking of animals
22 under the jurisdiction and regulation of the Wildlife Resources Commission; nor to
23 prohibit the animal control officer or persons duly authorized by the county manager or
24 veterinarians from destroying dangerous, unwanted or injured animals in a humane
25 manner; nor to prohibit the lawful use of animals in scientific research. Nothing in this
26 article shall be construed to allow the sale or donation of animals from the county animal
27 shelter for use in scientific research.

28 (b) It shall be unlawful for any owner or keeper to fail to provide his animal or animals with
29 proper shelter and protection from the weather, adequate and wholesome food and water
30 to keep his animal or animals in good health and comfort, the opportunity for vigorous
31 daily exercise, veterinary care when needed to prevent suffering, and humane care and
32 treatment. “Outdoor tethering of an animal does not meet the requirement of proper
33 shelter and protection during a hurricane warning or if the animal is not safe from
34 predators or well suited or equipped to tolerate its environment. Unless an animal control
35 officer has inspected an animal’s individual circumstances and determined it to be safe

1 from predators and well suited and equipped to tolerate its environment, no such outdoor
2 tethering during a heat advisory, a severe weather warning, or a period when the
3 temperature is 85 degrees Fahrenheit or higher or 32 degrees Fahrenheit or lower shall
4 constitute the provision of proper shelter. Any tether shall be at least 15 feet in length or
5 four times the length of the animal, whichever is greater.

6 (c) It shall be unlawful for any person to sell or offer for sale, barter or give away within the
7 county baby chickens, baby ducklings or other fowl under six weeks of age or rabbits
8 under eight weeks of age as pets, toys, premiums or novelties; provided, however, that
9 this section shall not be construed to prohibit the sale or display of such baby chickens,
10 ducklings other fowl or such rabbits in proper facilities by breeders or stores engaged in
11 the business of selling for purposes other than for pet or novelties.

12 (d) It shall be unlawful to color, dye, stain or otherwise change the natural color of baby
13 chickens or other fowl or rabbits.

14 (e) It shall be unlawful for any person to tether any fowl.

15 (f) A violation of this section shall be punishable under the criminal penalty provisions of
16 G.S. §14-360.

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

19 PART III. This ordinance is effective upon adoption.

20
21 ADOPTED this _____ day of _____ 2025.

22
23 _____
24 S. Paul O'Neal, Chairman

25 ATTEST:

26 _____
27 Leeann Walton, Clerk to the Board

28
29 APPROVED AS TO FORM:

30 _____
31 Megan E. Morgan, County Attorney

32
33 Date adopted: _____

34 Motion to adopt by Commissioner _____

35 Second by Commissioner _____

36 Vote: _____ AYES _____ NAYS



COUNTY OF CURRITUCK

RESOLUTION AUTHORIZING THE PURCHASE OF SULZER PRODUCTS FROM PETE DUTY & ASSOCIATES, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)

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

WHEREAS, proper functioning of the County's wastewater and water systems requires replacement pumps and related products compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of Sulzer (formerly ABS) products in the State of North Carolina, Pete Duty & Associates, Inc. is the only entity capable of providing the County with pumps and related products compatible with current wastewater and water equipment and operational systems, and

WHEREAS, the County requires the purchase of various Sulzer pumps and related products on an ongoing basis for the Water Treatment Plants and Wastewater Treatment Plants, both on the mainland and Ocean Sands; and

WHEREAS, the Board of Commissioners finds that the use of a sole source for the purchase of Sulzer pumps and related products is justified and in the best interest of the County;

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

Section 1. The Board of Commissioners hereby declares that Pete Duty & Associates, Inc. is the sole source for Sulzer pumps and related products for the reasons stated above and as further documented in the attached Letter of Sole Source from Sulzer Pumps.

Section 2. The County Manager is authorized to execute the purchase of Sulzer Pumps and related products from Pete Duty & Associates, Inc. in accordance with N.C. Gen. Stat. §143-129(e)(6).

Section 3. This resolution shall remain in effect for purchases made through June 30, 2026, unless extended or amended by further action of this body.

Sections 4. This resolution shall be effective upon its adoption.

This the 21st day of July, 2025.

S. Paul O’Neal, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board of Commissioners

(COUNTY SEAL)



Sulzer Pumps
ABS USA
155 Ahlstrom Way
Easley, SC 29640
Phone (203) 238 2700
Fax (203) 238 0738
www.sulzerpumps.com
www.absgroupusa.com

February 5, 2025

Subject: Pete Duty & Associates, Inc. as Contracted Sulzer Distributor for ABS type products

To Whom It May Concern:

The purpose of this letter is to confirm that Pete Duty & Associates, Inc. is the contracted Sulzer sole distributor for Sulzer (formerly ABS) wastewater products for the Municipal Wastewater Collection & Treatment, and Commercial Wastewater markets. Pete Duty & Associates, Inc.'s territory includes the entire states of North Carolina and South Carolina. Nationally we utilize a network of independent distributors/service centers to serve Municipal, Industrial, Building Trades and Dewatering market segments in specific territories. The authorized distributor for Sulzer products in these segments/territories has the expertise, knowledge, training and access to the latest product developments and upgrades, along with genuine OEM parts. Pete Duty & Associates, Inc. is trained in the latest methods in care and start-up of our equipment and has the ability to execute warranty claims. Please do not hesitate to contact me if I can provide any additional information.

Regards,

Chris Stanton
Regional Sales Manager-East
Sulzer Pumps Solutions, Inc
Mobile +1 412-484-9824
chris.stanton@sulzer.com



COUNTY OF CURRITUCK

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF NEW SULZER PUMP AT THE OCEAN SANDS SPRAY FIELD

WHEREAS, an emergency had arisen with respect to the Ocean Sands Effluent Dosing pump #2 at the Ocean Sands Spray Field; and

WHEREAS, the Ocean Sands Effluent Dosing pumps are critical in maintaining the discharge demands of the Ocean Sands Wasterwater treatment of the County of Currituck; and

WHEREAS, by regulation we are required to have two and are now down to one. The remaining pump is being overworked and shutting down causing the tank to overflow on the ground and short-out the building due to the current overload, and has damaged electronics in the control panel required temporary repair in order to have one functional pump, and

WHEREAS, there was one (1) new Sulzer Pump Model XFP101G CB1.4, 480V, PE185/2, 24.8HP available in the United States that was immediately available; and

WHEREAS, an emergency purchase pursuant to N.C. G.S. 143-129(e)(2) may be awarded without advertisement for bids or bidding in that present, immediate, and existing special emergency involving public health and safety of people or property exists; and

WHEREAS, the contract to replace the Ocean Sands Effluent Dosing pump may be awarded without competitive bidding as permitted by N.C. G.S. 143-129(e)(2); and

WHEREAS, the county has received pricing from Pete Duty and Associates, Inc. in the amount of \$23,488.00.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$23,488.00 with Pete Duty and Associates, Inc. for the emergency replacement of the Ocean Sands Effluent Dosing pump in accordance with the emergency provision requirements set forth by N.C. Gen. Stat. §143-129(e)(2). Further, the County Manager is authorized to execute the agreement with Pete Duty and Associates, Inc. for the acquisition of apparatus, materials, and equipment described in this resolution and the proposed contract.

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

This the 21st day of July 2025.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board of Commissioners

(COUNTY SEAL)



DATE: 7/8/25

[illegible]

| | | |
|--|--------------------------------------------------------|-----------|
| | EQUIPMENT PRICE INCLUDING SHIPPING, BUT NOT TAXES..... | 23,488.00 |
|--|--------------------------------------------------------|-----------|

Quotation prepared by Rob Shelden / Sales Engineer, Pete Duty and Associates, Inc. _____

This is a quotation on the goods named, payment terms are net 30 ,subject to PDA terms and conditions attached:

To accept this quotation, sign here and return: _____

THANK YOU FOR YOUR BUSINESS!

PAGE 2

Our price includes freight, but no sales tax. Our terms are net 30 for equipment delivered and services performed. 3% additional charge for Credit Card.

PAYMENT: Our terms are net 30. A minimum of 90% of the contract price must be paid prior to putting equipment into operation. The remaining 10% of the contract price is due 10 days from start-up or 90 days from delivery of equipment (whichever comes first). If the start-up will occur longer than 90 days from delivery, then a start-up fee of \$750 may be retained until 10 days after start-up.

CONDITIONS: Any alteration or deviation from what we have proposed involving extra costs will be executed only upon written orders, and will become an extra charge over and above this proposal.

