

## Meeting Minutes

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

**Monday, December 2, 2013**

Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order on Monday, December 2, 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, Earl Pugh, Jr., and Barry Swindell; Attorney Fred Holscher; County Manager Bill Rich; Deputy Clerk to the Board Averil Simmons; and, members of the public.

The following members were present on Ocracoke: Commissioner John Fletcher, Public Information Officer Sarah Johnson 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 December 2, 2013 meeting agenda.

Manager Rich presented the following changes to the agenda:

- Add Appointment of Clerk, Deputy Clerk, and County Attorney to Organizational Meeting
- Item #15 – Update on 3PMC, LLC property
- Item #16 – Pungo River VFD District Map
- Item #17 – Vidant Health Update

Commissioner Byrd moved to approve the agenda as presented by the Deputy Clerk with the amendments. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

#### **Consideration of Minutes:**

Commissioner Pugh moved to approve the November 4, 2013 regular meeting minutes of the Hyde County Board of Commissioners as presented by the Deputy Clerk. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

#### **Organizational Meeting of the Board**

Commissioner Byrd made a motion to open the organizational meeting of the Board. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

#### **Nomination and Election of Board Chairman**

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

### **Nomination and Election of Board Vice-Chairman**

Commissioner Byrd nominated Commissioner Pugh as Board Vice-Chairman. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Nomination and Election of Clerk to the Board**

Commissioner Swindell nominated Lois Stotesberry as Clerk to the Board. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Appointment of Deputy Clerk to the Board**

Commissioner Byrd made a motion to appoint Averi Simmons, Justin Gibbs, and Sarah Johnson as Deputy Clerks to the Board. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Appointment of County Attorney**

Commissioner Byrd made a motion to appoint Fred Holscher as County Attorney. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

With no other organizational business to attend to, Commissioner Pugh made a motion to close the organizational meeting. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Public Hearing – CDBG Contingency Close-Out**

The CDBG-Contingency project is in its final stages. This grant, in the amount of \$600,000 was for the extension of the Engelhard Sanitary District's Sewer Force Main along US Highway 264 West of Engelhard. The original scope of the project was to include connection of approximately 44 homes to the Engelhard Sanitary District's wastewater treatment lagoon. Due to budget constraints, the project had to be scaled down to serve only 30 homes. The need to connect these homes to the lagoon was the fact that a vast majority of the homes in the area of the project had high septic tank failure rates, presenting an environmental concern.

Commissioner Byrd made a motion to open the public hearing. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

Chairman Swindell called for comments from the public on the project. With there being no public comments, Commissioner Byrd made a motion to close the public hearing. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Public Comments:**

Chairman Swindell called for comments from the public.

Connie Leinbach, Ocracoke – On behalf of the Ocracoke Civic & Business Association she inquired about the National Park Service's announcement of the elimination of lifeguard service on Ocracoke Island. She felt this would be bad for the island.

Amy Johnson, Ocracoke – On behalf of the Ocracoke Daycare Center Board, requested assistance from the Board of Commissioners to acquire state-owned property that is adjacent to the Ocracoke Daycare Center for expansion.

With no other comments from the public, Chairman Swindell continued the meeting.

## **Employee Recognition**

Manager Rich recognized Justin Gibbs, Emergency Management Coordinator, for his diligence in getting Vidant Health to agree to grant Hyde County the \$250,000 for EMS upgrades without Beaufort County accepting their grant. Mr. Gibbs spun the Wheel of Thanks and received a \$25 gift certificate to Martelle's Feedhouse. Mr. Gibbs then thanked Manager Rich and the Commissioners for recognizing him.

## **Items of Consideration:**

### **Appointments:**

#### **Appointment of Albemarle Commission At-Large Member**

No Commissioner recommendations were made for the At-Large member vacancy on the Albemarle Commission Board. Manager Rich did state that Commissioner Pugh's term was up for renewal. Commissioner Swindell made a motion to reappoint Commissioner Pugh as the Hyde County Commissioner board member. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

#### **Appointment of Wesley Smith to Albemarle Commission Regional Advisory Council**

Wesley Smith, Health Director, has been suggested to serve as Hyde County's representative on the Albemarle Commission's Regional Aging Advisory Council. This will be a two-year term. Commissioner Byrd made a motion to appoint Mr. Smith as the Hyde County representative on the Regional Advisory Council. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

#### **Resolution to Adopt Meeting Calendar for 2014**

A resolution must be passed each year adopting the official meeting calendar of the Board of Commissioners, as directed by NCGS §143-318.12. For the year 2014, there will be one regular meeting per month, to be held on the first Monday of each month at 6:00p.m. at the Hyde County Government Center and via video-conferencing equipment at the Ocracoke School Commons. If the meeting date falls on a holiday, the meeting will be held the following day.

Commissioner Fletcher made a motion to adopt the Resolution of the Hyde County Board of Commissioners Establishing Regular Meeting Dates. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

*Clerk's Note: A copy of "Resolution of the Hyde County Board of Commissioners Establishing Meeting Dates" is attached herewith as Exhibit A and incorporated herein by reference.*

#### **Resolution in Support of the FAA's Selection of the Hyde County Airport as a Designated Unmanned Aerial Systems Test Range**

Kris Noble, County Planner/Economic Developer, asked the Board to adopt a resolution showing their continued support of the FAA's selection of the Hyde County Airport as one of six test sites for unmanned aerial systems. This designation has the potential to greatly impact Hyde County's economy in positive ways.

Commissioner Fletcher made a motion to adopt the Resolution in Support of the Federal Aviation Administration's Selection of the Hyde County Airport as a Designated Unmanned Aerial Systems Test Range. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

*Clerk's Note: A copy of "Resolution in Support of the Federal Aviation Administration's Selection of the Hyde County Airport as a Designated Unmanned Aerial Systems Test Range" is attached herewith as Exhibit B and incorporated herein by reference.*

### **Resolution Opposing Any Proposed Bans on the Taking of Coyotes in Hyde County**

The Southern Environmental law Center has filed a complaint in the US District Court –Eastern District of NC seeking to eliminate coyote hunting in Hyde County as well as the counties of Beaufort, Dare, Tyrrell, and Washington, as they are all part of the designated Red Wolf Recovery Area. Commissioner Pugh made a motion to adopt the Resolution Opposing Any Proposed Bans on the Taking of Coyotes in Hyde County. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

*Clerk's Note: A copy of "Resolution Opposing Any Proposed Bans on the Taking of Coyotes in Hyde County" is attached herewith as Exhibit C and incorporated herein by reference.*

### **Resolution Supporting Participation in a Joint Land Use Study Program for Seymour Johnson Air Force Base, Goldsboro, North Carolina**

This resolution is to show support of a joint land use study which is intended to be used as a comprehensive strategic plan including specific implementation actions to address and prevent incompatible civilian development that may impair the operational utility of military missions or available resources related to such missions. Hyde County is one of seven (7) counties primarily affected by the military operations of Seymour Johnson Air Force Base.

Commissioner Byrd made a motion to adopt the Resolution Supporting Participation in a Joint Land Use Study Program for Seymour Johnson Air Force Base, Goldsboro, North Carolina. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

*Clerk's Note: A copy of "Resolution Supporting Participation in a Joint Land Use Study Program for Seymour Johnson Air Force Base, Goldsboro, North Carolina" is attached herewith as Exhibit D and incorporated herein by reference.*

### **Proclamation: Hyde County as a Purple Heart County**

The Purple Heart Proclamation pledges Hyde County's ongoing commitment to and support for the men and women who serve in the US Military. As there are many current and former residents of Hyde County who have been awarded the Purple Heart Medal for wounds sustained in combat, this proclamation will show the County's appreciation to those who have served.

Commissioner Fletcher made a motion to adopt the Proclamation of Hyde County as a Purple Heart County. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

*Clerk's Note: A copy of "Proclamation: Hyde County as a Purple Heart County" is attached herewith as Exhibit E and incorporated herein by reference.*

### **Ocracoke Storm Water Committee**

A meeting held in Ocracoke on November 21, 2013 produced community interest and a considerable number of attendees regarding the ongoing issue of storm water management. As a result of the meeting, the community felt that a county-appointed committee should be formed to guide the development of a comprehensive storm water plan. This committee would: Evaluate proposed solutions to storm water management and treatment; Prioritize short-term and long-term storm water management efforts; and educate the community about solutions that have been identified. A number of entities and people have been suggested for this Committee. The County

Manager, Planner, Code Enforcement Officer, Soil and Water Technician, as well as Erin Fleckenstein of the Coastal Federation would serve as ex-officios.

Erin Fleckenstein, Coastal Scientist and Regional Manager for the Coastal Federation gave a presentation on the storm water issues facing Ocracoke Village. The presentation included photos of the problem areas with poor drainage. It was recommended to the Board that they create an ad hoc comprised of stakeholders and ex-officios. Another suggestion was to make the committee a sub-committee of the Ocracoke Civic and Business Association (OCBA). Commissioner Byrd made a motion to have the committee be a sub-committee of the OCBA. As no one from the OCBA had responded to the suggestion, Commissioner withdrew his motion and the Board agreed to table the discussion until January's Board of Commissioners meeting.

### **ABC Board Report**

Meredith Nicholson, ABC Board Chair, presented the profit and loss for the month of October as well as the profit and loss for July through October 2013. Ms. Nicholson also made a request on behalf of the ABC Board that the Commissioners allow the ABC Board to forgo paying rent to the County for the Swan Quarter store for the months of December 2013, January, February, and March 2014 for a total of \$1,120.00 to be forgiven. She explained that there is an issue with cash flow currently, due to unpaid bills by previous boards and managers.

Manager Rich suggested the ABC Board instead delay payment on their loan from the County for four months at a total of \$1,000.00. Ms. Nicholson agreed that was feasible. Commissioner Fletcher made a motion to allow the ABC Board to delay payment of their loan for four months. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Hyde County Airport Consultant Contract**

Every five years the State requires that airports advertise for consultants. The Hyde County Airport Advisory Committee recommended that Talbert and Bright, our current consultants, be awarded the new contract. Their fees are based on the amounts of the grants received and what is allowed for administration costs. Commissioner Pugh made a motion to approve the Airport Committees recommendation to contract with Talbert and Bright for consultant services. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Airport Farm Lease**

The Hyde County Airport's farm lease was due to expire in January 2014. The Airport Advisory Committee sent a request for bids to 71 Hyde County farmers as well as advertised the RFP in the Washington Daily News. Five bids were received, with Alligator River Growers placing the highest bid, at \$268.00 per acre for a total yearly amount of \$80,400.00. The Airport Committee's recommendation to the Board was to award the lease agreement to Alligator River Growers. Commissioner Pugh made a motion to approve the Airport Committees recommendation to lease the Airport Farm to Alligator River Growers for four years at a price of \$268.00 per acre per year. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Adoption of FY Budget Calendar**

As required by law, the Board must adopt a calendar to be used to develop the budget for the Fiscal Year 2014-2015. Commissioner Byrd made a motion to adopt the FY 2014 budget calendar as presented by Manager Rich and the Finance Officer. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **2014 Board Retreat Discussion**

Manager Rich asked the Board if they would like to hold a retreat during the 2014-2015 budget planning stages or hold all budget discussions in meetings as were done for the 2013-2014 budget. Commissioner Byrd said that he felt a retreat wasn't necessary. The rest of the Board agreed with Mr. Byrd, therefore no retreat will be scheduled.

Manager Rich reminded the Board that his manager's contract calls for an evaluation approximately 60 days prior to the one year anniversary of his employment. This evaluation will be conducted at the January 6, 2014 regular Board of Commissioners meeting during a closed session if the Board so chooses.

### **Government Center Repairs**

Manager Rich reported that the architect and roofing contractor have identified the problem areas in the Government Center's roof that are causing the leaks. Manager Rich also said that A.R. Chesson, the original contractor who built the Government Center is willing to take responsibility for any problems with the building that are the company's fault. Those damages could total as much as \$50,000.00. Manager Rich said he will bring a proposal to the Board at the January Board meeting.

### **Records Retention Schedule Amendments**

The NC Government Records Section has published changes to records retention schedules for County Management, Register of Deeds, and Tax Administration. These amendments needed to be adopted by the Board. Commissioner Byrd made a motion to adopt the changes. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Christmas Party Funding**

Commissioner Fletcher inquired about the funding for the County Employee Christmas Party, as to whether the County could legally fund the party. Manager Rich told the Board that he spoke with the UNC School of Government and was informed that the County could legally pay for a party for employees. As this year's party was to be held at a facility owned by a County Employee, the facility, labor, and equipment had to be donated, while the County could pay for the food directly from the distributor.

### **Personnel Policy Update**

Hyde County's Personnel Policy needs to be updated for multiple reasons, including new federally mandated policies, better correlation between State and Local governmental policies, more specific description of sick and holiday pay policies, and updates to the grievance, detrimental personal conduct, and work performance policies. The County Manager, Finance Officer, and Human Resources Officer will be working with Sylvia Johnson of Johnson Personnel to make the needed changes. Manager Rich explained to the Board that the County was directed to update the Personnel Policy by the NCACC and the UNC School of Government. The cost for the updates would be \$2,500.00. The Board felt that it would be best to table discussion and action on making the changes until the next budget cycle. No action taken.

### **Ocracoke Wood Chipper**

The wood chipper located on Ocracoke Island has been deemed a safety hazard, as it is outdated. Funds were discovered in a reserve account for the Utilities Department originally budgeted for a new truck but are available to be used to cover the purchase of a new machine. Commissioner Fletcher made a motion to approve the purchase of the new wood chipper and for County Staff to sell the old chipper on GovDeals.com. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **3PMC, LLC (Thomas Storrs) Property Revaluation Request Update**

Mr. Thomas Storrs' petitioned to the Board on October 28, 2013 for a release/redistribution of overpaid taxes on the tract of land owned by 3PMC, LLC on Ocracoke Island. This property (record no. 297) was originally valued at \$1,840,298.00. Mr. Storrs said that he felt the property was being doubly taxed. Linda Basnight, Tax Administrator spoke with Bob Pearson of Pearson Appraising and he agreed that the property was being doubly taxed. He informed Ms. Basnight that the value needed to be adjusted to \$300,298.00. Commissioner Fletcher made a motion to approve the readjustment and release the excess value of the unencumbered property for the years 2011-2013 and to adjust the unpaid taxes and interest accordingly. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Pungo River VFD Primary Response District Approval**

The Office of the State Fire Marshal has requested approval of a map documenting the primary response district for Pungo River Volunteer Fire Department. Justin Gibbs, Emergency Services Director, presented the Board with a copy of this map for their approval. Commissioner Byrd made a motion to approve the district. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Vidant Medical Center Foundation EMS Grant Amendment and Plan for the Expenditure of Funds**

Hyde County made a request to the Vidant Medical Center Foundation to remove the contingency clause in their grant offer stipulating that in order for Hyde County to receive grant funds for EMS upgrades Beaufort County had to accept the grant as well. Beaufort County Commissioners did not vote to accept the funds, jeopardizing Hyde County's vote to accept the funds. The Foundation agreed to continue with their offer of \$250,000.00 in grant funds for the advancement of emergency medical services in the County and issued an amendment to the agreement.

Based on these developments, Mr. Gibbs proposed the following plan for expenditure of the grant funds:

Remount two (2) Ambulances	\$160,000.00 +/-
Refurbish one (1) Ambulance	\$5,000.00 +/-
Community Paramedicine Program	\$20,000.00 +/-
New Reporting Software	\$18,000.00 +/-
Mobile Reporting Software	\$15,000.00 +/-
Equipment (Includes: Fetal Heart Tone Monitors, Accuvein Imaging Systems, Ugrading of current Phillips Heartstart Monitors)	\$32,000.00 +/-

Commissioner Pugh made a motion to approve the expenditure of grant funds from the Vidant Medical Center Foundation for the above referenced items. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

### **Budget Matters**

The following budget revisions were presented for Board approval:

Line Item	Amount
BR 10-14 Health	\$3,620
BR 11-14 Health	\$8,300
BR 12-14 Health	\$597
BR 13-14 Health	\$61,000
BR 14-14 Health	\$560

Solid Waste	\$20,478
Elections	\$8,404

Commissioner Pugh made a motion to approve the presented budget revisions. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell.

**Management Reports:**

**Commissioner Fletcher:** Attended the Ocracoke reception for Representative Torbett

**Commissioner Byrd :** Attended the Mainland reception for Representative Torbett, reported that he has had productive discussions with the Wildlife Resources Commission regarding Lake Mattamuskeet.

**Commissioner Pugh:** Attended meetings of the Albemarle Commission, NWDB, and Airport Committee, attended the Grand Opening of the Hyde Transit facility, the NC Sea Grant project meeting, and the Mainland reception for Representative Torbett. He also said that he was contacted by the Friends of the Historic Courthouse, stating they have not received a copy of the building lease. The Friends group also inquired if they would be allowed to obtain a permit to serve wine during events.

**Commissioner Swindell:** Attended the Mainland reception for Representative Torbett, will try to attend the Engelhard Christmas Parade, thanked the other Board members for the nomination of Board Chairman and appreciates their votes.

**Manager’s Update:**

**Golden LEAF Grant Application** - Hyde County has been invited to apply for grant funds in the amount of \$1.5 million for the Revolving Loan Fund. The County has received six inquiries recently from local business seeking funds and if granted these funds would allow for a major expansion of the RLF. Said Hyde County should receive final word on the award, if granted, by June 5, 2014. If these funds are awarded to Hyde County, the RLF would have a balance of approximately \$1,676,000 to lend.

