

Meeting Minutes

Board of County Commissioners Hyde County

Tuesday, September 2, 2014

Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00pm on Tuesday, September 2, 2014, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

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

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

Following opening prayer by Commissioner Fletcher and pledge of allegiance the meeting was called to order.

Agenda:

Chairman Swindell asked for any changes to the September 2, 2014 meeting Agenda.

Commissioner Fletcher moved to approve the amended September 2 meeting Agenda as presented by the Clerk with addition of Item 9.(b) Alligator River Growers Request to Plant Winter Rapseed. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Consideration of Minutes:

Commissioner Pugh moved to approve the August 4, 2014 Board of Commissioners Regular Meeting Minutes as presented by the Clerk. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Public Comments:

Chairman Swindell called for comments from the public.

Connie Leinbach – asked when downed street signs will be replaced on Ocracoke.

Manager Rich reported signs will be replaced September 29 – October 6.

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

Presentations:

Dare/ Tyrrell/ Hyde 911 Consolidation

Bobby Outten, Dare County Manager, David Clegg, Tyrrell County Manager, and Philip Penny, retired director of Wake County 911 and now a consultant with Mission Critical Partners (MCP) presented the consolidation study of a joint PSAP (Public Safety Answering Point) serving Dare, Tyrrell and Hyde Counties. The consolidation was awarded a State 911 Grant in the amount of \$7 million for the new equipment and facilities. Items of discussion among other things included the advantages for Hyde being part of this consolidation with Dare and Tyrrell Counties.

Mr. Outten reported another \$4 million will be paid by Dare County for a total project budget of \$11 million. Hyde County may have communications (radios, etc.) expenses and repairs in the future. Dare County will manage the consolidated PSAP. Mr. Outten reported Hyde dispatchers can apply for

positions and, if qualified, hired to work at the new facility in Manteo. After discussion, it was determined that the State wants consolidation and it is inevitable.

Commissioner Fletcher moved that Hyde County join with Dare and Tyrrell in creating a 911 system contingent upon the ability of the 911 Board Grant Committee to include Hyde County in the program to the same extent as Tyrrell and Dare Counties. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Resolution Supporting The Application For A Grant From North Carolina 911 Board was prepared but not necessary at this time.

Commissioner Fletcher moved to take a five minute recess. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

The meeting reconvened at 6:55pm.

Introduction – Kym Hall & Mark Doudle

Manager Rich introduced Kym Hall, Acting Superintendent for the Cape Hatteras National Park Service (NPS) who replaced Superintendent Barclay Trimble, effective August 4th. A new permanent Superintendent will be announced January, 2015.

Mark Doudle, Deputy Superintendent has been with the Park Service for approximately four months. Mr. Doudle's motto is "be a good neighbor".

Among other things Ms. Hall discussed projects that she will be working on this fall. They include lifeguard service in 2015 and a visitor friendly lighthouse along with beach access fees. She will also be preparing for the 2017 Park Service five year review. Ms. Hall welcomes input from the Board of Commissioners.

Mattamuskeet Refuge Update - Manager Pete Campbell

Manager Rich introduced Refuge Manager Pete Campbell. Mr. Campbell thanked commissioners for "Resolution Expressing Support For The US Fish And Wildlife Service's (FWS) Proposed Plan To Cooperatively Address Lake Mattamuskeet Water Issues" adopted September 3, 2013. Mr. Campbell presented update on refuge issues including the health of the lake and wild duck counts. In conclusion, he recommended we be pro-active and solve Mattamuskeet Lake water quality concerns ourselves without regulations.

Employee Recognition:

Manager Rich held a moment of silence for Andrea Gregory and her family.

Items of Consideration:

Ordinance – CDBG-Contingency Infrastructure Project Ordinance Final Revision

Kris Noble, Planner, reported Hyde County has completed the CDBG-Contingency Sewer Extension in coordination with the Engelhard Sanitary District. The force main and all STEP pump systems are in place. Also pump testing and individual plumbing and electrical connections to the 30 units being provided public sewer service have been completed. The new extension is online with the customers being served and billed each month.