ACCEPTANCE: The above prices, specifications, and conditions are satisfactory and are hereby accepted. PDA is authorized to do the work as specified. Payment will be made as outlined above. (Read attached terms and conditions).

Note: This proposal may be withdrawn by us if not accepted within ____ days.

STANDARD TERMS AND CONDITIONS OF SALE

- A. Offer and Acceptance. This purchase order is an offer by Buyer to purchase the Equipment described herein (the "Equipment") and is subject to acceptance by Pete Duty & Associates' duly authorized representative at its home or branch office. Any acceptance of this offer is limited to acceptance of the express terms and conditions hereof. These terms and conditions shall govern the contract for sale of the Equipment to Buyer, and if Buyer proposes any additional or different terms, these terms and conditions shall prevail. Pete Duty & Associates objects to the inclusion of any such additional or different terms.
- B. Warranty. The Equipment is warranted only to the extent provided by the manufacturer in its limited warranty, if any, pertaining thereto, a copy of which is available at Buyer's request. Pete Duty & Associates, however, EXTENDS NO WARRANTY OF ANY KIND WITH RESPECT TO THE EQUIPMENT, AND ANY AND ALL SUCH WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ARE HEREBY DISCLAIMED.
- C. Time of Shipment. Pete Duty & Associates will use reasonable diligence to meet the scheduled shipment dates provided herein, which are estimates and not guarantees of when the Equipment will actually be shipped. In no event shall Pete Duty & Associates be liable for any loss or damage of any kind to any person, incidental or consequential, due to delays in shipments. Buyer's acceptance of delivery shall constitute a waiver of any claim of damage for delay.
- D. Force Majeure. Pete Duty & Associates shall not be liable for damages of any kind caused by delays in shipment, delivery or any other nonperformance of the contract directly or indirectly resulting from or contributed to by any circumstances beyond Pete Duty & Associates' control, including without limitation, accident to Pete Duty & Associates' plant or Equipment, riots, wars or national emergencies, labor disputes of every kind however caused, embargoes, non-delivery by suppliers, inability to obtain supplies through normal sources of supplies, delays of carriers or postal authorities or governmental restrictions, prohibitions or diversions. The occurrence of any such circumstance shall operate to extend Pete Duty & Associates' time of performance hereunder for a period not less than the period of such delay.
- E. Cancellation. Any cancellation of this contract must be in writing signed by Buyer and Pete Duty & Associates. Upon such cancellation, Buyer agrees to pay Pete Duty & Associates immediately all costs and expenses incurred by Pete Duty & Associates in connection with the contract. Such costs and expenses shall include without limitation Pete Duty & Associates' cost of labor applied to the contract, overhead, costs of any materials applied to or ordered for the contract and any charges imposed upon Pete Duty & Associates by its suppliers or subcontractors.
- F. Remedies Upon Breach. If Buyer breaches this contract, Pete Duty & Associates shall be entitled, in addition to any other remedy at law or equity, to recover all costs and expenses incurred by Pete Duty & Associates in connection with the contract. Such costs and expenses shall include, without limitation, Pete Duty & Associates' costs of labor applied to the contract, overhead, costs of any materials applied to or ordered for the contract, and any charges imposed order by its suppliers or subcontractors. If Pete Duty & Associates breaches this contract, Buyer's exclusive remedy shall be to terminate this contract by written notice thereof to Pete Duty & Associates, and to receive a refund of the invoice price, if previously paid, of any Equipment that has not been shipped or otherwise identified to the contract as of the date of such termination. Notwithstanding such termination of the contract, however, Buyer shall immediately pay Pete Duty & Associates the invoice price of any Equipment that has been so shipped or so identified to the contract, if not previously paid, and shall be entitled to receive such Equipment from Pete Duty & Associates upon Pete Duty & Associates' receipt of such payment. In no event, shall Pete Duty & Associates be liable for any additional damages of any kind, including without limitation incidental or consequential damages.
- G. Costs of Collection and Enforcement. Buyer shall pay all of Pete Duty & Associates' costs, including reasonable attorney's fees, of collecting any amount not paid when due hereunder or of otherwise enforcing the terms and conditions of this contract.
- H. Governing Law. This contract shall be governed by North Carolina law. Any action by Buyer seeking to enforce the provisions hereof shall be brought and maintained in a state or federal court of competent jurisdiction located in Orange County, North Carolina. Pete Duty & Associates may, in its sole discretion, bring and/or maintain any action seeking to enforce the provisions hereof in any state or federal court of competent jurisdiction located in Orange County, North Carolina. Buyer, its successors and assigns hereby submit themselves to the personal jurisdiction of any state or federal court of competent jurisdiction located in said county.
- I. General Provisions. Any cause of action arising under this contract must be commenced within six months after such cause of action accrues. Pete Duty & Associates has the right to correct any stenographical or clerical errors in any of the writings issued by it. The terms and conditions stated herein constitute the complete and exclusive statement of the terms and conditions of the sale of the Equipment under this contract and there are no other promises, conditions, understandings, representations or warranties of any kind. This contract may be modified only by a writing signed by Pete Duty & Associates. The failure of Pete Duty & Associates to enforce any right hereunder will not be construed as a waiver of its right to performance in the future.



COUNTY OF CURRITUCK

RESOLUTION AUTHORIZING THE PURCHASE OF SHINMAYWA PRODUCTS FROM PREFERRED SOURCES, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)

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

WHEREAS, proper functioning of the County's wastewater and water systems requires replacement pumps and related products compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of ShinMaywa (America), Ltd products in the State of North Carolina, Preferred Sources, Inc. is the only entity capable of providing the County with pumps and related products compatible with current wastewater and water equipment and operational systems, and

WHEREAS, the County requires the purchase of various ShinMaywa pumps and related products on an ongoing basis; and

WHEREAS, the Board of Commissioners finds that the use of a sole source for the purchase of ShinMaywa pumps and related products is justified and in the best interest of the County;

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

Section 1. The Board of Commissioners hereby declares that Preferred Sources, Inc. is the sole source for ShinMaywa pumps and related products for the reasons stated above and as further documented in the attached Letter of Sole Source from ShinMaywa (America), Ltd..

Section 2. The County Manager is authorized to execute the purchase of ShinMaywa Pumps and related products from Preferred Sources, Inc. in accordance with N.C. Gen. Stat. §143-129(e)(6).

Section 3. This resolution shall remain in effect for purchases made through June 30, 2026, unless extended or amended by further action of this body.

Sections 4. This resolution shall be effective upon its adoption.

This the 21st day of July, 2025.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Leeann Walton
Clerk to the Board of Commissioners

(COUNTY SEAL)



ShinMaywa (America), Ltd.
10737 Gateway West Suite 240
El Paso, TX 79935

March 22, 2023

Reference: Sole Source

To Whom It May Concern:

ShinMaywa (America), Ltd. is proud to work with Preferred Sources, Inc. of Pineville, NC as one of our distributors for our line of CNWX, CNX, and CNXH submersible non-clog pumps.

Until further notice, Preferred Sources, Inc. is the Exclusive Distributor for ShinMaywa (America), Ltd. products for the municipal market in the states of North Carolina, South Carolina, and Georgia (with the exception of Camden, Charlton, and Glynn counties).

All orders for new and replacement pumps & parts should be placed directly through Preferred Sources, Inc.

ShinMaywa (America), Ltd. offers a unique line of submersible non-clog pumps for the municipal market. Please contact Preferred Sources, Inc. if there are any questions about our line of pumps.

Sincerely,

Andrew W. Herndon

Andrew W. Herndon

Sales Manager

ShinMaywa (America), Ltd.

