

# AGENDA

All items are for discussion and possible action.  
Perquimans County Board of Commissioners  
Commissioners' Room - Courthouse Annex Building  
December 3, 2018  
7:00 p.m.

I. **Call to Order**

II. **Prayer & Pledge**

IV. **Approval of Agenda**

V. **Consent Agenda**

*(Consent items as follows will be adopted with a single motion, second and vote, unless a request for removal of an item or items is made from a Commissioner or Commissioners.)*

- A. Approval of Minutes: November 5, 2018 Regular Meeting & November 19, 2018 Work Session Minutes
- B. Tax Release Approval
- C. Personnel Matters
  - 1. Planner – Military Leave of Absence
  - 2. Appointment: Part-Time/Fill-In EMT-Basic (2)
  - 3. Appointment: Part-Time/Fill-In Paramedic (1)
  - 4. Appointment: Office Assistant III (1)
- D. Step/Merit Increases
  - 1. Department Heads (2)
  - 2. Social Services Department (2)
  - 3. Senior Citizens (1)
  - 4. Sheriff's Department (3)
- E. Budget Amendment No. 8
- F. Resolutions
  - 1. Reinstatement of Sheriff's Salary
  - 2. Resolution Supporting JCPC Program Allocation Expansion
- G. Board Resignation:
  - 1. Resignation: Recreation Advisory Board – Town of Hertford

VI. **Scheduled Appointments**

- A. Donna Winborne, Auditor / Approval of FY 2017-2018 Audit *(bring your audit copy)* 7:00 p.m.
- B. Bill Jennings, Tax Administrator 7:20 p.m.
- C. Susan Chaney, Social Services Department 7:25 p.m.
- D. 7:30 p.m.
- E. 7:35 p.m.

VII. **INTRODUCTION OF NEW EMPLOYEES**

- A. Introduction of New Employees
  - 1. IMC I working toward IMC II (2)

VIII. **Commissioner's Concerns/Committee Reports**

- A.
- B.
- C.

ACTION  
REQUIRED

NO  
ACTION  
REQUIRED

- NO ACTION REQUIRED**

  - IX. Old Business**
    - A. Updates from County Manager
    - B. Board Appointment: Board of Adjustment - Alternate
    - C.
  - X. Presentation of Plaque & Resolution – Edward R. Muzzulin**
  - XI. Swearing in of Commissioners Fondella A. Leigh, Alan Lennon, & Wallace E. Nelson**
- ACTION REQUIRED**

  - XII. New Business**
    - A. Election of Chairman/Vice Chair
    - B. Board Appointment: Trillium Northern Regional Advisory Board
    - C. Commissioners' Board Appointments
    - D. Town of Hertford's Request – Senior Exercise Room
    - E. Sale of Surplus Equipment
    - F. Bank Resolution & Signature Stamp
    - G.
    - H.
    - I.
- NO ACTION REQUIRED**

  - XIII. Unscheduled Appointments/Public Comments**  
*(If you wish to address the Board, please state your name for the record prior to speaking)*
    - A.
    - B.
    - C.
- XIV. Adjournment**

**FOR INFORMATION ONLY:**

**DEPARTMENT HEAD REPORT:**

- > Plat Log
- > Building Inspections Report
- > Code Enforcement Report

**COMMITTEE WRITTEN REPORTS:**

**NOTES FROM THE COUNTY MANAGER**  
**December 3, 2018**  
**7:00 p.m.**

- V. **Enclosures.** Items included on the Consent Agenda are enclosed. *If you wish to discuss any of these items, please make that request during the meeting.*
- VI.A. *If you have received it, Commissioners be sure to remember to bring your copy of the FY 2017-18 Audit.* Donna Winborne, Auditor, will present the FY 2017-2018 Audit. Board action will be requested.
- VI.B. **Enclosure.** Bill Jennings, Tax Administrator, will present his Monthly update.
- VI.C. Susan Chaney, Social Services Director, will present her monthly report.
- VII.A. Susan Chaney, Social Services Director, will introduce the following new staff members:
  - I. Denise Stallings, IMC I working toward IMC II, effective 10/01/2018
  - Tameka Carter, IMC I working toward IMC II, effective 11/01/2018
- IX.A. County Manager Heath will present several updates to the Board.
- IX.B. We still need to replace Debbie Reed as Alternate on the Board of Adjustment since she is now serving as a member of the Board of Adjustment.
- X. **Enclosures:** Chairman Nelson will present a plaque to outgoing Commissioner, Edward R. Muzzulin, honoring him for his years of service on the Board of Commissioners.
- XI. Todd Tilley, Clerk to Superior Court, will give the Oath of Office to Commissioners Fondella A. Leigh, Alan Lennon, and Wallace E. Nelson.
- XII.A. **Enclosure.** County Attorney, acting as Temporary Chairman, will hold the election of the Chairman and the Vice Chairman of the Board of Commissioners.
- XII.B. **Enclosure.** We have received an e-mail from Bland Baker informing the Board that the Northern Regional Advisory Board for Trillium has an open seat on the Board. Board action is being requested.
- XII.C. **Enclosure.** A list of the Board Appointments for our current commissioners is enclosed. The Board will need to discuss them to decide who will be filling Mr. Muzzulin's appointments. Board action is being requested.
- XII.D. **Enclosure.** We have received a letter from the Hertford Town Council requesting that the County allow their employees to use the Exercise Room at the Senior Center the same as the County employees. Board action is being requested.
- XII.E. The County adopted resolutions to proclaim certain County property as surplus items and to proceed to sell them on GovDeals. The bid period for the following surplus items with GovDeals will close on December 3, 2018 at 12:00 p.m. The following items have been listed with GovDeals:

BUYER	ITEM	VIN No.	DATE SURPLUSED	START BID	SOLD AMOUNT	GOVDEALS FEE	NET RESULTS
	Kohler Propane Generator – 8kw		11/5/2018	\$100			
	2001 Kyocera Mita Copier/Printer/Fax/Scanner		8/6/2018	\$25			
	2 Motorola Mobile Radios	SPR4550 CDMJ250	3/5/2018	\$25			
	Kenwood Mobile Radio – TK-830	60700143	3/5/2018	\$25			

Board action is being requested.

- XII.F. If there is a change in Chair(man), the Board would need to authorize the new Chair(man) and County staff to sign the Bank Resolution and to authorize the use of the Chair(man)'s stamp for the PNC Account and the Single-Family Rehab Account. Board action is being requested.

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**CONSENT AGENDA NOTES**

*(Consent items as follows will be adopted with a single motion, second and vote, unless a request for removal from the Consent Agenda is heard from a Commissioner)*

- A. **Enclosure:** Approval of Minutes – November 5, 2018 Regular Meeting & November 19, 2018 Work Session Minutes

B. **Enclosure:** Tax Release – see attached list

C. **Enclosures:** Personnel Matters

Employee Name	Employee Job Title	Action Required	Grade/ Step	New Salary	Effective Date
Sam Barrow	Planner	Military Leave			11/28/2018
Derek Blake	Part-Time/Fill-In EMT-Basic	Appointment	63/1	\$14.36/hr.	11/01/2018
Madeline Lighthill	Part-Time/Fill-In EMT-Basic	Appointment	63/1	\$14.36/hr.	11/01/2018
Cody Chappell	Part-Time/Fill-In Paramedic	Appointment	68/1	\$17.89/hr.	11/01/2018
Courtney L. Shadle	Office Assistant III	Appointment	57/1	\$22.937	12/01/2018

D. **Enclosures:** During the Budget process, these step/merit increases were approved for the employee. The following individuals are being recommended by their supervisor for step/merit increases:

Employee Name	Employee Job Title	Grade/ Step	New Salary	Effective Date
Susan Chaney	Director	79/9	\$73,429	12/01/2018
Beverly Gregory	Senior Citizen Coordinator	63/10	\$37,214	12/01/2018
Alice Copeland	IMC II	63/5	\$32,931	12/01/2018
Robin Gieseke	IMC II	63/8	\$35,442	12/01/2018
Penny Trueblood	Assistant Senior Citizen Coordinator	60/7	\$30,301	12/01/2018
Brian Watson	Deputy Sheriff / SRO (Certified)	65/2	\$33,434	12/01/2018
David Murray	Sergeant of SRO's	67/4	\$38,338	12/01/2018
Robert Farrar	Deputy Sheriff	65/8	\$38,703	12/01/2018

E. **Enclosure:** Budget Amendment No. 8 is presented for Board action.

F. **Enclosure:** The following resolutions are presented for Board action:

- **Reinstatement of Sheriff's Salary:** Pursuant to G.S. 153A-92, the Board of County Commissioners will need to adopt a Resolution reinstating the Sheriff's salary to \$66,268 (Grade 75, Step 12) to be effective December 1, 2018. This action is taken in compliance with General Statute 153A-92 in reference to compensation of County officers in the General Election. Board action is being requested.
- **Resolution Supporting JCPC Program Allocation Expansion:** The Board will need to consider adopting this resolution which fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act, Raise the Age Legislation, set for December 1, 2019.

G. **Enclosure:** The following Board resignation is being presented for Board action:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Apfes, Archie	Recreation Advisory Board – Town of Hertford	Resignation		11/05/2018

- **Commissioner Hoffer:** Mr. Hoffer said that if they do meet with them that we would need to make sure that the only item to be discussed would be the old library property and that he did not have a problem with them discussing their intentions with the Chairman and County Manager and bringing it back to the Board.
  - **Commissioner Jones:** Mr. Jones further explained that he understands their intent but, with the Town of Hertford being so volatile now, he would be nervous as to what it would evolve into. He further stated again that it was his opinion.
  - **Commissioner Leigh:** Ms. Leigh stated that, if the letter mentioned the old library, the Agenda should only have that topic on it to discuss with them. She further stated that she is flexible and if they could find out more information she would be willing to do what the majority of the Board wanted to do.
  - **Commissioner Hoffer:** Mr. Hoffer said that, if the old library was the only topic, he feels that Mr. Heath and Mr. Nelson could talk to them and let the Board know what they desire. He asked what the Town was planning on using it for. Mr. Heath said that they have not told him yet but he did give Pam Hurdle, Interim Town Manager, a tour of the building.
  - **Commissioner Woodard:** Mr. Woodard concurred that they could discuss it with Mr. Heath and Mr. Nelson and then let the Board know. He was also willing to meet with the Town Council if this was the only item to be discussed.
  - **Mr. Heath:** Mr. Heath said that one question they would have is if the Board would be willing to give it away and, if not, what would our price would be to sell it. The Board concurred that they would not be willing to give it away. Mr. Woodard stated that maybe Mr. Heath could figure on what it should be worth and then the Board could make a decision as to what the price would be. There are several groups that are interested in purchasing/using it. Mr. Heath said that he would come up with a price and let them know. Chairman Nelson said that he and Mr. Heath would meet with the Town of Hertford to see exactly what they are wanting. Mr. Heath would also research and see about the price to sell it for. The final decision would be presented to the Board for their approval.
- **Golden Leaf Grant Application Process:** Mr. Heath stated that he had sent the Commissioners a copy of the letter that he had received from Golden Leaf inviting the County to file an application for the grant funds.
  - **Planning Board Appointments:** Chairman Nelson asked if the Board was okay with our process of appointing members to certain County Boards/Committees. The Board was okay on how it is being done now. Mr. Nelson said that he had asked Mr. Heath to check around with other counties to see how they handle their board/committee appointments.
  - **Leo Higgins Day:** Commissioner Leigh stated that Leo Higgins Day was rescheduled to November 10<sup>th</sup> at the Perquimans County High School from 4:30 to 6:30 p.m.

**ADJOURNMENT**

There being no further business to discuss, the Chairman adjourned the meeting at 7:40 p.m.

Wallace E. Nelson, Chairman

Clerk to the Board

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**REGULAR MEETING**  
November 5, 2018  
6:45 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, November 5, 2018, at 6:45 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

<b>MEMBERS PRESENT:</b>	Wallace E. Nelson, Chairman	Fondella A. Leigh, Vice Chair
	Joseph W. Hoffer	T. Kyle Jones
	Edward R. Muzzulin	Charles Woodard
<b>MEMBERS ABSENT:</b>	None	
<b>OTHERS PRESENT:</b>	Frank Heath, County Manager	Mary Hunnicutt, Clerk to the Board
	Hackney High, County Attorney	

The meeting was called to order by Chairman Nelson. Commissioner Hoffer gave the invocation and the Chairman led the Pledge of Allegiance. Afterward, the Chairman explained that the first item of business was to hold a public hearing to receive citizens' comments to consider the following items: (1) Conditional Use Permit No. CUP-18-04, requested by Mildred Henry to re-establish a convenience store at 172 Bethel Fishing Center Road (SR 1356). Property is zoned CN, Neighborhood Commercial District and known as Tax Parcel No. 2-D070-0101A-BF; and (2) Revisions to Perquimans County Flood Plan Prevention Ordinance.

**PUBLIC HEARINGS**

Conditional Use Permit No. CUP-18-04, requested by Mildred Henry

Chairman Nelson opened the first Public Hearing restating that the purpose of this public hearing is to consider Conditional Use Permit No. CUP-18-04, requested by Mildred Henry to re-establish a convenience store at 172 Bethel Fishing Center Road (SR 1356). Property is zoned CN, Neighborhood Commercial District and known as Tax Parcel No. 2-D070-0101A-BF. There were ten (10) people present. Rhonda Money, Planner, presented an overview of Ms. Henry's request. She stated that the Planning Board approved the CUP-18-04 at their October 9, 2018 meeting. Commissioner Muzzulin asked if there were any high electrical wires in their vicinity. Ms. Money said that there were not. There being no further questions or comments from the Board and the public, Chairman Nelson closed this public hearing at 6:55 p.m. and proceeded with the next Public Hearing.

Revisions to Perquimans County Flood Plan Prevention Ordinance

Chairman Nelson opened the second Public Hearing restating that the purpose of this public hearing is to receive citizens' comments to consider proposed revisions to Perquimans County Flood Plan Prevention Ordinance. Copies of the proposed flood maps could have been viewed on line at <https://fris.nc.gov/fris/> or contact the Flood Plan Administration at (252) 426-8283. There were eleven (11) people present. Mr. Nelson recognized Virgil Parrish, Chief Building Inspector and Flood Plan Administrator, who presented the revisions to the current ordinance. He further explained that, after forwarding a copy of our proposed revised ordinance, the State recommended that we adopt the Ordinance that was sent to him and forwarded to the commissioners prior to tonight's meeting. A

copy of that proposed Ordinance was left at their seats tonight. County Manager Heath explained that, before adopting this Ordinance, Article 4, Section A needed to be changed as follows:

**ARTICLE 4. ADMINISTRATION.**

**SECTION A. DESIGNATION OF FLOODPLAIN ADMINISTRATOR.**

The County Manager or his/her designee, hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance. In instances where the Floodplain Administrator receives assistance from others to complete tasks to administer and implement this ordinance, the Floodplain Administrator shall be responsible for the coordination and community's overall compliance with the National Flood Insurance Program and the provisions of this ordinance.

There being no further questions or comments from the Board and the public, Chairman Nelson closed this public hearing at 7:02 p.m. and proceeded with the Regular Meeting.

**AGENDA**

Charles Woodard made a motion to approve the Agenda, as amended. The motion was seconded by Joseph W. Hoffer. The Board voted unanimously to approve the Agenda, as amended.

**CONSENT AGENDA**

The following items were considered to be routine and were unanimously approved on motion made by Fondella A. Leigh, seconded by Edward R. Muzzulijn.

1. Approval of Minutes: October 1, 2018 Regular Meeting and October 15, 2018 Work Session.
2. Tax Refund/Release Approvals:

**PERQUIMANS COUNTY TAX REFUNDS:**

Koltunak, Aubrey..... \$135.23  
 Vehicle was traded in. Account No. 0037590261.

**PERQUIMANS COUNTY TAX RELEASES:**

Sprint Wireless..... \$171.65  
 Bill was added under wrong township. Account No. 358006.

Sprint Wireless..... \$141.54  
 Bill was added under wrong township. Account No. 358006.

Krevoznick, John & Patricia..... \$160.74  
 Incorrect assessment. Parcel 4-D-53-0001-NS. Account No. 427457.

Owens, Paul & Edith..... \$144.78  
 Assessment correction. Account No. 430387.

**3. Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Amy Bojo	Part-Time/Fill-In AEMT	Promotion	66/1	\$16.39/hr.	10/01/2018
Wayne Jordan	Part-Time/Fill-In Paramedic	Promotion	68/1	\$17.89/hr.	10/01/2018
Tameka Carter	IMC I working toward IMC II	Appointment	61/3	\$28.219	11/01/2018
Patsy Miller	Temporary Tax Lister	Appointment	n/g	\$15.00/hr.	12/01/2018

**4. Step/Merit Increases:**

Employee Name	Employee Job Title	Grade/Step	New Salary	Effective Date
Janice Thomson	IMC II	63/3	\$31.361	11/01/18
Syrecia Cullins	IMC I working toward IMC II (11/1/2018)	63/1	\$29.889	11/01/18
Brenda Jackson	Buildings & Grounds	54/7	\$11.19/hr.	11/01/18
Julie Solesbee	EMT-I	66/4	\$17.64/hr.	11/01/18

**5. Approval of State Holiday Schedule:** Each year, the Board needs to approve the State Holiday Schedule for Social Services Department. The Board approved the following 2019 State Holiday Schedule:

HOLIDAY	OBSERVANCE DATE	DAY OF WEEK
New Year's Day	January 1, 2019	Tuesday
Dr. Martin Luther King, Jr. Day	January 21, 2019	Monday
Good Friday	April 19, 2019	Friday
Memorial Day	May 27, 2019	Monday
Independence Day	July 4, 2019	Thursday
Labor Day	September 2, 2019	Monday
Veterans Day	November 11, 2019	Monday
Thanksgiving	November 28 & 29, 2019	Thursday and Friday
Christmas	December 24, 25, 26, 2019	Tuesday, Wednesday, & Thursday

**6. Resolutions:** The following resolutions were unanimously approved by the Board:

- > **Authorize Sale of Certain Surplus County Property:** The Board adopted the following Resolution requesting the sale of certain surplus County property.

**RESOLUTION AUTHORIZING SALE OF CERTAIN SURPLUS COUNTY PROPERTY**

WHEREAS, the Perquimans County Board of Commissioners desires to dispose of certain surplus property of the County;

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

1. The following described property is hereby declared to be surplus to the needs of the County:

Item	Make	Model
Blow Propane Generator & Transfer Switch	Kuhler	
Chuck Wagon	Honda	Serial #13DMVYXH1H5A02174ACWU

2. The County Manager is hereby authorized and directed to proceed on behalf of the Perquimans County Board of Commissioners to sell this surplus vehicle on GovDeals.

3. The County reserves the right to reject any or all bids and decide not to sell the property at any time during this process.

4. The County Manager, in accordance with State law, shall cause a summary of this resolution to be published once in a newspaper having general circulation in the County and place it on the County's website. After not less than ten (10) days from the date of publication, the County Manager is authorized to sell the above-described property to the highest bidder.

Adopted this the 5<sup>th</sup> day of November, 2018.

ATTEST:

Wallace E. Nelson, Chairman

Mary P. Hinnicutt, Clerk to the Board  
 Perquimans County Board of Commissioners

- > **Leo Higgins' Day Resolution:** The Board adopted the following Resolution proclaiming November 10<sup>th</sup> as "Leo Higgins Day" in Perquimans County:

**RESOLUTION IN APPRECIATION OF THE SERVICE OF  
LEO HIGGINS; AND THE DEDICATION OF NOVEMBER 10, 2018  
AS LEO HIGGINS DAY IN PERQUIMANS COUNTY**

WHEREAS, Leo Higgins has decided to retire from public service; and  
 WHEREAS, Leo Higgins served as a Perquimans County Commissioner from 1991 through 1994; and  
 WHEREAS, during his years on the Perquimans County Board of Commissioners, he served on many committees and boards; and  
 WHEREAS, he served many years as the administrator of the Perquimans 2020 Vision Coalition including the overseer of the Perquimans Business Incubator building on Harvey Point Road; and  
 WHEREAS, Leo Higgins serve many years on the Perquimans County Juvenile Crime Prevention Councils which works with community leaders, locally and statewide, to reduce and prevent juvenile crime;  
**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners for the County of Perquimans on behalf of the citizens of Perquimans County:

1. Hereby express our appreciation for all the work that Leo Higgins performed in Perquimans County; and
2. That Saturday, November 10, 2018, has been dedicated as "LEO HIGGINS DAY" in Perquimans County, North Carolina.

This the 5<sup>th</sup> day of November, 2018.

\_\_\_\_\_  
Wallace E. Nelson, Chairman  
Perquimans County Board of Commissioners

ATTESTED:

\_\_\_\_\_  
Mary P. Hunnicutt, Clerk to the Board  
Perquimans County Board of Commissioners

- > **Requesting Removal of Certain Record Books for Repair:** The Board adopted the following Resolution requesting the removal of certain record books for repair.

**RESOLUTION AUTHORIZING  
REMOVAL OF CERTAIN PUBLIC RECORD BOOKS  
KEPT BY THE REGISTER OF DEED FOR  
THE PURPOSE OF REPAIR, RESTORATION  
AND REBINDING**

WHEREAS, NCGS 132-7 provides that books of public records should be copied or repaired, renovated or rebound, if worn, mutilated, damaged or difficult to read; and  
 WHEREAS, there is identified certain books of public records maintained by the Register of Deeds in need of repair, restoration and rebinding; and  
 WHEREAS, Kofile Technologies is under contract to provide repair, restoration and rebinding of those certain books of public records.  
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR PERQUIMANS COUNTY, NORTH CAROLINA,** that:

Section 1. The Register of Deeds is authorized to remove or cause to be removed to the care and custody of Kofile Technologies for repair, restoration and rebinding the following books of public records:

Vital Statistics Marriage Licenses 1885 - 1890

Section 2. The books of public records listed in Section 1 of this resolution may remain in the care and custody of Kofile Technologies for the length of time required to repair, restore and rebind them.

Section 3. This resolution is effective upon its adoption.

ADOPTED the 5th day of November, 2018.

\_\_\_\_\_  
Wallace E. Nelson, Chairman  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Mary P. Hunnicutt, Clerk to the Board

- 7. **Board Appointments:** The following Board reappointments were unanimously approved by the Board:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Simpson, Ernestine	Joint Community Advisory Committee	Reappointment	3 yrs.	11/01/2018
Vidauri, Mary	Joint Community Advisory Committee (trial term)	Appointment	1 yr.	11/01/2018
Heath, Frank	RPO Transportation Advisory Committee - Alternate	Reappointment	2 yrs.	11/01/2018

**PRESENTATION & INTRODUCTION OF NEW EMPLOYEES/STAFF**

- > **Jonathan Nixon, Emergency Services Director:** Mr. Nixon introduced Billy Tutwiler, EMS Shift Supervisor - Paramedic, who was appointed effective October 1, 2018. Mr. Nixon explained that Ms. Ward was unable to attend the meeting tonight. Mr. Nelson welcomed Mr. Tutwiler to full-time status at Perquimans County.

**BILL JENNINGS, TAX ADMINISTRATOR**

Mr. Jennings presented his monthly report.

**SUSAN CHANEY, SOCIAL SERVICES DIRECTOR**

Ms. Chaney presented her monthly report.

**COMMISSIONER'S CONCERNS/COMMITTEE REPORTS**

The following commissioner's concerns/committee reports were given:

- > **Commissioner Hoffer:** Mr. Hoffer asked if there was an update on the joint meeting with Hertford Town Council. Mr. Nelson and Mr. Heath stated that they were scheduled to meet this week.
- > **Commissioner Leigh:** Ms. Leigh reminded the Board about "Leo Higgins Day" on November 10, 2018.
- > **Chairman Nelson:** Mr. Nelson stated that he was going to get the Board of Education and the Board of Commissioners to meet together in a couple of weeks.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- > Beet Ramp Restrooms: Mr. Heath explained that the Restrooms have been closed in and they are waiting on an electrician to do the electrical work.
- > Grant Updates: Mr. Heath provided an update on the following grant applications:
  - Golden Leaf Grant: Mr. Heath reported that the application will be submitted this week for the \$1.5 million grant to complete Phase I of the Basin.
  - US Economic Development Grant: Mr. Heath has received interest response in our project. This grant was for \$2.5 million which would also be used to complete Phase I of the Basin.

BOARD OF ADJUSTMENT APPOINTMENT

County Manager Heath reported that a letter had been sent to Mr. Tim Corprew regarding the appointment to the Board of Adjustment to replace Debbie Reed as an alternate. We have received no response to our letter. Therefore, we still have an opening on this Board. The matter was tabled until we have an interested party to appointment.

PLANNING ITEM: CUP-18-04, REQUESTED BY MILDRED HENRY

A public hearing was held earlier in the meeting to receive citizens' comments to consider Conditional Use Permit No. CUP-18-04, requested by Mildred Henry to re-establish a convenience store at 172 Bethel Fishing Center Road (SR 1356). Property is zoned CN, Neighborhood Commercial District and known as Tax Parcel No. 2-D070-0101A-BF. Fondella A. Leigh made a motion to find proposed Conditional Use Permit No. CUP-18-04 to be consistent and in harmony with the existing development pattern around 172 Bethel Fishing Center Road, Hertford, NC, and to approved Conditional Use Permit No. 18-04, for re-establishment of a convenience store at 172 Bethel Fishing Center (SR 1356) on parcel 2-D070-0101A-BF as drafted, adopting the following findings to support the motion:

- (a) That the use will not materially endanger the public health or safety, if located according to the plan submitted and approved;
- (b) That the use meets all required conditions and specifications;
- (c) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (d) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Perquimans County Land Use Plan.

The motion was seconded by T. Kyle Jones. Chairman Nelson asked if there were any CAMA issues. Ms. Money said that there were none. There being no other questions or comments, the following Conditional Use Permit No. CUP-18-04 was unanimously approved by the Board:

Do **NOT** record this page

-Beginning of Proposed Conditional Use Permit CUP-18-04  
to be recorded by Mildred Henry & Terry Johnson

Re-establish a Convenience Store  
At 172 Bethel Fishing Center Road (SR 1356)

Applicant: Mildred Henry

Owners: Mildred Henry & Terry Johnson

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CONDITIONAL USE PERMIT No. CUP-18-04

Page 1 of 5

On the date(s) listed below, the Board of Commissioners for Perquimans County met and held a public hearing to consider the following application:

Applicant/Owner: Mildred Henry & Terry Johnson  
160 Bethel Fishing Center Road  
Hertford, NC 27944

Site Location: 172 Bethel Fishing Center Road, Hertford NC 27944

Tax Parcel No: 2-D070-0101A-BF

Zoning District: CN, Neighborhood Commercial District

Proposed Use of Property: Proposed Use is to re-establish a convenience store on Bethel Fishing Center Road beside the boat ramp. Recreational equipment, such as kayak rentals, will be available and sandwiches may be prepared on site.

Meeting & Hearing Dates: Planning Board on 10/22/18 & Board of Commissioners on 11/5/2018

Having heard all the evidence and argument presented at the hearing(s), the Board of County Commissioners finds that the application is complete, that the application complies with all of the applicable requirements of the Perquimans County Zoning Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance pertaining to "Convenience Stores" (currently Section 907.16 of the Zoning Ordinance) and other conditions, as follows:

CONDITIONAL USE PERMIT No. CUP-18-04

Page 2 of 5

- A. Applicant, owners, heirs and assigns shall conduct operations in accordance with the plans and application materials submitted to and approved by the Board of Commissioners (BOC), a copy of which is contained in the County Planning & Zoning Office and filed with Register of Deeds office. Any major modification proposed to the approved plans shall require reapplication and approval by the BOC. "Major Modification" is defined as: "Any significant change in land use, and/or change in the project boundary and/or change that results in an increase in the density or intensity of the project, as shown and described in the approved Conditional Use Permit and Site Plans." However, it is understood that the conceptual layout of the proposed parking areas and traffic circulation pattern as shown on the proposed site plan may require adjustments in the exact locations within the boundaries of the subject property. All required site improvements must be made and shall comply with minimum setbacks, and all screening, buffering, landscaping and parking requirements must be met prior to the County's issuance of Certificate of Zoning Compliance and Certificate of Occupancy, in accordance with applicable sections of the Zoning Ordinance.
- B. The Conditional Use Permit is approved and recorded with the applicant's statement of the nature of the proposed use and conceptual Site Plan, to become the basis for the Zoning Permit issued by the Planning & Zoning Office upon submittal and approval of a final Site Plan. If the Conditional Use Permit is not recorded in the Register of Deeds (ROD) Office by the Applicant within three (3) months from the date of BOC approval, the BOC may revoke the Conditional Use Permit.
- C. Site Considerations: Section 907.16 of the Zoning Ordinance provides for the establishment of a convenience store but at the same time sets certain limits to the size and scope of such a business, as follows:
  - (1) A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.



- (2) Perquimans County reserves the right to require a buffer to be installed along any property line abutting property used or zoned for residential purposes. Buffer shall meet requirements of Article XVII (Buffers and Screening) of Perquimans County Zoning Ordinance.
- (3) No fuel pumps, drive-thru lanes, service windows, nor car washes are allowed.
- (4) The use shall be limited to providing convenience food and sandwich sales to the surrounding residential or agricultural area.
- (5) No outside storage of materials shall be permitted with the exception of merchandise normally displayed or stored outside (e.g. ice, fire wood, bottled gas, Christmas trees, beverage and snack machines, newspaper stands and the like).

CONDITIONAL USE PERMIT No. CUP-18-04

Page 3 of 5

- (6) Outdoor recreation equipment (kayaks, paddles, life jackets, etc.) may be stored outside in a secure location.
  - (7) Perquimans County reserves the right to require wheel stops and parking surface upgrades if parking issues become problematic in the future.
  - (8) The local Coastal Area Management Agency must be consulted before any outside renovation takes place.
- D. Application Requirements: The Applicant's approved Site Plan is conceptual and minor adjustments may be made pending permits and approvals by other entities.
- E. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then the permit shall be void and of no effect.

IN WITNESS WHEREOF, Perquimans County has caused this permit to be issued in its name, and the undersigned, being all the authorized applicants, agents, representatives, or property owners of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding on them and their successors in interest.

Wallace Nelson, Chair, Board of Commissioners \_\_\_\_\_ Date

Attest:

Mary P. Hunsicutt, Clerk to the Board \_\_\_\_\_ (Seal) Date

CONDITIONAL USE PERMIT No. CUP-18-04  
Page 4 of 5

I (We) Mildred Henry & Terry Johnson, authorized Applicant(s)/Owner(s), of the above identified property, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned does further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Mildred Henry, Applicant/Owner \_\_\_\_\_ Date

Terry Johnson, Applicant/Owner \_\_\_\_\_ Date

The State of North Carolina  
Perquimans County

I, \_\_\_\_\_, a Notary Public in and for the said State and County, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission expires: \_\_\_\_\_ Notary Public

(Not valid until fully executed and recorded)

The State of North Carolina  
Perquimans County

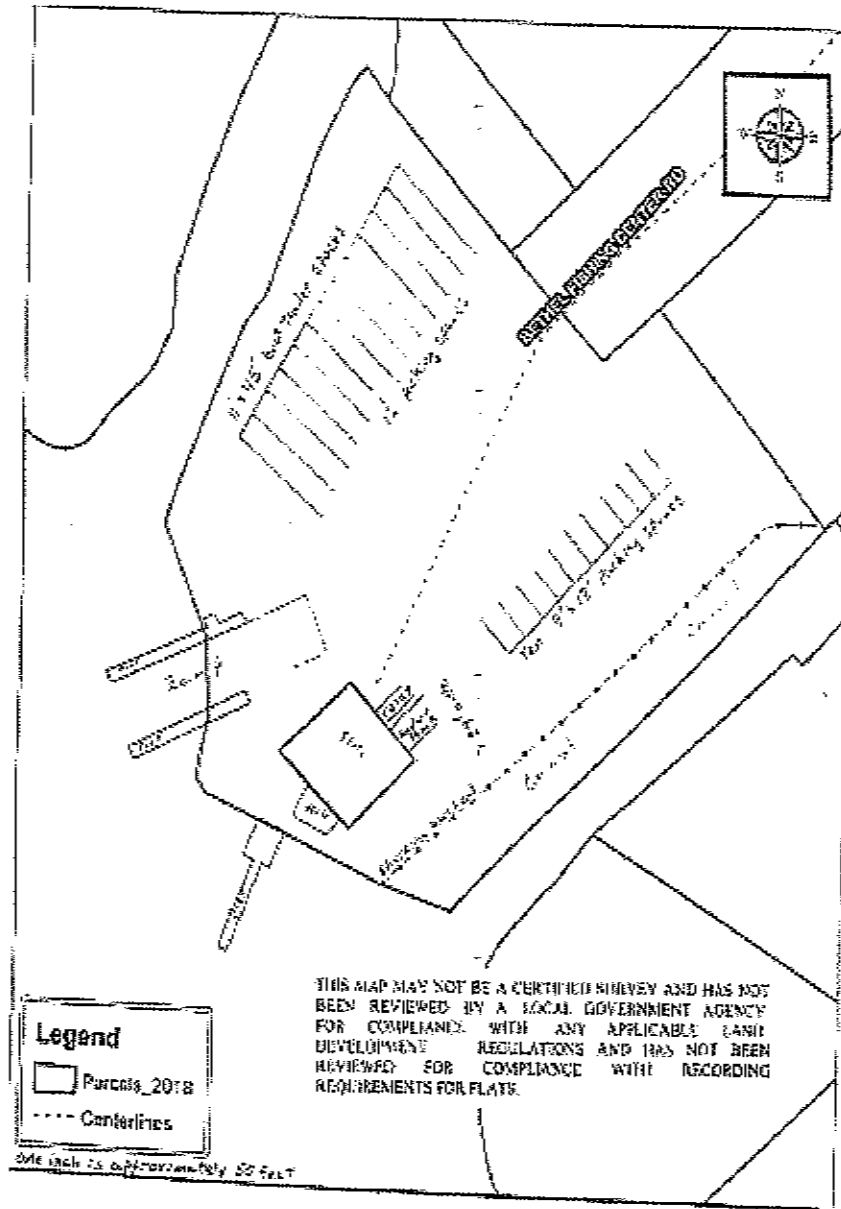
I, \_\_\_\_\_, a Notary Public in and for the said State and County, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission expires: \_\_\_\_\_ Notary Public

(Not valid until fully executed and recorded)

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Do NOT record this page  
 End of Proposed Conditional Use Permit CUP-18-04  
 to be recorded by Mildred Henry  
 Re-establish a Convenience Store  
 At 172 Bethel Fishing Center Road (SR 1356)  
 Applicant: Mildred Henry  
 Owners: Mildred Henry & Terry Johnson  
 Do NOT record this page

**FLOOD PLAN PREVENTION ORDINANCE**

A public hearing was held earlier in the meeting to receive citizens' comments to consider proposed revisions to Perquimans County Flood Plan Prevention Ordinance. On motion made by Edward R. Muzzulin, seconded by Fondella A. Leigh, the Board unanimously adopted Ordinance No. 99 - Flood Plan Prevention Ordinance (see Attachment A).

**2019 GRAIN BIN EXERCISE GRANT AGREEMENT & BUDGET AMENDMENT NO. 7**

Chairman Nelson recognized Jonathan Nixon, Emergency Services Director, who presented an overview of this Grant Agreement and asked that the Board authorize the county staff to execute the documents electronically and to approve the following Budget Amendment No. 7:

**BUDGET AMENDMENT NO. 7  
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-012	State Grant - Emergency Management	10,000	
10-592-740	Hazardous Materials Grant	10,000	
EXPLANATION: To amend FY 18/19 budget to include the Homeland Security Grant specifically for a 2019 Grain Bin Entrapment Exercise. Grant #: EMW-2018-SS-00053 CFDA #: 97.067			

On motion made by Charles Woodard, seconded by Joseph W. Hoffer, the Board unanimously authorized the County Staff to execute the Agreement and approved Budget Amendment No. 7.

VOTING DELEGATE - LEGISLATIVE GOALS CONFERENCE

The Legislative Goals Conference is being held on January 10-11, 2019 in Wake County, NC. At this time, Mary Hunnicutt, Clerk to the Board, informed the Board that Commissioner Hoffer was the only commissioner enrolled to attend this conference. T. Kyle Jones made a motion to appoint Joseph W. Hoffer as the County's Voting Delegate to the Legislative Goals Conference. The motion was seconded by Edward R. Muzzulin and unanimously approved by the Board.

ADDITIONAL BOARD APPOINTMENTS: COMMUNITY ADVISORY COMMITTEE

County Manager Heath reported that the recommendation to appoint Mary Corprew and Gloria Cartwright to the Community Advisory Committee for their one-year initial term effective November 1, 2018 was received after the Agenda Packets were distributed. On motion made by Edward R. Muzzulin, seconded by Fondella A. Leigh, the Board unanimously appointed Mary Corprew and Gloria Cartwright to the Community Advisory Committee for a one-year term effective November 1, 2018.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

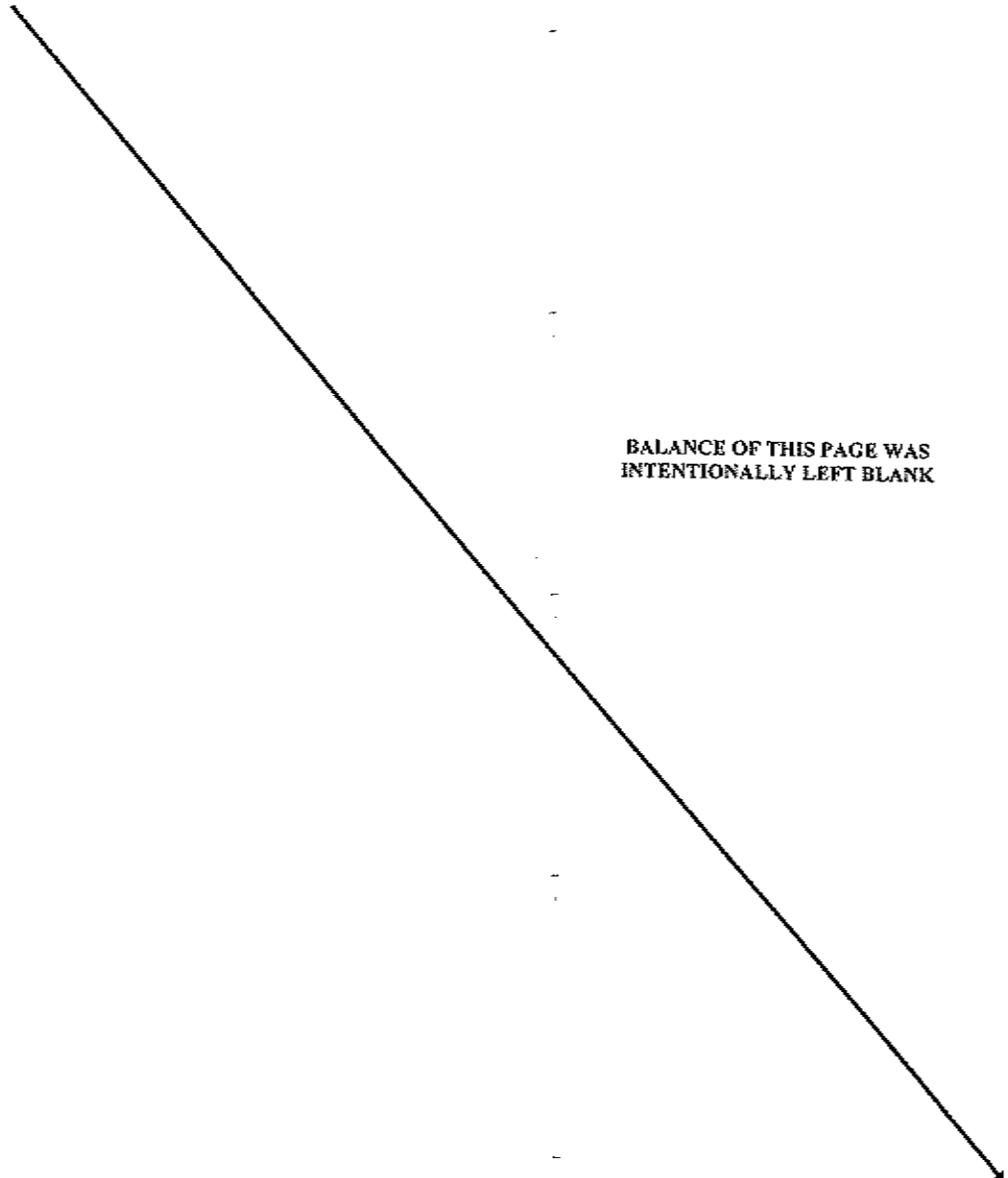
There being no further comments or business to discuss, the Regular Meeting was adjourned at 7:25 p.m. on motion made by Charles Woodard, seconded by Fondella A. Leigh.

\_\_\_\_\_  
Wallace E. Nelson, Chairman

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

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ATTACHMENT A

**ORDINANCE NO. 99**

**Flood Damage Prevention  
Ordinance**

**Perquimans County**

Adopted by the  
Perquimans County Board of Commissioners on  
November 5, 2018



**ORDINANCE NO. 99**

**PERQUIMANS COUNTY**  
**FLOOD DAMAGE PREVENTION ORDINANCE**

Non-Coastal Regular Phase

**ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.** 3

SECTION A. STATUTORY AUTHORIZATION..... 3

SECTION B. FINDINGS OF FACT..... 3

SECTION C. STATEMENT OF PURPOSE..... 3

SECTION D. OBJECTIVES..... 3

**ARTICLE 2. DEFINITIONS.**..... 4

**ARTICLE 3. GENERAL PROVISIONS.**..... 8

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES..... 8

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS..... 8

SECTION C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT..... 9

SECTION D. COMPLIANCE..... 9

SECTION E. ABROGATION AND GREATER RESTRICTIONS..... 9

SECTION F. INTERPRETATION..... 9

SECTION G. WARNING AND DISCLAIMER OF LIABILITY..... 9

SECTION H. PENALTIES FOR VIOLATION..... 9

**ARTICLE 4. ADMINISTRATION.**..... 9

SECTION A. DESIGNATION OF FLOODPLAIN ADMINISTRATOR..... 9

SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION..... 9

REQUIREMENTS..... 9

SECTION C. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR..... 12

SECTION D. CORRECTIVE PROCEDURES..... 13

SECTION E. VARIANCE PROCEDURES..... 14

**ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.**..... 15

SECTION A. GENERAL STANDARDS..... 15

SECTION B. SPECIFIC STANDARDS..... 16

SECTION C. RESERVED..... 19

SECTION D. STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD..... 19

ELEVATIONS. 19

SECTION E. STANDARDS FOR RIVERINE FLOODPLAINS WITH BASE FLOOD ELEVATIONS BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS..... 19

SECTION F. FLOODWAYS AND NON-ENCROACHMENT AREAS..... 20

SECTION G. STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AO)..... 20

ARTICLE 6. LEGAL STATUS PROVISIONS..... 20

SECTION A. EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE..... 20

SECTION B. EFFECT UPON OUTSTANDING FLOODPLAIN DEVELOPMENT PERMITS..... 20

SECTION C. SEVERABILITY..... 21

SECTION D. EFFECTIVE DATE..... 21

SECTION E. ADOPTION CERTIFICATION..... 21

**ORDINANCE NO. 99****PERQUIMANS COUNTY**  
**FLOOD DAMAGE PREVENTION ORDINANCE**

## Non-Coastal Regular Phase

**ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.****SECTION A. STATUTORY AUTHORIZATION.**

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3 and 4 of Article 18 of Chapter 153A; and Part 121, Article 6 of Chapter 153A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the Board of County Commissioners of Perquimans County, North Carolina, does ordain as follows:

**SECTION B. FINDINGS OF FACT.**

- (1) The flood prone areas within the jurisdiction of Perquimans County are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

**SECTION C. STATEMENT OF PURPOSE.**

It is the purpose of this ordinance to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

**SECTION D. OBJECTIVES.**

The objectives of this ordinance are to:

- (1) Protect human life, safety, and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business losses and interruptions;
- (5) Minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) Minimize damage to private and public property due to flooding;
- (7) Make flood insurance available to the community through the National Flood Insurance Program;



- (8) Maintain the natural and beneficial functions of floodplains;
- (9) Help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (10) Ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

## ARTICLE 2. DEFINITIONS.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Accessory Structure (Appurtenant Structure)" means a structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

"Addition (to an existing building)" means an extension or increase in the floor area or height of a building or structure.

"Alteration of a watercourse" means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

"Area of Shallow Flooding" means a designated Zone AO on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one (1) to three (3) feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of Special Flood Hazard" see "Special Flood Hazard Area (SFHA)".

"Base Flood" means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

"Base Flood Elevation (BFE)" means a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a "Special Flood Hazard Area", it may be obtained from engineering studies available from a Federal, State, or other source using FEMA approved engineering methodologies. This elevation, when combined with the "Freeboard", establishes the "Regulatory Flood Protection Elevation".

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Building" see "Structure".

"Chemical Storage Facility" means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

"Design Flood": See "Regulatory Flood Protection Elevation."

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

"Development Activity" means any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

"Digital Flood Insurance Rate Map (DFIRM)" means the digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

"Disposal" means, as defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

"Elevated Building" means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

"Encroachment" means the advance or infringement of uses, fill, excavation, buildings, structures or development into a special flood hazard area, which may impede or alter the flow capacity of a floodplain.

"Existing building and existing structure" means any building and/or structure for which the "start of construction" commenced before the community entered the NFIP, dated 7/3/1985.

"Existing Manufactured Home Park or Manufactured Home Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before the community entered the NFIP, dated 7/3/1985.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters; and/or
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Boundary and Floodway Map (FBFM)" means an official map of a community, issued by the FEMA, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the FEMA, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.

"Flood Insurance" means the insurance coverage provided under the National Flood Insurance Program.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the FEMA, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated. (see also DFIRM)

"Flood Insurance Study (FIS)" means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the FEMA. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

"Flood Prone Area" see "Floodplain"

"Flood Zone" means a geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

"Floodplain" means any land area susceptible to being inundated by water from any source.

"Floodplain Administrator" is the individual appointed to administer and enforce the floodplain management regulations.

"Floodplain Development Permit" means any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

"Floodplain Management Regulations" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes federal, state or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

"Flood-resistant material" means any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

"Floodway" means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

"Floodway encroachment analysis" means an engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.

"Freeboard" means the height added to the BFE to account for the many unknown factors that could contribute to

flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed. The BFE plus the freeboard establishes the "Regulatory Flood Protection Elevation".

**"Functionally Dependent Facility"** means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

**"Hazardous Waste Management Facility"** means, as defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

**"Highest Adjacent Grade (HAG)"** means the highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

**"Historic Structure"** means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a local inventory of historic landmarks in communities with a "Certified Local Government (CLG) Program"; or
- (d) Certified as contributing to the historical significance of a historic district designated by a community with a "Certified Local Government (CLG) Program."

Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

**"Letter of Map Change (LOMC)"** means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (a) Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (b) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (c) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
- (d) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

**"Light Duty Truck"** means any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

- (a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (c) Available with special features enabling off-street or off-highway operation and use.

**"Lowest Adjacent Grade (LAG)"** means the lowest elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

**"Lowest Floor"** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

**"Manufactured Home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**"Map Repository"** means the location of the official flood hazard data to be applied for floodplain management. It is a central location in which flood data is stored and managed; in North Carolina, FEMA has recognized that the application of digital flood hazard data products carry the same authority as hard copy products. Therefore, the NCEM's Floodplain Mapping Program websites house current and historical flood hazard data. For effective flood hazard data the NC FRIS website (<http://FRIS.NC.GOV/FRIS>) is the map repository, and for historical flood hazard data the FloodNC website (<http://FLOODNC.GOV/NCFLOOD>) is the map repository.

**"Market Value"** means the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

**"New Construction"** means structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations adopted 4/9/1985 and includes any subsequent improvements to such structures.

**"Non-Encroachment Area (NEA)"** means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the Flood Insurance Study report.

**"Post-FIRM"** means construction or other development for which the "start of construction" occurred on or after 7/3/1985, the effective date of the initial Flood Insurance Rate Map.

**"Pre-FIRM"** means construction or other development for which the "start of construction" occurred before 7/3/1985, the effective date of the initial Flood Insurance Rate Map.

**"Principally Above Ground"** means that at least 51% of the actual cash value of the structure is above ground.

**"Public Safety" and/or "Nuisance"** means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**"Recreational Vehicle (RV)"** means a vehicle, which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck;
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use, and
- (e) Is fully licensed and ready for highway use.

**"Reference Level"** is the top of the lowest floor for structures within Special Flood Hazard Areas designated as Zones A, AE, AH, AO, A99.

**"Regulatory Flood Protection Elevation"** means the "Base Flood Elevation" plus the "Freeboard". In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus zero (0) feet freeboard. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

**"Remedy a Violation"** means to bring the structure or other development into compliance with state and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

**"Riverine"** means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**"Salvage Yard"** means any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

**"Solid Waste Disposal Facility"** means any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).

**"Solid Waste Disposal Site"** means, as defined in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

**"Special Flood Hazard Area (SFHA)"** means the land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year, as determined in Article 3, Section B of this ordinance.

**"Start of Construction"** includes substantial improvement, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include

the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

"Substantial Damage" means damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. See definition of "substantial improvement".

"Substantial Improvement" means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- (a) Any correction of existing violations of state or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Article 4 Section E of this ordinance.

"Technical Bulletin and Technical Fact Sheet" means a FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.

"Temperature Controlled" means having the temperature regulated by a heating and/or cooling system, built-in or appliance.

"Variance" is a grant of relief from the requirements of this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation (WSE)" means the height, in relation to NAVD 1988, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

"Watercourse" means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

### ARTICLE 3. GENERAL PROVISIONS.

#### SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction, including Extra-Territorial Jurisdictions (ETJs), where applicable, of Perquimans County.

#### SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated December 21, 2018 for Perquimans County and associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared a part of this ordinance. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of Perquimans County are also adopted by reference and declared a part of this ordinance. Subsequent Letter of Map Revisions (LOMRs) and/or Physical Map Revisions (PMRs) shall be adopted within 3 months.

November 5, 2018

Flood Damage Prevention Ordinance

**SECTION C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.**

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article 3, Section B of this ordinance.

**SECTION D. COMPLIANCE.**

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

**SECTION E. ABROGATION AND GREATER RESTRICTIONS.**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION F. INTERPRETATION.**

In the interpretation and application of this ordinance, all provisions shall be:

- (a) Considered as minimum requirements;
- (b) Liberally construed in favor of the governing body; and
- (c) Deemed neither to limit nor repeal any other powers granted under State statutes.

**SECTION G. WARNING AND DISCLAIMER OF LIABILITY.**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Perquimans County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

**SECTION H. PENALTIES FOR VIOLATION.**

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a Class 1 misdemeanor pursuant to NC G.S. § 143-215.38. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$100.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Perquimans County from taking such other lawful action as is necessary to prevent or remedy any violation.

**ARTICLE 4. ADMINISTRATION.****SECTION A. DESIGNATION OF FLOODPLAIN ADMINISTRATOR.**

The County Manager or his/her designee, hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance. In instances where the Floodplain Administrator receives assistance from others to complete tasks to administer and implement this ordinance, the Floodplain Administrator shall be responsible for the coordination and community's overall compliance with the National Flood Insurance Program and the provisions of this ordinance.

**SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS.**

- (1) Application Requirements. Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:
  - (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
    - (i) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage

- areas, drainage facilities, and other development;
- (ii) The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article 3, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
  - (iii) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 3, Section B;
  - (iv) The boundary of the floodway(s) or non-encroachment area(s) as determined in Article 3, Section B;
  - (v) The Base Flood Elevation (BFE) where provided as set forth in Article 3, Section B; Article 4, Section C; or Article 5, Section D;
  - (vi) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
- (b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
- (i) Elevation in relation to NAVD 1988 of the proposed reference level (including basement) of all structures;
  - (ii) Elevation in relation to NAVD 1988 to which any non-residential structure in Zones A, AE, AH, AO, A99 will be floodproofed; and
  - (iii) Elevation in relation to NAVD 1988 to which any proposed utility systems will be elevated or floodproofed.
- (c) If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures.
- (d) A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
- (i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and
  - (ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(d) when solid foundation perimeter walls are used in Zones A, AE, AH, AO, A99.
- (e) Usage details of any enclosed areas below the lowest floor.
- (f) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
- (g) Certification that all other Local, State and Federal permits required prior to floodplain development permit issuance have been received.
- (h) Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure that the provisions of Article 5, Section B, subsections (6) and (7) of this ordinance are met.
- (i) A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.
- (2) **Permit Requirements.** The Floodplain Development Permit shall include, but not be limited to:
- (a) A complete description of all the development to be permitted under the floodplain development permit (e.g. house, garage, pool, septic, bulkhead, cabana, pier, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.).
  - (b) The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in Article 3, Section B.
  - (c) The Regulatory Flood Protection Elevation required for the reference level and all attendant utilities.
  - (d) The Regulatory Flood Protection Elevation required for the protection of all public utilities.
  - (e) All certification submittal requirements with timelines.
  - (f) A statement that no fill material or other development shall encroach into the floodway or non-

encroachment area of any watercourse unless the requirements of Article 5, Section F have been met.

- (g) The flood openings requirements, if in Zones A, AE, AH, AO, A99.

(3) Certification Requirements.

(a) Elevation Certificates

- (i) An Elevation Certificate (FEMA Form 086-0-33) is required after the reference level is established. Within seven (7) calendar days of establishment of the reference level elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, in relation to NAVD 1988. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.
- (ii) A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

(b) Floodproofing Certificate

- (i) A final Finished Construction Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the issuance of a Certificate of Compliance/Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to NAVD 1988. Floodproofing certificate shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to Certificate of Occupancy. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to deny a Certificate of Compliance/Occupancy.
- (c) If a manufactured home is placed within Zones A, AE, AH, AO, A99 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article 5, Section B(3)(b).
- (d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.
- (e) Certification Exemptions. The following structures, if located within Zones A, AE, AH, AO, A99, are exempt from the elevation/floodproofing certification requirements specified in items (a) and (b) of this subsection:
- (i) Recreational Vehicles meeting requirements of Article 5, Section B(6)(a);
- (ii) Temporary Structures meeting requirements of Article 5, Section B(7); and
- (iii) Accessory Structures that are 150 square feet or less or \$3000 or less and meeting requirements of Article 5, Section B(8).

(4) Determinations for existing buildings and structures.



For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- (d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the NC Building Code and this ordinance is required.

### SECTION C. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.

The Floodplain Administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- (2) Review all proposed development within Special Flood Hazard Areas to assure that all necessary local, state and federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (3) Notify adjacent communities and the North Carolina Department of Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section F are met.
- (6) Obtain actual elevation (in relation to NAVD 1988) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of Article 4, Section B(3).
- (7) Obtain actual elevation (in relation to NAVD 1988) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Article 4, Section B(3).
- (8) Obtain actual elevation (in relation to NAVD 1988) of all public utilities in accordance with the provisions of Article 4, Section B(3).
- (9) When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of Article 4, Section B(3) and Article 5, Section B(2).
- (10) Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (11) When BFE data has not been provided in accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any BFE data, along with floodway data or non-encroachment area data available from a federal, state, or other source, including data developed pursuant to Article 5, Section D(2)(c), in order to administer the provisions of this ordinance.
- (12) When BFE data is provided but no floodway or non-encroachment area data has been provided in accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a federal, state, or other source in order to administer the provisions of this ordinance.

- (13) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area is above the BFE, advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.
- (14) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- (15) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (16) Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (17) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- (18) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (19) Follow through with corrective procedures of Article 4, Section D.
- (20) Review, provide input, and make recommendations for variance requests.
- (21) Maintain a current map repository to include, but not limited to, historical and effective FIS Report, historical and effective FIRM and other official flood maps and studies adopted in accordance with the provisions of Article 3, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify State and FEMA of mapping needs.
- (22) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).

#### SECTION D. CORRECTIVE PROCEDURES.

- (1) Violations to be corrected: When the Floodplain Administrator finds violations of applicable state and local laws; it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- (2) Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
  - (a) That the building or property is in violation of the floodplain management regulations;
  - (b) That a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
  - (c) That following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- (3) Order to Take Corrective Action: If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than least one-hundred-eighty (180) calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.
- (4) Appeal: Any owner who has received an order to take corrective action may appeal the order to the local

elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

- (5) Failure to Comply with Order: If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a Class 1 misdemeanor pursuant to NC G.S. § 143-215.58 and shall be punished at the discretion of the court.

#### SECTION E. VARIANCE PROCEDURES.

- (1) The Board of County Commissioners as established by Perquimans County, hereinafter referred to as the "appeal board", shall hear and decide requests for variances from the requirements of this ordinance.
- (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.
- (3) Variances may be issued for:
- (a) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;
  - (b) Functionally dependent facilities if determined to meet the definition as stated in Article 2 of this ordinance, provided provisions of Article 4, Section E(9)(b), (c), and (e) have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or
  - (c) Any other type of development provided it meets the requirements of this Section.
- (4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (a) The danger that materials may be swept onto other lands to the injury of others;
  - (b) The danger to life and property due to flooding or erosion damage;
  - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (d) The importance of the services provided by the proposed facility to the community;
  - (e) The necessity to the facility of a waterfront location as defined under Article 2 of this ordinance as a functionally dependent facility, where applicable;
  - (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - (g) The compatibility of the proposed use with existing and anticipated development;
  - (h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) A written report addressing each of the above factors shall be submitted with the application for a variance.
- (6) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this ordinance.
- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the BFE and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE may result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.

- (8) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the FEMA and the State of North Carolina upon request.
- (9) Conditions for Variances:
- (a) Variances shall not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances.
  - (b) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.
  - (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (d) Variances shall only be issued prior to development permit approval.
  - (e) Variances shall only be issued upon:
    - (i) A showing of good and sufficient cause;
    - (ii) A determination that failure to grant the variance would result in exceptional hardship; and
    - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

## ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.

### SECTION A. GENERAL STANDARDS.

In all Special Flood Hazard Areas the following provisions are required:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage in accordance with the FEMA Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*.
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) All new electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall be located at or above the RFPE or designed and installed to prevent water from entering or accumulating within the components during the occurrence of the base flood. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.
  - (a) Replacements part of a substantial improvement, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall also meet the above provisions.
  - (b) Replacements that are for maintenance and not part of a substantial improvement, may be installed at the original location provided the addition and/or improvements only comply with the standards for new construction consistent with the code and requirements for the original structure.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the Regulatory Flood Protection Elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- (9) New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in Article 4, Section E(10). A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Regulatory Flood Protection Elevation and

certified in accordance with the provisions of Article 4, Section B(3).

- (10) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- (11) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (12) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (13) All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (14) When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
- (15) When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest BFE shall apply.

#### SECTION B. SPECIFIC STANDARDS.

In all Special Flood Hazard Areas where BFE data has been provided, as set forth in Article 3, Section B, or Article 5, Section D, the following provisions, in addition to the provisions of Article 5, Section A, are required:

- (1) Residential Construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance.
- (2) Non-Residential Construction. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance. Structures located in Zones A, AE, AH, AO, A99 may be floodproofed to the Regulatory Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Regulatory Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the floodproofing elevation shall be in accordance with Article 5, Section G(2). A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 4, Section B(3), along with the operational plan and the inspection and maintenance plan.
- (3) Manufactured Homes.
  - (a) New and replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance.
  - (b) Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
  - (c) All enclosures or skirting below the lowest floor shall meet the requirements of Article 5, Section B(4).
  - (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management Coordinator.
- (4) Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:
  - (a) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;

- (b) Shall not be temperature-controlled or conditioned;
  - (c) Shall be constructed entirely of flood resistant materials at least to the Regulatory Flood Protection Elevation; and
  - (d) Shall include, in Zones A, AE, AH, AO, A99 flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:
    - (i) A minimum of two flood openings on different sides of each enclosed area subject to flooding;
    - (ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
    - (iii) If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
    - (iv) The bottom of all required flood openings shall be no higher than one (1) foot above the higher of the interior or exterior adjacent grade;
    - (v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
    - (vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.
- (5) Additions/Improvements.
- (a) Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
    - (i) Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
    - (ii) A substantial improvement, with modifications/rehabilitations/improvements to the existing structure or the common wall is structurally modified more than installing a doorway, both the existing structure and the addition must comply with the standards for new construction.
  - (b) Additions to pre-FIRM or post-FIRM structures that are a substantial improvement with no modifications/rehabilitations/improvements to the existing structure other than a standard door in the common wall, shall require only the addition to comply with the standards for new construction.
  - (c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
    - (i) Not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure.
    - (ii) A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
  - (d) Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one(1) year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started must comply with the standards for new construction. For each building or structure, the one (1) year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The requirement does not, however, include either:
    - (i) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
    - (ii) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
- (6) Recreational Vehicles. Recreational vehicles shall either:

- (a) Temporary Placement
    - (i) Be on site for fewer than 180 consecutive days; or
    - (ii) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.)
  - (b) Permanent Placement. Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction.
- (7) Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:
- (a) A specified time period for which the temporary use will be permitted. Time specified may not exceed three (3) months, renewable up to one (1) year;
  - (b) The name, address, and phone number of the individual responsible for the removal of the temporary structure;
  - (c) The time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
  - (d) A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
  - (e) Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- (8) Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
  - (b) Accessory structures shall not be temperature-controlled;
  - (c) Accessory structures shall be designed to have low flood damage potential;
  - (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
  - (e) Accessory structures shall be firmly anchored in accordance with the provisions of Article 5, Section A(1);
  - (f) All service facilities such as electrical shall be installed in accordance with the provisions of Article 5, Section A(4); and
  - (g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Regulatory Flood Protection Elevation in conformance with the provisions of Article 5, Section B(4)(d).
- An accessory structure with a footprint less than 150 square feet or that is a minimal investment of \$3000 or less and satisfies the criteria outlined above is not required to meet the elevation or floodproofing standards of Article 5, Section B (2). Elevation or floodproofing certifications are required for all other accessory structures in accordance with Article 4, Section B(3).
- (9) Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty;
  - (b) Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
  - (c) Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section B (2) of this ordinance shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed,

installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.

- (d) Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:
- (i) At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
  - (ii) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.
- (10) Other Development.
- (a) Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Article 5, Section F of this ordinance.
  - (b) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Article 5, Section F of this ordinance.
  - (c) Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Article 5, Section F of this ordinance.

**SECTION C. RESERVED.**

**SECTION D. STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS.**

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Article 3, Section B, where no BFE data has been provided by FEMA, the following provisions, in addition to the provisions of Article 5, Section A, shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) The BFE used in determining the Regulatory Flood Protection Elevation shall be determined based on the following criteria:
  - (a) When BFE data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Article 5, Sections A and B.
  - (b) When floodway or non-encroachment data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of Article 5, Sections B and F.
  - (c) All subdivision, manufactured home park and other development proposals shall provide BFE data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such BFE data shall be adopted by reference in accordance with Article 3, Section B and utilized in implementing this ordinance.
  - (d) When BFE data is not available from a Federal, State, or other source as outlined above, the reference level shall be elevated or floodproofed (nonresidential) to or above the Regulatory Flood Protection Elevation, as defined in Article 2. All other applicable provisions of Article 5, Section B shall also apply.

**SECTION E. STANDARDS FOR RIVERINE FLOODPLAINS WITH BASE FLOOD ELEVATIONS BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS.**

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (1) Standards of Article 5, Sections A and B; and
- (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new



construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

#### **SECTION F. FLOODWAYS AND NON-ENCROACHMENT AREAS.**

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in Article 3, Section B. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article 5, Sections A and B, shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
  - (a) It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood discharge, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit; or
  - (b) A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.
- (2) If Article 5, Section F(1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (5) Manufactured homes may be permitted provided the following provisions are met:
  - (a) The anchoring and the elevation standards of Article 5, Section B(3); and
  - (b) The encroachment standards of Article 5, Section F(1).

#### **SECTION G. STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AO).**

Located within the Special Flood Hazard Areas established in Article 3, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article 5, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- (1) The reference level shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of zero (0) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified.
- (2) Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article 5, Section I(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4, Section B(3) and Article 5, Section B(2).
- (3) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

#### **ARTICLE 6. LEGAL STATUS PROVISIONS.**

##### **SECTION A. EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE.**

This ordinance in part comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted April 9, 1985 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of Perquimans County enacted on April 9, 1985, as amended, which are not reenacted herein are repealed.

##### **SECTION B. EFFECT UPON OUTSTANDING FLOODPLAIN DEVELOPMENT PERMITS.**

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator.

Administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

**SECTION C. SEVERABILITY.**

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

**SECTION D. EFFECTIVE DATE.**

This ordinance shall become effective upon adoption.

**SECTION E. ADOPTION CERTIFICATION.**

I hereby certify that this is a true and correct copy of the Flood Damage Prevention Ordinance as adopted by the Board of County Commissioners of Perquimans County, North Carolina, on the 5th day of November, 2018.

WITNESS my hand and the official seal of Perquimans County, this the 5th day of November, 2018.

\_\_\_\_\_  
Wallace E. Nelson, Chairman  
Perquimans County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Mary P. Hunnicutt, Clerk to the Board  
Perquimans County Board of Commissioners

**END OF ATTACHMENT A**

WORK SESSION  
November 19, 2018  
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular Work Session on Monday, November 19, 2018, at 7:00 p.m. in the Commissioners' Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Wallace Nelson, Chairman  
Joseph W. Hoffler  
Edward R. Muzzulin  
Fondella Leigh, Vice Chair  
T. Kyle Jones  
Charles Woodard

MEMBERS ABSENT: None

OTHERS PRESENT: Frank Heath, County Manager  
Mary Hunnicutt, Clerk to the Board

Board of Education:

Matthew Cheeseman, Superintendent  
Mr. Russell Lassiter  
Ms. Arlene Yates  
Dr. Anne White, Chair  
Ms. Amy Spaugh, Vice Chair  
Mr. Matthew Peele

After the Chairman called the meeting to order, Commissioner Jones gave the invocation and the Chairman led the Pledge of Allegiance. The following matter was discussed.

MATTHEW CHEESEMAN, SUPERINTENDENT OF SCHOOLS

Chairman Nelson introduced Mr. Cheeseman who introduced the Perquimans County Board of Education members that were present along with Brenda Lassiter, Executive Director of the Perquimans County Schools Foundation, Inc. He then stated that they came to discuss the N.C. Charter School Application for the Elaine Riddick Charter School that is proposing to open in Perquimans County. After distributing copies of the application to the Board, Mr. Cheeseman explained the discrepancies in the document and explained how this will impact the Perquimans County Public School System. After he spoke, Dr. White, Mr. Lassiter, Ms. Yates, and Mr. Peele made comments in support of Mr. Cheeseman's findings and they encouraged the Commissioners do to anything that they could to assist with stopping this from happening due to the impact that it would have on the Perquimans County Public School System and, ultimately, on Perquimans County. After answering some questions from the Commissioners, Mr. Cheeseman thanked the Board for their time and promised to keep them abreast of the situation.

ADJOURNMENT

There being no further business to discuss, the Chairman adjourned the meeting at 8:05 p.m. on motion made by Joseph W. Hoffler, seconded by Charles Woodard.

\_\_\_\_\_  
Wallace E. Nelson, Chairman

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

\*\*\*\*\*



P.O. Box 7  
Hertford, N.C. 27944

Phone: (252) 426-7010  
(252) 426-5564  
Fax: (252) 426-4034

## PERQUIMANS COUNTY TAX DEPARTMENT

October 30, 2018

### Tax Releases: (Perquimans County)

Carol Edwards \$147.11  
Billed in another county  
Account #: 0420499

**Perquimans County's Vision:**

*To be a community of opportunity in which to live, learn, work, prosper and play.*

Sam Barrow  
104 Dobbs Street  
Hertford, NC 27944  
November 14, 2018

Mr. Frank Heath  
Perquimans County Manager  
128 North Church Street  
Hertford, NC 27944

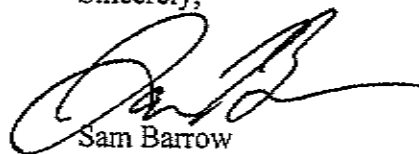
Frank,

Thank you for taking the time to meet with me today. As discussed, I have been called back to active duty effective December 1, 2018. My presence is required at the National Guard Bureau as a Liaison Officer for the North Carolina Army National Guard in support of potential mobilizations in late 2019. Beginning on Wednesday November 28, I will no longer be able to serve in my official capacity as County Planner until my return in September 2019.

I realize that the timing of this absence is less than ideal with my recent return from overseas, however I am optimistic that this experience will help to improve the quality of our service to the citizens of Perquimans County. Thank you for your enduring support of me and my family during these extended periods of active service.

Please feel free to contact me at (252) 339-1815 or [william.s.barrow4.mil@mail.mil](mailto:william.s.barrow4.mil@mail.mil) during the coming months.

Sincerely,



Sam Barrow  
County Planner  
Perquimans County, NC

CC: Perquimans County Board of County Commissioners  
Perquimans County Planning Board  
Perquimans County Board of Adjustment

EMPLOYMENT ACTION FORM

DATE SUBMITTED: October 25, 2018

COUNTY OF PERQUIMANS

**PART-TIME** EMS/RESCUE EMPLOYEES

NAME: Derek Blake SOC. SEC. NO.: \_\_\_\_\_

POSITION: EMS Part-Time EMS: X RESCUE: \_\_\_\_\_

NEW EMPLOYEE EFFECTIVE DATE: November 1, 2018

GRADE: 63 STEP: 1 SALARY: \$14.36 per hour

*Complete following information only if for new employee.*

ADDRESS: 145 Red Banks Road

CITY/STATE/ZIP: Hertford, NC 27944

PHONE NUMBER: (252)301-7020

\_\_\_\_\_ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE RAISE DUE TO CERTIFICATION *(PER ATTACHED STATE CERTIFICATE OF COMPLETION)*.  
Date

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\*\*\*\*\*

EMS DEPARTMENT RECOMMENDATION  
MANAGER APPROVAL

DATE: 10/25/18

RESCUE SQUAD RECOMMENDATION

DATE: \_\_\_\_\_

COUNTY MANAGER APPROVAL

DATE: 11/30/18

FINANCE OFFICER

DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: October 25, 2018

COUNTY OF PERQUIMANS

~~PART-TIME~~ EMS/RESCUE EMPLOYEES

NAME: Madeline Lighthill SOC. SEC. NO.: \_\_\_\_\_

POSITION: EMS Part-Time EMS: X RESCUE: \_\_\_\_\_

**X** NEW EMPLOYEE EFFECTIVE DATE: November 1, 2018

GRADE: 63 STEP: 1 SALARY: \$14.36 per hour

Complete following information only if for new employee.

ADDRESS: 1251 Center Hill Highway

CITY/STATE/ZIP: Hertford, NC 27944

PHONE NUMBER: (831)247-0951

\_\_\_\_\_ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE RAISE DUE TO CERTIFICATION ~~(PER ATTACHED STATE CERTIFICATE OF COMPLETION)~~.

Date

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\*\*\*\*\*

EMS DEPARTMENT RECOMMENDATION  
MANAGER APPROVAL

[Signature]  
DATE: 10/25/18

RESCUE SQUAD RECOMMENDATION

DATE: \_\_\_\_\_

COUNTY MANAGER APPROVAL

[Signature]  
DATE: 11/30/18

FINANCE OFFICER

DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: October 25, 2018

COUNTY OF PERQUIMANS  
~~PART-TIME~~ EMS/RESCUE EMPLOYEES

NAME: Cody Chappell SOC. SEC. NO.: \_\_\_\_\_

POSITION: EMS Part-Time EMS: X RESCUE: \_\_\_\_\_

NEW EMPLOYEE EFFECTIVE DATE: November 1, 2018

GRADE: 68 STEP: 1 SALARY: \$17.89 per hour

Complete following information only if for new employee.

ADDRESS: 1053 US Highway 17 South

CITY/STATE/ZIP: Elizabeth City, NC 27909

PHONE NUMBER: (252)457-5052

\_\_\_\_\_ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE RAISE DUE TO  
Date CERTIFICATION (~~PER ATTACHED STATE CERTIFICATE OF COMPLETION~~).

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\*\*\*\*\*

EMS DEPARTMENT RECOMMENDATION  
MANAGER APPROVAL

[Signature]  
DATE: 10/25/18

RESCUE SQUAD RECOMMENDATION

\_\_\_\_\_  
DATE: \_\_\_\_\_

COUNTY MANAGER APPROVAL

[Signature]  
DATE: 11/30/18

FINANCE OFFICER

\_\_\_\_\_  
DATE: \_\_\_\_\_



EMPLOYMENT ACTION FORM

DATE SUBMITTED: 11/29/18

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Courtney L. Shadle  
POSITION: Office Assistant III

SOC. SEC. NO.  
DEPT.: Social Services

XXX EMPLOYEE EFFECTIVE DATE: December 1, 2018  
GRADE: 57                      STEP: 1                      SALARY: \$ 22,937.00

ENDING DATE OF PROBATIONARY PERIOD:  
CURRENT: GRADE:                      STEP:                      SALARY:

JOB PERFORMANCE EVALUATION  
YEAR      1      2      3      4      (CIRCLE)

                     Date                      DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND  
GRADE:                      STEP:                      SALARY: \$

DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP  
RAISE. (YEAR      2      3      4)  
GRADE:                      STEP:                      SALARY: \$

                     DATE OF EMPLOYEE

RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE STEP/MERIT RAISE:  
Date:                      GRADE:                      STEP:                      SALARY: \$

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

\*\*\*\*\*

DEPARTMENT RECOMMENDATION  
Sueann M Chaney  
DATE: November 29, 2018

COUNTY MANAGER APPROVAL  
Frank Heath  
DATE: 11/30/18

FINANCE OFFICER  
\_\_\_\_\_  
DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: \_\_\_\_\_

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Susan Chaney

SOC. SEC. NO.: \_\_\_\_\_

POSITION: Social Services Director

DEPT.: Social Services

NEW EMPLOYEE EFFECTIVE DATE: \_\_\_\_\_

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

ENDING DATE OF PROBATIONARY PERIOD: \_\_\_\_\_

CURRENT: GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

JOB PERFORMANCE EVALUATION

YEAR      1      2      3      4      (CIRCLE)

\_\_\_\_\_ DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND RECOMMENDATION BY DEPARTMENT FOR PERMANENT STATUS.  
GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\_\_\_\_\_ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE. (YEAR      2      3      4)      (CIRCLE)  
GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\_\_\_\_\_ DATE OF EMPLOYEE TERMINATION DUE TO UNSUCCESSFUL PROBATIONARY PERIOD.

12/1/18 RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.  
GRADE: 79 STEP: 9 SALARY: \$73,429

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

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DEPARTMENT RECOMMENDATION

COUNTY MANAGER APPROVAL

\_\_\_\_\_

*Frank Heath (per attached letter)*

DATE: \_\_\_\_\_

DATE: 11/27/10

FINANCE OFFICER

\_\_\_\_\_

DATE: \_\_\_\_\_

November 27, 2018

177 Perrys Bridge Rd  
Belvidere, NC 27919

Mrs. Mary Hunnicutt  
Perquimans County Commissioners

Dear Mrs. Hunnicutt:

I have spoken with Board members Charles Woodard and Brenda Dillard regarding the evaluation and merit raise for Mrs. Susan Chaney Perquimans Social Services Director.

The entire Board wishes to recommend Director Chaney receive a merit raise for her wonderful service to the DSS and the community as a whole.

Please let me know if you need further documentation.

Sincerely,



Dianne M. Layden, Chair  
Perquimans County DSS Board

EMPLOYMENT ACTION FORM

DATE SUBMITTED: \_\_\_\_\_

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Beverly Gregory

SOC. SEC. NO.: \_\_\_\_\_

POSITION: Senior Citizens Coordinator

DEPT.: Senior Citizens

NEW EMPLOYEE EFFECTIVE DATE: \_\_\_\_\_

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

ENDING DATE OF PROBATIONARY PERIOD: \_\_\_\_\_

CURRENT: GRADE: 63 STEP: 9 SALARY: \$36,308

JOB PERFORMANCE EVALUATION

YEAR 1 2 3 4 (CIRCLE)

\_\_\_\_\_ DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND RECOMMENDATION BY DEPARTMENT FOR PERMANENT STATUS. GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\_\_\_\_\_ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE. (YEAR 2 3 4) GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\_\_\_\_\_ DATE OF EMPLOYEE TERMINATION DUE TO UNSUCCESSFUL PROBATIONARY PERIOD.

12/1/18 RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE PROMOTION. GRADE: 63 STEP: 10 SALARY: \$37,214

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

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DEPARTMENT RECOMMENDATION

COUNTY MANAGER APPROVAL

\_\_\_\_\_

W. Frank Heath III

DATE: \_\_\_\_\_

DATE: 11/26/18

FINANCE OFFICER

\_\_\_\_\_

DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: 11/26/18

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Alice Copeland  
POSITION: Income Maintenance Caseworker II  
SOC. SEC. NO.  
DEPT.: Social Services

EMPLOYEE EFFECTIVE DATE:

GRADE: STEP: SALARY: \$

ENDING DATE OF PROBATIONARY PERIOD:

CURRENT: GRADE: STEP: SALARY:

JOB PERFORMANCE EVALUATION

YEAR 1 2 3 4 (CIRCLE)

DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND

GRADE: STEP: SALARY: \$

DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE. (YEAR 2 3 4)

GRADE: STEP: SALARY: \$

DATE OF EMPLOYEE

XXX  RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE STEP RAISE:  
Date: 12/1/2018 GRADE: 63 STEP: 5 SALARY: \$ 32,931.00

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

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DEPARTMENT RECOMMENDATION

Suzanne M. Chamey

DATE: November 26, 2018

COUNTY MANAGER APPROVAL

Frank Heath

DATE: 11/27/18

FINANCE OFFICER

DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: 11/26/18

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Robin Gieseke

SOC. SEC. NO.

POSITION: Income Maintenance Caseworker II

DEPT.: Social Services

EMPLOYEE EFFECTIVE DATE:

GRADE: STEP: SALARY: \$

ENDING DATE OF PROBATIONARY PERIOD:

CURRENT: GRADE: STEP: SALARY:

JOB PERFORMANCE EVALUATION

YEAR 1 2 3 4 (CIRCLE)

DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND

Date

GRADE: STEP: SALARY: \$

DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP

RAISE. (YEAR 2 3 4)

GRADE: STEP: SALARY: \$

DATE OF EMPLOYEE

XXX  RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE:

Date: 12/1/2018 GRADE: 63 STEP: 8 SALARY: \$ 35,442.00

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

\*\*\*\*\*

DEPARTMENT RECOMMENDATION

COUNTY MANAGER APPROVAL

Suzan M Chaney

Frank Heath

DATE: November 26, 2018

DATE: 11/27/18

FINANCE OFFICER

\_\_\_\_\_

DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: \_\_\_\_\_

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Penny Trueblood

SOC. SEC. NO.: \_\_\_\_\_

POSITION: Assistant Senior Citizen Coordinator

DEPT.: Senior Citizens Center

NEW EMPLOYEE EFFECTIVE DATE: \_\_\_\_\_

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

ENDING DATE OF PROBATIONARY PERIOD: \_\_\_\_\_

CURRENT: GRADE: 60 STEP: 6 SALARY: 29,579

JOB PERFORMANCE EVALUATION

YEAR (1) 2 3 4 (CIRCLE)

12-1-18 DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND RECOMMENDATION BY DEPARTMENT FOR PERMANENT STATUS. GRADE: 60 STEP: 7 SALARY: 30,301

\_\_\_\_\_ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE. (YEAR 2 3 4) GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

\_\_\_\_\_ DATE OF EMPLOYEE TERMINATION DUE TO UNSUCCESSFUL PROBATIONARY PERIOD.

\_\_\_\_\_ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE. DATE GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

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DEPARTMENT RECOMMENDATION

COUNTY MANAGER APPROVAL

[Signature]  
DATE: 11/26/18

[Signature]  
DATE: 11/30/18

FINANCE OFFICER

\_\_\_\_\_  
DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: 11/26/18

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Brian Watson

SOC. SEC. NO.: \_\_\_\_\_

POSITION: Deputy

DEPT.: Sheriff

NEW EMPLOYEE EFFECTIVE DATE: \_\_\_\_\_  
GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_  
ENDING DATE OF PROBATIONARY PERIOD: \_\_\_\_\_

CURRENT: GRADE: 45 STEP: 1 SALARY: 32,617

JOB PERFORMANCE EVALUATION

YEAR 1 2 3 4 (CIRCLE)

\_\_\_\_\_ DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND RECOMMENDATION BY DEPARTMENT FOR PERMANENT STATUS.  
Date GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

11/26/18 DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE. (YEAR 2 3 4)  
Date GRADE: 65 STEP: 2 SALARY: 33,434

\_\_\_\_\_ DATE OF EMPLOYEE TERMINATION DUE TO UNSUCCESSFUL PROBATIONARY PERIOD.  
Date

\_\_\_\_\_ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.  
Date GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

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DEPARTMENT RECOMMENDATION  
Shelton White  
DATE: 11-26-18

COUNTY MANAGER APPROVAL  
Frank Heath  
DATE: 11/30/18

FINANCE OFFICER  
\_\_\_\_\_  
DATE: \_\_\_\_\_



EMPLOYMENT ACTION FORM

DATE SUBMITTED: 11/26/18

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: DAVID Murray

SOC. SEC. NO.: \_\_\_\_\_

POSITION: Sergeant

DEPT.: Sheriff

NEW EMPLOYEE EFFECTIVE DATE: \_\_\_\_\_

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

ENDING DATE OF PROBATIONARY PERIOD: \_\_\_\_\_

CURRENT: GRADE: 67 STEP: 3 SALARY: 37,400

JOB PERFORMANCE EVALUATION

YEAR 1 2 3 4 (CIRCLE)

\_\_\_\_\_ DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND RECOMMENDATION BY DEPARTMENT FOR PERMANENT STATUS. GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

11/26/18 DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE. (YEAR 2 3 4) GRADE: 67 STEP: 4 SALARY: 38,338

\_\_\_\_\_ DATE OF EMPLOYEE TERMINATION DUE TO UNSUCCESSFUL PROBATIONARY PERIOD.

\_\_\_\_\_ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE. Date GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

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DEPARTMENT RECOMMENDATION

COUNTY MANAGER APPROVAL

Shelton White

Frank Heath

DATE: 11-26-18

DATE: 11/30/18

FINANCE OFFICER

\_\_\_\_\_

DATE: \_\_\_\_\_

EMPLOYMENT ACTION FORM

DATE SUBMITTED: 11/26/18

COUNTY OF PERQUIMANS

STATUS: NEW EMPLOYEE/PROBATIONARY PERIOD/MERIT RAISE

NAME: Robert Farrar

SOC. SEC. NO.: \_\_\_\_\_

POSITION: Deputy

DEPT.: Sheriff

NEW EMPLOYEE EFFECTIVE DATE: \_\_\_\_\_

GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

ENDING DATE OF PROBATIONARY PERIOD: \_\_\_\_\_

CURRENT: GRADE: 65 STEP: 7 SALARY: 37,760

JOB PERFORMANCE EVALUATION

YEAR 1 2 3 4 (CIRCLE)

\_\_\_\_\_ DATE OF SUCCESSFUL COMPLETION OF PROBATIONARY PERIOD AND RECOMMENDATION BY DEPARTMENT FOR PERMANENT STATUS. GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

11/26/18 DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE. (YEAR 2 3 4) GRADE: 65 STEP: 8 SALARY: 38,703

\_\_\_\_\_ DATE OF EMPLOYEE TERMINATION DUE TO UNSUCCESSFUL PROBATIONARY PERIOD.

\_\_\_\_\_ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE. Date GRADE: \_\_\_\_\_ STEP: \_\_\_\_\_ SALARY: \_\_\_\_\_

THE ABOVE NAMED COUNTY EMPLOYEE IS BEING RECOMMENDED FOR THE INCREASE IN SALARY LISTED ABOVE BASED ON HIS/HER WORK PERFORMANCE EVALUATION COMPLETED: \_\_\_\_\_ PER THE COUNTY PERSONNEL POLICY.

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DEPARTMENT RECOMMENDATION

COUNTY MANAGER APPROVAL

Shelton White

Frank Heath

DATE: 11-26-18

DATE: 11/30/18

FINANCE OFFICER

\_\_\_\_\_

DATE: \_\_\_\_\_

**BUDGET AMENDMENT**  
**PERQUIMANS COUNTY BOARD OF COMMISSIONERS**  
**GENERAL FUNDS**  
**NO. 8**

THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS AT A MEETING ON THE 3rd DAY OF DECEMBER, 2018, PASSED THE FOLLOWING AMENDMENTS TO THE FY 2018 - 2019 BUDGET.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-012	State Grant - Emergency Management	2,000	
10-530-337	NC TIER II Grant	2,000	
<b>EXPLANATION:</b> To amend FY 18/19 budget to include the 2018 NC TIER II Grant. (Award: LEPC 1809)			

WE, THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY, HEREBY ADOPT AND APPROVE, BY RESOLUTION, THE CHANGES IN THE COUNTY BUDGET AS INDICATED ABOVE, AND HAVE MADE ENTRY OF THESE CHANGES IN THE MINUTES OF SAID BOARD, THIS 3rd DAY OF DECEMBER, 2018.

PASSED BY MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY ON 3rd DAY OF DECEMBER, 2018.

\_\_\_\_\_  
Chairman, Board of Commissioners

\_\_\_\_\_  
Finance Officer

## Part 4. Personnel.

**§ 153A-92. Compensation.**

(a) Subject to the limitations set forth in subsection (b) of this section, the board of commissioners shall fix or approve the schedule of pay, expense allowances, and other compensation of all county officers and employees, whether elected or appointed, and may adopt position classification plans.

(b) In exercising the authority granted by subsection (a) of this section, the board of commissioners is subject to the following limitations:

- (1) The board of commissioners may not reduce the salary, allowances, or other compensation paid to an officer elected by the people for the duties of his elective office if the reduction is to take effect during the term of office for which the incumbent officer has been elected, unless the officer agrees to the reduction or unless the Local Government Commission pursuant to Chapter 159, Article 10, orders a reduction.
- (2) During the year of a general election, the board of commissioners may reduce the salary, allowances, or other compensation of an officer to be elected at the general election only in accordance with this subdivision. The board of commissioners shall by resolution give notice of intention to make the reduction no later than 14 days before the last day for filing notice of candidacy for the office. The resolution shall set forth the reduced salary, allowances, and other compensation and shall provide that the reduction is to take effect at the time the person elected to the office in the general election takes office. Once adopted, the resolution may not be altered until the person elected to the office in the general election has taken office. The filing fee for the office shall be determined by reference to the reduced salary.
- (3) If the board of commissioners reduces the salaries, allowances, or other compensation of employees assigned to an officer elected by the people, and the reduction does not apply alike to all county offices and departments, the elected officer involved must approve the reduction. If the elected officer refuses to approve the reduction, he and the board of commissioners shall meet and attempt to reach agreement. If agreement cannot be reached, either the board or the officer may refer the dispute to arbitration by the senior resident superior court judge of the superior court district or set of districts as defined in G.S. 7A-41.1 in which the county is located. The judge shall make an award within 30 days after the day the matter is referred to him. The award may extend for no more than two fiscal years, including the fiscal year for which it is made.
- (4) The board of commissioners shall fix their own salaries, allowances, and other compensation in accordance with G.S. 153A-28.
- (5) The board of commissioners shall fix the salaries, allowances and other compensation of county employees subject to the North Carolina Human Resources Act according to the procedures set forth in Chapter 126. The board may make these employees subject to a county position classification plan only as provided in Chapter 126.

(c) In counties with a county manager, the manager is responsible for preparing position classification and pay plans for submission to the board of commissioners and for administering the pay plan and any position classification plan in accordance with general policies and directives adopted by the board. In counties without a county manager, the board

of commissioners shall appoint or designate a personnel officer, who shall then be responsible for administering the pay plan and any position classification plan in accordance with general policies and directives adopted by the board.

(d) A county may purchase life insurance or health insurance or both for the benefit of all or any class of county officers and employees as a part of their compensation. A county may provide other fringe benefits for county officers and employees. In providing health insurance to county officers and employees, a county shall not provide abortion coverage greater than that provided by the State Health Plan for Teachers and State Employees under Article 3B of Chapter 135 of the General Statutes. (1927, c. 91, s. 8; 1953, c. 1227, ss. 1-3; 1969, c. 358, s. 1; c. 1017; 1973, c. 822, s. 1; 1987 (Reg. Sess., 1988), c. 1037, s. 122; 2013-366, s. 2(b); 2013-382, s. 9.1(c).)



# PERQUIMANS COUNTY BOARD OF COMMISSIONERS

P.O. BOX 45  
HERTFORD, NORTH CAROLINA 27944  
TELEPHONE: 1-252-426-7550

WALLACE E. NELSON  
CHAIRMAN  
FONDELLA A. LEIGH  
VICE CHAIR  
JOSEPH W. HOFFLER  
T. KYLE JONES  
EDWARD R. MUZZULIN  
CHARLES WOODARD  
W. HACKNEY HIGH, JR.  
COUNTY ATTORNEY

MARY P. HUNNICUTT  
CLERK TO BOARD

W. FRANK HEATH, III  
COUNTY MANAGER

## Resolution in Support of Juvenile Crime Prevention Council Allocation Expansion

**WHEREAS**, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and Perquimans County to ensure a local continuum for court involved and at-risk juveniles; and

**WHEREAS**, Perquimans County JCPC funding at \$64,160 per year has seen no increase in more than nine years, while Perquimans County JCPC funded programs have admitted more than 330 juveniles during this time; and

**WHEREAS**, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019, and also encourages School Justice Partnerships that reduce school-based juvenile complaints thereby increasing the need for immediate and age-appropriate services; and

**WHEREAS**, the Perquimans County JCPC, provided adequate funding allocation is available, is already aligned to assist the local School Justice Partnership with addressing resource and diversion programming needs for youth who commit school-based offenses; and,

**WHEREAS**, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future;

**NOW, THEREFORE BE IT RESOLVED**, that Perquimans County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act, Raise the Age Legislation, set for December 1, 2019.

Adopted this 3<sup>rd</sup> day of December, 2018.

\_\_\_\_\_  
Wallace E. Nelson, Chairman  
Perquimans County Board of Commissioners

**ATTESTED:**

\_\_\_\_\_  
Mary P. Hunnicutt, Clerk to the Board  
Perquimans County Board of Commissioners

SEAL

5 Nov. 2018

Subject: Perquimans Recreation Board

To: Perquimans County Commissioners

From: Archie L Aples

I am resigning from my appointment on the Perquimans County Recreation Board effective immediately. Thank you for your support while I served in that position. I wish you continued success in making the recreation department an asset to our community.



Archie L Aples



107 N. Front Street  
Post Office Box 7  
Hertford, NC 27944

Phone: (252) 426-7010  
(252) 426-5564  
Fax: (252) 426-3624

**PERQUIMANS COUNTY  
TAX DEPARTMENT**

**Enforced Collections-November 2018**

**GARNISHMENTS: \$1,195.86**

**PAYMENT AGREEMENTS: \$12,233.00**

**DEBT SETOFFS: \$1126.85**



PRESENTED  
TO  
EDWARD R. MUZZULIN  
IN  
RECOGNITION OF HIS  
EIGHT YEARS  
OF OUTSTANDING SERVICE AS  
COUNTY COMMISSIONER  
BY  
PERQUIMANS COUNTY BOARD OF COMMISSIONERS  
ON  
MONDAY, DECEMBER 3, 2018



**RESOLUTION OF APPRECIATION**

**WHEREAS**, Ed Muzzulin has determined that he will not seek another term as Perquimans County Commissioner/Tourism Development Authority Board Chairman; and

**WHEREAS**, Ed Muzzulin has served the Perquimans County Tourism Development Authority for many years; and

**WHEREAS**, Mr. Muzzulin always directed the Authority in an objective, thorough and professional manner; and

**WHEREAS**, the Perquimans County Tourism Development Authority Board of Directors extends a heartfelt note of appreciation for Ed Muzzulin's extraordinary efforts in directing the operations and ensuring the solidity of the Authority.

**NOW, THEREFORE, BE IT RESOLVED** that the Perquimans County Tourism Development Authority Board of Directors does hereby express its appreciation on behalf of the Board, staff and citizens of Perquimans County to Ed Muzzulin for his loyalty and commitment to tourism procedures and initiatives in Perquimans County. The Perquimans County Tourism Development Authority Board of Directors extends its best wishes to Ed Muzzulin in his future endeavors.

**ADOPTED** this the 7th day of November, 2018

---

Mary White, Secretary  
Perquimans County Tourism Development Authority  
Board of Directors

**ATTEST:**

---

Sharon Smith, Tourism Director

**ELECTION – CHAIRMAN/VICE CHAIR**

1. **Open the floor for nominations for Chair/Chairman of the Board:**

\_\_\_\_\_ nominated \_\_\_\_\_  
\_\_\_\_\_ nominated \_\_\_\_\_

2. **Ask for a motion and a second to close the nominations for Chair/Chairman.**
3. **Call for a vote for Chair/Chairman.**

\*\*\*\*\*

1. **Open the floor for nominations for Vice Chair/Chairman of the Board:**

\_\_\_\_\_ nominated \_\_\_\_\_  
\_\_\_\_\_ nominated \_\_\_\_\_

2. **Ask for a motion and a second to close the nominations for Vice Chair/Vice Chairman.**
3. **Call for a vote for Vice Chair/Vice Chairman.**

**From:** Bland Baker [mailto:Bland.Baker@trilliumnc.org]  
**Sent:** Thursday, November 08, 2018 2:31 PM  
**To:** mhunnicutt@perquimanscountync.gov  
**Subject:** [External] FW: Advisory Board

Good afternoon Ms. Hunnicutt,

Hope you are doing well. I am reaching out to you for some help. My Northern Regional Advisory Board has a slot to fill from Perquimans County. Commissioner Nelson is the commissioner representative for Perquimans County but we also have a slot in the "other" category.

I have attached the criteria from the State Statute regarding the qualifications for the "other" position on my board for some guidance. I realize that it is hard to find someone who has the time to serve on various boards.

Someone from DSS or maybe the Health Department could be a possibility or maybe just a concerned citizen. There is a \$50.00 dollar stipend plus travel for attending the meetings. I was wondering if you could get this on your agenda in the near future.

The Advisory Board meets every other month in Ahoskie so our next meeting would be in January. It is the second Tuesday of the month at 4:00PM.

I realize that you may not be able to find someone who is willing to serve. I have a few other counties that struggle with this appointment. We'll just keep on trying.

Thanks for your help!

Bland

### **CRITERIA FROM THE STATE STATUTE REGARDING THE QUALIFICATIONS FOR THE "OTHER" POSITION**

- (3) At least one family member of the local CFAC, as recommended by the local CFAC, representing the interests of the following:
  - a. Individuals with mental illness.
  - b. Individuals in recovery from addiction.
  - c. Individuals with intellectual or other developmental disabilities.
- (4) At least one openly declared consumer member of the local CFAC, as recommended by the local CFAC, representing the interests of the following:
  - a. Individuals with mental illness.
  - b. Individuals with intellectual or other developmental disabilities.
  - c. Individuals in recovery from addiction.
- (5) An individual with health care expertise and experience in the fields of mental health, intellectual or other developmental disabilities, or substance abuse services.
- (6) An individual with health care administration expertise consistent with the scale and nature of the managed care organization.
- (7) An individual with financial expertise consistent with the scale and nature of the managed care organization.
- (8) An individual with insurance expertise consistent with the scale and nature of the managed care organization.
- (9) An individual with social services expertise and experience in the fields of mental health, intellectual or other developmental disabilities, or substance abuse services.
- (10) An attorney with health care expertise.
- (11) A member who represents the general public and who is not employed by or affiliated with the Department of Health and Human Services, as appointed by the Secretary.

## LIST OF BOARD MEMBERS

AS OF 11/30/2018

Name	Board/Committee	Term	Appt.	Expire
<b>JOSEPH HOFFLER</b>				
Hoffler, Joseph	Communications Advisory Board - County	2 yrs.	2/1/2017	1/31/2019
Hoffler, Joseph	Court Security Committee	unlimited	2/1/2017	unlimited
Hoffler, Joseph	Perquimans/Chowan/Gates Landfill Committee	indefinite	2/1/2017	indefinite
<b>KYLE JONES</b>				
Jones, Kyle	Court Security Committee	unlimited	1/5/2015	unlimited
Jones, Kyle	Home & Community Care Block Grant	unlimited	12/3/2012	unlimited
Jones, Kyle	Inter-Agency Council - Commissioner	1 yr.	7/1/2018	6/30/2019
Jones, Kyle	Water Committee	unlimited	2/1/2011	unlimited
<b>FONDELLA LEIGH</b>				
Leigh, Fondella	Albemarle Commission	unlimited	1/1/2015	unlimited
Leigh, Fondella	Economic Development Commission - County	2 yrs.	2/1/2017	1/31/2019
Leigh, Fondella	Housing Committee Chairman	unlimited	1/5/2015	unlimited
Leigh, Fondella	Recreation Advisory Committee - Commissioner	3 yrs.	7/1/2017	6/30/2020
Leigh, Fondella	Senior Citizens Advisory Board	2 yrs.	2/1/2017	1/31/2019
Leigh, Fondella	Water Committee	unlimited	1/5/2015	unlimited
Leigh, Fondella	WIA/JTPA Chief Elected Official	unlimited	1/5/2015	unlimited
Leigh, Fondella	Northeastern Workforce Development Consortium	unlimited	2/1/2015	unlimited
<b>EDWARD MUZZULIN</b>				
Muzzulin, Edward	Albemarle District Jail Commission	2 yrs.	2/1/2017	1/31/2019
Muzzulin, Edward (term 2)	Albemarle Hospital Board of Trustees	3 yrs.	1/1/2016	12/31/2019
Muzzulin, Edward	Albemarle Regional Landfill Authority	4 yrs.	2/1/2017	1/31/2021
Muzzulin, Edward	Board Trustees for Bethel Fire Dept.	1 yr.	10/1/2018	9/30/2019
Muzzulin, Edward	Economic Development Commission - County	2 yrs.	2/1/2017	1/31/2019
Muzzulin, Edward	EMS Advisory Board	2 yrs.	2/1/2017	1/31/2019
Muzzulin, Edward	Hertford Step Community Program	unlimited	2/1/2011	unlimited
Muzzulin, Edward	Historic Hertford, Inc.	3 yrs.	7/1/2017	6/31/2020
Muzzulin, Edward	Perquimans/Chowan/Gates Landfill Committee	indefinite	1/5/2015	indefinite
Muzzulin, Edward	RPO Transportation Advisory Committee	2 yrs.	2/1/2017	1/31/2019
Muzzulin, Edward (Chairman)	Tourism Development Authority (Commissioners)	2 yrs.	4/1/2018	3/31/2020
Muzzulin, Edward	Water Committee	unlimited	2/1/2017	unlimited
<b>WALLACE NELSON</b>				
Nelson, Wallace	Albemarle Commission ( <i>alternate</i> )	unlimited	9/1/2018	unlimited
Nelson, Wallace	Albemarle Regional Health Services	indefinite	1/5/2015	unlimited
Nelson, Wallace	Chowan/Perquimans Multi-County LEPC	1 yr.	1/1/2018	12/31/2018
Nelson, Wallace	COA - Board of Trustees	4 yrs.	7/1/2017	6/30/2021
Nelson, Wallace	Economic Development Commission - County	2 yrs.	2/1/2017	1/31/2019
<b>CHARLES WOODARD</b>				
Woodard, Charles	Agricultural Advisory Board - Commissioner	3 yrs.	2/1/2018	1/31/2021
Woodard, Charles	Chamber of Commerce Board	unlimited	2/7/2011	unlimited
Woodard, Charles	Social Services Board ( <i>as long as Commissioner</i> )	3 yrs.	7/1/2016	6/30/2019
Woodard, Charles	Tourism Development Authority (Commissioners)	2 yrs.	2/1/2017	1/31/2019
Woodard, Charles	Tri-County Shelter Advisory Committee Board	unlimited	2/1/2013	unlimited

Board/Committee	Meetings	Purpose
Aging Advisory Council	meets at least quarterly for a half-day session	It consists of older individuals who are participants or who are eligible to participate in programs assisted under the Older Americans Act of 1965, representatives of older individuals, local elected officials, providers of veterans' health care, and the general public, to advise continuously the Area Agency on Aging on all matters relating to the development of the area plan, the administration of the plan and operations conducted under the plan.
Agricultural Advisory Board	A meeting shall be held at least annually and notice of any meetings	Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy and agricultural, horticultural or forestry activities within the county that will affect agricultural districts;
Albemarle Commission	Meeting dates are typically the third Thursday of each month. With the exception of August and December. During those months the Board does not meet.	The mission of the Albemarle Commission is to improve the ability of our member governments to enhance the quality of the lives of our citizens in the Albemarle Region through direct service, grant writing, planning and assessment, program development and management, as multi-agency public-private partnership.
Albemarle District Jail Commission	The Jail Commission usually meets once a month. We like to try and meet the 2 <sup>nd</sup> Thursday of each month. Some months we meet at 3:00 and some months we meet at 4:00. If we don't have a quorum and we have a lot to discuss and have some decisions that have to be made before the next regular meeting we may have a special meeting.	Albemarle District Jail is a 3 county/regional jail (Camden, Pasquotank and Perquimans) and there are 2 members on the Board from Pasquotank, 1 from Camden and 1 from Perquimans. They meet to discuss different things going on at the jail for instance, budget items, contracts, employees, etc.
Albemarle Hospital Board of Trustees	Meets quarter to renew lease agreement	
Albemarle Regional Health Services	The ARHS Board member will be expected to attend an Executive Committee Meeting once per month on the fourth Tuesday at 6:00 PM and every other month will stay for the Full Board of Health Meeting at 7:00PM. I have attached our meeting schedule for next year. The time commitment is about one hour for each meeting unless someone gets verbose. We do provide dinner and pay \$50.00 for each attended meeting.	Chief function is to govern the organization in the provision of the NC General Statutes as they pertain to required Public Health Services, Public Transportation and other less know programs.
Albemarle Regional Landfill Authority	The Authority usually meets twice a year unless it is conducting additional business outside the norm. Those meetings usually fall in March and June. At the March meeting the Board elects officers, reviews the prior year's audit and discusses the draft budget for the next Fiscal Year. At the June Meeting the Board approves the new Fiscal Year Budget and related documents.	The primary purpose of the ARSWMA Board is to oversee the contract with Republic Services of NC, LLC for the management of the county transfer stations and the use of the ECE Landfill in Bertie County.

Board/Committee	Meetings	Purpose
Albemarle Resource Conservation & Development Council	two-day meetings five times per year, in different locations along the coast	to assist in an advisory capacity on matters including technical questions relating to the development of rules, and on other coastal issues.
Animal Control Board	This committee only hold meetings on an as needed basis	Handles appeals from vicious dog complaints.
Board of Adjustments	3rd Thursday of each month at 7:00 p.m. in Commissioners' Room	Hears & decides on appeals from any order, decision, requirement, or interpretation made by the Zoning Administrator; Applications for variances to Zoning Ordinance requirements & any other matter the Board is required to act upon according to any other county Ordinance.
Board Trustees for Belvidere/Chappell Hill Fire Dept.	Meeting whenever necessary	Oversees financial matters for Bethel Fire Dept.
Board Trustees for Bethel Fire Dept.	Meeting whenever necessary	Oversees financial matters for Bethel Fire Dept.
Board Trustees for Durant's Neck	Meeting whenever necessary	Oversees financial matters for Bethel Fire Dept.
Board Trustees for Inter-County Fire Dept.	Meeting whenever necessary	Oversees financial matters for Bethel Fire Dept.
CFPT	Meets quarterly (March, June, Sept., Dec.) the 2nd Thursday at 2:30pm at the DSS office.	State law to review child deaths and report any gaps in services or recommendations to educate and/or prevent from happening in the future
Chamber of Commerce Board	meets once per month	The Chamber supports the businesses in our county and area. It also houses the Visitor Center for the county where information is given out about our county and area and visitors are welcomed. The Chamber acts as a resource center for start-up businesses. The Chamber keeps the Visit Perquimans webpage up-to-date, answers email requests about the county, updates a Facebook account, and hosts the Jim "Catfish" Hunter Museum.
Chowan/Perquimans Smart Start Partnership	Meets once a month on 3rd Tuesday of the month at 12:30 p.m. at various locations	To facilitate collaboration & coordination of comprehensive family support services for all children to maximize school preparedness & to ultimately develop future productive citizens.
Chowan/Perquimans Multi-County LEPC	The general membership of the LEPC (Local Emergency Planning Committee) is only required to meet once a year. The LEPC planning committee usually meets quarterly. There is no particular date set up for any meetings.	LEPC's coordinate hazardous material planning, preparedness, response, and mitigation issues at the local level. They also develop and maintain a written community level hazardous materials emergency response plan.
COA - Board of Trustees	meet at least six times each year, once per quarter, on the second Tuesday of the month starting at 5:30 p.m. during the months of February, April, June, August, October and December and at other times as needed. The meetings are held on the Elizabeth City Campus. Periodically, the Chair of the Board shall fix another time and/or place for the meeting. The remaining board dates for fiscal year 2012-2013 are: February 12, 2013; April 9, 2013; and, June 11, 2013.	The purpose of our Board of Trustees is to govern the college.

Board/Committee	Meetings	Purpose
Communications Advisory Board	Meets quarterly, on the last Thursday of the month at 7:00 p.m. The location rotates, a meal is served at meeting and it is host by different board members each quarter.	At this meeting any agency that is service by the Perquimans Co. 911 is present and if there is any matter or problem, that needs clarification is discussed.
Community Advisory Committee	Attend quarterly meetings	<p>Duties of the Community Advisory Committee</p> <p>Volunteer members: (1) To work to maintain the intent of the Resident's Bill of Rights; (2) To serve as the nucleus for increased community interaction with facilities; (3) To promote communication, education, and awareness of issues affecting institutionalized elderly; (4) To assist persons who have grievances with the home, and facilitate the resolution of grievances at the local level whenever appropriate.</p>
County Attorney	Appointed every 2 years	Handles the legal affairs of the county
County Historians	meets whenever necessary	Maintains the history of the county
Court Security Committee	Meets on an as needed basis	To oversee security for the courthouses.
Economic Development Commission	Meets the 4th Wednesday of each month at 4:00 p.m. in Commissioner Room	Oversees economic development issues for the county
Economic Improvement Council	March 15, 2012, May 17, 2012, July 19, 2012, September 20, 2012, November 15, 2012 (Cancelled to November 28, 2012); Board meetings are held at the Edenton Administrative Office 721 Virginia Road, Edenton, North Carolina at 1:00 pm.	The Board of Directors shall have legal and fiscal responsibility for administering and overseeing all programs under the Economic Improvement Council, Inc. and safeguarding of Federal and State Funds.
EMS Advisory Board	meets quarterly but not on any specific date or time.	To analyze the System's data to evaluate the ongoing quality of patient care and medical direction within the system.
Extraterritorial Rep - Town of Hertford	meets on the 3 <sup>rd</sup> Monday of each month	assists with Planning & Zoning issues in the 1-mile radius of Town of Hertford
Historic Hertford, Inc. Board	Meets the 3 <sup>rd</sup> Wednesday of each month.	To promote the Downtown and the Historic Districts of Hertford
Home & Community Care Block Grant	We're scheduled to meet twice yearly, in spring to plan for the next fiscal year, and in late fall to make any necessary adjustments to the funding plan. There may be additional meetings called if issues arise.	In Perquimans County, the function is to decide how the Home and Community Care Block Grant will be distributed among services.
Housing Committee	This committee only hold meetings on an as needed basis	Their purpose is the selecting and prioritizing houses for the SSH Applications for CDBG Grant Funds
Industrial Facilities & Pollution Control Financing	<b>Inactive Committee</b>	
Inter-Agency Council	Second Thursday at 7:30 am Board of Education. They meet monthly with the exception of July.	The council is responsible for planning for and making recommendations to the county regarding evidence-based programming for juveniles at-risk of delinquency, through the NC Dept of Public Safety, Juvenile Crime Prevention allocation to Perquimans County.
Jury Commission	meets once or twice (for several hours) every other year	To review list of potential jurors received from the registered voter rolls and list of licensed drivers residing in Perquimans County and to remove any duplicate listings and to remove the name of any person that the commission feels is not eligible or able to serve as a juror.



Board/Committee	Meetings	Purpose
Local Library Board	The Local Board of Trustees consists of 8 members appointed by the Perquimans County Board of Commissioners to represent the different areas of the county. The term of office shall be four years, with the terms of two appointees expiring each year. The meetings of the Perquimans County Library Board are held on the first Tuesday of February, April, June, August, October and December at 5:00 pm in the Perquimans County Library	To oversee the needs of the Local Library System.
Medical Director of Perquimans County	e-mailed Jonathan	
Workforce Innovation and Opportunity Board		The Consortium created the bylaws for the new WIOA Board. The Bylaws outline the process for the selection and appointment of board members and were created to be in line with the requirements of WIOA. WIOA gives the authority to appoint board members to the Chief Elected Official – the Chief Elected Official in our region is the Consortium Chairman. In accordance with the bylaws, all board members (even the business representatives) are appointed by the Consortium. The bylaws allow for a 2 year term that could be renewed 4 times for a maximum total of 8 years of services. If we need replacements, Mr. Whitmer will notify the Clerk to the Board and contact the Chamber for help to source candidates.
Northeast Regional Workforce Development Board (Consortium)	in the process of being revamped	
Perquimans/Chowan/Gates Landfill Committee	The PCG Board meets in June and at other times as needed.	The PCG Landfill Commission Board oversees the daily management of the PCG Landfill, which is a department of Albemarle Regional Health Services. The Board makes budget recommendations to ARHS, approves upcoming projects and grants, changes in program management and contracts with outside companies and government agencies. The Board sets disposal rates and rules for managing the PCG Landfill facility. It makes sure that the facility complies with state and federal rules and is fully licensed to operate.
Planning Board	Meets the 2nd Tuesday of each month at 7:30 p.m. in Commissioners' Room	Makes recommendations to the Board of County Commissioners concerning Conditional Use Permits, Zoning Map Amendments, Zoning Text Amendments, Major Subdivisions, Subdivision Variances, & Subdivision Test Amendments; Approval of Sketch Plans for Major Subdivisions; & approval of proposed Street Names.
RC&D Council	Meets on a quarterly basis	To assist the Counties to wisely conserve natural resources and create opportunities for positive economic & community development.

Board/Committee	Meetings	Purpose
Recreation Advisory Committee	Regular meetings of the Recreational Advisory Board are held on Tuesday at 7:00 pm during the 2nd week of the month on a quarterly basis. Meetings are held at the Perquimans County Community Center.	The Recreational Advisory Board was established as a consultative board to the Perquimans County Recreation Department. The Director reports current and upcoming activities and any concerns from the board are discussed.
Regional Library Board	The Regional Board consists of 12 members, with each county represented by three trustees from our local boards. It normally meets six times a year. The 4 <sup>th</sup> Monday of Jan, March, May, June Sept and November.	To oversee the needs of the Regional Library System.
RPO Rural Technical Coordinating Committee	January, April, July, and October at Albemarle Commission Building	Rural Planning Organizations were formed in 2000 to provide rural areas the opportunity to work in partnership with the NCDOT toward the development of sound short and long-range transportation planning for rural areas.
RPO Transportation Advisory Committee	Meets quarterly on the 4th Wednesday of each 1st month of the quarter at 11:00	The TAC is the policy making body of the RPO
Selective Service Board - Perquimans Rep.	Meets on an as needed basis	A Selective Service Local Board is a group of five citizen volunteers whose mission, upon a draft, will be to decide who among the registrants in their community will receive deferments, postponements, or exemption from military service based on the individual registrant's circumstances and beliefs.
Senior Citizens Advisory Board	Meet twice a year on 3rd Thursday of February and August at 2:00 p.m. at the Senior Center. Special Called Meetings are called when needed.	To investigate the needs of the citizens in our county and make recommendations in regard to suitable methods of administering senior programs.
Senior Tarheel Regional Advisory Board	meet three times a year – March, June and October, usually in Raleigh,	Assess the legislative needs of older citizens by convening a forum modeled after the North Carolina General Assembly
Social Services Board	Meets monthly - the 4th Thursday of the month at 5:30pm at the DSS office	Exercises leadership, vision & direction; exercises appropriate oversight; accountable to "moral owners" (the public/community members); selects the director of Social Services and has the responsibility to evaluate their performance (State law NCGS 108A-9 (1) and 108A-129(a) ).
Tax Assessor/Tax Collector	Appointed every 2 years	Handles the tax assessments & of the county
Technical Review Committee	Meets the last Monday of each month at 10:00 a.m. in the Commissioners' Room	Review plans for compliance with public water service requirements and to ensure conformance with other review procedures delineated in the Subdivision Regulations; & review Site Plans prior to issuance of Zoning permit or Building Permit.
Tourism Development Authority	The TDA shall hold a quarterly meeting on the first Wednesday of the first month in each quarter	The public authority under the Local Government Budget and Fiscal Control Act to oversee the Occupancy Tax Funds.

Board/Committee	Meetings	Purpose
Tri-County Shelter Advisory Committee Board	AS NEEDED, usually 2-3 times a year	An opportunity for managers and appointed commissioners from Chowan, Gates and Perquimans to meet with Tri-County Animal Shelter Director and AWARE volunteers to discuss shelter operations including budget, maintenance, programs, animal care, and other related topics as needed.
Trillium Northern Region	Initially, they will meet monthly and then less often after they have been officially set up	This is the manage care organization for Behavioral Health Services which includes a total of 23 counties. They are divided up into three regions with an Advisory Board for each region. Perquimans County is in the Northern Region. Perquimans County appoints two representatives (one commissioner or their designee; and one other individual). These individuals will serve on the Regional Board who will appoint four representatives to the overall governing Board.
Veterans Monument Comm	Meet as needed	Oversee the Veterans' Memorial Monument
Water Committee	Meets as needed to discuss operations and policy of the water system;	Makes recommendations to the Board of Commissioners for any needed changes to the Water System.
WIA/JTPA Chief Elected Official	This Board/Committee (Workforce Investment Act/ Job Training & Placement Act) only meets when the chair (who is with Albemarle Commission) convenes a meeting.	The purpose of the organization is to educate and train clients for employment and hopefully place them in the workforce.

HORACE C. REID, JR.  
MAYOR

PAMELA W. HURDLE  
TOWN MANAGER

CINDY E. SHARBER  
CLERK

BENJAMIN M. GALLOP  
TOWN ATTORNEY



COMMISSIONERS:

ARCHIE APLES

SID ELEY

FRANK NORMAN

QUENTIN JACKSON

November 20, 2018

Frank Heath  
Perquimans County Manager  
PO Box 45  
Hertford, Nc 27944

RE: Town Council Request – Exercise Room Use (Senior Center)

Dear Frank,

At the November 14, 2018 Town Council meeting, the Town Council stated that they will like to know if the County would allow the Town employees to use the Exercise Room at the Senior Center with the same use the County Employees are allowed.

If all possible, can you respond to this request before our next Town Council meeting which is December 10, 2018.

Sincerely,

Pamela Hurdle

NOV 26 2018

FOR  
INFORMATION  
ONLY  
ITEMS

# DEPARTMENT HEAD REPORTS

PLAT REVIEW LOG - PERQUIMANS COUNTY

Nov.

SURVEYOR'S NAME PLAT TITLE	SURVEYOR'S PHONE # ADDRESS	DATE IN DATE OUT	APPROVAL YES/NO	COMMENTS
Tony Webb	✓	11/6/2018	✓	A survey of plat for Timothy Scott Winslow, et al exempt subdn - gitt plat # 1-0009-0019
Edward Hyman, Jr.	✓	11/7/2018	✓	Lot Survey for Kaden J. Williams parcel # 3-0040 - AHP09-H
JH Mason Brendon Winslow	✓	11/21/18	✓	Subdivision of Parcel 5-0033-0073 also acre lot.
Bissell PO Box 1088 Kitty Hawk, NC 27949 (252) 261-3266	S. L. Cardwell Surveying 1206 Francis Street Elizabeth City, NC 27909 338-6328	Pat McDowell PO Box 391 Elizabeth City, NC 27909 338-4161		Mark Pruden 146 Oak Grove Road Edenton, NC 27932 482-7804
Bowman Consulting Paul J Toti 131 Main Street Gatesville, NC 27938 367-1581	E.T. Hyman Surveying 133 US Hwy 158 West Ste E Camden, NC 27921 335-2913	McKim & Creed 504 E Elizabeth St Ste 1 Elizabeth City, NC 27909 338-2929		Gloria Rogers 215 B Street Camden, NC 27921 338-1415/333-6781
Charles E Brown, III 2005 Johnson Road Elizabeth City, NC 27909 335-0928	Eugene Jordan 402 Sign Fine Road Tyner, NC 27980 221-4795	J H Miller Jr. 166 Cottonwood Drive Hertford, NC 27944 339-6932		Robey 133 US Hwy 158 W Ste E Camden, NC 27921 335-1888
				Saunders Surveying 510 Avena Road Black Mountain, NC 28711 (828) 669-2777
				Scott Temple PO Box 422 Elizabeth City, NC 27907 330-4016
				Tony Webb PO Box 381 Edenton, NC 27932 482-3066

3-NEW SINGLE-FAMILY DWELLINGS  
1-BUILDING PERMIT SOURCE FALLEN

PERQUIMANS COUNTY  
OFFICIAL REPORT

Board of Commissioners:  
Finance Officer:

I wish to report that during the month **Nov. 2018** I received the following funds which were duly deposited in the County's depository on the dates and in the amounts as shown:

DATE	BUILDING PERMITS #	ELECTRICAL PERMITS #	PLUMBING PERMITS #	INSULATION PERMITS #	MECHANICAL PERMITS #	MOBILE HOME #	STATE TAX	MISC	TOTAL DEPOSITED
11/1/2018									\$0
11/2/2018	482	\$70	\$50	\$50			\$10		\$662
11/3/2018									\$0
11/4/2018									\$0
11/5/2018									\$0
11/6/2018									\$0
11/7/2018									\$0
11/8/2018	576	\$477	\$180	\$50	\$385	5			\$1,668
11/9/2018									\$0
11/10/2018									\$0
11/11/2018									\$0
11/12/2018									\$0
11/13/2018									\$0
11/14/2018	132	\$60	\$70	\$50	\$275	4		\$75	\$662
11/15/2018									\$0
11/16/2018	375	\$80		\$50	\$50	1	\$10		\$565
11/17/2018									\$0
11/18/2018									\$0
11/19/2018	1,145	\$60		\$50	\$55	1	\$20		\$1,330
11/20/2018	5,610								\$5,610
11/21/2018									\$0
11/22/2018									\$0
11/23/2018									\$0
11/24/2018									\$0
11/25/2018									\$0
11/26/2018	712	\$30							\$742
11/27/2018									\$0
11/28/2018									\$0
11/29/2018									\$0
11/30/2018									\$0
<b>TOTAL</b>	<b>\$9,032</b>	<b>\$777</b>	<b>\$300</b>	<b>\$250</b>	<b>\$765</b>	<b>11</b>	<b>\$40</b>	<b>\$75</b>	<b>\$11,239</b>

Signed:  Building Inspector



SUBJ-ADDRESS 238 Hunt Club Trail  
ORDINANCE VIOLATED cars  
NOTES 7/25/17 yard is organized and clean  
5/22/17 cleaned up  
Reference cea 2015-12-1, refresh file and send letters  
DISPOSITION yard is organized and clean- no further complaints  
DISPOSITION DATE 11/27/2018

SUBJ-ADDRESS 754 Woodville Rd.  
ORDINANCE VIOLATED  
NOTES 7/25/17 pics - no debris visible, check again in winter when vegetation  
is down.  
5/24/17 clean up is under way - pic in file  
verify cleanup or not - send letter  
3/20/17 both found burned - need debris removal  
S/w (2) delap Need to sort & update  
DISPOSITION watch- update- letter as necessary  
DISPOSITION DATE 11/16/2018

SUBJ-ADDRESS 1347 Center Hill Hwy  
ORDINANCE VIOLATED  
NOTES 11/27/18 NO visible improvement  
6-21-18 Debbie told new owner he would be fine as long as he is doing  
something - Watching  
6/14/18 went to owner's house in Hobbsville, who said prop had been  
auctioned - new owner  
3/20/18 cave in started - declared solid waste  
delapidated house- empty  
DISPOSITION posted solid waste and demo - need to create new file in new owner's  
name  
DISPOSITION DATE 11/27/2018

SUBJ-ADDRESS 219 Cartwright Swamp Rd.  
 ORDINANCE VIOLATED solid waste  
 NOTES 1st class sent 11/5/18 1st letter. If 30 days, no contact, then send 2nd letter 1st class and rrr.  
 DISPOSITION abatement logistics  
 DISPOSITION DATE 10/26/2018

SUBJ-ADDRESS 1301 New Hope Rd.  
 ORDINANCE VIOLATED Solid Waste  
 NOTES Dilapidated 2 story house on farm, in a state of collapse  
 DISPOSITION preparing logistics  
 DISPOSITION DATE 11/15/2018

SUBJ-ADDRESS 315 Bay Branch Rd.  
 ORDINANCE VIOLATED solid waste  
 NOTES Request for assistance submitted as AMH. Structure is frame, NOT manufactured home, therefore NOT eligible. Filed as CEA case and planned for removal as soon as budget and management allows.  
 DISPOSITION awaiting funding  
 DISPOSITION DATE 11/16/2018

SUBJ-ADDRESS 158 Rivershore Drive  
 ORDINANCE VIOLATED ??  
 NOTES 11/7/18 first call about solid waste. 11/9/18 2nd call about refridgerator, rusted sheds, cars in back yard  
 DISPOSITION waiting for proof  
 DISPOSITION DATE 11/21/2018

Demolished and cleaned up under AMH Grant Program – November, 2018

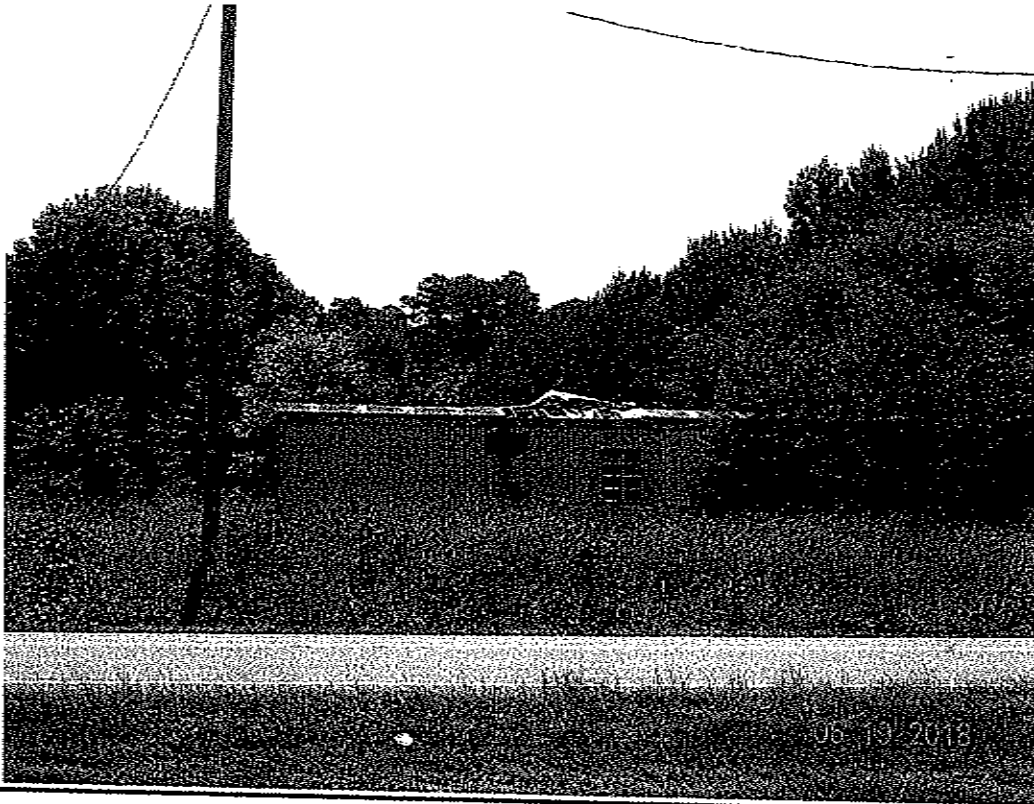


Before



After

Demolished and cleaned up under AMH Grant Program – November, 2018

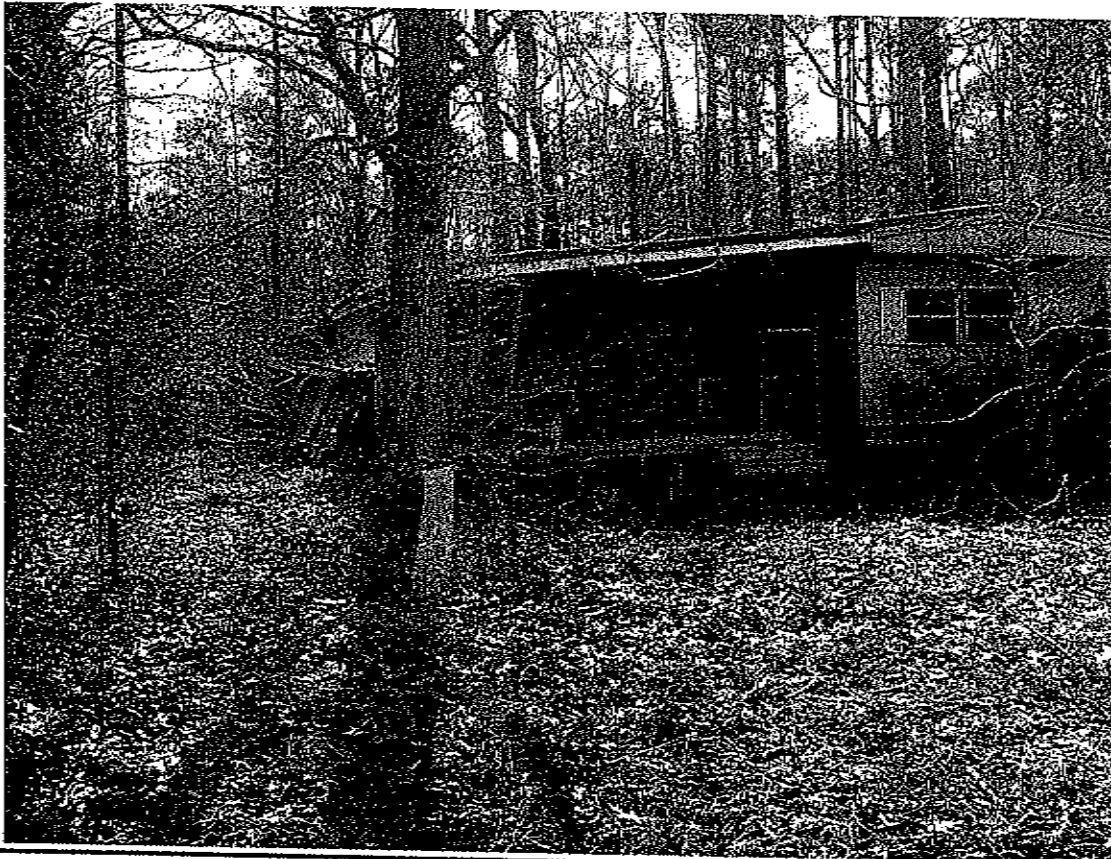


Before



After

Demolished and cleaned up under AMH Grant Program – November, 2018



Before



After

Demolished and cleaned up under AMH Grant Program – November, 2018



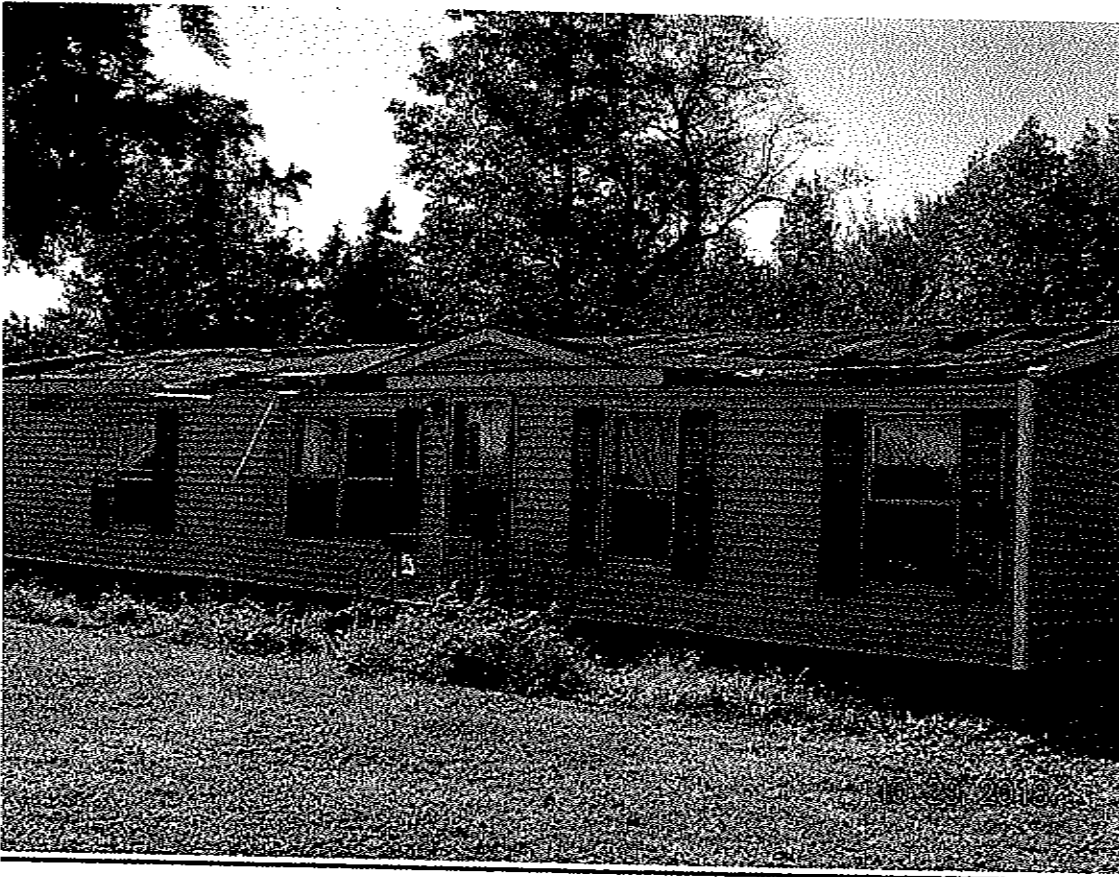
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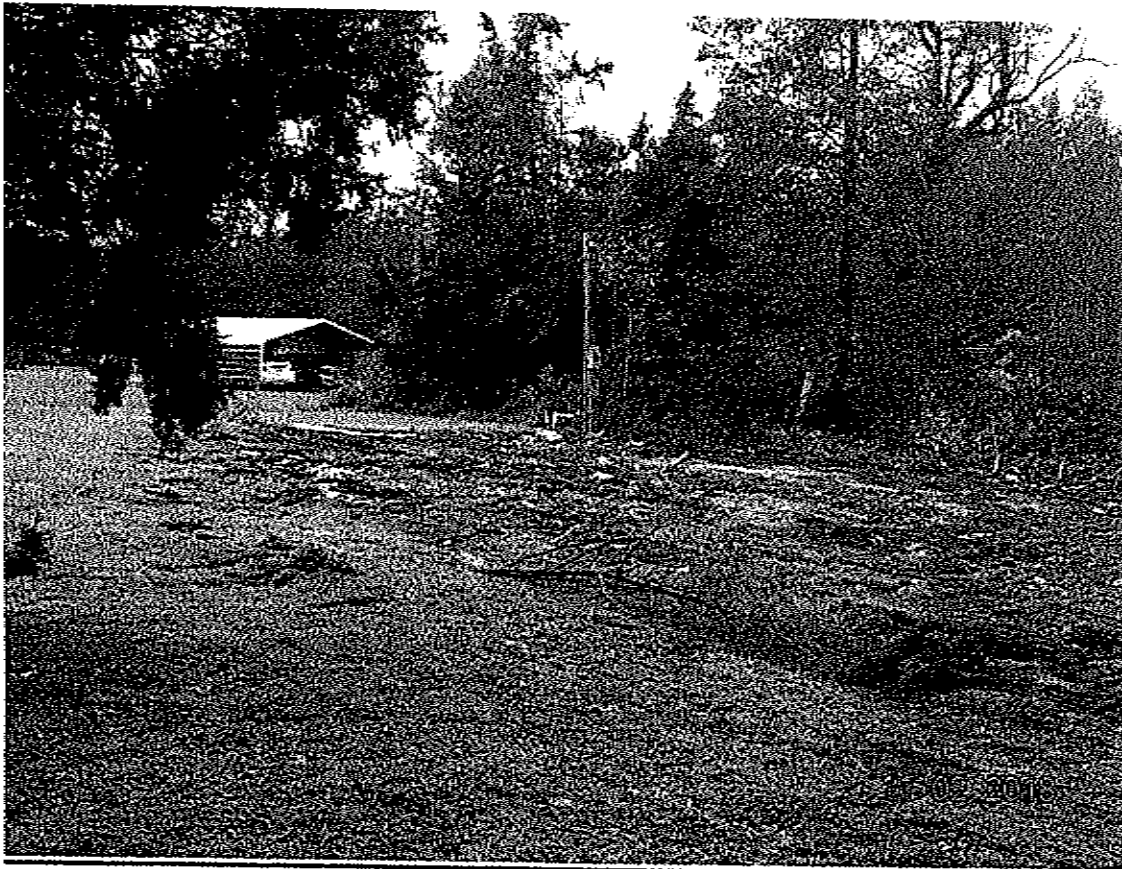
After



Demolished and cleaned up under AMH Grant Program – November, 2018



Before



After

# COMMITTEE REPORTS