Meeting Minutes

Board of County Commissioners
Hyde County

Monday, March 10, 2014

The Monday, March 3, 2014, NCDOT Public Hearing and the Hyde County Board of Commissioners Meeting and CDBG FY2014 Public Hearing were postponed due to ice on county roadways; and, rescheduled for Monday, March 10, 2014, beginning at 5:00pm.

Public Hearing – Bridge #79:

Sterling Baker, NCDOT Division Maintenance Engineer and John Abel, NCDOT Division Bridge Program Manager presented the proposed removal of Bridge #79 (Roper Lane) in Engelhard and replacement with a Pedestrian Bridge. Mr. Baker explained the current Federal Bridge Replacement Program and related funding restrictions. Mr. Baker began Public Hearing at 5:00pm to receive citizen's comments and questions about the removal of Bridge #79.

The following members were present on the mainland: Commissioners Earl Pugh, Jr., Dick Tunnell, Benjamin Simmons, III and Barry Swindell; Attorney Fred Holscher; County Manager Bill Rich; Clerk to the Board Lois Stotesberry; and, members of the public.

The following members were present on Ocracoke: Public Information Officer Sarah Johnson and members of the public.

Commissioner John Fletcher was not present.

Bob Hayes, Owner, Engelhard Hotel – needs the bridge for truck access and recommends a cement tile be used to construct a new bridge.

Kit Gibbs, 101 Roper Lane, Engelhard – is concerned about emergency vehicle access and standing water on the shoulders of the road.

Barbara Jean Gibbs, Engelhard – asked what drivers are to do when Golden Street is under water.

Jerry, Hardison, Engelhard – asked whether or not the bridge could be built without driving pylons.

Commissioner Simmons asked if the bridge could only be replaced from the water up.

Hearing no further comments from the public, Mr. Baker closed Public Hearing on Removal of Bridge #79 in Engelhard and replacement with a Pedestrian Bridge at 5:40pm.

Commissioners Meeting:

Following NCDOT Public Hearing at 5:00pm, Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00pm on Monday, March 10, 2014, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

Welcome Commissioner Benjamin (Ben) Simmons, III:

Chairman Swindell introduced newly appointed Commissioner Ben Simmons. Mr. Simmons will complete the term of Commissioner Anson Byrd, through December 1, 2014. Mr. Simmons filed notice of candidacy for election to represent District 2 – Fairfield Township on February 28, 2014. This term ends December 2016.

Agenda:

Chairman Swindell asked for any changes to the March 10, 2014 amended meeting Agenda.

Commissioner Fletcher moved to approve the amended agenda as presented by the Clerk with the following additions:

Resolutions:
1.a – Attachment 2 – Resolution by Governing Body of Applicant

3.c – Resolution to Support the Restoration of The Small County Supplemental Allotment
3.d – Memorandum Of Understanding Between NCACC, ICMA and Hyde County – MPA Student
3.e – Resolution of Regulation of Smoking and Use of Vapor Products In County Buildings
3.f – Resolution in Support of Extending Lifeguard Services On Ocracoke

Budget Transfers: Health, Ocracoke Occupancy Tax Funds and DSS – CIP & LIEAP Funds

Manager's Projects Update: Senator Jerry Tillman, Golden LEAF Update, Update – Government Center and Public Safety Center, Animal Control, County Land Sales and Ocracoke Storm Water

13. West/Quarter/Double & Bay Steering Committee

Departmental Reports: Social Services and Inspections

Informational Items: EMS Letter from Evelyn Sadler

Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Consideration of Minutes:

Commissioner Pugh moved to approve the February 3, 2014 Regular Meeting Minutes of the Hyde County Board of Commissioners as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Resolution Supporting The Removal Of Bridge #79 (Roper Lane) In Engelhard And Replacing With A Pedestrian Bridge

At the Board of Commissioner's regularly scheduled meeting on February 3rd, Sterling Baker, PE, NCDOT, presented draft plans on how to handle Removal and Replacement of Bridge #79 in Engelhard. Mr. Baker reported the bridge is functionally obsolete and structurally deficient. Because construction of a new bridge would destroy Jessie Gibbs Service Station, a pedestrian bridge has been

Connie Lienbach, Ocracoke – reported the Ocracoke Civic & Business Association (OCBA) continues to request the National Park Service (NPS) provide lifeguard services on Ocracoke.

