# Meeting Minutes

**Board of County Commissioners**
**Hyde County**

**Monday, April 1, 2013**

## Board of Equalization and Review Meeting(s)

Linda Basnight, Tax Administrator, convened the Board of Equalization and Review meeting at 4:00 p.m. on Monday, April 1, 2013 to hear appeals from individual taxpayers as to the value of their property. The meeting was recessed and will reconvene on April 15, 2013 at 6:00 p.m. in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

## Board of Commissioners Meeting

Immediately following the Board of Equalization and Review meeting, Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00 p.m. on Monday, April 1, 2013 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 Anson Byrd, John Fletcher, Earl Pugh, Jr., Dick Tunnell and Barry Swindell; Attorney Fred Holscher; Clerk to the Board Lois Stotesberry; and, members of the public. The following members were present on Ocracoke: Assistant Clerk Rachel Cobb and members of the public.

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

**Agenda:**

Chairman Swindell asked for any changes to the April 1, 2013 meeting Agenda as presented by the Clerk.

Commissioner Fletcher moved to approve the agenda as presented by the Clerk with addition of Item 1 – (f) Resolution Endorsing Continued Channel Markers for the Alternate Hatteras-Ocracoke Ferry Route and (g) Resolution Expressing Concern for the Governor's 2013-14 Budget Proposal in Regard to the N.C. Rural Economic Development Center, the Golden LEAF Foundation and the NCCAT; Item 14 – Set Spending Freeze; Item 15 – Budget Calendar; and, Closed Session in accordance with NCGS 143A-318.11 (a) (3) – attorney-client privilege and (4) – matters relating to location and expansion of industries or other businesses. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**Consideration of Minutes:**

Commissioner Tunnell moved to approve the March 4, 2013 Regular Meeting Minutes as presented

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

**Items of Consideration:**

**Resolution Urging Members of the NC General Assembly and Governor McCrory Concerning the Appointment of Board Members to the LME Board**

Commissioner Pugh moved to adopt "Resolution Urging Members of the NC General Assembly and Governor McCrory Concerning the Appointment of Board Members to the LME Board." Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

***Clerk's Note: A copy of "Resolution Urging Members of the NC General Assembly and Governor McCrory Concerning the Appointment of Board Members to the LME Board" is attached herewith as Exhibit A and incorporated herein by reference.***

**Resolution Supporting H.R. 819 Preserving Access To the Cape Hatteras National Seashore Recreational Area Act**

Commissioner Fletcher moved to adopt "Resolution Supporting H.R. 819 Preserving Access To the Cape Hatteras National Seashore Recreational Area Act." Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

***Clerk's Note: A copy of "Resolution Supporting H.R. 819 Preserving Access To the Cape Hatteras National Seashore Recreational Area Act" is attached herewith as Exhibit B and incorporated herein by reference.***

**Resolution to Request Legislation To Exempt Certain Records of The Sheriff's Office From The Public Records Act**

Commissioner Fletcher moved to adopt "Resolution to Request Legislation To Exempt Certain Records of The Sheriff's Office From The Public Records Act." Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

***Clerk's Note: A copy of "Resolution to Request Legislation To Exempt Certain Records of The Sheriff's Office From The Public Records Act" is attached herewith as Exhibit C and incorporated herein by reference.***

**Resolution Supporting Continued Funding for Museum of The Albemarle**

Commissioner Byrd moved to adopt "Resolution Supporting Continued Funding for Museum of The Albemarle." Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

***Clerk's Note: A copy of "Resolution Supporting Continued Funding for Museum of The Albemarle" is attached herewith as Exhibit D and incorporated herein by reference.***

**Resolution of Support for Continued Funding From North Carolina for Partnership for The Sounds**

Commissioner Tunnell moved to adopt "Resolution for Continued Funding From North Carolina for Partnership For The Sounds." Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not

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

***Clerk's Note: A copy of "Resolution Endorsing Continued Channel Markers for the Alternate Hatteras-Ocracoke Ferry Route" is attached herewith as Exhibit F and incorporated herein by reference.***

**Resolution Expressing Concern for the Governor's 2013-14 Budget Proposal in Regard to the N.C. Rural Economic Development Center, the Golden LEAF Foundation and the NCCAT Center**

Commissioner Pugh moved to adopt "Resolution Expressing Concern for the Governor's 2013-14 Budget Proposal in Regard to the N.C. Rural Economic Development Center, the Golden LEAF Foundation and the North Carolina Center for the Advancement of Teaching (NCCAT) Center." Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

***Clerk's Note: A copy of "Resolution Expressing Concern for the Governor's 2013-14 Budget Proposal in Regard to the N.C. Rural Economic Development Center, the Golden LEAF Foundation and the NCCAT Center" is attached herewith as Exhibit G and incorporated herein by reference.***

**Appointment – Mainland Occupancy Tax Board**

On March 12, 2013, the Board received letter of resignation from the Mainland Occupancy Tax Board from Mary S. Spencer. At that time, Ms. Spencer reported that her husband, Lamar Spencer, expressed interest in serving on this Board.

Commissioner Pugh moved to appoint Lamar Spencer to complete the term of Mary S. Spencer on the Mainland Occupancy Tax Board. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**Appointments – Swan Quarter Sanitary District**

Commissioner Tunnell moved to table appointments to the Swan Quarter Sanitary District Board until the May 6, 2013 Board of Commissioners meeting. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**Appointment – Revolving Loan Fund (RLF) Committee**

Kris Noble, Planning Director, reported that in December 2012, Darlene Styron while remaining on the RLF Committee as a business owner, had to step down as the required Board of Commissioners member. After discussion the group asked that Commissioner Tunnell be appointed as the new member on the RLF Committee.

Commissioner Swindell moved to appoint Commissioner Tunnell to serve on the Revolving Loan Fund (RLF) Committee. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**Proclamation – Week of the Young Child, April 14-20, 2013**

Lisa Woolard, Executive Director of Beaufort/Hyde Partnership for Children and Wesley Smith,

Ms. Woolard invited Commissioners and citizens to attend the Partnership for Children parade in Washington on Friday, April 19, 2013 at 9:30 a.m. Mattamuskeet Elementary School (MES) Pre-K students will participate in the parade.

**Proclamation – Child Abuse Prevention Month, April 2013**

Wesley Smith, Health Director, presented Proclamation – Child Abuse Prevention Month, April 2013 and invited Commissioners and citizens to attend a "Pinwheel Garden Event" at Davis School on Friday, April 5, 2013 at 11:00 a.m.

Commissioner Fletcher moved to adopt "Proclamation – Child Abuse Prevention Month, April 2013." Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

***Clerk's Note: A copy of "Proclamation – Child Abuse Prevention Month, April 2013" is attached herewith as Exhibit I and incorporated herein by reference.***

**Proclamation – Public Health Month, April 2013**

Wesley Smith, Health Director, presented "Public Health in North Carolina – a Local Health Department Perspective."

Commissioner Fletcher moved to adopt "Proclamation – Public Health Month, April, 2013." Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

***Clerk's Note: A copy of "Proclamation – Public Health Month, April, 2013" is attached herewith as Exhibit J and incorporated herein by reference.***

**Government Center and Public Safety Center Renovations**

Andy Lamm and Robin Jinsen of Lamm Engineering Associates, PLLC (LEA) presented a consolidated analysis of evaluated costs and recommendations for replacement of the roof structure on the Public Safety Center (PSC) building, interior upfits to the PSC, a new parking lot for the PSC site, adding asphalt pavement to the Public Health facility parking lot as well as the Public Utilities parking lot; and, roof renovations to the Government Center (GC) to eliminate drainage issues and continued interior damage.

Consolidated Cost Report was provided to the commissioners to summarize all of the project fees for design, inspection and unforeseen contingencies.

**Project 1** – The PSC building has three parts – The roof and HVAC design, the interior upfits, and the site improvements. The total cost for this project, complete with all ancillary aspects is approximately $889,507.00.

**Project 2** – Paving of the existing parking is $71,512.00.

Taken together, the PSC building project and the additional paving is estimated at approximately $961.019.00.

**Project 3** – The GC building roof improvements totals approximately $190,500.00.

As a complete package, all three projects together are estimated to require approximately

8" HDPE water line to avoid bridge replacement and relocation of two services and reconnection of one service along Piney Woods Road (SR1305). Mr. Berry reported that NCDOT will pay the cost ($29,500.00) of relocation of existing waterline around bridge and reconnection and relocation of services. County Attorney Fred Holscher has reviewed and approves the NCDOT Agreement.

Commissioner Byrd moved to approve the NCDOT Utility Relocation Agreement as presented. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**Ocracoke Convenience Site Update (Chipping Vegetative Debris)**

Clint Berry, Utilities Director, reported that on February 26, 2013 the Ocracoke Convenience Site was inspected by NCDENR; and, he was notified that Hyde County is not permitted for the chipper at this site.

On March 15, 2013, Solid Waste Supervisor James Blount was contacted by Mr. Ray Williams, NCDENR Environmental Senior Specialist, and advised that by grinding vegetative waste at the Hyde County Convenience Site the County would be required to apply for a permit to operate a Treatment & Processing (T&P) Facility. 15A NCAC 13B.0201 (a) states: "No person shall treat, process…solid waste except at a solid waste management facility permitted by the Division for such activity…" Providing a roll off container at the site for the collection and transfer of vegetative waste at the convenience site would not require a permit, however, when the County collects and grinds material on-site, it has by definition established a Treatment & Processing Facility at the site without a permit. Also, the site in question would not meet the buffer requirements for operating a T&P, so another site would need to be found that met the buffer requirements if Hyde County wishes to continue operating the grinder.

Pursuant to N.C.G.S. 130A-22, an administrative penalty of up to $15,000.00 per day may be assessed for each violation of the Solid Waste Statute or Regulations. For any violation(s), the property owner or site operator may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service, and any such further relief as may be necessary to achieve compliance with the NC Solid Waste Management Act and Rules. A violator has 30 days to take measures to correct the violation(s) found on/at the solid waste management site.

Clint Berry, Utilities Director, was instructed to investigate options to resolve the Ocracoke Convenience Site chipper issue and to report his finding at the May 6, 2013 Board of Commissioners meeting. The Board will receive recommendations and take action at that time.

