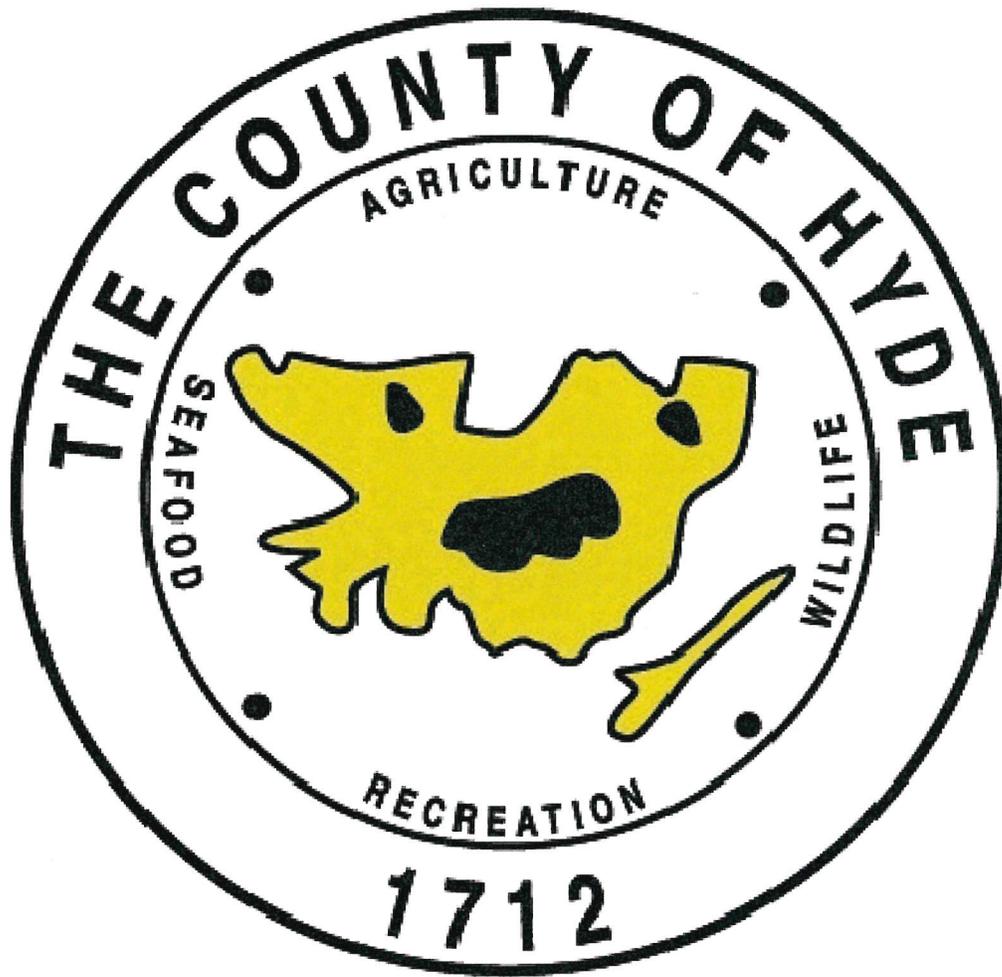


Hyde County Board of Commissioners



**Organizational & Regular Meeting
December 2, 2019**

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

Meeting Date: December 2, 2019
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: December 2, 2019
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the December 2, 2019 Organizational and Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' ORGANIZATIONAL MEETING

MONDAY, DECEMBER 2, 2019 – 6:00 PM

CALL TO ORDER

OPENING

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

November 4, 2019 - Regular Meeting Minutes

November 18th (Recessed) and 20th (Reconvened) 2019 - Special Meeting Minutes

ORGANIZATIONAL MEETING

- 1) Opening of Organizational Meeting – Earl Pugh, Jr., Chairman**
- 2) Nomination and Election of Board Chairman**
- 3) Chair Takes Over Organizational Meeting**
- 4) Nomination and Election of Vice-Chairman**
- 5) Appointment of County Attorney**
 - Franz Holscher, Attorney**
- 6) Appointment of Board Clerk**
 - Lois Stotesberry, CMC, NCCCC**
- 7) Appointment of Deputy Clerks**
 - Justin Gibbs**
 - Rosemary Johnson**
 - Donnie Shumate**
- 8) Resolution Establishing Regular 2020 Meeting Dates**

REGULAR MEETING

CALL TO ORDER

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES (none)

PUBLIC HEARING (none)

PRESENTATIONS

- **TR-407 Tax Report (requires signature) Linda Basnight**

RECOGNITION OF EMPLOYEE/ VOLUNTEER/ FRIEND OF HYDE COUNTY

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) **Amendment to Abandoned Vehicle Ordinance Manager Noble**
- 2) **Appointments**
 - **Hyde County Nursing Home Community Advisory Committee (CAC) Manager Noble**

BUDGET MATTERS

Health Department

- **Maternal Health/Substance Abuse \$36,250.42**
- **Adult Health/Training \$ 700.00**

MANAGEMENT REPORTS

The Commissioners, County Manager and Assistant 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**
- 2) Inspections**
- 3) Human Resources**
- 4) IT Department**
- 5) Health Department**
- 6) Department of Social Services**
- 7) Senior Center**
- 8) Soil & Water**
- 9) Cooperative Extension**
- 10) Airport**

Informational Items

- 1) Tyrrell County – Resolution in Opposition to Certain Actions of the North Carolina Wildlife Resources Commission**
- 2) Dare County – Resolution Opposing Reclassification of Jurisdictional Waters**
- 3) Volunteer Fire Department(s) Grant Program Letter**

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

Meeting Date: December 2, 2019
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: ORGANIZATIONAL MEETING

SUMMARY: The North Carolina law (G.S. 153A-41) permits a board of county commissioners to adopt its own rules of procedure if these conform to “generally accepted principles of parliamentary procedure” and do not conflict with applicable law.

Rules of Procedure for the Hyde County Board of County Commissioners

Section III. Organization of the Board

Rule 4. Organizational Meeting

- (a) Even-numbered Years. The board shall hold an organizational meeting at its regular meeting place at 6:00PM on the first Monday in December of each even-numbered year. The agenda for this organizational meeting shall be limited to induction of newly elected members of the board of county commissioners and other elected county officials and organization of the board for the ensuing year. The organizational meeting shall be convened and concluded before the regular December meeting is convened. The clerk to the board of commissioners shall call the meeting to order and shall preside until a chair is elected. If they have not already been sworn and inducted into office, the newly elected members of the board shall take and subscribe the oath of office as the first order of business. As the second order, the board shall elect a chair and vice-chair from among its members. As the third order, the board shall approve the bonds of the sheriff, [the coroner], and the register of deeds and induct them and any other newly elected county officials into office. As the fourth and fifth orders of business, the board may appoint a clerk and an attorney.
- (b) Odd-numbered Years. At the first regular meeting in December of each odd-numbered year, the first order of business shall be approval of the minutes of the previous meeting. The second order of business shall be election of the chair and vice-chair for the ensuing year. The third and fourth orders of business may be appointment of the clerk and county attorney.

Rule 5. Election of the Chair

The chair of the board shall be elected annually for a term of one year and shall not be removed from the office of chair unless he or she becomes disqualified to serve as a member of the board.

Administer Oaths of Office – Brandy Pugh, Clerk of Court

- 1) Commissioners (none)
- 2) Opening of Organizational Meeting – Lois Stotesberry, Clerk to Board of Commissioners
- 3) Nomination and Election of Board Chairman

Motion Made By: _____ Motion Seconded By: _____ Vote: _____

- 4) Chair Takes Over Organizational Meeting
- 5) Nomination and Election of Vice-Chairman

Motion Made By: _____ Motion Seconded By: _____ Vote: _____

- 6) Appointment of County Attorney

Motion Made By: _____ Motion Seconded By: _____ Vote: _____

- 7) Appointment of Board Clerk
 - i. Lois Stotesberry, CMC, NCCCC

Motion Made By: _____ Motion Seconded By: _____ Vote: _____

- 8) Appointment of Deputy Clerks
 - i. Rosemary Johnson
 - ii. Justin Gibbs
 - iii. Donnie Shumate

Motion Made By: _____ Motion Seconded By: _____ Vote: _____

RECOMMEND: Appointments.

COUNTY OF HYDE

Board of Commissioners

Earl Pugh, Jr., Chair
Thomas Pahl, Vice-chair
Ben Simmons, III
James Topping
Shannon Swindell

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

Kris Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board of Commissioners



Monday, November 25, 2019

PUBLIC NOTICE

The Hyde County Board of Commissioners in accordance with NCGS 153A-39, 153A-40 and 143-318.12 (b) (2) will hold an organizational meeting on Monday, December 2, 2019 beginning at 6:00pm in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic conferencing equipment.

The purpose of the meeting is election of Chairman and Vice-Chairman and establishment of regular meeting schedule.

Lois Stotesberry, CMC, NCCCC
Clerk to the Board of Commissioners

###

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

Meeting Date: December 2, 2019
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the November 4, 2019 Regular Meeting Minutes and November 18 – 20, 2019 Special Meeting Minutes of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

1 **REGULAR MEETING MINUTES**

2
3 **HYDE COUNTY BOARD OF COMMISSIONERS**
4 **MONDAY, NOVEMBER 4, 2019**

5
6 Following opening prayer by Commissioner Swindell; and, Pledge of Allegiance, Chairman Pugh called the Regular
7 Meeting of the Hyde County Board of Commissioners to order at 6:00p.m., on Monday, November 4, 2019 in the
8 Hyde County Government Center Multi-Use Room and the Ocracoke Community Center using electronic
9 conferencing equipment.

10
11 The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-Chair Tom Pahl; Commissioners
12 Shannon Swindell and James Topping; County Manager Kris Cahoon Noble; Attorney Franz Holscher; Clerk to the
13 Board Lois Stotesberry; IT Director Donnie Shumate; Finance Officer Corrinne Gibbs; and, members of the public.
14 Commissioner Ben Simmons was absent.

15
16 Teresa Adams and members of the public were present on Ocracoke.

17
18 **CONSIDERATION OF AGENDA:**

19 Commissioner Swindell moved to approve the Monday, November 4, 2019 Regular Meeting Agenda as presented by
20 the Clerk. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
21 Swindell and Topping; Nays – None; Absent or not voting – Simmons.

22
23 **CONSIDERATION OF MINUTES:**

24 **October 7, 2019 – Regular Meeting Minutes**

25 Commissioner Swindell moved to approve the Monday, October 7, 2019 Regular Meeting Minutes as presented by the
26 Clerk with correction made on page 3 line 12: Kelley Shinn, Ocracoke – discussed ~~statistics being collected~~ a proposal
27 by Tiffany Rhodes to ~~be included in film~~ a fictional drama on Ocracoke; and, addition on page 4 line 4: He also
28 received a petition with 168 signatures in opposition to the village being open to visitors. Commissioner Pahl
29 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays –
30 None; Absent or not voting – Simmons.

31
32 **PRESENTATIONS:**

33 **TR-407 Daily Distribution Tax Report – October 2019**

34 Tax Administrator Linda Basnight presented the October 2019 Daily Distribution Tax Report.

35
36 Commissioner Pahl presented citizen's concerns about incorrect addresses and zip codes on tax bills. Correct
37 documentation of property ownership is required when applying for state assistance. Mr. Pahl recommended a more
38 proactive solution than the Postal Service returning the bills to the county.

39
40 IT Director Donnie Shumate reported the error occurred during the transition to Farragut Tax Software and has since
41 been corrected.

42
43 Commissioner Pahl moved to approve both TR-407 Report as presented by Ms. Basnight. Commissioner Swindell
44 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays –
45 None; Absent or not voting – Simmons.

46
47 **Albemarle Commission**

1 Melody Wilkins, Executive Director, reported the Albemarle Commission is designed to provide continuous
2 comprehensive assistance to the Region. The Commission establishes a framework for joint Federal, State and local
3 efforts in a program of regional development through intergovernmental cooperation. Ms. Wilkins presented
4 Albemarle Commission programs and Hyde County statistics.

5
6 Manager Noble thanked Ms. Wilkins for the Commission’s support to Hyde County and the Senior Center meals
7 program.

8
9 **Trillium Health Resources**

10 Lauren Swain, Director of Early Intervention, and Brian Fike presented Trillium Health Resources Back At Home NC
11 (State disaster rehousing) where displaced citizens can apply for housing assistance. Qualifications are based on
12 current income. For more information or to apply survivors of Hurricane Dorian can call 2-1-1 or go to
13 <https://www.backathome.org/> for assistance.

14
15 **Juvenile Jail Project**

16 Kris Cahoon Noble, County Manager, reported she and Deputy Charlie Herina have been working on the project and
17 will present update at the next regularly scheduled Board of Commissioners meeting.

18
19 **NCACC Youth Voice Program**

20 Lee Brimmage, 4-H Director, introduced Ms. Bianca Torres, a student at Mattamuskeet Early College High School.
21 Bianca traveled to the North Carolina Association of County Commissioners Youth Voice Program on August 24-25
22 to meet with county commissioners from all across the state to learn about leadership and county operations.
23 Chairman Earl Pugh, Jr. and County Manager Kris Cahoon Noble attended the conference. Chairman Pugh reported
24 Bianca represented the county very well.

25
26 **PUBLIC COMMENT:**

27 Marissa Gross, Ocracoke – reported she is concerned about Ocracoke citizens’ civil liberties and rights. She asks that
28 commissioners set true and tangible goals for Ocracoke re-entry.

29
30 Kelley Shinn, Ocracoke – reported Ocracoke students sent letters to the NC Senate.

31
32 Steve Wilson, Ocracoke – requested Ocracoke Island be open immediately.

33
34 **ITEMS OF CONSIDERATION:**

35 **Resolution to Ratify Board Action Related to Hurricane Dorian**

36 Commissioner Pahl moved to adopt Hyde County State of Emergency Proclamation Amendment No. Eight Lifting the
37 Curfew for Ocracoke – October 30, 2019; and, Resolution to Ratify Board Action Related to Hurricane Dorian.

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

40
41 *Clerk’s Note: A copy of “Hyde County State of Emergency Proclamation Amendment No. Eight Lifting the Curfew for
Ocracoke – October 30, 2019” is attached herewith as Exhibit A and incorporated herein by reference.*

42
43 *Clerk’s Note: A copy of “Resolution to Ratify Board Action Related to Hurricane Dorian” is attached herewith as Exhibit B
and incorporated herein by reference.*

44
45 **Appointments**

46

1 **Selection of Complete Count Committee Members for The 2020 Census**

2 Kris Cahoon Noble, County Manager, reported five members were appointed to serve on the Complete Count
3 Committee (CCC) for the 2020 Census at the October Board meeting. The CCC also needs to consist of three
4 members from each voting district. Commissioners will fill the vacant positions with members from their respective
5 townships. The fifteen appointees will be recommended for Board approval at the next regularly scheduled
6 Commissioners meeting.

7
8 **Board of Health – Registered Nurse Designee**

9 Luana Gibbs, Interim Health Director, reported the Board of Health met and discussed appointing Lauren Swindell
10 Gibbs as the Registered Nurse designee to the Health Board at its September 17 meeting.

11
12 Commissioner Swindell moved to appoint Lauren Swindell Gibbs as the Registered Nurse designee to the Hyde
13 County Health Board. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes –
14 Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

15
16 **Board of Health – Member Appointee**

17 Luana Gibbs, Interim Health Director, reported at the September 17 Board of Health meeting it was recommended
18 Randy Hignite be re-appointed to serve a third three-year term on the Hyde County Board of Health.

19 Commissioner Swindell moved to re-appoint Randy Hignite to serve his third three-year term on the Hyde County
20 Board of Health. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh,
21 Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons

22 **Board of Health – Commissioner Designee**

23 Kris Cahoon Noble, County Manager, reported Commissioner Shannon Swindell will no longer serve on the Hyde
24 County Health Board. She recommended Chairman Earl Pugh, Jr. be appointed as commissioner designee on the
25 Health Board.

26 Commissioner Swindell moved to appoint Chairman Earl Pugh, Jr. to serve as Hyde County Board of Commissioners
27 designee on the Hyde County Health Board. Commissioner Pahl seconded the motion. The motion passed on the
28 following vote: Ayes – Pugh, Pahl and Swindell; Nays – Topping; Absent or not voting – Simmons.

29 **Designation of Applicant’s Agent – Hyde County Disaster Number: 4465**

30 Finance Officer Corrinne Gibbs reported the North Carolina Division of Emergency Management requires recipients of
31 disaster grant funding to designate a primary and secondary agent authorized to represent the organization in all
32 dealings with the State of North Carolina and the Federal Emergency Management Agency (FEMA) for all matters
33 pertaining to disaster assistance required by the grant agreement.

34
35 Commissioner Pahl moved to designate Corrinne Gibbs as Primary Agent and Justin Gibbs as Secondary Agent to
36 represent Hyde County in all State and FEMA matters related to Disaster No. 4465 – Hurricane Dorian. Commissioner
37 Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping;
38 Nays – None; Absent or not voting – Simmons.

39 *Clerk’s Note: A copy of “Designation of Applicant’s Agent – Hyde County Disaster Number 4465 – Hurricane Dorian” is
40 attached herewith as Exhibit C and incorporated herein by reference.*

41 **Grant Contract Agreement Between Hyde County and North Carolina Clean Water Management Trust Fund**

42 County Manager Kris Cahoon Noble reported on September 16, 2019 Hyde County was notified it had been awarded
43 \$158,804.00 in grant funding by NC Clean Water Management Trust Fund. Hyde County is prepared to develop
44 engineered plans for active water management of the Lake Mattamuskeet watershed to improve water quality within

1 the lake and reduce flooding throughout the watershed using this grant. The design work is intended to be sufficient to
2 secure permits for a future project. The project would complete a watershed-scale hydrologic and hydraulic
3 (H&H) model and develop cost estimates and identify preferred engineering alternative identified upon the
4 completion of this project.

5
6 Commissioner Swindell moved to authorize the County Manager to work with the County Attorney to review and
7 execute the attached grant contract. Commissioner Pahl seconded the motion. The motion passed on the following
8 vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

9 **Personnel Policy Revisions**

10 Tammy Blake, Human Resources Director, reported Article VII. Section 14 of the Hyde County Personnel Policy
11 currently addresses the housing allowance for employees who work on Ocracoke Island. During budget meeting
12 discussions, the Board of Commissioners approved increasing the housing allowance from \$6,000 to \$8,000 per year.
13 Ms. Blake requests the policy be updated to reflect this change.

14
15 Commissioner Pahl moved to amend the housing allowance increase to \$8,000.00 in the Hyde County Personnel
16 Policy. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
17 Swindell and Topping; Nays – None; Absent or not voting – Simmons.

18 **Article VII. Section 14. Housing Allowance – Full-time employees who reside and work on Ocracoke Island shall receive a housing**
19 **allowance of ~~six-thousand (\$6,000)~~ eight-thousand (\$8,000) dollars per year paid monthly. Proof of residency is required by providing**
20 **the Human Resources Office with a physical address.**

21
22 **Waterfowl Blind Committee Update**

23 IT Director Donnie Shumate, reported the Waterfowl Blind Committee has been meeting monthly to work on a
24 recommendation regarding new waterfowl blind regulations. Due to Hurricane Dorian, the committee has missed the
25 past two meetings that were scheduled to finalize the recommendation. Mr. Shumate, the committee moderator, gave a
26 brief overview of the committee’s progress so far. He will present the committee’s recommendations at the next
27 regularly scheduled Board of Commissioners meeting.

28 **BUDGET REVISIONS:**

29 **Health Department - BR 04-20 HepConnect \$71,163.00**

30 Luana Gibbs, Interim Health Director, reported this budget revision represents funding received from a National
31 Harm Reduction Coalition grant for the purpose of expanding prevention, education and treatment for Hepatitis C.
32 This was a competitive grant in which Hyde County Health Department was one of only two health departments in
33 North Carolina to obtain funding. Additional grantees come from other states scattered nationwide. Hyde County
34 Health Department will use this funding to purchase a vehicle for use in its Substance Awareness Program for syringe
35 exchange, as well as travel for syringe exchange and contracting of a peer support outreach worker. Funding does
36 increase the overall County Budget but no local appropriations are needed.

37 Commissioner Swindell moved to approve the Health Department budget transfer as presented. Commissioner Pahl
38 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays –
39 None; Absent or not voting – Simmons.

40
41 **MANAGEMENT REPORTS:**

42 Chairman Pugh, Vice-chairman Pahl, Commissioners Topping and Swindell and County Manager Kris Cahoon
43 Noble – presented report on their work representing the County and gave update on projects and activities attended
44 during the month. Members discussed post Hurricane Dorian recovery efforts throughout the County, NC Highway
45 12 repairs, NCDOT Ferry Division services and mosquito control.

1 Manager Noble informed the Board of Mrs. Carolyn B. O’Neal (Administrative Assistant Rosemary Johnson’s
2 mother) passing away and offered condolences to the family.

3
4 **PUBLIC COMMENT:**

5 Leslie Lanier, Ocracoke – reported businesses on the Island are ready to reopen. Ms. Lanier thanked the
6 commissioners for considering a date to reopen.