During construction, the project engineer and contractor advised the county staff and CDBG management consultant that there were some concerns by both the Sanitary District and the county building inspector related to 1) pre-existing "gray water" discharges outside the existing septic tanks, and 2) suggested modifications to existing electrical panel boxes to accommodate the extra circuit required for the pump/alarm control panel. At the progress meeting, all parties agreed that the project could be successfully completed within budget as bid; however, it was also agreed that the project benefit to individual homeowners could be significantly improved if additional CDBG funds could be

identified to address these concerns for individual homeowners, who will be required at some point in the future to make these improvements at their own expense if other funds were not available.

Hyde County was provided by the grant funder an additional \$25,000 in CDBG funds as an "Add-on" to its existing project through budget revision to the sewer improvements line item. In order to complete all gray water and electrical issues an additional \$5,000 is required in County funds. That allocation is represented in a Budget Revision and Transfer request presented later in this meeting.

Commissioner Fletcher moved to approve "Hyde County CDBG-Contingency Infrastructure Program – Project Ordinance Amended" as presented. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Hyde County CDBG-Contingency Infrastructure Program – Project Ordinance Amended" is attached herewith as Exhibit A and incorporated herein by reference.

Appointments:

Map Review Officer

Kris Noble, Planner, reported the Hyde County Office of Economic Development and Planning completes all reviews of plat maps before submission to the Hyde County Register of Deeds. Due to the resignation of Averi Simmons and hiring of Rosemary Johnson, Hyde County Office of Economic Development and Planning requested Ms. Rosemary Johnson be appointed as a Map Review Officer. Ms. Noble also reported she and Johnson will be attending a full day Review Officer Workshop offered by the Land Records Management Program from the North Carolina Secretary of State and North Carolina Property Mappers Association on September 9, 2014 in Williamston.

Commissioner Fletcher moved to appoint Rosemary Johnson as a Map Review Officer for Hyde County. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Secretary of Commerce Sharon Decker Visits Hyde County

Kris Noble, Planner, announced Hyde County and the Hyde County Chamber of Commerce will host Secretary of Commerce Sharon Decker on Friday, September 12, to highlight Hyde County's economic development strategic initiatives. Gordon Myers, Executive Director of the North Carolina Wildlife Resource Commission will present current status of the Lodge project and discuss the future of the project. Commissioners Pugh and Simmons will attend. The Chamber of Commerce will sponsor a catered breakfast at Mattamuskeet Lodge.

ABC Board Financial Report

Meredith Nicholson, Chairman, presented financial update on the Hyde County ABC Board. She reported the ABC Board Audit ended on June 30th and is on schedule to be presented to the County by the September 30, 2014 deadline.

The next regularly scheduled ABC Board meeting is scheduled for September 8, 2014 at 6:30pm in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

Commissioner Swindell moved to return to quarterly ABC Board reports unless Ms. Nicholson needs something with the next report to the Board being due in December. Commissioner Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Clarification of Set Boundary Lines Between Tiers 1, 2 and 3 in West Quarter Service District

Daniel Brinn, Tar-Pamlico River Basin & NCACSP Technician, reported the Swan Quarter Steering Committee met on Wednesday, August 27, to clarify boundary lines between Tiers 1, 2 and 3 in the

West Quarter Service District. This was done to clearly define assessment lines before tax bills are mailed out.

Commissioner Tunnell moved:

- 1. The boundary line between Tier 1 and Tier 2 is as follows: Beginning at the westward boundary of the Service District at a 0.1 acre lot owned by the County of Hyde, following Quarter Road eastward and then north until its intersection with Juniper Bay Road, and then following Juniper Bay Road eastward until its intersection with Arch Road and then continuing eastward following the southern boundary of a property owned by the Carolyn B. and Ira B. Hall Trust (NCPIN#8621-88-6392) until its end at the intersection with the dike.*
- 2. The boundary line between Tier 2 and Tier 3 is as follows: Beginning at the northern boundary of the Service District at the intersection of US264 and Mapletown Road, following Mapletown Road south and east until its intersection with Quarter Road and continuing eastward following the northern boundary of a property owned by Calvin Blythe Davis (NCPIN#8622-31-3187) and continuing along the northern boundary of a property owned by J. W. and Kathy G. Spencer (NCPIN#8622-60-5969) until its intersection with Juniper Bay Road which marks the eastern boundary of the Service District.*

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

Central Carolina Holdings, LLC Contract

Clint Berry, Utilities Director, reported Central Carolina Holdings, LLC is used to pick up all of the scrap tires in the County. This contractor has been used since the beginning of tire recycling and is the closest tire recycling contractor to Hyde County. Liberty Tire Company bought out Central Carolina Holdings, LLC and a new contract is needed.

Commissioner Tunnell moved to approve the Chairman signing the Central Carolina Holdings, LLC contract. Commissioner Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Update on Various Projects Ongoing In The County:

Clint Berry, Utilities Director

Construction Projects: GC, PSC and ECB Building – Mr. Berry reported repairs are near completion at the Government Center with no new leaks identified and Southern Piping Company will fix AC unit leaks on the roof; repairs to the Public Safety Center will begin soon after the pre-construction meeting next week; and, renovations to the East Carolina Bank – DSS Building began today.

Manager Rich reported the new Parking Easement Agreement with Vantage South Bank provides 18 parking spaces and we have agreement with Chris Williams for use of 12 parking spaces at The Red & White store totaling 30 spaces.

Bill Rich, County Manager

Ocracoke Stormwater – Manager Rich reported meeting with Justin LeBlanc, Fred Holscher and Chip Stevens, NC DOT on August 27 to discuss Stormwater on Back Road. DOT will cut the road and the Ocracoke Mosquito Control Board will place a tile culvert under the road that will drain into a county owned pond between the school and The Flying Melon Restaurant.

Commissioner Tunnell moved to approve the County to assist with legal and engineering costs associated with the culvert project. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Airport Farmland – Request to Plant

Manager Rich received request from Wilson Daughtry of Alligator River Growers to be allowed to plant Winter Rapeseed on some or all of the leased farm land around the Hyde County Airport. Mr.

Daughtry also recommended the County consider some controlled hunting activities during the resident goose season in order to discourage their presence in close proximity to the runway.

Commissioner Simmons moved to approve request to plant Winter Rapeseed on some or all of the leased farm land around the Hyde County Airport. Commissioner Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Items of Concern – Commissioner John Fletcher

Tabled until next meeting.

Budget Revisions

(FO Use) BR#	Department	Account #	Line Item Account Name/ Explanation	Debit	Credit
BR07-15	Health	10.6180.4501	Contract Mosquito Control		\$ 3,609.00
	Mosquito Control	10.3480.0041	Revenue – Mosquito Control (State)	\$ 3,609.00	
	<i>This revision closes out the budget for the Mosquito Control Program under the Health Department. Funding for this project was eliminated from the State budget for FY2014-15. This revision reduces the budget for the Health Department for FY2014-15.</i>			\$ 3,609.00	\$ 3,609.00
BR08-15	Health	10-5770.4500	Contract Services	\$ 1,500.00	
	Community Transformation Grant Project	10-3480.0051	Revenue – Region 9 CTP LHD Grant		\$ 1,500.00
	<i>Initially informed there would be no funds available to local health departments in Region 9 for close out of the Community Transformation Grant Project (CTGP). Notified on 8/8/14 that \$1,500 was available for the period of 8/1/14 through 9/29/14. Funds will be used to contract with Lisa Phillips, former CTGP Coordinator, to implement the recently adopted tobacco-free policy in Hyde County. While this revision does increase the budget for the CTGP program, there is no local expense to the County of Hyde.</i>			\$ 1,500.00	\$ 500.00
	DSS	10-6140.0051	LIEP (Crisis)		\$ 19,614.00
		10-3470.0001	Social Service Administration	\$ 19,614.00	
	<i>Additional allocation from DHHS. Does increase the budget.</i>			\$ 19,614.00	\$ 19,614.00

BR08-15 was approved administratively.

Commissioner Pugh moved to approve BR07-15 and the DSS budget transfer as presented. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Manager Comments

- NCACC Conference in Asheville was fantastic.
- Barney Slough will remain the new route for ferries. The old ferry channel is being used by boaters. Ed Goodwin will introduce discussion on two 150 passenger ferries (no vehicles). Hyde Transit will apply for grant funds for trams and trolleys on Ocracoke.
- Grant funds in the amount of \$800,000.00 have been awarded to the Hyde County Airport for a new hanger.
- OSHA – Public Safety Center citation was reduced to \$835.00. Manager Rich requested Board approval to challenge the citation.

Commissioner Fletcher moved to challenge the OSHA Public Safety Center Citation to no cost to the County. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Management Reports:

Commissioner Fletcher – no report.

Commissioner Simmons – would like to see Mattamuskeet Lodge re-open. Mr. Simmons also reported Pastor Murray asks that a County representative join him at the September 14 Snow Hill Missionary Church service to welcome Pastor Anthony Brown.

Commissioner Pugh – attended the Albemarle Commission meeting. He reported a new director has been hired and she would like to visit Hyde County.

Commissioner Tunnell – reported the Swan Quarter Dike Committee is functioning and they will observe the new Tier lines in the West Quarter Service District.

Chairman Swindell – will attend “Relay for Life” activities on September 13 and 14 at the Engelhard Recreation Complex.

Commissioners Pugh and Simmons will attend the reception for Mrs. Sharon Decker, NC Secretary of Commerce and Mr. Gordon Myers, Executive Director of the NC Wildlife Commission sponsored by Hyde County and the Chamber of Commerce on September 12 at Mattamuskeet Refuge.

Manager Rich – also presented his August Calendar.

Public Comments:

Chairman Swindell called for comments from the public.

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

Closed Session (none)

Adjourn

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

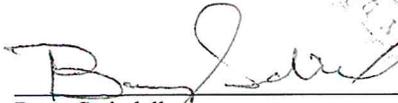
The meeting adjourned at 8:07p.m.

Respectfully submitted:

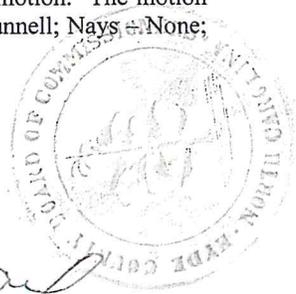
Minutes approved on the 6th day of October, 2014.



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



Barry Swindell
Chair, Hyde County Board of Commissioners



Attachments:

Exhibit A: “Hyde County CDBG-Contingency Infrastructure Program – Project Ordinance Amended”

HYDE COUNTY CDBG-CONTINGENCY INFRASTRUCTURE PROGRAM
Project Ordinance (Revised September 2, 2014)

Be it ordained by Hyde County, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance for CDBG Grant #05-D-2194, dated July 5, 2011, is hereby amended as follows:

Section 1. The project authorized is the Community Development Block Grant Contingency Infrastructure project described in the work statement contained in the amended grant agreement (05-D-2194) between Hyde County and the North Carolina Department of Commerce dated December 9, 2014. This project is more familiarly known as the Hyde County US 264 Sewer Improvements Project.

Section 2. The Hyde County staff is hereby directed to proceed with the amended grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

Section 3. The following revenues and resources are anticipated to be available to complete the project activities:

<u>US 264 Sewer Improvements Project</u>	
CDBG Grant	\$600,000.00
Additional CDBG Funds	\$ 25,754.25
Local Funds	\$ 5,000.00
Total Project Resources	\$600,000.00 \$630,754.25

Section 4. The following amounts are appropriated for the project activities:

<u>US 264 Sewer Improvements Project</u>	
Project Budget	\$600,000.00 \$630,754.25

Section 5. The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Department of Commerce required by the grant agreement(s) and federal and state regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Department of Commerce in an orderly and timely manner.

Section 7. The Grant Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Grant Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this council.

Section 9. Copies of this grant project ordinance shall be made available to the Grant Finance Officer for direction in carrying out this project.

Adopted this 2nd day of September, 2014.



Barry Swindell, Chairperson
Hyde County Board of Commissioners

ATTEST:



Lois Stotesberry, Clerk to the Board

