

*"Celebrating 300 Years"*

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

**Presenter(s):** Sharon Spencer

**Title:** Chairman

**Agency/Dept.:** Board of Commissioners

**Item Title:** Call to Order, Opening Prayer, Pledge of Allegiance

**Attachments:** No

**Description:** General activities to open the meeting.

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

**MOTION MADE BY:**

- \_\_\_\_\_ S. Spencer
- \_\_\_\_\_ A. Byrd
- \_\_\_\_\_ D. Styron
- \_\_\_\_\_ B. Swindell
- \_\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

- \_\_\_\_\_ S. Spencer
- \_\_\_\_\_ A. Byrd
- \_\_\_\_\_ D. Styron
- \_\_\_\_\_ B. Swindell
- \_\_\_\_\_ D. Tunnell

**Vote:**

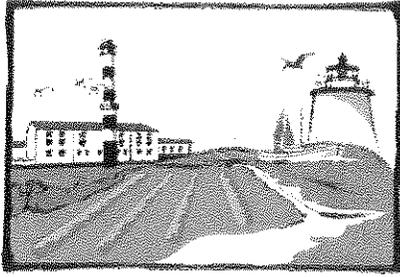
- \_\_\_\_\_ S. Spencer
- \_\_\_\_\_ A. Byrd
- \_\_\_\_\_ D. Styron
- \_\_\_\_\_ B. Swindell
- \_\_\_\_\_ D. Tunnell

**Aye**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Nay**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



*"Celebrating 300 Years"*

# Hyde County Board of Commissioners AGENDA ITEM SUMMARY SHEET

**Presenter(s):** Sharon Spencer

**Title:** Chairman

**Agency/Dept.:** Board of Commissioners

**Item Title:** Consideration of Agenda

**Attachments:** Yes

**Description:** Agenda for Meeting.

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

**MOTION MADE BY:**

\_\_\_\_\_ S. Spencer

\_\_\_\_\_ A. Byrd

\_\_\_\_\_ D. Styron

\_\_\_\_\_ B. Swindell

\_\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

\_\_\_\_\_ S. Spencer

\_\_\_\_\_ A. Byrd

\_\_\_\_\_ D. Styron

\_\_\_\_\_ B. Swindell

\_\_\_\_\_ D. Tunnell

**Vote:**

S. Spencer

A. Byrd

D. Styron

B. Swindell

D. Tunnell

**Aye**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Nay**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



Since 1712

**HYDE COUNTY BOARD OF COMMISSIONERS**  
**Monday, October 1, 2012 - 6 PM**  
**Hyde County Courthouse Multi-purpose Room**  
30 Oyster Creek Road, Swan Quarter, NC  
and the  
Ocracoke School Commons Area  
120 School House Road, Ocracoke, NC

**AGENDA**

**CALL TO ORDER, OPENING PRAYER**

Chrm. Spencer

**CONSIDERATION OF AGENDA**

Chrm. Spencer

**APPROVAL OF MINUTES FROM THE SEPTEMBER 17, 2012 MEETING**

Chrm. Spencer

**PUBLIC HEARINGS (none)**

**PUBLIC COMMENTS**

The public comment period is a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes and should be directed to the entire board and not to an individual Commissioner, staff member or member of the public. Time for one person to speak cannot be used by another person. Comments that reflect the need for assistance are typically continued to a future Board meeting agenda.

**EMPLOYEE RECOGNITION (none)**

**ITEMS OF CONSIDERATION**

1) Reappointments to Hyde County Health Board

Wesley Smith

2) NCACC Debt Setoff Program Update

Mazie Smith

3) ABC Board Lease Agreement

Mazie Smith

**BUDGET MATTERS**

**Administrative Transfers (none)**

**Transfers by Board (none)**

**MANAGEMENT REPORTS**

The Commissioners and County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

## **PUBLIC COMMENTS**

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

## **CLOSED SESSION (if required)**

## **SUPPLEMENTAL INFORMATION**

### **Department Reports**

- 1) Public Information Officer (PIO)
- 2) DSS Transportation Department

### **Other Information**

- 1) Installation of Dr. Barbara Tansey, President, BCCC
- 2) Board of Health Meeting Minutes - June 19, 2012
- 3) Hyde County Hotline's 2nd Annual Winter GALA Invitation

## **MEETING CALENDAR**

## **EMPLOYMENT ANNIVERSARIES**



Since 1712

# HYDE COUNTY

---

## NORTH CAROLINA

**Meeting Date:** 10.1.2012

**Presenter(s):** Sharon Spencer

**Title:** Chairman

**Agency/Dept.:** Board of Commissioners

**Item Title:** Consideration of Minutes

**Attachments:** Yes

**Description:** Minutes of the meeting held on September 17, 2012

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

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

1 **Meeting Minutes**

2 **Board of County Commissioners**  
3 **Hyde County**

4  
5 **September 17, 2012**

6 Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of  
7 Commissioners to order at 6:00 PM on Monday, September 17, 2012 in the Hyde County  
8 Government Center, Multi-Use Room, and the Ocracoke School Commons Room using  
9 electronic conferencing equipment. The following members were present on the mainland:  
10 Commissioners Anson Byrd, Sharon Spencer and Barry Swindell; Attorney Fred Holscher;  
11 County Manager Mazie Smith; Deputy Clerk to the Board Lois Stotesberry; and, members of the  
12 public. The following members were present on Ocracoke: Commissioner Darlene Styron and  
13 Dick Tunnell; Deputy Clerk Jamie Carter; and, members of the public.

14 Following pledge of allegiance and opening prayer by Commissioner Spencer, the meeting was  
15 called to order.

16 **Agenda:**

17 Chairwoman Spencer asked for any changes to the September 17, 2012 meeting Agenda as  
18 presented by the Clerk. Commissioner Swindell moved to approve the agenda with addition of  
19 Item of Consideration No. 10 – Donation – Mosquito Sprayer to Swan Quarter Ferry Office. Mr.  
20 Byrd seconded the motion. The motion passed on the following vote:

21 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell      Nays – None

22 **Consideration of Minutes:**

23 Chairwoman Spencer asked for approval of meeting minutes.

24 Commissioner Swindell moved to approve the September 4, 2012 regular meeting minutes as  
25 presented by the Clerk with correction on page 8, line 30 – Glen Webb who was elected second  
26 Vice-president. She said an appropriate use of funds would be that the Ocracoke Occupancy Tax  
27 Board funds be used for funding Lobbyist Joe McClees. Mr. Byrd seconded the motion. The  
28 motion passed on the following vote:

29 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell      Nays – None

30 **Employee Recognition:**

31 **Jane Hodges – Employee of the Month**





- 1 Betty Mann – Historical and Genealogical Society of Hyde County – manages the Historical  
2 Society’s section of Mattamuskeet Library which houses approximately 1,500 books. She asked  
3 if the public library would be closed.
- 4 Chairwoman Spencer reported that no decision had been made.
- 5 David Fletcher, Engelhard – stated that having fuel at airport is great and recommended alerting  
6 all airports in the State. Mr. Fletcher also expressed concern about commercial trapping in  
7 Mattamuskeet Lake canals.
- 8 Manager Smith reported that news of fuel at the airport in Engelhard has been reported to the  
9 FAA and the pilot’s website and that marketing will be done.
- 10 Debbie Cahoon, Swan Quarter – is a former employee of BHM Library and reported that the  
11 library is vital to children in our communities.
- 12 Ann Borland, Ocracoke – currently works for BHM Library. She believes ending the BHM  
13 Library agreement would be tragic for both residents and tourist on Ocracoke Island.
- 14 Bill Jones, Ocracoke – works part-time in the public section of Ocracoke Library. He believes  
15 closing this part of the library would be devastating.
- 16 Jim Borland, Ocracoke – believes closing the public library on Ocracoke Island would be a  
17 costly mistake.
- 18 Leslie Lanier, Ocracoke – stated that libraries are the lifeblood of a community and a safe place  
19 for children.
- 20 Carol Pahl, Ocracoke – reported that the new librarian should be given a chance and that he is  
21 already seeing progress and increase in membership.
- 22 Fred Westervelt, Ocracoke – reiterated the indispensable role that BHM Library plays on  
23 Ocracoke Island.
- 24 Ann Ehringhaus, Ocracoke – credits the School of Excellence banners hanging in the Commons  
25 Area of Ocracoke School to library use. She thanked the Board for the Noise Ordinance and  
26 asked that they put a time limit on outdoor amplified music with exception given to the 4<sup>th</sup> of  
27 July celebration and Ocracoke Festival.
- 28 Scott Bradley and Clare Baum sent e-mail messages expressing their concern for continuation of  
29 the BHM Library contract.
- 30 There being no further comments from the public, Chairwoman Spencer continued the meeting.
- 31



1 On Tuesday, September 4, 2012, Chairwoman Spencer stated that she would like to hear from  
2 the property owner and the Revolving Loan Committee.

3 After discussion with Christopher Williams (property owner) and clarification of collateral from  
4 Alice Keeney (Revolving Loan Committee member), Commissioner Swindell moved to approve  
5 Christopher Williams Request for Variance from the Hyde County Subdivision Ordinance. Mr.  
6 Byrd seconded the motion. The motion passed on the following vote:

7 Ayes – Byrd, Spencer, Swindell and Tunnell Nays – None Not Voting – Darlene Styron

8 **MOU – Conservation of Natural Resources**

9 Debbie Cahoon, Administrative Technician, Hyde County Soil & Water, presented  
10 Memorandum of Understanding (MOU) between the US Department of Natural Resources  
11 Conservation Service (NRCS) and the NC Department of Agriculture and Consumer Services-  
12 Division of Soil & Water Conservation and the Hyde County Soil & Water Conservation District  
13 and Hyde County, North Carolina. This memorandum of understanding agreement defines the  
14 roles and responsibilities of each party as it relates to roles, responsibilities and cooperation  
15 concerning conservation of natural resources in Hyde County.

16 Commissioner Swindell moved to approve Memorandum of Understanding between the US  
17 Department of Agriculture NRCS and Division of Soil & Water and the Hyde County Soil &  
18 Water Conservation District and Hyde County. Mr. Byrd seconded the motion. The motion  
19 passed on the following vote:

20 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

21 **Contract – NC Department of Agriculture & Consumers Services, Division of Soil & Water**  
22 **Conservation and Hyde Soil & Water conservation District**

23 Debbie Cahoon, Administrative Technician, Hyde County Soil & Water, presented contract  
24 between the North Carolina Department of Agriculture and Consumers Services, Division of Soil  
25 and Water Conservation (the Agency) and Hyde Soil & Water, Conservation District (the  
26 Grantee). The purpose of the contract is to remove from streams debris resulting from Hurricane  
27 Irene and the spring 2011 tornadoes. Hyde Soil & Water requested \$80,000 for the project and  
28 was awarded (16%) totaling \$13,320.00 in State funds. Portions of Rutman and Smith Creek  
29 will be cleaned up. Removal of storm debris will result in better drainage for crop and forest  
30 lands and for homes.

31 Commissioner Byrd moved to approve Contract by and between NC Department of Agriculture  
32 and Consumer Servicers, Division of Soil and Water Conservation and Hyde Soil & Water  
33 Conservation District; and, that the Board of Commissioners and Chief Fiscal Officer will sign  
34 contract for the purpose of receiving grant funds for stream debris removal. Mr. Tunnell  
35 seconded the motion. The motion passed on the following vote:

1 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

2 **Interlocal Agreement – Dare County for Hyde County Inspections**

3 Kris Noble, Planning Director, reported that an agreement between Dare County and Hyde  
4 County for inspection services was entered into on March 1, 2012. Dare County has requested  
5 amendment to the agreement stating that Dare County will continue to provide Hyde County  
6 with Fire Inspections in addition to Level II and III Electrical Inspections; and, the Dare County  
7 Inspector will be paid at a rate of \$37.15 per hour plus mileage at the approved Federal rate.

8 Commissioner Tunnell moved to approve amendment of the existing Dare County/Hyde County  
9 Inspections Interlocal Agreement. Mr. Byrd seconded the motion. The motion passed on the  
10 following vote:

11 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

12 **E-Mail System Services and Backup**

13 Mazie Smith, County Manager, reported that in accordance with NCGS 132 – Public Records  
14 Law and the North Carolina Department of Cultural Resources (NCDCCR) electronic mail is just  
15 as much a record as any traditional paper record, and its content must be treated in the same way.  
16 It is the responsibility of every County employee to follow the NCDCCR Guidelines for Retention  
17 and Disposition of E-Mail messages. Ms. Smith reported that estimated cost for a centralized e-  
18 mail system is \$12,000.00.

19 Commissioner Styron moved to direct the County Manager to circulate a Request for Proposal  
20 (RFP) for a centralized e-mail system provider. Mr. Tunnell seconded the motion. The motion  
21 passed on the following vote:

22 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

23 **Indoor Air Quality Concerns in County Facilities**

24 Mazie Smith, County Manager, presented update on progress made to improve air quality at the  
25 Public Safety Center. Air purifiers are in place and mold survey results are due on Thursday.

26 Sheriff Mason reported that his employees do see a difference with the purifiers running.

27 Wesley Smith, Health Director, reported that the former Dentist Office building is ready for use  
28 by the Mental Health provider. Mr. Smith said the Health Department clinic that had to be  
29 demolished due to Hurricane Irene damage still needs to be replaced.

30 Mazie Smith, County Manager, recommends developing a capital improvements plan and to seek  
31 funding for building repairs. She suggests a committee to oversee the project; hiring engineering  
32 professionals to development plans for correcting building issues; and, asking USDA for  
33 funding.



1 Administration travel line; and, the decrease in State funding for the ROAP Program Approval  
2 had been given on September 4, 2012.

3 No action required.

4 **County Commissioners Reports:**

5 **Commissioner Styron** – reported that she attended the OCBA meeting and that Candidates  
6 Night on Ocracoke is scheduled for October 10<sup>th</sup>. Statements from candidates can be submitted  
7 to be read at the meeting if they are unable to attend. Ms. Styron also attended the Ocracoke  
8 Development Board meeting where discussion about business licenses was held. She  
9 commended Kris Noble for her department report in the meeting packet materials. Ms. Styron  
10 stated that requests for variance from the Hyde County Subdivision Ordinance may be made by  
11 other citizens.

12 **Commissioner Byrd** – reported that he attended a meeting of Marine Fisheries, Wildlife  
13 Resources and the Department of Agriculture where discussion of combining the agencies was  
14 discussed. Mr. Byrd stated that the Legislature will decide the outcome.

15 **Commissioner Swindell** – reported that he will attend the Board of Health meeting next week.

16 **Commissioner Tunnell** – reported that the Swan Quarter dike cleanup project continues. Mr.  
17 Tunnell thanked the Swan Quarter Volunteer Fire Department and the Tar-Pamlico River Basin  
18 Committee for working on this project. He will attend the Mid-East Housing meeting next week.

19 **Commissioner Spencer** – reported that she will attend the Albemarle Commission meeting and  
20 the ECBH retreat where discussion will be held about grant funding for the early childhood  
21 development program through the school system.

22 **County Manager's Report:**

23 Manager Smith presented report of her activities over the past month and stated that she has been  
24 appointed to serve on the Steering Committee. Ms. Smith reported that the State is revising its  
25 formula to base priorities for highway and bridge repair by population. She attended the  
26 Ocracoke Community Square Project meeting in Raleigh earlier in the day. Ms. Smith will be  
27 joining Partnership for Children.

28 **Public Comments:**

29 Chairwoman Spencer called for comments from the public.

30 Susan Benning, Director, thanked the commissioners for their support of the BHM Regional  
31 Library System. Ms. Benning reported that a new agreement is being drafted and will be  
32 presented for Board approval at a later date.

1 Leslie Lanier, Ocracoke – thanked the Board for its support of the BHM Regional Library  
2 System. She asked the Board to consider the opinions of other citizens before amending the  
3 Noise Ordinance.

4 There being no further comments from the public, Chairwoman Spencer continued the meeting.

5 **Closed Session**

6 Commissioner Swindell moved to enter into closed session at 8:10 p.m., pursuant to G.S.  
7 N.C.G.S. 143-318.11 (a)(4). Mr. Byrd seconded the motion. The motion passed on the  
8 following vote:

9 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

10 Commissioner Swindell moved to come out of closed session at 8:10 p.m., pursuant to G.S.  
11 N.C.G.S. 143-318.11 (a)(4). Ms. Styron seconded the motion. The motion passed on the  
12 following vote:

13 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

14 **Department Reports**

- 15 a) Health Department  
16 b) Animal Control  
17 c) Code Enforcement  
18 d) Tax Department  
19 e) Senior Center  
20 f) DSS – Child Support  
21 g) Planning Department  
22

23 **Supplemental Information:**

- 24 a) 300<sup>th</sup> Anniversary Congratulations from Rowan County  
25 b) Hyde County Telemedicine Demonstration Project  
26 c) Storm Practices – Lesson Learned from Hurricane Irene

27 **Meeting Calendar**

28  
29 **September, 2012**

- 30 09-17-2012 Commissioners Meeting – 6:00p.m.  
31 09-20-2012 ABC Board Meeting – 6:00p.m. – 8:00p.m.  
32 09-25-2012 Board of Health Meeting at Ocracoke Community Center – 7:00p.m.  
33

34 Commissioner Swindell moved to adjourn the meeting. Mr. Byrd seconded the motion. The  
35 motion passed on the following vote:  
36

1 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

2

3 The meeting adjourned at 8:40 p.m.

4

5 Respectfully submitted:

6

7 Minutes approved on the 1<sup>st</sup> day of October, 2012.

8

9

10

11

12 \_\_\_\_\_  
13 Lois Stotesberry, Deputy Clerk  
14 Hyde County Board of Commissioners

14

15

16

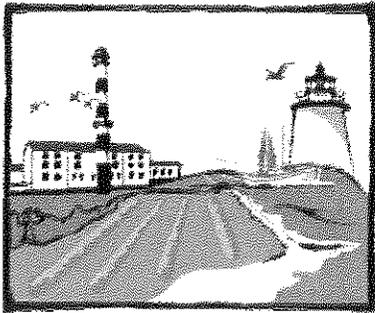
17

18

\_\_\_\_\_  
Sharon Spencer, Chair  
Hyde County Board of Commissioners

19 Attachments:

20 Exhibit A: *“PROCLAMATION – October 7, 2012 Pastor Appreciation Day at Old Richmond*  
21 *Missionary Baptist Church”*



Since 1712

# HYDE COUNTY

---

## NORTH CAROLINA

**Presenter(s):** Citizens

**Title:**

**Agency/Dept.:**

**Item Title:** Public Comments

**Attachments:** No

**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

**Meeting Date:** 10.1.2012

**Title:** Items of Consideration

- 1) Reappointments to Hyde County Health Board
- 2) NCACC Debt Setoff Program Update
- 3) ABC Board Lease

**Recommendation:** Discussion and approval.

**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

**Meeting Date:** 10.1.2012

**Presenter(s):** Wesley P. Smith

**Title:** Health Director

**Agency/Dept.:** Hyde County Health Department

**Item Title:** Reappointments to the Hyde County Board of Health

**Attachments:** Yes

**Description:** At their quarterly meeting on September 25, 2012, Board of Health members approved the reappointment of Cheryl Ballance and Randy Hignite, respectfully, for a second, three-year term on the Hyde County Board of Health. Ms. Ballance and Mr. Hignite were initially appointed by the Hyde County Board of Commissioners in July of 2009. Both have expressed a desire to continue serving on the Board of Health.

**Times Read:** First

**Impact on Budget:** **Does Not** increase the budget

**Recommendation:** Approve the reappointments of Cheryl Ballance and Randy Hignite to the Hyde County Board of Health

**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**

\_\_\_\_  
\_\_\_\_  
\_\_\_\_  
\_\_\_\_  
\_\_\_\_

**§ 130A-35. County board of health; appointment; terms.**

(a) A county board of health shall be the policy-making, rule-making and adjudicatory body for a county health department.

(b) The members of a county board of health shall be appointed by the county board of commissioners. The board shall be composed of 11 members. The composition of the board shall reasonably reflect the population makeup of the county and shall include: one physician licensed to practice medicine in this State, one licensed dentist, one licensed optometrist, one licensed veterinarian, one registered nurse, one licensed pharmacist, one county commissioner, one professional engineer, and three representatives of the general public. Except as otherwise provided in this section, all members shall be residents of the county. If there is not a licensed physician, a licensed dentist, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer available for appointment, an additional representative of the general public shall be appointed. If however, one of the designated professions has only one person residing in the county, the county commissioners shall have the option of appointing that person or a member of the general public. In the event a licensed optometrist who is a resident of the county is not available for appointment, then the county commissioners shall have the option of appointing either a licensed optometrist who is a resident of another county or a member of the general public.

(c) Except as provided in this subsection, members of a county board of health shall serve three-year terms. No member may serve more than three consecutive three-year terms unless the member is the only person residing in the county who represents one of the professions designated in subsection (b) of this section. The county commissioner member shall serve only as long as the member is a county commissioner. When a representative of the general public is appointed due to the unavailability of a licensed physician, a licensed dentist, a resident licensed optometrist or a nonresident licensed optometrist as authorized by subsection (b) of this section, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer, that member shall serve only until a licensed physician, a licensed dentist, a licensed resident or nonresident optometrist, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer becomes available for appointment. In order to establish a uniform staggered term structure for the board, a member may be appointed for less than a three-year term.

(d) Vacancies shall be filled for any unexpired portion of a term.

(e) A chairperson shall be elected annually by a county board of health. The local health director shall serve as secretary to the board.

(f) A majority of the members shall constitute a quorum.

(g) A member may be removed from office by the county board of commissioners for:

- (1) Commission of a felony or other crime involving moral turpitude;
- (2) Violation of a State law governing conflict of interest;
- (3) Violation of a written policy adopted by the county board of commissioners;
- (4) Habitual failure to attend meetings;
- (5) Conduct that tends to bring the office into disrepute; or
- (6) Failure to maintain qualifications for appointment required under subsection (b) of this section.

A board member may be removed only after the member has been given written notice of the basis for removal and has had the opportunity to respond.

(h) A member may receive a per diem in an amount established by the county board of commissioners. Reimbursement for subsistence and travel shall be in accordance with a policy set by the county board of commissioners.

(i) The board shall meet at least quarterly. The chairperson or three of the members may call a special meeting. (1901, c. 245, s. 3; Rev., s. 4444; 1911, c. 62, s. 9; C.S., s. 7604; 1931, c. 149; 1941, c. 185; 1945, c. 99; c. 1030, s. 2; 1947, c. 474, s. 3; 1951, c. 92; 1957, c. 1357, s. 1; 1963, c. 359; 1967, c. 1224, s. 1; 1969, c. 719, s. 1; 1971, c. 175, s. 1; c. 940, s. 1; 1973, c. 137, s. 1; c. 1151; 1975, c. 272; 1979, c. 621; 1981, c. 104; 1983, c. 891, s. 2; 1985, c. 418, s. 1; 1987, c. 84, s. 1; 1989, c. 764, s. 2; 1995, c. 264, s. 1; 2009-447, s. 1.)



Since 1712

# HYDE COUNTY

---

## NORTH CAROLINA

**Presenter(s):** Mazie Smith

**Title:** County Manager

**Agency/Dept.:** Administration

**Item Title:** NC Local Government Debt Setoff Program Update

**Attachments:** Yes

**Description:** Hyde County adopted Resolution to join the NCACC Debt Setoff Program on November 16, 2009. Since joining the program, Hyde County has received \$23,770.41. Currently, a total of \$177,461.82 in delinquent debt is listed for Debt Setoff collection.

Corrinne Gibbs assumed the position of Debt Setoff Hearing Officer when she was appointed Finance Officer. She wishes to turn over designation of Hearing Officer to Lois Stotesberry. Conversation with Mr. Bill Walsch, Five Star Computing, Inc., confirms that it is acceptable for Hyde County to designate a new Hearing Officer without adopting a new resolution. Lois has agreed to assume Debt Setoff Hearing Officer duties.

**Times Read:** First

**Impact on Budget:**

**Recommendation:** Receive report. No action required.

**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**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

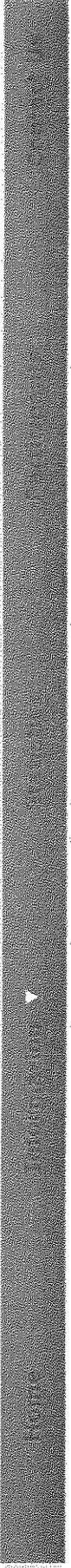
(866) 255-1668 | ncsetoff@ncsetoff.org



NORTH CAROLINA LOCAL GOVERNMENT

**DEBT SETOFF**  
**CLEARINGHOUSE**

**NCLAGU**  
 OF MUNICIPALIT  
 Good government. Great hometown.



Statistics - 20

COUNTIES & COUNTY AGENCIES - ALPHABETICAL (AS OF SEPTEMBER 4, 2012)

#	County	2012				2011		2002-2010		Totals to Date	
		Total Debt Submitted	Current Debt Submitted	Debts Setoff	Amount Setoff	Amount Setoff	Amount Setoff	Amount Setoff	Amount Setoff	Amount Setoff	
47	Hoke County	\$663,370.91	\$572,899.83	299	\$56,650.21	\$0.00	\$0.00	\$0.00	\$56,650.21		
48	Hyde County	\$185,180.10	\$177,461.82	26	\$6,845.88	\$6,730.37	\$10,194.16	\$23,770.41			
49	Iredell County	\$4,971,269.54	\$4,481,753.98	1,269	\$265,456.92	\$422,279.62	\$1,210,272.98	\$1,898,009.52			
50	Jackson County	\$433,471.14	\$409,493.16	60	\$14,483.40	\$11,867.62	\$109,827.76	\$136,178.78			
51	Johnston County	\$5,071,663.88	\$3,622,266.74	2,094	\$269,074.73	\$303,996.68	\$995,467.17	\$1,588,538.59			
52	Jones County	\$687,766.46	\$536,689.78	332	\$38,400.22	\$21,395.53	\$168,291.66	\$238,087.41			
53	Lee County	\$1,770,681.77	\$1,026,978.24	319	\$43,811.24	\$81,223.07	\$51,552.53	\$176,586.84			
54	Lenoir County (Non/Part.)	\$0.00	\$0.00	0	\$0.00	\$0.00	\$343.31	\$343.31			
55	Lincoln County	\$7,270,511.96	\$4,953,007.66	1,671	\$279,981.55	\$268,816.07	\$1,468,873.31	\$2,017,670.93			
56	Macon County	\$88,823.28	\$80,027.49	55	\$4,957.21	\$16,636.68	\$14,595.85	\$36,189.74			

Manager. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

NC Local Government Debt Setoff Clearinghouse – John Whitehurst, NCACC

John Whitehurst of the North Carolina Association of County Commissioners (NCACC) presented (via teleconference) the Debt Setoff Program. Mr. Whitehurst stated that in accordance with GS 105-8, the North Carolina Government Debt Setoff Clearinghouse assists North Carolina local governments with the recovery of delinquent debts by offsetting debtors' North Carolina state tax refunds and Education Lottery winnings. As long as the debt has been delinquent 60 days the process can begin.

Since its inception in 2002, the NC Government Debt Setoff Clearinghouse has collected \$77,052,239.54. As of October 20, 2009 twenty-two local governments (15 counties and 6 municipalities) have surpassed the one million dollars collection point. In 2009, local government units receiving funds totaled (319).

There is no cost to the County to participate with the NC Debt Setoff Clearinghouse (unless optional data entry from hard copy forms is faxed to the Clearinghouse). Hyde County will be transmitting lists of debtors via excel spreadsheet with no processing fee charged. Since the debtor pays all fees, there is only the cost of sending the required notification letters.

On September 23, 2009, Executive Assistant to County Manager/Clerk to Board Lois Stotesberry and newly appointed EMS Billing Clerk Shelley Carawan attended the NC Local Government Debt Setoff Clearinghouse 2009 Workshop. The required online 2010 Participation Form has been processed and the first list of debtors is ready for submission.

Before participation in the Program, a "Resolution for Board Adoption NC Local Government Debt Setoff Program" must be adopted; a hearing officer must be assigned (if none named the assignment defaults to the Board); "Memorandum of Agreement" must be approved; "Business Associate Agreement" must be signed in order to collect HIPPA protected accounts (i.e. EMS, Health Department) and a signed copy kept on file at each facility; and, written "Notice of Intent" (letter) must be sent to debtor allowing 30 days for written request for appeal from debtor.

After discussion, Commissioner Ballance moved to adopt *Resolution of the Hyde County Board of Commissioners Regarding the North Carolina Local Government Debt Setoff Program*; participate in the debt setoff program; designate Finance Officer as the person to hold hearings and conduct necessary proceedings; and authorize the Chairman and County Manager to execute such documents and agreements as necessary to participate in the debt setoff program. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

*CLERK'S NOTE: A copy of "Resolution of the Hyde County Board of Commissioners Regarding the North Carolina Local Government Debt Setoff Program" is attached herewith as Exhibit A and incorporated herein by reference.*

Tropical Storm Ida Update – Jeannette Jones

Interim Emergency Services Director Jeannette Jones gave an update on Tropical Storm Ina. Ms. Jones reported that Director of NC Cooperative Extension Service - Hyde County Center Mac Gibbs surveyed Hyde County roads, farmland, and personal property. Mr. Gibbs' reported \$1.315 million damage to cotton crops but found no serious personal property damage.

Public Comments:

Chairman Davis called for comments from the public.

Van O'Neal, Ocracoke, stated he is not comfortable with his wife working 24-hour shifts at the Ocracoke EMS Station. Mr. O'Neal asked the Board to consider modifications necessary to accommodate both men and women employees.

**Resolution of the Hyde County Board of Commissioners  
Regarding the North Carolina Local Government Debt Setoff Program**

**Whereas**, NCGS Chapter 105A, Setoff Debt Collection Act, authorizes the North Carolina Department of Revenue to cooperate in identifying debtors who owe money to qualifying local agencies and who are due refunds from the Department of Revenue; and

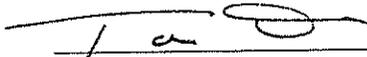
**Whereas**, the law authorizes the setting off of certain debts owed to qualifying local agencies against tax refunds; and

**Whereas**, the North Carolina Association of County Commissioners and the North Carolina League of Municipalities have jointly established a clearinghouse to submit debts on behalf of the County of Hyde as defined in G.S 105A -2 (6), effective January 1, 2006 and thereafter as provided by law;

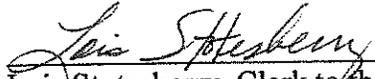
**Now Therefore, be it Resolved** by the Hyde County Board of Commissioners that Hyde County will participate in the debt setoff program and hereby designates the Finance Officer as the person to hold hearings and conduct necessary proceedings.

**Be it Further Resolved** that the Chairman and County Manager are hereby authorized to execute such documents and agreements as necessary to participate in the debt setoff program.

Adopted by the Hyde County Board of Commissioners this 16<sup>th</sup> day of November, 2009.

  
\_\_\_\_\_  
Tom Davis, Chairman  
Hyde County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Lois Stotesberry, Clerk to the Board





Since 1712

# HYDE COUNTY

---

## NORTH CAROLINA

**Presenter(s):** Mazie Smith

**Title:** County Manager

**Agency/Dept.:** Administration

**Item Title:** ABC Board Lease Agreement

**Attachments:** Yes

**Description:** At its regularly scheduled meeting on July 16, 2012 the Board of Commissioners approved the Lease Agreement between Hyde County and the Hyde County ABC Board for lease of the Mainland ABC Store with revisions made to Sections 6 and 8 of the agreement.

Final copy of the Lease Agreement has been reviewed and approved by County Attorney, Fred Holscher.

**Times Read:**

**Impact on 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**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Manager Smith stated the previously adopted resolution allowing the "No Parking" signs would have to be overturned by the Board at the next regularly scheduled Board of Commissioners meeting on Monday, August 6, 2012.

Keith Parker-Lowe, Ocracoke – stated that commissioners serve until they are off the Board and incumbents do not serve until they are on the Board.

There being no further comments from the public, Chairwoman Spencer continued the meeting.

**Special Recognition:**

**Introduction of New Employees**

Wesley Smith, Health Director, will introduced Jenna Brinn, RN, WIC Clinic Coordinator and Stephanie Watson, Accounting Clerk IV at the next regularly scheduled meeting on Monday, August 6, 2012.

**Employee of the Month**

Justin Gibbs, Emergency Management Director, introduced Tommy Loftus, EMT-I as the July Employee of the Month. Tommy joined Hyde County EMS on September 15, 2000 and remains dedicated to the citizens of Hyde County. He served as EOC dispatcher for four days during Hurricane Irene. Mr. Gibbs reported that Tommy is respected by his peers and Vidant - Pungo District Hospital staff.

**Items of Consideration:**

**ABC Building Lease Maintenance Report**

Clint Berry, Utilities Director, presented report of the costs to Hyde County for maintenance on the Hyde County ABC Store building.

Commissioner Tunnell moved to approve the Lease Agreement between Hyde County and the Hyde County ABC Board for lease of the Mainland ABC Store with addition to Section 6. Utilities – *Hyde County will mow the mainland ABC Store lot and the ABC Board will reimburse the County for the expense;* and addition to Section 8. Installation and Additional Improvements – *the ABC Board may make changes to the mainland ABC Store building that can be done without damages to the premises.* Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell      Nays – Swindell

**Interlocal Sewer Maintenance Agreement – Public Safety Center**

Clint Berry, Utilities Director, reported that Hyde County holds the sewer permit for the Public Safety Center and is therefore responsible for servicing and maintaining all equipment associated with the facility. Swan Quarter Sanitary District currently accepts wastewater from the facility for treatment. The District agrees to service, operate and maintain the sewer system located at the Public Safety Center pursuant to conditions specified in the Interlocal Sewer Maintenance Agreement.

Commissioner Swindell moved to approve the Interlocal Sewer Maintenance Agreement between Hyde County and the Swan Quarter Sanitary District. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell      Nays – None

Prepared by: Katherine S. Parker-Lowe, Attorney at Law, 35 Miss Elecia Lane, Suite 101, Post Office Box 730, Ocracoke, North Carolina 27960

STATE OF NORTH CAROLINA

COUNTY OF HYDE

LEASE AGREEMENT

This LEASE AGREEMENT, dated this the \_\_\_ day of \_\_\_\_\_, 2012, between the COUNTY OF HYDE, NORTH CAROLINA, a body politic and corporate existing under the laws of the State of North Carolina (the "County"), and the HYDE COUNTY ABC BOARD, a body corporate existing under the laws of the State of North Carolina (the "ABC Board");

WITNESSETH:

WHEREAS, the County is a body politic and corporate existing under the laws of the State of North Carolina vested with the powers and authority conferred upon counties by the law of the State of North Carolina, acting through its Board of Commissioners;

WHEREAS, the ABC Board is a body corporate with the authority to operate the Hyde County ABC system, vested with the powers and authority conferred upon local ABC boards by the laws of the State of North Carolina;

WHEREAS, pursuant to Section 18B-701 of the General Statutes of North Carolina, as amended, the ABC Board may acquire by any lawful method the fee or any lesser interest in real or personal property as necessary for the operation of the ABC system;

WHEREAS, pursuant to Section 160A-274(b) of the General Statutes of North Carolina, as amended, the County may lease to the ABC Board, and the ABC Board may lease from the County, upon such terms and conditions as the County and the ABC Board deem wise, with or without consideration, any interest in real or personal property that the County may own;

NOW THEREFORE, in consideration of the premises, and the mutual representations and covenants herein contained, the parties hereby agree as follows:

**Section 1. Premises.** The County hereby leases to the ABC Board, and the ABC Board hereby leases from the County the following described parcel or tract of land together with all improvements located thereon in Swan Quarter Township, Hyde County, North Carolina, containing 42,371 square feet, more or less, and more particularly described in a deed of record in Book 100 at page 844 of the Hyde County Registry (hereinafter referred to as the "Premises").