**Receptions for Representative Torbett** – Thanked the Board for attending the receptions held for Rep. Torbett. He is a great ally for the County to not be from here and is on many committees that are important to Hyde County’s well-being.

**FEMA Update** – Will be going to Washington D.C. in December with McClees Consulting and the Finance Officer to meet with Senators Burr and Hagan and Congressman Jones to garner support in receiving our FEMA reimbursement.

**Bonner Bridge and Elimination of Lifeguards at Cape Hatteras National Seashore** – Will be bringing forth resolutions at the January meeting for adoption.

**Oregon Inlet** – Said the buoys are gone and the sandbars are not marked. He is talking with Dare County to try and get CAMA and the Army Corp to help.

**Partnership for the Sounds** – Funding will be ending in June 2014.

**Public Comments:**

Chairman Swindell called for comments from the public.

Amy Johnson, Ocracoke – Said that the storm water issue has been going on for some time and she’s not sure the Coastal Federation will be the best organization to partner with for the project. She feels that the County should have an engineer from NCDOT figure out how to get the water moved off the roads to the mosquito control ditches. She asked the Board to talk to NCDOT and that Ocracoke residents couldn’t afford higher taxes to cover the costs.

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

**Adjourn**

With no further business, Commissioner Fletcher made a motion to adjourn the meeting. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Pugh, Fletcher and Swindell; Nays – None; Absent or not voting – Tunnell. The meeting adjourned at 7:28p.m.

Respectfully submitted:

Minutes approved on the 6<sup>th</sup> day of January, 2014.

  
Averi Simmons, Deputy Clerk  
Hyde County Board of Commissioners

  
Barry Swindell, Chair  
Hyde County Board of Commissioners

Attachments:

Exhibit A: *“Resolution of the Hyde County Board of Commissioners Establishing Meeting Dates”*

Exhibit B: *“Resolution in Support of the Federal Aviation Administration’s Selection of the Hyde County Airport as a Designated Unmanned Aerial Systems Test Range”*

Exhibit C: *“Resolution Opposing Any Proposed Bans on the Taking of Coyotes in Hyde County”*

Exhibit D: *“Resolution Supporting Participation in a Joint Land Use Study Program for Seymour Johnson Air Force Base, Goldsboro, North Carolina”*

Exhibit E: *“Proclamation: Hyde County as a Purple Heart County”*



# COUNTY OF HYDE

## Board of Commissioners

Barry Swindell, Chair  
Dick Tunnell, Vice-chair  
Anson Byrd  
John Fletcher  
Earl Pugh, Jr.

30 Oyster Creek Road  
PO Box 188  
SWAN QUARTER, NORTH CAROLINA 27885  
252-926-4400  
252-926-3701 Fax

Bill Rich, County Manager  
Fred Holscher, County Attorney  
Lois Stotesberry, CMC, NCCC  
Clerk to the Board



## Resolution No. 2013-12-01

### RESOLUTION OF THE HYDE COUNTY BOARD OF COMMISSIONERS ESTABLISHING REGULAR MEETING DATES

WHEREAS, pursuant to NCGS 153A-40, the Hyde County Board of Commissioners have elected to adopt a meeting schedule by resolution so that its members and the public may know when Regular meetings of the Board are to be held;

WHEREAS, the Hyde County Board of Commissioners adopted Rules of Procedure on February 4, 2013, calling for Regular meetings on the first Monday of each month, or as otherwise provided;

WHEREAS, nothing in this Resolution shall preclude the Hyde County Board of Commissioners from holding Special or Emergency meetings as such may be allowed by law;

WHEREAS, the Board of Commissioners desires to begin all calendar year 2013 Regular board meetings at 6:00 p.m.; and,

WHEREAS, the Hyde County Board of Commissioners utilizes an electronic meeting system for the simultaneous audio and/or video conduct of Regular meetings on both the Mainland and Ocracoke, the sites of such electronic meetings being as follows unless an alternative location is posted on the door of the meeting site:

- "Government Center" means the Multi-Use Room in the Government Center, 30 Oyster Creek Road, Swan Quarter, NC.
- "Ocracoke" means the Commons Area, Ocracoke School, 1 Schoolhouse Road, Ocracoke, NC.
- \* means the meeting date is on Tuesday.

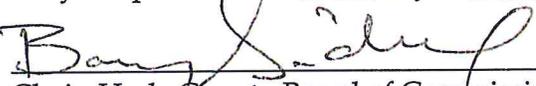
WHEREAS, the Hyde County Board of Commissioners, at its Organizational Meeting on December 2, 2013, unanimously moved to call for Regular meetings on the first Monday of each month, or as otherwise provided;

NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners adopts the following schedule for regular Board meetings:

January 6, 2014	July 7, 2014
February 3, 2014	August 4, 2014
March 3, 2014	September 2, 2014 *
April 7, 2014	October 6, 2014
May 5, 2014	November 3, 2014
June 2, 2014	December 1, 2014

BE IT FURTHER RESOLVED that the Clerk is hereby directed to post a copy of this Resolution on the courthouse bulletin board and to publish a summary in the *Coastland Times* newspaper on or before December 30, 2013.

Duly adopted this the 2<sup>nd</sup> day of December, 2013.

  
Chair, Hyde County Board of Commissioners

ATTEST:  
  
Clerk to the Board





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

**A RESOLUTION IN SUPPORT OF THE FEDERAL AVIATION ADMINISTRATION'S SELECTION OF THE  
HYDE COUNTY AIRPORT AS A DESIGNATED UNMANNED AERIAL SYSTEMS TEST RANGE**

**WHEREAS**, THE HYDE COUNTY GOVERNMENT AND THE GREAT STATE OF NORTH CAROLINA ARE PARTNERING TO COMPETE FOR SELECTION OF THE HYDE COUNTY AIRPORT AS A FEDERAL AVIATION ADMINISTRATION DESIGNATED TEST SITE.

**WHEREAS**, HYDE COUNTY HAS BEEN WORKING WITH THE N.C. DEPARTMENT OF TRANSPORTATION'S AVIATION DIVISION (NC DOT-A), NORTH CAROLINA STATE UNIVERSITY (NCSU) AND NORTH CAROLINA'S NORTHEAST COMMISSION TO ESTABLISH AN UNMANNED AERIAL VEHICLE (UAV) TEST SITE LOCATED IN AND AROUND THE HYDE COUNTY ENGELHARD AIRPORT.

**WHEREAS**, HYDE COUNTY CURRENTLY HOLDS CERTIFICATE OF AUTHORIZATIONS (COAS) FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) TO FLY SMALL HAND LAUNCHED UAVS TO PERFORM AGRICULTURAL RESEARCH.

**WHEREAS**, HYDE COUNTY'S AND OUR PROJECT PARTNERS HAVE SUBMITTED A FULL APPLICATION TO THE FAA TO BECOME ONE OF THE SIX DESIGNATED UAV TEST SITES IN THE COUNTRY AND ARE ANXIOUSLY AWAITING NOTIFICATION OF AN AWARD AND HAVE HIGH HOPES OF RECEIVING ONE OF THE MUCH SOUGHT AFTER DESIGNATIONS.

**WHEREAS**, THIS PROJECT IS CRUCIAL TO THE FUTURE ECONOMIC DEVELOPMENT OF HYDE COUNTY CONSIDERING HYDE COUNTY IS NOW AND HAS HISTORICALLY BEEN ECONOMICALLY CHALLENGED WITH AN ECONOMY THAT IS BASED ON FARMING AND FISHING.

**WHEREAS**, THE AGRICULTURAL INDUSTRY HAS BECOME AUTOMATED AND THE FISHING INDUSTRY HAS MET REGULATORY BARRIERS, OUR ECONOMY HAS SUFFERED AND THERE HAS BEEN NO NEW INDUSTRY TO TAKE THAT PLACE.

**WHEREAS**, HYDE COUNTY IS CONTINUALLY LOSING POPULATION, OUR PEOPLE LIVE IN POVERTY AND THE LACK OF SKILLED AND EVEN UNSKILLED JOBS CAUSE OUR YOUNG PEOPLE TO LEAVE IN SEARCH OF OPPORTUNITY.

**WHEREAS**, IT IS A GOAL OF THE HYDE COUNTY GOVERNMENT TO CREATE OPPORTUNITY FOR OUR YOUNG PEOPLE TO STAY, WORK AND LIVE IN THIS GREAT COUNTY AND AS A PART OF REALIZING THAT GOAL, NEW JOBS MUST BE CREATED AND NEW INDUSTRY EMBRACED.

**WHEREAS**, THE REMOTENESS OF HYDE COUNTY HAS ALWAYS BEEN AN IMPEDIMENT TO CREATING NEW TYPES OF INDUSTRY SUCH AS MANUFACTURING, HOWEVER THE TESTING OF UAV SYSTEMS IN OUR AREA REPRESENTS AN INCREDIBLE OPPORTUNITY TO CREATE A NEW AVENUE OF INDUSTRY.

**WHEREAS**, HYDE COUNTY IS AN IDEAL AREA FOR NORTH CAROLINA'S TEST SITE AND HYDE COUNTY'S AIRPORT IS THE LEAST UTILIZED AIRPORT IN THE STATE WHICH CAN BE CONTRIBUTED TO ITS PROXIMITY OF RESTRICTED AIRSPACE.

**WHEREAS**, MILITARY RESTRICTED AIRSPACE SURROUNDS HYDE COUNTY'S AIRPORT AND THE LACK OF GENERAL AVIATION TRAFFIC IN OUR AREA MAKES THE THREAT OF INTERACTIONS BETWEEN UAVS AND GENERAL AVIATION TRAFFIC LESS LIKELY DURING TESTING.

**WHEREAS**, THERE ARE NO HOMES WITHIN THE TEST SITE AREA WHICH CIRCUMVENTS PRIVACY ISSUES DURING TESTING.

**WHEREAS**, HYDE COUNTY'S VAST AGRICULTURAL RESOURCES OFFER THE PERFECT AGRICULTURAL TESTING AREA AND THE FARMERS IN THE AREA ARE EXCITED TO UTILIZE THIS NEW TECHNOLOGY TO HELP THEM TO INCREASE YIELDS, DECREASE BLIGHT AND DISEASE AND TO MORE EFFECTIVELY PARTICIPATE IN PRECISION AGRICULTURE.

**WHEREAS**, HYDE COUNTY IS SIMULTANEOUSLY WORKING WITH NORTH CAROLINA STATE UNIVERSITY, BEAUFORT COUNTY COMMUNITY COLLEGE, ELIZABETH CITY STATE UNIVERSITY AND THE COLLEGE OF THE ALBEMARLE TO DESIGN CURRICULUM FOR OUR YOUNG PEOPLE THAT WILL PREPARE THEM FOR CAREERS IN THE INDUSTRY THAT WILL HOPEFULLY ALLOW THEM TO STAY HOME AND BE PRODUCTIVE AND ACTIVE CITIZENS WITHIN OUR COMMUNITIES.

**WHEREAS**, HYDE COUNTY'S UAV ACTIVITIES ARE BASED ON COMMERCIAL APPLICATIONS TO BE USED FOR COMMON GOOD SUCH AS AGRICULTURE AND POTENTIALLY FOR NATURAL DISASTER SURVEYING, WILDLIFE MONITORING, SEARCH AND RESCUE MISSIONS AND A GREAT NUMBER OF OTHER POSITIVE USES.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, THAT HYDE COUNTY ASKS FOR SUPPORT OF OUR UAV ACTIVITIES IN HYDE COUNTY AND OUR PENDING APPLICATION TO THE FAA FOR TEST SITE DESIGNATION.

Duly adopted this the 2<sup>nd</sup> day of December, 2013.

Attested by:

  
\_\_\_\_\_  
Barry Swindell, Chairman  
Hyde County Board of Commissioners

  
\_\_\_\_\_  
Averil Simmons, Deputy Clerk to the Board  
Hyde County Board of Commissioners





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

**Resolution Opposing Any Proposed Bans on the  
Taking of Coyotes in Hyde County**

**WHEREAS**, the Southern Environmental Law Center (SELC) has filed a complaint in the U.S. District Court for the Eastern District of North Carolina and;

**WHEREAS**, the SELC is seeking to eliminate the hunting of coyotes on public and private land in the five-county Red Wolf Recovery Area and;

**WHEREAS**, Hyde County is within the five-county Red Wolf Recovery Area and;

**WHEREAS**, Elimination of coyote hunting presents a threat to livestock, pets, and private property as well as native wildlife and;

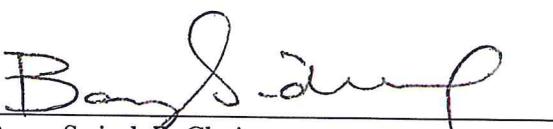
**WHEREAS**, Elimination of coyote hunting would cause irreparable harm to landowners' ability to protect private property and manage native wildlife and;

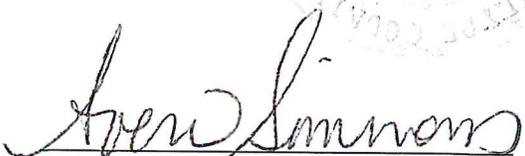
**WHEREAS**, Federal regulations associated with the reintroduction of the Red Wolf allow for incidental taking of Red Wolves pursuant to regulations allowing the taking of coyotes.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Hyde County Board of Commissioners opposes any proposed bans on the taking of coyotes in Hyde County.

Duly adopted this the 2<sup>nd</sup> day of December, 2013.

Attested by:

  
Barry Swindell, Chairman  
Hyde County Board of Commissioners

  
  
Averil Simmons, Deputy Clerk  
Hyde County Board of Commissioners

# COUNTY OF HYDE

## Board of Commissioners

Barry Swindell, Chair  
Dick Tunnell, Vice-chair  
Anson 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



## A RESOLUTION SUPPORTING PARTICIPATION IN A JOINT LAND USE STUDY (JLUS) PROGRAM FOR SEYMOUR JOHNSON AIR FORCE BASE (SJAFB), GOLDSBORO, NORTH CAROLINA

**WHEREAS**, the Joint Land Use Study (JLUS) Program managed by the Office of Economic Adjustment (OEA) of the Department of Defense (DOD) is a DOD initiative to provide grants to state and local governments to participate with military departments in open continuous dialogue to develop strategies to support long-term sustainability and operations of military missions; and

**WHEREAS**, the JLUS is also intended to be used as a comprehensive strategic plan including specific implementation actions to address and prevent incompatible civilian development that may impair the operational utility of military missions or available resources related to such missions; and

**WHEREAS**, SJAFB currently operates and uses a bombing range located in Dare County, North Carolina, together with significant amounts of air space located both between and around SJAFB and said bombing range; and

**WHEREAS**, SJAFB further currently uses certain low altitude air space corridors across north eastern North Carolina, including Hyde County, for certain low altitude training purposes; and

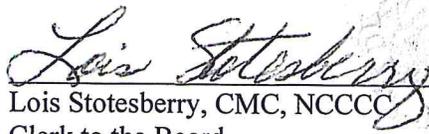
**WHEREAS**, Hyde County has been identified by the OEA as one of seven (7) counties primarily affected by the military operations of SJAFB, and has been invited to participate in and support the JLUS program along with the counties of Dare, Washington, Tyrrell, Beaufort, Bertie, and Wayne.

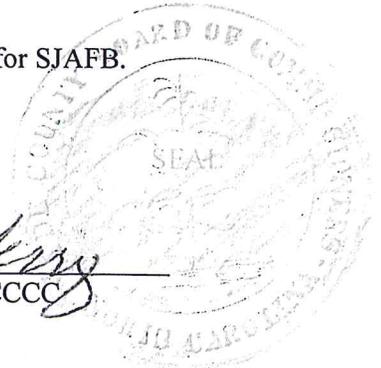
### **NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. Hyde County hereby recognizes the overall economic importance of attracting and retaining military installations in North Carolina.
2. Hyde County supports the military missions of SJAFB to the extent such operations do not unreasonably interfere with the economic development and opportunities of Hyde County.
3. Hyde County agrees to participate in any JLUS undertaken by the OEA for SJAFB.

**ADOPTED** this the 2<sup>nd</sup> day of December, 2013.

  
\_\_\_\_\_  
Barry Swindell, Chairman  
Hyde County Board of Commissioners

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





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

**PROCLAMATION**

**WHEREAS**, the Purple Heart is the oldest decoration in present use and was initially created as the Badge of Military merit by General George Washington in 1782; and

**WHEREAS**, the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to any member of the United States Armed Services wounded or killed in combat with a declared enemy of the United States; and

**WHEREAS**, the mission of the Military Order of Purple Heart, Chartered by an act of Congress, is to foster an environment of goodwill among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives and most importantly --make sure we never forget; and

**WHEREAS**, Hyde County residents have been engaged in every war against a declared enemy fought by the United States, including the war for the nation's independence; and

**WHEREAS**, Hyde County has a large number of residents who have been awarded the Purple Heart Medal for wounds received in combat; and

**WHEREAS**, Hyde County recognizes the commitment and increasing sacrifices required of military families; and

**WHEREAS**, Hyde County pledges its ongoing commitment to and support for the men and women who so honorably serve our nation.

**NOW THEREFORE BE IT PROCLAIMED**, the Hyde County Board of Commissioners hereby declares:

**Hyde County as a Purple Heart County in the State of North Carolina**

Duly adopted this the 2<sup>nd</sup> day of December, 2013.

Attested by:

Barry Swindell, Chairman  
Hyde County Board of Commissioners

Averi Simmons, Deputy Clerk  
Hyde County Board of Commissioners