



**Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 18

Meeting Date: 8.6.2012

Presenter(s): Mazie Smith

Title: County Manager

Agency/Dept.: Administration

Item Title: Budget Transfers

Attachments: Yes

Description: Budget transfers approved administratively by the County Manager as per Budget Ordinance:
 a) Elections: to cover warranties on voting machines
 b) Health: to reflect a decrease in frunding from the state
 c) Health: to reflect a decrease in funding from Vidant Pungo District Hospital
 d) Health: to reflect an increase in funding from the Albemarle Commission

Budget Transfers for the Board's approval:
 a) Health Dept.: to reflect changes in funding structure for DPH
 b) Health Dept.: to reflect changes in funding structure for DPH
 c) Health Dept.: to reflect changes in funding structure for DPH
 d) Health Dept.: to reflect changes in funding structure for DPH

Times Read: First

Impact on Budget: None of the items increase the budget

RECOMMENDATION: Approve

<u>MOTION MADE BY:</u>	<u>MOTION SECONDED BY:</u>	<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>
_____ S. Spencer	_____ S. Spencer	S. Spencer	_____	_____
_____ A. Byrd	_____ A. Byrd	A. Byrd	_____	_____
_____ D. Styron	_____ D. Styron	D. Styron	_____	_____
_____ B. Swindell	_____ B. Swindell	B. Swindell	_____	_____
_____ D. Tunnell	_____ D. Tunnell	D. Tunnell	_____	_____

HYDE COUNTY BOARD OF COMMISSIONERS
2010 20011 BUDGET REVISIONS

MEETING DATE
08/06/2012

*+ EXP BUDGET *- EXP BUDGET
*- REV BUDGET *- REV BUDGET

(FO USE) BR# IDT#	DEPARTMENT ELECTIONS	ACCOUNT # 104300.3300	LINE ITEM ACCOUNT NAME / EXPLANATION DEPARTMENT EXPENSE	DEBIT	CREDIT
		104300.5301	WARRANTIES ON VOTING MACHINES	\$ 724.89	\$ 724.89
			MONIES TRANSFERRED TO COVER WARRANTY ON VOTING MACHINES		
			DOES NOT INCREASE BUDGET		

The 5 year agreement that was finally decided on the last wk of July was higher than the March estimate

REQUESTED BY [Signature] DATE 7/25/12
 (SIGNATURE)
 APPROVED BY [Signature] DATE 7-30-12
 (CO MGR) (BD CHAIR) (CLERK)
 APPROVAL DATE _____
 ENTERED IN SYSTEM _____ DATE ____/____/____
 (FINANCIAL OFFICER)

COUNTY OF HYDE

CHECK REQUEST

10.4300. 5301

V # 8365

(Fund)

PLEASE DRAW A CHECK TO: ES&S

FOR: warranties on voting machines for fiscal year 2012-2013

INVOICE # 821259
AMOUNT \$13,114.08
TAX _____
POSTAGE _____
TOTAL \$13,114.08

SALARY _____
FICA _____
FED _____
STATE _____
RETIREMENT _____
INSURANCE _____
NET _____

CHECK REQUESTED BY: Cindy B Carawan
DEPARTMENT: Elections

DATE: 7/24/2012

PER DIEM _____
MILEAGE _____
SUBSISTANCE _____
TOTAL TRAVEL _____
APPROVED _____

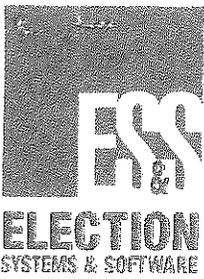
total \$13,114.08

COMMISSIONERS' APPROVAL STAMP
BELOW

(Finance Officer)

DATE PREAUDIT PERFORMED _____

ATTACH DOCUMENTATION



Election Systems & Software
 6055 Paysphere Circle
 Chicago, IL 60674
 (877) 377-8683

INVOICE NO	PAGE
821259	1
INVOICE DATE	
07/09/12	

BILL TO:

Hyde County, North Carolina
 Board of Elections
 PO Box 152

SHIP TO:

Hyde County, North Carolina
 Board of Elections
 30 Oaster Creek Rd

Swan Quarter, NC 27885-0152

Swan Quarter, NC 27885-0152

ACCOUNT NO	CUSTOMER P.O. NUMBER	TERMS	ORDER NO	SALES REP	SHIP VIA
H91106	HMA/SMA/FMA 2012-2013	NET 30 DA	898605	2861	ES&S DEL
QTY ORDERED	DESCRIPTION		UNIT PRICE	UOM DISC. %	EXTENDED PRICE

Coverage Date 07/01/12-06/30/13
 Election Ref: NA

11	Gold-HDW Mtc/Support-M100	213.330000	EA	2,346.63
11	Gold-HDW Mtc/Support-Auto	306.320000	EA	3,369.52
1	Sftwr Maint Agrmt-Unity DAM Data Acquisition Manager	546.980000	EA	546.98
1	Sftwr Maint Agrmt-Unity ERM Election Reporting Manager	1750.330000	EA	1,750.33
1	Sftwr Maint Agrmt-Unity HPM Hardware Programming Manager	4375.830000	EA	4,375.83
11	Firmware Usage Agrmt-AutoMark	32.820000	EA	361.02
11	Firmware Usage Agrmt-100	33.070000	EA	363.77

NC	USD	.00
		.00
		.00
		.00
	FREIGHT DISCOUNT	.00
	SHIPPING & HANDLING	.00
	TOTAL	13,114.08
		USD

INVOICE NO	ACCOUNT NO	AMOUNT	USD
821259	H91106	13,114.08	USD

PLEASE DETACH AND RETURN THIS STUB WITH YOUR PAYMENT
 THANK YOU!

Election Systems & Software
 (877) 377-8683

**HYDE COUNTY BOARD OF COMMISSIONERS
2012/2013 BUDGET REVISIONS**

			MEETING DATE 8/6/2012		+" EXP BUDGET +" REV BUDGET	-" EXP BUDGET +" REV BUDGET
(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT	
01-13	Health Promotion	10-5830.1400	Travel		\$ 125.00	
		10-5800.3200	Office Supplies		\$ 75.00	
		10-5800.3300	General Supplies		\$ 94.00	
		10-3480.0019	Revenue - Health Promotion	\$ 294.00		
				\$ 294.00	\$ 294.00	
			To reflect a decrease in funding from NC Division of Public Health for Health Promotion Program. Anticipated \$6,500.00 initially, but actually received \$6,206.00, a decrease of \$294.00.			

REQUESTED *W. Kelly Clark* DATE 7-20-12
Alvin Smith 7-23-12
 APPROVED... CO MANAGER CO COMMISSIONER-CHAIR CLERK TO THE BOARD
 ENTERED LEDGER/DATE _____

Division of Public Health

Agreement Addendum

FY 12-13

Hyde County Health Department

Chronic Disease and Injury / Physical Activity
and Nutrition

Local Health Department Legal Name

DPH Section/Branch Name

ADD # 886 Healthy Communities

Mary Bea Kolbe, 919-707-5229
marybea.kolbe@dhhs.nc.gov

Activity Number and Description

**DPH Program Contact Name, Telephone
Number (with area code) and Email**

06/01/2012-05/31/2013

Service Period

DPH Program Signature **Date**
(only required for negotiable agreement
addendum)

07/01/2012-06/30/2013

Payment Period

- Original Agreement Addendum**
 Agreement Addendum Revision # ___ (Please do not put the Aid to County BE revision # here.)

I. Background:

In the United States today, seven of ten deaths and the vast majority of serious illness, disability, and health care costs are caused by chronic diseases, such as obesity, diabetes and cardiovascular disease. Key risk factors—lack of physical activity and poor nutrition—are major contributors to the nation’s and to North Carolina’s leading causes of death. According to the 2009 North Carolina Behavioral Risk Factor Survey, less than half of North Carolina adults (46.4%) get the recommended amount of physical activity and 20.6% eat five or more fruits and vegetables each day. More than two thirds of North Carolina adults (65.3%) and one third of North Carolina children (33.5%) are overweight or obese. Many North Carolinians die prematurely and suffer from diseases that could be prevented or more effectively managed.

The Healthy Communities program seeks to address the risk factors of physical inactivity and poor nutrition. Research shows that implementing policy, systems, and environmental changes, such as providing access to nutritious foods, improving safe options for active transportation, promoting joint-use of facilities for physical activity and other broad-based policy change strategies, can result in positive behavior changes that decrease chronic diseases and improve health. The NC Division of Public Health

Health Director Signature (use blue ink)

6-7-12

Date

Local Health Department to complete:
(If follow up information is needed by DPH)

LHD program contact name: ELIZABETH MUMM
 Phone number with area code: 252-926-5289
 Email address: emumm@hydehealth.com

Signature on this page signifies you have read and accepted all pages of this document.

(DPH) has state funding available to implement evidence-based strategies to promote active living and healthy eating in all 100 NC counties.

The Healthy Communities program receives funding from state appropriations annually and is administered by DPH. The grant period begins June 1, 2012 and will end on May 31, 2013. This Agreement Addendum specifies deliverables for state fiscal year 2012-13.

II. Purpose:

The Healthy Communities program provides NC counties with resources to develop and implement policy, systems, and environmental change interventions that improve local food systems, increase food security, promote active living through planning and policies and prevent chronic diseases.

III. Scope of Work and Deliverables:

The key to the success of this Healthy Communities program will be using accurate information to inform and engage leaders to make jurisdiction-wide policy, systems, and environmental change decisions that promote active living and healthy eating.

The Local Health Department will:

- A. **Staff:** Designate one qualified staff member to carry out all duties outlined in this Agreement Addenda. This individual should have a 4-year degree in a related field or 3 years experience in assessing healthy eating and active living policies and environments, convening community partners, influencing decision makers and implementing evidence-based interventions. The Health Director is responsible for notifying DPH Program staff when this position is vacated and filled.
- B. **Assessment:** Use tools and measures provided by the state to assess the current conditions and needs in the county especially looking at the ability of low-resource populations to have access to healthy foods and physical activity opportunities including:
 - a. The availability of healthy food retail outlets;
 - b. The availability of local healthy food sources;
 - c. County policies that support both production and sales of healthy foods;
 - d. The availability of alternative transportation options;
 - e. The availability of places for physical activity; and
 - f. Land use planning and policies that support physical activity.
- C. **Planning:** Use the results of the county assessment to prioritize needs and develop a long range Healthy Communities (HC) plan to address these needs. This includes analysis of environmental/policy gaps and opportunities that exist in the region. The HC Plan should focus solely on needs assessment and planning during fiscal year 12/13. If assessments and planning are already complete funding can be used to support implementation of environmental and/or policy change that supports active living and healthy eating.
- D. **County Coordination:** Facilitate coordination by engaging decision makers, community leaders and partners in the selection and implementation of strategies, tracking progress and evaluation of success.
- E. **Training:** Ensure that staff attends DPH meetings, trainings, and quarterly conference calls.
- F. **Evaluation/Data Collection:** Gather and compile county data and provide to State staff every six months. This may include quantitative and qualitative data collection for baseline and outcome measurement as well as submitting success stories from the region.

IV. Performance Measures/Reporting Requirements:

Performance Measure #1: Evidence of a comprehensive assessment of the community policy and environmental conditions promoting active living and healthy eating that exist in the county.

Performance Indicators:

- A. Profile of community food resources completed by March 31, 2013.
- B. Profile of active living resources completed by March 31, 2013.

Optional: Performance Measure #2: Evidence of the development of a HC Plan that promotes active living and healthy eating through policies, systems and environmental changes.

Performance Indicators:

- A. Evidence of progress toward developing a HC Plan by May 31, 2013.
- B. Inclusion of strategies likely to promote changes in physical activity and healthy eating.

Performance Measure #3: Evidence of the development and implementation of a data collection plan for the program.

Performance Indicators:

- A. Data collection plan developed by August 31, 2012.
- B. Data collected and provided to DPH staff according to the timelines for data collection stated in the plan.
- C. Reports provided bi-annually to DPH show evidence of progress.

Reporting Requirements:

The Local Health Department is required to participate in bi-annual conference calls with DPH to report on activities supported by Healthy Communities funding. The Local Health Department shall report bi-annually on progress toward program deliverables.

V. Performance Monitoring and Quality Assurance:

The Healthy Communities program is monitored through bi-annual reports and conference calls with DPH to review progress using the Progress Monitoring and Reporting (PMR) system. DPH shall maintain contact via email and telephone to monitor programmatic and fiscal performance. If deficiencies in performance are identified, DPH shall notify the Local Health Department immediately via email or phone call and shall work with the county to establish a plan within one week to address the deficiencies. The Local Health Department shall report evaluation data to DPH in accordance with the timeframes and quality standards outlined.

VI. Funding Guidelines or Restrictions:

All Healthy Communities program funding must be used to implement activities directed at policy, systems, and environmental changes supportive of physical activity and healthy eating. The Local Health Department may only expend funds for reasonable program purposes, including personnel, travel, supplies, and services, such as contractual. Funds cannot be used for community health assessments, lobbying, research, clinical care, or reimbursement of pre-award costs. Recipients may not generally use Healthy Communities program funding for the purchase of furniture or equipment. However, if equipment purchase is integral to a selected strategy in the HC Plan, it will be considered. Prior approval by DPH is required for any changes in scope and for any purchases in excess \$500.

Allocation Page
For Fiscal Year:12/13
Estimate Number: 0

Waiting for Budget Admin Approval

CONTRACTS
 MAY 11 2012

			886 1261 5503 00	Proposed Total	Now Total
		AA	Payment Period 07/01-06/30		
			Service Period 06/01-05/31		
01 ALAMANCE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
01 ALBEMARLE REG	*	0	\$43,435.00	\$43,435.00	\$43,435.00
01 ALEXANDER	*	0	\$6,206.00	\$6,206.00	\$6,206.00
04 ANSON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
02 APPALACHIAN	*	0	\$18,615.00	\$18,615.00	\$18,615.00
07 BEAUFORT	*	0	\$6,206.00	\$6,206.00	\$6,206.00
09 BLADEN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
16 BRUNSWICK	*	0	\$6,206.00	\$6,206.00	\$6,206.00
11 BUNCOMBE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
12 BURKE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
13 CABARRUS	*	0	\$6,206.00	\$6,206.00	\$6,206.00
14 CALDWELL	*	0	\$6,206.00	\$6,206.00	\$6,206.00
16 CARTERET	*	0	\$6,206.00	\$6,206.00	\$6,206.00
17 CASWELL	*	0	\$6,206.00	\$6,206.00	\$6,206.00
18 CATAWBA	*	0	\$6,206.00	\$6,206.00	\$6,206.00
19 CHATHAM	*	0	\$6,206.00	\$6,206.00	\$6,206.00
20 CHEROKEE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
22 CLAY	*	0	\$6,206.00	\$6,206.00	\$6,206.00
23 CLEVELAND	*	0	\$6,206.00	\$6,206.00	\$6,206.00
24 COLUMBUS	*	0	\$6,206.00	\$6,206.00	\$6,206.00
25 CRAVEN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
26 CUMBERLAND	*	0	\$6,206.00	\$6,206.00	\$6,206.00
28 DARE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
29 DAVIDSON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
30 DAVIE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
31 DUPLIN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
32 DURHAM	*	0	\$6,206.00	\$6,206.00	\$6,206.00
33 EDGEWORTH	*	0	\$6,206.00	\$6,206.00	\$6,206.00
34 FORSYTH	*	0	\$6,206.00	\$6,206.00	\$6,206.00
35 FRANKLIN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
36 GASTON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
38 GRAHAM	*	0	\$6,206.00	\$6,206.00	\$6,206.00
03 GRAN-VANCE	*	0	\$12,410.00	\$12,410.00	\$12,410.00
40 GREENE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
41 GUILFORD	*	0	\$6,206.00	\$6,206.00	\$6,206.00
42 HALIFAX	*	0	\$6,206.00	\$6,206.00	\$6,206.00
43 HARNETT	*	0	\$6,206.00	\$6,206.00	\$6,206.00
44 HAYWOOD	*	0	\$6,206.00	\$6,206.00	\$6,206.00
45 HENDERSON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
46 HERTFORD	*	0	\$6,206.00	\$6,206.00	\$6,206.00
47 HOKE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
48 HYDE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
49 IREDELL	*	0	\$6,206.00	\$6,206.00	\$6,206.00
50 JACKSON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
51 JOHNSTON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
52 JONES	*	0	\$6,206.00	\$6,206.00	\$6,206.00
53 LEE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
54 LENOIR	*	0	\$6,206.00	\$6,206.00	\$6,206.00
55 LINCOLN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
56 MACON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
57 MADISON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
04 MAR-TYR-WASH	*	0	\$18,615.00	\$18,615.00	\$18,615.00
60 MECKLENBURG	*	0	\$6,206.00	\$6,206.00	\$6,206.00
62 MONTGOMERY	*	0	\$6,206.00	\$6,206.00	\$6,206.00
63 MOORE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
64 NASH	*	0	\$6,206.00	\$6,206.00	\$6,206.00
65 NEW HANOVER	*	0	\$6,206.00	\$6,206.00	\$6,206.00
66 NORTHAMPTON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
67 ONSLOW	*	0	\$6,206.00	\$6,206.00	\$6,206.00
68 ORANGE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
69 PAMLICO	*	0	\$6,206.00	\$6,206.00	\$6,206.00
71 PENDER	*	0	\$6,206.00	\$6,206.00	\$6,206.00
73 PERSON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
74 PITT	*	0	\$6,206.00	\$6,206.00	\$6,206.00
76 RANDOLPH	*	0	\$6,206.00	\$6,206.00	\$6,206.00

77 RICHMOND	*	0	\$6,206.00	\$6,206.00	\$6,206.00
78 ROBESON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
79 ROCKINGHAM	*	0	\$6,206.00	\$6,206.00	\$6,206.00
80 ROWAN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
85 R-P-M	*	0	\$18,615.00	\$18,615.00	\$18,615.00
81 SAMPSON	*	0	\$6,206.00	\$6,206.00	\$6,206.00
83 SCOTLAND	*	0	\$6,206.00	\$6,206.00	\$6,206.00
84 STANLY	*	0	\$6,206.00	\$6,206.00	\$6,206.00
85 STOKES	*	0	\$6,206.00	\$6,206.00	\$6,206.00
86 SURRY	*	0	\$6,206.00	\$6,206.00	\$6,206.00
87 SWAIN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
86 TOE RIVER	*	0	\$18,615.00	\$18,615.00	\$18,615.00
88 TRANSYLVANIA	*	0	\$6,206.00	\$6,206.00	\$6,206.00
90 UNION	*	0	\$6,206.00	\$6,206.00	\$6,206.00
92 WAKE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
93 WARREN	*	0	\$6,206.00	\$6,206.00	\$6,206.00
96 WAYNE	*	0	\$6,206.00	\$6,206.00	\$6,206.00
97 WILKES	*	0	\$6,205.00	\$6,205.00	\$6,205.00
98 WILSON	*	0	\$6,205.00	\$6,205.00	\$6,205.00
99 YADKIN	*	0	\$6,205.00	\$6,205.00	\$6,205.00
Totals			\$620,576.00	\$620,576.00	\$620,576.00

Signature and Date - DPH Program Administrator

Anna Lee 5/11/12

Signature and Date- DPH Section Chief

Christa Q... 5/11/12

Signature and Date- DPH Contracts Office

Rebecca Miller 5/11/12

Signature and Date - Division of Public Health Budget Officer

Kathy Blackley 5/14/12

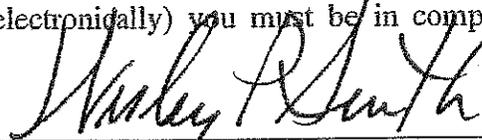
Vidant Health Foundation/Vidant Pungo Hospital Appropriation to Hyde County Health Department

Grant Period 2012 – 2013

Recipient: Hyde County Health Department
Purpose: Hyde County Health Department Clinical Provider
Funding: \$22,630
Appropriation: Appropriation of \$22,630 from the Vidant Health Foundation at the May 23, 2012 Board Meeting.
Project Budget Period: July 1, 2012 – June 30, 2013

Terms of Payment-- \$22,630 will be paid to Community Benefit & Health Initiatives Grant, Hyde County Health Department Clinical Provider, after it has been certified that:

1. The balance of all funds necessary for the first year of the program is available, and the grantee is committed to covering budget shortfalls resulting from operations, as well as providing a remittance to Vidant Health Foundation for excess funds that may remain after the grant period has expired.
2. If, during the course of the year, there are any significant changes to the program's purpose, work plan, or financing, the grantee will immediately notify staff of the Vidant Health Foundation.
3. A report on the activities and expenditures of the program will be submitted each six months in the form set forth in Attachment A.
4. If a random audit identifies that grant funds were not used appropriately, the recipient shall immediately repay the entire amount of such grant to Vidant Health Foundation.
5. A statement that the total amount of the appropriation has been spent for the purpose stated above, and that the funds have been used for tax-exempt purposes only will be signed upon completion of the program as set forth in Attachment B.
6. The organization continues to have a tax-exempt status under the Internal Revenue Code, during the project period and for six months thereafter.
7. If the recipient fails to comply with any of the Terms of Payment stated herein, the recipient shall immediately repay the entire amount of such grant to the Vidant Health Foundation.
8. Vidant Health Foundation will be acknowledged for grant funding through literature, publications, newsletters, and events that are related to the funded project.
9. If you are a Covered Entity for HIPAA purposes, (a health plan, health care provider or a health care clearinghouse that bills electronically) you must be in compliance with those rules to receive funding.



Authorized Representative for:
Hyde County Health Department

VIDANT HEALTH FOUNDATION

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
053112	5/31/2012	2012-13 REGIONAL COMM. BENEFITS - CLINICAL PROVIDE	\$22,630.00	\$0.00	\$22,630.00
		Totals:	\$22,630.00	\$0.00	\$22,630.00

VIDANT HEALTH FOUNDATION
 690 MEDICAL DRIVE
 P.O. BOX 6028
 GREENVILLE, NC 27835-6028

FIRST-CITIZENS BANK & TRUST COMPANY
 GREENVILLE, NC 27834
 66-30/531

1623

CHECK DATE: 6/12/2012
 CHECK NO.: 1623

2012-13 REGIONAL COMM. BENEFITS - CLINICAL PROVIDER

Twenty two thousand six hundred thirty and 00/100 Dollars

CHECK AMOUNT
 \$** 22,630.00

PAY

TO THE
 ORDER
 OF

HYDE COUNTY HEALTH DEPARTMENT
 30 OYSTER CREEK ROAD
 SWAN QUARTERS, NC 27885

[Handwritten Signature]
 AUTHORIZED SIGNATURE

⑈001623⑈ ⑆053100300⑆007210128370⑈

**HYDE COUNTY BOARD OF COMMISSIONERS
2012/2013 BUDGET REVISIONS**

			MEETING DATE 8/6/2012		
(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	"+" EXP BUDGET "-" REV BUDGET	"-" EXP BUDGET "+" REV BUDGET
				DEBIT	CREDIT
06-13	Homemaker/Home Health Program	10-6150.1400 10-3480.0034	Mileage Revenue - Albemarle Commission	\$ 1,000.00	\$ 1,000.00
				\$ 1,000.00	\$ 1,000.00
			To reflect an increase in funding from the Albemarle Commission, for our Homemaker/Home Health Program. Initially anticipated receiving \$25,518.00 in funding, but actually received \$26,618.00, an increase of \$1,000.00. Additional amount will be added to the Mileage line, and will increase the budget for Homemaker/Home Health.		

REQUESTED *Wesley Smith* DATE 7-26-12

APPROVED... *Marie Smith* CO MANAGER CO COMMISSIONER-CHAIR CLERK TO THE BOARD

ENTERED LEDGER/DATE _____

**HYDE COUNTY BOARD OF COMMISSIONERS
2012/2013 BUDGET REVISIONS**

		MEETING DATE 8/6/2012		"+" EXP BUDGET "- " REV BUDGET	"- " EXP BUDGET "+" REV BUDGET
(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT
03-13	Child Health	10-5960.0200	Salaries	\$ 5,315.00	
		10-5960.0500	FICA Tax Expense	\$ 407.00	
		10-5960.0600	Group Insurance Expense	\$ 372.00	
		10-5960.0700	Retirement Expense	\$ 1,006.00	
		10-5960.2600	Advertising	\$ 600.00	
		10-5960.3300	Department Supplies	\$ 2,900.00	
		10-3480.0004	Revenue - Child Health (HMHC)		\$ 10,600.00
				\$ 10,600.00	\$ 10,600.00
<p>Hyde County Health Department was notified after budget was adopted that the funding structure for DPH - Women's & Children's Health Section had changed. Due to that change, LHD's are no longer able to move Title V block grant Healthy Mother/ Healthy Children funds between Women's Health and Child Health. This budget revision reflects the revised plan for HMHC funds, and increases the budget for Child Health by \$10,600.00. (See budget revisions #04-13 & #05-13)</p>					

REQUESTED  DATE 7-23-12

APPROVED... CO MANAGER CO COMMISSIONER-CHAIR CLERK TO THE BOARD

ENTERED LEDGER/DATE _____

DHHS T1503

FY2012-13 Healthy Mothers/Healthy Children Block Grant Funds

Instructions on Back of Form: Please Review.

I. Local Health Department Name: Hyde County Health Department

II. FY12-13 "Original" Budgetary Estimates



	101- Maternal Health	151- Family Planning	351- Child Health	TOTAL
\$	13,039	\$ 33,478	\$ 12,175	\$ 58,692

See attached budgetary estimates for these activities and revise as needed.
If no changes are needed, sign and return form

III. Revision Number: _____ (Complete ONLY if changing amounts from current allocation)

	Increase/(Decrease)	State Use Only-Women's & Children's Health Section
a) 101 - Maternal Health	\$ -	_____ Maternal Health Program Manager Signature
b) 151 - Family Planning	\$ -	_____ Family Planning Program Manager Signature
c) 351 - Child Health	\$ -	_____ Child Health Program Manager Signature
d) TOTAL	\$ -	Crosscheck: Line "d" should equal zero.

IV. STATE USE ONLY

Women's and Children's Health Section Manager Signature

Local Health Director Signature

7-19-12
Date

Local Finance Officer Signature

Date

DHHS T1503

FY2012-13 Healthy Mothers/Healthy Children Block Grant Funds

Instructions on Back of Form: Please Review.

I. Local Health Department Name: Hyde County Health Department

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See attached budgetary estimates for these activities and revise as needed.
If no changes are needed, sign and return form

III. Revision Number: _____ (Complete **ONLY** if changing amounts from current allocation)

	Increase/(Decrease)	State Use Only-Women's & Children's Health Section
a) 101 - Maternal Health	\$ 5000	- <u>Phyllis Jensen</u> Maternal Health Program Manager Signature
b) 151 - Family Planning	\$ 5600	- <u>Sydney Attk</u> Family Planning Program Manager Signature
c) 351 - Child Health	(\$10,600)	- <u>Jennifer Wilson 5/1/12</u> Child Health Program Manager Signature
d) TOTAL	\$	- Crosscheck: Line "d" should equal zero.

IV. STATE USE ONLY

Women's and Children's Health Section Manager Signature

V. Wesley Smith
Local Health Director Signature

4-3-12
Date

VI. Connie Giddis
Local Finance Officer Signature

4-3-12
Date

**HYDE COUNTY BOARD OF COMMISSIONERS
2012/2013 BUDGET REVISIONS**

MEETING DATE 8/6/2012					"+" EXP BUDGET "- " REV BUDGET	"- " EXP BUDGET "+ " REV BUDGET
(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT	
04-13	Maternal Health	10-5820.0200	Salaries		\$ 2,955.00	
		10-5820.0500	FICA Tax Expense		\$ 226.00	
		10-5820.0600	Group Insurance Expense		\$ 562.00	
		10-5820.0700	Retirement Expense		\$ 207.00	
		10-5820.4502	Contract Nurse Practitioner		\$ 1,050.00	
		10-3480.0012	Revenue - Maternal Health (HMHC)	\$ 5,000.00		
				\$ 5,000.00	\$ 5,000.00	
			Hyde County Health Department was notified after budget was adopted that the funding structure for DPH - Women's & Children's Health Section had changed. Due to that change, LHD's are no longer able to move Title V block grant Healthy Mother/ Healthy Children funds between Women's Health and Child Health. This budget revision reflects the revised plan for HMHC funds, and decreases the budget for Maternal Health by \$5,000.00. (See budget revisions #03-13 & #05-13)			

REQUESTED  DATE 7-23-12

APPROVED... CO MANAGER CO COMMISSIONER-CHAIR CLERK TO THE BOARD
ENTERED LEDGER/DATE _____

DHHS T1503

FY2012-13 Healthy Mothers/Healthy Children Block Grant Funds

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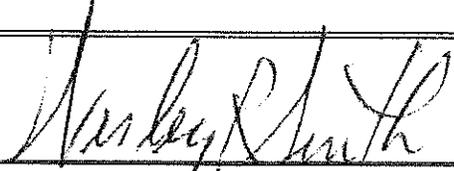
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IV. STATE USE ONLY

Women's and Children's Health Section Manager Signature



Local Health Director Signature

7-19-12

Date

Local Finance Officer Signature

Date



North Carolina Department of Health and Human Services
Division of Public Health – Women’s & Children’s Health Section
 1929 Mail Service Center • Raleigh, North Carolina 27699-1929
 Tel 919-707-5700 • Fax 919-870-4827

Beverly Eaves Perdue, Governor
 Albert A. Delia, Acting Secretary

Laura Gerald, M.D., MPH
 State Health Director

June 18, 2012

MEMORANDUM:

To: Health Department Fiscal Directors

From: Belinda Pettiford, Branch Head
 Women’s Health Branch

Carol Tant, Branch Head
 Children and Youth Branch

Re: Healthy Mothers/Healthy Children Block Grant Funds

Last year our funding structure was reorganized by the Department. Due to that change, we are no longer able to move Title V block grant Healthy Mother/Healthy Children funds between Women’s Health and Child Health. However, as Women’s Health continues to have the same funding structure, funds may still be moved between Family Planning and Maternal Health if a county so desires.

We are returning the enclosed T1503 form you had completed in addition to a new original. Please resubmit the new original with your revised plan as soon as possible. After we receive your revised plan for the HMHC funds, you will be contacted. We can renegotiate your agreement addenda for the programs involved and make changes with your permission through e-mail or over the phone. We apologize for this inconvenience.

Please send the completed T1503 to: Phyllis Johnson
 Women’s Health Branch
 1929 Mail Service Center
 Raleigh, NC 27699-1929

If you have questions, please contact Phyllis Johnson at Phyllis.C.Johnson@dhhs.nc.gov or 919-707-5715 or Tricia Parish at Tricia.Parish@dhhs.nc.gov 919-707-5696.

Thank you for your attention to this matter.



North Carolina Public Health
 Working for all North Carolinians
 Every Day Every Community



APR 09 2012

DHHS T1503

FY2012-13 Healthy Mothers/Healthy Children Block Grant Funds

Instructions on Back of Form: Please Review.

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d) TOTAL	\$	- Crosscheck: Line "d" should equal zero.

IV. STATE USE ONLY

Women's and Children's Health Section Manager Signature

Wesley Smith
Local Health Director Signature

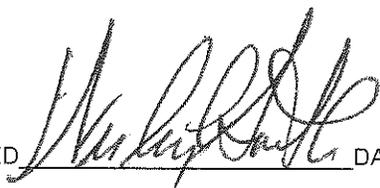
4-3-12
Date

Connie Gibbs
Local Finance Officer Signature

4-3-12
Date

**HYDE COUNTY BOARD OF COMMISSIONERS
2012/2013 BUDGET REVISIONS**

				MEETING DATE 8/6/2012	
				"+" EXP BUDGET "+" REV BUDGET	"- " EXP BUDGET "- " REV BUDGET
(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT
05-13	Family Planning	10-5950.0200	Salaries		\$ 2,840.00
		10-5950.0500	FICA Tax Expense		\$ 217.00
		10-5950.0600	Group Insurance Expense		\$ 542.00
		10-5950.0700	Retirement Expense		\$ 201.00
		10-5950.2600	Advertising		\$ 1,000.00
		10-5960.4501	Contract Nurse Practitioner		\$ 800.00
		10-3480.0003	Revenue - Family Planning (HMHC)	\$ 5,600.00	
				\$ 5,600.00	\$ 5,600.00
			Hyde County Health Department was notified after budget was adopted that the funding structure for DPH - Women's & Children's Health Section had changed. Due to that change, LHD's are no longer able to move Title V block grant Healthy Mother/ Healthy Children funds between Women's Health and Child Health. This budget revision reflects the revised plan for HMHC funds, and decreases the budget for Family Planning by \$5,600.00. (See budget revisions #03-13 & #04-13)		

REQUESTED  DATE 7-23-12

APPROVED... CO MANAGER _____ CO COMMISSIONER-CHAIR _____ CLERK TO THE BOARD _____

ENTERED LEDGER/DATE _____

DHHS T1503

FY2012-13 Healthy Mothers/Healthy Children Block Grant Funds

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d) TOTAL	\$ -	Crosscheck: Line "d" should equal zero.

IV. STATE USE ONLY

 Women's and Children's Health Section Manager Signature

V. 
 Local Health Director Signature

7-19-12
 Date

VI. _____
 Local Finance Officer Signature

 Date



North Carolina Department of Health and Human Services
Division of Public Health – Women’s & Children’s Health Section
 1929 Mail Service Center • Raleigh, North Carolina 27699-1929
 Tel 919-707-5700 • Fax 919-870-4827

Beverly Eaves Perdue, Governor
 Albert A. Delia, Acting Secretary

Laura Gerald, M.D., MPH
 State Health Director

June 18, 2012

MEMORANDUM:

To: Health Department Fiscal Directors

From: Belinda Pettiford, Branch Head 
 Women’s Health Branch

Carol Tant, Branch Head 
 Children and Youth Branch

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Please send the completed T1503 to: Phyllis Johnson
 Women’s Health Branch
 1929 Mail Service Center
 Raleigh, NC 27699-1929

If you have questions, please contact Phyllis Johnson at Phyllis.C.Johnson@dhhs.nc.gov or 919-707-5715 or Tricia Parish at Tricia.Parish@dhhs.nc.gov 919-707-5696.

Thank you for your attention to this matter.



North Carolina Public Health
 Working for a healthier and safer North Carolina
 Connecting Every Day Everybody



DHHS T1503

FY2012-13 Healthy Mothers/Healthy Children Block Grant Funds

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See attached budgetary estimates for these activities and revise as needed.
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	Increase/(Decrease)		State Use Only-Women's & Children's Health Section
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c) 351 - Child Health	(\$10,600)	-	<u>Phyllis Tomson 5/1/12</u> Child Health Program Manager Signature
d) TOTAL	\$	-	Crosscheck: Line "d" should equal zero.

IV. STATE USE ONLY

Women's and Children's Health Section Manager Signature

Wesley Smith
Local Health Director Signature

4-3-12
Date

Caroline Childs
Local Finance Officer Signature

4-8-12
Date

**HYDE COUNTY BOARD OF COMMISSIONERS
2012/2013 BUDGET REVISIONS**

			MEETING DATE 8/6/2012		
				** EXP BUDGET ** REV BUDGET	** EXP BUDGET ** REV BUDGET
(FO USE) BR # OR	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT
07-13	Animal Control	10-5990.2020	Salary Part-Time		\$ 375.00
		10-5990.4500	Animal Control Officer Contract	\$ 375.00	
				\$ 375.00	\$ 375.00
			Transferring \$250.00 from Salaries Part-Timeline into Animal Control Officer Contract line. For the month of July, 2012 services were provided under continued contract with J. M. Eakes at a cost of \$125.00 per call, plus mileage. There were a total of four (4) animal control issues, three (3) of which required dispatch of Mr. Eakes to pick up dogs for quarantine at his shelter. This revision does not increase the budget for Animal Control.		