ANIMAL SERVICES/CONTROL ADVISORY
2-YEAR TERMS

| Incumbent | Nominated by | New Appointee | Nominated By | Date of Appointment | End of Term |
|---------------------------|--------------|--------------------|--------------|---------------------|-------------|
| | | | | | Unexpired |
| Sonia Dowdy Green | Consensus | | | 9/3/2024 | 5/30/2026 |
| | | | | | 3rd Term |
| Donna Corbo | Consensus | Replace-Termed Out | | 6/20/2022 | 5/30/2024 |
| | | | | | 1st Term |
| Caitlin Garrett | Consensus | Reappoint | Concensus | 7/21/2025 | 5/30/2027 |
| | | | | | 3rd Term |
| Michael Shannon | Consensus | Replace-Termed Out | | 6/20/2022 | 5/30/2024 |
| | | | | | 1st Term |
| Julie Morgan | Consensus | Reappoint | Concensus | 7/21/2025 | 5/30/2027 |
| | | | | | |
| Rachael Stone Director | Consensus | | | | |
| | | | | | |
| Animal Control Officer | Consensus | | | | |
| | | | | | |
| Commissioner Kevin McCord | Ex-Officio | | | 1/2019 | |

Must Be Replaced
Can be Reappointed

OPIOID ADVISORY BOARD
2 Year Terms

| Incumbent | Nominated by | New Appointee | Nominated by | Date of Appointment | End of Term |
|------------------|------------------------------------------|---------------|----------------|---------------------|----------------------|
| Denise Khoury | District 1 | | Tony Angell | 7/15/2024 | Initial 7/15/2026 |
| Karen Tejano | District 2 | | Selina Jarvis | 7/16/2025 | 1st 7/15/2027 |
| Allison Sholar | District 3 | | Mike Payment | 7/16/2025 | 1st 7/15/2027 |
| DJ Kophazy | District 4 | | Janet Rose | 7/15/2024 | Initial 7/15/2026 |
| Kaylee Bynum | District 5 | | Owen Etheridge | 7/15/2024 | Initial 7/15/2026 |
| Jesse Taylor | At-Large | | Kevin McCord | 7/15/2024 | Initial 7/15/2026 |
| Barbara Courtney | At-Large | | Paul O'Neal | 7/16/2025 | 1st 7/15/2027 |
| | | | | | |
| Selina Jarvis | Commissioner Representative - Ex Officio | | | | |
| | | | | | |

Can be Reappointed

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of July 2025, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2025.

| | | | Debit | Credit |
|-----------------------|----------------------------|--|-----------------------------------------|-----------------------------------------|
| | | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| <u>Account Number</u> | <u>Account Description</u> | | | |
| 10796 590000 | Capital Outlay | | \$ 2,317 | |
| 10796 513000 | Utilities | | | \$ 1,467 |
| 10796 514500 | Training & Education | | | 350 |
| 10796 516200 | Vehicle Maintenance | | | 500 |
| | | | <u>\$ 2,317</u> | <u>\$ 2,317</u> |

Explanation Rural Center (10796) - The original quote did not include the expense of removing two layers of shingles.

Net Budget Effect: Operating Fund (10) - No Change

Journal # _____

Clerk to the Board

Posted by

Date

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of June 2025, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2026.

| | | | Debit | Credit |
|-----------------------|----------------------------|--|-------------------------------------------------|-------------------------------------------------|
| <u>Account Number</u> | <u>Account Description</u> | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10640 532008 | SHIIP Grant | | \$ 18,724 | |
| 10390 499900 | Appropriated Fund Balance | | | \$ 18,724 |
| | | | <u>\$ 18,724</u> | <u>\$ 18,724</u> |

Explanation Cooperative Extension (10640) - Unspent grant funds of \$18,724 were approved by the grantor to carryover to FY2026. The grant expires in September 2026.

Net Budget Effect: Net Budget Effect (10) - Increased by \$18,724.

Journal # _____

Clerk to the Board

Posted by

Date

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of June passed the following amendment to the budget resolution for the fiscal year ending June 30, 2026.

| <u>Account Number</u> | | <u>Account Description</u> | Debit | Credit |
|-----------------------|--------|----------------------------|-------------------------------------------------|-------------------------------------------------|
| | | | <u>Decrease Revenue or Increase Expense</u> | <u>Increase Revenue or Decrease Expense</u> |
| 10380 | 484001 | Insurance Recovery | | \$ 15,499 |
| 10390 | 499900 | Appropriated Fund Balance | \$ 15,499 | |
| | | | <u>\$ 15,499</u> | <u>\$ 15,499</u> |

Explanation Sheriff (10510) - Increase appropriation in FY2026 for insurance proceeds received in FY2025 near year end.
The proceeds will be used to replace the drone that was damaged beyond repair.

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

Journal # _____

Clerk to the Board

Posted by _____ Date _____

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of June passed the following amendment to the budget resolution for the fiscal year ending June 30, 2026.

| | | Debit | Credit |
|-----------------------|----------------------------|-----------------------------------------|-----------------------------------------|
| | | Decrease Revenue or Increase Expense | Increase Revenue or Decrease Expense |
| <u>Account Number</u> | <u>Account Description</u> | | |
| 67320 411000 | Article 39 Sales Tax | | \$ 387,000 |
| 67878 545000 | Contracted Services | \$ 387,000 | |
| 67390 495010 | T F Operating Fund | | 387,000 |
| 67990 587067 | T T Mainland Sewer | 387,000 | |
| 10990 587067 | T T Mainland Sewer | 387,000 | |
| 10320 411000 | Article 39 Sales Tax | | 387,000 |
| | | <u>\$ 1,161,000</u> | <u>\$ 1,161,000</u> |

Explanation Mainland Sewer Operations (67878) - The parties settled for \$387,000 related to the Envirolink v. Currituck County lawsuit. Payment will be sent once this budget amendment is approved.

Net Budget Effect: Mainland Sewer (67) - Increase by \$387,000.
General Fund (10) - Increase by \$387,000.

Journal # _____

Clerk to the Board

Posted by

Date

COUNTY OF CURRITUCK

Master Fee Schedule

AIRPORT FEES

After Hours Fee - 5:01 PM through 7:59 AM Daily \$75 per hour

Concession Fees:

| | | |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------|
| Aviation Maintenance & Repair Services | \$75 | Annual Fee |
| Based Charter Aircraft Travel Services | 5% of booked fee, due on 10th of month following end of quarter (Jan 10/Apr 10/Jul 10/Sep 10) | |
| Banner Towing Operations | \$300 | Annual Fee |
| Crop Dusting | \$300 | Annual Fee |
| Flight Lessons/0 Currituck based planes | \$300 | Annual Fee |
| Flight Lessons/1 Currituck based plane | \$150 | Annual Fee |
| Flight Lessons/2 or more Currituck based planes | \$75 | Annual Fee |
| Hang Gliding | \$7,000 | Annual Fee |
| Ramp Fee | \$50 | Not waived with fuel purchase |
| Rental Car Services | \$300 | Annual Fee |

Ground Power Unit (GPU) \$50 per hour

Hangar Leases:

| | | |
|-----------------------|---------|--------------------------------------------------------------------|
| Non-commercial leases | \$3,000 | Annual/due in monthly payments of \$250 |
| Commercial: | | |
| C-2, C-3, C-4 and C-5 | \$7,200 | Annual paid monthly of \$600 |
| C-2, C-3, C-4 and C-5 | \$6,840 | Annual paid once a year in advance |
| C-2, C-3, C-4 and C-5 | \$6,840 | Annual if three year lease agreement. This may be paid by monthly. |
| B-1-C & B-2-C | \$6,000 | Annual |
| B-1-C & B-2-C | \$5,700 | Annual paid once a year in advance |
| B-1-C & B-2-C | \$5,400 | Paid once a year in advance. |
| C-1 | \$8,400 | Annual |
| C-1 | \$7,980 | Annual paid once a year in advance |
| C-1 | \$7,560 | Annual if three year lease agreement. Paid once a year in advance. |

Hangar Late Fee \$15 Monthly fee for Hangar payments received after the 10th of the month of rent.

Landing Fee \$100 Fee waived with 150 gallon fuel purchase.

Overnight Fee \$75 One night fee waived with 150 gallon fuel purchase.

Single/Multi Piston Tie-down Lease \$20 Monthly fee.

Single/Multiple Piston overnight parking \$20 Paid after staying more than 5 consecutive days

Tie-down Lease Late Fee \$15 Monthly fee for Hangar payments received after the 10th of the month of rent.

ANIMAL SERVICES AND CONTROL

Adoption Fee - Dog \$125 Per animal. Discounts may be authorized by the Shelter Manager or County Manager.

| | | |
|--------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------|
| Fuel Tanks Above or Below Grade | N/A | \$250 per tank |
| HVAC change out (includes all trade permits) | \$75 | \$125 |
| Manufactured Homes | \$0.40 per sf | \$0.50 per sf |
| Trade Permits P M E G (New/Additions) | \$100 each | \$150 each/per suite |
| Trade Permits P M E G (Alterations/Repair) | \$50 each | \$100 each/ per suite |
| Solar array | \$50 base + \$0.20 per panel | \$200 base + \$0.20 per panel |
| County, State, Federal, Non-profit | No fee | No fee |
| Miscellaneous: | | |
| Amusement rides, water slides | N/A | \$500 each ride |
| CAMA Minor Permit | \$100 | \$119 |
| Fire Alarm | N/A | \$100 |
| Fire Sprinklers | \$50 | \$100 |
| Minimum permit fee | \$50 | \$100 |
| Moving Permit | \$0.20 per sf | \$0.20 per sf |
| Pool/Hot Tub/Spa | \$150 | \$250 |
| Signs | N/A | \$100 per sign |
| Temporary Construction Office | N/A | \$100 |
| Tents and Membrane Structures | Greater than 800 sq ft | \$100 |
| Towers | | \$500 each |
| Wind Turbine | \$200 each | \$500 each |
| Amusement rides, water slides | N/A | \$500 each ride |
| Elevated Industrial Structures | N/A | \$500 each structure |
| Minimum permit fee | \$50 | \$100 |
| Projects that do not fall within the categories above shall be figured on a cost of construction basis as follows: | | |
| \$1-\$5,000 | \$50 | \$100 |
| Over \$5,000 | \$10 per \$1,000 | \$20 per \$1,000 |
| Inspection Division Fees: | | |
| Re-inspection | \$75 per trip | \$75 per trip |
| Working without a permit | Greater of \$50 or 25% of | Greater of \$100 or 25% of cost |
| Private Schools/Daycare/ABC inspection | N/A | \$100 |
| Commercial Exhaust Hoods | N/A | \$100 each |
| Generators | \$100 | \$200 |
| Change of Use (Includes new Certificate of Occupancy) | | \$100 |
| Commercial Pre-application Building Plan Review | | \$100 |
| Fire Operational/Construction Permit | | \$250 |
| Emergency Electrical Service Repair | \$100 | \$200 |
| Temporary Certificate of Occupancy | \$100 | \$150 for each space |
| Technology Fee | \$1 per application | \$1 per application |
| Permit Modifications to approved plans (Re-review) | \$25 | \$50 |
| Home Occupations | \$50 | NA |
| Planning Division Fees: | | |
| Administrative Adjustment | \$200 | \$200 |
| Clear-Cut Permit | \$50 | \$50 |

Southern Outer Banks Water, except Village of Ocean Hill

| | |
|---------------------------------------------------------------------------------------------|----------------------------------------------------|
| Water connection - contractor installs | No fee |
| Water connection fee, 5/8" inch residential meter | \$1,000 County staff installs connection |
| Water connection fee > 5/8" inch | Actual cost + 20% County staff installs connection |
| Water connection fee, 5/8" inch fire service meter | \$1,000 County staff installs connection |
| Water connection fee, 5/8" inch irrigation meter | \$1,000 County staff installs connection |
| Water connection fee > 5/8" inch irrigation meter | Actual cost + 20% County staff installs connection |
| Irrigation meter, 5/8" inch, if existing water meter present to make connection (Piggyback) | \$1,000 |

Village of Ocean Hill

| | |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Village of Ocean Hill Water connection fee, standard 5/8" meter, commercial | \$1,000 |
| Village of Ocean Hill Water connection fee, standard 5/8" meter, hotels/motels per two rooms | \$1,000 |
| Village of Ocean Hill Water connection fee, standard 5/8" meter, laundry | \$1,000 per 3 machines |
| Village of Ocean Hill Water connection fee, standard 5/8" meter, multifamily | \$1,000 (condos, cottage courts, apartments) Each habitable unit |
| Village of Ocean Hill Water connection fee, standard 5/8" meter, restaurants | \$1,000 per 16 seats or fraction thereof |
| Village of Ocean Hill Water connection fee, standard-5/8" meter, sewer | \$700 |
| Village of Ocean Hill Water connection fee, standard 5/8" meter, single family residential | \$1,000 |
| Irrigation meter, 5/8" inch, if existing water meter present to make connection (Piggyback) | \$1,000 |

The County Manager or designee may authorize discounts for retail sale merchandise and refunds for returns or services that were not provided.

• -

Adopted this on the 21st day of July 2025.

Chairman, S. Paul O'Neal

Clerk to the Board, Leeann Walton

THE STATE OF NORTH CAROLINA SHALL NOT BE RESPONSIBLE FOR ANY EXPENSES INCURRED BY THE PROPOSER IN THE PREPARATION OF THIS PROPOSAL. THE STATE RESERVES THE RIGHT TO REJECT ANY PROPOSAL FOR ANY REASON IT DEEMS WARRANTED.

NON-ADVERTISED LEASE PROPOSAL.

PROPOSAL TO LEASE TO THE STATE OF NORTH CAROLINA NON-ADVERTISED- PO-28

1. NAME OF LESSOR: Currituck County 2. LESSOR'S AGENT:

INDICATE EACH LESSOR'S BUSINESS CLASSIFICATION AS APPLICABLE: A. PROPRIETORSHIP B. PARTNERSHIP C. CORPORATION D. GOVERNMENTAL E. NON-PROFIT F. *** (HUB) HISTORICALLY UNDERUTILIZED BUSINESSES G. OTHER: TAX I.D. #

MAILING ADDRESS: 153 Courthouse Road, Suite 204 MAILING ADDRESS:

CITY: Currituck ZIP: 27929 CITY: ZIP: PHONE#: 252-232-2075 CELL#: PHONE#: CELL#:

E-MAIL: rebecca.gay@currituckcountync.gov E-MAIL:

3. SPACE LOCATION:(including building name, floors involved & suite or room numbers unless entire floor) MAINTENANCE CONTACT / PHONE#:

STREET ADDRESS CITY COUNTY ZIP CODE 2801 Caratoke Highway Currituck Currituck 27929

4. ATTACH FLOOR PLAN TO SCALE SHOWING THE SIZE AND LAYOUT OF SPACE OFFERED (with width x length in rooms)

5. GROSS SQUARE FOOTAGE BEFORE NET USAGE COMPUTED A. OFFICE B. WAREHOUSE C. OTHER

6. All proposals must be submitted on the basis of net square footage as defined on reverse side of this sheet and in the State Specifications (form PO-27 if applicable)

A. DESIRED PROPOSAL

| TYPE OF SPACE | TOTAL NET SQ. FT. | ANNUAL RENTAL | ANNUAL RENT PER SQ. FT. | UTILITIES | JANITOR. SERVICES | WATER / SEWER | REQUIRED PARKING SPACES |
|---------------|-------------------|---------------|-------------------------|-----------|-------------------|---------------|--------------------------|
| OFFICE | 1,194 | \$1.00 | | YES | YES | YES | clientele (as available) |
| WAREHOUSE | | | | | | | state car |
| OTHER | | | | | | | |
| TOTALS | 1,194 | \$1.00 | XXXX | XXXX | | | XXXX |

Lessor will provide () employee parking spaces in above proposal at no additional charge to the State.

Comments: (upfit if applicable – continuation on separate blank page)

Refresh paint, repair any holes in walls, parking or sidewalks; replace HVAC air filters; wash interior/exterior windows; repair and/or replace soiled carpet, flooring, toilet seats etc. etc. if applicable. No additional cost for +/- square feet.

ERRORS BY PROPOSERS IN CALCULATING NET SQUARE FOOTAGE WILL REDUCE THE ANNUAL RENTAL WITHOUT CHANGING THE PROPOSED RATE PER SQUARE FOOT IN THE PROPOSAL (see NOTE on page #2)

B. OPTIONAL ALTERNATE PROPOSAL NO. 1

(FOR PROPOSALS NOT INCLUDING UTILITIES AND/OR JANITORIAL SERVICES)

| TYPE OF SPACE | TOTAL NET SQ. FT. | ANNUAL RENTAL | ANNUAL RENT PER SQ. FT. | UTILITIES YES/NO | JANITORIAL SERVICES YES/NO | WATER/SEWER YES/NO |
|---------------|-------------------|---------------|-------------------------|------------------|----------------------------|--------------------|
| OFFICE | N/A | | | | | |
| WAREHOUSE | | | | | | |
| OTHER | | | | | | |
| TOTALS | | | XXXX | XXXX | XXXX | |

Lessor will provide () clientele parking spaces, () employee parking spaces and () state vehicle parking spaces

Comments:

7. LEASE TERM: YEARS 3 BEGINNING DATE: November 1, 2025

8. RENEWAL OPTIONS, IF ANY: TERMS AND CONDITIONS:

NOTE: RATES THAT INCLUDE INDETERMINABLE PERCENTAGE INCREASES, SUCH AS UNCAPPED CPI INCREASES ETC., ARE NOT ACCEPTABLE DURING EITHER THE INITIAL TERM OR ANY RENEWAL PERIOD(S)

The State of North Carolina supports the use of products and materials having recycled content in renovation and construction. The proposed building must have facilities for handling materials to be recycled such as plastics, aluminum, wastepaper and cardboard.

THE PROPOSED BUILDING MUST BE COMPLETELY FREE OF ANY HAZARDOUS ASBESTOS OR HAZARDOUS LEAD PAINT THROUGHOUT THE STATE'S TENANCY.

Is the proposed building free of hazardous asbestos? YES NO
Is the proposed building free of hazardous lead paint? YES NO

DEPARTMENT: Adult Correction, Probation and Parole DIVISION: 1

CITY: Currituck SQUARE FEET: 1,194 AGENT:

DATE:

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------|
| LESSOR: | | |
| 9. ADDITIONAL INFORMATION (list any maintenance, replacements and/or paint touch-up if applicable - continuation on separate blank page) | | |
| | | |
| | | |
| 10. Is Property To Be Leased Within An Area Designated By Fema To Be In A Flood Prone Area (100 Year, 500 Year)? If So, Please Provide Details Below | | |
| | | |
| | | |
| 11. Does this space comply with local and State Building safety and zoning codes specifically including OSHA provisions for the handicapped and applicable sections of the State Building Code Volumes I-V? | | |
| YES | NO | PARTIALLY |
| EXPLAIN IF OTHER THAN "YES" IS CHECKED ABOVE: | | |
| | | |
| | | |
| 12. This proposal is made in compliance with the specifications furnished by <u>Currituck County</u> I realize that the State reserves the right to reject this proposal for any reason it deems warranted. This proposal is good until _____. I ACKNOWLEDGE AND FURTHER AFFIRM THAT I am aware of and familiar with the Americans with Disabilities Act of 1990 (42 United States Code, Section 12101 et seq.) and if the above firm is awarded the contract, it will comply with the provisions of said Act. I am aware that annual per square foot rental rate(s) which include indeterminable percentage increase(s) such as uncapped Consumer Price Index increases etc., are not acceptable during either the initial term or any renewal period(s): | | |
| (HUB) HISTORICALLY UNDERUTILIZED BUSINESSES (HUB) CONSIST OF MINORITY, WOMEN AND DISABLED BUSINESS FIRMS THAT ARE AT LEAST FIFTY-ONE PERCENT OWNED AND OPERATED BY AN INDIVIDUAL(S) OF THE AFOREMENTIONED CATEGORIES. ALSO INCLUDED IN THIS CATEGORY ARE DISABLED BUSINESS ENTERPRISES AND NON-PROFIT WORK CENTERS FOR THE BLIND AND SEVERELY DISABLED. | | |
| N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of this proposal, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization. | | |
| Rebecca Gay Printed Name of Lessor | | |
| Signature of Lessor | | Date |
| ELECTRONIC DELIVERY INSTRUCTIONS | | |
| NON-ADVERTISED PROPOSAL: | | |
| Questions should be directed to your NC agency contact or to NC State Property Office at: 984-236-0270 | | |
| | | |
| NOTE: Net square footage is a term meaning the area to be leased for occupancy by State Personnel and/or equipment. To determine net square footage: | | |
| 1. Compute the inside area of the space by measuring from the normal inside finish of exterior walls or the roomside finish of fixed corridor and shaft walls, or the center of tenant separating partitions. 2. Deduct from the Inside area the following: | | |
| *a. Toilets and lounges *b. Entrance and elevator lobbies *c. Corridors d. Stairwells e. Elevators and escalator shafts f. Building equipment and service areas g. Stacks, shafts, and interior columns h. Other space not usable for State purposes | | |
| *Deduct if space is not for exclusive use by the State. Multiple State leases require a, b, and c to be deducted. The State Property Office may make adjustments for areas deemed excessive for State use. | | |
| DEPARTMENT: Adult Correction, Probation and Parole | DIVISION: 1 | |
| CITY: Currituck | SQUARE FEET: 1,194 | AGENT: |
| DATE: | | |
| FORM (PO-28-NA) (2021) Page 2 | | |

SPECIFICATIONS FOR NON-ADVERTISED LEASE

1. The floor plan should show building exits for the proposed space. Also, provide the year the building was constructed.
2. This facility must provide an environment that is barrier free and easily accessible to physically disabled staff, visitors and clientele. Compliance with the State Building Code and the Americans with Disabilities Act (ADA) is required. Toilet facilities shall be ADA accessible and code compliant.
3. The air conditioning and heating system shall be maintained by Lessor including frequent filter cleaning and replacement. Year-round ventilation shall be provided to prevent stale air problems and unacceptable CO2 content. Waiting areas, LAN room and conference room(s) may require additional HVAC.
4. Telecommunication room temperature should be within a range of 65° to a maximum of 75°. This is a 24-hour per day, 7-days per week requirement. A separate HVAC system may be required to maintain this temperature range.
5. All lighting and electrical maintenance shall be furnished by Lessor including the replacement of ballasts, light tubes and replacement bulbs.
6. The Lessor shall provide required fire extinguishers and servicing, pest control (by a licensed technician) and outside trash disposal including provision for the handling of recycling items such as aluminum cans, cardboard, and paper. Frequent trash and recycling pick-up required. Year-round maintenance is required to maintain a neat and professional appearance of the site at all times.
7. Lessor shall provide internal and external signs that will provide easy identification of the office by the general public (*if applicable NC DAC request please work to be performed by [Correction Enterprises](#)*).
8. Locking hardware is required on all storage rooms, equipment rooms, files rooms and LAN room. Supply storage closets require shelving.
9. The Lessor shall provide sufficient window coverings shall be provided to control glare within the space (venetian blinds or acceptable equivalent).

10. The Lessor shall provide vinyl tile or other floor covering acceptable to the State in all finished areas. Prefer carpeting for all offices and conference rooms. If floors are carpeted, they should be commercial grade 26 oz or 24 oz carpet squares preferred, acceptable to the Lessee. LVT tile is preferred in the waiting area, LAN room(s), kitchenette, restrooms and hallways. LAN room tile should be anti-static. New or like-new carpet is preferred. If not new, carpet must be professionally cleaned and all stains removed before occupancy. High traffic areas will require frequent cleaning and replacement of floor finishes to maintain a neat, clean, high-quality finish and will be at the State Property Office's discretion.
11. Lessor shall shampoo all carpet and clean the outside of the building windows annually.
12. Lessor shall be responsible for snow and debris removal as quickly as possible to avoid work delays.
13. The per square foot price proposal is based on the floor plan and repair lists agreed upon by the State of North Carolina and includes but it not limited to all partitions, demolition, and up fitting costs: building and grounds maintenance; property taxes; insurance; fire and safety inspection fees; stormwater fees; land transfer tax; common area maintenance and other building operational costs.
14. The number of keys to be provided to the State for each lockset shall be reasonably determined by the State prior to occupancy, at no cost to the State.
15. All parking areas shall be adequately lighted and located within a reasonable distance of the office.
16. Lessor shall provide all conduits and pull strings from above the ceiling to outlet boxes. State to install wiring and cover plates.
17. Lessor is responsible for providing all cleaning supplies, paper and soap products for kitchen and bathrooms regardless of who contracts for janitorial services.

**The Lessor is in agreement with the above conditions and the conditions of the also signed
"Proposal to Lease to the State of North Carolina" Form PO-28.**

Signature of the Lessor

Date

Rebecca Gay
Print Name of the Lessor

**THIS LEASE DOES NOT BECOME EFFECTIVE UNTIL EXECUTED
BY THE NORTH CAROLINA DEPARTMENT OF ADULT CORRECTION**

STATE OF NORTH CAROLINA

LEASE AGREEMENT

COUNTY OF CURRITUCK

THIS LEASE AGREEMENT, made and entered into this the ____ day of _____, 2025, by and between, **COUNTY OF CURRITUCK**, hereinafter designated as Lessor, and the **STATE OF NORTH CAROLINA**, hereinafter designated as Lessee;

W I T N E S S E T H:

THAT WHEREAS, authority to approve and execute this lease agreement was delegated to the Department of Administration by resolution adopted by the Governor and Council of State on the 1st day of September 1981; and as amended on September 8, 1999 and December 7, 1999, and October 6, 2020 and

WHEREAS, the parties hereto have mutually agreed to the terms of this lease agreement as hereinafter set out,

NOW THEREFORE, in consideration of the rental hereinafter agreed to be paid and the terms and conditions hereinafter set forth, Lessor does hereby let and lease unto Lessee and Lessee hereby takes and leases from Lessor for and during the period of time and subject to the terms and conditions hereinafter set out certain space in the **City of Currituck, County of Currituck**, North Carolina, more particularly described as follows:

Being approximately \pm 1,194 net square feet of office space located at 2801 Caratoke Highway, Currituck County; Currituck, North Carolina, and further described in the floor plan, Exhibit "A".