Leslie Lanier, Ocracoke – agrees with the need for lifeguards on Ocracoke beaches. She also complimented the Transformation Zone program presented by Bishop Levi Murray.

Lida Jones, Sarah Johnson and Fred Westervelt, Ocracoke – also agree with the need for lifeguards on Ocracoke beaches.

Commissioner Fletcher, Ocracoke – recommends calling our congressmen about the need for lifeguards on Ocracoke beaches.

Alice Mackey, President, Davis High Ventures, Inc. – asked the Board of Commissioners to renew Davis Ventures lease agreement with Hyde County.

There being no further comments from the public, Chairman Swindell continued the meeting.

Employee Recognition:

Manager Rich complimented Sarah Johnson, Public Information Officer (PIO), for keeping citizens informed and establishing good will between the Mainland and Ocracoke.

Justin Gibbs spun the Wheel of Thanks for Ms. Johnson and she won a Gift Certificate for Spoon River Restaurant in Belhaven.

NCACC Legislative Update Video:

Manager Rich reported that Todd McGee, Public Relations Director, North Carolina Association of County Commissioners (NCACC) asked County Clerks and County Managers to play the Legislative Update video at its next meeting as a kickoff to NCACC preparations for the district meetings and the 2014 Legislative Short Session.

The Association continues its work on all goals adopted by the membership in 2013 with special emphasis on restoring funding for school constructions, second primaries, 911 funding, and jail standards. Update was given on Agriculture goals, Environmental goals, Health & Human Services goals, Intergovernmental Relations goals, Justice & Public Safety goals, Public Education goals and Tax & Finance goals.

Affordable Care Act Information:

Kris Noble, Planner/Developer, through communication with Tami Thompson, Outreach Coordinator, NC Agromedicine Institute, ECU, reported that the uninsured rate for farmers is ~30%, for loggers ~50%, for fishermen ~80-90%. This coupled with the fact that these individuals work in the most dangerous occupations in our state is a very important reason for them to have health insurance.

The North Carolina Agromedicine Institute recently received federal funding to provide education about the benefits of health coverage, new health insurance options and eligibility for tax credit and subsidy under the Affordable Care Act; and, to assist individuals with the enrollment process. Information about provisions for small businesses under the Affordable Care Act is also available although businesses wishing to enroll will need to do so with a local agent.

Commissioner Pugh moved to open Public Hearing relative to the intention of Hyde County to apply for FY2013 CDBG funding under Title I of the Housing and Community Development Act and to receive citizen's comments and questions. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Kris Noble, Planner/Developer, reported that the purpose of this hearing is to obtain the views and proposals of the citizens of Hyde County with regard to the determination of priorities for the community development needs of the county. Hyde County has need for and intends to construct a replacement wastewater treatment plant project to upgrade the Engelhard Sewer District Wastewater Treatment Plant. Public meeting is scheduled for March 25, 2014 beginning at 6:00pm at the Engelhard Volunteer Fire Department.

Hearing no comment from citizens, Chairman Swindell continued the meeting.

Commissioner Fletcher moved to close Public Hearing on FY2013 CDBG funding application. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Commissioner Tunnell moved to approve FY2013 CDBG Funding Application and to adopt "Attachment 2 – Resolution By Governing Body of Applicant". Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Attachment 2 – Resolution By Governing Body of Applicant" is attached herewith as Exhibit A and incorporated herein by reference.

Appointments:

Appointment – BHM Regional Library Board

Manager Rich reported Susan Benning, Director, BHM Regional Library, has requested (letter dated January 16, 2014) re-appointment of Gwen Mullen to represent Hyde County on the BHM Regional Library Board. Ms. Mullen was first appointed in January 2008 with her term ending December 2013.

Commissioner Fletcher moved to appoint Gwen Mullen to serve on the BHM Regional Library Board. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Appointment – Hyde Recreation Committee

Averi Simmons, Assistant to Planner, reported that Commissioner Ben Simmons has served as a member of the Hyde County Recreation Committee since it was reformed in 2012. As he is now serving on the Hyde Board of Commissioners, a replacement needs to be named to serve on the Recreation Committee from Fairfield Township.

Commissioner Simmons moved to appoint Nick Russ to serve on the Hyde Recreation Committee. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution Of Support Of Filling Vacant North Carolina Cooperative Extension Positions" is attached herewith as Exhibit B and incorporated herein by reference.

Resolution To Support The Restoration Of The Small County Supplemental Allotment

Dr. Randolph Latimore, Superintendent, Hyde County Schools, presented Resolution To Support The Restoration Of The Small County Supplemental Allotment. Dr. Latimore reported the Small County Supplemental Allotment was established by the General Assembly in 1991and became effective in the 1992 fiscal year. Changes were made to the Allotment funding formula in the 2013-2014 state budget resulting in an overall reduction of funds in the Allocation distributed to all eligible county LEAs from previous levels. The Hyde County Public School System reduction resulted in financial losses of $50,722 for the 2013-14 school year, $332,532 for the 2014-15 school year, $332,532 for the 2015-16 school year and $211,421 for the 2016-17 school year for total financial loss to the Hyde County Public School System of $927,207.

Commissioner Tunnell moved to adopt "Resolution To Support The Restoration Of The Small County Supplemental Allotment". Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution To Support The Restoration Of The Small County Supplemental Allotment" is attached herewith as Exhibit C and incorporated herein by reference.

Memorandum of Understanding Between NCACC, ICMA And Hyde County

Manager Rich presented a Memorandum of Understanding (MOU) between North Carolina Association of County Commissioners (NCACC), International City/County Management Association (ICMA) and Hyde County for the NCACC County Management Fellowship Program, to take effect on July 1, 2014. A goal of the NCACC and ICMA through this program is to attract recent Master of Public Administration/Affairs/Policy (MPA/MPP) graduates to careers in North Carolina county government management and administration. The NCACC will provide a $25,000 grant to Hyde County Government to help with Hyde County Governments costs of the Fellowship Program for the 2014-15 fiscal year. The County will pay $10,000 for a total of $35,000.

Commissioner Pugh moved to approve "Memorandum of Understanding Between NCACC, ICMA and Hyde County". Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Resolution In Support of Regulation of Smoking and Use of Vapor Products In County Buildings, on County Grounds (within 25 linear feet of county buildings) and In County Vehicles

Lisa Phillips, Health Education Specialist, Alcohol & Tobacco Prevention Task Force, presented "Resolution In Support of Regulation of Smoking and Use of Vapor Products In County Buildings, on County Grounds (within 25 linear feet of county buildings) and In County Vehicles". It shall be unlawful: 1) for any person to smoke or use vapor products in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed, or controlled by the County of Hyde; 2) for any person to smoke or use vapor products in any vehicle now or hereafter owned or leased by the county; and, for any person to smoke or use vapor products within 25 linear feet from all buildings owned or leased by the county.

Manager Rich reported the National Park Service provides lifeguard services from 9:00am to 5:00pm from Memorial Day Weekend through Labor Day. The lifeguard area is approximately one-half mile from the edge of Ocracoke Village along Highway 12 at the first paved parking lot on the right heading north. Mr. Rich reported a tourism based economy has been developed on Ocracoke Island where access to the beaches has always been the foundation of the village's economic base upon which local families depend for their livelihood. Ocracoke Island beaches are the defining element of visitor's complete seashore experience. He believes that a reduction in lifeguard services on Ocracoke will have a devastating impact on North Carolina residents, tourists, local businesses, restaurants and lodging and stated that the Hyde County Board of Commissioners strongly supports National Park Services extending lifeguard services on Ocracoke.

Commissioner Fletcher moved to adopt Resolution In Support Of National Park Service To Extend Lifeguard Services On Ocracoke. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None

Clerk's Note: A copy of "Resolution In Support Of National Park Service To Extend Lifeguard Services On Ocracoke" is attached herewith as Exhibit E and incorporated herein by reference.

Procurement of Professional Services - HMGP

Kris Noble, Planner/Developer, reported that Hyde County has received Grant Agreement from NC Division of Emergency Management for the elevation of five (5) homes that suffered flood damage during Hurricane Irene in 2011. A request for proposals was published in the Washington Daily News for professional consulting services for asbestos inspection, surveying, and engineering. Proposals were received from: Asbestos Inspections – W.F. Burlow and Keenan Consulting; Surveying – Hood Richardson, Spruill & Associates, Sorrell Land Surveying and Mayo & Associates; and, Engineering - Weston Lyall, Appian Engineering and James Rivera. Based on scoring by HCP, Inc., it was recommended that contracts be awarded to W.F. Bulow for asbestos inspections, Sorrell Land Surveying, and Appian Engineering.

Commissioner Pugh moved to approve award of professional services, and authorize county staff to enter into contracts with W.F. Bulow, Sorrell Land Surveying, and Appian Engineering. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

FY2012-2013 Hyde County Audit Presentation

Andrew Harris, CPA, presented the FY2012-2013 Hyde County Audit. Mr. Harris reported ending governmental fund balance of $7,964,290 representing a net change in fund balance of $721,103; and, tax levy collection at 93.99%.

Commissioner Fletcher moved to accept report of the FY2012-2013 Hyde County Audit as presented by Andrew Harris, CPA. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

ABC Board Financial Report

Meredith Nicholson, Chairman, Hyde County ABC Board, presented Balance Sheet and Profit & Loss reports as of January 31, 2014.

No action required.

Davis High Ventures, Inc. Lease Renewal

Manager Rich reported that Davis High Ventures, Inc. currently occupies a portion of the Davis School building in Engelhard. The lease between the County of Hyde and Davis Ventures is currently expired

motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Hyde County Community Development Corporation (CDC) – Lease Agreement

Manager Rich reported that Hyde County Community Development Corporation (CDC) has leased a portion of the former Davis School building in Engelhard from Hyde County since 2003 and has operated the Hyde Davis Business Enterprise Center (HDBEC) at the Davis building since 2003. He reported that in a letter dated February 21, 2014 from the CDC, Hyde County was formally notified that the CDC will not seek renewal of this lease. The CDC thanks Hyde County for their support over its twenty year existence.

Tenants who sub-lease office space may contact Kris Noble, Planner/Developer, for lease renewal assistance.

Dates for the 2014 Board of Equalization and Review

Linda Basnight, Tax Administrator, reported that each year the Board of Equalization and Review (E&R) shall hold its first meeting not earlier than the first Monday in April and not later than the first Monday in May. In non-revaluation years the Board of Equalization and Review shall complete its duties on or before the third Monday following its first meeting. There must be at least three (3) Board members present for the meeting.

Commissioner Fletcher moved to hold the first 2014 Hyde County Board of Equalization and Review meeting on Monday, April 7, 2014, beginning at 4:00pm and ending at 6:00pm, and its last Board of Equalization and Review meeting on Monday, April 21, 2014 beginning at 6:00pm. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Graceful Bakery Revolving Loan Application

Kris Noble, Planner/Developer, reported that Graceful Bakery has applied to borrow $15,000.00 from the Hyde County Revolving Loan Fund. The business will be an Ocracoke-based business that plans to take over the Corner Crepe, an existing food trailer located at 110 Back Road, Ocracoke, NC. Graceful Bakery will offer Ocracoke Island's residents and visitors fresh, wholesome artisan breads, sweet and savory crepes, cookies, and other value-added prepared food for breakfast and lunch, using the finest ingredients and extremely friendly service. Graceful Bakery will employ one (1) full-time low to moderate income person residing in Ocracoke.

The Hyde County Revolving Loan Fund (RLF) Committee met on Monday, February 3, 2014 at 10 a.m. in the Government Center, Swan Quarter to review the full application and recommends the Board of Commissioners approve the loan.

Commissioner Fletcher moved to approve a $15,000.00 Revolving Loan Funds (RLF) loan to Graceful Bakery. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Timeline For DSS Move To ECB Building

Manager Rich reported the Department of Social Services (DSS) has tentatively set July 1, 2014 as the moving date for DSS to the ECB Building in Engelhard. At it's regularly scheduled meeting on February 3rd it was decided that more research and discussion about this matter was needed to allow for public input.

Commissioner Pugh reported 40% of the DSS clients served live in Engelhard.

Beach Tolls – Daily Passes

Commissioner Fletcher presented recommendations for beach tolling and daily beach passes. Mr. Fletcher believes the National Park Service's (NPS) rules and regulations negatively impact use of Hyde County beaches. He will present Resolution to set day and/or weekend passes and fees at the next regularly scheduled Hyde County Board of Commissioners meeting on April 7, 2014.

West/Quarter/Double & Bay Steering Committee

The Hyde Soil & Water Conservation District (in a memo dated March 7, 2014) reported the Hyde County Board of Commissioners at their November 4, 2013 meeting rescinded their action taken at the previous board meeting in October to raise the West/Quarter/Double & Bay tax assessment to $0.35 per $100. The Board of Commissioners requested that the Swan Quarter Steering Committee meet again and review the current assessment rate and maintenance issues concerning tidegate repair/replacement and set a rate that is consistent with Board of Commissioners resolution action taken on August 3, 1987 to set the rate at a per acre value through a division of land separating it into Class I, II, and III in relation to the proximity to the dike.

Citizens are encouraged to attend a meeting scheduled for Friday, March 14, 2014 at 8:30a.m. in the Hyde Government Center Teaching Kitchen to discuss these issues. Recommendation will be made to the Board of Commissioners on an assessment rate for the West/Quarter/Double & Bay at the next regularly scheduled Board of Commissioners meeting on April 7, 2014.

Budget Revisions

BR# or IDT#	Department	Account #	Transfer	Line Item Account Name/ Explanation
	Planning	NCDENR Grant	$40,000.00	To SQ Waterfront Master Plan - from NCDENR Grant Funds received.
BR20-14	Health	Public Management Entity	$ 200.00	To Recordation Fees – from Contract Operator to ensure there are sufficient funds in this line
BR21-14	Health	KBR Community Change	$ 200.00	To Contract ECU – from Contract Hyde County Public Schools to ensure there are sufficient funds in this line to cover expenses for calendar year 2013.
BR22-14	Health	Environmental Health	$ 1,000.00	To Gas, Oil & Tires – from Contract Services – ARHS to ensure there are sufficient funds in this line to cover travel-related expenses for the rest of FY2013-14. Also need to purchase 2 tires for EH truck.
BR23-14	Home Health	Contract Nurse	$ 2,000.00	To Contract Nurse – from Salaries Part-time for new contract nurse line for Home Health Agency contract with Ocracoke Island Nursing Care, PLLC and to cover expenses for the rest of FY2013-14.
BR24-14	Health	Communicable Disease	$ 250.00	To Travel Line – $200 from Contract Vidant Pungo Hospital and $50 from Contract Lab Testing to cover necessary travel expenses for CD Nurse to attend the annual CD conference in May.
BR25-14	Health	Family Concepts	$14,583.00	State funds received. As one of the partnering agencies in the Hyde County Transformation Zone Early Learning Challenge Grant, Hyde County Health Department will be acting as the Fiscal Agent for the Family Concepts strategy.
	Soil & Water	Hyde Co. 4-H Interactive Playground	$ 1,000.00	To 4-H Line – from Beaver Management money since the District has not received any request to trap beaver at this time to partner with 4-H in renting the Interactive Playground equipment for our Annual Hyde & Seek Discover Day Camp scheduled for June 27 – July 3, 2014.
	Soil & Water	Travel & Training	$ 600.00	To Travel & Training – from allotted cell phone budget to cover unexpected overages in travel and training due to Annual Meeting being in Asheville, NC this year.
	4-H	Kayaks & Trailer	$ 8,567.90	To Miscellaneous Services line – from 4-H Fund Balance appropriated to purchase kayaks and trailer.
	Sheriff	Medical Supplies - Inmates	$ 7,000.00	To Medical Supplies-Inmates – from Overtime-Law Enforcement to cover

Commissioner Pugh moved to approve the thirteen (13) budget transfers as presented. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Management Reports:

Commissioner Tunnell – complimented the Ocracoke Dolphins girls' basketball team who won the district playoff and will now go to State playoffs and the reading program at Mattamuskeet. Mr. Tunnell announced Dawson Pugh is the new Blacklands Farms Chairman. He reported that he attended the Pantego LLC meeting and the Swan Quarter Dike meeting. Mr. Tunnell congratulated the ABC Board on a positive report. He gave update on the Methodist Men's Group and the Ocracoke lifeguard issue.

Commissioner Pugh – offered condolences to the family of Ocracoke native Wayne Teeter. Mr. Pugh reported that he attended the Albemarle Commission meeting, ferry tolls meeting, State of The Region event, and the Joint Land Use Study – Seymour Johnson AFB meeting. He also discussed ferry schedules for next year with Jedd Dixon, NC Ferry Division, Deputy Director.

Chairman Swindell moved to nominate Earl Pugh, Jr. to serve as an alternate Commissioner Representative on the Albemarle Commission Board. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None.

Commissioner Simmons reported that he will try to serve to the best of his ability. Mr. Simmons commented that the Lord needs to be present in all that we do and that the commissioners need to support local businesses.

Commissioner Fletcher – no report.

Chairman Swindell – thanked Commissioner Simmons for serving on the Board and reported that he attended his granddaughter's basketball game at Mattamuskeet Elementary School.

County Manager Rich – presented update on various projects on-going in Hyde County.

- Occupancy Tax – Wayne Clark, Ocracoke Occupancy Tax Board, will use $350,000 for a possible Tourism Authority.
- State of the Region Event – highlighted the UAV program in Hyde County.
- State of the County/ Sales & Real Estate Tax – Hyde County is healthy in comparrison to other rural counties.
- Property Tax Software – met with representative from FARRAGUT Company to receive software presentation.
- Northeast Commission Meeting – attended with Commissioner Simmons and Planner/Developer Kris Noble and discussed the Rose Acre Lawsuit.
- Ferry Tolls – Representatives Paul Tine and John Torbett voted against ferry tolls at the RPO meeting.
- Senator Jerry Tillman – visiting with Joe McClees, Manager Rich and Dr. Randolph Latimore on March 13.
- Golden LEAF Update – requested $1.5 million grant funds.

Mr. Rich also presented his February 2014 meetings calendar.

Public Comments:

Chairman Swindell called for comments from the public.

Meredith Nicholson, ABC Board Chairman – expressed her appreciation for Justin Gibbs and Sarah Johnson for operating the electronic meeting equipment for ABC Board meetings.

Odessa Jarvis, Swan Quarter – asked what is the age of the ECB Building foundation.

Willie Green, Swan Quarter – recently moved home to Swan Quarter and offered his services to the County.

There being no further comments from the public, Chairman Swindell continued the meeting.

Closed Session (none)

Adjourn

Commissioner Pugh moved to adjourn the meeting. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – Fletcher.

The meeting adjourned at 8:35p.m.

Respectfully submitted:

Minutes approved on the 7th day of April, 2014.

Lois Stotesberry, CMC, NCCCC
Clerk, Hyde County Board of Commissioners

Barry Swindell
Chair, Hyde County Board of Commissioners

Attachments:

Exhibit A: *"Attachment 2 – Resolution By Governing Body of Applicant"*

Exhibit B: *"Resolution Of Support Of Filling Vacant North Carolina Cooperative Extension Positions"*

Exhibit C: *"Resolution To Support The Restoration Of The Small County Supplemental Allotment"*

Exhibit D: *"Resolution In Support of Regulation of Smoking and Use of Vapor Products In County Buildings, on County Grounds (within 25 linear feet of county buildings) and In County Vehicles"*

Exhibit E: *"Resolution In Support Of National Park Service To Extend Lifeguard Services On Ocracoke"*

Attachment 2

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363, and

WHEREAS, HYDE COUNTY has need for and intends to construct a replacement wastewater treatment plant project described as: Upgrade of the Engelhard Sewer District Wastewater Treatment Plant, and

WHEREAS, HYDE COUNTY intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE HYDE COUNTY BOARD OF COMMISSIONERS:

That HYDE COUNTY, the **Applicant**, will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That HYDE COUNTY will provide for efficient operation and maintenance of the project on completion of construction thereof.

That **Bill Rich, Hyde County Manager**, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of HYDE COUNTY with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That HYDE COUNTY has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 10th day of March, 2014 at Swan Quarter, North Carolina.

Barry Swindell
Chairman, Hyde County Board of Commissioners

HYDE COUNTY BOARD OF COMMISSIONERS NORTH CAROLINA

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting County Clerk of HYDE COUNTY does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally-convened meeting of the Hyde County Board of Commissioners duly held on the ~~3rd~~ 10th day of March 2014; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of March, 2014.

Lois Stotesbery
(Signature of Recording Officer)

County Clerk
(Title of Recording Officer)

COUNTY OF HYDE

Board of Commissioners
Barry Swindell, Chair
Earl Pugh, Jr., Vice-chair
Ben Simmons
John Fletcher
Dick Tunnell

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA
252-926-4400
252-926-3701 Fax

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board

RESOLUTION OF SUPPORT OF FILLING VACANT NORTH CAROLINA COOPERATIVE EXTENSION POSITIONS

WHEREAS, North Carolina Cooperative Extension Service serves all 100 counties in North Carolina including Hyde County; and

WHEREAS, North Carolina Cooperative Extension Service's mission is to empower people and provide solutions including Agricultural Services; and

WHEREAS, Agriculture provides an estimated financial impact from crops (82,680 total acres in farms), livestock, and government payments of $74,452,788 in Hyde County; and,

WHEREAS, Agriculture in Northeast North Carolina has an economic impact that exceeds $1.5 billion annually; and,

WHEREAS, North Carolina Cooperative Extension Service Agricultural Extension Agents provide unbiased, research-based production information to area farmers; and,

WHEREAS, area Agriculture Extension Agents provide on-farm tests including field days such as the Northeast Ag Expo and Blacklands Tour; and,

WHEREAS, North Carolina Cooperative Extension Service has a total of four (4) Agricultural Agent vacancies in Northeastern North Carolina; and,

THEREFORE, BE IT RESOLVED that we, the Hyde County Board of Commissioners fully support North Carolina Cooperative Extension Service and the work this organization does to make our communities better places in which to live and work; and,

BE IT FURTHER RESOLVED, that this resolution be spread upon other counties in the northeast to request that North Carolina State University and North Carolina AT&T State University fill vacant Agent positions with Ag Agents.

Adopted this the ~~3rd~~ 10th day of March 2014, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

Resolution to Support the Restoration of the Small County Supplemental Allotment

WHEREAS the North Carolina General Assembly provides funding to provide additional support for small county school systems in the State of North Carolina ("LEAs"), and

WHEREAS this funding allocation is more commonly referred to as the Small County Supplemental Allotment ("the Allotment"), and

WHEREAS the Allotment was established by the General Assembly in 1991 and became effective in the 1992 fiscal year, and

WHEREAS county LEAs with fewer than 3,239 students are eligible for appropriations from the Allotment, and

WHEREAS the Allotment is based on a funding formula ("Allotment funding formula") created by the General Assembly and takes into consideration the divergent economic factors within each county, and

WHEREAS significant changes were made to the Allotment funding formula in the 2013-2014 state budget, and

WHEREAS the changes made to the Allotment funding formula in the 2013-2014 state budget result in an overall reduction of funds in the Allocation distributed to all eligible county LEAs from previous levels, and

WHEREAS the changes resulted in a financial loss of $50,722 to the Hyde County Public School System for the 2013-2014 school year, and

WHEREAS the changes will result in a financial loss of $332,532 to the Hyde County Public School System for the 2014-2015 school year, a loss of $332,532 for the 2015-2016 school year, and an loss of $211,421 for 2016-2017 school year, for total financial loss to the Hyde County Public School System of $927,207, and

WHEREAS Hyde County Public Schools depend on the Small County Supplemental Allotment to provide for teacher pay, textbooks and others vital instructional support materials, and

WHEREAS the changes made to the Allotment funding formula in the 2013-2014 state budget will have dramatic effects on Hyde County public education and school systems throughout rural North Carolina.

THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners hereby support restoration by the General Assembly of overall funding for the Small County Supplemental Allotment to the 2012-2013 level.

Lois Stotesberry

Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

March 10, 2014

Date

HYDE COUNTY BOARD OF COMMISSIONERS NORTH CAROLINA

{CS: 00021861.DOCX}

RESOLUTION

Regulation of smoking and use of vapor products in county buildings, on county grounds (within 25 linear feet of county buildings) and in county vehicles.

(1)

Definitions. – The following definitions apply in this section:

(1a) "Smoking" shall mean the inhaling, exhaling, burning or carrying of lighted pipes, cigars, cigarettes, or other combustible tobacco products or any clove, herbal, or non tobacco product.

(1b) "Vapor product" shall mean any noncombustible product that employs a mechanical heating element, battery, or electronic circuit regardless of shape or size and that can be used to heat a liquid nicotine solution contained in a vapor cartridge. The term includes an electronic cigarette, electronic cigar, electronic cigarillo, and electronic pipe. The term does not include any product regulated by the United States Food and Drug Administration under Chapter V of the federal Food, Drug, and Cosmetic Act.

(1c) "Grounds" shall mean the area located within 25 linear feet of a county building or facility or portion of a building or facility now or hereafter now owned, leased, or occupied by the County of Hyde.

(2)

Smoking and use of vapor products prohibited in county buildings. It shall be unlawful for any person to smoke or use vapor products in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed, or controlled by the County of Hyde.

(3)

Smoking and use of vapor products regulated in county vehicles. It shall be unlawful for any person to smoke or use vapor products in any vehicle now or hereafter owned or leased by the county.

(4)

Smoking and use of vapor products prohibited on county grounds within a minimum of 25 linear feet from county owned or leased buildings. It shall be unlawful for any person to smoke or use vapor products within 25 linear feet from all buildings owned or leased by the county.

(5)

Penalty. Violation of this section shall constitute an infraction punishable by a fine of not more than fifty dollars ($50.00).

(6) *Abrogation.* This ordinance is not intended to repeal, abrogate, or impair any greater restriction imposed by any other state law or local government ordinance. Wherever the provisions of any other law, ordinance, regulation, or restriction impose higher standards than are required by the provisions of this ordinance, this ordinance does not prohibit enforcement of any such law, ordinance, regulation or restriction.

Adopted this the 10th day of March, 2014.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

COUNTY OF HYDE

Board of Commissioners
Barry Swindell, Chair
Earl Pugh, Jr., Vice-chair
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Ben Simmons, III
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County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board

Resolution In Support Of National Park Service To Extend Lifeguard Services On Ocracoke

WHEREAS, Hyde County strongly endorses Resolution In Support Of National Park Service To Extend Lifeguard Services On Ocracoke; and,

WHEREAS, the National Park Service has provided lifeguard services from 9:00am to 5:00pm from Memorial Day Weekend through Labor Day; and,

WHEREAS, the lifeguard area is approximately one-half mile from the edge of Ocracoke Village along Highway 12 at the first paved parking lot on the right heading north; and,

WHEREAS, a tourism based economy has been developed on Ocracoke Island where access to the beaches has always been the foundation of the village's economic base upon which local families depend for their livelihood. Ocracoke Island beaches are the defining element of visitor's complete seashore experience; and,

NOW, THEREFORE, BE IT RESOLVED that elimination of lifeguard services on Ocracoke will have a devastating impact on North Carolina residents, tourists, local businesses, restaurants and lodging; and,

NOW, THEREFORE, BE IT FURTHER RESOLVED that on behalf of the citizens of this county, the Hyde County Board of Commissioners strongly supports National Park Services extending lifeguard services on Ocracoke. Copies of this "Resolution In Support of National Park Service To Extend Lifeguard Services On Ocracoke" will be forwarded to the Honorable Pat McCrory, NC Governor, National Park Service, and the Hyde County Legislative Delegation to the North Carolina General Assembly.

Adopted this the 10th day of March, 2014, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman