

STATE OF NORTH CAROLINA

COUNTY OF DARE

AGREEMENT FOR INTERLOCAL UNDERTAKING

WHEREAS, North Carolina General Statute Sections 160A-460 through 464 and 466 authorize counties and municipalities to enter into agreements; and to enter into interlocal undertakings; and

WHEREAS, certain counties and municipalities in North Carolina, hereinafter called Members, desire to enter into an Agreement to establish an undertaking for a joint program to seek changes in North Carolina's laws and rules pertaining to beach sediment management at ocean inlets; and

WHEREAS, the Dare County is a county that would benefit from participation in an inter-local agreement; and

NOW, THEREFORE, BE IT RESOLVED BY THE DARE COUNTY BOARD OF COMMISSIONERS as follows:

1. The Undertaking

That the County enters into an agreement with other local governments to participate in an inter-local Undertaking to affect changes to current policy as it pertains to beach sediment management at ocean inlets. The Undertaking will be responsible for compliance with NCGS Chapter 138A and Chapter 120C rules.

2. Authorization

That the Chairman is authorized to enter into an agreement that creates an Inlet Committee which shall be defined and established as follows:

a) The Inlet Committee

The Inlet Committee, hereinafter called Committee, is a joint agency defined in NCGS 160A-462, established to assist the local government participating in the Agreement to plan, provide funding for, and execute a program to seek changes in North Carolina's laws and rules pertaining to beach sediment management at ocean inlets.

b) Membership

Each signatory to this Agreement shall be a Member of the committee. Each member shall have one representative appointed by that Member to serve as the point of contact for the Member (hereinafter "Representative") throughout the Undertaking. Each Representative so appointed shall speak on behalf of the Member in matters pertaining to this Undertaking.

c) Funding

There will be no set formula for funding the Undertaking. Each member shall provide funding at its own discretion in an amount it deems to be

sufficient for its level of interest in the undertaking. The County of Dare shall be designated as agent solely for the purpose of receiving and disbursing funds in accordance with the wishes of the Committee, and disbursements shall be approved by a majority vote of the members of the Committee.

d) Power and Duties

The Committee has the following powers and duties:

- i) To keep Members informed about the progress of the undertaking.
- ii) To provide public information and advocacy pertaining to the goals of the undertaking
- iii) To coordinate with each other on the best methods for reaching the goals of the undertaking

e) Personnel

The Committee shall have the power to appoint or retain qualified employees or agents as may be required to implement its plans, provide day to day management and represent the Committee, in accordance with available funding.

f) Addition of Members, Amendment of Agreement

Any New Member must be a North Carolina local government and may be added upon execution of this Agreement by an authorized representative of said New Member. This Agreement may only be amended with the approval, by resolution, of all Members.

g) Term and Dissolution; Remaining Funds

This Agreement shall terminate on the last day of the 2009-2010 session of the North Carolina Legislature unless terminated before that date due to completion of the goals of the undertaking. Any remaining funds will be reimbursed to each Member in direct proportion to the amount that Member contributed to the total.

Adopted this the 16th day of March, 2009

Chairman

Attest:

County Clerk