

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

Meeting Date: August 7, 2017
Presenter: Chairman Earl Pugh, Jr.
Attachment: No

ITEM TITLE: OPENING

SUMMARY: Call to Order
Opening Prayer
Pledge of Allegiance

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

Meeting Date: August 7, 2017
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the August 7, 2017 Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

Motion Made By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Motion Seconded By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Vote: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING

MONDAY, AUGUST 7, 2017 – 6:00 PM

CALL TO ORDER

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

- 1) July 10, 2017 Regular Meeting Minutes

PUBLIC HEARINGS

- 1) CDBG Sewer Grant Chris Hilbert, Holland Consulting Planners
 - a. Resolution – Approval to File Application for CDBG Funding With The State of North Carolina

INTRODUCTION (none)

PRESENTATIONS

- 1) Update on Ocracoke Power Outage Mgr. Rich
- 2) Update on Hyde County Leadership Forum on Opioid Abuse Mgr. Rich

EMPLOYEE RECOGNITION

PUBLIC COMMENTS

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

ITEMS OF CONSIDERATION

1) Ordinances, Resolutions, Proclamations

- a. Project Budget Ordinance Stream Removal Daniel Brinn

2) Appointment

- a. Re-appointment of Hyde County Health Board Members Luana Gibbs

- 3) Joint Use Agreement Hyde County Schools Mgr. Rich

- 4) Joint Meeting with Board of Education Mgr. Rich
- 5) MOU Mattamuskeet Association Daniel Brinn
- 6) Internet Sweepstakes Café Mgr. Rich & Sheriff Cahoon
- 7) Disposition of County Property – Ocracoke Mgr. Rich
- 8) Disposition of County Property – Pat’s Road Mgr. Rich
- 9) Revolving Loan Fund – Coast & Go Mgr. Rich
- 10) Revolving Loan Fund – Brooks Produce Mgr. Rich

BUDGET MATTERS

HEALTH

- a) Pregnancy Care Management (PCM)

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 (discussion and possible action if required)

ADJOURN

SUPPLEMENTAL INFORMATION

Department Reports

- 1) Tax Department (requires signature)
- 2) Inspections
- 3) Human Resources
- 4) Health Department
- 6) Department of Social Services

Informational Items

- 1) Thank You Letter From John and Mary Weaver
- 2) Chowan County – Resolution – Farm Equipment
- 3) Albemarle Commission - Community Advisory Committee Quarterly/Annual Visitation Reports

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

Meeting Date: August 7, 2017
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the July 10, 2017 Regular Meeting Minutes of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

Motion Made By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Motion Seconded By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Vote: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

1 **REGULAR MEETING MINUTES**

2 **BOARD OF COUNTY COMMISSIONERS**
3 **HYDE COUNTY**

4
5 **Monday, July 10, 2017 at 6:00p.m.**

6
7 Following opening prayer by Commissioner Dick Tunnell and Pledge of Allegiance, Chairman Pugh called the
8 Regular Meeting of the Hyde County Board of Commissioners to order at 6:00pm, on Monday, July 10, 2017, in the
9 Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic
10 conferencing equipment.

11 The following members were present on the mainland: Chairman Earl Pugh, Jr., Commissioners Tom Pahl and Dick
12 Tunnell; County Manager Bill Rich; Assistant County Manager Kris Cahoon-Noble; Attorney Fred Holscher, Clerk to
13 the Board Lois Stotesberry; and, members of the public.

14 Public Information Officer Donnie Shumate and members of the public were present on Ocracoke.

15
16 Vice-chairman Barry Swindell and Commissioners Ben Simmons were absent.

17
18 **AGENDA:**

19 Commissioner Pahl moved to approve the July 10, 2017 Hyde County Board of Commissioners Regular Meeting
20 Agenda as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes
21 – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

22 **CONSIDERATION OF MINUTES:**

23 Commissioner Tunnell moved to approve the June 5, 2017 Hyde County Board of Commissioners Regular Meeting
24 Minutes with correction on page 4, line 8 – Commissioner Pahl moved to increase Ocracoke Occupancy Tax from 3%
25 to 5% ~~by January 2018~~ on January 1, 2018. Mr. Pahl seconded the motion. The motion passed on the following vote:
26 Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

27 **INTRODUCTION:**

28 **David Millis**

29 Bill Rich, County Manager, introduced David Millis. Mr. Millis is a 19-year corrections veteran who most recently
30 served as assistant superintendent for custody and operations at Bertie Correctional Institution. He began his career as
31 a corrections officer at Pamlico Correctional Institution in 1998 and worked there for most of his career, advancing to
32 the rank of captain. Mr. Millis is a native of Jacksonville and a graduate of Craven Community College. He is a
33 veteran of the U.S. Coast Guard and U.S. Coast Guard Reserve.

34 **PRESENTATIONS:**

35 **Staffing at Hyde Correctional Institution**

36 David Millis, Superintendent at Hyde Correctional Institution introduced Rhonda Hendricks, Career Readiness
37 Coordinator with NC Department of Public Safety and Rita Woods, Career Coach at Hyde and Tyrrell Correctional
38 Institutes. Inmate population consists of approximately 630 medium custody and 75 minimum custody inmates.

39 Rhonda Hendricks discussed staffing shortages at the Hyde County medium security prison. Currently there are 60
40 vacant Correctional Officer I and II positions at the prison out of 130 to 140 officer positions. Ms. Hendricks reported

1 starting annual base pay for qualified entry level Correctional Officer I is \$30,856.00 and Correctional Officer II is
2 \$31,904.00 with holiday and shift premium.

3 Applicants may apply at the facility or applications may be filed online at <http://www.oshr.nc.gov/jobs/index.html>.

4 **Economic Improvement Council, Inc.**

5 Dr. Landon B. Mason, Sr., Executive Director, Economic Improvement Council, Inc. presented overview of agency
6 services and reported return on investment in Hyde County.

	<u>Families Served</u>	<u>Average Spent Per Customer</u>	<u>Annual Dollars Spent</u>
Section 8	23	\$424.00	\$117,192.00
Head Start	17	\$8,724.00	\$148,308.00
CSBG	7	\$3,534.00	\$24,740.00
Weatherization	4	\$5,887.00	\$23,549.00
TOTAL	51	\$4,642.25	\$313,789.00

11

12 **Senior Tar Heel Legislature Report**

13 Jan Moore, Senior Tar Heel Legislature (STHL), Hyde County Delegate, presented report on the STHL meeting held
14 in Chapel Hill, on June 13-14, 2017. Topics discussed at the conference included Aging and Adult Services, Senior
15 Health Insurance, NC Adult Day Services, On-line Drug Order Companies, NC In-Home Aide Program, and Hospice
16 and Palliative Care. Ms. Moore reported 10,000 people a day in North Carolina will turn age 65. She reported Hyde
17 County's State Health Insurance Assistance Program (SHIP) Coordinator is Jessica Gibbs. Jessica can be reached at
18 the Hyde County Senior Center.

19 **State Budget for FY17-18 School Year**

20 Superintendent Dr. Randolph Latimore and Board of Education Chairman Randy Ethridge presented report on the
21 State Budget for the FY2017-2018 school year. Due to projected deficit of approximately \$300,000.00 Dr. Latimore
22 and the Board are working to reduce the overall budget in order to meet appropriated revenue from all sources and
23 to maintain existing programs and staff. The Board of Education will start the new year off with a balanced budget.
24 Dr. Latimore reported "as revenue increases for the school system, the Board will re-evaluate its actions and make
25 decisions that are in the best interest of the children and its employees".

26 Chairman Randy Ethridge presented possible dates for both Boards to meet in August to discuss ways to make the
27 school system better for the children of Hyde County Schools and discussion regarding the reduced funding from the
28 state for the 2017-18 school year and projected reduction as reflected in the state budget for the 2018-19 school year.

29 **Hyde County Leadership Forum on Opioid Abuse**

30 Kris Noble, Assistant County Manager, reported due to increase in opioid abuse and a 14% increase in drug overdose
31 deaths in the one-year period between 2014 and 2015 in North Carolina the National Association of Counties and the
32 National League of Cities join together to reverse this public health threat. According to the NCACC, "It is time for
33 county commissioners to take a leadership role in addressing the fundamental causes of this problem and initiate local
34 steps to intervene in these trends."

35 Ms. Noble reported a group of internal stakeholders from the Managers Office, EMS, DSS, Health Department and the
36 Sheriff's Office have met and identified key stakeholders and identified Hyde County's desired goals to include:

- 1 • To create and implement a comprehensive education/prevention program.
- 2 • To identify treatment options, identify barriers to treatment, work towards creation of more treatment
- 3 resources and methods to open treatment to those in need.

4 Luana Gibbs, Interim Health Director, noted more resources are needed for law enforcement.

5 Ms. Noble reported Hyde County will hold a Leadership Forum on Thursday, July 13, 2017 to engage local elected
6 leaders in an informed discussion about the opioid epidemic, and develop collaborative strategies that enhance
7 prevention, education and treatment.

8 Commissioner Tunnell moved to authorize Chairman Pugh to issue letters of support for grant funding over the next
9 month. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell;
10 Nays – None; Absent or not voting – Swindell and Simmons.

11 **Mattamuskeet Watershed Restoration Plan**

12 Bill Rich, County Manager, presented review of the Mattamuskeet Watershed Restoration Plan. Mr. Rich reported
13 Hyde County, the N.C. Wildlife Resources Commission and the U.S. Fish and Wildlife Service have come together to
14 support the development of a watershed restoration plan for the Lake which will help protect its natural and cultural
15 heritage. Six public meetings will be held to discuss long-term solutions for Lake Mattamuskeet's watershed, its
16 declining water quality and changing Lake water levels.

17 When completed, the watershed management plan will explain how the Lake should and does function, its current
18 status and health, and identify various practical management options for the Lake watershed that help address water
19 quality and flooding issues. These goals, and the actions necessary to achieve them, will be informed by past and
20 ongoing scientific studies as well as local knowledge and experiences. The plan will be completed in the fall of 2018.
21 More information about the plan can be found at www.nccoast.org/lakemattamuskeet. Questions about the watershed
22 restoration plan can be directed to Erin Fleckenstein, coastal scientist for the North Carolina Coastal Federation's
23 Wanchese office at (252) 473-1607.

24 **PUBLIC COMMENTS:**

25 **Peter Vankevich, Ocracoke Observer** – requested the Board set up an advisory committee to discuss the need for
26 affordable housing on the Island; and, reported more speed limit signs are needed on the Hatteras end of Ocracoke.

27 **Wade Hubers, Ponzer** – requested the Board be proactive about renewable energy (wind & solar). He reported the
28 estimated cost to decommission a solar farm, to clean up toxic chemicals, is approximately \$10,000.00 per acre.

29 **Chairman Pugh** – reported Hyde County has a moratorium on solar and wind farms.

30 **Commissioner Pahl** – recommended the Board look at a fair compromise for renewable resources and advised a
31 moratorium should not be permanent.

32

33 There being no further comment from the public, Chairman Pugh continued the meeting.

34 **ITEMS OF CONSIDERATION:**

35 **Resolution To Create An Ocracoke Waterways Commission**

36 Commissioner Tom Pahl presented a resolution proposing the formation of and appointing members to an
37 Ocracoke Waterways Commission. The Waterways Commission will function under the authority of the Board

38

1 of Commissioners. The purpose of the Commission will be to formulate and implement solutions and to address
2 regulatory issues, funding and policies as they relate to the navigable waterways around Ocracoke Island. An
3 organizational meeting of the Commission and appointment of officers will be held in August.

4 Commissioner Tom Pahl moved to adopt Resolution to Create an Ocracoke Waterways Commission. Mr. Pugh
5 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None;
6 Absent or not voting – Swindell and Simmons.

7 *Clerk's Note: A copy of "Resolution To Create An Ocracoke Waterways Commission" is attached herewith as Exhibit A
and incorporated herein by reference.*

8
9 Commissioner Tom Pahl moved to appoint the following citizens to serve on the Ocracoke Waterways Commission
10 with initial appointments as follows, and then all succeeding appointments will be three-year terms made at the
11 regular July meeting of the Hyde County Board of Commissioners:

- 12 • Ex-officio – Ocracoke Commissioner Tom Pahl
13 (to serve concurrently with his term on the Board of Commissioners)
- 14 • One-year Term
15 ◦ Justin LeBlanc
16 ◦ Erick O'Neal
- 17
18 • Two-year Term
19 ◦ Darlene Styron
20 ◦ Vince O'Neal
- 21
22 • Three-year Term
23 ◦ Rudy Austin
24 ◦ David Hilton

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

27 **Resolution In Opposition of House Bill 867**

28 Bill Rich, County Manager, reported that although the state had tabled House Bill 867 it is necessary for the Board of
29 Commissioners to adopt a resolution in opposition of HB867. The Hyde County Board of Commissioners stands
30 steadfast in their resolution of no confidence in the North Carolina Marine Fisheries Commission and also in their
31 resolution against amending 15A in the attempt to designate special secondary nursery areas and reduce bycatch
32 mortality in North Carolina fishing waters.

33 Commissioner Dick Tunnell moved to adopt Hyde County Board of Commissioners Resolution In Opposition of
34 House Bill 867. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and
35 Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

36
37 *Clerk's Note: A copy of "Hyde County Board of Commissioners Resolution In Opposition of House Bill 867" is attached
38 herewith as Exhibit B and incorporated herein by reference.*

1 **Project Budget Ordinance Mattamuskeet Watershed Restoration Plan – North Carolina Local Planning And**
2 **Management Grant Program**

3 Kris Noble, Assistant County Manager, reported the Coastal Federation has contracted with the U.S. Fish & Wildlife
4 Service, the North Carolina Wildlife Resources Commission and Hyde County to complete a Mattamuskeet Watershed
5 Restoration Plan. The total cost of the plan is \$75,000.00 with \$30,000.00 coming from Federal sources, \$30,000.00
6 coming from State sources and \$15,000.00 coming from Hyde County in the form of NC Local Planning and
7 Management Grant Program.

8 Project Description: Development of a Watershed Restoration Plan for the Mattamuskeet Watershed.
9 The Restoration Plan will include a framework to restore an impaired waterbody, and provide guidance for future
10 protection of the waterbody. Additionally, the plan will include the nine key elements required by the EPA to qualify
11 for 319 grant funding. Local match of \$5,000.00 will be from WRC/USFWS.

12 Ms. Noble noted that the \$5,000.00 Local Cash Contribution on the grant contract refers to federal and state revenues
13 and is therefore not shown on this project budget ordinance.

14 Commissioner Dick Tunnell moved to adopt Hyde County – Mattamuskeet Restoration Plan North Carolina Local
15 Planning and Management Grant Program Project Budget Ordinance. Mr. Pugh seconded the motion. The motion
16 passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and
17 Simmons.

18 *Clerk's Note: A copy of "Hyde County – Mattamuskeet Restoration Plan North Carolina Local Planning and Management
Grant Program Project Budget Ordinance" attached herewith as Exhibit C and incorporated herein by reference.*

19
20
21 **Brunch Bill: Alcohol Sales Before Noon on Sundays**

22 Bill Rich, County Manager, reported on June 28, 2017, the North Carolina General Assembly passed Senate Bill 155,
23 known as the "Brunch Bill" and sent it to Governor Roy Cooper to be signed into law. The "Brunch Bill" allows the
24 sale of alcohol beginning at 10:00a.m., on Sunday instead of 12:00 noon, subject to individual county approval. Many
25 of the visitors to Ocracoke Island come from states where this law is already in effect. Forty-eight (48) states have
26 already passed the law that allows the 10:00a.m. sale of alcoholic beverages on Sunday.

27 Commissioner Tom Pahl moved to adopt Ordinance No. 2017-07-01 – An Ordinance To Allow the Sale of Alcoholic
28 Beverages Before Noon on Sundays at Licensed Premises. Mr. Tunnell seconded the motion. The motion passed on
29 the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

30 *Clerk's Note: A copy of "Ordinance No. 2017-07-01 – An Ordinance To Allow the Sale of Alcoholic Beverages Before
Noon on Sundays at Licensed Premises" is attached herewith as Exhibit D and incorporated herein by reference.*

31
32 **Appointment of Donnie Shumate To The Ocracoke Community Center Board**

33 Commissioner Tom Pahl moved to appoint Donnie Shumate, Information Technology Manager and Public
34 Information Officer, to serve on the Ocracoke Community Center Board. Mr. Tunnell seconded the motion. The
35 motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell
36 and Simmons.

37 **Appointment of Donnie Shumate As Deputy Clerk**

38 Commissioner Tom Pahl moved to appoint Donnie Shumate, Information Technology Manager and Public
39

1 Information Officer, to serve as Deputy Clerk to the Hyde County Board of Commissioners. Mr. Tunnell seconded
2 the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not
3 voting – Swindell and Simmons.

4
5 **Appointment of Willie Sue Green and Jessica Gibbs To The DSS Board**

6 Laurie Potter, Director, Hyde County DSS, reported at the DSS Board meeting on May 8, 2017 the Board
7 recommended appointment of Willie Sue Green to serve a three year term on the DSS Board. Ms. Potter reported at
8 the meeting held on June 14, 2017 the Social Services Commission recommended Jessica Gibbs be re-appointed to
9 serve another three year term on the DSS Board.

10 Commissioner Tom Pahl moved to appoint Willie Sue Green and to re-appoint Jessica Gibbs to serve a three year term
11 each on the Department of Social Services Board. Mr. Tunnell seconded the motion. The motion passed on the
12 following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

13 **Designation of Voting Delegate to NCACC Annual Conference**

14 Commissioner Dick Tunnell moved to appoint Chairman Earl Pugh, Jr. to represent the Hyde County Board of
15 Commissioners as Designated Voting Delegate at the 110th NCACC Annual Conference to be held in Durham County,
16 NC on August 10-13, 2017. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes –
17 Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

18 **Hyde County Tax Assessor**

19 Commissioner Tom Pahl moved to appoint Linda M. Basnight to serve another four year term as Hyde County Tax
20 Assessor. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell;
21 Nays – None; Absent or not voting – Swindell and Simmons.

22
23 **Water Asset Inventory and Assessment Grant**

24 Clint Berry, Utilities Director, reported the Utilities Department has received a grant from the State of North Carolina
25 (Division of Water Infrastructure) for \$120,000.00 to do an Asset Management Plan. A 5% local match of \$6,000.00
26 is required. Mr. Berry reported Green Engineering will be developing the plan.

27 Commissioner Tom Pahl moved to approve Water System Asset Inventory & Assessment. Mr. Tunnell seconded the
28 motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting
29 – Swindell and Simmons.

30 **Split Health Insurance Amount Set for County Manager**

31 Bill Rich, County Manager, requested Board approval to change the health insurance reimbursement rate in Section 13
32 of his contract. The health insurance reimbursement rate is locked in at the 2014-2015 rate of \$650.18 per month
33 (\$7,802.16 per year) for the balance of his contract. Mr. Rich would like to change this effective 07-01-2017 and
34 receive \$233.51 per month and give the remaining \$5,000.00 to the Assistant County Manager as a salary adjustment.

35 Proposed change to Contract:

36 **SECTION 13 – INSURANCE**

37 ***Employer agrees to reimburse County Manager at the 2014-15 County Health Insurance Rate of \$650.18 as long as***
38 ***proof of credible health insurance is provided. Effective July 1, 2017, County Manager will receive a \$233.51 per***
39 ***month stipend for his health insurance supplement and the remaining \$5,000.00 will be used as a salary adjustment***
40 ***for the Assistant County Manager.***

1 Commissioner Tom Pahl moved to approve request to change the health insurance reimbursement rate (Section 13) of
2 County Manager Bill Rich's employment contract with Hyde County. Mr. Tunnell seconded the motion. The motion
3 passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and
4 Simmons.

5 Commissioner Tom Pahl moved to approve request for a \$5,000.00 salary increase in the Assistant County Manager
6 salary line as stated. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl
7 and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

8 **Petition for Adjustment Need Determination for Hospice Home Care Office in Hyde County**

9 Kris Noble, Assistant County Manager, and Geraldine Weatherly, Manager of Cross Creek Health Care, reported
10 Liberty Healthcare owns and operates Cross Creek Health Care Center in Swan Quarter. Cross Creek provides a
11 complete continuum of care including short-term rehabilitation, long-term care, hospice care and out-patient therapy.
12 Cross Creek provides an invaluable service to residents of Hyde County and is one of the largest job providers in the
13 county.

14 Prior to the spring of 2016, Curo Health Services provided hospice care to Hyde County Mainland and Ocracoke
15 Island out of an office at the Davis Center in Engelhard. In the spring of 2016, Curo closed their office and
16 discontinued service. The closing of Curo left Hyde County citizens, especially those in Ocracoke with decreased or
17 no hospice care. Hyde County partnered with local doctors and medical centers and Hyde County Health Department
18 and EMS in the short term for care. In the long term, Hyde County worked with their lobbyist to petition the NC
19 Department of Health and Human Services (NCDHHS) to allow Amedysis, a hospice provider in Washington County,
20 to modify their Certificate of Need (CON) to serve Ocracoke.

21 Liberty Healthcare now intends to file a petition for Adjustments to Need Determination regarding Hyde County
22 Hospice service which will allow Liberty to provide hospice in-home services to Hyde County. Liberty already offers
23 home care and offering hospice expands their services ensuring their financial viability and adequate health care option
24 for the citizens of Hyde County.

25 Commissioner Dick Tunnell moved to approve sending a letter of support for Liberty Home Care VII, LLC d/b/a
26 Liberty Home Care Services to petition for an adjusted Need Determination for a hospice home care office in Hyde
27 County in the 2018 State Medical Facilities Plan. Mr. Pahl seconded the motion. The motion passed on the following
28 vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

29 **Swan Quarter Service District Loan Assistance**

30 Daniel Brinn, Water and Flood Control Coordinator, reported at the March 2017 Board of Commissioners meeting,
31 Hyde County was approached by the Swan Quarter Steering Committee for assistance in replacement of tidegates
32 throughout West Quarter Dike. The Committee requested a loan through Tideland EMC to purchase ten (10)
33 fabricated aluminum gates to be installed as follows:

- 34 • 5 gates at West Canal
- 35 • 1 gate at Quarter Canal
- 36 • 3 gates at Double Canal
- 37 • 1 gate at Juniper Canal

38 The Board voted unanimously to approve moving forward in securing a loan from Tideland EMC in the amount of
39 \$110,000.00 for the purchase of replacing leaking tidegates.

1 Commissioner Dick Tunnell moved to: 1) authorize the county manager to work with the county attorney to create a
2 contractual relationship between the County and the Swan Quarter Service District in which the group is obligated to
3 repay Hyde County any funds with which the County assists the district; and, 2) authorize the county manager to enter
4 into the financing alternative, close the loan, receive the funds, make payment to the Swan Quarter Service District and
5 begin receiving loan payments in August 2017. Mr. Pahl seconded the motion. The motion passed on the following
6 vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

7 **National Park Service Property – Potential Gift to Hyde County**

8 Bill Rich, County Manager, discussed a potential gift of property owned by the National Park Service to Hyde County.

9 Mr. Rich will invite Dave Hallac, Superintendent, National Park Service, Cape Hatteras Group, to attend the next
10 regularly scheduled Board of Commissioners meeting on Monday, August 7, 2017, to discuss the property further.

11 **Potential Sale of County Owned Property – Ocracoke Parcel**

12 Bill Rich, County Manager, and Fred Holscher, County Attorney, discussed a potential sale of county-owned property
13 located behind the Flying Melon Restaurant on Ocracoke in Hyde County. Discussion was tabled.

14 **RFP#H06-2017-AT1-F450X2 – Ambulances**

15 Justin Gibbs, Emergency Services Director, made recommendation to accept the lowest responsive and responsible bid
16 of \$347,632.00 for two (2) Type I Ford F-450 ambulances.

17 Commissioner Tom Pahl moved to: 1) accept proposal of \$347,632.00 from the lowest responsive/responsible bidder
18 “Select Custom Apparatus” and, 2) grant the County Manager authority to execute the contract once issues are
19 resolved with FEMA. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh,
20 Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

21 **RFP#H06-2017 – Debris Monitoring Services**

22 Justin Gibbs, Emergency Services Director, made recommendation to accept the lowest responsive and responsible bid
23 of \$390,885.00 for debris monitoring services.

24 Commissioner Dick Tunnell moved to: 1) accept proposal of \$390,885.00 from the lowest responsive/responsible
25 bidder “Landfall Strategies” contingent upon review of a drafted contract and approval by the County Attorney; and, 2)
26 grant the County Manager authority to execute the contract. Mr. Pahl seconded the motion. The motion passed on the
27 following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

28 **Office Space Changes**

29 Bill Rich, County Manager, reported hires within Hyde County Cooperative Extension and Hyde County
30 Administration have created the need for additional space within the Hyde County Government Center.

31 Chairman Earl Pugh, Jr. moved to: 1) authorize the County Manager to work with the Sheriff and Building
32 Maintenance to move the offices of the Board of Elections and Veterans Services to vacant space within the Hyde
33 County Public Safety Center; and, 2) authorize the County Manager to work with Hyde County Soil & Water to
34 relocate offices into the suite currently utilized by Elections and Veterans Services. Mr. Tunnell seconded the motion.
35 The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting –
36 Swindell and Simmons.

37

1 **BUDGET TRANSFERS:**

2 Bill Rich, County Manager, presented the following budget transfers for Board of Commissioner approval:

3
4 **Health**

5 a) BR1-18 – Primary Care – Adult Health	\$ 1,200.00
6 b) BR2-18 – Farmer’s Market	\$ 2,997.00
7 c) BR3-18 – Maternal Health	\$ 11,502.17

8
9 Commissioner Tom Pahl moved to approve the Health Department budget transfers as presented. Mr. Tunnell
10 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None;
11 Absent or not voting – Swindell and Simmons.

12
13 **MANAGEMENT REPORTS:**

14 **Chairman Earl Pugh, Jr.** – attended the Albemarle Commission Workforce Development meeting in Hertford,
15 Ocracoke Working Watermen (phone conference), Ocracoke Festival and Ocracoke Fireworks.

16 **Commissioner Tom Pahl** – attended Dare County Waterways Commission meeting and worked on developing an
17 Ocracoke Waterways Commission, Hyde Coalition for Children, Ocracoke Civic and Business Association
18 (OCBA) meeting, Whitney Knollenberg – NCSU Seasonal Employment Presentation, Emergency Management
19 Team meeting, Hyde Transit meeting and Ocracoke 4th of July Fireworks.

20 **Commissioner Dick Tunnell** – attended Mid-East Housing meeting.

21 **Vice-chairman Barry Swindell** – absent.

22 **Commissioner Ben Simmons** – absent.

23 **County Manager Bill Rich** – reported on progress at the Ocracoke Convenience Site and noted work to be done
24 on fencing and drainage next week. Manager Rich’s June, 2017 calendar was provided.

25 **Assistant County Manager/Planner Kris Cahoon Noble** – no report.

26 **PUBLIC COMMENTS:**

27 **Connie Leinbach, Ocracoke** – reported the Ocracoke Convenience Site looks better and thanked the Board for
28 sponsoring the Fireworks.

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

30 **CLOSED SESSION:** (none)

31 **ADJOURN:**

32
33 Commissioner Pahl moved to adjourn the meeting. Mr. Tunnell seconded the motion. The motion passed on the
34 following vote: Ayes – Pahl, Pugh and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

35 The meeting adjourned at 8:37p.m.
36
37

1 Respectfully submitted:

2
3 Minutes approved on the 7th day of August, 2017.

4
5 Attest:

6
7
8
9 _____
10 Lois Stotesberry, CMC, NCCCC
11 Clerk, Hyde County Board of Commissioners

Earl Pugh, Jr.
Chair, Hyde County Board of Commissioners

12
13 Attachments:

- 14 **Exhibit A: “Resolution To Create An Ocracoke Waterways Commission”**
15 **Exhibit B: “Hyde County Board of Commissioners Resolution In Opposition of House Bill 867”**
16 **Exhibit C: “Hyde County – Mattamuskeet Restoration Plan North Carolina Local Planning and Management Grant**
17 **Program Project Budget Ordinance”**
18 **Exhibit D: “Ordinance No. 2017-07-01 – An Ordinance To Allow the Sale of Alcoholic Beverages Before Noon on Sundays**
19 **at Licensed Premises”**

DRAFT

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

Meeting Date: August 7, 2017
Presenter: Chris Hilbert, Holland Consulting
Attachment: Yes

ITEM TITLE: CDBG SEWER PUBLIC HEARING & GRANT

SUMMARY: Hyde County intends to submit an application for a grant of approximately \$1,152,760 in CDBG Infrastructure funds to extend sanitary sewer force main approximately 8,950 linear feet to serve approximately 63 households in Hycienda Heights located on Highway 264, Engelhard and Greenhill Road, Engelhard. The purpose of the public hearing is to obtain citizen's views and answer any questions posed by citizens.

RECOMMEND: CONDUCT PUBLIC HEARING

Motion Made By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Motion Seconded By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Vote: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

**NOTICE OF PUBLIC HEARING
RELATIVE TO APPLICATION
BY HYDE COUNTY
FOR FUNDING UNDER THE HOUSING AND COMMUNITY
DEVELOPMENT ACT OF 1974, AS AMENDED**

Notice is hereby given that the Hyde County Board of Commissioners will conduct a public hearing on Monday, August 7, 2017, at 6:00 PM, or as soon thereafter as the agenda will allow, at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, relative to the intention of the county to apply for FY2017 CDBG funding under Title I of the Housing and Community Development Act.

Hyde County intends to submit an application for a grant of approximately \$1,152,760 in CDBG Infrastructure funds to extend sanitary sewer force main approximately 8,950 l.f. to serve approximately 63 households in the Hycienda Heights, Engelhard area.

The following is a tentative list of proposed activities and an estimated budget. The final application will be reviewed at the public hearing.

Sewer Improvements and
Grant Administration Estimated Budget \$1,152,760

The proposed project will provide benefits to approximately sixty-three households, 85% of whom are low and moderate income individuals based on statistics and surveys performed by county representatives. No individuals will be displaced nor will any require temporary relocation assistance as a result of the proposed project.

Citizens will be given the opportunity to provide oral and written comment on the county's past and proposed use of CDBG funds at the public hearing. All interested citizens are encouraged to attend.

If additional information is needed, please contact the Hyde County Assistant County Manager at 252-926-4180. Formal written complaints or comments concerning the application process that are submitted to the Assistant County Manager prior to or following the public hearing will be responded to within ten working days by Hyde County Board of Commissioners. A copy of the completed project application will be available for public review after September 29, 2017, at the Hyde County Planning and Economic Development Office, Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC.

Persons with disabilities or who otherwise need assistance should contact Kris Noble, Assistant County Manager, at 252-926-4180 or knoble@hydecountync.gov (TDD # 919-807-4420 or Relay North Carolina 1-800-735-2962) by Thursday, August 3, 2017. Accommodations will be made for all who request assistance with participating in the public hearing.

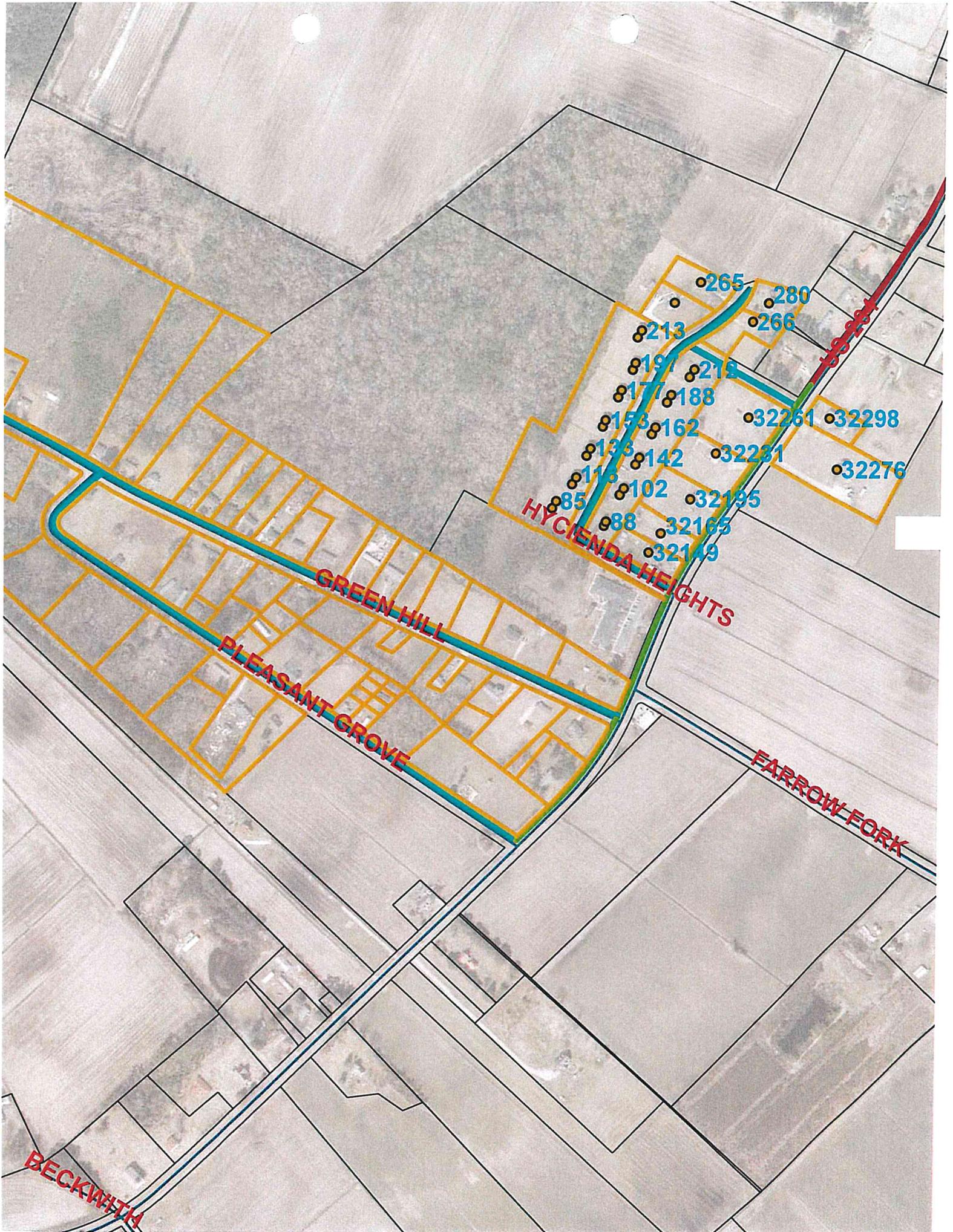
This information is available in Spanish or any other language upon request. Please contact Kris Noble, Assistant County Manager, at 252-926-4180, or at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Kris Noble, Assistant County Manager, al 252-926-4180 o en Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, de alojamiento para esta solicitud.

Equal Housing Opportunity

Preliminary Estimate
FY17 Engelhard Sanitary District Force Main Extension (Hycienda Heights)
7/24/2017

Item	Description	Quantity	Units	Unit Price	Amount
	Tie to Existing Line	1	LS	\$ 1,000.00	\$ 1,000.00
1	8" Force Main	2000	LF	\$ 25.00	\$ 50,000.00
2	4" Force Main	6950	LF	\$ 15.00	\$ 104,250.00
3	8" Valve & Box	5	LS	\$ 1,200.00	\$ 6,000.00
4	4" Valve & Box	3	Ea.	\$ 800.00	\$ 2,400.00
5	8" x 4" Tee	4	Ea.	\$ 350.00	\$ 1,400.00
6	4" x 4" Tee	9	Ea.	\$ 250.00	\$ 2,250.00
7	SF Services - Same Side	46	Ea.	\$ 9,000.00	\$ 414,000.00
8	SF Services - Opposite Side	17	Ea.	\$ 10,000.00	\$ 170,000.00
9	Road Patch	5	Ea.	\$ 1,500.00	\$ 7,500.00
10	Driveway Patch	42	Ea.	\$ 800.00	\$ 33,600.00
11	Erosion Control	1	LS	\$ 10,000.00	\$ 10,000.00
	Subtotal				\$ 802,400.00
	Contingencies	15%			\$ 120,360.00
	Construction Subtotal				\$ 922,760.00
	PER Preparation				\$ 15,000.00
	Environmental Document Preparation				\$ 10,000.00
	Surveying				\$ 18,000.00
	Engineering Design and Permitting				\$ 52,000.00
	Grant Administration				\$ 75,000.00
	Construction Observation and Inspection				\$ 60,000.00
	Total				\$ 1,152,760.00



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

Meeting Date: August 7, 2017
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: RESOLUTION: APPROVAL TO FILE APPLICATION FOR CDBG FUNDING WITH THE STATE OF NORTH CAROLINA

SUMMARY: Manager Rich will request approval of the attached resolution concerning the filing of an application for a CDBG grant to fund an extension of the sewer force main to supply sewer service to Hycienda Heights on Hwy 264, Engelhard and Greenhill Road, Engelahrd.

RECOMMEND: APPROVE RESOLUTION

Motion Made By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Motion Seconded By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Vote: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

RESOLUTION BY GOVERNING BODY OF APPLICANT

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

WHEREAS, Hyde County has need for and intends to construct a wastewater collection system project described as the FY2017 Engelhard Sanitary District Force Main Extension, and

WHEREAS, Hyde County intends to request state grant assistance for the project,

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

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

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

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

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

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

Adopted this the 7th day of August, 2017, at Swan Quarter, North Carolina.

(Signature of Chief Executive Officer)

Chairman, Hyde County Board of Commissioners

(Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting County Clerk of Hyde County does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Hyde County Board of Commissioners duly held on the 7th day of August, 2017; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

(Signature of Recording Officer)

County Clerk

(Title of Recording Officer)

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

Meeting Date: August 7, 2017
Presenter: County Manager Bill Rich
Attachment: No

ITEM TITLE: POWER OUTAGE ON OCRACOKE – UPDATE

SUMMARY: Manager Rich will provide an update on the status of the power outage on Ocracoke.

RECOMMEND: INFORMATION ONLY

Motion Made By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Motion Seconded By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Vote: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

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

Meeting Date: August 7, 2017
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: OPIOID TASK FORCE UPDATE

SUMMARY: Manager Rich will provide an update on activities of the Opioid Task Force.

RECOMMEND: INFORMATION ONLY

Motion Made By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Motion Seconded By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Vote: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

PRESS RELEASE

The opioid epidemic affects everyone in our county, state and nation without regard to economic status, age, race or gender. In 2016 the Centers for Disease Control and Prevention reported the number of drug overdose deaths in North Carolina increased by over 14% in the one-year period between 2014 and 2015.

The Hyde County Board of Commissioners is taking a leadership role in addressing the fundamental causes of this problem and to initiate local steps to intervene in these trends.

A group of county staff including the Managers Office, Emergency Services, the Department of Social Services, the Health Department, Cooperative Extension and the Sheriff's Office have met and identified key stakeholders.

Goals:

- 1) To create and implement a comprehensive education/prevention program;
- 2) To identify treatment options, identify barriers to treatment, work towards creation of more treatment resources and methods to open treatment to those in need;
- 3) Support the Hyde County Sheriff's Office in getting drug dealers off of our streets.

Hyde County held a Leadership Forum on Thursday, July 13, 2017 at 10 a.m. in the Hyde County Government Center Multipurpose Room and in the Ocracoke Community Center via telecommunications equipment and engaged local elected leaders, substance abuse agencies, staff and other stakeholders in an informed discussion about the opioid epidemic in an effort to develop collaborative strategies that enhance prevention, education, and treatment.

The next step is to have community meetings in all 5 townships of Hyde County to educate citizens on the signs and symptoms of opioid abuse, to share information on current treatment resources available and to gather input from our citizens in regard to this fight. This public input will be combined with the information already gathered to move forward in planning and implementing a program. In addition, Hyde County will create a web page that contains all of these resources where citizens will be able to sign up for email updates on the progress of the group.

In summary and simply put Hyde County's goals will be to educate and prevent people from becoming addicted, to supply treatment resources to help people to recover from addiction and to stop illegal drug activity.

To subscribe to receive updates and all other county information please email dshumate@hydecountync.gov and ask to be put on the Hyde Happenings distribution list. Also, information will be posed on the Hyde County Public Information Facebook page. A list of community meetings scheduled for late August as well as educational and resource information will be distributed through our Hyde Happenings updates and through social media.

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

Meeting Date: August 7, 2017
Presenter: County Manager Bill Rich
Attachment: No

ITEM TITLE: EMPLOYEE/VOLUNTEER OF THE MONTH

SUMMARY: Manager Bill Rich will announce the Employee and/or Volunteer of the Month. The recipient will spin the “Wheel of Thanks.”

RECOMMEND: Congratulations.

Motion Made By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Motion Seconded By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Vote: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: August 7, 2017
Presenter: Citizens
Attachment: No

ITEM TITLE: PUBLIC COMMENTS

SUMMARY: 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.

RECOMMEND: Receive comments.

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

Meeting Date: August 8, 2017
Presenter: Daniel Brinn
Attachment: Yes –Project Budget Ordinance

ITEM TITLE: Project Budget Ordinance - Stream Debris Removal Project

SUMMARY: This Project Budget Ordinance will outline revenues and expenditures to complete the North Carolina Department of Agriculture and Consumer Services Division of Soil & Water Conservation Stream Debris Removal Project identified as Contract # 17-175-4015.

Hyde County will work with Hyde Soil & Water to complete stream debris removal activities including cutting and removing downed trees, broken tops, and woody/vegetative debris that impede or potentially impede water flow in the streams and tributaries listed below:

- | | |
|--|--------------------------------|
| Slocum Feeder Canal | Rose Bay Canal |
| Swindell Fork Canal | Outfall Canal |
| Ruttman Creek Canal | Williams Ditch 1 & 2 |
| Swindell Road Canal | Griffin Canal |
| Shingle Creek Canal | Tiny Oak, Credle, Farrow Canal |
| The Gut, Hyde Drainage District # 8 Canals | |

RECOMMEND: REVIEW AND ADOPT

Motion Made By:	<input type="checkbox"/> Earl Pugh, Jr.	Motion Seconded By:	<input type="checkbox"/> Earl Pugh, Jr.	Vote:	<input type="checkbox"/> Earl Pugh, Jr.
	<input type="checkbox"/> Barry Swindell		<input type="checkbox"/> Barry Swindell		<input type="checkbox"/> Barry Swindell
	<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell
	<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons
	<input type="checkbox"/> Tom Pahl		<input type="checkbox"/> Tom Pahl		<input type="checkbox"/> Tom Pahl

**Hyde County – North Carolina Department of Agriculture and Consumer Services
Division of Soil & Water Conservation Stream Debris Removal Project
Contract # 17-175-4015
Project Budget Ordinance
August 8, 2017**

Be it ordained by the Hyde County Board of Commissioners, that pursuant to Section 143B-472.127 and .128 of the General Statutes of North Carolina, the following grant program ordinance is hereby adopted:

Section 1: The program authorized is the North Carolina Department of Agriculture and Consumer Services Division of Soil & Water Conservation Stream Debris Removal Project identified as Contract # 17-175-4015. The purpose of the project is to remove from streams debris resulting from past and recent hurricanes, ice storms and tornadoes. The project is funded by state appropriations from the Disaster Recovery Act of 2016.

Section 2: Hyde County and Hyde County Soil & Water Conservation staff are hereby directed to proceed with the grant program within the terms of the grant document(s), the rules and regulations of the North Carolina Department of Agriculture and Consumer Services Division of Soil & Water Conservation, and the budget contained herein.

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

Stream Debris Removal Project

NC Division of Soil & Water Conservation	\$107,764.00
Total:	<u>\$107,764.00</u>

Section 4: The following amounts are appropriated for the program activities:

Stream Debris Removal Project # 17-175-4015

Program Budget	<u>\$107,764.00</u>
-----------------------	----------------------------

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

Section 6: Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Department of

Agriculture and Consumer Services Division of Soil & Water Conservation in an orderly and timely manner.

Section 7: Copies of this grant program ordinance shall be made available to the Grant Finance Officer for direction in carrying out this program.

Adopted this 8th day of August, 2017.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, Clerk to the Board

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

Meeting Date: August 7, 2017
Presenter:
Attachment: No

ITEM TITLE: Re-appointment of Hyde County Health Board Members

SUMMARY: Two Health Board Members are due for re-appointment – JW Spencer and Doreen Holloway. At the July 18, Health Board meeting, both members were voted to accept another 3 year term. Request is to re-appoint JW Spencer and Doreen Holloway for a 3 year term, expiring, April 2020.

RECOMMEND: Approve.

Motion Made By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Motion Seconded By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Vote: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

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

Meeting Date: August 7, 2017
Presenter: Bill Rich
Attachment: Yes – Joint Use Agreement

ITEM TITLE: Joint Use Agreement with Hyde County Schools

SUMMARY: Hyde County through it's Hyde County Youth Athletics program is working with Hyde County Schools to share facilities to provide recreational opportunities for youth. This agreement outlines the County's use of the O.A. Peay facility and Mattamuskeet Schools facilities.

This agreement also outlines membership for an Interagency Team that will coordinate programming, scheduling, rules and regulations for HCYA activities. Hyde County recommends the following membership on the Interagency Team:

Kris Noble, Hyde County Manager's Office
Corrinne Gibbs, Hyde County Finance Office
Anna Shafer, Hyde County Health Department
Bryant Morrison, HCYA
Shawn Zenecker, HCYA
Brandon Marshall, Hyde County Baseball & Softball
Natalie Wayne, Hyde County Cooperative Extension
School District Staff as recommended by the District

RECOMMEND: REVIEW AND APPROVE AGREEMENT.

APPOVE INTERAGENCY TEAM MEMBERS.

Motion Made By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Motion Seconded By: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

Vote: Earl Pugh, Jr.
 Barry Swindell
 Dick Tunnell
 Ben Simmons
 Tom Pahl

**AGREEMENT BETWEEN THE HYDE COUNTY SCHOOL DISTRICT
("DISTRICT") AND COUNTY OF HYDE ("COUNTY") FOR USE OF SCHOOL
RECREATION FACILITIES BY HYDE COUNTY YOUTH ATHLETICS ("HCYA")**

Recitals

WHEREAS, State Code section GS 115c-203 to 209.1, 524,527; 160A-274; 163-129 authorizes/encourages school districts and counties to organize, promote, and conduct community recreation programs and activities to promote the health and general welfare of the community; and

WHEREAS, the District is the owner of real property in the County, including facilities and active use areas that are capable of being used by the County for community recreational purposes; and

WHEREAS, the County is the owner of real property in the County, including facilities and active use areas that are capable of being used by the District for school recreational purposes; and

WHEREAS, under appropriate circumstances, these publicly held lands and facilities should be used most efficiently to maximize use and increase recreational opportunities for the community; and

WHEREAS, GS 115c-203 to 209.1, 524,527; 160A-274; 163-129 authorizes agreements between cooperating entities to be developed in order to promote the health and general welfare of the community and contribute to the enhancement of the recreational opportunities afforded to the children in the community; and

WHEREAS, HCYA functions as an entity of the County, as outlined in the Contract between the County, HCYA, and HCHD (Appendix A); hence, the County's obligations under this Agreement shall also apply to HCYA using the Active Use Areas; and

NOW, THEREFORE, the District and the County agree to cooperate with each other as follows:

1. Term

This Agreement will begin on August 8, 2017 and will continue for a period of one year, *[and then shall be automatically renewed annually]* unless sooner terminated as provided for hereinafter in Section 15.

2. Facilities Covered

The term "Active Use Areas" will be used for purposes of this Agreement to mean the designated fields and gymnasiums owned by the District, including O.A. Peay School and Mattamuskeet Early College High School facilities. The District and the County shall have the right to add or exclude Active Use Areas during the term of this Agreement, provided that any such change shall be in writing and approved by both the District and the County.

3. Permitted Uses of Active Use Areas

a. District Use

The District shall be entitled to the exclusive use of all Active Use Areas for public school and school-related educational and recreational activities, including summer school, and, at such other times as Active Use Areas are being used by the District or its agents.

b. County

Use

At all other times and subject to the schedule developed by the Joint Use Interagency Team (described in section 5b), the County will be entitled to access to and use of Active Use Areas, without charge for community recreational and educational purposes for the benefit of District students, the District, and the County at large. The County's obligations under this Agreement shall also apply to HCYA, as it is a function of the County. The County shall be responsible for ensuring HCYA comply with all obligations under this Agreement when using Active Use Areas. The County shall enforce all District rules, regulations, and policies provided by the District while supervising community recreational activities at Active Use Areas. In planning programs and scheduling activities on school grounds, the security, academic, athletic, and recreational needs and opportunities of school-aged children will be the highest priority and be adequately protected. The periods of use of Active Use Areas by the County shall be referred to as "Public Access Hours."

4. Compliance with Law

All use of District property shall be in accordance with state and local law.

5. Communication

a. Designation of Employees

The District and the County shall respectively designate an employee with whom the other party, or any authorized agent of the party, may confer regarding the terms of this Agreement.

b. Joint Use Interagency Team

i. The District and the County shall establish a Joint Use Interagency Team ("Interagency Team"), composed of staff representatives of the District, the County, HCYA, and Hyde County Youth Baseball & Softball to develop the schedule for use of District Active Use Areas, to recommend rules and regulations for the District and the County to adopt to implement this Agreement, to monitor and evaluate the joint use project and Agreement, and to confer to discuss interim problems during the term of the Agreement.

ii. The Joint Use Interagency Team shall review the Agreement by July 1st of each year to evaluate the project, determine changes to the schedule, and to propose amendments to this Agreement. In addition, the Joint Use Interagency Team shall meet quarterly thereafter to review scheduling and program goals.

6. Scheduling Use of Property

The District and the County shall develop a master schedule for joint use of District Active Use Areas to allocate property use to the District, the County and HCYA. The Interagency Team shall schedule regular quarterly meetings or at such other times as mutually agreed upon by the District and County. At these meetings, the District and the County will review and evaluate the status and condition of jointly used properties and modify or confirm the upcoming schedule.

7. Documentation of Costs

The District and the County shall maintain records of costs associated with the Agreement.

8. Improvements

- a. The County shall obtain prior written consent of the District to make any alterations, additions, or improvements to Active Use Areas.
- b. Any such alterations, additions, or improvements will be at the expense of the County, unless otherwise agreed upon.
- c. The District may, for good cause, require the demolition or removal of any alterations, additions, or improvements made by the other party at the termination of this Agreement. "Good cause" includes reasons of health, safety, or the District's need for the District property for educational purposes.

9. Supervision, Security and Enforcement

a. Supervision and Enforcement

The County shall train and provide an adequate number of competent personnel to supervise all activities on the Active Use Areas, and shall enforce all of the District's rules, regulations, and policies while supervising activities or programs on the Active Use Areas.

b. Security

The District shall provide the County with access to the District's Active Use Areas. The District will provide keys, security cards, and training as needed to those responsible for opening and locking the Active Use Areas.

c. Inspection and Notification

The County staff shall inspect the Active Use Areas to ensure these sites are returned in the condition they were received. The County shall ensure the District's designated employee is notified within 7 days in the event that any Active Use Area suffers damage during County use.

10. Supplies and Storage

The County shall furnish and supply all expendable materials necessary to carry out its programs while using the Active Use Areas. If necessary, supplies shall be stored on District property in an available space designated by the District.

11. Maintenance, Custodial Services, and Toilet Facilities

a. Maintenance

- i.** The County agrees to exercise due care in the use of the Active Use Areas. The County shall, during the time of its use, keep the Active Use Areas in neat order.
- ii.** The District shall perform normal maintenance of Active Use Areas at basic level of service subject to normal wear and tear. The District shall notify the County of any known change in condition of the Active Use Areas.
- iii.** The County and the District each shall bear half of the cost for repairs of Active use areas that are damaged during Public Access Hours.

b. Custodial

The District shall make its trash receptacles available during the County use of District Active Use Areas. The County users shall encourage community users to dispose of trash in the trash receptacles during use of Active Use Areas.

12. Parking

During Public Access Hours, the District will permit use by the public of parking areas on the grounds of Active Use Areas. Use of parking areas requires compliance with all posted signage and local and state laws as well as District Policies and Procedures.

13. Liability and Indemnification

- a.** The County shall defend, indemnify, and hold the District, its officers, employees and agents, harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages, arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury are caused by or result from the negligent or intentional acts or omissions of the County, its officers, agents, or employees.
- b.** The District shall defend, indemnify, and hold the County, its officers, employees and agents, harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages, arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury are caused by or result from the negligent or intentional acts or omissions of the District, its officers, agents, or employees.

14. Insurance

The County and the District agree to provide the following insurance in connection with this Agreement.

a. General Liability

Commercial General Liability for bodily injury and property damage, including Personal Injury and Blanket Contractual, with limits of \$1,000,000 per claim with a \$3,150,000 aggregate.

b. Workers' Compensation

Workers' compensation coverage, as required by 97-1 of the North Carolina Workers' Compensation Act.

c. Documentation of Insurance

The County and District shall provide to each other a certificate of insurance each year this Agreement is in effect showing proof of the above coverage. In the event the County or District is self-insured for the above coverage, such agency shall provide a letter stating its agreement to provide coverage for any claims resulting from its negligence in connection with joint use facilities in the above amounts.

15. Termination

This Agreement may be terminated at any time prior to its expiration upon 90 days written notice.

16. Entire Agreement

This Agreement constitutes the entire understanding between the parties with respect to the subject matter and supersedes any prior negotiations, representations, agreements, and understandings.

17. Amendments

This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this Agreement.

Signatures/Dates

Hyde County Schools

Date

County of Hyde

Date

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

Meeting Date: August 7, 2017
Presenter: County Manager Bill Rich
Attachment: No

ITEM TITLE: JOINT MEETING REQUEST – HYDE CO. BOARD OF EDUCATION

SUMMARY: Dr. Randolph Latimore has requested a joint meeting between The Hyde County Board of Education and the Hyde County Commissioners. Potential meeting dates requested are:

Monday, September 18
Tuesday, September 19
Tuesday, September 26
Wednesday, September 27
Thursday, September 28

RECOMMEND: APPROVE JOINT MEETING DATE

Motion Made By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Motion Seconded By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Vote: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: August 8, 2017
Presenter: Daniel Brinn
Attachment: Yes – Memorandum of Understanding

ITEM TITLE: Memorandum of Understanding between the Mattamuskeet Association and the County of Hyde

SUMMARY: This Memorandum of Understanding (MOU) sets for the terms and understanding between the Mattamuskeet Association and the County of Hyde to provide for the drainage, access, and flood control needs of properties within and adjacent to the existing boundary of the Mattamuskeet Association.

RECOMMEND: REVIEW AND APPROVE

Motion Made By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Motion Seconded By: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Vote: ___ Earl Pugh, Jr.
___ Barry Swindell
___ Dick Tunnell
___ Ben Simmons
___ Tom Pahl

Memorandum of Understanding

Between

The Mattamuskeet Association

And

The County of Hyde

This Memorandum of Understanding (MOU) sets forth the terms and understanding between the Mattamuskeet Association and the County of Hyde to provide for the drainage, access, and flood control needs of properties within and adjacent to the existing boundary of the Mattamuskeet Association.

HISTORY: The Mattamuskeet Association formed in March 1977 with 39,129 original acres restricted and served, with provisions for additions to the restricted area and has been officially increased to 42,312 acres by 2006. It is the mission of the Association to provide drainage, access, and flood control to the property within its boundary. Since March 1977, Matt Association services have provided drainage, access, and flood control for the publicly owned Hyde County Airport which is a member, and provides services to the public in general. Since Oct 1999, Matt Association services have provided drainage, access, and flood control for the publicly owned Engelhard Sanitary District which is a member, and provides wastewater treatment services for the village of Engelhard and areas immediately west of Engelhard.

PURPOSE: The purpose of this memorandum is to formalize the longstanding relationship between the County of Hyde and the Mattamuskeet Association as well as set forth a future organizational transition on the part of the Association to a Statutory Drainage District (NCGS 153) and the supportive role the County shall play in this endeavor.

RESPONSIBILITIES: The Mattamuskeet Association has and will continue to provide flood control, drainage, and access to its members, protecting critical infrastructure and improved property protection, and promoting public health and safety for the region. The Association also has and will continue to provide flood control and limited drainage to areas outside its official boundary by acting as a barrier/buffer against storm surges from the north as well as spillover drainage to inundated areas to its south.

Hyde County will continue to support the efforts of the Matt Association as follows:

- 1) Provide coordinated assistance through its Emergency Services Director during weather emergencies to source equipment and supplies to support Matt Association operations.
- 2) Provide administrative assistance through County Management officials to assist with the transition of the entity from PNP to a statutory drainage district.
- 3) Provide county support through the Board of Commissioners to effectuate the addition of underserved areas into the new drainage district for the improvement of drainage and flood control for those areas.

EVALUATION: After storm events where assistance is requested the Board of the Mattamuskeet Association and the Hyde County Water and Flood Control Coordinator and/or Emergency Services Director will meet to evaluate the memorandums effectiveness and recommend any changes that may be necessary to the Hyde County Board of Commissioners to be included as part of the memorandum.

FUNDING: This Memorandum provides for the exchange of no funding between the Mattamuskeet Association and the County of Hyde and only commits the Association to the current ancillary benefits provided as well as committing the County to providing the above stated technical resources.

DURATION: This MOU is at-will and may be modified by mutual consent of authorized officials from the Mattamuskeet Association and The Hyde County Board of Commissioners. This MOU shall become effective upon signature by the authorized officials from the Mattamuskeet Association and The Hyde County Board of Commissioners and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the authorized officials from the Mattamuskeet Association and The Hyde County Board of Commissioners this MOU shall end upon the establishment of the aforementioned Statutory Drainage District.

Mattamuskeet Association

P.O. Box 81
Engelhard, NC 27824
252-925-9731
252-925-8391 fax

County Of Hyde

30 Oyster Creek Road
P.O. Box 188
Swan Quarter, NC 27885
252-926-4178
252-926-3701

Casey Gibbs, Mattamuskeet Association
President of the Board of Directors

Date: _____

Earl Pugh, Jr., Hyde County Board of Commissioners, Chairman

Date: _____