**Facility Fee Schedule – Primary Care Services Through Telemedicine**

Wesley Smith, Health Director, reported that at the quarterly meeting held on March 19, 2013 the Hyde County Board of Health approved a Facility Fee Schedule for clients seen for primary care services via telemedicine, effective February 26, 2013. The standard facility fee has been established at $50.00 per visit, with an introductory facility fee of $10.00 through August 2013. The Health Department is currently a participating provider with Medicaid and Blue Cross/Blue Shield of North Carolina, and is in the process of becoming credentialed to participate in Medicare and MedCost (County of Hyde). Local health departments must receive approval of both the Board of Health and Board of County Commissioners for new or revised fee schedules.

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

**Revolving Loan Fund Request**

Kris Noble, Planning Director, presented request for $84,000.00 loan from the Revolving Loan Fund to Leland and Everett Hershey owners of Precision Pallet, LLC, 405 Main Stem Road, Pantego, NC 27860. Precision Pallet, LLC will purchase a biomass kiln.

A driving force in the pallet industry at this time is the presence of mold on shipping pallets. Companies involved in shipping food, pharmaceuticals and seed are choosing pallet companies that can ensure the pallets are mold free. Precision Pallet intends to stay ahead of the needs of the industry by drying the pallets thoroughly in a kiln. Currently, Precision Pallet has one propane kiln which is limited in capacity and expensive to operate. In order to meet the needs of a current customer that represents approximately 46% of Precision Pallet's sales, the company will install and operate a biomass kiln. The kiln will be more efficient to operate because it will be fueled by biomass waste that the company produces on site.

Ms. Noble reported that Precision Pallet, LLC has 20 employees and most live in Hyde County.

Commissioner Fletcher moved to approve a Revolving Loan Fund (RLF) loan to Leland B. Hershey and Everett D. Hershey, Precision Pallet, LLC, in the amount of $84,000.00 with a five (5) year term at 5% interest. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**GRTS Teaming Agreement – Airport Project**

Kris Noble, Planning Director, reported Hyde County has been asked to enter into a Teaming Agreement with North Carolina State University (NCSU) on behalf of the NextGen Air Transportation Center (NCAT) in order that they move forward with the Unmanned Aerial Project's Gull Rock Test Site Project.

Fred Holscher, County Attorney, and Manager Rich reported the agreement is too restrictive and they do not recommend entering into the Teaming Agreement.

Commissioner Fletcher moved to table discussion on the NCSU Teaming Agreement. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**CenturyLink – Telephone System**

On March 4, 2013 the Board authorized County Manager Bill Rich to select which option to approve and to sign maintenance coverage documents with CenturyLink.

Manager Rich reported that he entered into Voice and Data Upgrade Agreement with CenturyLink. Hyde County must buyout old equipment totaling $42,000.00. Currently the County pays $13,885.85 per month for services. Under the new agreement the County will lease the equipment and CenturyLink will service it. Hyde County will pay $10,000.00 per month. Mr. Rich reported that Department of Social Services Pass-through Funds will offset the monthly costs.

No action required.

**Renewal of Compensation Agreements for Emergency Use of Non-County Owned Facilities**

Manager Rich presented request to renew compensation agreements for the emergency use of the following non-county owned facilities: 1) Mattamuskeet Fresh Produce, Inc., 2) Ocracoke School Complex, and 3) Ocracoke Variety Store.

"Emergency Use" is defined as the use of the facility during a locally declared state of emergency as an Emergency Operations Center, Community Disaster Facility, Disaster Supply Staging Area, Base Camp or other usage approved jointly by the facility manager and the Hyde County Emergency Operations Center. Under this agreement the County will have first priority for emergency use of the facility, the facility managers will have second priority, and third parties will have tertiary priority as allowed by the emergency operations being conducted by the County at these facilities.

Commissioner Fletcher moved to renew compensation agreements for the emergency use of facilities with Mattamuskeet Fresh Produce, Inc., Ocracoke School Complex and Ocracoke Variety Store; and to authorize the County Manager to execute the compensation agreements. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

Commissioner Fletcher requested research on increasing the term of the Compensation Agreements from two years up to three to five years with a 1% increase each year. Manager Rich will report his findings at the next regularly scheduled Board of Commissioners meeting on May 6, 2013.

**Spending Freeze**

After discussion, Commissioner Byrd moved to set a spending freeze for all County departments through the end of Fiscal Year 2012-2013 effective April 15; and, to authorize Manager Rich to approve requests over $100.00 as he deems necessary. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

The Health Department and Department of Social Services will not be affected by the freeze.

**FY2013-2014 Budget Calendar**

Manager Rich reported that he and Finance Officer Corrinne Gibbs will begin departmental budget discussions on Tuesday, April 2, 2013.

Manager Rich and Finance Officer Gibbs will present the draft FY2013-2014 Hyde County Budget at the next regularly scheduled Board of Commissioners meeting on May 6, 2013.

Special Meeting of the Hyde County Board of Commissioners will be held on Tuesday, May 7, 2013 for the purpose of FY2013-2014 Budget discussion.

Commissioner Pugh moved to hold Public Hearing on the FY2013-2014 Hyde County Budget on Monday, June 3, 2013, beginning at 6:00 p.m., in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

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| Ocracoke Occupancy Tax | $ 1,312.51 | Per resolution passed by the Board of County Commissioners on 11-19-2012 all Community Center rent is to go back into the current year's budget of the Ocracoke Occupancy Tax Board. Does increase the budget. |
| Ocracoke Occupancy Tax | $ 6,200.00 | Funds transferred per request of the Ocracoke Occupancy Tax Board. Does not increase the budget. |
| **Hyde Soil & Water** | | |
| Departmental Budget | $ 1,400.00 | The Soil & Water District budgeted longevity for Brandon Marshall but he resigned his position before being eligible to receive funds. These additional funds ($400) are transferred to Travel & Training Line for trip to Ocracoke to address drainage issues and serve as judges for Ocracoke School STEM Fair. Unused funds ($1,000) from Beaver Management Line are transferred to Public Education Line to assist with Hyde Seek & Discover Day Camp June 10-13, 2013. |
| **Cooperative Extension** | | |
| 4-H | $ 800.00 | Received more funding from SHIIP Grant than originally budgeted. Does increase the budget. |
| **DSS** | | |
| Departmental Budget | $ 6,000.00 | Transfer of funds interdepartmentally to ensure sufficient funds to cover expenses for the remainder of the current fiscal year. Does not increase the budget. |
| ADAP | $ 7,000.00 | Transfer of funds interdepartmentally to ensure sufficient funds to cover expenses for the remainder of the current fiscal year. Does not increase the budget. |
| ADAP | $ 5,000.00 | Transfer of funds interdepartmentally to ensure sufficient funds to cover expenses for the remainder of the current fiscal year. Does not increase the budget. |
| **Health** | | |
| Healthy Communities | $12,479.00 | Hyde County Health Department has received additional funding to support activities of our Healthy Communities program. With this funding, we will develop and implement community-based initiatives to create policies and environments that support increased physical activity, promote healthy eating, reduce obesity, prevent the use of tobacco, support diabetes self-management and prevent violence and injury. This revision does increase the budget for our Healthy Communities program. |
| Community Transformation Project – Tobacco Free Hyde | $ 6,950.00 | Hyde County Health Department has been awarded $6,950.00 in funding from Region 9 Community Transformation Grant Project's (CTP/G) Strategic Leadership Team and Tobacco Free Living Action Team for the ***Tobacco Free Hyde County*** Project. Funding will be used to support an ordinance to make all buildings, grounds, and county vehicles owned, leased, or operated by Hyde County tobacco-free. Funding will go towards youth advocacy activities, secondhand smoke campaign promotion, decal stickers, facility and ground signage, and development and printing of educational supplies. This revision does increase the budget for the Health Department. |
| Food & Lodging | $ 1,605.00 | Performance-Based Distribution (2nd distribution for FY 2011/2012) of Food and Lodging Funds from the Division of Environmental Health for achieving 90% compliance rate with mandated inspections of food and lodging establishments. These additional funds will be used to repair the Ford Taurus for use for F&L inspections, as well as establish a line for gas, oil and tires. This revision does increase the budget for Food & Lodging. |
| Home Health | $ 9,975.00 | Transferring funds from/to multiple line items in Home Health to clear out negative/low balances and to provide sufficient funding in those lines to get through the end of the current Fiscal Year. This transfer does not increase the budget for Home Health. |
| CAP | $ 1,000.00 | Transferring funds from Salaries Part-Time line in CAP Program into Travel line to provide sufficient funding in this line to get through the end of the current Fiscal Year. This transfer does not increase the budget for CAP Program. |
| General Health | $ 3,550.00 | Transferring funds from/to multiple line items in General Health to clear out low balances and to provide sufficient funding in those lines to get through the end of the current Fiscal Year. This transfer does not increase the budget for General Health. |
| Medication Assistance Program (MAP) | $ 850.00 | Transferring funds from Dues and Fees line into Contract Pharmacist line in MAP program to provide sufficient funding in this line to get through the end of the current Fiscal Year. This transfer does not increase the budget for the MAP Program. |
| Maternal Health Adult | | Transferring funds from Contract Nurse Practitioner line in Adult Health Program into Contract Nurse Practitioner line in Maternal Health Program to provide sufficient funding in this line to get through the end of the current |

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| | | the Albemarle Hospital Foundation to coordinate the Primary Care services via Telemedicine five (5) days per week. This revision does not increase the budget for Adult Health. |
| **EMS**<br>Part-time Salaries | $15,000.00 | Transfer of funds to Salaries Part-time Line to cover Part-time wages for the remainder of the fiscal year. |
| **Utilities**<br>Departmental Budget | $10,000.00 | Monies transferred interdepartmentally to cover expenses for the remainder of the fiscal year. Does not increase the budget. |
| Solid Waste | $12,500.00 | Monies transferred interdepartmentally to cover expenses for the remainder of the fiscal year. Does not increase the budget. |
| **Sheriff**<br>Departmental Budget | $ 1,500.00 | Monies transferred interdepartmentally to cover expenses for the remainder of the fiscal year. Does not increase the budget. |

Commissioner Fletcher moved to approve the 23 budget transfers as presented. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Swindell, Tunnell; Nays – None; Absent or not voting – None.

**Closed Session**

Commissioner Fletcher moved to enter into closed session at 7:18 p.m. in accordance with § 143-318.11 (a)(3) – to preserve attorney-client privilege and § 143-318.11 (a)(4) – to discuss matters relating to the location or expansion of industries or other businesses. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

Commissioner Byrd moved to come out of closed session at 7:45 p.m. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Manager Rich reported that Vantage South Bank has made a "good will" offer to give the East Carolina Bank Processing Building in Engelhard to Hyde County. Mr. Rich reported the 11,500 sq. ft. building has 51 offices and is a state of the art facility. He will work with Utilities Director Clint Berry to assess the building. Commissioners and department heads are invited to tour the facility.

**Reports:**

**Commissioner Tunnell** – reported that he the Highway 12 and Ferry Toll meetings on Ocracoke; Mid-East Housing meeting; Hyde County Recreation Committee meeting; and, LPAN meeting with the Health Department.

**Commissioner Byrd** – reported that he also attended the Highway 12 and Ferry Toll meetings on Ocracoke and that he spoke with Mr. Shoemaker, Governor Pat McCrory's personal assistant, about both issues. Mr. Byrd reported that NCWR has requested authority to control permit baiting which will take permitting out of Legislative hands. He also reported that the Legislature is going to pass legislation approving Sunday hunting.

Manager Rich was instructed to draft resolutions supporting NCWR control of permit baiting but opposing Sunday hunting in Hyde County.

**Commissioner Fletcher** – reported that he has been contacted by many Ocracoke citizens about the chipper and front end loader at the Ocracoke Convenience Site.

**Commissioner Pugh** – reported that he attended "Coffee with Experts" at Mattamuskeet Senior

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

**County Manager Rich** – reported Deputy Clerk/PIO Megan Shaw had resigned her position with Hyde County. Mr. Rich thanked Megan for work done and thanked Assistant Clerk Rachel Cobb for operating the electronic equipment on Ocracoke. The position was posted and Sarah Johnson of Ocracoke was hired to fill a position as Deputy Clerk/PIO. Sarah will work up to 20 hours per week at $10.00 per hour.

Mr. Rich attended the Highway 12 and Ferry Toll meetings on Ocracoke and in Pamlico County; met with Lamm Engineering to review Government Center and Public Safety Center repairs proposals; addressed issues of derelict boats on Silver Lake; presented update on the Unmanned Aircraft Project, BB&T Loan, Friends of the Courthouse meeting and Ocracoke Community Square Project meetings.

**Public Comments:**

Chairman Swindell called for comments from the public.

Darlene Styron, Ocracoke – stated that three containers at the Ocracoke Convenience Site will not be enough.

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

**Adjourn**

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

The meeting adjourned at 8:09 p.m.

Respectfully submitted:

Minutes approved on the 6st day of May, 2013.

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

Barry Swindell
Chair, Hyde County Board of Commissioners

Attachments:

Exhibit A: *"Resolution Urging Members of the NC General Assembly and Governor McCrory Concerning the Appointment of Board Members to the LME Board"*

Exhibit B: *"Resolution Supporting H.R. 819 Preserving Access To the Cape Hatteras National Seashore Recreational Area Act"*

Exhibit C: *"Resolution to Request Legislation To Exempt Certain Records of The Sheriff's Office From The Public Records Act"*

Exhibit D: *"Resolution Supporting Continued Funding for Museum of The Albemarle"*

Exhibit E: *"Resolution – Letter of Support for Continued Funding From North Carolina for Partnership For The Sounds"*

# COUNTY OF HYDE

**Board of Commissioners**
Barry Swindell, Chair
ick Tunnell, Vice-chair
nson Byrd
John Fletcher
Earl Pugh, Jr.

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

**Bill Rich**
**County Manager**

**Fred Holscher**
**County Attorney**

**Lois Stotesberry, CMC, NCCCC**
**Clerk to the Board**

**Resolution Urging Members of the North Carolina General Assembly and Governor McCrory Concerning the Appointment of Board Members to the LME Board**

**WHEREAS**, Senate Bill 191 has been approved and passed into law in the waning hours of the 2012 session of General Assembly; and

**WHEREAS**, Hyde County urges that the new membership rules for the Boards of Local Management Entities (LMEs) must include the designation of one County Commissioner from each of the nineteen (19) participating counties comprising the EAST CAROLINA BEHAVIORAL HEALTH; and

**WHEREAS**, these new requirements have to be implemented by October 2013; and

**WHEREAS**, the General Assembly has the authority to review and modify these requirements in the current Session, understanding that counties and the State have a vested interest and obligation to provide adequate mental health services and oversight to our citizens in a responsible and realistic way.

**NOW, THEREFORE, BE IT RESOLVED** that all counties in the EAST CAROLINA BEHAVIORAL HEALTH LME ensure that each county has the ability to appoint an elected County Commissioner to the LME Board, and that the LME Board not exceed 21 voting members.

**BE IT FURTHER RESOLVED** that copies of this resolution be sent to the Governor, the Secretary of the NC Department of Health and Human Services, the leadership of the North Carolina General Assembly, and the House and Senate Members of the General Assembly representing the EAST CAROLINA BEHAVIORAL HEALTH LME catchment area.

This the 1st day of April, 2013.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell
Barry Swindell, Chairman

# COUNTY OF HYDE

**Board of Commissioners**
Barry Swindell, Chair
'ck Tunnell, Vice-chair
.nson Byrd
John Fletcher
Earl Pugh, Jr.

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board

**Resolution Supporting H.R. 819 Preserving Access**
**To The Cape Hatteras National Seashore Recreational Area Act**

**WHEREAS**, H.R. 819 introduced by Congressman Walter Jones (NC-3) to preserve access to the Cape Hatteras National Seashore Recreational Area, reintroduces a previous bill that passed the House of Representatives in the last Congress but failed it make it out of Senate committee; and,

**WHEREAS**, H.R. 819 would restore balance and common sense to Park Service management by overturning a final rule implemented by the National Park Service in mid-February 2012, as well as the 2008 U.S. District Court approved Consent Decree, both of which excessively restrict human access to the Recreational Area; and,

**WHEREAS**, H.R. 819 would assure taxpayers the right to access the recreational areas they own by reinstituting the Park Ser5vice's 2007 Interim Management Strategy, which was backed up by a 113-page Biological Opinion issued by the U.S. Fish and Wildlife Service finding that species of concern, including piping plover and sea turtles, would not be jeopardized; and,

**WHEREAS**, the Cape Hatteras National Seashore Recreational Area (CHNSRA) was created by Congress in 1937 as America's first National Seashore with the promise that people would always have access for recreation; and,

**WHEREAS**, a tourism based economy has been developed on Bodie Island, Hatteras Island and Ocracoke Island, where access to the beaches of this area has always been the defining element of the visitor's complete seashore experience and the foundation of the area's economic base upon which thousands of families depend for their livelihood; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Hyde County Board of Commissioners supports open public access to the Cape Hatteras National Seashore Recreational Area consistent with the promises made in the enabling legislation and supports H.R. 819 as effective legislation that would balance resource management with recreational access for Dare and Hyde County residents and visitors.

Adopted this the 1st day of April, 2013, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell
Barry Swindell, Chairman

# COUNTY OF HYDE

**Board of Commissioners**
Barry Swindell, Chair
ick Tunnell, Vice-chair
nson Byrd
John Fletcher
Earl Pugh, Jr.

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board

**Resolution To Request Legislation**
**To Exempt Certain Records of The Sheriff's Office From The Public Records Act**

**WHEREAS**, the Sheriff's Office in each county in the State of North Carolina is required to maintain records of the handgun purchase permits issued by the Sheriff's Office pursuant to N.C. General Statute §14-405 and concealed carry permits issued pursuant to N.C. General Statute §14-415.17; and

**WHEREAS**, these records include information such as name, address, age and other information as may be requested by the Sheriff's Office; and

**WHEREAS**, the Hyde County Board of Commissioners finds and declares that it is in the best interests of the citizens of the county and the State of North Carolina to prevent public access to this information; and

**WHEREAS**, the Hyde County Board of Commissioners recommends and supports legislation which exempts handgun purchase permits and concealed carry permits from the list of records of Sheriff's Offices which are accessible by the public at large.

**NOW, THEREFORE, BE IT RESOLVED** that the Hyde County Board of Commissioners hereby requests that the Hyde County delegation to the North Carolina General Assembly introduce and support legislation to exempt handgun purchase permits and concealed carry permits from the records of Sheriff's Offices that are accessible by the public at large.

**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to the Honorable Pat McCrory, NC Governor, the Hyde County Legislative Delegation to the North Carolina General Assembly, the North Carolina Association of County Commissioners, and to the other 99 North Carolina counties.

Adopted this the 1st day of April, 2013, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

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Clerk to the Board

**Resolution Supporting Continued Funding for Museum of The Albemarle**

**WHEREAS**, Museum of the Albemarle serves a 13 county area that spans Northeastern North Carolina and is one of six divisional museums of the North Carolina Museum of History; and,

**WHEREAS**, Museum of the Albemarle opened its first museum on May 29, 1967 in the old Highway Patrol building south of Elizabeth City; and,

**WHEREAS**, by 1987 the museum's collection was overflowing and there was a critical need for a larger facility that would allow for the proper housing and display of the region's precious collections and a decision was made to seek a larger facility; and,

**WHEREAS**, property was donated for a site and following a fundraising campaign and delays due to state budget shortfalls, a new 50,000 square foot museum was constructed using local and state resources; and,

**WHEREAS**, the new Museum of the Albemarle opened on April 8, 2006 and is a wonderful facility that includes large public gathering areas, meeting and conference rooms, a 200 seat auditorium, 11,000 square feet of lobby and galleries, and 3,500 square feet of collection storage; and,

**WHEREAS**, the museum is a regional resource center that houses historically significant regional artifacts and state-of-the art displays that provide rare opportunities for inquiry and learning; and,

**WHEREAS**, some of the current exhibits which are quite significant for our area include "Our Story: Life in the Albemarle", "Out of the Blue: Coast Guard Aviation", "Under Both Flags: Civil War in the Albemarle"; and,

**WHEREAS**, over the past 45 years, Museum of the Albemarle has shown hundreds of exhibits, collected, displayed and cared for thousands of regional artifacts, conducted hundreds of educational programs, given general tours to thousands of regional school children, and educated, entertained and showed off the amazing history of the Albemarle Area; and,

**WHEREAS**, Museum of the Albemarle has become a vital resource for our area.

**NOW, THEREFORE, BE IT RESOLVED** that the Hyde County Board of Commissioners supports funding for continued operation of Museum of the Albemarle and requests the Governor and General Assembly to include full funding in the State's FY2013-14 budget for Museum of the Albemarle.

Adopted this the 1st day of April, 2013, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

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Anson Byrd
John Fletcher
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PO Box 188
SWAN QUARTER, NORTH CARC
252-926-4400
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County Attorney

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Clerk to the Board

**Resolution Requesting Continued Funding From North Carolina for Partnership for the Sounds**

**WHEREAS,** Partnership was incorporated as a non-profit organization in 1993; and,

**WHEREAS,** regional leaders recognized that the region's most valuable asset are its natural and cultural heritage; and,

**WHEREAS,** the mission of Partnership for the Sounds, Inc. (PfS) is to promote sustainable, community driven economic well-being and stewardship on the Albemarle-Pamlico peninsula through environmental education, and nature based and cultural tourism; and,

**WHEREAS,** Partnership operations directly involve Beaufort, Bertie, Hyde and Tyrrell counties along with participation and support of related activities with Martin and Washington counties; and,

**WHEREAS,** Partnership activities extend to all 100 North Carolina counties, all of the other 49 states, and the over 50 foreign countries from where visitors have traveled; and,

**WHEREAS,** communities experience economic stimulus from people who visit the four Partnership facilities; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Hyde County Board of Commissioners supports continued funding for Partnership for the Sounds and requests the Governor and General Assembly to include full funding in the State's FY2013-14 budget for the Partnership.

Adopted this the 1st day of April, 2013, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

HYDE COUNTY BOARD OF COMMISSIONERS, NORTH CAROLINA

# COUNTY OF HYDE

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

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Clerk to the Board

**Resolution Endorsing Continued Channel Markers for the Alternate Hatteras-Ocracoke Ferry Route**

**WHEREAS**, Hyde County strongly endorses a proposal to maintain channel markers for the alternate Hatteras-Ocracoke ferry route currently being utilized. Once this dredging project is finished and the regular route is back in use, leaving the alternate route marked would provide faster relief in an emergency when the preferred route is again lost due to shoaling.

**NOW, THEREFORE, BE IT RESOLVED** that copies of this resolution be forwarded to the Honorable Pat McCrory, NC Governor, the Hyde County Legislative Delegation to the North Carolina General Assembly, Harold Thomas, Director North Carolina Ferry Division, Dare County Oregon Inlet & Waterways Commission and the Ocracoke Civic & Business Association, Inc.

Adopted this the 1st day of April, 2013, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

HYDE COUNTY BOARD OF COMMISSIONERS · NORTH CAROLINA

**Board of Commissioners**
[illegible] Swindell, Chair
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30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
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Clerk to the Board

**Resolution Expressing Concern for the Governor's 2013-14 Budget Proposal in Regard to the N.C. Rural Economic Development Center, the Golden LEAF Foundation and the NCCAT Center**

**WHEREAS,** Governor McCrory released a budget proposal for 2013-14 that threatens the pace of economic recovery in North Carolina's 85 rural counties;

**WHEREAS,** the proposed 2013-14 budget calls for a reduction of $10 million in the appropriation to the N.C. Rural Economic Development Center which will decrease funds for rural projects by more than 60 percent; eliminate the potential for creating 2,000 new jobs in the next year and every year that the reduction continues; and drastically limit the Center's ability to serve the needs of rural N.C. counties;

**WHEREAS,** the proposed 2013-14 budget diverts all of the funds that the Golden LEAF Foundation would normally receive beginning in April 2014 and thereafter which will restrict Golden LEAF's ability to help grow the N.C. economy;

**WHEREAS,** the proposed 2013-14 budget diverts all annual state funding to the North Carolina Center for the Advancement of Teaching housed on both Ocracoke Island and Cullowhee, N.C., resulting in the closing of both facilities;

**WHEREAS,** the N.C. Rural Economic Development Center has contributed grant funds to Hyde County for projects including but not limited to the creation and construction of the Swan Quarter and Engelhard Sanitary Districts, the Engelhard Water Plant, the reconstruction of the Historic Courthouse and other Swan Quarter Revitalization projects through the Small Towns Economic Prosperity Program, the creation of the e-NC Public Access Site, and the saving of the last fish house on Ocracoke Island;

**WHEREAS,** the N.C. Rural Economic Development Center has provided the basis for enhancing community leadership and knowledge by training Hyde County staff to successfully apply for grant funds, monitor engineering firms, stay compliant with state and federal regulations, and train community leaders through the Rural Economic Development Leadership Program;

**WHEREAS,** the Golden LEAF Foundation has contributed grant funds to Hyde County for projects including but not limited to the construction of the Engelhard Marine Industrial Park building, engineering and design for sewer projects, saving the last fish house on Ocracoke Island, construction of the Engelhard Medical Center; and contributed grant funds to partners such as NC State University to support Unmanned Aerial Vehicle testing at the Engelhard Airport and to NC CATCH to support the promotion of fresh local seafood from Hyde County and other NC coastal counties;

**WHEREAS,** the North Carolina Center for the Advancement of Teaching has a vision to help every N.C. teacher grow in knowledge, skills, compassion, and professionalism so that every student becomes engaged, self-motivated and successful;

**WHEREAS,** the North Carolina Center for the Advancement of Teaching helps to retain the most caring, highly qualified, and skilled teachers necessary to positively impact the quality of public education in North Carolina;

**WHEREAS,** the closing of the North Carolina Center for the Advancement of Teaching's fully renovated campus on Ocracoke Island would result in job loss, loss of indirect economic benefit, and the closing of one of N.C.'s coastal landmarks;

**NOW, THEREFORE, BE IT RESOLVED** that Hyde County adamantly opposes the proposed cuts to the N.C. Rural Economic Development Center, the Golden LEAF Foundation and the N.C. Center for the Advancement of Teaching and copies of this resolution will be forwarded to the Honorable Pat McCrory; the Hyde County Legislative Delegation to the North Carolina General Assembly; The N.C. Rural Economic Development Center; The Golden Leaf Foundation and the N.C. Center for the Advancement of Teaching.

Adopted this the 1st day of April, 2013, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell
Barry Swindell, Chairman

HYDE COUNTY BOARD OF COMMISSIONERS NORTH CAROLINA

BOARD OF COMMISSIONERS
OF THE COUNTY OF HYDE,
NORTH CAROLINA

**PROCLAMATION**
**WEEK OF THE YOUNG CHILD**
**APRIL 14-20, 2013**

**Whereas**, the Beaufort/Hyde Partnership for Children and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 14th-20th, 2013; and

**Whereas**, these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Hyde County, NC; and

**Whereas**, child care providers, teachers, parents, and others who make a difference in the lives of young children in Hyde County, NC deserve thanks and recognition; and

**Whereas**, public policies that support early learning for all young children are crucial to young children's futures;

**NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners do hereby proclaim April 14th- 20th as the Week of the Young Child in Hyde County, NC and encourage all citizens to work to make a good investment in early childhood.**

Adopted this the 1st day of April, 2013 in Hyde County, North Carolina.

Barry Swindell, Chair
Hyde County Board of Commissioners

Attested by:

Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners

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

**PROCLAMATION**
**CHILD ABUSE PREVENTION MONTH**
**APRIL 2013**

**Whereas,** children are vital to our state's future success, prosperity and quality of life as well as being our most vulnerable assets;

**Whereas,** all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;

**Whereas,** child abuse and neglect is a community responsibility affecting both the current and future quality of life o a community;

**Whereas,** communities that provide parents with the social support, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential;

**Whereas,** effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

**NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners do hereby proclaim April as "CHILD ABUSE PREVENTION MONTH," and call upon all citizens, community agencies, faith groups, medical facilities, other elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in Hyde County.**

Adopted this the 1st day of April, 2013 in Hyde County, North Carolina.

Barry Swindell, Chair
Hyde County Board of Commissioners

Attested by:

Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners

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

# PROCLAMATION
## PUBLIC HEALTH MONTH
## APRIL 2013

**WHEREAS**, we hereby recognize and acknowledge public health's 132 years of service to the residents of North Carolina and the immeasurable contribution of these services to the quality of life in our State; and

**WHEREAS**, North Carolina's public health system is a critical component of the state's emergency response to natural and man-made disasters and widespread disease outbreaks in North Carolina; and

**WHEREAS**, public health measures to control and eliminate infectious diseases, improve environmental sanitation, and promote healthy lifestyle practices have been the greatest cause of improved health status and increased life expectancy for North Carolina's residents, such that North Carolinians now have an average life expectancy at birth of more than 80 years; and

**WHEREAS**, public health plays a critical role in eliminating health inequities and preventing chronic diseases and injuries, resulting in improved productivity and decreased health care costs for all North Carolinians; and

**WHEREAS**, a continued focus on promoting public health programs that provide accessible, high quality medical care and that promote healthy lifestyles for women of childbearing has resulted in a more than 11percent decline in infant mortality, the lowest rate in the state's history; and

**WHEREAS**, a continued focus on prevention has resulted in a more than 29 percent decline in age-adjusted heart disease death rates since 2000, a more than 38 percent decline in age-adjusted stroke death rates since 2000, and an almost 35 percent decline in the teen pregnancy rate since 2000; and

**WHEREAS**, state government is committed to a continued emphasis on prevention in Public Health and helping North Carolina reach a better state of health through actions outlined in the Healthy North Carolina 2020 Objectives; and

**WHEREAS**, the Healthy North Carolina 2020 health objectives represent a 10-year plan to improve the health of all North Carolinians by working to promote access to preventive and needed health services; foster positive and supportive living and working conditions in our communities; and support individuals in developing the capacities and skills to achieve healthy living; and

**WHEREAS**, communities, employers, hospitals and health care providers, individuals and families, insurers, legislators and policy makers, schools and child care facilities must work together to identify and develop innovative solutions to health problems facing the people of North Carolina;

**NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners do hereby proclaim April 2013 as "PUBLIC HEALTH MONTH," and urge our citizens to recognize that public health is working to ensure that all people living in Hyde County are protected from threats such as influenza, food borne disease, injury and chronic diseases such as diabetes, heart disease and asthma.**

Adopted this the 1st day of April, 2013 in Hyde County, North Carolina.

Barry Swindell, Chair
Hyde County Board of Commissioners

Attested by:

Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners