

AGENDA

All items are for discussion and possible action.
Perquimans County Board of Commissioners
Perquimans County Library Meeting Room
September 8, 2026
7:00 p.m.

The Board of Commissioners will hold a Legislative Public Hearing on a Property Maintenance Ordinance, a Flood Prevention Ordinance Update, and Data Center Moratorium at 7:00 p.m.

- I. Call to Order**
- II. Prayer & Pledge**
- III. Approval of Agenda (Action Required)**
- IV. Consent Agenda (Action Required)**
(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 by a Commissioner or Commissioners.)
 - A. Approval of Minutes August 3, 2026, Regular Meeting and August 10, 2026 Special Called Meeting
 - B. Tax Refunds & Tax Release Approvals
 - C. Personnel Matters
 - 1. New Employee: EMT-MIH Coordinator
 - 2. New Employee: Planning/Zoning Technician
 - 3. Merit Increase: Certified Deputy
 - 4. Merit Increase: Certified Deputy
 - 5. Merit Increase: Extension Director
 - 6. Merit Increase: Asst. Extension Agent
 - 7. Reclassification: Investigator II
 - 8. Resignation: Income Maintenance Caseworker II
 - 9. Resignation: Social Worker Trainee w/a Social Worker III
 - 10. Resignation: Social Worker III w/a Social Worker IAT
 - 11. Resignation: Non-Certified Telecommunicator
 - 12. Resignation: Telecommunicator II
 - 13. Removal from Roster: Paramedic II
 - 14. Removal from Roster: AEMT I
 - D. USDA Lease Extension
 - E. Board Appointments: County Attorney
 - F. Budget Amendments
 - G. Letter of Support
- V. Introductions & Recognitions of Service**
 - A. Recognition: Human Resources Coordinator
 - B. Recognition: Certified Deputy
 - C. Recognition: Paramedic II
 - D. Introduction: Water Tech I
 - E. Introduction: Uncertified Deputy
 - F. Introduction: Social Worker II > Social Worker IAT
 - G. Introduction: Social Worker III > Social Worker IAT
 - H. Introduction: Social Worker I > Social Worker III
 - I. Introduction: Livestock Agent
 - J.

VI. Scheduled Appointments

- A. Perquimans County Schools

VII. Commissioner's Concerns/Committee Reports

- A.
- B.

VIII. Old Business

- A. Updates from County Manager
 - 1.
 - 2.
 - 3.

IX. New Business (Action Required)

- A. Rhonda Repanshek – Preliminary Plat Approval Extension
- B. Property Maintenance Ordinance
- C. Flood Prevention Ordinance Update
- D. Data Center Moratorium
- E.

X. Unscheduled Appointments/Public Comments

(If you wish to address the Board, please state your name for the record prior to speaking)

- A.
- B.
- C.

XI. Adjournment (Action Required)

★ Additions to the Agenda

NOTES FROM THE COUNTY MANAGER

September 8, 2026

7:00 p.m.

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)

IV. Consent Agenda: Items included on the Consent Agenda are enclosed.

If you wish to discuss any of these matters, please make that request during the meeting.

- A. Minutes from August 3 2026, Regular Meeting and August 10, 2026 Special Called Meeting
- B. Tax Refunds & Tax Release Approvals
- C. Personnel Matters

Dept	Employee Name	Employee Status	Employee Job Title	Grade/Step	New Salary	Effective Date
EMS	Codi Griggs	FT Hire	EMT-MIH Coordinator	109/2	\$19.85/hr.	09/01/2026
Planning/ Zoning	Selina Reyes-Hill	FT Hire	Planning/Zoning Technician	112/1	\$46,852.35	09/14/2026
Sheriff	Brian Gregory	Merit Increase	Certified Deputy	112/ 10	\$55,310.07	09/01/2026
Sheriff	Daniel Turner	Merit Increase	Certified Deputy	112/ 11	\$56,139.72	09/01/2026
Extension	Jared Harrell	Merit Increase	Extension Director	n/a	\$38,170	08/01/2026
Extension	Sarah Sowders	Merit Increase	Asst. Extension Agent	n/a	\$35,756	08/01/2026
Sheriff	Brian Watson	Reclassification	Investigator II	118/7	\$70,361.76	09/01/2026
DSS	Timaya Green	Resignation	Income Maintenance Caseworker II			08/14/2026
DSS	Tikeyla Hill-Alston	Resignation	Social Worker Trainee w/a SW III			08/31/2026
DSS	Kiana Daniels	Resignation	Social Worker III w/a SW IAT			09/04/2026
911	Alyssa Walton	Resignation	Non-Certified Telecommunicator			09/01/2026
911	Herman Weiss	Resignation	Telecommunicator II			09/03/2026
EMS	Brian Brown	Removal from Roster	Paramedic II			09/01/2026
EMS	Lisa Whidbee	Removal from Roster	AEMT I			09/01/2026

D. USDA Lease Extension

E. Board Appointment: County Attorney High's board appointment expired 08/31/2026

F. Budget Amendments: No. 1- No. 6

G. Letter of Support – Albemarle Commission's Water Quality Management Planning Grant

V.

Recognition of Service

Department Head	Employee Name	Employee Job Title	Effective Date
Brandon Shoaf	Casey White	Human Resources Coordinator	5 yrs.
Shelby White	Brain Gregory	Certified Deputy	5 yrs.
Jonathan Nixon	Nicole Anderson	Paramedic II	5 yrs.

Introduction of New Employees

Department Head	Employee Name	Employee Job Title	Effective Date
Nick Lories	Xavier Spellman	Water Tech I	06/01/2026
Shelby White	Shawnice Mercer	Uncertified Deputy	08/01/2026
Angela Jordan	Da'Niyiah Bunch	Social Worker II > SW IAT	08/03/2026
Angela Jordan	Kiana Daniels	Social Worker III > SW IAT	08/10/2026
Angela Jordan	Virginia Harvey	Social Worker I > SW III	08/03/2026
Jared Harrell	Hannah Gulley	Livestock Extension Agent	08/01/2026

VII. **Old Business**

- A. Updates from the County Manager
 - 1.
 - 2.
 - 3.

New Business

- A. Planning & Zoning – Preliminary Plat Approval Extension
- B. Property Maintenance Ordinance
- C. Flood Damage Prevention Ordinance Update – Replacing Ordinance No.99
- D. Data Center Moratorium
- E.

★ Additions to the Agenda

REGULAR MEETING

August 3, 2026
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, July 6, 2026, at 7:00 p.m. in the Perquimans County Library located at 514 S. Church Street, Hertford, NC 27944.

MEMBERS PRESENT: Wallace E. Nelson, Chairman Charles Woodard, Vice Chairman
 Timothy J. Corprew James W. Ward
 Joseph W. Hoffler Kathryn M. Treiber

MEMBERS ABSENT:

OTHERS PRESENT: Brandon Shoaf, County Manager
 Rebecca T. Corprew, Clerk to the Board
 Hackney High, County Attorney

Chairman Nelson called the meeting to order. Timothy J. Corprew gave the invocation, and the Chairman led the Pledge of Allegiance.

AGENDA

Chairman Nelson stated that the Agenda was at their seats and asked if there were any additions or corrections to the Agenda. Timothy J. Corprew made a motion to approve the amended Agenda as presented. The motion was seconded by James W. Ward and unanimously approved by the Board.

CONSENT AGENDA

Chairman Nelson asked if there were any items that the Board wished to remove from the Consent Agenda to discuss. Charles Woodards wants to remove Item A, as there is a typing correction to be made. There being no other changes, Kathryn Treiber made a motion to approve the Consent Agenda. The motion was seconded by Timothy J Corprew and unanimously approved by the Board. Following Mr. Woodards explanation of correction needed to the minutes, Timothy J. Corprew made a motion to approve the minutes with the correction. James Ward seconded the motion and the Board approved the minutes unanimously.

A. Approval of Minutes: The minutes of July 6, 2026, Regular Meeting needs to have a correction. In the ADJOURNMENT section, Charles Woodards last name is incorrectly typed as "Ward". Motion made by Timothy J. Corprew, seconded by James Ward, and unanimously approved by the Board.

B. Tax Refund / Release Approvals:

Tax Refunds (Perquimans County):

Watkins, Lacey Nicole -----\$197.50

Vehicle sold. - Account No. 83022278

Smith, Douglas Scott -----\$109.96

Vehicle sold. Account No. 80906593

Benjaminson, Ruth Ellen -----\$237.90

Vehicle totaled. Account No. 237.90

Tax Refunds (Hertford):

Barber, Anthony Christopher-----\$226.94

Situs Error. Account No. 92037660

C. Personnel Matters: The following personnel matters were approved by the Board:

Dept	Employee Name	Employee Status	Employee Job Title	Grade/ Step	New Salary	Effective Date
Sheriff's Office	Shawnice Mercer	FT Hire	Uncertified Deputy	66/1	\$42,318	08/01/2026
DSS	Da'Niyiah Bunch	FT Hire	Social Worker II working against SW IAT	67/5	\$48,753	08/03/2026
DSS	Kiana Daniels	FT Hire	Social Worker III working against SW IAT	69/2	\$49,496	08/10/2026

DSS	Virgina Harvey	FT Hire	Social Worker I working against Social Worker III	67/5	\$47,328	08/03/2026
EMS	Dena Richardson	PT Hire	Fire Inspector III / EMT	70/10	\$30.22 / hr.	08/01/2026
DSS	Lisa Wolfrum	Reclassification	Income Maintenance Caseworker III	65/1	\$40,493	08/01/2026
911	Courtney Langley	Reclassification	Telecommunicator II	66/3	\$21.36 / hr.	08/01/2026
DSS	Joelisa Drew	Step Increase	Income Maintenance Caseworker II	63/4	\$39,910	08/01/2026
Sheriff's Office	Damon Sizemore	Merit Increase	Certified Deputy	68/7	\$53,495	08/01/2026
DSS	Heidi Long	Resignation	Social Worker III APS			07/17/2026
DSS	Catherine Puhl	Resignation	Social Worker I working against Social Worker III			07/17/2026
Board of Elections	Robbins Cherry	Resignation	Elections Director			07/21/2026

- D. Salary Study Recommendation and Implementation – The Salary Study conducted by Evergreen Consulting provided recommendations and implementation schedule, effective with the August 2026 pay cycle.
- E. ABC Board Contract: A new updated contract between the ABC Board and Perquimans County was provided to the Board.