**NC DEPARTMENT OF ADULT CORRECTION, PROBATION AND PAROLE,
DIVISION 1, DISTRICT 1**

THE TERMS AND CONDITIONS OF THIS LEASE AGREEMENT ARE AS FOLLOWS:

1. The term of this lease shall be for a period of **three (3) years**, commencing on **1st day of November 2025**, or as soon thereafter as the leased premises are ceded to the Lessee and terminating on the **31st day of October 2028**.

2. During the term of the lease, the Lessee shall pay to the Lessor as rental for said premises the sum of **\$1.00** dollar per annum, said rental to be payable within 15 days from receipt of invoice. The Lessee agrees to pay the aforesaid rental to the Lessor at the address specified, or, to such other address as the Lessor may designate by a notice in writing at least 15 days prior to the due date.

3. Lessor agrees to furnish to the Lessee, as a part of the consideration for this lease, the following services, and utilities to the satisfaction of the Lessee.

A. Heating facilities, air conditioning facilities, adequate electrical facilities, adequate lighting fixtures and sockets, hot and cold water facilities, and adequate toilet facilities.

- B. Maintenance of lawns, sidewalks, shrubbery, parking, paved areas and common areas and disposal of trash is required.
- C. Lessor provides required fire extinguishers and servicing, pest control, and outside trash disposal, including provision for the handling of recyclable items such as aluminum cans, cardboard, and paper. All pesticides must be applied by a licensed technician.
- D. All utilities except telecommunications.
- E. Daily janitorial service and supplies.
- F. Parking (as available).
- G. If applicable elevator service.
- H. The leased premises are generally accessible to persons with disabilities. This shall include access to the premises from the parking areas (where applicable), into the premises via any common areas of the building and access to accessible restroom.
- I. Any fire or safety inspection fees, stormwater fees, or land transfer tax/fees.
- J. All other terms and conditions of the signed "Proposal to Lease to the State of North Carolina" Form PO-28 incorporated herein by reference and the "Specifications for Non-advertised Lease" (Exhibit B).

4. During the lease term, the Lessor shall keep the leased premises in good repair and tenantable condition, to the end that all facilities are kept in operative condition. Maintenance shall include but is not limited to furnishing and replacing electrical light fixture ballasts, air conditioning and ventilating equipment filter pads, if applicable, and broken glass. In case Lessor shall, after notice in writing from the Lessee in regard to a specified condition, fail, refuse, or neglect to correct said condition, or in the event of an emergency constituting a hazard to the health or safety of the Lessee's employees, property, or invitees, it shall then be lawful for the Lessee in addition to any other remedy the Lessee may have, to make such repair at its own cost and to deduct the amount thereof from the rent that may then be thereafter become due hereunder. The Lessor reserves the right to enter and inspect the leased premises, at reasonable times, and to make necessary repairs to the premises.

5. It is understood and agreed that Lessor shall, at the beginning of said lease term as hereinabove set forth, have the leased premises in a condition satisfactory to Lessee, including repairs, painting, partitioning, remodeling, plumbing and electrical wiring suitable for the purposes for which the leased premises will be used by Lessee.

6. The Lessee shall have the right during the existence of this lease, with the Lessor's prior consent, to make alterations, attach fixtures and equipment, and erect additions, structures, or signs in or upon the leased premises. Such fixtures, additions, structures, or signs so placed in or upon or attached to the leased premises under this lease or any prior lease of which this lease is an extension or renewal shall be and remain the property of the Lessee and may be removed therefrom by the Lessee prior to the termination of this lease or any renewal or extension thereof, or within a reasonable time thereafter. The Lessee shall have no duty to remove any improvement or fixture placed by it on the premises or to restore any portion of the premises altered by it. In the event Lessee elects to remove his improvements or fixtures and such removal causes damage or injury to the demised premises, Lessee will repair only to the extent of any such damage or injury.

7. If the said premises are destroyed by fire or other casualty without fault of the Lessee, this lease shall immediately terminate, and the rent shall be apportioned to the time of the damage. In case of partial destruction or damage by fire or other casualty without fault of the Lessee, so as to render the premises untenable in whole or in part, there shall be an apportionment of the rent until the damage has been repaired. During such a period of repair, Lessee shall have the right to obtain similar office

Page 2 of 9

space at the expense of Lessee or the Lessee may terminate the lease by giving 15 days written notice to the Lessor.

8. Lessor shall be liable to Lessee for any loss or damage suffered by Lessee which is a direct result of the failure of Lessor to perform an act required by this lease, and provided that Lessor could reasonably have complied with said requirement.

9. Upon termination of this lease, the Lessee will peaceably surrender the leased premises in as good order and condition as when received, reasonable use and wear and damage by fire, war, riots, insurrection, public calamity, by the elements, by act of God, or by circumstances over which Lessee had no control or for which Lessor is responsible pursuant to this lease, excepted.

10. The Lessor agrees that the Lessee, upon keeping and performing the covenants and agreements herein contained, shall at all times during the existence of this lease peaceably and quietly have, hold, and enjoy the leased premises free from the adverse claims of any person.

11. The failure of either party to insist in any instance upon strict performance of any of the terms and conditions herein set forth shall not be construed as a waiver of the same in any other instance. No modification of any provision hereof and no cancellation or surrender thereof shall be valid unless in writing and signed and agreed to by both parties.

12. Any hold over after the expiration of the said term or any extension thereof, shall be construed to be a tenancy from month to month, and shall otherwise be on the terms and conditions herein specified, so far as applicable; however, either party shall give not less than 60 days written notice to terminate the tenancy.

13. The parties to this lease agree and understand that the continuation of this lease agreement for the term period set forth herein, or any extension or renewal thereof, is dependent upon and subject to the appropriation, allocation, or availability of funds for this purpose to the agency of the Lessee responsible for payment of said rental. The parties to this lease also agree that in the event the agency of the Lessee or that body responsible for the appropriations of said funds, in its sole discretion, determines, in view of its total local office operations that available funding for the payment of rents are insufficient to continue the operation of its local offices on the premise leased herein, it may choose to terminate the lease agreement set forth herein by giving Lessor written notice of said termination, and the lease agreement shall terminate immediately without any further liability to Lessee.

14. All notices herein provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows:

To the Lessor:

**Currituck County
153 Courthouse Road, Suite 204
Currituck, North Carolina 27929**

w/copy to: N/A

To the Lessee:

**NC Department of Adult Correction (DAC), Purchasing Office
3512 Bush Street (MSC 5227)
Raleigh, North Carolina 27609-5227**

with a copy to:

**State Property Office
Attn: Leasing Manager and Space Planning Section
1321 Mail Service Center
Raleigh, North Carolina 27699-1321**

Nothing herein contained shall preclude the giving of such notice by personal service. The address to which notices shall be mailed as aforesaid to either party may be changed by written notice.

15. Within 30 days of Commencement Date, Lessor agrees to construct, upfit, repair and maintain the Premises in accordance with (a) the approved floor plan attached hereto as Exhibit A and (b) the applicable regulation and building code provisions of the governmental authority having jurisdiction over the Premises.

16. N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

IN TESTIMONY WHEREOF, this lease has been executed by the parties hereto, in duplicate originals, as of the date first above written.

The rest of this page is intentionally left blank.

LESSEE:

STATE OF NORTH CAROLINA

By: _____ (SEAL)
Joanne Rowland, Director
DAC Purchasing Office

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that **Joanne Rowland** personally appeared before me this date and acknowledged the due execution by s/he of the foregoing instrument as Director of Purchasing Office of the Department of Adult Correction of the State of North Carolina, for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the ____ day of _____, **2025**.

Notary Public

Printed Name: _____

My Commission Expires: _____

LESSOR:

CURRITUCK COUNTY

By: _____ (SEAL)

Rebecca Gay
Currituck County Manager

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public in the County of _____
_____, and State aforesaid, do hereby certify that **Rebecca Gay** personally came before me this
day and acknowledge the due execution of the foregoing instrument on behalf of the limited liability
company and for the purposes stated herein.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the ____ day of
_____, **2025**.

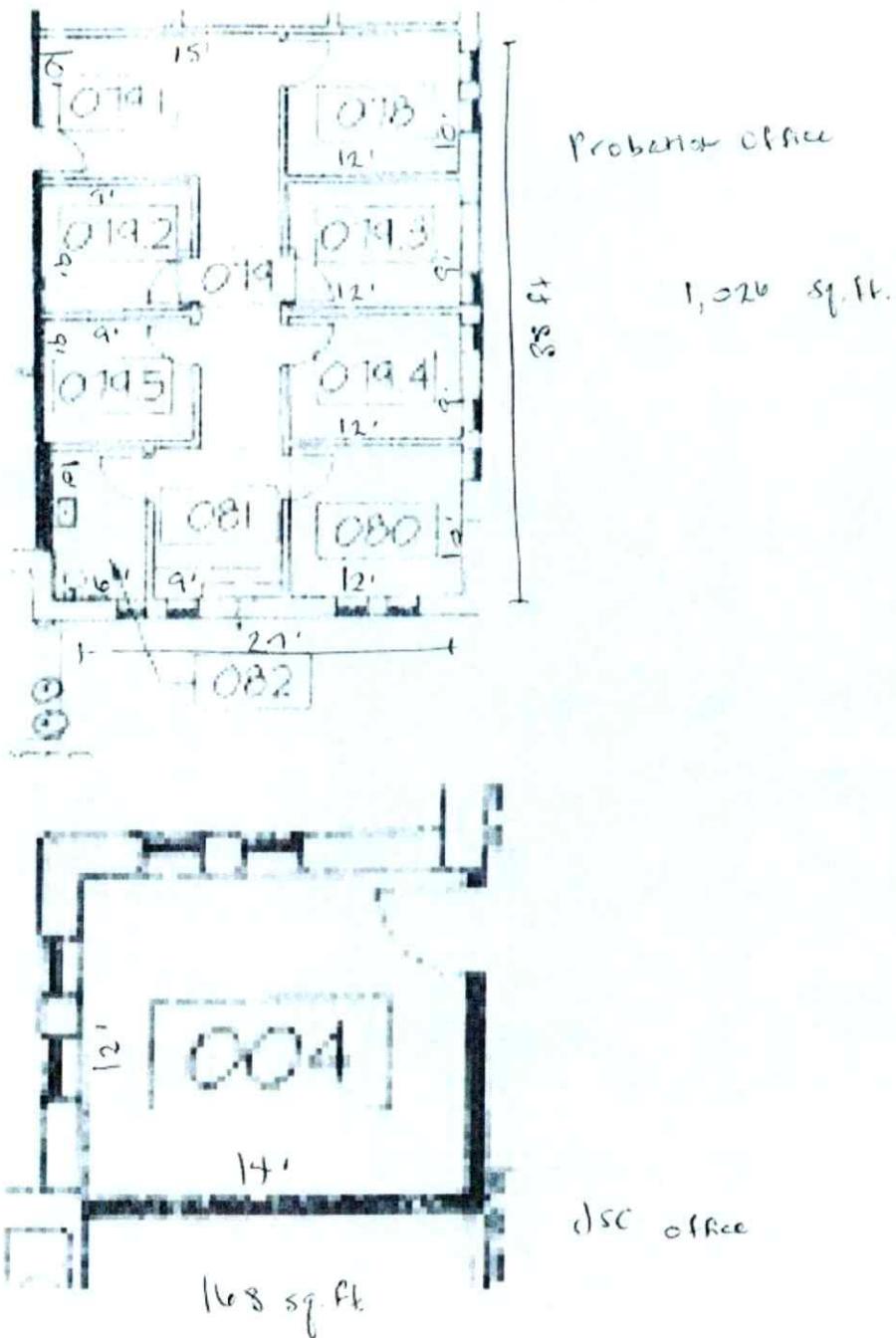
Notary Public

Printed Name: _____

My Commission Expires: _____

Exhibit A

2801 Caratoke Hwy, Currituck, NC 27929



± 1,194 net square feet (no additional cost for ± square feet)

Exhibit B

SPECIFICATIONS FOR NON-ADVERTISED LEASE

1. The floor plan should show building exits for the proposed space. Also, provide the year the building was constructed.
2. This facility must provide an environment that is barrier-free and easily accessible to physically disabled staff, visitors and clientele. Compliance with the State Building Code and the Americans with Disabilities Act (ADA) is required. Toilet facilities shall be ADA accessible and code compliant.
3. The air conditioning and heating system shall be maintained by Lessor including frequent filter cleaning and replacement. Year-round ventilation shall be provided to prevent stale air problems and unacceptable CO2 content. Waiting areas, LAN rooms and conference room(s) may require additional HVAC.
4. Telecommunication room temperature should be within a range of 65° to a maximum of 75°. This is a 24-hour per day, 7-days per week requirement. A separate HVAC system may be required to maintain this temperature range.
5. All lighting and electrical maintenance shall be furnished by Lessor including the replacement of ballasts, light tubes, and replacement bulbs.
6. The Lessor shall provide required fire extinguishers and servicing, pest control (by a licensed technician) and outside trash disposal including provision for the handling of recycling items such as aluminum cans, cardboard, and paper. Frequent trash and recycling pick-up required. Year-round maintenance is required to maintain a neat and professional appearance of the site at all times.
7. Lessor shall provide internal and external signs that will provide easy identification of the office by the general public (*if applicable NC DAC request please work to be performed by [Correction Enterprises](#)*).
8. Locking hardware is required on all storage rooms, equipment rooms, files rooms and LAN room. Supply storage closets require shelving.
9. The Lessor shall provide sufficient window coverings shall be provided to control glare within the space (venetian blinds or acceptable equivalent).

10. The Lessor shall provide vinyl tile or other floor covering acceptable to the State in all finished areas. Prefer carpeting for all offices and conference rooms. If floors are carpeted, they should be commercial grade 26 oz or 24 oz carpet squares preferred, acceptable to the Lessee. LVT tile is preferred in the waiting area, LAN room(s), kitchenette, restrooms and hallways. LAN room tile should be anti-static. New or like-new carpet is preferred. If not new, carpet must be professionally cleaned and all stains removed before occupancy. High traffic areas will require frequent cleaning and replacement of floor finishes to maintain a neat, clean, high-quality finish and will be at the State Property Office's discretion.
11. Lessor shall shampoo all carpet and clean the outside of the building windows annually.
12. Lessor shall be responsible for snow and debris removal as quickly as possible to avoid work delays.
13. The per square foot price proposal is based on the floor plan and repair lists agreed upon by the State of North Carolina and includes but it not limited to all partitions, demolition, and up fitting costs: building and grounds maintenance; property taxes; insurance; fire and safety inspection fees; stormwater fees; land transfer tax; common area maintenance and other building operational costs.
14. The number of keys to be provided to the State for each lockset shall be reasonably determined by the State prior to occupancy, at no cost to the State.
15. All parking areas shall be adequately lighted and located within a reasonable distance of the office.
16. Lessor shall provide all conduits and pull strings from above the ceiling to outlet boxes. State to install wiring and cover plates.
17. Lessor is responsible for providing all cleaning supplies, paper and soap products for kitchen and bathrooms regardless of who contracts for janitorial services.

The Lessor is in agreement with the above conditions and the conditions of the also signed "Proposal to Lease to the State of North Carolina" Form PO-28.



**CURRITUCK COUNTY
NORTH CAROLINA**

Minutes- Regular Meeting of the Board of Commissioners

July 7, 2025, 6:00 p.m.

| | | |
|----------|--------------------|--------------|
| Present: | Paul O'Neal | Chairman |
| | Selina S. Jarvis | Vice-Chair |
| | Tony Angell | Commissioner |
| | Kevin E. McCord | Commissioner |
| | Janet Rose | Commissioner |
| Absent: | J. Owen Etheridge | Commissioner |
| | Michael H. Payment | Commissioner |

1. Call to Order - 6:00 PM

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

1. Invocation & Pledge of Allegiance

Pastor Vic Culberson offered the Invocation and led the Pledge of Allegiance.

2. Ethics Awareness and Conflicts of Interest Reminder

County Attorney, Megan Morgan, recited the Ethics Awareness and Conflicts of Interest Reminder statement. No conflicts were disclosed.

3. Approval of Agenda

Commissioner Jarvis moved to approve the agenda. Commissioner McCord seconded the motion. The motion passed, 5-0, and the agenda was approved.

MOVER: Selina S. Jarvis

SECONDER: Kevin E. McCord

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

2. Public Comment

Chairman O'Neal opened the Public Comment period. There were no speakers and Public Comment was closed.

3. Legislative Hearings

1. PB 25-11: James Eaton (Warehouse, Limited Access)

Assistant Planning Director, Jennie Turner, reviewed the text amendment for Commissioners that looks to establish a new use type for warehouse storage and distribution. Language changes, recommended uses and limitations, and zoning maps showing permissible locations in the county were reviewed. Text Amendment review standards were presented, and both the Planning Board and staff recommend approval with suggested revisions.

Ms. Turner responded to questions from Commissioners. Chairman O'Neal opened the Public Hearing. There were no speakers and the Public Hearing was closed.

Commissioner Jarvis moved to approve PB 25-11: James Eaton Text Amendment, with the Planning Board suggested conditions and applicant requested edit as presented by staff, to include the use shall not be located within 100 feet of a residential dwelling unit within a residential district and the use in Heavy Industrial shall not exceed 35 feet in height. And, because the request is consistent with the goals, objectives and policies of the Imagine Currituck 2040 Vision Plan and the UDO, including Land Use Goals 1 and 3, Land Use Policy 2.2 and Economic Development Goal 1.

Commissioner Angell seconded the motion. The motion passed, 5-0.

MOVER: Selina S. Jarvis

SECONDER: Tony Angell

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

2. PB 25-06: Currituck County (Minor Subdivisions)

Assistant Planning Director, Jennie Turner, reviewed the text amendment that was initiated by the county to make revisions to minor subdivisions. Ms. Turner provided an overview of the revisions and reviewed text changes in the Unified development Ordinance (UDO) related to minor subdivisions, including family subdivisions. Text amendment review standards were presented, and both Planning Board and staff recommend approval of the request. Ms. Turner responded to questions from Commissioners and clarified information presented related to flag lots and lot size requirements.

Chairman O'Neal opened the Public Hearing.

Beth Thomas of Jarvisburg supports approval of the text amendment and said the changes will provide options for her property.

There were no other speakers and the Public Hearing was closed.

Commissioner Jarvis moved to approve PB 25-06: Currituck County Text Amendment, because the request is in conformance with the goals, objectives, and policies of the Imagine Currituck 2040 Vision Plan and the UDO, including Land Use Goal 1.

Commissioner Angell seconded the motion. The vote was 4-1 in favor of approval, with Commissioner Rose opposed.

MOVER: Selina S. Jarvis

SECONDER: Tony Angell

AYES (4): Paul O'Neal, Selina S. Jarvis, Tony Angell, and Kevin E. McCord

OPPOSED (1): Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (4 to 1)

4. New Business

1. Resolution Opposing Any Amendment Restricting Shrimp Trawling in Coastal Waters

Rebecca Gay, County Manager, reviewed the Board's Resolution opposing amendments that would place additional limits on shrimp trawling in coastal waters. The Resolution responds to legislation that was being considered by the General Assembly, and although the legislation was ultimately not taken up, the issue may be revisited in the next legislative session. Commissioners encouraged citizens to stay engaged.

Commissioner McCord moved for approval of the Resolution. Commissioner Rose seconded the motion. The motion passed, 5-0.

Chairman O'Neal reviewed the contents of a letter received from Dare County Board Chairman, Bob Woodard, that proposed forming a North Carolina Coastal Counties Fisheries Coalition. Currituck County favors the initiative and recommended Commissioner Rose to represent the county due to her experience and knowledge of the industry. Chairman O'Neal requested the Board formally vote on the county's participation in the coalition and the establishment of Commissioner Rose to represent the county.

Commissioner McCord moved for approval and Commissioner Angell seconded the motion. The motion passed, 5-0.

MOVER: Kevin E. McCord

SECONDER: Janet Rose

Motion to approve a Resolution Opposing Any Amendment that Restricts Shrimp Trawling in Coastal Fishing Waters

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

MOVER: Kevin E. McCord

SECONDER: Tony Angell

Motion to approve the county's participation in the NC Coastal Counties Fisheries Coalition and establish Commissioner Janet Rose as representative.

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

2. Lease Agreement-Enterprise Fleet Management

Rebecca Gay, County Manager, provided an overview of a new vehicle lease agreement with Enterprise Fleet Management that will provide significant savings in vehicle expenses over the term of the lease.

Commissioner McCord moved for approval of the lease agreement, and Commissioner Jarvis seconded the motion. The motion passed, 5-0.

MOVER: Kevin E. McCord

SECONDER: Selina S. Jarvis

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

3. Travel Approval-Commissioner Rose to attend UNC School of Government Training-Asheville, July 23, 2025 (Working with Advisory Boards and Committees)

Commissioner Jarvis moved for approval of Commissioner Rose's travel request. Commissioner Angell seconded the motion. The motion passed, 5-0.

MOVER: Selina S. Jarvis

SECONDER: Tony Angell

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

4. Consent Agenda

Commissioner Angell moved to approve the Consent Agenda. Commissioner Rose seconded the motion. The motion passed, 5-0, and Consent Agenda was approved.

MOVER: Tony Angell

SECONDER: Janet Rose

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

- a. Vehicle Surplus Resolution-Donation
- b. ECSU Hangar Easement-Dominion Power
- c. FAA Signature Authorization Certificate
- d. Approval of Minutes-June 16, 2025

5. Commissioner's Report

Commissioner McCord recognized Sandra Hill and Sheila Gregory on their retirements and offered prayers to the family of Louise Harrell, owner of Southland in Moyock, who recently passed. He reported a successful July 4th event in Corolla and reminded everyone to drive with care.

Commissioner Angell recognized Public Works staff and thanked them for working on trash issues in Carova. He asked for a work session to discuss revisions to the county's Solid Waste Ordinance for beach communities. He would also like to meet with horse tour companies to work out some issues. He announced a grand opening celebration planned for the new WEVS School building in Corolla.

Commissioner Rose offered well wishes to Sandra Hill and Sheila Gregory on their retirements and recognized their contributions to the county and community. She reported hosting North Carolina Representative Ed Goodwin on a tour of the new Tulls Creek Elementary School and discussed the need for the legislature to look at county Tier designations. She reminded citizens that advisory board meetings are open to the public and encouraged people to consider serving on a board.

Commissioner Jarvis also congratulated Sandra Hill and Sheila Gregory on their retirements, recognized staff for their efforts, and discussed increased traffic on the roadways.

Chairman O'Neal congratulated Sheila Gregory and Sandra Hill on their retirements. He requested clean up of areas in Moyock along the highway and railroad tracks and would like to see a maintenance schedule for ditch cleaning from the North Carolina Department of Transportation (NCDOT). He reminded residents that the county is not responsible for roads. Chairman O'Neal would like to see NCDOT perform a traffic study along the entire length of the highway and hold a presentation on future transportation plans and projects in the county.

6. County Manager's Report

Rebecca Gay, County Manager, reported the first June sample from the Moyock Wastewater Treatment Plant was compliant. She is planning a Work Session to discuss the Moyock Service District and would include a wastewater strategy discussion for Commissioners.

7. County Attorney's Report

Megan Morgan, County Attorney, reported the North Carolina Supreme Court granted the county's petition to review the Court of Appeals decision on the Occupancy Tax lawsuit. She reviewed next steps and hopes the Court will hear oral arguments this fall. She reported attending Recovery Court in Dare County with Commissioner Jarvis and Angie Lottman, Opioid Program Coordinator.

8. Closed Session

Chairman O'Neal moved to enter Closed Session pursuant to NC G.S. 143-318.11(a)(3) to consult with the County Attorney and preserve the attorney-client

privilege in the matter entitled Envirolink, Inc. v. Currituck County. Commissioner Jarvis seconded the motion. The motion passed, 5-0, and the Board entered Closed Session at 7:12 PM.

The Board returned from Closed Session at 7:27 PM. As a result of Closed Session discussion, the Board was required to return to open meeting for official action. Commissioner Angell moved to settle the lawsuit entitled Envirolink, Inc. v. Currituck County by paying the figure established at the recent mediation in the amount of \$387,000. Commissioner Jarvis seconded the motion. The motion passed, 5-0, in favor of approval.

MOVER: Paul O'Neal

SECONDER: Selina S. Jarvis

Motion to enter Closed Session.

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

MOVER: Tony Angell

SECONDER: Selina S. Jarvis

Motion to settle lawsuit entitled Envirolink, Inc. v. Currituck County.

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)

9. Adjournment

There was no further business and Commissioner McCord motioned to adjourn. Commissioner Rose seconded the motion. The motion passed, 5-0, and the meeting of the Board of Commissioners adjourned at 7:28 PM.

MOVER: Kevin E. McCord

SECONDER: Janet Rose

AYES (5): Paul O'Neal, Selina S. Jarvis, Tony Angell, Kevin E. McCord, and Janet Rose

AWAY (2): J. Owen Etheridge, and Michael H. Payment

RESULT: Approved (5 to 0)