**Section 2. Term of Lease.** The term of this Lease Agreement shall be one year commencing on \_\_\_\_\_ 1, 2012 and ending, subject to prior termination as hereinafter provided, at 12:00 o'clock A.M., on \_\_\_\_\_, 2012.

**Section 3. Rent.** The rent for the term shall be three thousand dollars (\$3,360.00) payable in monthly installments of \$280.00 on the first day of each month beginning September 1, 2012. The County hereby acknowledges receipt of the first payment of rent for September, 2012.

**Section 4. Quiet Enjoyment.** The County hereby covenants that the ABC Board shall, during the Term of this Lease, peaceably and quietly have, hold, and enjoy the Leased Premises without suit, trouble or hindrance from the County, except as expressly required or permitted by this Lease. The County shall not interfere with the quiet use and enjoyment of the Leased Premises during the Term of this Lease. The County shall, at the ABC Board's request and the County's cost, join and cooperate fully in any legal action in which the ABC Board asserts its right to such possession and enjoyment, or which involves the imposition of any taxes or other governmental charges on or in connection with the Leased Premises. In addition, the ABC Board may at its own expense join in any legal action affecting its possession and enjoyment of the Leased Premises, and shall be joined (to the extent legally possible, and at the ABC Board's expense) in any action affecting its liability hereunder. The provision of this Section shall be subject to rights to inspect the Leased Premises granted to parties under Section 9 hereof.

**Section 5. Use of Premises.** The Premises shall be used solely for the accomplishment of public purposes and, in particular, the operation of an ABC store and warehouse in the County.

**Section 6. Repairs and Maintenance.** The ABC Board shall use the Premises in a careful and proper manner, in compliance with all applicable laws and regulations. The County agrees to be responsible for all repairs necessary to keep the Premises in a good condition, repair, and working order, including but not limited to heating and air conditioning equipment, roof, foundation and exterior walls of the building, all glass windows and exterior doors, underground utilities, sewer pipes and care for the grounds around the building, including mowing of grass, care of shrubs and general landscaping. The ABC Board agrees to promptly inform the County, in writing, of any necessary repairs.

**Section 6. Utilities.** The ABC Board shall pay or cause to be paid all utilities furnished to or used on or in connection with the Leased Premises.

**Section 7. Insurance.** The ABC Board shall procure and maintain throughout the term of this Lease Agreement public liability, property damage and theft insurance for the property of the ABC Board. Hyde County will maintain fire and casualty insurance on the structure and property. In no event shall the ABC Board voluntarily settle, or consent to the settlement of, any proceedings arising out of any insurance claim with respect to the Leased Premises without the prior written consent of the County.

**Section 8. Alterations and Additions:** The ABC Board agrees not make any alterations or additions to the Premises, without first obtaining written consent of the County which shall not be unreasonably withheld. County Agrees that any additions made for retail store usage that can

be removed with no damage to the property requires no approval and remains the property of the Lessee.

**Section 9. Access to the Leased Premises.** The ABC Board agrees that the County and its respective representatives and agents shall have the right at all reasonable times to enter upon the Premises or any portion thereof to examine and inspect the Premises. The ABC Board further agrees that the County and its representatives and agents shall have such rights of access to the Premises as may be reasonably necessary for the proper maintenance of the Premises.

**Section 10. Liens.** The ABC Board shall not create, incur, assume or suffer to exist any mortgage, pledge, lien, charge, encumbrance or claims on or with respect to the Leased Premises. The ABC Board shall promptly, at its own expenses, take such action as may be necessary to duly discharge or remove any such mortgage, pledge, lien, charge, encumbrance or claim if the same shall arise at any time. The ABC Board hereby agrees, to the extent permitted by law, to reimburse the County for any expense incurred by it to discharge or remove any such mortgage, pledge, lien, charge, encumbrance or claim for which the ABC Board is responsible.

**Section 11. Indemnification of the County.** To the extent permitted by law, the ABC Board covenants to defend, indemnify and hold harmless the County against any and all losses, claims, damages or liabilities, joint or several, including fees and expenses incurred in connection therewith, to which such indemnified party may become subject under any statute or at law or in equity or otherwise in connection with the failure by the ABC Board to comply with covenants set forth in this Lease Agreement and shall reimburse any such indemnified party for any legal or other expenses incurred by it in connection with investigating any claims against it and defending any actions, insofar as such losses, claims, damages, liabilities or actions arise out of the failure by the ABC Board to comply with covenants set forth in this Lease Agreement.

**Section 12. Assignment by the ABC Board.** The ABC Board agrees not to assign its rights under this Lease Agreement or sublease the Premises to any other person, firm or corporation without the prior written consent of the County.

**Section 13. Hazardous Materials.** The ABC Board, its successors and assigns represents, warrants and agrees that (a) the Premises shall not be used to generate, manufacture, transport, treat, store, handle, dispose of, or process Hazardous Materials except in accordance with all applicable Environmental Laws; (b) the ABC Board shall not cause or permit the improper installation of Hazardous Materials on the Premises or a release of Hazardous Materials on the Premises; (c) the ABC Board shall at all times comply with and ensure compliance by all other parties with all applicable Environmental Laws relating to or affecting the Premises and shall keep the Premises free and clear of any liens imposed pursuant to any applicable Environmental Laws; (d) the ABC Board will at all times obtain and/or maintain all licenses, permits, and/or other governmental or regulatory actions necessary to comply with Environmental Laws with

respect to the Premises (the "Permits"). And the ABC Board will comply with the terms and provision of the Permits; (e) the ABC Board shall immediately give the County oral and written notice in the event that the ABC Board receives any notice from any government agency, entity, or any other party with regards to Hazardous Materials on, from or affecting the Premises and shall conduct and complete all investigations, sampling, and testing and all remedial, removal, and other actions necessary to clean up and remove all Hazardous Materials on, from or affecting the Premises in accordance with all applicable Environmental Laws. To the extent permitted by law, the ABC Board hereby agrees to indemnify the County and hold it harmless from and against any and all losses, liabilities, damages, injuries (including, without limitation, reasonable attorneys' fees) and claims of any and every kind whatsoever paid, incurred or suffered by, or asserted against the County for, with respect to, or as a direct or indirect result of (a) the presence on, or under, or the escape, spillage, emission or release from the Premises of any Hazardous Material regardless of whether or not caused by or within the control of the ABC Board, (b) the violation of any Environmental Laws relating to or affecting the Premises, whether or not caused by or within the control of the ABC Board, (c) the failure by the ABC Board to comply fully with the terms and provisions of this paragraph, or (d) any warranty or representation made by the ABC Board in this paragraph being false or untrue in any material respect.

**Section 14. Events of Default.** Each of the following events shall be an "Event of Default" under this Lease: (a) the ABC Board's failure to make any payments hereunder when due; (b) the ABC Board's failure to observe and perform any covenant, condition or agreement on its part to be observed or performed for a period of thirty (30) days after written notice specifying such failure and requesting that it be remedied shall have been given to the ABC Board by the County, unless the County shall agree in writing to an extension of such time prior to its expiration; or (c) the dissolution or liquidation of the ABC Board or the voluntary initiation by the ABC Board of any proceeding under any federal or state law relating to bankruptcy, insolvency, arrangements, reorganization, readjustment of debt or any other form of debtor relief, or the initiation against the ABC Board of any such proceeding which shall remain un-dismissed for sixty (60) days, or the entry by the ABC Board into an agreement of composition with creditors or the ABC Board's failure generally to pay its debts as they become due.

**Section 15. Remedies on Default.** Whenever any Event of Default shall have happened and be continuing, the County may take one or any combination of the following remedial steps:

- A. terminate this Lease, evict the ABC Board from the Leased Premises or any portion thereof;
- B. have reasonable access to and inspect, examine and make copies of the ABC Board's books and records and accounts during the ABC Board's regular business hours, if reasonably necessary in the County's opinion; or

- C. take whatever action at law or in equity may appear necessary or desirable, including the appointment of a receiver, to collect the amount then due, or to enforce performance and observance of any obligation, agreement or covenant of the ABC Board under this Lease.

No remedy herein conferred upon or reserved to the County is intended to be exclusive, and every such remedy shall be commutative and shall be in addition to every other remedy given hereunder and every remedy now or thereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power, and any such right and power may be exercised from time to time as may be deemed expedient.

If any obligation, agreement or covenant contained herein should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

**Section 17. Miscellaneous.**

- A. If any term or provision of this Lease Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Lease and any other appellation of such term or provision shall not be affected thereby.
- B. The headings in this Lease Agreement are for purposes of reference only and shall not limit or define the meaning hereof.
- C. Subject to express provisions hereof to the contrary, this Lease Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns during the Term hereof and during any extension or renewals of said Term.

**IN WITNESS WHEREOF**, the parties hereto have executed and attested this Lease Agreement by their duly authorized representative as of the day and year first written above.

COUNTY OF HYDE, NORTH CAROLINA

By: \_\_\_\_\_  
Chair of the Board of Commissioners

Attest:

\_\_\_\_\_  
Clerk to the Board

HYDE COUNTY ABC BOARD

By: \_\_\_\_\_  
Chairman of the ABC Board

Attest:

\_\_\_\_\_  
Secretary of the ABC Board

STATE OF NORTH CAROLINA

COUNTY OF HYDE

This the \_\_\_\_ day of \_\_\_\_\_, 2012, personally come before me, a Notary Public in and for the said County and State, \_\_\_\_\_, who being by me duly sworn, says that she is the Clerk to the Board of Commissioners of the County of Hyde, a body politic and corporate existing under the laws of the State of North Carolina and acting through its Board of Commissioners, and by authority duly given and as the act of said County, the foregoing instrument was signed in its name by \_\_\_\_\_, as its Chairman, sealed with its seal, and attested by herself as the Clerk to the Board of Commissioners.

WITNESS my hand and notarial seal this the \_\_\_\_ day of \_\_\_\_\_, 2012.  
\_\_\_\_\_, Notary Public

My commission expires \_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF HYDE

This the \_\_\_\_ day of \_\_\_\_\_, 2012, personally came before me, a Notary Public in and for the said County and State, \_\_\_\_\_, who being by me duly sworn, says that he/she is the Secretary of the ABC Board, a body corporate existing under the laws of the State of North Carolina, and by authority duly given and as the act of said ABC Board, the foregoing instrument was signed in its name by \_\_\_\_\_, as its Chairman, sealed with its seal, and attested by himself/herself, as its Secretary.

WITNESS my hand and notarial seal this the \_\_\_\_ day of \_\_\_\_\_, 2012.  
\_\_\_\_\_, Notary Public

My commission expires \_\_\_\_\_



Since 1712

# HYDE COUNTY

---

## NORTH CAROLINA

**Presenter(s):** Commissioners Spencer, Tunnell, Swindell, Styron, Byrd and County Manager Smith

**Title:** Commissioners and County Manager

**Agency/Dept.:** Hyde County

**Item Title:** Administrative Reports

**Attachments:** Yes - Manager's Report

**Description:** The Commissioners are invited to share with the public their various activities on behalf of the Board and ideas for continuous improvement of government services to citizens.

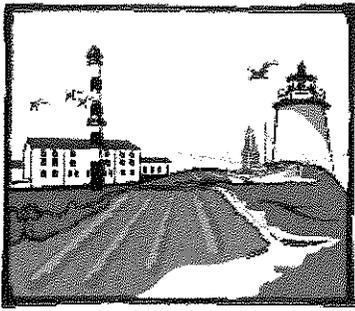
The County Manager will share information about her activities and also share information of interest to the Board and the public.

**Times Read:** First

**Impact on Budget:** Does not increase the budget.

**Recommendation:** Receive reports. Approval if required.

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



Since 1712

# HYDE COUNTY

---

## NORTH CAROLINA

Date: October 1, 2012  
To: Board of Commissioners  
From: Mazie Smith   
Re: Manager's Report

### Manager's Activities

Sept. 13<sup>th</sup> Met with Ocracoke Community Center Committee; no formal agreement is currently in place to guide the relationship between the Committee and the County. The committee will meet and provide information to the County Manager to begin the process.

Sept. 15<sup>th</sup> Attended meeting in Raleigh with representatives of the Ocracoke Foundation and various state agencies on several community development projects on the island

Sept. 25<sup>th</sup> Met with Hyde County Chamber and 264 Association to discuss signage directing travelers to take 264 through Hyde County and other marketing strategies.

Sept. 27<sup>th</sup> Will host the Dean of the School of Government, Mike Smith, on his tour of counties

Sept. 28<sup>th</sup> Manager will attend the Albemarle RC&D annual meeting in Hertford.

Sept. 29<sup>th</sup> Manager will participate in EM Tabletop exercise in Swan Quarter

### Other activities:

- The Sheriff reports that the air purifiers seem to be working well in the Public Safety Center. The mold study indicated that mold was only found in one jail cell in the back of the building, and that the count was lower inside the building than outside.

### Manager's Meeting Schedule

Oct. 2<sup>nd</sup> NCACC Insurance Workshop, Bertie County

Oct. 3<sup>rd</sup> Meeting with Mid-East Commission officials regarding housing in Hyde County

Oct. 3<sup>rd</sup> Meeting of Board of Directors of Parents as Teachers

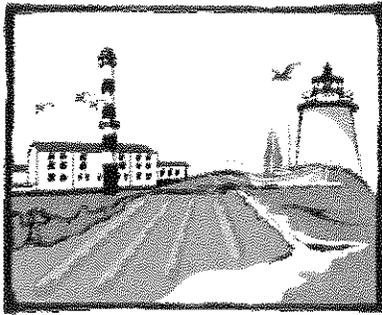
Oct. 5<sup>th</sup> Meeting regarding drainage issues in Hyde County

Oct. 9<sup>th</sup> Meeting of opinion leaders with Farm Bureau in New Bern

Oct. 10<sup>th</sup> Candidates Night in Ocracoke

Oct. 11<sup>th</sup> Ocracoke Planning Board Meeting

Oct. 12<sup>th</sup> Northeast Economic Development Board meeting



Since 1712

# HYDE COUNTY

---

## NORTH CAROLINA

**Presenter(s):** Citizens

**Title:**

**Agency/Dept.:**

**Item Title:** Public Comments

**Attachments:** No

**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

**Title:** Commissioner

**Agency/Dept.:** Board of Commissioners

**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

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

**§ 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

**Meeting Date:** 10.01.12

**Presenter(s):**

**Title:**

**Agency/Dept.:**

**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) Public Information Officer (PIO)
- b) DSS Transportation Department

Supplemental Information

- a) Installation of Dr. Barbara Tansey, President, BCCC
- b) Board of Health Meeting Minutes - June 19, 2012
- c) Hyde County Hotline's 2nd Annual Winter GALA

**Times Read:** First

**Impact on Budget:** None

**Recommendation:** Read for understanding

Hyde County Public Information  
September 2012 Monthly Report

**Facebook**

563 Likes (as of 9/26/12)

1353 Number of people that have seen content on the Facebook page this week

This month's Facebook activity included Hyde Happenings, several ferry schedule updates, job postings, and community activities. I received feedback that posting community events like fundraising meals has possibly been a factor in increased attendance and community awareness.

**Twitter**

268 Followers including NCDOT Ferry Division, NC Emergency Management, Outer Banks Voice radio, Associated Press reporters, the Weather Channel, and residents of Hyde County.

**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 contact list has grown to 999 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.hydecountync.gov](http://www.hydecountync.gov)

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.

We have almost doubled our traffic to the website this month.

**September 1-26, 2012**

Unique Visitors: 1257

Pageviews: 5979

New visits: 58%

My work hours this month also included doing a press release for the improvements and fuel availability at the Hyde County Airport. That was sent to local media outlets as well as local airports. I am also reaching out to county wide groups and organizations to help get contacts signed up for our email releases to reach those who may not have internet capability at home.

Respectfully submitted,

Jamie Tunnell Carter, Hyde County Public Information Officer

[jtunnell@hydecountync.gov](mailto:jtunnell@hydecountync.gov)

Hyde County DSS Transportation Dept  
Monthly Report

According to the Medicaid Transportation records:

- 148 clients received gas
- 58 clients were transported by Hyde DSS
- 4 Dialysis patients were transported by Hyde DSS with a total of 34 trips
- 1 voucher was given to a client to travel to Durham NC
- 105 transportation calls were received

Hyde Co. DSS Transportation Dept



Marilynn Brimmage

Processing Assistant IV



Suzanne Johnson

Accounting Specialist I



Gloria Spencer

Director

# Installation

DR. BARBARA TANSEY



The Beaufort County Community College  
Board of Trustees  
requests the pleasure of your company for  
the Installation of  
**Dr. Barbara Tansey**  
as the fifth President  
of Beaufort County Community College  
10:30 A.M., Friday, October 5, 2012  
in the Auditorium of Building 8  
and the Reception to follow  
in the Multi-purpose Room of Building 10  
on the campus of  
Beaufort County Community College  
5337 U.S. Highway 264 East, Washington, N.C.

For reserved seating, RSVP to Jennie Singleton at 252-940-6888 by Sept. 24.

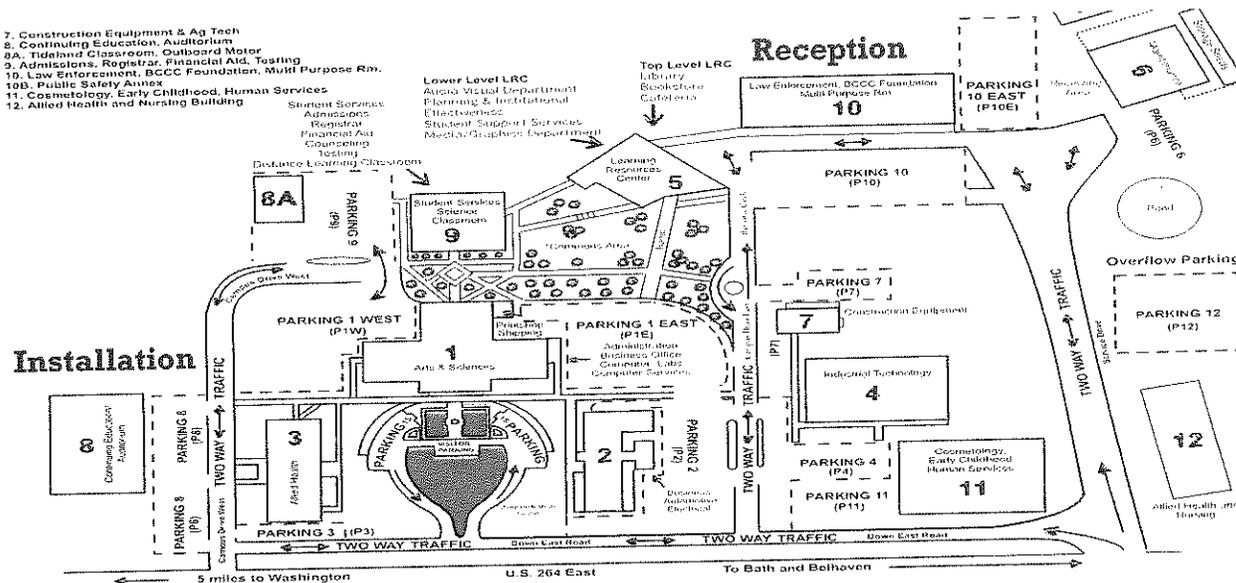
Please use this card as access to reserved parking areas.

## Beaufort County Community College

Creating Success  
Hope • Opportunity • Jobs!

An Equal Opportunity/Affirmative Action Institution

## Beaufort County Community College Campus Map



**Directions from points North and South:** Drive into Washington on the U.S. 17 By-pass. Take Exit No. 108 onto U.S. 264 East towards Washington. Continue to drive east through town on U.S. 264. Beaufort County Community College will be on your left about seven miles from the exit. Take the first entrance into the BCCC campus. Building 8 will be on your left.

**Directions from points West:** Follow U.S. 264 through town. BCCC is about five miles east of town on your left. Take the first entrance into the BCCC campus. Building 8 will be on your left.

**Directions from points East:** Come to Washington on U.S. 264. BCCC will be on your right about one mile west of the intersection of U.S. 264 and N.C. 32. Take the second entrance into the BCCC campus (You will pass the BCCC sign). Building 8 will be on your left.

## HYDE COUNTY BOARD OF HEALTH MEETING

June 19, 2012

Members Present: Cheryl Ballance (By Phone), Ken Collier, Tynia Harris, Randy Hignite, Don Nixon, Homer Robbins, Kathy Spencer, Barry Swindell

Members Absent: Erin Baker

Others Present: Roni Collier, Luana Gibbs, Elizabeth Mumm, Laura Respass, Wesley P. Smith, Annette Swindell, Hugh Watson

The Hyde County Board of Health quarterly meeting was held in the conference room of the Health Department on June 19, 2012. The meeting was called to order by Chairman Randy Hignite. The roll was called by Wesley Smith, Health Director/Secretary ex-officio, to establish a quorum – quorum established.

### Old Business:

Ken Collier made the motion to accept the minutes as read, second by Barry Swindell. The motion was carried.

Wesley Smith asked to amend the agenda under the Health Department report to include a revised Animal Control Ordinance.

Smith welcomed Tynia Harris back to the Board of Health, as there is no longer a conflict of interest for her to serve on the Board. She will be taking Don Nixon's place as he has completed three terms. Smith presented a plaque to Nixon for his services on the Board from 2002- 2012.

At the last meeting the Child Fatality Prevention Team and the Community Child Protection Team had asked the Board of Health to recommend a 45 mph sign be placed at the curve where a child had died. Before sending the recommendation, Smith went to the area to take pictures and saw there was already a 35 mph sign at both ends of the curve, so there was no reason to forward the Board's recommendation on to the Board of Commissioners.

Prior to Smith submitting the budget, he was approached by the County Manager about using Home Health Reserves to offset some of the expenses for the Health Department's budget. He explained to her that the funds generated by Home Health are set aside to support Home Health services, and were used recently to purchase vehicles for Home Health and in the past a vehicle for Hyde County Transit. He has sent emails to the School of Government for guidance on how these reserves can be used. One person did not respond and the other stated they had forwarded his email on to the appropriate person, but has not received an answer. With the upcoming relocation and renovations, it is possible that we could increase the Repair & Maintenance line in Home Health to offset county funds. Nixon stated that he was highly opposed to Home Health funds going to the county. Hignite stated the funds should stay in the escrow account for Home Health purposes. Smith stated that if the county had access to the funds, the money would be gone quickly. Swindell stated that the county did get two million back from FEMA for reimbursement from Hurricane Irene.

Smith informed the Board that the 2012-2013 budget was adopted on May 21, 2012. Each member received a copy of the Expenditures and Revenues. He asked how did it work for him to e-mail the information - would they prefer he mail it or continue with e-mail. Swindell stated he liked the hard copy because he could carry it with him and review whenever he had chance. Collier asked how much did he save by doing

this? Smith stated maybe \$40-\$50 in postage and mailers. Collier stated he would prefer the hard copy, while Ballance stated she like the electronic copy. Harris, Swindell and Collier preferred the hardcopy and Ballance, Dr. Baker, and Robbins like electronic copy. Smith will mail the hard copy as in the past, but will try to send the electronic copy as well.

The County Manager asked Smith to make some cuts in the FY 2012-13 budget, so Mosquito Control was eliminated (with the exception of funding pass through from the Health Department to Ocracoke Mosquito Control Authority), and Animal Control was cut to provide only the services required by the State, which are primarily rabies and dangerous dogs. An Animal Control Officer II position was initially put in the budget as full time, but it has been changed to part time. To comply with Office of State Personnel requirements, the position will have to be posted/advertised and Mr. Eakes will have to apply like everyone else. There is \$6,000.00 in the budget for the shelter which works out to \$500 a month to contract with Mr. Eakes to hold dogs or cats placed there for quarantine. Smith and Respass also reviewed the Home Health budget to trim it as much as possible; however, there will still be the need for a draw on Home Health reserves to balance the budget. Smith stated he had recently hired a new Accounting Clerk IV to replace Linda Meekins, who resigned to take a job she can work out of her home.

There was \$8,000.00 in our General Health program for a gravel walking trail around the 4H building in Ponzer, but that was also removed by the County Manager. We had applied for a grant for Eat Smart Move More Weigh Less, but were not awarded a grant and we will continue to look for other funds that could be used for the trail. The portion of the walking trail that goes through the woods has been cleared and Collier stated that several teachers were interested in taking their classes there. Hignite suggested we could get solar lights to place along the path.

Smith stated he had asked an attorney with the UNC School of Government that, since the county has sprayed for mosquitoes in the past, would we be at risk for lawsuit if someone got a vector-borne disease like EEE or WNV. He was told by the attorney that we shouldn't as long as we gave sufficient notice to the public and made recommendations to reduce or eliminate the potential for mosquito bites. Smith also suggested that someone with a Public Health Commercial B license could start a business of their own. Every year, we post information about mosquitoes and encourage people to wear long sleeves, don't stay out after dark, etc., so it is possible that we could add something about where to buy products for mosquitoes as long as we don't specify what kind of product to buy.

### **New Business:**

Smith stated that Anna Poteet from NC State University's Industrial Quality Improvement division was contracted to assist us with our design for transition once we start the renovations in our buildings. We had significant rain damage to the clinic during Hurricane Irene, so our plan is for Mental Health to move into the old dental building; Home Health will move into the old Mental Health building and the health department clinic will move into the space currently used for Home Health. A drawing of the plans was shown at the last meeting. The county has not moved on any of this other than to disconnect the clinic and convert the area where the ramp went into the clinic into a storage closet. Hignite asked who was in charge of the project. Smith stated he thought Swindell and Commissioner Anson Byrd were on a Facility Review Committee but Swindell stated he didn't know about it and he hasn't met with anyone. It was stated that Byrd, Clint Berry and Corrinne Gibbs were also on this committee. Smith stated that repairs at Davis Ventures were completed months ago and we are still waiting. We are to begin the Tele-medicine project in September but we can't move forward until renovations are done. Hignite suggested that Annette call Byrd, but was informed we should contact Berry. Swindell asked how long it would take to do renovations. Berry

was to get bids for repairs to the old dental building, which is mainly cosmetic in nature. We have been told that the insurance money could be used in making repairs to other buildings, but Smith stated he was informed that the insurance still hasn't paid out. Hignite suggested that we set up a meeting with Berry, which Smith will take care of.

Smith informed the group that one of the requirements of accreditation is completing performance evaluation on all employees. The Board of Health needs to complete this evaluation for him and he has given Hignite the form and guidelines. Hignite suggested that they have a sub-committee for this. Robbins made a motion to form the sub-committee, second by Collier - motion carried. Robbins, Collier, Ballance and Hignite will be on this committee. They will meet on July 9, 2012 in Fairfield at noon at the Lone Goose Restaurant. The group decided that Smith should be there also.

Home Health has been asked if they would try a new program called Consumer Directed Services in lieu of the traditional Homemaker program on Ocracoke. The Homemaker program is through the Albemarle Commission. It is a Home and Community Care Block Grant with 10% match covered by Home Health and 90% from the grant. Home Health has had problems keeping an Aide on Ocracoke for the Homemaker program. The Consumer Directed Service would carve \$11,000 of the \$26,000 grant to cover one client. We have four clients now but we don't have a Homemaker Aide in the position. Consumer Directed Services does not allow funds to be split to cover more than one client. Smith asked the Board for direction in deciding whether to provide the traditional Homemaker services, given our issues of keeping an Aide, or try the new program. With Homemaker the patient is assigned a certain number of hours based on an assessment by a Registered Nurse. For the new program a Registered Nurse will still do an assessment and eligibility, but the patient or family could hire whoever they want and determine what services are to be performed. They would not be using our Homemaker Aide. It would pay a minimum of \$700 a month or \$10 an hour, while we could only pay \$8.25 per hour for a Homemaker Aide. Harris asked how would we determine which of the four patients would receive the services? Hignite asked if we could ask for an appeal but Smith stated he has already done so and been told no, the money could not be split to serve four patients. If we don't try this program, we'll still have personnel issues with Homemaker. Ballance looked up Albemarle's Board and found out that Commissioner Sharon Spencer represents our county. We will table this until the next meeting and give Smith time to see if he can set up a meeting with Commissioner Spencer. He should know more by July 9, 2012 when sub-committee meets for his performance evaluation.

The Tele-medicine project is a joint venture with Albemarle Hospital Foundation, Engelhard Medical Center, and other northeastern NC counties. Since Hyde County has limited providers, the foundation felt the project would work here. The Kate B. Reynolds Foundation has committed/paid \$75,000 and NC Office of Rural Health has paid \$50,000. Smith and Ballance have both applied for a grant with Vidant Pungo District Hospital to support a Family Nurse Practitioner. The target date is September 1, 2012. Kelly Madden, a registered nurse, has been hired by the Foundation. Dr. Alexander, a primary care physician with practice in Jacksonville, will be working with the project. Primary care will be provided through this program at both the Health Department and Engelhard Medical Center. Dr. Alexander would be accessible via tele-medicine, while Ms. Madden would be with the patient to do the assessments. Some of the equipment would tie into Dr. Alexander's office so he could interact with the patient. There are other grants we can apply for to enhance the equipment.

**Bills HB 438 and SB 433:** These bills involve consolidation of Health and Human Services. SB 433 passed in the House but since there were modifications, they will vote again on Thursday. These bills give counties the option to consolidate the Health Department and Department of Social Services. If they pass and Hyde County chooses to consolidate, then the Board of Health and DSS Board could be abolished. The Board of

Commissioners could oversee a Human Services Board in lieu of separate Boards. Smith feels that these bills are passing because it is an option for counties and not mandated. If a county already has a Public Health Authority, it cannot be undone. Hignite asked what constituted a Public Health Authority. Smith stated that a Public Health Authority held its own funds and did not have to go through a county finance office. They are self sufficient and would have to have a good cash flow. The options for health departments are to consolidate into a human service agency, become a Public Health Authority, or become regionalized. Either the consolidated Human Services Director must meet the qualifications of a Health Director, or will have to have someone on staff that meets those qualifications. The Board of Commissioners has voted to support consolidation as an option.

The Health Department has had some staffing changes. Hugh Watson introduced Roni Collier as our Environmental Health Intern. She previously lived in Hyde County for 15 years, left for four years, and has moved back. As part of the requirements for Roni to become certified, she is required to attend a course in Raleigh. She was hoping to get in school next month but they have postponed it until the end of September. After the school, she has to do 45 food and lodging inspections and then ask for delegation of authority to conduct inspections on her own.

Hignite asked that, since we no longer have a Mosquito Control program, would we still do aerial spraying? Smith stated if conditions were as bad as they were after Hurricane Irene, then we could, but we would still have to go through the same process for FEMA approval as before. The part time mosquito sprayers were terminated as of June 21, 2012.

Animal Control received 35 calls this month and Mr. Eakes was paid \$3,750.00 above his contract. Hignite stated that he was against paying rent for a facility that the county paid for. We should take the \$6,000.00 and build a facility on county property. Smith stated there is already \$15,000 set aside for this purpose. Swindell stated one has not been built because the Commissioners were informed it would cost between \$60,000 - \$70,000 to build one that met State requirements. There was discussion on building and cost, and Smith stated it was more than just the cost of the building, but would need to consider sufficient staff to oversee and take care of animals 24 hours per day, 7 days per week. He also stated that when we go through our Accreditation, the facility on Mr. Eakes' property would also be inspected. Smith will check and see what the requirements are for a kennel. Hignite asked what would happen when the animal control position is advertised, if someone else gets the job. Would we still be able to use the animal shelter that the county built Mr. Eakes' property?

Nixon asked about the horse situation on Ocracoke. An animal ordinance was approved which stated that large domestic animals now are required to wear a bag when on public property or public right of way. Watson stated that the horses used by Morning Star Stables did wear the bags for the first couple of days, but not since; however, he believes the owner may be cleaning up after them because he has not seen manure on the roads. The owner had asked the animal control officer to take a couple of his horses due to their poor health. Mr. Eakes took the horses and put them in a pasture to feed and nurse them back to health. However, the owner then decided he wanted them back. Smith had Mr. Eakes take the two horses to Dr. Chandler, a veterinarian in Roper, for an examination. We received word from the veterinarian that the horses were not being properly looked after, but Mr. Eakes had already returned the horses to the owner and there was nothing we could do at that point.

The Expenditure and Revenue Reports for the quarter ending March 31, 2012 were reviewed. We were over in Mosquito Control due to Hurricane Irene expenses, and under in Revenues due to lower payments from Medicaid and Medicare.

We received additional funding in Food & Lodging for completing 100% inspections. Due to the change in staff, we most likely will not get 100% this year but should be in the 90% range and get some additional funding. We also received additional funding for Motivational Interviewing, which will cover two nurses from the health department and the school nurse and social worker from Mattamuskeet School. We received additional BCCCP funds to sign up six additional women.

In the QA report provided by Ms. Respass, Home Health met or exceeded their goals and will now work to maintain the changes implemented during the QI 101 initiative.

Smith reviewed the quarterly comparison for revenues, admissions and discharges. Revenues and admissions are declining due to a reduction in Medicaid and Medicare payments. We are not getting as many referrals. We no longer provide PCS, CAP is breaking even and Home Health is struggling to break even. Hignite asked if we were to do away with Home Health, what would happen to the reserves. Smith replied that he was not sure, but would find out. Nixon wanted to know if we could get a trend on the reserves from the last five years, and Smith will do that as well and present the information at the next board meeting in September.

A revision was added to the Animal Control policy. Section 6 was added to include domesticated animals that soil or defile on public property or right away. The Sheriff's Department on Ocracoke Island will be the one to enforce this ordinance. Hignite suggested that we get some signs put up about this so out of town visitors will be aware of it. Watson suggested that it could go in the Chamber's newsletter and maybe the Ocracoke newsletter. Robbins asked if the DOT would put up a sign. Ballance stated they would not put anything up on the beach as that was Federal property. Smith will check on signs and maybe a press release.

There were no more updates from the Management team.

A motion to adjourn as made by Robbins, second by Swindell. The motion carried and meeting was dismissed.

Minutes prepared by Annette Swindell, Administrative Assistant I

---

Wesley P. Smith, Secretary ex-officio

*The Board of Directors and Staff cordially invite you to  
attend the*



*2<sup>nd</sup> Annual  
Hyde County Hotline  
Winter Gala  
Saturday  
December 1, 2012*

*23145 US Hwy 264, Swan Quarter, North Carolina*

*An evening of elegance including a Silent Auction, Reception,  
Dinner and Dancing to benefit survivors of Domestic Violence and  
Sexual Assault who are served by Hyde County Hotline.*

*Silent Auction*

*Reception 6:00 p.m.*

*Dinner 7:00 p.m.*



*Tickets: \$55 per person*

*\$100 per couple*

*\$800 Sponsor Table*

*For tickets, please call 252-926-5481 or email*

*echydehotline@gmail.com*

October, 2012 Meetings

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
	6:00pm - Until Commissioners Meeting					
7	8	9	10	11	12	13
			7:00pm OCBA Candidates Night Ocracoke Community Center			
14	15	16	17	18	19	20
				Southern Albemarle Association Meeting		10:00am - 2:00pm Ocracoke Island Health Fair
21	22	23	24	25	26	27
	6:00pm - Until Commissioners Meeting					
28	29	30	31			
	11:00am Community Meeting Senator Kay Hagan at SQVFD					

October, 2012 Anniversaries						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
	1987 Gloria Burrus 2007 Justin Gibbs 2007 Lois Stotesberry 2009 Brian Carter 2009 Jeff Hibbard		2006 Marsha Gibbs	2010 Joey Williams		1997 Tommy Loftus
7	8	9	10	11	12	13
14	15	16	17	18	19	20
			2005 Pierre O'Neal			2010 William Hocutt
21	22	23	24	25	26	27
	1984 Glen Credle 2002 Illis Clayton			2005 Kristi Williams	1999 Crystal Gibbs	
28	29	30	31			

October, 2012 Birthdays						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
			Jane Hodges			
7	8	9	10	11	12	13
	Christopher Godbey Geraldine Slade		Jessica Hair			
14	15	16	17	18	19	20
				Daniel Brinn		
21	22	23	24	25	26	27
			Kris Noble			
28	29	30	31			
Jerry Hardison						