REQUESTED *Wesley Smith* DATE 7-26-12

APPROVED... CO MANAGER _____ CO COMMISSIONER-CHAIR _____ CLERK TO THE BOARD _____

ENTERED LEDGER/DATE _____



Since 1712

HYDE COUNTY

NORTH CAROLINA

Item Number: 19

Meeting Date: 08.06.12

Presenter(s): Mazie Smith

Title: Commissioners

Agency/Dept.: County of Hyde

Item Title: Reports

Attachments: No

Description: The County Commissioners will report on their various activities, ideas and concerns on behalf of the County.

Times Read: First

Impact on Budget: Does not increase the budget.

Recommendation: Listen for understanding

MOTION MADE BY:

_____ A. Byrd
 _____ B. Swindell
 _____ D. Styron
 _____ D. Tunnell
 _____ S. Spencer

MOTION SECONDED BY:

_____ A. Byrd
 _____ B. Swindell
 _____ D. Styron
 _____ D. Tunnell
 _____ S. Spencer

Vote:

A. Byrd
 B. Swindell
 D. Styron
 D. Tunnell
 S. Spencer

Aye

Nay



Since 1712

HYDE COUNTY

NORTH CAROLINA

Item Number: 20

Meeting Date: 08.06.12

Presenter(s): Citizens

Title:

Agency/Dept.:

Item Title: Public Comments

Attachments: Yes

Description: Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens. Comments should be kept to (3) minutes and directed to the entire board, not just one individual Commissioner, staff member or to a member of the audience. Time for one person cannot be used by another person. Comments that reflect the need for additional assistance will be directed to the County manager or referred to a future meeting agenda.

Times Read:

Impact on Budget:

Recommendation: Listen for understanding

MOTION MADE BY:

____ A. Byrd
____ B. Swindell
____ D. Styron
____ D. Tunnell
____ S. Spencer

MOTION SECONDED BY:

____ A. Byrd
____ B. Swindell
____ D. Styron
____ D. Tunnell
____ S. Spencer

Vote:

A. Byrd
B. Swindell
D. Styron
D. Tunnell
S. Spencer

Aye

Nay



Since 1712

HYDE COUNTY

NORTH CAROLINA

Item Number: 21

Meeting Date: 08.06.12

Presenter(s):

Title:

Agency/Dept.:

Item Title: Closed Session

Attachments: None

Description: Board members will go into closed session to prevent disclosure of privileged or confidential information pursuant to State and/or Federal law.

Times Read: First

Impact on Budget: Does not increase the budget.

Recommendation: Approve

MOTION MADE BY:

_____ A. Byrd
_____ B. Swindell
_____ D. Styron
_____ D. Tunnell
_____ S. Spencer

MOTION SECONDED BY:

_____ A. Byrd
_____ B. Swindell
_____ D. Styron
_____ D. Tunnell
_____ S. Spencer

Vote:

A. Byrd
B. Swindell
D. Styron
D. Tunnell
S. Spencer

Aye

Nay

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (1) **To prevent the disclosure of information that is privileged or confidential pursuant to the law** of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) **To prevent the premature disclosure** of an honorary degree, scholarship, prize, or similar award.
- (3) **To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege** between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) **To discuss matters relating to the location or expansion of industries or other businesses** in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in **negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase**, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To **consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee**; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.
- (7) **To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.**
- (8) To formulate plans by a local board of education relating to **emergency response** to incidents of school violence.
- (9) To discuss and take action regarding plans to protect **public safety** as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2.)



Since 1712

HYDE COUNTY

NORTH CAROLINA

Item Number: 22

Meeting Date: 08.06.12

Item Title: Supplemental Information/Department Reports

Attachments: Yes

Description: **Staff has been asked to provide regular, monthly reports in 2012. For review at this meeting are reports from:**

- a) Animal Control Program
- b) Health Department
- c) Public Information Office
- d) Senior Services
- e) Social Services
- f) Tax Office

Supplemental Information

Information on harvesting methane gas provided by
Glen Hockney as follow-up to discussion at last meeting

Times Read: First

Impact on Budget: None

Recommendation: Read for understanding

Tom Ger Hocking

APPENDIX VII

State and Federal Laws: What do they mean for me?

By Richard Whisnant, Assoc. Prof. of Public Law and Government
UNC School and Institute of Government

The major environmental laws that govern the interaction of local development projects and aquatic species in North Carolina are set out in the following table (federal programs are shaded):

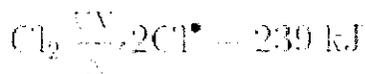
Law	Lead agency	Triggers	Goals	Implications and notes
National Environmental Policy Act (NEPA)	[whichever federal agency is considering the triggering action]. Regulations by Council on Environmental Quality (CEQ) and lead agency.	Major federal action significantly affecting the quality of the environment. Any project with federal funding, control or permits is likely to be covered.	Force agency awareness of environmental consequences & consideration of alternatives and mitigation	If triggered, an environmental assessment (EA) and finding of no significant impact (FONSI) or an environmental impact statement (EIS) must be prepared, unless the action is categorically excluded (CATX).
State Environmental Policy Act (SEPA)	[whichever state agency is considering the triggering action]; State Clearinghouse in Dept. of Administration	1) a state action, 2) an expenditure of public money or private use of public land, and 3) a potential environmental effect. State permit or funding may trigger SEPA for local projects.	Force agency awareness of environmental consequences & consideration of alternatives and mitigation	If triggered, an environmental assessment (EA) and finding of no significant impact (FONSI) or an environmental impact statement (EIS) must be prepared, unless the action is covered by a minimum criterion.
Endangered Species Act	U.S. Fish and Wildlife Service, Dept. of Interior	Action which may take (kill, harass or harm directly or through habitat modification) a federally listed species	Prevent the loss of species	Potential "takes" require consultation with USF&W. Incidental take permit may be possible via habitat conservation plans or safe harbor provisions.
State Endangered Species Act & WRC Habitat Conservation Program	Wildlife Resources Commission, DENR	Action which may take (kill, harass or harm directly or through habitat modification) a state listed species or otherwise degrade game or non-game habitat	Prevent the loss of species; improve wildlife habitat	Potential takes or habitat degradation will result in mitigation suggestions during SEPA review and possibly other permit reviews. Failure to heed suggestions may slow projects.
Instream flow; minimum release requirements for federally licensed dams (Federal Power Act)	Federal Energy Regulatory Commission	Renewal or changes in licenses for federally regulated dams	Assure adequate flow for in-stream ecology along with other goals of Federal Power Act	Waste assimilation and water withdrawals may compete with mandated instream flow requirements
Instream flow; minimum release requirements for state regulated dams (NC Dam Safety Law)	Div. of Water Resources, DENR	Renewal or changes in permits for state regulated dams	Assure adequate flow for in-stream ecology	Waste assimilation and water withdrawals may compete with mandated instream flow requirements

Interbasin transfers of water certificate (Regulation of Surface Water Transfers)	Div. of Water Resources & Environmental Management Comm'n (EMC), DENR	Withdrawals from streams in excess of 2 mgd or 25% increase in existing transfer	Provide orderly allocation of surface water in state	Like permits for new wastewater discharges, certificates for interbasin transfers can take a long time. Both have implications for downstream communities.
Wetlands dredge or fill, Clean Water Act § 404	U.S. Army Corps of Engineers	Adding materials or structures or removing same from waters of the U.S.	Prevent encroachment on public trust rights in water; limit wetlands losses	Wetlands impacts will generate mitigation requirements—avoidance, restoration, protection
State water quality certification, Clean Water Act § 401	Div. of Water Quality & EMC, DENR	Federal permit or license for a discharge into surface water. Under U.S. Supreme Court case in PUD#1 v. Washington, state 401 review can include actions (such as instream flow requirements) well outside traditional concerns of the USACE.	Maintain surface water quality under § 303 of the federal Clean Water Act; maintain designated uses of water	State may have independent mitigation requirements for projects that involve fill, structures or dredging in surface water. NC has an Ecosystem Enhancement Program with fairly elaborate mitigation programs managed centrally.
State wetlands rules	Div. of Water Quality & EMC, DENR	Disturbing isolated wetlands not covered by § 404/401 program	State has exercised its authority independent of the federal Clean Water Act to regulate all wetlands, not just those under federal jurisdiction, due to the ecological importance of remaining wetlands	Federal decisions limiting the extent of federal jurisdiction over isolated wetlands do not allow unregulated draining, ditching or other development on North Carolina wetlands.
NPDES discharge permit	Div. of Water Quality & EMC, DENR	Discharges to surface waters of the state	The original federal water pollution control act permitting program, designed to maintain water quality and designated water uses even in the presence of point source discharges of pollutants	Any point source discharge of pollutants to water requires thorough regulatory review. Some waters in North Carolina are "fully assimilated" meaning that further waste discharges are not allowed, unless other, existing discharges are removed.
Total Maximum Daily Load restrictions	Div. of Water Quality & EMC, DENR	Surface waters that fail to meet their designated uses and are thus "impaired"	When the discharge permitting programs have failed to bring water segments into compliance with their use classifications under § 303 of the Clean Water Act, state and federal agencies are to develop other strategies (TMDLs) to bring those water	If you have impaired waters in or downstream from your jurisdiction, it is possible that all other water permitting (NPDES point source and stormwater, 404/401, etc.) will have an additional overlay of requirements designed to cure the cause of the water quality impairment.

			bodies into compliance	
Nutrient Sensitive Waters and other specially classed waters restrictions (including Water Supply Watersheds)	Div. of Water Quality & EMC , DENR	All waters of the state are classified, but some, such as waters with excess nutrients, trout waters, other high quality waters, outstanding resources waters, water supply watersheds, and shellfish waters, have special protections	Protect special uses of water such as drinking water, shellfishing, trout habitat and important water recreation areas, as well as cure difficult nonpoint source problems such as excess nutrients	If your jurisdiction has specially classed waters in it, then projects that raise concerns about impairment of those special uses will get heightened regulatory scrutiny.
Stormwater laws and rules	Div. of Water Quality, DENR or Div. Of Coastal Management, DENR	There are many state stormwater programs. Triggers include development in coastal areas of environmental concern, water supply watersheds, municipal separate stormwater systems in urbanized areas, and nutrient sensitive waters	Polluted stormwater is a leading cause of water quality degradation in the state, and thus programs to address stormwater pollution (both state and federal) have proliferated over the past two decades.	The newer stormwater programs (e.g. in nutrient sensitive water river basins and Phase II communities) have permit requirements, so SEPA review may more frequently be triggered . Local stormwater permits may have special provisions to address aquatic species problems.
Coastal Area Management Act (CAMA)	Div. of Coastal Management, DENR	Development in areas of environmental concern in the twenty coastal counties	Rapidly increasing coastal development clashes with sensitive waters of the estuaries and shore.	CAMA development is subject to its own set of local planning requirements.
Erosion and Sediment Control Act	Div. of Land Resources, DENR	Land disturbing activity on one acre or more	Sedimentation is probably the state's worst water quality problem.	Monitoring and enforcement of erosion and sediment control plans is historically very under-resourced in the state, and pervasive clay soils are inherently hard to control once particles are suspended. So sedimentation remains a major problem despite a mature regulatory program.
Contaminated property restrictions	Div. of Waste Management, DENR	Sites with residual contamination (not fully cleaned up) may have restrictions that affect water use in and around them.	To facilitate cleanups, sites increasingly are left with residual contamination and some sort of controls on the use of the land.	It is increasingly likely that contaminated sites will have institutional and/or engineered controls that "run with the land" and that may affect future development in and around the contaminated property.

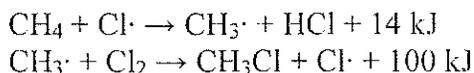
where X is a halogen: fluorine (F), chlorine (Cl), bromine (Br), or iodine (I). This mechanism for this process is called free radical halogenation. When X is Cl, this mechanism has the following form:

1. Radical generation:

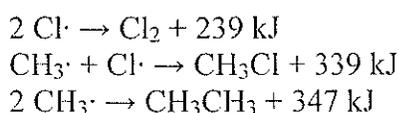


The needed energy comes from UV radiation or heating,

2. Radical exchange:



3. Radical extermination:



If methane and X₂ are used in equimolar quantities, CH₂X₂, CHX₃, and even CX₄ are formed. Using a large excess of CH₄ reduces the production of CH₂X₂, CHX₃, CX₄, and thus more CH₃X is formed.

Uses

Fuel

For more on the use of methane as a fuel, see natural gas

Methane is important for electrical generation by burning it as a fuel in a gas turbine or steam boiler. Compared to other hydrocarbon fuels, burning methane produces less carbon dioxide for each unit of heat released. At about 891 kJ/mol, methane's heat of combustion is lower than any other hydrocarbon but the ratio of the heat of combustion (891 kJ/mol) to the molecular mass (16.0 g/mol) shows that methane, being the simplest hydrocarbon, produces more heat per mass unit (55.7 kJ/g) than other complex hydrocarbons. In many cities, methane is piped into homes for domestic heating and cooking purposes. In this context it is usually known as natural gas, and is considered to have an energy content of 39 megajoules per cubic meter, or 1,000 BTU per standard cubic foot.

Methane in the form of compressed natural gas is used as a vehicle fuel, and is claimed to be more environmentally friendly than other fossil fuels such as gasoline/petrol and diesel.^[11] Research into adsorption methods of methane storage for this purpose has been conducted.^[12]

Research is being conducted by NASA on methane's potential as a rocket fuel.^[13] One advantage of methane is that it is abundant in many parts of the solar system and it could potentially be harvested *in situ* (i.e. on the surface of another solar-system body), providing fuel for a return journey.^[14]

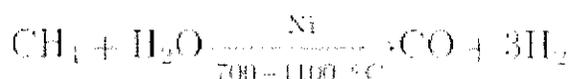
Current methane engines in development produce a thrust of 7,500 pounds-force (33 kN), which is far from the 7,000,000 lbf (31 MN) needed to launch the Space Shuttle. Instead, such engines will most likely propel voyages from our moon or send robotic expeditions to other planets in the solar system.^[15]

Recently methane emitted from coal mines has been successfully converted to electricity.^[16]

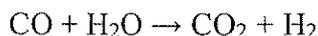
Industrial uses

Methane is used in industrial chemical processes and may be transported as a refrigerated liquid (liquefied natural gas, or LNG). While leaks from a refrigerated liquid container are initially heavier than air due to the increased density of the cold gas, the gas at ambient temperature is lighter than air. Gas pipelines distribute large amounts of natural gas, of which methane is the principal component.

In the chemical industry, methane is the feedstock of choice for the production of hydrogen, methanol, acetic acid, and acetic anhydride. When used to produce any of these chemicals, methane is first converted to synthesis gas, a mixture of carbon monoxide and hydrogen, by steam reforming. In this process, methane and steam react on a nickel catalyst at high temperatures (700–1100 °C).



The ratio of carbon monoxide to hydrogen in synthesis gas can then be adjusted via the water gas shift reaction to the appropriate value for the intended purpose.



Less significant methane-derived chemicals include acetylene, prepared by passing methane through an electric arc, and the chloromethanes (chloromethane, dichloromethane, chloroform, and carbon tetrachloride), produced by reacting methane with chlorine gas. However, the use of these chemicals is declining.^[citation needed] Acetylene is replaced by less costly substitutes^[citation needed], and the use of chloromethanes is diminishing due to health and environmental concerns.

Sources of methane for human use

Natural gas fields

The major source of methane is extraction from geological deposits known as natural gas fields. It is associated with other hydrocarbon fuels and sometimes accompanied by helium and nitrogen. The gas at shallow levels (low pressure) is formed by anaerobic decay of organic matter and reworked methane from deep under the Earth's surface. In general, sediments buried deeper and at higher temperatures than those which give oil generate natural gas. Methane is also produced in considerable quantities from the decaying organic wastes of solid waste landfills.

Alternative sources

Apart from gas fields, an alternative method of obtaining methane is via biogas generated by the fermentation of organic matter including manure, wastewater sludge, municipal solid waste (including landfills), or any other biodegradable feedstock, under anaerobic conditions. Methane hydrates/clathrates (ice-like combinations of methane and water on the sea floor, found in vast quantities) are a potential future source of methane. Cattle belch methane accounts for 16% of the world's annual methane emissions to the atmosphere.^[17] The livestock sector in general (primarily cattle,

chickens, and pigs) produces 37% of all human-induced methane.^[18] Early research has found a number of medical treatments and dietary adjustments that help slightly limit the production of methane in ruminants.^{[19][20]}

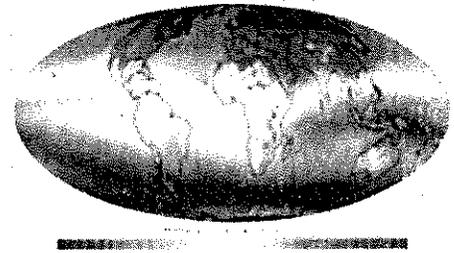
Industrially, methane can be created from carbon dioxide and hydrogen or carbon monoxide and hydrogen through chemical reactions such as the Sabatier process or the Fischer-Tropsch process (although Fischer-Tropsch is usually used to produce longer chain molecules than methane). Coal bed methane extraction is a method for extracting methane from a coal deposit, while enhanced coal bed methane recovery is a method of recovering methane from a non-minable coal seam.

Scientific experiments have given variable results in determining whether plants are a source of methane emissions.^{[21][22][23]}

Atmospheric methane

Main article: Atmospheric methane

Methane is created near the Earth's surface, primarily in soils, rivers/seas and in animal innards. It is carried into the stratosphere by rising air in the tropics. Uncontrolled build-up of methane in the atmosphere is naturally checked — although human influence can upset this natural regulation — by methane's reaction with hydroxyl radicals formed from singlet oxygen atoms and with water vapor.



2006-2009 methane concentration in the upper troposphere.

Methane in the Earth's atmosphere is an important greenhouse gas with a global warming potential of 25 compared to CO₂ over a 100-year period (although accepted figures probably represents an underestimate^[24]). This means that a methane emission will have 25 times the impact on temperature of a carbon dioxide emission of the same mass over the following 100 years. Methane has a large effect for a brief period (a net lifetime of 8.4 years in the atmosphere), whereas carbon dioxide has a small effect for a long period (over 100 years). Because of this difference in effect and time period, the global warming potential of methane over a 20 year time period is 72. The Earth's atmospheric methane concentration has increased by about 150% since 1750, and it accounts for 20% of the total radiative forcing from all of the long-lived and globally mixed greenhouse gases.^[25] Usually, excess methane from landfills and other natural producers of methane is burned so CO₂ is released into the atmosphere instead of methane, because methane is a more effective greenhouse gas. Recently, methane emitted from coal mines has been successfully utilized to generate electricity.

Arctic methane release from permafrost and clathrates is an expected consequence of global warming.^[26]

In prehistoric times, large methane excursions have been linked with dramatic shifts in the Earth's climate, notably during the Paleocene-Eocene thermal maximum and during the Permian-Triassic extinction event, which was the worst ever mass extinction.

Extraterrestrial methane

Methane has been detected or is believed to exist in several locations of the solar system. In most cases, it is believed to have been created by abiotic processes. Possible exceptions are Mars and Titan.

- Moon – traces are outgassed from the surface^[27]
- Mars – the atmosphere contains 10 ppb methane. In January 2009, NASA scientists announced that they had discovered that the planet often vents methane into the atmosphere in specific areas, leading some to speculate this may be a sign of biological activity going on below the surface.^[28]
- Jupiter – the atmosphere contains about 0.3% methane
- Saturn – the atmosphere contains about 0.4% methane
 - Iapetus
 - Titan — the atmosphere contains 1.6% methane and thousands of methane lakes have been detected on the surface^[29] In the upper atmosphere the methane is converted into more complex molecules including acetylene, a process which also produces molecular hydrogen. There is evidence that acetylene and hydrogen are recycled into methane near the surface. This suggests the presence either of an exotic catalyst, or an unfamiliar form of methanogenic life.^[30]
 - Enceladus – the atmosphere contains 1.7% methane^[31]
- Uranus – the atmosphere contains 2.3% methane
 - Ariel – methane is believed to be a constituent of Ariel's surface ice
 - Miranda
 - Oberon – about 20% of Oberon's surface ice is composed of methane-related carbon/nitrogen compounds
 - Titania – about 20% of Titania's surface ice is composed of methane-related organic compounds
 - Umbriel – methane is a constituent of Umbriel's surface ice
- Neptune – the atmosphere contains 1.6% methane
 - Triton – Triton has a tenuous nitrogen atmosphere with small amounts of methane near the surface.^{[32][33]}
- Pluto – spectroscopic analysis of Pluto's surface reveals it to contain traces of methane^{[34][35]}
 - Charon – methane is believed to be present on Charon, but it is not completely confirmed^[36]
- Eris – infrared light from the object revealed the presence of methane ice
- Comet Halley
- Comet Hyakutake – terrestrial observations found ethane and methane in the comet^[37]
- Extrasolar planet HD 189733b – This is the first detection of an organic compound on a planet outside the solar system. Its origin is unknown, since the planet's high temperature (700 °C) would normally favor the formation of carbon monoxide instead.^[38]
- Interstellar clouds^[39]

See also

- 2007 Zasyadko mine disaster
- Abiogenic petroleum origin
- Aerobic methane production
- Anaerobic digestion

- Anaerobic respiration
- Arctic methane release
- Biogas
- Coal Oil Point seep field
- Greenhouse gas
- Halomethane, halogenated methane derivatives.
- List of alkanes
- Methanation
- Methane clathrate, form of water ice which contains methane.
- Methanogen, archaea that produce methane as a metabolic by-product.
- Methanogenesis, the formation of methane by microbes.
- Methanotroph, bacteria that are able to grow using methane as their only source of carbon and energy.
- Methyl group, a functional group similar to methane.
- Organic gas
- Thomas Gold

References

1. ^ MSDS Methane (<http://www.vngas.com/pdf/g56.pdf>)
2. ^ IPCC Fourth Assessment Report, Working Group 1, Chapter 2 (<http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-chapter2.pdf>)
3. ^ Boucher, Olivier; Friedlingstein, Pierre; Collins, Bill; Shine, Keith P (2009). "The indirect global warming potential and global temperature change potential due to methane oxidation". *Environmental Research Letters* **4**: 044007. doi:10.1088/1748-9326/4/4/044007 (<http://dx.doi.org/10.1088%2F1748-9326%2F4%2F4%2F044007>).
4. ^ Ozon – wpływ na życie człowieka, Ozonowanie/Ewa Sroka, Group: Freony i inne związki, Reakcje rozkładu ozonu. (<http://www.ozonowanie.com/o-ozonie/ozon-wplyw-na-zycie-czlowieka>)
5. ^ Twenty Questions And Answers About The Ozone Layer, UNEP/D.W. Fahey 2002 (<http://www.unep.org/ozone/pdf/qa.pdf>), pp. 12, 34, 38
6. ^ Carbon Dioxide, Methane Rise Sharply in 2007 (http://www.noaa.gov/stories2008/20080423_methane.html)
7. ^ Methane seen as growing climate risk (http://news.yahoo.com/s/ap/20100304/ap_on_sc/us_sci_climate_methane)
8. ^ David A. Hensher, Kenneth J. Button (2003). *Handbook of transport and the environment* (<http://books.google.com/books?id=y3qEgHrsJ4C&pg=PA168>). Emerald Group Publishing. p. 168. ISBN 0080441033. <http://books.google.com/books?id=y3qEgHrsJ4C&pg=PA168>.
9. ^ NIST Chemistry Webbook (<http://webbook.nist.gov/cgi/cbook.cgi?ID=C74828&Mask=4#Thermo-Phase>)
10. ^ Ayhan Demirbas (2010). *Methane Gas Hydrate* (<http://books.google.com/books?id=WfEfWAq1Sh0C&pg=PA102>). Springer. p. 102. ISBN 1848828713. <http://books.google.com/books?id=WfEfWAq1Sh0C&pg=PA102>.
11. ^ Clayton B. Cornell (April 29, 2008). "Natural Gas Cars: CNG Fuel Almost Free in Some Parts of the Country" (<http://www.gas2.org/2008/04/29/natural-gas-cars-cng-fuel-almost-free-in-some-parts-of-the-country/>). <http://www.gas2.org/2008/04/29/natural-gas-cars-cng-fuel-almost-free-in-some-parts-of-the-country/>. "Compressed natural gas is touted as the 'cleanest burning' alternative fuel available, since the simplicity of the methane molecule reduces tailpipe emissions of different pollutants by 35 to 97%. Not quite as dramatic is the reduction in net greenhouse-gas emissions, which is about the same as corn-grain ethanol at about a 20% reduction over gasoline"
12. ^ Düren, Tina; Sarkisov, Lev; Yaghi, Omar M.; Snurr, Randall Q. (2004). "Design of New Materials for Methane Storage". *Langmuir* **20** (7): 2683. doi:10.1021/la0355500 (<http://dx.doi.org/10.1021%2F1a0355500>). PMID 15835137 (<http://www.ncbi.nlm.nih.gov/pubmed/15835137>).
13. ^ *Lunar Engines*, Aviation Week & Space Technology, **171**, 2 (13 July 2009), p. 16: "Aerojet has completed assembly of a 5,500-pound-thrust liquid oxygen/liquid methane rocket engine—a propulsion technology under consideration as the way off the Moon for human explorers"

HOCKNEY & ASSOCIATES

111 White Plains Road, Middletown
Engelhard, NC 27824-8381

Date: February 7th, 2011

Hyde County Commissioner's,
Hyde County Courthouse
Swan Quarter, NC 27885

RE: This is a corrected follow up letter of June 22nd, 2010.

To the Hyde County Commissar's:

After many years of trying to clean up the Middletown Canal waters on the Hockney's lands, and finding the real problem was within its waters. Methane Gas sediment was lower when windmills pumped air into this sediment, and produce large bubbles came to the surface of the water, some as big as sixteen inches in diameter and as high as eight inches. These bubbles would explode when a match was ignited, cause minor explosion, water would burned for a few seconds and then the water would shoot up in the atmosphere to a height of two to three feet. Other times the bubbles were very small but more in quantilty, showing less methane gas was being release.

Another test was done using a 2 inch plastic pipe, that was spited into two haves then clamp back together and driven down into the bottom clay of the canal, to plug the bottom end of a 20 foot pipe, layers of sediment was shown in layer as described in the articles attached. Methane gas readings were taken before removing the clamp, which show 38 % after opening up the pipe this reading decrease very rapid but the different layers of waste could be observed. Many different tests were made but the understanding of sediment is not a known issued at this time. The digging of the Middletown Canal was three times deeper than the Middletown Creek, and methane gas materials ended up in yhe Middletown Canal thgen seep into the adjoiner marsh jands.

The sediment moves back and forth with the tides that come from Middletown Creek than into the Middletown Canal, as they raised the depth of water column rises, sometimes as much in excess of two feet, other times only two to three inches. Found out when height of the water column is the greatest, the bubbles become larger. So the pressure of the tides means more methane gas production can be achieved. As the tides on an outward flow, the pressure is than reduces and bubbles get smaller. Need to find the ratio of what pressures are required for separation of methane gas from

Unjust enrichment

This is a discussion on *Unjust enrichment* within the **Law Wiki** forum, part of the Create Wiki Article category. Unjust enrichment is a legal term in English law and in several other jurisdictions, denoting a particular type of causative . . .

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Unjust enrichment

#1

Unjust enrichment is a legal term in English law and in several other jurisdictions, denoting a particular type of causative event in which one party is unjustly enriched at the expense of another, and an obligation to make restitution arises, regardless of liability for wrongdoing.

Example

A typical example of a claim based on unjust enrichment is that of payment by mistake. Imagine that customer B is accidentally given \$10 too much change by shopkeeper A. B does not notice the mistake. There is no way that B can be accused of any wrongdoing. Nonetheless, the law imposes an obligation on B to repay \$10 to A. This is because B has been unjustly enriched by \$10 by A's payment. Unjust enrichment, if proved, always triggers an obligation to make restitution. It never triggers an obligation to pay compensation because such an obligation might leave the defendant, who is normally entirely innocent, out of pocket.

DETERMINATION OF LIABILITY

Liability under the principle of unjust enrichment is wholly independent of liability for wrongdoing. Claims in unjust enrichment do not depend upon proof of any wrong. Having said that, it is possible that on a single set of facts a claim based on unjust enrichment and a claim based on a wrong may both be available. A claim based on unjust enrichment always results in an obligation to make restitution. A claim based on a wrong always results in an obligation to make compensation, but may additionally result in an obligation to make restitution. For discussion of restitution for wrongs, see the page on restitution.

It is generally accepted that a claim based on unjust enrichment can be submitted to five stages of analysis. These can be summarised in the form of the following questions:

1. Was the defendant enriched?
2. Was the enrichment at the expense of the claimant?
3. Was the enrichment unjust?
4. Does the defendant have a defense?
5. What remedies are available to the claimant?

Was the defendant enriched?

Sometimes the answer to this question will be obvious. Normally, direct monetary enrichment poses no serious problems. In the example above, where shopkeeper A gave customer B \$10 too much change by mistake, it is obvious that B has been enriched by \$10.

However, the situation is much more difficult when the benefit the defendant received was something other than money. This is because it is often difficult to prove how much, if anything, a non-money benefit is worth to the defendant. Imagine a new case. B's car is in need of repair. Believing the car to be his own, A carries out repairs on the car. The repairs would have cost \$300 if B had gone into the market to employ a mechanic to perform them. A later discovers that the car belongs to B. Does A have a claim against B based on unjust enrichment? The answer seems to be that he does not. Even though B has had the benefit of \$300 worth of services, we cannot be certain that B was willing to pay for repairs to the car at all. We cannot hold that B is liable to pay \$300 to A because that would leave B in an important sense worse off than he was at the beginning. He would have been forced to pay for repairs he did not want and had no opportunity to reject. The position would be different if we had any proof that B would have been willing to pay for the repairs. Let us assume now that B had already booked a mechanic to do the repairs for a cut-price of \$200. Now A is entitled to a claim against B, but for \$200 only. Remember that the value of the claim is measured by B's gain and not by A's loss. We cannot value B's gain any higher than \$200 because we have no proof that he was willing to pay any more than that.

Was the enrichment at the expense of the claimant?

This requirement is usually not problematic, provided that the defendant's enrichment is received directly from the claimant. In all the examples discussed so far in this section B's enrichment has clearly been at A's expense. In the shopkeeper example A is \$10 worse off because of the overpayment. In the auto repair example A has provided valuable services for no payment. In both cases it is fairly clear that there is some correlation between B's gain and A's loss. This is particularly clear in cases involving money but holds true in non-money cases as well.

The difficulty arises when a third party, C, is interposed between A and B. This new problem is a particularly difficult one. It will not be resolved here, but three examples of the problem itself will be given.

First, suppose that C owes A \$100. C is on his way to pay A the money when it falls out of his pocket. It is picked up by B. C does not now have enough money to pay A. Does A have a claim based on unjust enrichment against B in respect of the \$100?

Secondly, suppose that A has an account with bank C. C pays \$100 to B, mistakenly believing that A has instructed it to do so, and debits A's account accordingly. C goes into liquidation. Does A have a claim against B to recover the \$100?

Thirdly, suppose that A sells a painting to C very cheaply, mistakenly believing C to be his brother. C knows that A has made a mistake and that he will soon be asked to return the painting. In an attempt to make a profit, he sells the painting on to B. The sale is at a low price because B knows that the painting does not really belong to C. Can A recover the painting or its value from B in an action based on unjust enrichment?

Was the enrichment unjust?

There are two established approaches to this issue. Traditionally, common law systems such as those of England and the US have proceeded on the basis of what may be termed the 'unjust factor' approach. Traditionally, civil law systems such as those of France and Germany have proceeded on the basis of what may be termed the 'absence of basis' approach. More recently, many common law systems have showed signs of a possible move towards the 'absence of basis' approach (see for example the law of North Dakota in the section on the United States below). Both approaches will be discussed.

The 'unjust factors' approach requires the claimant to point to one of a number of factors recognised by the law as rendering the defendant's enrichment unjust. English law clearly recognises at least the following unjust factors:

1. Mistake of fact
2. Mistake of law
3. Duress
4. Undue influence
5. Total failure of consideration
6. Miscellaneous policy-based unjust factors such as 'withdrawal within the locus poenitentiae'

It is at least arguable that English law also recognises the following unjust factors, but some controversy surrounds each:

1. Ignorance/powerlessness
2. Unconscionability
3. Partial failure of consideration
4. Absence of consideration

'Absence of consideration' is particularly controversial because the cases that support its existence as an unjust factor can also be used to support the view that English law has begun to favour the 'absence of basis' approach (see next paragraph).

The 'absence of basis' approach does not deal in individual unjust factors. Instead it seeks to identify enrichments with no legitimate explanatory basis. Imagine that A contracts with B that A will pay \$150 up front for B to clean his house. A pays the money. B's enrichment has a legitimate explanatory basis – he was paid under a valid contract. However, let us now change the example and assume that the contract was in fact void. This is discovered after A has paid the money but before B cleans the house. B's enrichment no longer has a legitimate explanatory basis so B must repay the \$150 to A.

Notice that in the example just given, exactly the same conclusion would be reached using the 'unjust factors' approach. Under that approach, A would not be able to point to an unjust factor provided that the contract was valid, but could point to the unjust factor of total failure of consideration once we assume that it was void. In the vast majority of cases, a properly developed 'unjust factors' approach and a properly developed 'absence of basis' approach will reach the same result.

Does the defendant have a defence?

There are a number of defences available to claims in unjust enrichment. Defences may be complete, in which case they defeat the whole claim, or partial, in which case they merely reduce the value of the claim. The most important defences to claims in unjust enrichment are:

1. Change of position
2. Agency/ministerial receipt
3. Bona fide purchase for value without notice (note that this is not available to defendants who were enriched directly from the claimant – see below)
4. Counter-restitution
5. Illegality

A small amount will be said on each of the above defences, and an example of each will be given.

(1) Change of position

Since the focus of unjust enrichment is on the defendant's gain, he can reduce the value of the claim against him if he can show that he has changed his position in good faith in reliance on being entitled to keep the enrichment. Change of position is fundamentally a partial defence, although it can be a complete defence if the amount of the defendant's disenrichment matches or exceeds the initial value of the claim against him.

Let us return to the shopkeeper example used above (in the section entitled 'introduction'). B is accidentally given \$10 too much change by shopkeeper A. B does not notice the mistake. At this point we alter the example slightly, and imagine that B later discovers that he has \$10 more than he thought he had. He does not realise where the additional \$10 came from. Pleased at his apparent good fortune, B decides to buy a bottle of wine for \$8 that he would not otherwise have bought. He drinks the wine. Now A brings his claim for restitution of the \$10. B has a partial defence of

change of position because he spent money he would not otherwise have spent in reliance on a genuine belief that he was entitled to the \$10. The value of A's claim is reduced to \$2.

(2) Agency/ministerial receipt

This defence may be seen as a species of change of position. If the defendant can show that he received the enrichment as an agent for another and that he paid the enrichment over to that other without notice of the claimant's claim then he will not be liable.

B is C's secretary. A comes into C's office, mistakenly believing that he owes C \$200. He gives \$200 to B to give to C, in payment of the debt. If B pays the \$200 over to C before he learns of A's mistake then he has a defence against A's claim against him.

(3) Bona fide purchase for value without notice

This defence is available only to parties who receive the claimant's property indirectly, via a third party. 'Bona fide' means 'good faith' (in latin). 'For value' indicates that the defence is only available if the defendant gave something to the third party in return for the property. 'Without notice' indicates that the defence is not available if the defendant knew or should have known of the claimant's title to the property when he purchased the property from the third party.

Recall the example of the painting in the Section 2 above. In that example it is explicitly mentioned that B knows that the painting does not really belong to C. The reason for making that clear was that if B had been unaware of A's title he would have been able to assert a defence of bona fide purchase for value without notice.

(4) Counter-restitution

If the claimant's claim would leave the claimant unjustly enriched at the expense of the defendant, the defendant can reduce the value of the claim against him accordingly.

Imagine that A employs B to build an extension on his house. The contract provides for A to pay B \$1000 up front. The contract is to be terminable by A if B fails to keep to a certain schedule. B does some work, worth \$50, but quickly falls behind schedule. A terminates the contract and brings a claim for restitution of the \$1000. However, if B repays \$1000 to A, A will be left unjustly enriched at B's expense. Specifically, he will have rendered \$50 of services for nothing. B could bring a separate restitutionary claim against A seeking to recover the reasonable value of the work i.e. \$50. However, in order to avoid this rigmarole, the law allows B to invoke the defence of counter-restitution in the original action. The defence will allow B to reduce the value of the claim against him to \$950.

(5) Illegality

If the claimant needs to rely on evidence of his own illegal acts to show that he has a claim against the defendant, the court may refuse to help him. This area of law is complicated and controversial but the above proposition is generally accurate.

A is in financial trouble and wishes to protect his boat from his creditors. With this in mind, he agrees with B that A will transfer the boat to B to keep it from the creditors and B will retransfer the boat to A when the financial difficulties are over. A transfers the boat to B. A is declared bankrupt and his creditors do not get their hands on the boat. A year or so later, A asks B to give him the boat back and B refuses. B is unjustly enriched at A's expense but, nonetheless, the court will not listen to A's claim, which would have to rely on evidence of the agreement's fraudulent purpose.

What remedies are available to the claimant?

It is necessary to distinguish personal remedies from proprietary remedies. A personal remedy asserts that the defendant must pay the claimant a sum of money. By contrast, a proprietary remedy asserts that some property in the defendant's possession belongs to the claimant, either at common law or in equity. There are several arguable examples in the English case law of the courts giving a proprietary remedy in an unjust enrichment claim. However, some commentators maintain that, in English law, unjust enrichment only ever triggers a personal remedy.

There are several reasons why it may be important for the claimant to seek a proprietary rather than a personal remedy. The most obvious is that showing that one is entitled to a proprietary interest in some property means that one need not compete with the defendant's unsecured creditors in the event of his insolvency. It is also generally accepted, although with little justification, that a claimant who is entitled to a personal remedy only will be restricted to simple interest, while a claimant who is entitled to a proprietary remedy can get compound interest. The availability or non-availability of a proprietary remedy may also have consequences for limitation periods and for the conflict of laws.

English law gives effect to restitutionary proprietary interests (assuming that it does at all) through a number of devices. One of these devices will be discussed and another two will be mentioned briefly.

The most important battleground in this controversial area of law is that of resulting trusts. One view, whose most notable proponent is William Swadling, holds that resulting trusts arise either automatically or in response to a presumed intention (on the part of the transferor) to create them. Either way, they do not arise in response to unjust enrichment. The opposing view, whose principal proponents have been Peter Birks and Robert Chambers, argues the contrary, that resulting trusts arise in response to unjust enrichment. It is possible to cite English cases in support of both views. There is a good deal of discussion of presumptions in the cases, which might be thought to lend particular support to the Swadling view. However, Birks and Chambers explain that discussion by suggesting that the presumption in question is not a presumption of intention to create a trust but a presumption of lack of intention to benefit the recipient (or to make the recipient an express trustee for a third party).

UNITED STATES

The North Dakota Supreme Court has ruled that five elements must be established to prove unjust enrichment:

1. An enrichment
2. An impoverishment
3. A connection between enrichment and the impoverishment
4. Absence of a justification for the enrichment and impoverishment
5. An absence of a remedy provided by the law

In Massachusetts, there are some decisions denying recovery in restitution by the breaching party although this is not generally the rule in the United States.

Here are some examples:

B contracts with T to provide a year's worth of labor at a specific price P. T is to pay B for his labor at the end of the year. After 9.5 months B decides to quit the job. B sues T and recovers the fair market value of the labor he performed for T during those 9.5 months. Note that in this instance, because B is in breach of his contract with T, B cannot recover more than the contract rate for his labor. The non-breaching party is protected from paying more than the contract rate for labor. The supporting reasoning is that it would be unfair to make the party who has lived up to his end of the agreement pay more than he agreed to in the first place. However, the breaching party is afforded no such protection.

Suppose B is a building contractor who has been awarded a contract to build a skyscraper. B hires A to handle all necessary steel erection. The contract calls for B to furnish the cranes A needs to lift the beams into position. B does not furnish these cranes to A. At first, A performs and hires cranes at his own expense but partway through the contract A stops and refuses to go further on account of B's breach. A sues B and recovers the fair market value of the services he has rendered to B thus far. As the non-breaching party, A is entitled to the fair market value of his services (what it would cost one in B's position to hire one in A's position to perform the services A has rendered to B at the time and place A rendered such services to B) even if it exceeds the contract price for such services.

Not all actions in restitution involve contracts. However, whenever one party confers a material benefit upon another with the reasonable expectation he will be compensated for doing so, the party conferring the benefit is entitled to restitution.

Contributors: [rainandsun](#), [chicago](#), [top_admin](#), [forum_admin](#)

Created by [chicago](#) May 18th 2008 at 12:05 PM
Last edited by [rainandsun](#) Jun 10th 2011 at 02:04 AM
1 Comments 2561 Views

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Jun 10th, 2011, 02:18 AM

#2

rainandsun

Junior Member

Country:



Re: Unjust enrichment

i don't have any i ea about law, however, once was reaped off by any auto repair services, i what i am going to do is file case against them, is that right?

rain and sun
www.automd.com
DIY is kinda good thing at all

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Unjust Enrichment Law & Legal Definition

Unjust enrichment means when a person unfairly gets a benefit by chance, mistake or another's misfortune for which the one enriched has not paid or worked and morally and ethically should not keep. A person who has been unjustly enriched at the expense of another must legally return the unfairly kept money or benefits. Unjust enrichment is an equitable doctrine applied in the absence of a contract and used to prevent one person from being unjustly enriched at another's expense.

Five elements must be established to prove unjust enrichment:

1. An enrichment;
2. An impoverishment;
3. A connection between the enrichment and the impoverishment;
4. Absence of a justification for the enrichment and impoverishment; and
5. An absence of a remedy provided by law.

Definition List

[Universitas Rerum](#)
[Universitas Juris](#)
[Universitas Facti](#)
[Universalism](#)
[Universal Title](#)
 » [Unjust Enrichment](#)
[Unknown Creditor](#)
[Unlawful](#)
[Unlawful Assembly](#)
[Unlawful Carrying Weapons](#)
[Unlawful Combination](#)

Related Terms

Terms with 'Unjust' or 'Enrichment'
[Uranium Enrichment](#)
[Uranium Enrichment Facility \[Energy\]](#)

■ New Jersey

Safer streets Essex and Mercer counties approved “complete streets” resolutions this spring, joining Monmouth County and 26 New Jersey municipalities in calling for safer roadways for all users, regardless of mode of transportation. ■ Roadway planners in these jurisdictions must consider the needs of pedestrians, bicyclists, mass transit riders and people with disabilities as well as motorists. ■ Essex County had 178 pedestrian fatalities from 2000 to 2009, while Monmouth County had 87 and Mercer County had 60, according to a report by Transportation for America, an advocacy group. Studies have shown that older pedestrians are at higher risk of injury and death. ■ AARP New Jersey is pressing for complete streets policies across the state. Learn more at aarp.org/nj.

■ West Virginia

Fresh picks Beginning July 1, many older West Virginians can get \$20 worth of coupons to buy fresh produce at farmers’ markets across the state. ■ The state Department of Agriculture’s Senior Farmers’ Market Nutrition Program will distribute about \$475,000 worth of vouchers this year to residents age 60 and older. Individuals with annual income up to \$20,665 and couples with income up to \$27,991 are eligible. The program also provides 5-pound bags of West Virginia apples to older people who are homebound. ■ Apply at local senior centers. Coupons are valid through Oct. 31.

■ Virginia

Powerful stories AARP has teamed up with other organizations to gather personal stories, photographs and documents from Virginians who were students during school desegregation. ■ After the 1954 U.S. Supreme Court ruling that desegregated public schools, some Virginia school systems shut down, and some white parents sent their children to private schools. Other schools forced black children to apply for admission. The DOVE project (Desegregation of Virginia Education) is gathering stories that

are largely missing from history books. The project is coordinated by Old Dominion University along with AARP, the Urban League of Hampton Roads and the Virginia State Conference of the NAACP. ■ To share your story or to request a DOVE exhibit to display at your event, call 1-866-542-8164 toll-free.

■ North Carolina

Utility matters AARP North Carolina is gearing up to fight a legislative proposal that would allow Duke Energy to pass upfront costs of a new nuclear power plant on to customers before the plant is built. ■ The utility seeks to be compensated for pre-construction costs without having to file a general rate case, which would require public hearings. Similar legislation has led to electric rate hikes in Florida, Georgia and South Carolina. AARP has helped defeat similar measures in Iowa and Missouri. ■ In North Carolina, AARP also is encouraging members to save money by learning how to reduce consumption and applying for energy assistance if needed. Learn more at aarp.org/nc.

■ District of Columbia

Well women Washington-area women are invited to a July 21 health and wellness conference cosponsored by AARP DC and the Washington Section of the National Council of Negro Women. ■ The event will focus on reducing obesity, raising awareness about HIV/AIDS and planning for long-term care. Participants will get tips on identifying community resources, planning for health expenses and preparing directives for end-of-life medical decisions or unexpected incapacity. ■ The conference is from 10 a.m. to 4 p.m. at the Town Hall Education and Arts Recreation Campus (known locally as THEARC), 1901 Mississippi Ave. SE. Register by Saturday, July 14, at aarp.cvent.com/DC_HealthandWellness or by calling 1-877-926-8300 toll-free.

—Reports by Donya Currie

For other state news, go to

aarp.org/states



Not Born in the US

Percentage of foreign-born resident in each state and D.C. in 2010.

Ala.	3.6%	Ky.	3.4	N
Alaska	6.5	La.	3.7	Ol
Ariz.	13.4	Maine	3.6	Ol
Ark.	4.5	Md.	13.9	C
Calif.	27.2	Mass.	14.9	I
Colo.	9.7	Mich.	5.9	I
Conn.	13.2	Minn.	7.1	S
Del.	7.8	Miss.	2.1	S
D.C.	13.2	Mo.	3.9	Ter
Fla.	19.5	Mont.	2.0	Tex
Ga.	9.7	Neb.	6.0	Ut
Hawaii	17.9	Nev.	18.8	V
Idaho	5.7	N.H.	5.4	V
Ill.	13.7	N.J.	21.0	Was
Ind.	4.6	N.M.	10.1	WV
Iowa	4.6	N.Y.	22.2	W
Kan.	6.6	N.C.	7.5	WV

lake, a shallow sheet of water fringed by marshes, had been set aside by Theodore Roosevelt in 1908 as a waterfowl sanctuary. In 1917 the water inflow was cut off. The lakebed dried up and became prey to dust storms. The peat in the marsh bottom caught fire. The transformed area became less a reclaimed area of extraordinary fertility and more an ecological travesty. Time helped to reverse the damage, but as of 1997 less than 25 percent of the historic wetland basin remained. In spite of this, the basin continues to support tremendous bird life on a smaller scale.

Similarly, Florida had long sought to drain the Everglades. Efforts there resulted in lands prone to flooding and peat fires. Peat fires are particularly dangerous because they burn underground and can flare up without warning long distances from where they were originally ignited. Costs escalated, and the drainage district went broke. Across the nation, the gap between the cost and the value of reclaimed land widened even more. The agricultural depression beginning in the 1920s increased the growing skepticism as to the value of reclamation.

Nonetheless, during the Great Depression (1929–41), programs such as the Works Progress Administration and the Reconstruction Finance Corporation encouraged wetland conversion as a way to provide work for many unemployed people. By the end of World War II (1945), the total area of drained farmland had increased sharply.

Tide Turns for Wetlands

Since the early 1970s, conservationists have turned to the courts to challenge wetland reclamation and protect wetlands. If drainage once seemed to improve the look of the land, today it is more likely to be seen as degrading it. Wetlands turned out to be not wastelands, but systems efficient in harnessing the sun's rays to feed the food chain, and important in the global cycle of water, nitrogen, carbon, and sulfur. A number of studies have shown that the value of wetlands for flood protection is far greater than their potential value for agriculture.

No Net Loss

As the drainage movement once found support in state laws and federal policies, so did the preservation movement. In 1977 President Jimmy Carter issued an executive order instructing federal agencies to minimize damage to wetlands. In 1989 the EPA adopted a goal of "no net loss" of wetlands, meaning that where a wetland is developed for other uses, the developer must create a wetland elsewhere to maintain an overall constant amount of wetland acreage.

COMPENSATORY MITIGATION. A major part of the no net loss policy is the practice of compensatory mitigation. Mitigation requires that a party who alters or destroys a wetland area must offset that loss by restoring, creating, or enhancing wetlands elsewhere. For example, a builder can be permitted to build a highway that will disrupt a

wetland if the builder will construct or restore a wetland elsewhere. The premise of mitigation is the same amount or more wetlands will be created or restored without unnecessarily retarding economic growth.

The Army Corps of Engineers determines the number of credits required to obtain the permit needed. The ratio the corps seeks is usually 1 to 1.5 acres—this means that for every wetland acre the person is destroying or harming, the person must assume the cost of restoring 1.5 acres of wetlands.

Mitigation banking, a variation of compensatory mitigation, allows people who build on wetlands to pay to a "bank" to enhance another wetland area. This is particularly advantageous to the small property owner who seeks to build only one or two structures. The person purchases "credits" in the bank and transfers full responsibility to an agency or environmental organization that runs the bank. Environmental professionals design, construct, and maintain a specific natural area using these funds. Several states use mitigation banking.

Critics contend that new or improved wetlands may not provide the same value over the same span of time and dislike mitigation because it presumes that wetlands destruction at certain sites is acceptable. Many mitigation projects have not worked well because mitigators often have not kept their agreements, it is difficult to mimic natural systems, and even where it is done properly, a wetland can take as much as 30 years to mature. In the intervening years, however, since the mitigation policy went into effect, the science of wetland creation and restoration has made significant advances, so that the number of sites with successful wetland mitigation is growing.

CONCERN OVER PROPERTY RIGHTS

No person shall ... be deprived of ... property without due process of law, nor shall private property be taken for public use, without just compensation.

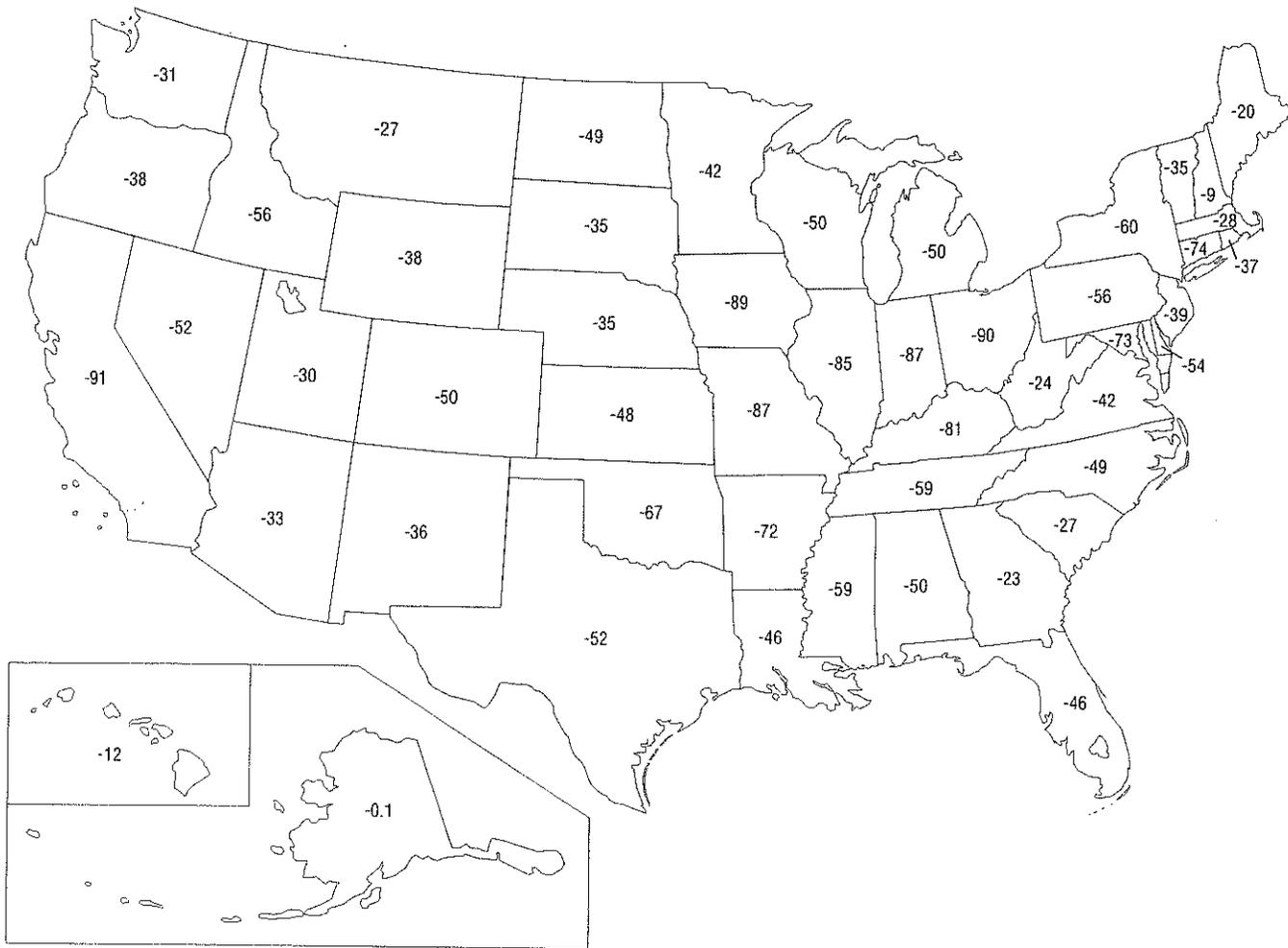
—Fifth Amendment to the Constitution of the United States of America

The dispute over wetlands regulation reflects the nation's ambivalence when private property and public rights intersect, especially since three-fourths of the nation's wetlands are owned by private citizens. In recent years, many landowners have complained that wetland regulation devalued their property by blocking its development. They have argued that efforts to preserve the wetlands have gone too far, citing instances where a small wetland precludes the use of large tracts of land. Many people believe that this constitutes taking without just compensation.

The federal government has no right to take property without compensation, and then only in limited circumstances. The "takings" clause of the Constitution provides that when private property is taken for public use, just

FIGURE 7.10

Percentage of Wetland Acreage Lost, by State, 1780s–1980s



SOURCE: *Wetland Losses in the United States 1780's to 1980's*. U.S. Dept. of the Interior, Fish and Wildlife Service

compensation must be paid to the owner. Wetland owners claim that when the government, through its laws, eliminates some uses for their land, the value is decreased, and they believe that they should be paid for the loss.

While some people believe that wetland protection should take priority over property concerns, a significant part of the public is troubled over what it sees as growing government infringement on the rights of property owners. They believe that just as landowners must be compensated for property seized by eminent domain (the authority of the government to take private property for public use, with compensation to the owner), so should the losses (devaluation of wetland acreage) be compensated, even though no physical taking of property occurs.

State Must Reimburse an Owner for Loss

In the 1970s and 1980s, state courts and the lower federal courts frequently handed down contradictory rul-

ings on the issue of compensation for wetland-related takings. In 1992 the U.S. Supreme Court, in the case of *Lucas v. South Carolina Coastal Council* (60 LW 4842), resolved the issue of compensation when land taken for an accepted public good loses significant value.

David Lucas, a homebuilder, bought two residential lots on a South Carolina barrier island in 1986. He planned to build and sell two single-family houses similar to those on nearby lots. At the time he purchased the land, state law allowed house construction on the lots. In 1988 South Carolina passed the Beachfront Management Act to protect the state's beaches from erosion. Lucas's land fell within the area considered in danger of erosion; as a result, Lucas could no longer build the houses.

Lucas went to court, claiming that the Beachfront Management Act had taken his property without just compensation because it no longer had any value if he

could not build there. Lucas did not question the right of the State of South Carolina to take his property for the common good. Rather, he claimed the state had to compensate him for the financial loss that resulted from the devaluing of the property.

On June 29, 1992, the U.S. Supreme Court, in a 7–2 decision, agreed:

There are good reasons for our frequently expressed belief that when the owner of real property has been called upon to sacrifice all economically beneficial uses in the name of the common good, that is, to leave his property economically idle, he has suffered a taking.... When ... a regulation ... declares "off-limits" all economically productive or beneficial use of land ... compensation must be paid.

The Supreme Court said that a state could stop a landowner from building on his property only if he was using it for a "harmful or noxious" purpose—for example, building a brickyard or a brewery in a residential area. This was not the case. Lucas had planned to build homes, a legitimate purpose that was neither harmful nor noxious. Although it was possible to define the planned buildings as harmful to South Carolina's ecological resources, this would not be consistent with earlier Court interpretations of "harmful." Only by showing that Lucas had intended to do something "harmful or noxious" with the land could the state take his land without compensation. This they did not do, and, therefore, they owed him the money.

LOSS IN WETLAND ACREAGE

Since the first European settlers came to North America, we've lost more than 50 percent of our wetlands.

—World Wildlife Fund

When the first Europeans arrived in America, there were an estimated 215 million acres of wetlands in the mainland 48 states; today there are approximately 105.5 million acres. In the intervening years, over 50 percent of the wetlands in the lower 48 states have been lost. Wetlands have been drained, dredged, filled, leveled, and flooded to meet human needs. Although natural forces such as erosion, sedimentation, and rise or drop in sea level may erase wetlands over time, 95 percent of the wetland losses since 1780 are believed to have been caused by man. Many of the nation's older cities, such as New York City, Baltimore, Philadelphia, New Orleans, and Charleston, are built on filled wetlands.

The FWS has been tracking wetland losses. In *Wetland Losses in the United States 1780s to 1980s* (1990), the FWS reported that 22 states had lost more than 50 percent of their wetlands, an area equal to the size of California. (See Figure 7.10.) Seven states (California, Indiana, Illinois, Iowa, Missouri, Kentucky, and Ohio) had lost more than 80 percent of their wetlands.

In its first wetlands status and trends report in 1983, the FWS estimated the wetland loss between the mid-1950s and the mid-1970s (the years prior to wetland protection) at 458,000 acres per year. In 1991 the FWS reported that estimated wetland loss in the mid-1970s to mid-1980s had declined to 290,000 acres per year. In *Status and Trends of Wetlands in the Conterminous United States 1986–1997* (December 2000), the annual loss rate reported by FWS was 58,500 acres annually, an almost 87 percent reduction from the mid-1970s level. The decline in wetland loss was attributed to "increased public awareness of the functions and value of wetlands and the need to protect them, the implementation and enforcement of wetland protective measures, elimination of incentives to drain wetlands, private land initiatives, coastal monitoring and protection programs, and wetland restoration and creation actions."

This FWS finding is supported by the December 2000 *Summary Report—1997 National Resources Inventory* released by the U.S. Department of Agriculture (USDA). The USDA reported a significant decline in wetland loss from the levels reported in its 1992 report. The USDA has a different mandate than the FWS, which affects the way in which the USDA collects its data. The USDA has a slightly different methodology for identifying and classifying wetlands and the causes of wetland loss. Because of these differences, FWS data and USDA data are not comparable or interchangeable. An interagency task force was working to resolve this dilemma. Nonetheless, both studies agreed that the annual rate of wetland loss has declined significantly.

In its 2000 report concerning wetland status and trends, the FWS stated that 98 percent of wetland losses occurred in freshwater wetlands. Freshwater emergent wetlands experienced the most substantial loss while the rate of loss of wooded wetlands declined from 6.2 percent reported in 1991 to 2.9 percent. Shrub wetlands were the only freshwater wetland type that experienced substantive gains.

Urban and suburban development accounted for 30 percent of wetland losses in the FWS 2000 report while agriculture was blamed for 26 percent, forestry for 23 percent, and rural development for the remaining 21 percent. The USDA 1997 natural resources inventory reported that development was responsible for 49 percent of the wetland losses and agriculture for 26 percent. Miscellaneous sources accounted for the remainder.

In their 305(b) reports to EPA, 11 states reported wetland losses. Figure 7.11 shows the sources contributing to these losses. Agriculture and residential development and urban growth were cited by nine states as sources of wetland loss. Road, highway, and bridge construction were identified as another leading cause.

The states also identified the leading causes of the loss of wetland integrity, that is, the impairment of

NC Rural Electrification

919-733-7513

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Dubbo Bldg.

Raleigh, NC

943 Washington Square Mall, Washington, NC 27889
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DIVISION OF COASTAL MANAGEMENT
NCDENR

NORTH CAROLINA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES



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Vernon F. Howell, Jr.
Manager of Customer Service

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vernonhowell@tidelandemc.com

NC GreenPower

Help Ensure Our State's Energy Future By Contributing to NC GreenPower

Now you have a convenient and effective way to help protect the environment! Electric utilities across North Carolina have come together to offer a renewable energy alternative called NC GreenPower. The program operates upon voluntary participation by those who elect to contribute at least \$4 a month on their utility bill to help support a cleaner environment through electricity produced from renewable resources. Utilities participating in the NC Green Power program simply collect the funds and all contributions are then forwarded directly to NC GreenPower for the purchase of renewable energy for the North Carolina electric grid. Contributions are tax free and qualify as a tax deductible contribution for income tax purposes. Call Tideland EMC to enroll.



Internet Resources

www.ncemcs.com
Website for NC's 27 electric cooperatives

www.touchstoneenergysavers.com
Website sponsored by the nation's electric cooperatives

www.aceee.org/consumerguide
The American Council for an Energy-Efficient Economy

www.eere.energy.gov/consumer/calculators/homes.cfm
Energy calculators to boost your home's efficiency

www.energy.gov/forconsumers.htm
A consumers' guide to energy efficiency and renewable energy

www.energysavers.gov
For residential and commercial energy saving tips

www.energystar.gov
Make your next purchase an ENERGY STAR one

www.ftc.gov/energysavings
A room-by-room savings site from the Federal Trade Commission

www.dsireusa.org
DSIRE: Database of State Incentives for Renewables & Efficiency

www.ase.org/section/_audience/consumers
Alliance to Save Energy

www.homeenergy.org
Build it right the first time around

www.energyhog.org
Get your whole family involved in energy savings

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Tideland EMC
Pantego, NC
800.637.1079
www.tidelandemc.com

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name <u>Glenn Hockney & Dorothy Hockney</u>		For Insurance Company Use:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <u>109 White Plains Road</u> City <u>Engelhard</u> State <u>NC</u> ZIP Code <u>27824</u>		Policy Number
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Tax Parcel No. <u>8684-91-1674, Deed Book 237, Page 226, Plat Cabinet "C", Slide 30-E</u>		Company NAIC Number
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>		
A5. Latitude/Longitude: Lat. <u>36°28'36"N</u> Long. <u>76°00'48"W</u>		Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number <u>8</u>		
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:
a) Square footage of crawlspace or enclosure(s) <u>972</u> sq ft		a) Square footage of attached garage <u>N/A</u> sq ft
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>7</u>		b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>
c) Total net area of flood openings in A8.b <u>917</u> sq in		c) Total net area of flood openings in A9.b <u>N/A</u> sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number <u>Hyde County 370133</u>		B2. County Name <u>HYDE</u>		B3. State <u>NC</u>	
B4. Map/Panel Number <u>3720868400</u>	B5. Suffix <u>J</u>	B6. FIRM Index Date <u>5/15/03</u>	B7. FIRM Panel Effective/Revised Date <u>5/15/03</u>	B8. Flood Zone(s) <u>AE</u>	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) <u>5.0 Feet</u>

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.
 FIS Profile FIRM Community Determined Other (Describe) _____

B11. Indicate elevation datum used for BFE in Item B9: NGVD 1929 NAVD 1988 Other (Describe) _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Yes No
 Designation Date N/A CBRS OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. Use the same datum as the BFE.
 Benchmark Utilized AMITY Vertical Datum 1999
 Conversion/Comments NONE

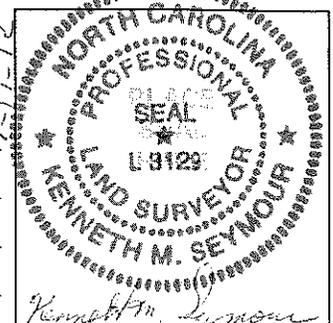
		Check the measurement used.	
a) Top of bottom floor (including basement, crawlspace, or enclosure floor) <u>1.9(DIRT)</u>	<u>1.9</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor <u>3.3</u>	<u>3.3</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only) <u>N/A</u>	<u>N/A</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab) <u>N/A</u>	<u>N/A</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) <u>N/A</u>	<u>N/A</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade next to building (LAG) <u>1.9</u>	<u>1.9</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade next to building (HAG) <u>3.0</u>	<u>3.0</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support <u>1.9</u>	<u>1.9</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Certifier's Name <u>KENNETH M. SEYMOUR</u>		License Number <u>L-3129</u>	
Title <u>SURVEYOR</u>	Company Name <u>HOOD RICHARDSON, PA</u>		
Address <u>110 WEST SECOND STREET</u>	City <u>WASHINGTON</u>	State <u>NC</u>	ZIP Code <u>27889</u>
Signature <u>Kenneth M. Seymour</u>	Date <u>1/19/2012</u>	Telephone <u>252-975-3472</u>	



IMPORTANT: In these spaces, copy the corresponding information from Section A.	For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 109 White Plains Road	Policy Number
City Engelhard State NC ZIP Code 27824	Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments C2e: No heat or AC outside as shown in photographs; No ductwork. We set 4 temporary bench marks on property, 1 is a Nail set in area light pole, 3.8 Ft. above ground, 120 Ft. South of centerline of SR 1108, 10 Ft. East of bank of canal, EL.= 5.0 Ft. (NAVD88); 2 is a nail set in a carry pole, 2.5 Ft. above ground, 170 Ft. South of centerline of SR 1108, 18 Ft. West of concrete wall, EL.=5.0 FT. (NAVD88), Benchmarks 1 and 2 are flagged with blue flagging and set at the base flood elevation. The other 2 nails are set in the same poles but are flagged Glow Green and are set at 1 foot above the BFE.

Kenneth M. Symons
Signature

Date 01/19/2012

Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge.*

Property Owner's or Owner's Authorized Representative's Name

Address _____ City _____ State _____ ZIP Code _____

Signature _____ Date _____ Telephone _____

Comments _____

Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
-------------------	------------------------	---

- G7. This permit has been issued for: New Construction Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters (PR) Datum _____
- G9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters (PR) Datum _____
- G10. Community's design flood elevation _____ feet meters (PR) Datum _____

Local Official's Name _____ Title _____

Community Name _____ Telephone _____

Signature _____ Date _____

Comments _____

Check here if attachments

HYDE COUNTY HEALTH DEPARTMENT

P.O. Box 100 Swan Quarter, N C 27885

Phone # (252) 926-4380

OPERATION PERMIT

PERMIT #5412-1

In accordance with the provisions of Article 11 of Chapter 130A, General Statutes of North Carolina as amended, and 15A NCAC 18A .1900 et seq.:

PERMISSION IS HEREBY GRANTED TO

Glenn Hockney

for the operation of a wastewater collection, treatment, and disposal system pursuant to 15A NCAC 18A .1900 et seq. and in conformity with the application, **Improvement Permit/Authorization to Construct** and other supporting data subsequently filed and approved by the Hyde County Health Department and considered a part of this permit.

Facilities to be served: **1 bedroom/shop building**

Location: **109 White Plains Road, Engelhard**

The approved wastewater system consists of:

D & W 1000 gallon septic tank with filter; 270 sq.ft. nitrification area consisting of a 9' x 30' rock bed

CONDITIONS:

1. The wastewater system shall be maintained at all times to prevent seepage or discharge of sewage or effluent to the surface of the ground or to surface waters.
2. The contents of the septic tank shall be checked every 3-5 years and the solids removed when they reach 1/3 the liquid depth of the tank.
3. Diversion or bypassing of untreated wastewater from the system is expressly prohibited.
4. Due to factors beyond the control of this department, this shall in no way be taken as a guarantee or warranty that this wastewater system will function in a satisfactory manner for any given period of time.

DATE : 5-4-12

ISSUED BY: Steph Watson, REHS
Registered Environmental Health Specialist

HYDE COUNTY HEALTH DEPARTMENT

P.O. Box 100 Swan Quarter, NC 27885

Phone # (252) 926-4380

APPLICATION FOR AUTHORIZATION TO CONSTRUCT

Applicant: Glenn Hochener

Address: 109 White Plains Rd Engelhard NC

Phone #: 205-377-2315 Lot #: _____

Original Owner: _____

Directions to property: _____

No. of bedrooms: 1 Business (# of people) _____

Water source: Community Private well _____

CONDITIONS:

1. The applicant shall notify the Hyde County Health Department of any designated wetlands on this property (404 or CAMA) prior to a site visit.
2. The owner shall identify all lot lines and corners.

I declare all the information given in this applicaton is true and I hereby authorize the Hyde County Health Department personnel to go on said property to perform the necessary evaluation.

Glenn James Hochener
Owner/Authorized Agent

2-1-12
Date

**Hyde County Health Department
Animal Control Report
June 2012**

Total **Documented** Calls/Requests for Assistance - **20**

Breakdown of Calls by Type:

- Nuisance – 13
- Bite – 0
- Vicious – 2
- Rabies – 0
- Cruelty – 1
- Other – 4

Detail of Calls by Type:

- **Nuisance (13):**
 - Received call from Ocracoke that feral cats were in his yard and on his deck, defecating, vomiting and urinating. Hyde County Health Department (HCHD) staff spoke with individual; Animal Control Contract Officer (ACCO) not dispatched
 - Received call from Ponzer community about two dogs in his yard; concerned about dogs attacking his chickens (dogs killed some of his chickens earlier in the year); ACCO dispatched to pick up dogs; dogs were not found
 - Received call from Ponzer community about two black dogs on her property; caller concerned about dogs being potentially dangerous; ACCO dispatched to pick up dogs; dogs not found
 - Received call from Engelhard community about Pit bull on her property that would not leave; dog had no collar or rabies tag; ACCO dispatched to pick up dog; dog returned to animal shelter for adoption or euthanization
 - Received call from Ponzer community about cat that showed up on her property, yowling throughout the night; caller set trap and caught cat; ACCO dispatched to pick up cat
 - Received call from Scranton community about 12 feral cats that showed up at his house; ACCO dispatched to set trap for cats; all 12 cats were caught **(2 trips)**
 - Received call from Engelhard community about an injured kitten on the side of the road at Great Ditch Road; ACCO dispatched to pick up cat for adoption or euthanization
 - Received call from Swan Quarter community about a feral cat fighting with caller's cat; ACCO dispatched to catch cat; trap set; cat caught but not the feral cat **(3 trips)**
 - Received call from Ponzer community about two dogs running throughout the community; ACCO dispatched to catch dogs; traps set
 - Received call from Engelhard community about several feral cats that were on her property; ACCO dispatched to set traps; total of 7 cats were caught **(3 trips)**
 - Received call from Fairfield community about several feral cats that were on his property; ACCO dispatched to set traps; total of 6 cats were caught **(2 trips)**
 - Received call from Engelhard community about a stray dog that was on her property; ACCO dispatched to pick up dog; dog returned to animal shelter for adoption or euthanization
 - Received call from Engelhard community about five feral cats that showed up at his house; ACCO dispatched to set traps; total of three cats caught **(2 trips)**
- **Bite (0)**
- **Vicious (2):**

- Received call from Ponzer community about dog in her chicken pen – killed 22 chickens and injured the other 6; ACCO dispatched to pick up dog; dog had already been killed by caller’s son; caller to speak with dog’s owner about restitution; no further action by HCHD
- Received call from Swan Quarter community about several kittens and one cat that showed up at his house, with the cat acting strange; cat tried to attack several people; caller shot the cat and disposed of it in the woods; HCHD staff spoke with Dr. Haskell, Veterinarian with the NC Division of Public Health, who advised us to quarantine kittens for 10 days and retrieve dead cat to determine if it was in good enough condition to forward head to NC State Lab for rabies testing; cat was too decomposed to send head to lab; kittens quarantined as directed
- **Rabies (0)**
- **Cruelty (1):**
 - Received call from Engelhard community reported dog in neighbor’s yard without shade or water; ACCO dispatched to investigate; upon arrival, ACCO found dog moved into a shady area and with water available
- **Other (4):**
 - Received call from Fairfield community reported several goats coming into his mother’s house, defecating all over the floor; concern over odor and potential danger to mother; ACCO dispatched to investigate situation; determined not to be an animal control issue, as goats are coming into garage area that does not open to the house; encouraged caller to speak with Hyde County DSS office about his concerns
 - Received call from Engelhard community reported daughter opened back door and a baby rattle snake fell onto her arm; Wildlife Officer unable to be contacted by HCHD; ACCO dispatched to help out; snake was gone when ACCO arrived
 - Received call from Ponzer community reported a large, 6 foot snake in her garage; Wildlife Officer unable to be contacted by HCHD; ACCO dispatched to help out; snake was gone when ACCO arrived
 - Received call from Engelhard community reported seeing a dead dog at a house in Swan Quarter; ACCO dispatched to investigate; dog found dead in its dog house; ACCO removed dog

Animal Control Contract Officer Dispatch Record (total of 26 trips):

- Engelhard Community Total of 11 trips
- Ponzer Community Total of 6 trips
- Swan Quarter Community Total of 4 trips
- Fairfield Community Total of 3 trips
- Scranton Community Total of 2 trips

Total Authorized by Health Director or Designee:

- Mainland – (additional payout of \$125.00 X 23 = \$2,875.00)
- Ocracoke – (no additional payout)

Report Compiled and Authorized by:

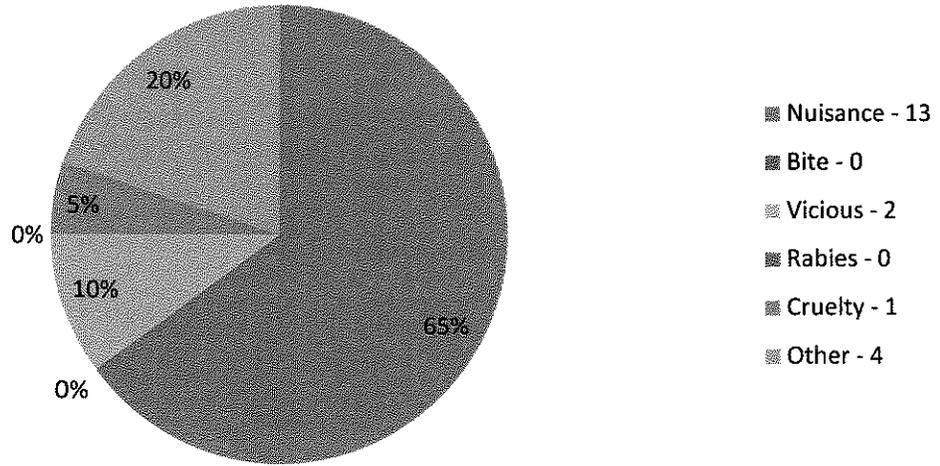
Wesley P. Smith

July 11, 2012

Wesley P. Smith, Health Director

Date

Animal Control Incidents - June 2012



Hyde County Health Department Monthly Summary Report – June 2012

Clinic Nursing Services (Luana Gibbs, Margie Keech, Melissa Sadler, Jenna Brinn):

<u>Program</u>	<u># Visits</u>	<u>Purpose</u>
Family Planning	29	Physicals (11); Depo Injections (14); Follow-up/IUD Checks (3); IUD Insertion (1)
Maternal Health	6	Initial Visits (2); Return Visits (3); Consultations (1)
Adult Health	2	Physicals (2)
BCCCP	2	Physicals (2)
Child Health	0	No Longer Providing Directly
Immunizations	8	Independent of Physical Exams (8)
STD	3	Exams (3)
Communicable Disease	0	N/A
TB Control	6	Skin Tests (3); Readings (3)
Monitoring/Audits	-	TB Monitoring
Nursing Consults	0	N/A
Outreach/Community	-	Healthy Me!
Lab Services	17	Independent of Physical Exams (4); Drug Screens (13)
Ocracoke Visit	6	Office Visit/Initial Physical (1); Office Visit/Yearly Physical (3); Pregnancy Test (1); WIC Services
Trainings/Updates	-	Completed orientation of 2 employees; VIPER radio; Public Health Law; Deaf and Hard of Hearing; Menopausal Symptoms
Update of Policies	-	BCCCP; Family Planning
WIC – Mainland	33	Certifications (3); Mid-Certification Assessments (4); Re-Certifications (11); Pick-ups (14); Infant Assessments (1)
WIC – Ocracoke	15	Certifications (1); Mid-Certification Assessments (2); Re-Certifications (2); Pick-ups (10)
Flu Vaccinations	-	N/A
Meetings	-	Epi Team; Staff; Radio Check; GETS card check; TB; Supervisor; Nurses; Public Health Preparedness; Post Clinic Meeting; PC Coordinators Meeting; PIO Meeting

Miscellaneous Desk Work that is required every month:

- E-mail, voicemail, copying, faxing, mailing
- Patient contacts by telephone
- Scheduling appointments, with follow-up to missed appointments
- Reminder notices for appointments/immunizations/final notices for Women's Health
- Pre & Post clinic review of charts/charting
- Daily NCEDDS check and follow-up
- Referrals and follow-ups
- Inventory (ordering, stocking, tracking) – Immunizations, clinic supplies
- Employee Travel Requests/Time Studies/Time Sheets
- Printing and mailing immunization records upon request
- Immunization consulting to parents/teachers
- Daily Lab check-in
- Blood lead notification letters to patients
- Results notification letters to patients
- Prep lab and exam rooms for clinic
- Calendar meeting, and preparation of Monthly Activity Report
- Daily Huddle for work assignments & planning

Meetings/Coordination/Collaboration:

- PHP&R State meeting
- MRC conference calls with Region (2)
- Suspicious Substance Exercise meeting
- Co-host of Suspicious Substance Exercise in Washington County
- Created personnel assignments for SNS Plan
- Phone Conference with Beaufort County HD Regarding their termination of the CC4C/PCM Agreement

Quality Improvement:

- Created Immunization Assessment form for Family Planning

- Collection of materials and coordination of Media Review for improvement of Family Planning education
- Personnel evaluations

Prep Work for Monitors/Audits:

- TB Monitoring preparation

Clinical Workgroup/Post Conference/Public Relations

- Post-Clinic conference (2)

Accreditation:

- Policy on Policies created with Health Director
- Initiated policy reviews for Accreditation

Other:

- Met with Colonial representative
- Met with 457 Plan representative

Financial:

- Budget review and planning for end of year orders and drawing down of State funds
- Budget review and revision (at State level) for Child Health & Women's Health programs

Health Education/Promotion (Elizabeth Mumm):

Community – Healthy Me! Program from ECU Department of Recreation and Leisure Studies started at Ponzer 4H building – three (3) registered and one (1) show for glucose screening; Local Interagency Child Consultants (LICC) board planning for Family Fun Day in 2013

Health Education/Promotion – One (1) active Hyde Walks! Leader reported increase in walkers and reduction in insulin; attended Project DIRECT Legacy for Men meeting, with medication organization presentation; School Health Advisory Committee (SHAC) meeting held and given state-recommended and peer-example wellness policies; Child Nutrition Director present and information provided on latest for Ocracoke cafeteria

Hyde Partners for Health – Recommendation report received from consultant and action plans finalized and submitted to State; kick-off celebration meeting planned for Aug. 22nd 10 am – 11 am in process

Change for Good – Monthly meetings scheduled for 4th Thursday's at 3 pm; budget meeting to be scheduled and Fit @ Work targeted to be put on Health Department computer in June; Fit @ Work discontinued due to corrupted program; logo purchased for KBR Community Change Grant project:



Administrative – PR committee; Accreditation policies; meeting preparation and implementation; benefits meeting; all but one (1) ICS/NIMS courses completed; reports; requisitions; budget; timesheets; administrative updates and continuing education.

Medication Assistance Program (Kristi Williams):

Total Patients (360) – Active (206), Inactive (154); Active Requests (129); Patients Served (41); New Patients (2); New Requests (13); Reorder Requests (38); Total Requests (51); Medications Requested (50); Medications Received (29); Medications Delivered (27); Average Wholesale Price of Medications Requested (\$29,877.78)

Environmental Health Services (Hugh Watson, Angie Crets & Roni Collier):

<u>Service Provided</u>	<u># Visits</u>	<u>Purpose</u>
F&L Inspections	22	Restaurant (8); Food Stand (3); MFU (1); Meat Market (1); Nursing Home (1); Elderly Nutrition (1); Lodging (5); B&B Home (1); Swimming Pool (1)
F&L Visits	6	Restaurant (1); Food Stand (3); Push Cart (1); Lodging (1)
F&L Pre-Opening Visits	0	N/A

F&L Permits Issued	2	Food Stand (1); Swimming Pool (1)
F&L Complaint Invest.	0	N/A
F&L Consults	6	Restaurant (3); Food Stand (1); Lodging (1); Swimming Pool (1)
Transitional Permit	0	N/A
Communicable Disease	0	N/A
General Sanitation	7	Indoor Air Quality Visit (1); Consultative Contacts (6)
Vector Control	15	Other Vector Control Activities (3); Consultative Contacts (12)
Animal Control	17	Consultative Contacts (17) (See separate report from Health Director)
Health Education	2	Group Meetings (1); Committee Meetings (1)
On-Site Wastewater	117	Sites Visited/Evaluated (26); Improvement Permits Issued (2); Construction Authorizations (6); Consultative Consults (80); Operation Permits Issued (3)
On-Site Well Activity	3	Bacteriological Samples Collected (1); Consultative Contacts (2)

Hydeland Home Care Agency:

Patients Served	82	Medicare (7); Medicaid (53); Private (3); Homemaker (11); CAP (7); Proj. Care (1)
Referrals	9	Medicare (4); Medicaid (2); Private (1); Homemaker (1); CAP (1)
Admissions	8	Medicare (2); Medicaid (4); Private (1); CAP
Discharges	11	Medicare (3); Medicaid (4); Private (2); Homemaker (1); CAP (1)

Health Director Activity: Attended Board of Commissioner meeting; met with Dr. Linda M. Willis with Hyde County Schools to discuss potential application for Early Learning Challenge Transformation Zone grant; attended Department Head meeting; attended Hyde County Hotline CRT-SARRT meeting; attended Hyde County Collaborative meeting; attended two (2) meetings of the Community Transportation Grant (CTG) Strategic Planning Committee for Region 9; participated in Office of Rural Health audit of our Medication Assistance Program (MAP) for FY 2011-2012; provided meals on wheels; participated in training session with our in-home aides; participated in Hyde County Transit Finance/Marketing Committee and Board meeting; participated in KBR Grant Project "Change 4 Good" to review progress to date; Board of Health Quarterly meeting; met with County Manager and Animal Control Contract Officer to discuss contracts and change in animal control services next fiscal year; attended Beaufort/Hyde Partnership for Children meeting; participated in NENCPPH Finance Committee conference call; attended VOCA grant training for Hyde County Hotline, Inc.; conducted monthly staff meeting; attended NENCPPH governing board meeting in Edenton; participated in NCALHD Accreditation Committee conference call; compiled and submitted mandatory monthly program reports; other daily work

Miscellaneous:

- On-going progress in pilot project with Albemarle Hospital Foundation to provide Primary Care to Hyde County citizens at the health department through the use of tele-medicine technology; confirmation of \$75,000 from Kate B. Reynolds Charitable Trust and \$50,000 from the NC Office of Rural Health towards the project; also received confirmation of award to the health department in the amount of \$22,630 from Vidant Pungo Hospital community development grants; goal is to begin offering services September 1, 2012
- Hired one (1) new employee:
 - Stephanie Watson, Accounting Clerk IV
- Received approval of NC Office of State Personnel for an Animal Control Officer II position; have posted for the part-time position; received two (2) state applications – one out of county and one from Hyde County; in the process of interviewing and hope to make a decision NLT the second week of July
- ***Major concern over delay in making renovations to health department due to damages to clinic during Hurricane Irene last August; most recent satisfaction survey included comment about the need for thicker walls in the temporary building being used as our clinic; further delays in renovations could delay the planned start-up date for the pilot project to provide Primary Care via the use of tele-medicine, which could impact our ability to receive sustainable funding in the future for the project***

Hyde County Public Information
July 2012 Monthly Report

Public information for Hyde County is one of the primary ways that the government can communicate with the public and vice versa. Creating Facebook and Twitter accounts last summer was one of the best leaps forward that we could have ever made.

The ability and efficiency to communicate between departments is just as important as public information. The website creates a potential 24/7 virtual government center for residents, visitors, employees, and news media to find documents, news stories, announcements, and calendar items even when the individual offices are closed.

I take great pride in the efficiency, speed, and accuracy of the work I do for Hyde County. As the public information officer, I am available by phone and email during untraditional hours and can access the websites and databases needed to publish news releases, post to the social media pages, and push information to the media anytime and from anywhere with my phone.

This department will continue to grow and mold to fit the public's needs and work towards building and maintaining a system to provide accurate, consistent, and timely information to the public.

Facebook

832 Likes (as of 7/31/12)

1295 Number of people that have seen content on the Facebook page this week

The Hyde County Public Information Facebook page is updated or posted on almost daily with weather alerts, emergency management issue updates like power outages, ferry schedule changes, Department announcements, and information about Hyde County events. The weekly Hyde Happenings is posted on the page so that even those who don't receive it in their email can refer to this page.

Twitter

263 Followers including NCDOT Ferry Division, NC Emergency Management, Outer Banks Voice radio, Associated Press reporters, the Weather Channel, and residents of Hyde County. Again, there are posts almost daily to keep our page active and to push information about Hyde County to media.

Constant Contact

The Constant Contact service is where we are able to send out mass email messages to different lists of people, media, or internally to employees. Our average open rate of these emails is 29.7%, above the average 22.6% suggested benchmark for government agencies. Our contact list holds 943 active contacts including local, regional, and national media, residents, employees, and visitors. There is a weekly Hyde Happenings email that has county news and upcoming events and is a good way for individual departments and organizations to make announcements and engage the public.

www.hydecourtnc.gov

Last fall, the county took a major step to restructure and redesign the county's website. The potential is literally unlimited as to what we can publish, display, and organize on this site. Currently, we maintain a calendar of county meetings, job postings, press releases, department contact information, and commissioners' minutes and agendas. The website is the #1 vehicle to get information to residents directly from us instead of hearing it on the news or secondhand. Starting next month, we will be able to report back on website traffic as to where they are coming from and what they are looking at.

Respectfully submitted,
Jamie Tunnell Carter, Hyde County Public Information Officer
jtunnell@hydecourtnc.gov

MATTAMUSKEET SENIOR CENTER

Manager's Monthly Report

July, 2012

Participants on Meals-On-Wheels	Swan Quarter	Fairfield	Engelhard	Mattamuskeet Village	Total
	10	5	11	5	31
Total Meals-on-Wheels Served	647				
Congregate Meals Served	287				
Participants served for Congregate	28				
Attendance to center for activities, (crafts, exercise, meals, meetings, etc.)	344				

Attendance does not include:

Dance Class every Monday; Girl Scouts every Tuesday & Wednesdays;

Relay of Life Meetings; Zumba Classes;

MATTAMUSKEET SENIOR CENTER

ACTIVITY CALENDAR

160 Juniper Bay Road, Swan Quarter, NC 27885

August, 2012

Darlene Berry, Director, 252-926-1956 dberry@hydecourtync.gov

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
		1 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 1:00 Crafts	2 9:00 Morning Chat/Coffee 10:00 Morning Dance Club 11:30 Lunch 1:00 Crafts	3 9:00 Morning Chat/Coffee 10:00 BINGO 11:30 Lunch Wii – All Day Close at 1pm
6 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Watermelon Day 11:30 Lunch 1:00 Crafts	7 9:00 Morning Chat/Coffee 9:30 Walkers 10:00 BINGO-Pantry 11:30 Lunch 1:00 Knitters	8 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 1:00 Crafts	9 9:00 Morning Chat/Coffee 10:00 Morning Dance Club 11:30 Lunch 1:00 Crafts Board Games-all day	10 9:00 Morning Chat/Coffee 10:00 BINGO 11:30 Lunch Wii – All Day Close at 1pm
13 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 1:00 Crafts	14 9:00 Morning Chat/Coffee 9:30 Walkers 10:00 BINGO-Pantry 11:30 Lunch 1:00 Crafts	15 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 1:00 Crafts	16 9:00 Morning Chat/Coffee 10:00 Morning Dance Club 11:30 Lunch 1:00 Art Group	17 9:00 Morning Chat/Coffee 10:00 BINGO 11:30 Lunch Wii – All Day Close at 1pm Birthday Celebration 7:00 pm
20 9:00 Coffee with Expert Clint Berry, Utilities 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 11:45 Happy Happy Birthday 1:00 Crafts	21 9:00 Morning Chat/Coffee 9:30 Walkers 10:00 BINGO-Pantry 11:30 Lunch 1:00-2:00 pm Open House – Senior's Day	22 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 1:00 Sewing	23 9:00 Morning Chat/Coffee 10:00 Morning Dance Club 11:30 Lunch 11:45 Square Table Discussion 1:00 Crafts	24 9:00 Morning Chat/Coffee 10:00 BINGO 11:30 Lunch Wii – All Day Close at 1pm
27 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 1:00 Crafts	28 9:00 Morning Chat/Coffee 9:30 Walkers 10:00 BINGO-Pantry 11:30 Lunch 1:00 Crafts	29 9:00 Morning Chat/Coffee 9:45 Before & After 10 :00 Arthritis Exercise 11:30 Lunch 1:00 Crafts	30 9:00 Morning Chat/Coffee 10:00 Morning Dance Club 11:30 Lunch 1:00 Crafts	31 9:00 Morning Chat/Coffee 10:00 BINGO 11:30 Lunch Wii – All Day Close at 1pm

Please come support your senior center. Come out and join in the activities. If you would like to see another type of activity please call and give us some suggestions.

MATTAMUSKEET SENIOR CENTER

NUTRITION MENU

AUGUST, 2012

Mattamuskeet Senior Center
 160 Juniper Bay Road
 Swan Quarter, NC 27885
 Director: Darlene Berry
dberry@hydecountync.gov

252-926-1956
 252-926-9356 Fax
 Hours: Monday-Thursday 7:00 a.m. –3:30 pm
 Friday - 7:00 a.m. –1:00 p.m.

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
		1 Beef & Pasta Garden Salad Garlic Bread Juice Milk	2 BBQ Chicken Peas Mac-n-Cheese Corn Muffin Fresh Fruit Milk	3 Smoked Sausage or HotDog Coleslaw Baked Beans Cookies Juice/Milk
6 Chicken Parmesan Garden Salad Garlic Bread Brownie Milk/Juice	7 Meatloaf Green Lima Beans Mashed Potatoes Roll Fresh Fruit Milk	8 BBQ Sandwich Coleslaw Buttered Potatoes Fruit Milk	9 Chopped Sirloin Steak Okra & tomato Blackeyed Peas Roll Peaches Cookies/Milk	10 Fresh Ham Cabbage Scalloped Potatoes Cornbread Milk Juice
13 Cheeseburger Tossed Salad Apple Cobbler Juice Milk	14 Pork Loin w/gravy Mixed Vegetables Rice Pilaf Wheat Bread Fresh Fruit Milk	15 Oven Fried Chicken Peas Sweet Potatoes Roll Applesauce Cake Milk	16 Spaghetti Tossed Salad Garlic Bread Fresh Fruit Cookies Milk	17 Chicken Salad/lettuce Picked Beets Pasta Salad Crackers Juice Milk
20 Pork Loin w/gravy Sweet Potato Casserole Succotash Peaches Cornbread Milk	21 Chef's Chicken Green Beans Stuffing Pineapple Pudding Milk	22 Salisbury Steak/gravy Collards Mashed Potatoes Roll Fruit Crisp Milk	23 Herbed Baked Chicken Broccoli w/cheese Peas and carrots Wheat Bread Fresh Fruit Cake/Milk	24 Tuna Salad/lettuce Three Bean Salad Macaroni Salad Crackers Cookies Juice/Milk
27 Hamburger Corn Fruit Cup Cookies Milk	28 Oven Fried Chicken Collards Buttered Potatoes Roll Pears Cake/Milk	29 Beef & Pasta Garden Salad Garlic Bread Juice Milk	30 BBQ Chicken Peas Mac-n-Cheese Corn Muffin Fresh Fruit Milk	31 Smoked Sausage or HotDog Coleslaw Baked Beans Cookies Juice/Milk

If you would like to join us for a meal,
 please call two-days in advance.

926-1956



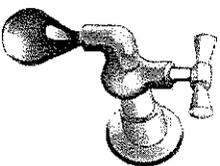
National Water Quality Month

The Environmental Protection Agency has designated August as National Water Quality Month, which is a perfect chance to consider the purity of the water you consume. As you know, quality can vary greatly from tap to bottle. Some water may contain mere harmless microbes and bacteria, while other sources can be contaminated with lead, or even radioactive minerals that can measurably impair your health.

If you receive water quality reports, items to watch out for include high levels of microbes, radionuclides, cryptosporidium, arsenic, lead, uranium, giardia and inorganic contamination. Many people no longer trust tap water, period, and depending on where you live, it may well pay to be on guard. The issue of water purity is a problem worth solving, however, given the critical importance of staying well hydrated.

Why is drinking enough water so important? For starters, water is an essential nutrient which makes up 55-75% of your body, transports nutrients in and cellular waste out, regulates body temperature, protects your organs and helps you stay mentally alert. In fact, drinking too little—dehydration—is associated with memory loss, reduced cognitive function, kidney problems, even weight gain.

Did you know water is also a great energy booster? According to Debra Waterhouse, R.D. in her book *Outsmarting Female Fatigue* (2002), even mild dehydration can leave you feeling drained and sluggish. Water facilitates all biochemical reactions, including the production of vital ATP molecules that power our bodies with energy.



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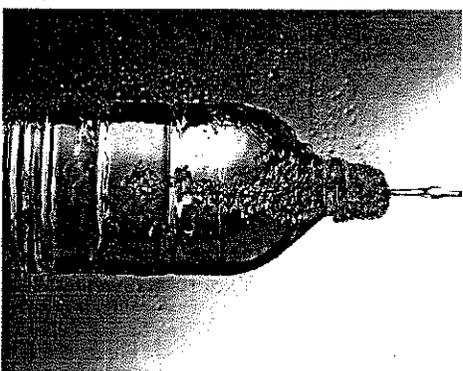
Water Quality Continued:

Given the importance of this life-giving fluid, what are your options when it comes to purity and safety? Here are some suggestions, in order of cost.

- Least expensive is a filtered water pitcher through which you run your tap water. These are fast and easy, and definitely clean out some, though not all, contaminants.
- Next best is buying bottled, distilled water, though it's far from eco-friendly if you use disposable plastic bottles. A delivery service or fill-you-own reusable 5-gallon jugs is far better for both budget and planet.
- More elaborate water filtration systems that attach to your kitchen sink are the next level up. These are hassle-free once installed and the better ones yield very clean water.
- A complete home filtration system—though your costliest option—is ideal, since this gives you drinking water from all taps, which also allows you to brush teeth, bathe and shower in water that has had potentially-dangerous chemicals removed.

National Water Quality Month is a clear invitation to make contaminated water a thing of the past—at least in your own home. You and those you love deserve it.

For questions about your water in Hyde County, call the Hyde County Utilities Department at 926-4466.



BIRTHDAY CELEBRATION

FOR EVERYONE!!!

The Senior Center will be celebrating birthday's in August. All twelve months will be celebrated. This is our first fundraising for the fiscal year.

August 17, 2012

7:00 p.m.

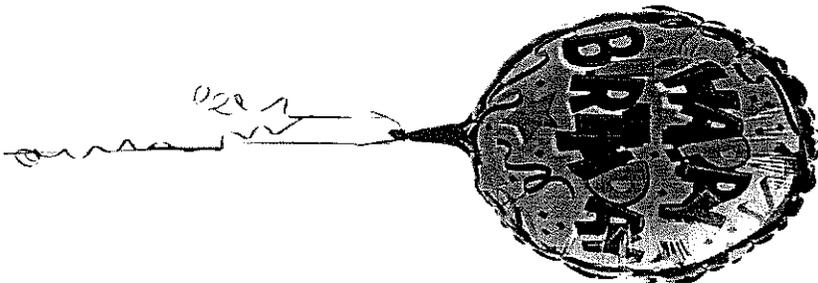
Admission Fee: "Your Shoe Size"

Come out and support the senior center and the senior's in the county.

Caake and punch will be served.

If you need a ride, call Hyde Transit,

926-1637



NATIONAL WATERMELON DAY

National Watermelon Day is August 3rd. This big fruit deserves it's own big day. And, so we give pause to celebrate watermelons. Sweet and tasty, watermelons are one of summer's favorite fruit. While watermelon is over 90% water, it sure tastes good. And, what would a watermelon day be without a seed spitting contest?

Come out and help us celebrate

National Watermelon Day

August 6, 2012

10:00 a.m.

Thank you to Tunnell Farms for providing the Watermelons.

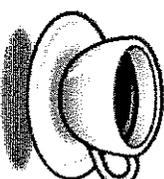
COFFEE WITH THE "EXPERT"

Come join us for coffee on

Monday, August 20, 2012 at 9:00 a.m.

Clint Berry, Utilities Director with Hyde County Utilities

Will be here to talk to us about the water quality in Hyde County. He is bringing his new computer system he uses to check the water.



Programs at the Center

Morning Chat and Coffee — Monday –Friday at 9 a.m.

Come in and have a cup of coffee and fellowship with each other.

Before and After — Monday & Wednesday's 9:45 a.m.

Have you Blood Pressure taken before Exercise Class and After Class

Arthritis Exercise — Monday & Wednesday's 10—11:00 a.m.

Exercise Program through the Arthritis Foundation, taught by certified instructor

Walkers — Tuesday and Friday's 9:30 a.m.

Walking program , Walk inside or outside, Walk at your own pace.

BINGO—Pantry — Tuesday's 10:00 a.m.

Play BINGO, bring an item from your pantry. All items will be taken to the food bank.

BINGO—Friday's 10:00 a.m.

Play BINGO, bring a prize, win a prize, or just play for fun.

Quilters — 1st Tuesday of each month 1:00 p.m.

Bring your material, we can show you how to get started.

Morning Dance Club — Thursday's 10:00 a.m.

Enjoy moving with the Dance Wii, You move at your own pace, sitting or standing

Programs at the Center

Wii — Friday's anytime up to 1pm

Have fun playing the Wii, bowling, baseball, fishing

Knitters — 2nd Tuesday of each month

Bring your knitting things and knit together as a group

Board Games — 2nd Thursday — all day

Come play some board games, yahtzee, checkers, chess

Art Group — 3rd Thursday 1:00 p.m.

Different art projects will be taught, small fee will apply.

Square Table Discussions — 4th Thursday 11:30 a.m.

Come and eat lunch and discuss Aging Issues.

Happy Happy Birthday — 4th Monday 11:30 a.m.

Celebrate that month's birthday .

Sewing — 4th Wednesday 1:00 p.m.

If you like to sew or would like to learn — this is for you.

Coffee with Expert — 3rd Monday 9:00 a.m.

Come and have coffee with the Expert, a different expert each month.

Lunch — Monday—Friday 11:30 a.m. (donations for meals)

THE SENIOR CONNECTION

MATTAMUSKEET SENIOR CENTER

Life is great when you participate!

AUGUST, 2012

NATIONAL SENIOR CITIZENS DAY

When: August 21st

National Senior Citizens Day honors our elderly population. On this day, we are encouraged to recognize and show appreciation for the value and contribution of elderly people to home, family and society.

In his Presidential Proclamation 9(August 19, 1988) President Ronald Reagan said "For all they have achieved throughout life and for all they continue to accomplish, we owe older citizens our thanks and a heartfelt salute. We can best demonstrate our gratitude and esteem by making sure that our communities are good places in which to mature and grow older."

On **National Senior Citizens Day**, we should:

- Spend some time with senior citizens
- Show our appreciation for senior citizens
- Do volunteer work in support of the elderly

If you are a senior citizen, enjoy your day any way you desire. After all, this is your day! Make sure to take advantage of senior citizens specials and discounts. There's bound to be plenty of offers today.

To celebrate National Senior Citizens Day we will have an open-house and refreshments 1 pm --2pm.

Mattamuskeet Senior Center
160 Juniper Bay Road
Swan Quarter, NC 27885

Mattamuskeet Senior Center
County Of Hyde
Darlene Berry, Senior Director
Leah Gibbs, Assistant
Phone:252-926-1956
Fax: 252-926-9356
E-Mail: dberry@hydecountync.gov

Mission Statement
The Mission:
To enhance the quality of life for all older adults and to promote participation in all aspects of the community.

Lunch Program
Monday—Friday
11:30 a.m.
For seniors 60 and over.

Center Hours
Monday—Thursday
7:00 a.m.—3:30 p.m.
Friday
7:00 a.m. —1:00 p.m.

Hyde County DSS Transportation Dept
Monthly Report for June 2012

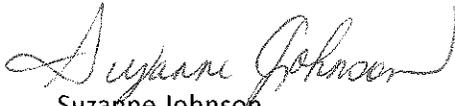
According to the Medicaid Transportation records:

- 113 clients received gas
- 61 clients were transported by Hyde DSS
- 2 Dialysis patients were transported by Hyde DSS with a total of 13 trips
- 1 client was transported by Hyde County Transit
- 3 vouchers were given to 3 different clients to travel to Durham NC
- 121 transportation calls were received

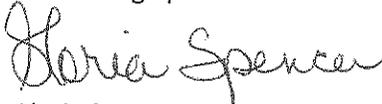
Hyde Co. DSS Transportation Dept



Marilyn Brimmage
Processing Assistant IV



Suzanne Johnson
Accounting Specialist I



Gloria Spencer
Director

**NORTH CAROLINA
HYDE COUNTY
HYDE COUNTY BOARD OF COMMISSIONERS**

From: Linda M. Basnight Tax Administrator

This is to report all tax collections by the Hyde County Tax Office Employees during the July, 2012.

CURRENT TAX

DEPOSITS	COUNTY WIDE	MOSQUITO TAX	SOLID WASTE	WEST QUARTER	INTEREST
\$0.00	\$0.00	\$0.00	\$0.00 Res \$0.00 Comm	\$0.00	\$0.00

2011 SQWS
\$ -

CURRENT DMV

DEPOSITS	COUNTY WIDE	MOSQUITO TAX	INTEREST
\$6,262.70	\$6,239.71	\$22.99	\$0.00

DELIQUENT DMV

2011	COUNTY WIDE	\$4,971.41
	MOSQUITO	\$17.42
2010	COUNTY WIDE	\$187.85
	MOSQUITO	\$0.10
2009	COUNTY WIDE	\$2.24
	MOSQUITO	\$0.00
2008	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2007	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2006	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2005	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2004	COUNTY WIDE	\$53.96
	MOSQUITO	\$0.00
2003	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2002	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2001	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2000	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00

INTEREST	\$243.38
STATE 60%	\$120.99
	<u>\$5,597.35</u>

DELIQUENT TAX

2011	\$9,471.63
2010	\$2,677.69
2009	\$661.93
2008	\$773.65
2007	\$369.62
2006	\$9.95
2005	\$143.01
2004	\$0.00
2003	\$0.00
2002	\$0.00
2001	\$0.00
2000	\$0.00
2011 SQWS	\$44.63
MOSQUITO TAX	\$219.60
SOLID WASTE RES	\$732.35
SOLID WASTE COMM	\$0.00
INTEREST	\$2,595.43
WEST/QUARTER	\$1.00
LEGAL FEES	
	<u>\$17,700.49</u>

2012 PREPAYMENTS

Johnson, Nancy	203095	\$75.00
Gaskins, Annie	200628	\$200.00
Gibbs, Maclyn	203743	\$5.62
Spencer, Derek	201772	\$217.39
Gibbs, Larry	207208	\$26.20
Spencer, Lydia	200452	\$200.00
Boaz, Susan	206019	\$1,665.08

\$2,389.29

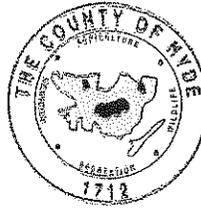
OVERPAYMENT

\$0.00

Respectfully Submitted August 1, 2012

Linda M Basnight
Tax Administrator

Chairman of Commissioners



NORTH CAROLINA

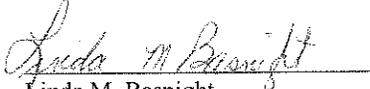
HYDE COUNTY

TO: THE HYDE COUNTY BOARD OF COMMISSIONERS

I hereby submit a report of settlement of the 2011 tax books recapitulated as follows:

<u>DEBITS</u>	
2011 Tax Levy	\$ 6,228,252.45
Public Utility	134,603.40
After List	3,041.38
Deferred Tax	2,018.08
Interest	19,254.31
Less Bad Check Interest add back	
Late Listing Penalty	
	<u>\$ 6,387,169.62</u>

<u>CREDITS</u>	
Deposits	\$ 5,998,059.90
Prepayments	20,931.07
Bad Check add back	
Refund	
Releases/Adjustments	16,046.44
Unpaid Real	349,537.68
Unpaid Personal	<u>2,594.53</u>
	<u>\$ 6,387,169.62</u>


Linda M. Basnight
Tax Administrator

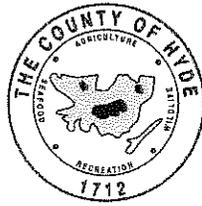
NORTH CAROLINA

HYDE COUNTY

I, Corrine Gibbs, Hyde County Finance Officer, do certify that I have examined and audited the final settlement and account of Linda M. Basnight, Tax Administrator of Hyde County, as to the 2011 taxes due Hyde County and that I have found said settlement and account correct and recommend that same be approved by the Hyde County Board of Commissioners.


Corrine Gibbs
Finance Officer

Sharon P. Spencer, Chairperson
Hyde County Board of Commissioners



NORTH CAROLINA

HYDE COUNTY

TO: THE HYDE COUNTY BOARD OF COMMISSIONERS

FROM: LINDA M. BASNIGHT, TAX ADMINISTRATOR

I hereby submit a report of settlement of the 2011 D. M. V. taxes recapitulated as follows:

DEBITS

2011 D. M. V. Levy	\$ 202,869.72
After List	-0-
Interest	<u>1,719.40</u>
	\$ 204,589.12

CREDITS

Deposits	\$ 159,634.07
Bad Check Add Back	-0-
Releases	1,644.99
Unpaid	<u>43,310.06</u>
	\$ 204,589.12

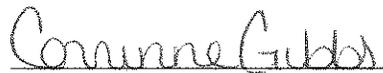


Linda M. Basnight
Tax Administrator

NORTH CAROLINA

HYDE COUNTY

I, Corrine Gibbs, Hyde County Finance Officer, do certify that I have examined and audited the final settlement and account of Linda M. Basnight, Tax Administrator of Hyde County, as to the 2011 D.M.V. taxes due Hyde County and that I have found said settlement and account correct and recommend that same be approved by the Hyde County Board of Commissioners.



Corrine Gibbs
Finance Officer

Sharon P. Spencer, Chairperson