INTRODUCTION OF EMPLOYEES & RECOGNITIONS OF SERVICE

The following new employees were introduced to the Board:

Department Head	Employee Name	Employee Job Title	Effective Date
Brandon Shoaf	Kathy Ford	Interim DSS Director	07/31/2026

SCHEDULED APPOINTMENTS:

- A. There were no scheduled appointments.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

A. Timothy J. Corprew addressed the Board about a property maintenance ordinance. He is asking for the Board to consider creating and adopting an ordinance at the next regular meeting. Brandon Shoaf commented that the Pasquotank County Ordinance is in the packet. He will provide a Perquimans County Ordinance at the next meeting. The consensus is to move forward with bringing a final draft for presentation, public hearing, and vote.

OLD BUSINESS:

County Manager Shoaf updated the Board regarding the new web page, which will be provided by Catalis. The current provider is outdated; as well as the need to be ADA compliant. There is also an agenda management component. Each department will have control over their page within the website.

County Manager Shoaf updated the Board regarding Albemarle District Jail Interlocal Agreement - SB876 Part 9. This approved the addition of Chowan County to the Albemarle District Jail and reduced Perquimans ownership to 17.1 percent, down from almost 21 percent, saving on costs.

County Manager Shoaf informed the Board about penalty notification from the Albemarle Plantation Property Owners Association on two properties owned by the County due to tax foreclosure. There is a hope to be forgiven for these penalties and assessments. Our goal is to find a new owner for these properties.

County Manager Shoaf updated the Board on a cyber-security incident that happened last week. The IT Provider worked through the weekend to resolve the issue.

Chairman Nelson reminded the Board of the need to designate a voting delegate for the NCACC Annual Conference. Timothy J Corprew nominated James Ward. The motion was seconded by Joseph Hoffer and unanimously approved by the Board. Timothy j. Corprew made a motion to nominate Charles Woodard as a alternate delegate. The motion was seconded by James Ward and unanimously approved by the Board.

NEW BUSINESS

A. RESOLUTION FOR SURPLUS COUNTY PROPERTY: Emergency Services is requesting approval to surplus a 2016 Kyocera copy machine and a 45KW Olympian propane Kohler generator that is 26 years old. Resolutions for each were provided. Joseph Hoffer made a motion to approve the copy machine and generator for surplus. The motion was seconded by James Ward and unanimously approved by the Board.

B. CONTRACTS FOR PEST CONTROL County Manager Shoaf presented contracts from Albemarle Termite and Pest Control for all buildings. Mr. Shoaf recommends the approval of these contracts. A motion was made to approve Albemarle Termite and Pest Control contracts by Joseph Hoffer. The motion was seconded by Kathryn Treiber and unanimously approved by the Board.

C. DATA CENTER MORATORIUM: County Manager Shoaf presents information relevant to data centers. A concerned citizen made a public comment at a recent regular meeting citing research stating that multiple counties around have data center moratoriums. Our land use ordinance does not speak to data centers or electronic waste. Water capacity and energy consumption could place a potential threat to our infrastructure. The moratorium would be for 12 months. County Manager Shoaf is requesting the Board to set a public hearing at the next regular meeting on Tuesday, September 8, 2026. Timothy J. Corprew made the motion to set the public hearing concerning a moratorium for data centers for September 8, 2026. The motion was seconded by James Ward and unanimously approved by the Board.

D. FLOOD DAMAGE PREVENTION ORDINANCE UPDATE: County Manager Shoaf provided an amended Flood Damage Prevention Ordinance, as required by FEMA. The major changes include additional definitions, a change to the flood plain administrator, the V and VE zones, limitations to structural fill, flood resistance materials, and notice requirements for variances to the flood hazard permits. County Manager Shoaf is requesting a Public Hearing at the September 8, 2026 meeting. A motion was made by Charles Woodard, seconded by James Ward and unanimously approved by the Board.

E. APPLICATION FOR NC 911 BOARD FUNDING RECONSIDERATION: Emergency Services Director Jonathan Nixon requests permission to apply for NC 911 Board Funding Reconsideration. Mr. Nixon reminded the Board of how the funding can be spent. There have been increased operating costs since consolidating with Gates County. The motion was made by Timothy J Corprew to allow Mr. Nixon to apply for the funding reconsideration. The motion was seconded by James Ward and unanimously approved by the Board.

PUBLIC COMMENTS:

Resident Yvonne Honza addressed the Board to show support for the Property Maintenance Ordinance, stating she has been concerned with a neighbor's unkept property since 2019.

Resident Peggy Thorpe addressed the Board to show support for the Property Maintenance Ordinance. She is another neighbor in the same area as Mrs. Yvonne Honza. She also wanted to ask if the ordinance applies to lots without improvements or structures as well.

ADJOURNMENT

Chairman Nelson asked if there were any further comments or business to discuss. There being none, the Regular Meeting was adjourned at 7:40 p.m. on motion made by Charles Woodard, seconded by James Ward and unanimously approved by the Board.

Wallace E. Nelson, Chairman

Clerk to the Board

SPECIAL CALLED MEETING
August 10, 2026
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, July 6, 2026, at 7:00 p.m. in the Perquimans County Library located at 514 S. Church Street, Hertford, NC 27944. The purpose of the Special Called Meeting is to discuss a Resolution and a contract for Legal Services.

MEMBERS PRESENT: Wallace E. Nelson, Chairman Charles Woodard, Vice Chairman
 Timothy J. Corprew James W. Ward
 Joseph W. Hoffler Kathryn M. Treiber

MEMBERS ABSENT:

OTHERS PRESENT: Brandon Shoaf, County Manager
 Rebecca T. Corprew, Clerk to the Board
 Hackney High, County Attorney

Chairman Nelson called the meeting to order. Kathryn Treiber gave the invocation, and the Chairman led the Pledge of Allegiance.

AGENDA

Chairman Nelson stated that the Agenda was at their seats and asked if there were any additions or corrections to the Agenda. Kathryn Treiber de a motion to approve the Agenda as presented. The motion was seconded by James W. Ward and unanimously approved by the Board.

NEW BUSINESS

A. RESOLUTION FOR MIXED BEVERAGES AND A COUNTY ABC STORE FOR ELECTION BALLOT:

County Manager Shoaf presented a Resolution requesting that the issues of a mixed beverage election and a county ABC store election be placed on the ballot for the November 3, 2026 election for Perquimans County, North Carolina. Mr. Shoaf stated that there will be an amendment to the Resolution in the third and fourth paragraph adding sections (g) to N.C.G.S § 18B-602 and sections (c) to N.C.G.S §18B-603. A motion was made by Kathryn Treiber to approve the Resolution as amended. The motion was seconded by Timothy J. Corprew.

B. CONTRACTS FOR LEGAL SERVICES County Manager Shoaf presented a contract for legal services with Gallop Law Firm, LLC. Attorney Gallop will handle the Mi-Tek closing, as this is a conflict of interest for Attorney High. A motion was made to approve the contract with Gallop Law Firm, LLC by Jospeh Hoffler. The motion was seconded by Kathryn Treiber and unanimously approved by the Board.

ADJOURNMENT

Chairman Nelson asked if there were any further comments or business to discuss. There being none, the Regular Meeting was adjourned at 7:33 p.m. on motion made by Timothy J. Corprew, seconded by James Ward and unanimously approved by the Board.

Wallace E. Nelson, Chairman

Clerk to the Board

September 2, 2026

Tax Refunds: (Perquimans County)

Marie Rountree Miller **\$208.83**

Tags removed in error by Edenton Police for
no insurance; 12-month refund.

Account#: 90689855

David Earl Shaw **\$112.11**

Vehicle sold; 12-month refund.

Account#: 77942564

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: September 1, 2026

NAME: Codi Griggs

☒ Full Time ☐ Part Time

POSITION: EMT – MIH Provider DEPARTMENT: EMS

☒ NEW EMPLOYEE EFFECTIVE DATE: September 1, 2026

GRADE: 109 STEP: 2 ANNUAL SALARY: _____ HOURLY RATE: \$ 19.85

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: \$ _____ HOURLY: _____

☐ _____ DATE OF ☐ TERMINATION ☐ RESIGNATION ☐ REMOVAL FROM ROSTER
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.

DEPARTMENT HEAD : [Signature] DATE: 08/25/2026

COUNTY MANAGER : [Signature] DATE: 8/25/2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: 08/24/2026

NAME: Selina Reyos-Hill ☒ Full Time ☐ Part Time

POSITION: Planning / Zoning Technician DEPARTMENT: County Manager

☒ NEW EMPLOYEE EFFECTIVE DATE: September 14, 2026

GRADE: 112 STEP: 1 ANNUAL SALARY: \$46,852.35 HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: September 14, 2027

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☐ _____ DATE OF ☐ TERMINATION ☐ RESIGNATION ☐ REMOVAL FROM ROSTER
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.

DEPARTMENT HEAD : _____ DATE: _____

COUNTY MANAGER : Al S. S. DATE: 8-24-2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: 8-25-26_____

NAME: Brian Gregory_____

☒ Full Time ☐ Part Time

POSITION: Certified Deputy DEPARTMENT: Sheriff's Office

NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: 112__ STEP: 9__ ANNUAL SALARY: \$54,358.79_____

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

_____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☒ 2 ☒ 3 ☒ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☒ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

_____ DATE OF ☒ TERMINATION ☐ RESIGNATION ☐ REMOVAL FROM ROSTER
Date

X 9-1-2026 RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.

Date GRADE: 112__ STEP: 10__ SALARY: \$55,310.07_____

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 HEAD : [Signature] DATE: 8-24-26

COUNTY MANAGER : [Signature] DATE: 8/25/2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: 8-18-26

NAME: Daniel Turner

☒ Full Time ☐ Part Time

POSITION: Certified Deputy DEPARTMENT: Sheriff's Office

NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: 112__ STEP: 10__ ANNUAL SALARY: \$55,310.07

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

_____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

_____ DATE OF ☐ TERMINATION ☐ RESIGNATION ☐ REMOVAL FROM ROSTER
Date

X 9-1-2026 RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.

Date GRADE: 112__ STEP: 11__ SALARY: \$56,139.72

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 HEAD : [Signature] DATE: 8-18-26

COUNTY MANAGER : [Signature] DATE: 8-20-26

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: 9-4-26

NAME: Brian William Watson ☒ Full Time ☐ Part Time

POSITION: Investigator I DEPARTMENT: _____

☐ NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: 73 STEP: 7 ANNUAL SALARY: \$66,664 HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ **9-1-2026** DATE OF RECLASSIFICATION
Date ☒ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: Investigator II
NEW GRADE: 118 STEP: 7 ANNUAL SALARY: \$70,361.76

☐ _____ DATE OF ☐ TERMINATION ☐ RESIGNATION ☐ REMOVAL FROM ROSTER
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.

DEPARTMENT HEAD: Shelton Whit DATE: 9-4-26

COUNTY MANAGER: Al S. Jr DATE: 9-4-26

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: 8/7/2026

NAME: Jared Harrell

☐ Full Time ☐ Part Time

POSITION: Extension Director

DEPARTMENT: Extension

☐ NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: \$37,422 HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☒ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☒ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☐ _____ DATE OF ☐ TERMINATION ☐ RESIGNATION ☐ REMOVAL FROM ROSTER
Date

X 08/01/26 RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.
Date GRADE: _____ STEP: _____ SALARY: \$38,170 (County pays 51% of Total 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 HEAD : _____ DATE: _____

COUNTY MANAGER : B. S. My DATE: 8-7-26

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: 8/7/2026

NAME: Sarah Sowders

☐ Full Time ☐ Part Time

POSITION: Asst. Extension Agent

DEPARTMENT: Extension

☐ NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: \$35,055 HOURLY RATE: _____

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

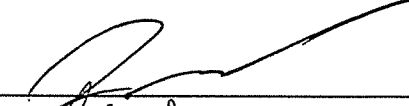
☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

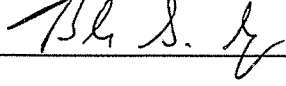
☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☐ _____ DATE OF ☐ TERMINATION ☐ RESIGNATION ☐ REMOVAL FROM ROSTER
Date

X 08/01/26 RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.
Date GRADE: _____ STEP: _____ SALARY: \$35,756 (County pays 68% of Total 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 HEAD :  DATE: 8-11-2026

COUNTY MANAGER :  DATE: 8-7-2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: _____

NAME: Timaya Green

POSITION: IMC II

DEPARTMENT: DSS / Family Children's
Medicaid Unit

☐ _____ NEW EMPLOYEE EFFECTIVE DATE

GRADE: 63 STEP: 1 ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: 63 STEP: 1 ANNUAL SALARY: _____ HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

✓ ☒ 8/14/2026 DATE OF ☐ TERMINATION ☒ RESIGNATION ☐ REMOVAL FROM ROSTER
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.

DEPARTMENT HEAD: Kathy Ford, Interim DATE: 8/12/2026

COUNTY MANAGER: [Signature] DATE: 8-20-2026

FINANCE OFFICER: _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

DATE SUBMITTED: 8/31/2026

POSITION: Social Worker Trainee w/a SW III DEPARTMENT: Social Services

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: 63 STEP: 9 ANNUAL SALARY: \$45,075 HOURLY RATE:

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION _____
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☒ 8/31/2026 DATE OF ☐ TERMINATION ☒ RESIGNATION ☐ REMOVAL FROM ROSTER
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.

DEPARTMENT HEAD: Karl L. ... Interim DATE: 8/31/2026

COUNTY MANAGER : AL J. H. DATE: 9.2.2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: BCC MEETING:

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: September 4, 2026

NAME: Kiana Daniels

☒ Full Time ☐ Part Time

POSITION: Social Worker III working against Social Worker IAT for 3 months DEPARTMENT: Social Services

NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: ____ STEP: ____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: 69 STEP: 2 ANNUAL SALARY: \$52,687.00 HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

_____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: ____ STEP: ____ ANNUAL SALARY: _____ HOURLY: _____

☒ 9/4/2026 DATE OF ☐ TERMINATION ☒ RESIGNATION ☐ REMOVAL FROM ROSTER
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.

DEPARTMENT HEAD: [Signature] DATE: September 4, 2026

COUNTY MANAGER: [Signature] DATE: 9-4-2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: September 1, 2026

NAME: Alyssa Walton

☐ Full Time ☒ Part Time

POSITION: Non-Certified Telecommunicator

DEPARTMENT: 911

☐ NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

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

☐ _____
Date DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____
Date DATE OF RECLASSIFICATION
☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☒ 9/1/2026 DATE OF ☐ TERMINATION ☒ RESIGNATION ☐ REMOVAL FROM ROSTER
Date

☐ _____
Date RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.
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 HEAD : [Signature] DATE: 08/31/2026

COUNTY MANAGER : [Signature] DATE: 9-2-2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: September 3, 2026

NAME: Herman Weiss ☐ Full Time ☒ Part Time

POSITION: Telecommunicator II DEPARTMENT: 911

☐ NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☒ 9/3/2026 DATE OF ☐ TERMINATION ☒ RESIGNATION ☐ REMOVAL FROM ROSTER
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.

DEPARTMENT HEAD : [Signature] DATE: 09/03/2026

COUNTY MANAGER : [Signature] DATE: 9-3-2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: August 17, 2026

NAME: Brian Brown ☐ Full Time ☒ Part Time

POSITION: Paramedic II DEPARTMENT: EMS

☐ NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☒ 9/1/2026 DATE OF ☐ TERMINATION ☐ RESIGNATION ☒ REMOVAL FROM ROSTER
Date

☐ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.

GRADE: _____ STEP: _____ SALARY: \$ _____ Hourly
Date

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 HEAD : [Signature] DATE: 28/17/26

COUNTY MANAGER : [Signature] DATE: 8-20-2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

PERQUIMANS COUNTY
EMPLOYMENT ACTION FORM

DATE SUBMITTED: August 17, 2026

NAME: Lisa Whidbee ☐ Full Time ☒ Part Time

POSITION: AEMT I DEPARTMENT: EMS

☐ NEW EMPLOYEE EFFECTIVE DATE: _____

GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

ENDING DATE OF PROBATIONARY PERIOD: _____

CURRENT: GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY RATE: _____

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

☐ _____ DATE OF ANNUAL EVALUATION AND RECOMMENDATION FOR STEP RAISE:
Date YEAR ☐ 2 ☐ 3 ☐ 4
GRADE: _____ STEP: _____ SALARY: _____

☐ _____ DATE OF RECLASSIFICATION
Date ☐ CHANGE IN GRADE ☐ MOVE TO FULL TIME ☐ MOVE TO PART TIME
NEW POSITION TITLE: _____
NEW GRADE: _____ STEP: _____ ANNUAL SALARY: _____ HOURLY: _____

☒ 9/1/2026 DATE OF ☐ TERMINATION ☐ RESIGNATION ☒ REMOVAL FROM ROSTER
Date

☐ RECOMMENDATION AND EFFECTIVE DATE FOR EMPLOYEE MERIT RAISE.

_____ GRADE: _____ STEP: _____ SALARY: \$ _____ Hourly
Date

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 HEAD: [Signature] DATE: 08/17/20

COUNTY MANAGER: [Signature] DATE: 8-20-2026

FINANCE OFFICER : _____ DATE: _____

RECEIVED BY CLERK TO THE BOARD: _____ BCC MEETING: _____

UNITED STATES DEPARTMENT OF AGRICULTURE LEASE AMENDMENT	LEASE AMENDMENT No. 9
ADDRESS OF PREMISES: 512 S Church St Hertford, NC 27944	TO LEASE NO. GS – Perquimans Co FSA Office GREX DELEGATION NO.: DNC06449-003

THIS AMENDMENT is made and entered into between PERQUIMANS COUNTY

whose address is: 128 N Church St, Herford, NC 27944-1104

hereinafter called the Lessor, and the **UNITED STATES OF AMERICA**, hereinafter called the Government:

WHEREAS, the parties hereto desire to amend the above Lease to extend the term of the Lease.

NOW THEREFORE, these parties for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, covenant and agree that the said Lease is amended, effective January 1, 2028, as follows:

A. Paragraph 4b, "Lease for Real Property" of the Lease is hereby deleted in its entirety, and the following is inserted in lieu thereof:

"To Have and To Hold the said Premises with its appurtenances for the term beginning upon January 1, 2002, through December 21, 2032, subject to termination and renewal rights as may be hereinafter set forth."

B. Rentable Square Footage (RSF) remains 2,111 and ANSI/BOMA Square Footage (ABOA) remains 2,111.

C. Paragraph 4c of the Lease is hereby deleted in its entirety, and the following is inserted in lieu thereof:

This Lease Amendment contains 9 pages.

All other terms and conditions of the lease shall remain in force and effect.
IN WITNESS WHEREOF, the parties subscribed their names as of the below date.

FOR THE LESSOR:

Signature: _____
 Name: _____
 Title: _____
 Entity: _____
 Date: _____

FOR THE GOVERNMENT:

Signature: _____
 Name: _____
 Title: Lease Contracting Officer
 United States Department of Agriculture, USDA
 Date: _____

WITNESSED FOR THE LESSOR BY:

Signature: _____
 Name: _____
 Title: _____
 Date: _____

"A. The Government shall pay the Lessor annual rent, payable in monthly installments in arrears, at the following rates:

EFFECTIVE JANUARY 1, 2028 – DECEMBER 31, 2032	
ANNUAL RENT	
SHELL RENT	\$44,331.00
OPERATING COSTS*	\$21,110.00
TOTAL ANNUAL RENT	\$65,441.00

Annual Rental Rate (rounded) of \$31.00 per RSF reflects rental rate breakdown as follows:

Shell Rent \$21.00 per RSF (rounded)

Operating Costs \$10.00 per RSF (rounded)

- D. The clauses contained in the attachment "Additional FAR and GSAR Clauses for Lease Extensions and Renewals" are hereby attached to and incorporated into the Lease.
- E. The Lessor must have an active registration in the System for Award Management (SAM), via the Internet at <https://www.sam.gov/SAM/> prior to the Lease Award Date. Offerors must be registered for purposes of "All Awards," including completion of all required representations and certifications within SAM. This registration service is free of charge.

LESSOR: _____ GOVERNMENT: _____

ADDITIONAL FAR AND GSAR CLAUSES FOR LEASE EXTENSIONS

The following clauses are hereby incorporated into the Lease and replace any prior versions of these clauses contained in the Lease or its attachments:

- **52.222-90 ADDRESSING DEI DISCRIMINATION BY FEDERAL CONTRACTORS (APR 2026)**

- (a) *Definitions.* As used in this clause—

Program participation means membership or participation in, or access or admission to: training, mentoring, or leadership development programs; educational opportunities; clubs; associations; or similar opportunities that are sponsored or established by the contractor or subcontractor.

Racially discriminatory diversity, equity, and inclusion (DEI) activities means disparate treatment based on race or ethnicity in the recruitment, employment (e.g., hiring, promotions), contracting (e.g., vendor agreements), program participation, or allocation or deployment of an entity's resources.

- (b) In connection with the performance of work under this contract, the Contractor agrees as follows:

- (1) The Contractor will not engage in any racially discriminatory DEI activities;

- (2) The Contractor will furnish all information and reports, including providing access to books, records, and accounts, as required by the Contracting Officer, for purposes of ascertaining compliance with this clause;

- (3) In the event of the Contractor's or a subcontractor's noncompliance with this clause, this contract may be canceled, terminated, or suspended in whole or in part, and the Contractor or subcontractor may be declared ineligible for further Government contracts;

- (4) The Contractor will report any subcontractor's known or reasonably knowable conduct that may violate this clause to the Contracting Officer and take any appropriate remedial actions directed by the Contracting Officer; and

- (5) The Contractor will inform the Contracting Officer if a subcontractor sues the Contractor and the suit puts at issue, in any way, the validity of this clause.

- (6) The Contractor recognizes that compliance with the requirements of this clause are material to the Government's payment decisions for purposes of 31 U.S.C. 3729(b)(4).

- (c) The Contractor must include the substance of this clause, including this paragraph (c), in subcontracts at any tier, including those for commercial products and commercial services, except those where the place of delivery or performance is outside the United States.

- **52.240-91 SECURITY PROHIBITIONS AND EXCLUSIONS (NOV 2025 – GSA CLASS DEVIATION RFO-2025-40)**

As prescribed in 40.205(b), insert the following clause:

Security Prohibitions and Exclusions (Deviation Date)

- (d) *Definitions.* As used in this clause—

American Security Drone Act-covered foreign entity means an entity included on a list that the Federal Acquisition Security Council (FASC) develops and maintains and publishes in the System for Award Management (SAM) at [HTTPS://WWW.SAM.GOV](https://www.sam.gov) (section 1822 of Pub. L. 118-31, 41 U.S.C. 3901 note prec.).

Backhaul means intermediate links between the core network, or backbone network, and the small subnetworks at the edge of the network (e.g., connecting cell phones/towers to the core telephone network). Backhaul can be wireless (e.g., microwave) or wired (e.g., fiber optic, coaxial cable, Ethernet).

Covered application means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

Covered article, as defined in 41 U.S.C. 4713(k), means:

- (1) Information technology, as defined in 40 U.S.C. 11101, including cloud computing services of all types;

- (2) Telecommunications equipment or telecommunications service, as those terms are defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

- (3) The processing of information on a Federal or non-Federal information system, subject to the requirements of the Controlled Unclassified Information program (see 32 CFR part 2002); or

- (4) Hardware, systems, devices, software, or services that include embedded or incidental information technology.

Covered foreign country means The People's Republic of China.

Covered telecommunications equipment or services means—

LESSOR: _____ GOVERNMENT: _____

- (1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities);
- (2) For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- (3) Telecommunications or video surveillance services provided by such entities or using such equipment; or
- (4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Critical technology means—

- (5) Defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations;
- (6) Items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled—
 - (i) Pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or
 - (ii) For reasons relating to regional stability or surreptitious listening;
- (7) Specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities);
- (8) Nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal Regulations (relating to export and import of nuclear equipment and material);
- (9) Select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code; or
- (10) Emerging and foundational technologies controlled pursuant to section 1758 of the Export Control Reform Act of 2018 (50 U.S.C. 4817).

FASC-prohibited unmanned aircraft system means an unmanned aircraft system manufactured or assembled by an American Security Drone Act—covered foreign entity.

FASCSA order means any of the following orders issued under the Federal Acquisition Supply Chain Security Act (FASCSA) requiring removing covered articles from executive agency information systems or excluding one or more named sources or named covered articles from executive agency procurement actions, as described in 41 CFR 201-1.303(d) and (e):

- (1) The Secretary of Homeland Security may issue FASCSA orders that apply to civilian agencies, to the extent not covered by paragraph (2) or (3) of this definition. This type of FASCSA order may be referred to as a Department of Homeland Security (DHS) FASCSA order.
- (2) The Secretary of Defense may issue FASCSA orders that apply to the Department of Defense (DoD) and national security systems other than sensitive compartmented information systems. This type of FASCSA order may be referred to as a DoD FASCSA order.
- (3) The Director of National Intelligence (DNI) may issue FASCSA orders that apply to the intelligence community and sensitive compartmented information systems, to the extent not covered by paragraph (2) of this definition. This type of FASCSA order may be referred to as a DNI FASCSA order.

Information technology, as defined in 40 U.S.C. 11101(6)—

- (1) Means any equipment or interconnected system or subsystem of equipment, used in the automatic acquisition, storage, analysis, evaluation, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the executive agency, if the equipment is used by the executive agency directly or is used by a contractor under a contract with the executive agency that requires the use—
 - (i) Of that equipment; or

LESSOR: _____ GOVERNMENT: _____

- (ii) Of that equipment to a significant extent in the performance of a service or the furnishing of a product;
 - (2) Includes computers, ancillary equipment (including imaging peripherals, input, output, and storage devices necessary for security and surveillance), peripheral equipment designed to be controlled by the central processing unit of a computer, software, firmware and similar procedures, services (including support services), and related resources; but
 - (3) Does not include any equipment acquired by a Federal contractor incidental to a Federal contract.
- Intelligence community*, as defined by 50 U.S.C. 3003(4), means the following—
- (1) The Office of the Director of National Intelligence;
 - (2) The Central Intelligence Agency;
 - (3) The National Security Agency;
 - (4) The Defense Intelligence Agency;
 - (5) The National Geospatial-Intelligence Agency;
 - (6) The National Reconnaissance Office;
 - (7) Other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs;
 - (8) The intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy;
 - (9) The Bureau of Intelligence and Research of the Department of State;
 - (10) The Office of Intelligence and Analysis of the Department of the Treasury;
 - (11) The Office of Intelligence and Analysis of the Department of Homeland Security; or
 - (12) Such other elements of any department or agency as may be designated by the President, or designated jointly by the Director of National Intelligence and the head of the department or agency concerned, as an element of the intelligence community.

Interconnection arrangements means arrangements governing the physical connection of two or more networks to allow the use of another's network to hand off traffic where it is ultimately delivered (e.g., connecting a customer of telephone provider A to a customer of telephone company B) or sharing data and other information resources.

Kaspersky Lab-covered article means any hardware, software, or service that—

- (1) Is developed or provided by a Kaspersky Lab-covered entity;
- (2) Includes any hardware, software, or service developed or provided in whole or in part by a Kaspersky Lab-covered entity; or
- (3) Contains components using any hardware or software developed in whole or in part by a Kaspersky Lab-covered entity.

Kaspersky Lab-covered entity means—

- (1) Kaspersky Lab;
- (2) Any successor entity to Kaspersky Lab, including any change in name, e.g., "Kaspersky";
- (3) Any entity that controls, is controlled by, or is under common control with Kaspersky Lab; or
- (4) Any entity of which Kaspersky Lab has a majority ownership.

National security system, as defined in 44 U.S.C. 3552, means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

- (1) The function, operation, or use of which involves intelligence activities; involves cryptologic activities related to national security; involves command and control of military forces; involves equipment that is an integral part of a weapon or weapons system; or is critical to the direct fulfillment of military or intelligence missions, but does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications); or
- (2) Is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

Roaming means cellular communications services (e.g., voice, video, data) received from a visited network when unable to connect to the facilities of the home network either because signal coverage is too weak or because traffic is too high.

LESSOR: _____ GOVERNMENT: _____

Sensitive compartmented information means classified information concerning or derived from intelligence sources, methods, or analytical processes, which is required to be handled within formal access control systems established by the Director of National Intelligence.

Sensitive compartmented information system means a national security system authorized to process or store sensitive compartmented information.

Source means a non-Federal supplier, or potential supplier, of products or services, at any tier.

Subsidiary means an entity in which more than 50 percent of the entity is owned directly by a parent corporation or through another subsidiary of a parent corporation.

Substantial or essential component means any component necessary for the proper function or performance of a piece of equipment, system, or service.

Unmanned aircraft means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (49 U.S.C. 44801(11)).

Unmanned aircraft system means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system (49 U.S.C. 44801(12)).

- (b) *Prohibitions on providing or using specific products or services in performance of contract.* Unless a waiver or exception applies, the Contractor is prohibited from providing any products or services to the Government or using in the performance of the contract any of the following:
- (1) A covered application on any information technology owned or managed by the Government, or on any information technology used or provided by the Contractor under this contract, including equipment provided by the Contractor's employees (section 102 of Division R of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328));
 - (2) A Kaspersky Lab-covered article (Section 1634 of Division A of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91));
 - (3) Covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system (paragraphs (a)(1)(A) of section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232)). This does not prohibit contractors from providing—
 - (i) A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
 - (ii) Telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.
- (c) *Prohibition on unmanned aircraft systems manufactured or assembled by American Security Drone Act—covered foreign entities.*
- (1) *Prohibition.* The Contractor is prohibited from—
 - (i) Delivering any FASC-prohibited unmanned aircraft system, which includes unmanned aircraft (i.e., drones) and associated elements (sections 1823 and 1826 of American Security Drone Act of 2023, within the National Defense Authorization Act for Fiscal Year 2024, Pub. L. 118-31, Div. A, Title XVIII, Subtitle B, 41 U.S.C. 3901 note prec.);
 - (ii) On or after December 22, 2025, operating a FASC-prohibited unmanned aircraft system in the performance of the contract (section 1824 of Pub. L. 118-31); and
 - (iii) On or after December 22, 2025, using Federal funds to procure or operate a FASC-prohibited unmanned aircraft system (section 1825 of Pub. L. 118-31).
 - (2) *Procedures.* The Contractor shall search SAM for the FASC-maintained list of American Security Drone Act—covered foreign entities before proposing, or using in performance of the contract, any unmanned aircraft system. Also, the Contractor shall ensure any effort or expenditure associated with a FASC-prohibited unmanned aircraft system is consistent with a corresponding exemption, exception, or waiver determination expressly stated in the contract.
 - (3) *Exemptions, exceptions, and waivers.* The prohibitions in paragraph (c) of this clause do not apply where the agency has determined an exemption, exception, or waiver applies, and the contract indicates that such a determination has been made. See sections 1823 through 1825 and 1832 of Public Law 118-31 for statutory requirements pertaining to exemptions, exceptions, and waivers.
- (d) *Prohibition on using or providing specific products or services or conducting certain transactions regardless of connection to contract.*

LESSOR: _____ GOVERNMENT: _____

- (1) *Certain telecommunications and video surveillance equipment, systems, or services.*
- (i) Unless an applicable waiver has been issued by the Government, the Contractor cannot use any equipment, systems, or services that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system (paragraph (a)(1)(B) of section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232)).
 - (ii) This prohibition applies to using covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. This does not prohibit the contractor from using—
 - A. A service that connects to the facilities of a third party, such as backhaul, roaming, or interconnection arrangements; or
 - B. Telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.
- (2) *Office of Foreign Assets Control Restrictions.*
- (i) Except as authorized by the Office of Foreign Assets Control (OFAC) in the Department of the Treasury, the Contractor shall not acquire, for use in the performance of this contract, any supplies or services if any proclamation, Executive order, or statute administered by OFAC, or if OFAC's implementing regulations at 31 CFR chapter V, would prohibit such a transaction by a person subject to the jurisdiction of the United States.
 - (ii) Except as authorized by OFAC, most transactions involving Cuba, Iran, and Sudan are prohibited, as are most imports from Burma or North Korea, into the United States or its outlying areas.
 - A. For lists of entities and individuals subject to economic sanctions, see OFAC's List of Specially Designated Nationals and Blocked Persons at [HTTPS://HOME.TREASURY.GOV/POLICY-ISSUES/FINANCIAL-SANCTIONS/SPECIALLY-DESIGNATED-NATIONALS-AND-BLOCKED-PERSONS-LIST-SDN-HUMAN-READABLE-LISTS](https://home.treasury.gov/policy-issues/financial-sanctions/specially-designated-nationals-and-blocked-persons-list-sdn-human-readable-lists).
 - B. For more information about these restrictions, as well as updates, see OFAC's regulations at 31 CFR chapter V and at [HTTPS://HOME.TREASURY.GOV/POLICY-ISSUES/OFFICE-OF-FOREIGN-ASSETS-CONTROL-SANCTIONS-PROGRAMS-AND-INFORMATION](https://home.treasury.gov/policy-issues/office-of-foreign-assets-control-sanctions-programs-and-information).
 - C. To conduct electronic screens of potential parties to regulated transactions, see the consolidated screening list at [HTTPS://WWW.TRADE.GOV/CONSOLIDATED-SCREENING-LIST](https://www.trade.gov/consolidated-screening-list), which consolidates multiple export screening lists of the Departments of Commerce, State, and the Treasury.
- (3) *Sudan prohibition.* The Contractor is prohibited from conducting any restricted business operations in Sudan in accordance with Accountability and Divestment Act of 2007 (Pub. L. 110-174).
- (4) *Iran prohibitions.*
- (i) Unless an exception applies according to paragraph (d)(4)(iii) or the Government grants a waiver, the contractor shall not engage in certain activities or transactions relating to Iran (section 6(b)(1)(A) of Iran Sanctions Act (50 U.S.C. 1701 note)).
 - (ii) Unless an exception applies according to paragraph (d)(4)(iii) or the Government grants a waiver, contractor shall not export certain sensitive technology to Iran, as determined by the President, and has an active exclusion in SAM (22 U.S.C. 8515).
 - (iii) The prohibition in paragraphs (d)(4)(i) and (d)(4)(ii) do not apply if the acquisition is subject to trade agreements and the offeror certifies that all the offered products are designated country end products or designated country construction material (see part 25).
 - (iv) Unless an exception applies or the Government grants a waiver, contractors are prohibited from knowingly engaging in any significant transaction (i.e., over \$15,000) with Iran's Revolutionary Guard Corps or any of its officials, agents, or affiliates, the property and interests in property of which are blocked according to the International Emergency Economic Powers Act (section 6(b)(1)(B) of Iran Sanctions Act (50 U.S.C. 1701 note)).
- (e) *Governmentwide exclusion and removal orders.*

LESSOR: _____ GOVERNMENT: _____

- (1) Unless the Government has issued an applicable waiver, contractors shall not provide or use as part of the performance of the contract any covered article, or any products or services produced or provided by a source, if the covered article or the source is prohibited by an applicable FASCSA order as follows:
 - (i) For solicitations and contracts awarded by a Department of Defense contracting office, DoD FASCSA orders apply.
 - (ii) For all other solicitations and contracts, DHS FASCSA orders apply.
- (2) The Contractor shall search for the phrase "FASCSA order" in the System for Award Management (SAM) at [HTTPS://WWW.SAM.GOV](https://www.sam.gov) to locate applicable FASCSA orders.
- (3) The Government may identify in the solicitation other FASCSA orders that are not in SAM, which are effective and apply to the solicitation and resulting contract.
- (4) A FASCSA order issued after the date of solicitation applies to this contract only if added by an amendment to the solicitation or modification to the contract (see FAR 40.204-1(c)).
- (f) *Reasonable inquiry.* The contractor shall conduct a reasonable inquiry to determine if there are any prohibited products or services. The inquiry will look at any information in the entity's possession but does not need to include an internal or third-party audit.
- (g) *Removal of prohibited products and services.* For Federal Supply Schedules, Governmentwide acquisition contracts, multi-agency contracts or any other procurement instrument intended for use by multiple agencies, upon notification from the Contracting Officer, during the performance of the contract, the Contractor shall promptly make any necessary changes or modifications to remove any product or service produced or provided by a source that this clause prohibits.
- (h) *General report.*
 - (1) If the Contractor identifies or is notified by any source, (including a subcontractor at any tier), that any product or service provided or used (or to be provided or used) during contract performance does not comply with any prohibition in this clause, then the Contractor shall report the following information, or as much information is known, in writing to the contracting office as identified in paragraph (h)(2) within 72 hours:
 - (i) Contract number and order number, if applicable;
 - (ii) The specific prohibition the product or service is not complying with;
 - (iii) A description of the products or services that the Contractor identifies or has reason to suspect is prohibited (include brand; model number, such as the original equipment manufacturer (OEM) number, manufacturer part number, or wholesaler number; and item description, as applicable);
 - (iv) The entity that produced the product or service (include entity name, unique entity identifier, Contractor and Government Entity (CAGE) code, facilities responsible for design, fabrication, assembly, packaging, and test of the product, and whether the entity was the OEM or a distributor (provide manufacturer codes and distributor codes used for the product));
 - (v) Description of the functionality of the product or service and how that functionality impacts the risk to the product or service;
 - (vi) An explanation of any factors relevant to determining if the product or service should be permitted by an applicable exception, exemption, or waiver (if the contractor would like the Government to consider a waiver, and asks for such a waiver);
 - (vii) Whether alternative products or services are available that would comply with the prohibition;
 - (viii) If the product or service is related to item maintenance, include the following information on the item being maintained:
 - A. Brand;
 - B. Model number, OEM number, manufacturer part number, or wholesaler number; and
 - C. Item description, as applicable.
 - (ix) Any readily available information about mitigation actions implemented or recommended.
 - (2) If a report must be submitted to a contracting office, the Contractor shall submit the report as follows:

LESSOR: _____ GOVERNMENT: _____

- (i) If a Department of Defense contracting office, the Contractor shall report to the website at [HTTPS://DIBNET.DOD.MIL](https://DIBNET.DOD.MIL).
 - (ii) For all other contracting offices, the Contractor shall report to the Contracting Officer.
 - (iii) For indefinite delivery contracts, the Contractor shall report to both the contracting office for the indefinite delivery contract and the contracting office for any affected order.
- (3) If the report provided does not contain any of the information required by paragraph (h)(1) of this clause, and the contractor later discovers new information that is required by paragraph (h)(1) of this clause, then the contractor shall submit a subsequent report within 72 hours of discovering the new information.
- (4) The contractor shall also report the information in paragraph (h)(1) if the contractor wishes to ask for a waiver of the requirements of a new FASCSA order being applied through modification.
- (i) *New FASCSA orders report.*
 - (1) During contract performance, the Contractor shall review SAM at least once every three months, or as advised by the Contracting Officer, to check for covered articles subject to FASCSA order(s), or for products or services produced by a source subject to FASCSA order(s) not currently identified under paragraph (e) of this clause.
 - (2) If the Contractor identifies a new FASCSA order(s) that could impact their supply chain, then the Contractor shall conduct a reasonable inquiry to identify whether a covered article or product or service produced or provided by a source subject to the FASCSA order(s) was provided to the Government or used during contract performance. The inquiry will look at any information in the entity's possession but does not need to include an internal or third-party audit.
 - (3) The Contractor shall submit a report to the contracting office identified in paragraph (h)(2) of this clause if the Contractor identifies, including through any notification by a subcontractor at any tier, that a covered article or product or service produced or provided by a source was provided to the Government or used during contract performance and is subject to a FASCSA order(s). For indefinite delivery contracts, the Contractor shall report to both the contracting office for the indefinite delivery contract and the contracting office for any affected order. The Contractor shall report the following information within 72 hours for each covered article or each product or service produced or provided by a source, where the covered article or source is subject to a FASCSA order:
 - (i) Contract number and order number, if applicable;
 - (ii) Name of the covered article or source subject to a FASCSA order;
 - (iii) The specific FASCSA order the product or service does not comply with;
 - (iv) The elements of (h)(1)(iii) through (ix) of this clause.
- (j) Subcontracts. The Contractor shall insert the substance of this clause, including this paragraph (j) but excluding subparagraphs (d)(1) and (i)(1), in all subcontracts and other contractual instruments, including subcontracts for acquiring commercial products or commercial services.

LESSOR: _____ GOVERNMENT: _____

BUDGET AMENDMENT
PERQUIMANS COUNTY BOARD OF COMMISSIONERS
GENERAL FUND
NO. 1

THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS AT A MEETING ON THE 8th DAY OF SEPTEMBER, 2026, PASSED THE FOLLOWING AMENDMENTS TO THE FY 2026 - 2027 BUDGET.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-011	STATE GRANT - EMS	249,850	
10-592-736	RURAL HEALTH GRANT	249,850	
EXPLANATION: To amend FY 26/27 budget to include the Rural Health Grant as awarded by NCDHHS to be used for the MIH Program.			

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, ON THIS 8th DAY OF SEPTEMBER, 2026.

PASSED BY MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY ON THIS 8th DAY OF SEPTEMBER, 2026.

Chairman, Board of Commissioners

Finance Officer

BUDGET AMENDMENT
PERQUIMANS COUNTY BOARD OF COMMISSIONERS
GENERAL FUNDS
NO. 2

THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS AT A MEETING ON THE 8th DAY OF SEPTEMBER, 2026, PASSED THE FOLLOWING AMENDMENTS TO THE FY 2026 - 2027 BUDGET.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-365-001	STATE GRANTS - RECREATION	10,000	
10-685-339	GA GRANT - NC AMATEUR SPORTS	10,000	
EXPLANATION: To amend FY 26/27 budget to include a Youth Sports Grant to be used for Sotball Field Dugouts Tops			

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, ON THIS 8th DAY OF SEPTEMBER, 2026.

PASSED BY MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY ON THIS 8th DAY OF SEPTEMBER, 2026

Chairman, Board of Commissioners

Finance Officer

BUDGET AMENDMENT
PERQUIMANS COUNTY BOARD OF COMMISSIONERS
GENERAL FUND
NO. 3

THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS AT A MEETING ON THE 8th DAY OF SEPTEMBER, 2026, PASSED THE FOLLOWING AMENDMENTS TO THE FY 2026 - 2027 BUDGET.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-351-000	OFFICER - SHERIFF FEES	2,500	
10-510-330	SHERIFF - SUPPLIES	2,500	
EXPLANATION: To amend FY 26/27 budget to include funding as awarded by Albemarle Community Trust - These funds are to be used for Community Policing Item purchases.			

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, ON THIS 8th DAY OF SEPTEMBER, 2026.

PASSED BY MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY ON THIS 8th DAY OF SEPTEMBER, 2026

Chairman, Board of Commissioners

Finance Officer

BUDGET AMENDMENT
PERQUIMANS COUNTY BOARD OF COMMISSIONERS
GENERAL FUND
NO. 4

THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS AT A MEETING ON THE 8th DAY OF SEPTEMBER, 2026, PASSED THE FOLLOWING AMENDMENTS TO THE FY 2026 - 2027 BUDGET.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-014	FOUNDATION GRANT EMS	4,000	
10-592-742	FOUNDATION GRANT EXPENSE	4,000	
EXPLANATION: To amend FY 26/27 budget to include ECU Health - Community Benefit Grant 2026 to be used for the MIH Program.			

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, ON THIS 8th DAY OF SEPTEMBER, 2026.

PASSED BY MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY ON THIS 8th DAY OF SEPTEMBER, 2026

Chairman, Board of Commissioners

Finance Officer

BUDGET AMENDMENT
PERQUIMANS COUNTY BOARD OF COMMISSIONERS
GENERAL FUND
NO. 5

THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS AT A MEETING ON THE 8th DAY OF SEPTEMBER, 2026, PASSED THE FOLLOWING AMENDMENTS TO THE FY 2026 - 2027 BUDGET.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-037	PERQUIMANS 4-H	2,008.13	
10-615-152	PERQUIMANS 4-H	2,008.13	
EXPLANATION: To amend FY 26/27 budget to include additional funds deposited on behalf of the 4-H Program (making to-date total = 14,364.89)			

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, ON THIS 8th DAY OF SEPTEMBER, 2026.

PASSED BY MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY ON THIS 8th DAY OF SEPTEMBER, 2026

Chairman, Board of Commissioners

Finance Officer

BUDGET AMENDMENT
PERQUIMANS COUNTY BOARD OF COMMISSIONERS
GENERAL FUND
NO. 6

THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS AT A MEETING ON THE 8th DAY OF SEPTEMBER, 2026, PASSED THE FOLLOWING AMENDMENTS TO THE FY 2026 - 2027 BUDGET.

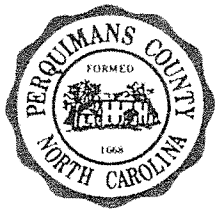
CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-335-000	MISC. REVENUE	2,500	
10-615-570	EXTENSION - MISCELLANEOUS	2,500	
EXPLANATION: To amend FY 26/27 budget to include additional funding as requested by Extension Director Jared Harrell to SUPPORT AG - CAMP CALE BUILDING			

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, ON THIS 8th DAY OF SEPTEMBER, 2026.

PASSED BY MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY ON THIS 8th DAY OF SEPTEMBER, 2026

Chairman, Board of Commissioners

Finance Officer



REBECCA T. CORPREW
CLERK TO BOARD

BRANDON S. SHOAF
COUNTY MANAGER

PERQUIMANS COUNTY BOARD OF COMMISSIONERS

P.O. BOX 45
HERTFORD, NORTH CAROLINA 27944
TELEPHONE: 1-252-426-8484

WALLACE E. NELSON
CHAIRMAN

CHARLES WOODARD
VICE CHAIRMAN

TIMOTHY J. CORPREW

JOSEPH W. HOFFLER

KATHRYN M. TREIBER

JAMES W. WARD

W. HACKNEY HIGH, JR.
COUNTY ATTORNEY

September 9, 2026

Robin Hoffman
205(j) Grant Administrator, Division of Water Resources
NC Department of Environmental Quality
[Digital Submission]

Subject: Water Quality Management Planning Grant for the Perquimans River

Dear Ms. Hoffman,

As Chairman of the Perquimans County Board of Commissioners, I am writing to express the County's strong support for the Albemarle Commission's application to the 205(j) Water Quality Management Program. The Albemarle Commission has proposed the "Perquimans River Watershed Restoration Plan" to evaluate river pollution and determine ways to reduce it, such as through new management practices, stormwater projects, and improved public awareness and education.

As you know, the Perquimans River is part of the Pasquotank River basin, for which a basin plan was adopted in 2021. This document reports that the Perquimans River watershed's land cover is almost half agricultural, and more than a quarter is wetland. The document also reports that, unfortunately, there is very limited monitoring of the river, and EPA data indicate that the water quality of the Perquimans River adjacent and northward of Hertford is largely unknown. Given the heavily agricultural nature of our region, algal blooms remain a persistent, shared concern for the Perquimans River and all waterbodies within the basin.

Additionally, the Town of Hertford has long experienced tidal flooding and land erosion, and its stormwater infrastructure is aged and in poor condition. Further, the Town and Perquimans County anticipate significant residential and economic growth in coming years, contributing to potential runoff and nonpoint source pollution.

In light of these factors, we believe now is the time to prepare a Watershed Restoration Plan for the Perquimans River. It would enable the Perquimans County, as well as the Town of Hertford and the Town of Winfall, to more clearly assess water quality, determine areas of concern, and begin pursuing best management practices and stormwater projects in alignment with other community plans. This will enable enhanced, proactive management of the watershed, and also ensure that community and economic development continue in harmony with stewardship of public waters.

I respectfully ask for your favorable consideration of the Albemarle Commission's proposal, and affirm the County will be a willing, active partner in preparing and striving to implement a Watershed Restoration Plan. I also wish to confirm that the Perquimans County Board of Commissioners unanimously voted in support of this application during its regular meeting on September 8, 2026.

Wallace Nelson, Chairman
Perquimans County Board of Commissioners

Perquimans County's Vision:

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



NCGC License #38655
Virginia Class A License #2705184070

August 10, 2026

Perquimans County Board of Commissioners
c/o County Planning Department
Hertford, NC 27944

RE: Request for Preliminary Plat Approval Extension – The Windmill at Coastal Farms (64 Lots)

Dear Members of the Board of Commissioners,

Please accept this letter as a formal request for an extension of the preliminary plat approval for The Windmill at Coastal Farms, a proposed 64-lot residential subdivision in Perquimans County.

We are requesting this extension to continue our comprehensive study of the local residential real estate market. Since receiving initial preliminary plat approval, we have actively gathered real-time market data through active construction and sales within the County. To date, we have completed two custom homes that were exceptionally well received by the market—selling for \$427,500 and \$450,000, respectively. We currently have a third home under construction with a projected completed value of \$475,000, and we are in the planning phases for five additional homes targeted at a price point of \$350,000 or less.

Combining the performance data from these higher-end custom builds with our upcoming targeted sub-\$350,000 inventory will give us a complete dataset on local demand, preferred architectural styles, and community affordability. Extending our preliminary plat approval will allow us the time necessary to finish aggregating this data, ensuring that the product brought to market at The Windmill at Coastal Farms directly aligns with the economic needs and growth of Perquimans County.

Thank you for your time, consideration, and continued partnership.

Sincerely,

A handwritten signature in black ink, appearing to read "Tildon Whitehurst, Jr.", written over a horizontal line.

Tildon Whitehurst, Jr
Owner/Developer

ORDINANCE NO. 111

Property Maintenance Ordinance

Perquimans County

Adopted by the
Perquimans County Board of Commissioners on
September 8, 2026

Ordinance # 111

An Ordinance Providing for THE PREVENTION AND ABATEMENT OF PUBLIC NUISANCES CAUSED BY THE UNCONTROLLED GROWTH OF NOXIOUS WEEDS AND GRASS AND THE ACCUMULATION OF REFUSE.

Adopted: September 8, 2026

WHEREAS, the uncontrolled growth of noxious weeds and grass, the accumulation of offensive animal and vegetable matter, and the accumulation of refuse regardless of location, causes or threatens the public health or safety; and

WHEREAS, Perquimans County is presently authorized by Section 153A-132, 153A-132.2 and 153A-140 of the General Statutes of North Carolina to abate nuisances and to take all actions prescribed in this ordinance; and

WHEREAS, a public hearing was noticed and duly held on September 08, 2026, wherein public comment was received; and

WHEREAS, based upon the public input and comments received at the public hearing and based upon the considerable study of this matter by the Board of County Commissioners and the County Manager and staff, Perquimans County has determined that the property maintenance regulations set forth herein are necessary and beneficial to the same, and its citizens in that such regulations will provide for the abatement of the outlined nuisances; and

WHEREAS, the authority to enact such regulations is granted to the County of Perquimans pursuant to North Carolina General State Statutes 153A-121 and 153A-140,

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

Section 101. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning. The existence of any of the following conditions on any lot, whether improved or not, or other parcel of land within the county limits is hereby declared to be dangerous and prejudicial to the public health of safety and to constitute a public nuisance:

- (a) Growth of weeds and grass. The uncontrolled growth of noxious weeds or grass causing or threatening to cause a hazard detrimental to the public health or safety. In no event may the grass or weeds on any portion of a lot located in a platted subdivision and not used for active farming or woodlands exceed the height of 12 inches;
- (b) Accumulations of rubbish, and the like. Any accumulation of rubbish, trash, or junk causing or threatening to cause a fire hazard, causing or threatening to cause the accumulation of stagnant water or causing or threatening to cause the inhabitation therein of rats, mice, snakes, or vermin of any kind which is or may be dangerous or prejudicial to the public health;
- (c) Obstruction of drainage ways. The placement of rubbish, trash, yard debris, soil, vegetation, or other items impeding the flow of water and/or causing or threatening to cause the obstruction of drainage ways.

Section 102. Jurisdiction

The regulations contained herein as provided in N.C.G.S. 153A-121 shall govern all territory within Perquimans County, North Carolina, outside of the incorporated jurisdiction of any municipality. The municipality may authorize the provisions of this Ordinance to be applicable to the territory within the municipality by the adoption of a resolution by the governing body.

Section 103. Administration

The County Manager, or County Manager's designee, upon notice from any person of the existence of any of the conditions described as a nuisance shall cause to be made, by the appropriate county official, such investigation as may be necessary to determine whether such conditions exist as to constitute a public nuisance.

Section 104. Notice and Order to Abate

Upon determination that the conditions constituting a public nuisance exist, the County Manager, or County Manager's designee, shall notify, in writing, the owner, occupant, and/ or person in possession of the premises in question of the conditions constituting such public nuisance and shall order the prompt abatement thereof within 14 days from the receipt of such written notice. The written notice should also include the right to appeal the notice of abatement to the County Manager, or the County Manager's designee.

Abatement of a public nuisance shall consist of taking whatever appropriate steps are reasonably necessary to remove the condition or conditions which result in the declaration of a public nuisance.

Section 105. Appeal of Order of Abatement

At any time before the expiration of the abatement period the respondent may request a hearing before the County Manager, or County Manager's designee, to appeal the finding of the administrator that a public nuisance as defined by this chapter exists on the premises. The request for a hearing must be in writing and must be filed in the office of the County Manager. The County Manager, or County Manager's designee, shall fix a time for the hearing, and the initial abatement order shall be suspended pending such hearing. The hearing must be held by the County Manager, or County Manager's designee, within 30 calendar days following receipt of the request for hearing by the office of the County Manager. At the hearing, the individual affected by the order shall be given the opportunity to present evidence to refute the findings which supported the abatement order. Upon completion of the hearing, the County Manager or County Manager's designee shall consider the evidence provided and shall either revoke the initial order, issue a final order which differs from the initial order, or reinstate the initial order as a final abatement order. The decision of the County Manager, or County Manager's designee, may be appealed to the General Court of Justice as provided by G.S. § 153A-140.

Nothing in this article shall be construed to limit the legal authority and/or powers of officers of the county in enforcing other laws and/or in otherwise carrying out their duties.

Section 106. Abatement by County.

- (a) If any person, having been ordered to abate a public nuisance, fails, neglects, or refuses to abate or remove the condition constituting the nuisance within 14 days from receipt of the order, the County Manager, or County Manager's designee, shall cause such condition to be removed or otherwise remedied by having an independent contractor go upon such premises and remove or otherwise abate such nuisance under the supervision of an officer or employee designated by the County Manager.
- (b) The actual cost incurred by the county in removing or otherwise remedying a public nuisance, including administrative costs, shall be charged to the owner of such lot or parcel of land and it shall be the duty of the County Tax Collector to forward, by certified mail, return receipt requested, a statement of such charges to the owner or other person in possession of such premises with instructions that such charges are due and payable within 30 days from receipt thereof.
- (c) In the event charges for the removal or abatement of a public nuisance are not paid within 30 days after the receipt of a statement of charges as provided for above, such charges shall become a lien upon the land or premises where the public nuisance existed and shall be collected as unpaid taxes, as provided in G.S. § 153A-140.

Section 107. Annual Notice to Chronic Violators of Public Nuisance Regulations

Under the provisions of G.S. § 153A-140.2, effective October 1, 2009, the county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Section 108. Remedies

Any violation of this chapter is a misdemeanor as provided by G.S. §14-4, punishable by a fine of not more than \$50 or imprisonment for not more than 30 days, or both fined and imprisonment. For a continuing offense, each day's violation is a separate offense. The remedies set forth in this chapter shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances.

Section 109. Right of entry.

For the purpose of enforcing the provisions of this article, the Perquimans County enforcement officer or his designee(s) may at all times during regular business hours, Saturdays, and legal holidays excepted, enter upon any premises within the county's jurisdiction, other than within any building actually occupied for a residence, for the purpose of determining whether or not the provisions of this article are being violated or for the purpose of determining whether or not any notice by the county requiring the abatement of the nuisance has been complied with.

Section 110. Article cumulative.

Procedures set forth in this article shall be in addition to any other remedies that may exist under law or ordinance to the abatement of public nuisances.

Section 111. Separability

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the Ordinance as a whole or part thereof other than the part so declared to be unconstitutional or invalid.

Section 112. Effective Date

The provisions of this chapter shall be in full force and effect from and after the date of its adoption.

(SEAL)

Wallace Nelson, Chairman
Perquimans County Board of Commissioners

Rebecca T. Corprew, Clerk to the Board
Perquimans County Board of Commissioners

ORDINANCE NO. 112

Flood Damage Prevention Ordinance (Replaces Ordinance No. 99)

Perquimans County

Adopted by the
Perquimans County Board of Commissioners on
September 8, 2026

**RESOLUTION TO REPLACE
ORDINANCE NO. 99
WITH ORDINANCE NO. 112
FLOOD DAMAGE PREVENTION
ORDINANCE**

WHEREAS, there presently exists areas of flood hazards in the County; and

WHEREAS, North Carolina General Statutes provide for local governments to adopt regulations designed to promote the public health, safety and general welfare; and

WHEREAS, the Federal Emergency Management Agency and the North Carolina Emergency Management provides direction and guidance for the amending and updating of the local governments' Flood Damage Prevention Ordinance and has indicated that an update is necessary for Perquimans County,

NOW THEREFORE, BE IT RESOLVED that the Perquimans County Board of Commissioners does adopt those certain updates recommended by FEMA and NCEM by replacing Ordinance No. 99 with updated Ordinance No. 112.

ORDINANCE NO. 112

PERQUIMANS COUNTY FLOOD DAMAGE PREVENTION ORDINANCE

Coastal Regular Phase

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DRAFT

ORDINANCE NO. 112
(Replaces Ordinance No. 99)

PERQUIMANS COUNTY
FLOOD DAMAGE PREVENTION ORDINANCE

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 it's 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.

“Breakaway Wall” means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

“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.

“Dry Floodproofing” means a combination of measures that make a building and attendant utilities and equipment watertight and substantially impermeable to floodwater, with structural components having the capacity to resist flood loads. Please refer to Technical Bulletin 3, Requirements for the Design and Certification of Dry Floodproofed Non- Residential and Mixed- Use Buildings, and available from the FEMA.

“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.

“Expansion to an Existing Manufactured Home Park or Subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“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 lumbars 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.

“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.

“New Manufactured Home Park or 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) is completed on or after the effective date of floodplain management regulations adopted by a community, dated April 9, 1985.

“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. The reference level is the bottom of the lowest horizontal structural member of the lowest floor for structures within Special Flood Hazard Areas designated as Zone VE.

“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 its 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 damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

“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

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. § 143-215.58. . 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. 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, or subsequent datum, of the proposed reference level (including basement) of all structures;
 - (ii) Elevation in relation to NAVD 1988, or subsequent datum, to which any non-residential structure in Zones A, AE, AH, AO, A99 will be floodproofed; and
 - (iii) Elevation in relation to NAVD 1988, or subsequent datum, to which any proposed utility systems will be elevated or floodproofed.
- (c) If floodproofing, a Floodproofing Certificate (FEMA Form FF-206-FY-153) 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.
 - i) (iii) The following, in Coastal High Hazard Areas, in accordance with the provisions of Article 5, Section B(4)(e) and Article 5, Section G:
 - ii)
 - iii)
 - (1) V-Zone Certification with accompanying plans and specifications verifying the engineered structure and any breakaway wall designs; In addition, prior to the Certificate of Compliance/Occupancy issuance, a registered professional engineer or architect shall certify the finished construction is compliant with the design, specifications and plans for VE Zone construction.;
 - (2) Plans for open wood latticework or insect screening, if applicable; and
 - (3) Plans for non-structural fill, if applicable. If non-structural fill is proposed, it must be demonstrated through coastal engineering analysis that the proposed fill would not result in any increase in the BFE or otherwise cause adverse impacts by wave ramping and deflection on to the subject structure or adjacent properties.
- (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.
- (h) Limitations of below BFE enclosure uses (i.e., parking, building access and limited storage only).
- (i) A statement, that all materials below BFE/RFPE must be flood resistant materials.
- (j) A statement, if in Zone VE, that there shall be no fill used for structural support.

(3) **Certification Requirements.**

- (a) Elevation Certificates
 - (i) An Elevation Certificate (FEMA Form FF-206-FY-152) 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 FF-206-FY-152) 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 FF-206-FY-153), 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, of subsequent datum. 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
 - (ii) Accessory Structures that are 150 square feet or less or \$3000 or less and meeting requirements of Article 5, Section B(8).
- (f) A V-Zone Certification with accompanying design plans and specifications is required prior to issuance of a Floodplain Development permit within coastal high hazard areas. It shall be the duty of the permit applicant to submit to the Floodplain Administrator said certification to ensure the design standards of this ordinance are met. A registered professional engineer or architect shall develop or review the structural design, plans, and specifications for construction and certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this ordinance. This certification is not a substitute for an Elevation Certificate. In addition, prior to the Certificate of Compliance/Occupancy issuance, a registered professional engineer or architect shall certify the finished construction is compliant with the design, specifications and plans for VE Zone construction.

(4) **Substantial Improvement/ Damage 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, or subsequent datum) 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, or subsequent datum) 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, or subsequent datum) 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).
- (23) Substantial Improvement/Damage Assessments and Determinations:
 - (a) Conduct damage assessments for damage structures located within the SFHA.
 - (b) Complete substantial improvement/damage determinations in accordance with the provisions of Article 4, Section B (4).

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.
- (10) A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
 - (a) The use serves a critical need in the community.
 - (b) No feasible location exists for the use outside the Special Flood Hazard Area.
 - (c) The reference level of any structure is elevated or floodproofed to at least the Regulatory Flood Protection Elevation.
 - (d) The use complies with all other applicable federal, state and local laws.
 - (e) The Perquimans County has notified the Secretary of the North Carolina Department of Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

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, AE, AO, AH, A99) or below the lowest horizontal structural member (VE zones):

- (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 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.
 - (e) Shall, in Coastal High Hazard Areas (Zone VE), meet the requirements of Article 5, Section G.
- (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, except in VE zones, 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 assume 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) Placement of a Recreational Vehicle in the Regulatory Floodway or Coastal High Hazard Area (VE) is prohibited. This includes both temporary and permanent placement.
 - (b) 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.)
 - (c) 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) Accessory structures, regardless of the size or cost, shall not be placed below elevated buildings in VE Zones;
 - (g) All service facilities such as electrical shall be installed in accordance with the provisions of Article 5, Section A(4); and
 - (h) 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 in the A, AO, AH, AE or A99 zones with a footprint of 150 square feet or less or that is a minimal investment of \$3,000 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 not be permitted in the VE Zones. Fuel tanks may 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.
- (d) Commercial storage facilities are not considered “limited storage” as noted in this ordinance and shall protected to the Regulatory Flood Protection Elevation as required for commercial structures.

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 issued by FEMA for proposed encroachments resulting in increases in the flood levels during the occurrence of the base flood discharge. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.
 - (c) A Letter of Map Revision (LOMR) must be obtained within six months of completion of the proposed encroachment, permitted in accordance with Article 5, Section F(1)(a), if the encroachment results in changes to the floodway/non-encroachment area widths, and/or changes to the stream location.
- (2) If Article 5, Section F(1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (3) 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 VE).

Coastal High Hazard Areas are Special Flood Hazard Areas established in Article 3, Section B, and designated as Zones VE. These areas have special flood hazards associated with high velocity waters from storm surges or seismic activity and, therefore, all new construction and substantial improvements shall meet the following provisions in addition to the provisions of Article 5, Sections A and B:

- (1) All new construction and substantial improvements shall:
 - (a) Be located landward of the reach of mean high tide;
 - (b) Comply with all applicable CAMA setback requirements.
- (2) All new construction and substantial improvements shall be elevated so that the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings or columns) is no lower than the regulatory flood protection elevation. Floodproofing shall not be utilized on any structures in Coastal High Hazard Areas to satisfy the regulatory flood protection elevation requirements.
- (3) All new construction and substantial improvements shall have the space below the bottom of the lowest horizontal structural member of the lowest floor either be free of obstruction or constructed with breakaway walls, open wood latticework or insect screening, provided they are not part of the structural support of the building and are designed so as to breakaway, under abnormally high tides or wave action without causing damage to the elevated portion of the building or supporting foundation system or otherwise jeopardizing the structural integrity of the building. The following design specifications shall be met:
 - (a) Material shall consist of open wood or plastic lattice having at least 40 percent of its area open, or
 - (b) Insect screening; or
 - (c) Breakaway walls shall meet the following design specifications:
 - (1) Breakaway walls shall have flood openings that allow for the automatic entry and exit of floodwaters to minimize damage caused by hydrostatic loads, per Article 5, Section B(4)(d)(i-vi); and
 - (2) Design safe loading resistance shall be not less than 10 nor more than 20 pounds per square foot; or
 - (3) Breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by State or local codes) shall be certified by a registered professional engineer or architect that the breakaway wall will collapse from a water load less than that which would occur during the base flood event, and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). The water loading values used shall be those associated with the base flood. The wind loading values used shall be those required by the North Carolina State Building Code.
- (4) All new construction and substantial improvements shall be securely anchored to pile or column foundations. All pilings and columns and the structure attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components.
 - (a) Water loading values used shall be those associated with the base flood.

- (b) Wind loading values used shall be those required by the current edition of the North Carolina State Building Code.
- (5) For concrete pads, including patios, decks, parking pads, walkways, driveways, pool decks, etc. the following is required:
- (a) Shall be structurally independent of the primary structural foundation system of the structure and shall not adversely affect structures through redirection of floodwaters or debris; and
 - (b) Shall be constructed to breakaway cleanly during design flood conditions, shall be frangible, and shall not produce debris capable of causing damage to any structure. (The installation of concrete in small segments (approximately 4 feet x 4 feet) that will easily break up during the base flood event, or score concrete in 4 feet x 4 feet maximum segments is acceptable to meet this standard); and
 - (c) Reinforcing, including welded wire fabric, shall not be used in order to minimize the potential for concreted pads being a source of debris; and
 - (d) Pad thickness shall not exceed 4 inches; or
 - (e) Provide a Design Professional's certification stating the design and method of construction to be used meet the applicable criteria of this section.
- (6) For swimming pools and spas, the following is required:
- (a) Be designed to withstand all flood-related loads and load combinations. Flotation calculations should assume the pools/spas are empty.
 - (b) Be elevated so that the lowest horizontal structural member is elevated above the RFPE; or
 - (c) Be located and installed in-ground in compliance with either of the following:
 - 1. Designed and constructed to break away during design flood conditions without producing debris capable of causing damage to any structure; or
 - 2. Designed and constructed to remain in the ground during design flood conditions without obstructing flow that results in damage to any structure.
 - (d) Registered design professionals must certify to local officials that a pool or spa beneath or near a VE Zone building will not be subject to flotation or displacement that will damage building foundations or elevated portions of the building or any nearby buildings during a coastal flood.
 - (e) Pool equipment shall be located above the RFPE whenever practicable. Pool equipment shall not be located beneath an elevated structure.
- (7) All elevators, vertical platform lifts, chair lifts, etc., the following is required:
- (a) Elevator enclosures must be designed to resist hydrodynamic and hydrostatic forces as well as erosion, scour, and waves.
 - (b) Utility equipment in Coastal High Hazard Areas (VE Zones) must not be mounted on, pass through, or be located along breakaway walls.
 - (c) The cab, machine/equipment room, hydraulic pump, hydraulic reservoir, counter weight and roller guides, hoist cable, limit switches, electric hoist motor, electrical junction box, circuit panel, and electrical control panel are all required to be above RFPE. When this equipment cannot be located above the RFPE, it must be constructed using flood damage-resistant components.
 - (d) If an elevator is designed to provide access to areas below the BFE, it shall be equipped with a float switch

system that will activate during a flood and send the elevator cab to a floor above the RFPE.

(8) Accessory structures, regardless of size or cost, shall not be permitted below elevated structures.

(9) A registered professional engineer or architect shall certify that the design, specifications and plans for construction are in compliance with the provisions of Article 4, Section B and Article 5, Section G (3) and (4), on the current version of the North Carolina V-Zone Certification form or equivalent local version. In addition, prior to the Certificate of Compliance/Occupancy issuance, a registered professional engineer or architect shall certify the finished construction is compliant with the design, specifications and plans for VE Zone construction

(10) Fill/Grading

(a) Minor grading and the placement of minor quantities of nonstructural fill may be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.

(b) The fill material must be similar and consistent with the natural soils in the area.

(c) The placement of site-compatible, non-structural fill under or around an elevated building is limited to two (2) feet. Fill greater than two (2) feet must include an analysis prepared by a qualified registered design professional demonstrating no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent elevated buildings and structures.

(d) Nonstructural fill with finished slopes that are steeper than five (5) units horizontal to one (1) unit vertical shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent elevated buildings and structures.

(11) There shall be no alteration of sand dunes or mangrove stands which would increase potential flood damage.

(12) RESERVED.

(13) Placement of recreational vehicles in Coastal High Hazard Areas is prohibited.

(14) For decks and patios the following is required:

(a) A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the Regulatory Flood Protection Elevation and any supporting members that extend below the Regulatory Flood Protection Elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck. The increased loads must be considered in the design of the primary structure and included in the V-Zone Certification required under Article 4, Section B, (3)(f).

(b) A deck or patio that is located below the Regulatory Flood Protection Elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.

(16) In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

(a) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;

(b) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters.

SECTION I. 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, above the highest adjacent grade; or at least three 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 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 8th day of September, 2026.

WITNESS my hand and the official seal of Perquimans County, this the 8th day of September, 2026.

Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

Rebecca T. Corprew, Clerk to the Board
Perquimans County Board of Commissioners



AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON DEVELOPMENT APPROVALS FOR DATA CENTERS AND RELATED HIGH-IMPACT FACILITIES IN PERQUIMANS COUNTY.

WHEREAS, the Perquimans County Board of Commissioners (the "Board") is responsible for promoting the health, safety, and general welfare of the County's residents; and

WHEREAS, North Carolina General Statute§ 160D-107 authorizes local governments to adopt temporary moratoria on development approvals under certain conditions; and

WHEREAS, the Board has observed recent interest, requests and potential applications for high-impact facilities, specifically data centers and cryptocurrency mining operations, within the unincorporated areas of the County; and

WHEREAS, these types of facilities present unique challenges and potential impacts not adequately addressed by the County's current Zoning Ordinance, including but not limited to:

- Extremely high energy consumption and strain on existing utility infrastructure;
- Significant noise generation from cooling systems and backup generators, affecting adjacent residential areas and general quality of life;
- Substantial water usage for cooling purposes;
- Potential environmental impacts, including hazardous material storage and electronic waste disposal; and
- Land use compatibility concerns, particularly in rural or agriculturally zoned districts; and

WHEREAS, the County's existing regulations were not developed with these specific types of high-impact uses in mind, and the County needs time to develop appropriate, comprehensive standards to ensure that any future development of such facilities is consistent with the County's long-term land use plan and protects the public interest; and

WHEREAS, the Board has considered alternative courses of action, such as relying on existing general use permits or special use permits, but determined these were inadequate because they lack the specific performance standards (e.g., noise limits, utility capacity requirements, setbacks) needed to mitigate the unique impacts of data centers effectively; and

WHEREAS, a temporary moratorium on accepting and processing new applications for such facilities is a reasonable and necessary measure to allow County staff and the Planning Board members

sufficient time to study the issues, engage with stakeholders, and draft appropriate amendments to the zoning ordinance;

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

Section 1. Moratorium Imposed

A temporary moratorium is hereby imposed for a period of one **(1) year** from the effective date of this Ordinance. During this period, the County shall not accept, process, or approve any applications for the following development approvals:

- Special Use Permits
- Conditional Zoning Permits
- Zoning Map Amendments (rezoning requests)
- Building Permits
- Any other development approval required by law

for the establishment, construction, erection, alteration, or expansion of any **data center, cryptocurrency mining facility, or other high-impact data processing facility.**

Section 2. Scope and Exemptions

This moratorium shall apply to all unincorporated areas of Perquimans County. Exemptions include:

- Any development that has received a valid development approval in accordance with G.S. 160D-107(c) prior to the effective date of this ordinance.

Section 3. Plan of Action and Schedule

During the effective period of this moratorium, the Perquimans County Board of Commissioners and County Staff shall take the following actions:

- **Month 1-4:** Study the potential impacts (energy, water, noise, land use) of data centers and cryptocurrency mining facilities, in consultation with local utility providers and the UNC School of Government.
- **Month 4-6:** Draft specific land use ordinance amendments and performance standards to regulate these facilities, including appropriate zoning districts, setback requirements, noise limitations, and utility capacity conditions.
- **Month 6-10:** Hold public workshops and Planning Board meetings to review the draft amendments and gather public input.
- **Month 10-12:** The Planning Board will provide a recommendation to the Board of Commissioners. The Board of Commissioners will hold the necessary public hearings to consider and potentially adopt the final ordinance amendments.

Section 4. Duration and Termination

This Ordinance shall be in full force and effect from and after September 08, 2026, until September 07, 2027, unless earlier terminated, extended, or modified by the Board of Commissioners in accordance with North Carolina law. The stated duration is reasonably necessary to address the identified problems.

Section 5. Severability

If any section or part of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining sections or parts.

Adopted this the 08th day of September, 2026.

(SEAL)

Wallace Nelson, Chairman
Perquimans County Board of Commissioners

Rebecca T. Corprew, Clerk to the Board
Perquimans County Board of Commissioners