7
8 Hearing no further comment from the public, Chairman Pugh continued the meeting.

9
10 After further discussion, Commissioner Pahl moved to conduct a Special Called Board of Commissioners Meeting
11 on Monday, November 18, 2019 at 6:00p.m., in the Hyde County Government Center Multi-Use Room and the
12 Ocracoke Community Center using electronic conferencing equipment. The purpose of this meeting is to consider
13 re-opening Ocracoke Island to visitors. Commissioner Swindell seconded the motion. The motion passed on the
14 following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting – Simmons.

15
16 **CLOSED SESSION:**

17 Commissioner Pahl moved to enter into closed session in accordance with NCGS143A-318.11(a)(5) – To establish or
18 instruct the public body’s staff or agent in negotiating the price or terms of a contract for the acquisition of real
19 property by purchase; or compensation and terms of an employment contract. Commissioner Swindell seconded the
20 motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent
21 or not voting – Simmons.

22
23 Commissioner Swindell moved to come out of closed session. Commissioner Pahl seconded the motion. The motion
24 passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting –
25 Simmons.

26
27 **ADJOURN:**

28 Commissioner Swindell moved to adjourn the meeting. Commissioner Pahl seconded the motion. The motion
29 passed on the following vote: Ayes – Pugh, Pahl, Swindell and Topping; Nays – None; Absent or not voting –
30 Simmons.

31
32 The meeting adjourned at 9:10p.m.

33
34 Respectfully submitted:

35
36 Minutes approved on the 2nd day of December, 2019.

37
38 Attest:

39
40
41 _____
42 Lois Stotesberry, CMC, NCCCC
43 Clerk, Hyde County Board of Commissioners

40
41 _____
42 Earl Pugh, Jr.
43 Chair, Hyde County Board of Commissioners

44 **Attachments**

45 Exhibit A: *“Hyde County State of Emergency Proclamation Amendment No. Eight Lifting the Curfew for Ocracoke*
46 *October 30, 2019”*

47 Exhibit B: *“Resolution to Ratify Board Action Related to Hurricane Dorian”*

48 Exhibit C: *“Designation of Applicant’s Agent – Hyde County Disaster Number 4465 – Hurricane Dorian”*

1 SPECIAL MEETING MINUTES

2
3 **HYDE COUNTY BOARD OF COMMISSIONERS**
4 **MONDAY, NOVEMBER 18, 2019**

5 Following opening prayer by Commissioner Simmons; and, Pledge of Allegiance, Chairman Pugh called the Special
6 Meeting of the Hyde County Board of Commissioners to order at 6:00p.m., on Monday, November 18, 2019 in the
7 Hyde County Government Center Multi-Use Room and the Ocracoke Community Center using electronic
8 conferencing equipment.

9
10 The following members were present on the mainland: Chairman Earl Pugh, Jr.; Commissioners Ben Simmons,
11 Shannon Swindell and James Topping; County Manager Kris Cahoon Noble; Attorney Franz Holscher; Clerk to the
12 Board Lois Stotesberry; IT Director Donnie Shumate; and, members of the public.
13
14 Vice-Chair Tom Pahl; EM Director Justin Gibbs; Teresa Adams and members of the public were present on Ocracoke.

15
16 **CONSIDERATION OF AGENDA:**

17 Commissioner Swindell moved to approve the Monday, November 18, 2019 Special Meeting Agenda as presented by
18 the Clerk with addition of Item No. 4 – Lifting the Visitor Evacuation Order on Ocracoke. Commissioner Pahl
19 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping;
20 Nays – None; Absent or not voting – None.

21
22 **CONSIDERATION OF MINUTES:**

23 **November 4, 2019 – Regular Meeting Minutes (tabled)**

24
25 **PUBLIC COMMENT:**

26 Hearing no comment from the public, Chairman Pugh continued the meeting.

27
28 **ITEMS OF CONSIDERATION:**

29 **Memorandum of Agreement - OSBM**

30 Kris Cahoon Noble, County Manager, reported Hyde County has received the attached Memorandum of Agreement
31 from the North Carolina Office of State Budget and Management (OSBM) to support Hurricane Dorian Housing
32 Recovery Support Services. The grant agreement outlines the duties of both OSBM and Hyde County, names the
33 County Manager as the Party's Agreement Administrator, outlines monitoring and auditing and other terms of
34 agreement. Attachment A – Scope of Work and Budget outlines assistance provided, provisions and funding category
35 restrictions.

36
37 Commissioner Pahl moved to approve State Grants for Hurricane Dorian Housing Recovery Support Services.
38 Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl,
39 Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

40
41 **Project Budget Ordinance: Hurricane Dorian Ocracoke Housing Recovery Support Services**

42 Kris Cahoon Noble, County Manager, reported this Project Budget Ordinance authorizes the Hurricane Dorian
43 Ocracoke Housing Recovery Support Services between the County of Hyde and the Office of State Budget and
44 Management, an agency of the State of North Carolina. Further, the Project Budget Ordinance authorizes Hyde
45 County staff members to proceed with the Hurricane Dorian Ocracoke Housing Recovery Support Services within the
46 terms of the document(s) and the budget contained herein.

1 Revenues are anticipated to be available to complete the project activities in the amount of \$600,000.00 from the
2 Office of State Budget and Management Grant. The ordinance dictates the following amounts will be appropriated for
3 completion of the project activities including the purchase of travel trailers for the long term recovery of Ocracoke
4 Island residents, rental assistance, project management and contingency.

5
6 Commissioner Pahl moved to adopt Hurricane Dorian Ocracoke Housing Recovery Support Services Project
7 Ordinance 2019-11-18. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes
8 – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

9
10 **Gifting of County Property to Tyrrell County**

11 Hyde County Sheriff Guire Cahoon requested approval to gift a canine, whose handler has left employment with Hyde
12 County, to the Tyrrell County Sheriff's Office. The canine is 6 years old and has had 3 handlers. The Tyrrell County
13 Sheriff's Office has agreed to take Argo and assist Hyde County whenever possible.

14 Commissioner Swindell moved to gift canine Argo to the Tyrrell County Sheriff's Office. Commissioner Simmons
15 seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping;
16 Nays – None; Absent or not voting – None.

17
18 **MANAGEMENT REPORTS:**

19 Kris Cahoon Noble, County Manager, reported Ocracoke Island will not open for tourist on the 22nd. At today's
20 meetings with NC Highway Division, Ferry Division and National Park Service the NC DOT reported they were not
21 able to give the County a set date to re-open the Island due to conditions still occurring on Highway 12. Ms. Noble
22 reported Highway 12 was still experiencing over wash and had lost 80% of the sand from the dredge spoil site.

23
24 Vice-Chairman Tom Pahl recommended the Board take no action at this time and allow NCDOT to assess damages
25 and report their findings to the Board.

26
27 Commissioners Simmons and Swindell recommended the Island be open to tourists now.

28
29 Commissioner Topping reported the Island is still in shambles and is not ready to receive visitors. Mr. Topping moved
30 to table discussion and to take a look at re-entry for visitors on December 2nd. Commissioner Pahl seconded the
31 motion and after further discussion withdrew the motion.

32
33 Franz Holscher, County Attorney, reported the County has a statutory duty to provide safety to citizens and visitors.

34
35 Vice-Chairman Tom Pahl reported the Board could not make decisions based on the unreliability of Highway 12 and
36 there is no guarantee that Highway 12 will stay open through the winter.

37
38 Commissioner Simmons moved to recess the meeting and to request Emergency Management post signs and/or
39 bulletins at ferry terminals making visitors aware of the possibility they may not be able to leave the Island for medical
40 emergencies based on weather, fog, wind, etc.

41
42 Justin Gibbs, Emergency Manager, reported there is not specific language in the State of Emergency. He has increased
43 EMS coverage through November 22nd. Mr. Gibbs will review the ongoing State of Emergency.

44
45 Kris Cahoon Noble, County Manager, reported Chairman Pugh and/or Vice-chair Pahl can enact or terminate a
46 proclamation without conducting a commissioners meeting during a State of Emergency.

47
48 After discussion, Commissioner Simmons restated his motion to recess the meeting and to reconvene on Wednesday,

1 November 20th at 6:00p.m. Discussion continued.

2

3 **PUBLIC COMMENT:**

4 Sundae Horne, Ocracoke – stated the Ocracoke Control Group should announce meetings with subject, date and time
5 noted. Ms. Horne asks that a statement be released immediately after a meeting. She would like to see a list of
6 Control Group members and a record of their attendance. Ms. Horne did evacuate and reports that she was not allowed
7 back on the Island until Monday.

8

9 Darlene Styron, Ocracoke – stated recent ferry schedule changes implemented would prevent volunteers from coming
10 to Ocracoke on Saturday.

11

12 Justin Gibbs, Emergency Manager, will re-evaluate the plan for patient transport in an emergency and evaluate other
13 forms of transportation off the Island during an emergency. He will evaluate options available such as the Coast Guard
14 for transportation and Dare County to assist with patient care.

15 Reverend Ivey Belch, pastor of the Ocracoke Assembly of God Church – asked how we will address visitors coming to
16 Ocracoke and what we are to do if they can't get off the Island.

17 Gregory Brown, Contractor – stated ferry prices would be reinstated if the evacuation is lifted and the cost would be
18 passed on the customer.

19 Connie Leinbach, Ocracoke – invited the Board of Commissioners to come to Ocracoke.

20 Robin Macek, Ocracoke – reported she is having a hard time getting supplies.

21

22 B. J. Oeslegal, Ocracoke – asked if the County can be legally released from its responsibility.

23

24 Hearing no further comment from the public, Chairman Pugh continued the meeting.

25

26 **CLOSED SESSION:** (none)

27 **ADJOURN:**

28 Commissioner Swindell moved to recess and reconvene the meeting on Wednesday, November 20, 2019 at 6:00p.m. in
29 the Hyde County Government Center Multi-Use Room and the Ocracoke Community Center using electronic
30 conferencing equipment. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes –
31 Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

32 The meeting recessed at 7:35p.m.

33

34 Respectfully submitted:

35

36 Minutes approved on the 2nd day of December, 2019.

37

38 Attest:

39

40 _____
41 Lois Stotesberry, CMC, NCCCC
42 Clerk, Hyde County Board of Commissioners

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

42

43 **Attachments**

44 Exhibit A: *“Hurricane Dorian Ocracoke Housing Recovery Support Services Project Ordinance 2019-11-18”*

45

1
2 **RECONVENED – SPECIAL MEETING MINUTES**

3
4 **HYDE COUNTY BOARD OF COMMISSIONERS**
5 **MONDAY, NOVEMBER 18, 2019**

6
7 Chairman Pugh called the reconvened Special Meeting of the Hyde County Board of Commissioners to order at
8 6:00p.m., on Wednesday, November 20, 2019 in the Hyde County Government Center Multi-Use Room and the
9 Ocracoke Community Center using electronic conferencing equipment.

10
11 The following members were present on the mainland: Chairman Earl Pugh, Jr.; Commissioners Ben Simmons,
12 Shannon Swindell and James Topping; County Manager Kris Cahoon Noble; Attorney Franz Holscher; Clerk to the
13 Board Lois Stotesberry; and, IT Director Donnie Shumate.

14
15 Vice-Chairman Tom Pahl; EM Director Justin Gibbs and members of the public were present on Ocracoke.

16
17 **DISCUSSION – OCRACOKE RE-ENTRY**

18 Kris Cahoon Noble, County Manager, reported the NC Highway Division does not have a full assessment of
19 Highway 12 damages at this time due to the recent northeaster storm. Ms. Noble reported based on discussion with
20 the Ocracoke Control Group, NCDOT, NPS and the Ferry Division access to and from Ocracoke Island originally
21 planned for November 22nd should be moved forward another two weeks. Milestones not met at this time include
22 access to Highway 12 and debris removal.

23
24 Commissioner Pahl moved to open Ocracoke Island to visitors on Monday, December 2, 2019 at 5:00a.m.
25 Commissioner Simmons seconded the motion.

26
27 Chairman Pugh reported delaying reentry will give us options to work with the Ferry Division for more runs.

28
29 Commissioner Swindell suggested reentry on Wednesday, November 27th at 4:00p.m.

30
31 Commissioner Topping recommended the Board respect the Control Group's decision and suggests all Ocracoke
32 citizens be included in making this decision. Mr. Topping recommended Ocracoke citizens and businesses rebuild
33 during this off season. He also has concerns about ferry traffic.

34
35 Kris Cahoon Noble, County Manager, stated re-entry is challenging but she is comfortable with the December 2nd
36 decision. She reported Ocracoke citizens and businesses are working diligently towards economic recovery.

37
38 Commissioner Pahl stated the Board should set a date as we have an obligation to the citizens of Ocracoke. Mr. Pahl
39 stated it is time to take action. He stated December 2nd is a fair compromise.

40
41 Commissioner Pugh recommends setting a date for Ocracoke residents to work towards.

42
43 Commissioner Simmons agrees with Commissioner Swindell to reopen on November 27th but stated he respects
44 Commissioner Pahl's December 2nd re-entry date.

1 Commissioner Pahl thanked everyone for all they have done for the citizens of Ocracoke.

2

3 Hearing no further discussion, Chairman Pugh called for a vote.

4 The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – Topping; Absent or not
5 voting – None.

6

7 **ADJOURN:**

8 Commissioner Simmons moved to adjourn the reconvened Hyde County Board of Commissioners Special Meeting on
9 Wednesday, November 20, 2019 at 7:20p.m. Commissioner Pahl seconded the motion. The motion passed on the
10 following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

11 Respectfully submitted:

12

13 Minutes approved on the 2nd day of December, 2019.

14

15 Attest:

16

17

18

19 _____
Lois Stotesberry, CMC, NCCCC

20 Clerk, Hyde County Board of Commissioners

Earl Pugh, Jr.

Chair, Hyde County Board of Commissioners

DRAFT

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

Meeting Date: December 2, 2019
Presenter: County Manager Kris Noble
Attachment: Yes

ITEM TITLE: RESOLUTION TO ADOPT MEETING CALENDAR FOR 2020

SUMMARY: A resolution must be passed by the Board to adopt the official calendar of Board meetings, as directed by General Statute §143-318.12.

“Resolution No. 2019-12-02 – Resolution of The Hyde County Board of Commissioners Establishing Regular Meeting Dates” is attached for Board approval.

RECOMMEND: Discussion and approval.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

Board of Commissioners

Earl Pugh, Jr.
Benjamin Simmons, III
Thomas Pahl
Shannon Swindell
James R. Topping

COUNTY OF HYDE

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27
252-926-4400
252-926-3701 Fax

Kristen Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCC
Clerk to the Board



Resolution No. 2019-12-02

**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 2020 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 Community Center, 999 Irvin Garrish Highway, Ocracoke, NC.
- * means the meeting date is on Tuesday.

WHEREAS, the Hyde County Board of Commissioners, at its Organizational Meeting on December 2, 2019, 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, 2019	July 6, 2019
February 3, 2019	August 3, 2019
March 2, 2019	September 8, 2019*
April 6, 2019	October 5, 2019
May 4, 2019	November 2, 2019
June 1, 2019	December 7, 2019

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, 2019.

Duly adopted this the 2nd day of December, 2019.

Chair, Hyde County Board of Commissioners

SEAL

ATTEST:

Clerk to the Board of Commissioners

2020 Meeting & Holiday Calendar

County of Hyde

JANUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

MARCH						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
S	M	T	W	T	F	S
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
S	M	T	W	T	F	S
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

 Commissioner Meetings

 Holidays

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

Meeting Date: December 2, 2019
Presenter: County Manager Kris Noble
Attachment: No

ITEM TITLE: EMPLOYEE/VOLUNTEER/FRIEND OF THE MONTH

SUMMARY: Manager Kris Noble will announce the Employee, Volunteer and/or Friend of the County for the month of December, 2019.

RECOMMEND: Congratulations.

MOTION MADE BY: PUGH
 SIMMONS
 PAHL
 SWINDELL
 TOPPING

MOTION SECONDED BY: PUGH
 SIMMONS
 PAHL
 SWINDELL
 TOPPING

VOTE: PUGH
 SIMMONS
 PAHL
 SWINDELL
 TOPPING

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: December 2, 2019
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.

Sec. 34-1. – Removal and disposal of abandoned and junked motor vehicles.

- (a) No person shall place, leave, park, abandon or junk a motor vehicle on public grounds, private property within the county's ordinance-making jurisdiction, or on county-owned property.
- (b) "Motor vehicle" includes any machine designed or intended to travel over land or water by self-propulsion or while attached to self-propelled vehicle.
 - (1) An "abandoned motor vehicle" is one that:
 - a. Is left on public grounds or county-owned property in violation of a law or ordinance prohibiting parking; or
 - b. Is left for longer than 24 hours on property owned or operated by the county; or
 - c. Is left for longer than two hours on private property without the consent of the owner, occupant, or lessee of the property; or
 - d. Is left for longer than seven days on public grounds.
 - (2) A "junked motor vehicle" is an abandoned motor vehicle that also:
 - a. Partially dismantled or wrecked; or
 - b. Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
 - c. Is more than five years old and appears to be worth less than one hundred dollars (\$100.00); or
 - d. Does not display a current license plate.
- (b) This section does not apply to any vehicle in an enclosed building, to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, or to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the county.
- (c) The county may remove to a storage garage or area an abandoned or junked motor vehicle found to be in violation of this section. A vehicle may not be removed from private property, however, without the written request of the owner, lessee, or occupant of the premises unless the board of commissioners or a duly authorized county official or employee has declared the vehicle to be a health or safety hazard. Appropriate county officers and employees have a right, upon presentation of proper credentials, to enter on any premises within the county ordinance-making jurisdiction at any reasonable hour in order to determine if any vehicles are health or safety hazards. The county will require any person requesting the removal from private property of an abandoned or junked motor vehicle to indemnify the county against any loss, expense, or liability incurred because of the vehicle's removal, storage, or sale.
- (d) When an abandoned or junked motor vehicle is removed, the county shall give notice to the owner as required by G.S. 20-219.11(a) and (b).
- (d) The board of commissioners shall from time to time establish reasonable towing or removal fees and storage fees which shall be posted in a schedule of fees maintained in the county manager's office. The initial towing or removal fee shall be \$125.00 and the storage fee is \$10.00 per day.
- (e) Anyone who protest the towing, removal or storage of their motor vehicle shall after paying any fees due request in writing within five (5) business days of the payment of the fees a hearing before the board of commissioners.
- (f) The board of commissioners shall conduct a hearing at its earliest convenience in which the owner may present evidence that their property was not abandoned or junked without consent. Any appeals by the owner of the board's decision shall be to the district court.
- (g) Abandoned or junked motor vehicles may be sold after five days or after a final decision in any appeal has been rendered and any period for appealing that decision has expired pursuant to the terms and conditions of G.S. ch. 44A, as applicable. If any property is not sold at the sale scheduled for that purpose the county may dispose of it as it sees fit including, but not limited to, destruction.
- (h) No person nor the county may be held to answer in a civil or criminal action to any owner or other person legally entitled to the possession of an abandoned, junked, lost, or stolen motor vehicle for disposing of the vehicle as provided in this section.

§ 153A-132. Removal and disposal of abandoned and junked motor vehicles; abandoned vessels.

(a) Grant of Power. – A county may by ordinance prohibit the abandonment of motor vehicles on public grounds and private property within the county's ordinance-making jurisdiction and on county-owned property wherever located. The county may enforce the ordinance by removing and disposing of abandoned or junked motor vehicles according to the procedures prescribed in this section.

(b) Definitions. – "Motor vehicle" includes any machine designed or intended to travel over land or water by self-propulsion or while attached to self-propelled vehicle.

- (1) An "abandoned motor vehicle" is one that:
 - a. Is left on public grounds or county-owned property in violation of a law or ordinance prohibiting parking; or
 - b. Is left for longer than 24 hours on property owned or operated by the county; or
 - c. Is left for longer than two hours on private property without the consent of the owner, occupant, or lessee of the property; or
 - d. Is left for longer than seven days on public grounds.

- (2) A "junked motor vehicle" is an abandoned motor vehicle that also:
 - a. Is partially dismantled or wrecked; or
 - b. Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
 - c. Is more than five years old and appears to be worth less than one hundred dollars (\$100.00); or
 - d. Does not display a current license plate.

(c) Removal of Vehicles. – A county may remove to a storage garage or area an abandoned or junked motor vehicle found to be in violation of an ordinance adopted pursuant to this section. A vehicle may not be removed from private property, however, without the written request of the owner, lessee, or occupant of the premises unless the board of commissioners or a duly authorized county official or employee has declared the vehicle to be a health or safety hazard. Appropriate county officers and employees have a right, upon presentation of proper credentials, to enter on any premises within the county ordinance-making jurisdiction at any reasonable hour in order to determine if any vehicles are health or safety hazards. The county may require a person requesting the removal from private property of an abandoned or junked motor vehicle to indemnify the county against any loss, expense, or liability incurred because of the vehicle's removal, storage, or sale.

When an abandoned or junked motor vehicle is removed, the county shall give notice to the owner as required by G.S. 20-219.11(a) and (b).

(d) Hearing Procedure. – Regardless of whether a county does its own removal and disposal of motor vehicles or contracts with another person to do so, the county shall provide a hearing procedure for the owner. For purposes of this subsection, the definitions in G.S. 20-219.9 apply.

- (1) If the county operates in such a way that the person who tows the vehicle is responsible for collecting towing fees, all provisions of Article 7A, Chapter 20, apply.
- (2) If the county operates in such a way that it is responsible for collecting towing fees, it shall:
 - a. Provide by contract or ordinance for a schedule of reasonable towing fees,
 - b. Provide a procedure for a prompt fair hearing to contest the towing,
 - c. Provide for an appeal to district court from that hearing,

- d. Authorize release of the vehicle at any time after towing by the posting of a bond or paying of the fees due, and
- e. Provide a sale procedure similar to that provided in G.S. 44A-4, 44A-5, and 44A-6, except that no hearing in addition to the probable cause hearing is required. If no one purchases the vehicle at the sale and if the value of the vehicle is less than the amount of the lien, the county may destroy it.

(e), (f) Repealed by Session Laws 1983, c. 420, s. 10.

(g) No Liability. – No person nor any county may be held to answer in a civil or criminal action to any owner or other person legally entitled to the possession of an abandoned, junked, lost, or stolen motor vehicle for disposing of the vehicle as provided in this section.

(h) Exceptions. – This section does not apply to any vehicle in an enclosed building, to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, or to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the county.

(i) A county may by ordinance prohibit the abandonment of vessels in navigable waters within the county's ordinance-making jurisdiction, subject to the provisions of this subsection. The provisions of this section shall apply to abandoned vessels in the same manner that they apply to abandoned or junked motor vehicles to the extent that the provisions may apply to abandoned vessels. For purposes of this subsection, an "abandoned vessel" is one that meets any of the following:

- (1) A vessel that is moored, anchored, or otherwise located for more than 30 consecutive days in any 180 consecutive-day period without permission of the dock owner.
- (2) A vessel that is in danger of sinking, has sunk, is resting on the bottom, or is located such that it is a hazard to navigation or is an immediate danger to other vessels.

Shipwrecks, vessels, cargoes, tackle, and other underwater archeological remains that have been in place for more than 10 years shall not be considered abandoned vessels and shall not be removed under the provisions of this section without the approval of the Department of Natural and Cultural Resources, which is the legal custodian of these properties pursuant to G.S. 121-22 and G.S. 121-23. This subsection applies only to the counties set out in G.S. 113A-103(2). (1971, c. 489; 1973, c. 822, s. 1; 1975, c. 716, s. 5; 1983, c. 420, ss. 8-10; 1997-456, s. 27; 2013-182, s. 2; 2015-241, ss. 14.6(n), (o), 14.30(s).)

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

Meeting Date: December 2, 2019
Presenter: County Manager Kris Noble
Attachment: Yes

ITEM TITLE: HYDE COUNTY NURSING HOME
COMMUNITY ADVOSORY COMMITTEE

SUMMARY: Jasmine Wilson, Aging Program & Contract Specialist, CAC Program Assistant with Albemarle Commission, Area Agency on Aging, requests Karen Meekins be re-appointed to the Hyde County Nursing Home Community Advisory Committee.

RECOMMEND: Re-appoint Karen Meekins to serve another three-year term on the Hyde County Nursing Home Community Advisory Committee.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING



November 4, 2019

Dear Commissioners,

The purpose of this correspondence is to inform you that, according to our records, Ms. Karen Meekins' appointment to the Hyde County Nursing Home Community Advisory Committee (CAC) expired in March 2019. During her year on the board, Ms. Meekins has been faithful in her attendance to meetings and facility visits. Her knowledge, commitment and contributions to the CAC is invaluable. I am therefore, respectfully requesting the Hyde County Board of Commissioners re-appointment of Ms. Meekins to the Hyde County CAC for a three year term.

Please forward copies of the appointment to:

Albemarle Commission Area Agency on Aging
Attn: Jasmine Wilson
512 S Church Street
Hertford, NC 27944

If you have questions regarding this appointment, please feel free to contact me at (252) 426-8244 or jwilson@accog.org. Thank you in advance for your consideration.

Sincerely,

Jasmine S. Wilson
Aging Program & Contract Specialist
CAC Program Assistant

- CAMDEN
- CHOWAN
- CURRITUCK
- DARE
- GATES
- HYDE
- PASQUOTANK
- PERQUIMANS
- TYRRELL
- WASHINGTON
- COLUMBIA
- CRESWELL
- DUCK
- EDENTON
- ELIZABETH CITY
- GATESVILLE
- HERTFORD
- KILL DEVIL HILLS
- KITTY HAWK
- MANTEO
- NAGS HEAD
- PLYMOUTH
- ROPER
- SOUTHERN SHORES
- WINFALL

HYDE COUNTY BOARD OF COMMISSIONERS 2011/2012 BUDGET REVISIONS

MEETING DATE
12/2/2019

*** EXP BUDGET ** EXP BUDGET
*** REV BUDGET ** REV BUDGET

(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT
07-20	Mental Health / Substance Abuse	10-5845.0200	Salaries	\$ 15,075.00	
		10-5845.0500	FICA	\$ 1,109.06	
		10-5845.0600	Insurance	\$ 3,078.00	
		10-5845.0700	Retirement	\$ 1,313.36	
		10-5845.1400	Travel	\$ 5,300.00	
		10-5845.3300	Department Supplies	\$ 10,375.00	
		10-5845.2600	Advertising		\$ 3,683.73
		10-5845.4600	Medical Supplies		\$ 32,566.69
				<u>\$ 36,250.42</u>	<u>\$ 36,250.42</u>

Mid-year adjustment to KBR grant funded program. Program has grown to require additional position for assisting Coordinator. Budget is not increased, as funds are being reallocated. No local appropriations are required.

REQUESTED Quanae Homa DATE 12-2-19

HYDE COUNTY BOARD OF COMMISSIONERS 2011/2012 BUDGET REVISIONS

		MEETING DATE			
		12/2/2019			
				"+" EXP BUDGET	"-" EXP BUDGET
				"-" REV BUDGET	"+" REV BUDGET
(FO USE) BR # OR IDT#	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT
06-20	Health Dept - Adult Health	10-5890.9800	Adult Health Training	\$ 700.00	
		10-5890.4502	Lab Testing		\$ 700.00
				<u>\$ 700.00</u>	<u>\$ 700.00</u>

Transferring funds from Lab Testing to cover the cost of Trainings. This does not increase the budget.

REQUESTED Quana Hicks DATE 12-2-19

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

Meeting Date: December 2, 2019
Presenter: Chair, Vice-Chair, Commissioners, Manager
Attachment: Yes

ITEM TITLE: MANAGEMENT REPORTS

SUMMARY: This is a time for each Commissioner to give reports on their work representing the County.

Additionally, Commissioners may wish to bring up issues they wish to have followed up by the Board or by the County Manager.

The County Manager will give an oral update on various projects and other administrative matters.

RECOMMEND: Receive reports. Discussion and possible action as necessary.

MOTION MADE BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

MOTION SECONDED BY: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

VOTE: ___ PUGH
___ SIMMONS
___ PAHL
___ SWINDELL
___ TOPPING

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

Meeting Date: December 2, 2019
Presenter: Citizens
Attachment: No

ITEM TITLE: PUBLIC COMMENTS

SUMMARY: 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.

RECOMMEND: Receive comments.

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: December 2, 2019
Presenter: Board of Commissioners

ITEM TITLE: CLOSED SESSION

SUMMARY: The County Manager may request entering Closed Session in accordance with **NCGS143A-318.11 (a)**

- 1) To prevent the disclosure of information that is privileged or confidential pursuant to the law.
- 2) To prevent the premature disclosure of an honorary award.
- 3) To consult with an attorney employed or retained by the public body in order to preserve the attorney client privilege.
- 4) To discuss matters relating to the location or expansion of industries or other businesses.
- 5) To establish or instruct the public body's staff or agent in negotiating the price or terms of a contract for the acquisition of real property by purchase; or compensation and terms of an employment contract.
- 6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.
- 7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- 8) To formulate plans by a local board of education relating to emergency response to incidents of school violence.
- 9) To discuss and take action regarding plans to protect public safety.

RECOMMEND: Enter into Closed Session if required.

MOTION MADE BY: <input type="checkbox"/> PUGH (ENTER) <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING	MOTION SECONDED BY: <input type="checkbox"/> PUGH <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING	VOTE: <input type="checkbox"/> PUGH <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING
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MOTION MADE BY: <input type="checkbox"/> PUGH (EXIT) <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING	MOTION SECONDED BY: <input type="checkbox"/> PUGH <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING	VOTE: <input type="checkbox"/> PUGH <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING
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ACTION TAKEN IN OPEN SESSION:

MOTION MADE BY: <input type="checkbox"/> PUGH (ACTION) <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING	MOTION SECONDED BY: <input type="checkbox"/> PUGH <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING	VOTE: <input type="checkbox"/> PUGH <input type="checkbox"/> SIMMONS <input type="checkbox"/> PAHL <input type="checkbox"/> SWINDELL <input type="checkbox"/> TOPPING
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Human Resources Department Report – December 2019

- Verified information for vacation/sick leave for employees
- Completed monthly payroll
- Generated the Human Resources employee newsletter
- Completed and processed monthly vouchers to pay employees' insurances, tax garnishments, child support payments, retirement, etc.
- Daily Tasks - Assisted employees as necessary concerning hours worked, salary, insurance, benefits, retirement, deposit changes, etc.
- Coordinated quarterly drug testing for County safety sensitive employees
- Requested Longevity information from Department Heads
- Filed one Workers Compensation claim
- Generated one Family Medical Leave Act report
- Coordinated one NC Dept. of Commerce Division of Employment Security Unemployment Hearing
- Compiled and keyed data for Longevity checks

Respectively submitted,
Tammy Blake

Health Department Monthly Summary Report – October 2019

CLINICAL SERVICES		
	Current Month	Year To Date
Family Planning	25	81
Maternal Health	16	53
Adult Health: Wellness/Primary Care/Chronic Disease/Telemedicine	133	359
BCCCP	3	14
Immunizations	6	334
Seasonal Flu Shots/Flu Mists		
Adults	159	201
Children	68	72
STD Treatments	4	15
Communicable Disease Cases/Investigations	0	2
TB Treatments (Latent) & Skin Tests	1	3
Child Health (Wellness)	44	109
Child Health (Sick Care)	24	67
Rabies Treatments/Investigations**	2	4
Dental Varnishing	2	7
Lab Services	73	355
WIC (Women, Infant & Child Nutrition Assistance)		
WIC – Mainland		
Certifications	8	25
Mid-Certification Assessments	4	14
Pick-ups	2	31
Vendor Trainings		
WIC – Ocracoke (Quarterly)		
Certifications		
Mid-Certification Assessments		
Pick-ups		
Vendor Trainings		
PREGNANCY/EARLY CHILDHOOD SERVICES		
Pregnancy Care Management (for healthy pregnancies and births)		
Current Case Load	7	////////////////////
Contacts this Month		////////////////////
Attempts (No Contact)		////////////////////
Care Coordination for Children (for healthy children 0-5 years)		
Current Case Load	5	////////////////////
Contacts this Month		////////////////////
Attempts (No Contact)		////////////////////
BEHAVIOR HEALTH AND SUBSTANCE ABUSE SERVICES		
Behavior Health Services		
Licensed Clinical Counselor visits	20	68
Psychiatrist Visits	3	10
Substance Abuse Services		
Educational Programs in the Community		////////////////////
Navigated Services	2	////////////////////
Media Events		////////////////////

Needle Exchange Pick Ups	0	////////////////////
Narcan dispensed	15	////////////////////
FOREIGN INTERPRETER/OUTREACH WORKER		
Outreach programs		
Home visits:		////////////////////
Phone calls:	10	////////////////////
Letters sent:	0	////////////////////
Patients served in clinic:	43	////////////////////
Community work:		////////////////////
Request for transportation:	1	////////////////////
Other: Ocracoke E.H.; NNO; Focus Groups; Matt Seafood		////////////////////
ENVIRONMENTAL HEALTH		
Food and Lodging		
F&L Inspections	7	22
F&L Visits	10	28
F&L Pre-Opening Visits		
F&L Permits Issued		1
F&L Permits Suspended		
F&L Suspensions Lifted		
F&L Complaint Investigations		3
F&L Consults	18	90
General Sanitation		
Vector Control		
Animal Control		
Health Education		
On-Site Wastewater		
Sites Visited/Evaluated	16	68
Improvement Permits Issued	2	3
Construction Authorizations	2	4
Other Authorizations		4
Consultative Contacts	62	196
Operation Permits Issued		7
Migrant Housing Inspections		
On-Site Wells		
Well Site Evaluated	1	4
Grouting Inspections	1	1
Well Site Construction Visits		
Well Construction Permits Issued	1	2
Well Certificate of Completion		1
Bacteriological Samples Collected		1
Other Sample Collected		
Well Consultative Contacts	4	26

Tyrrell County Board of Commissioners

Post Office Box 449
Columbia, North Carolina 27925
Telephone (252) 796-1371

Nathan T. Everett, Chairman
Carl L. Willis, Vice Chairman
Nina B. Griswell
Lawrence S. Swain
Jordan R. Davis



David L. Clegg, County Manager and Attorney
Penny Rhodes Owens, Clerk to the Board

Resolution of the Tyrrell County Board of Commissioners in Opposition to Certain Actions of the North Carolina Wildlife Resources Commission

The Tyrrell County Board of Commissioners in Regular Session duly assembled on November 5, 2019 does hereby resolve as follows:

That Whereas the North Carolina Wildlife Resources Commission held meetings on the delineation of Fishing Waters and have approved proposed boundaries, and;

Whereas, part of the reclassification of coastal waters to inland waters includes areas south of the Alligator River Bridge in Tyrrell County such that no commercial fishing activity would be permitted in these waters, and;

Whereas, this area is rich in crab and fish and provides a livelihood for at least 15 boat crews of at least 30 Tyrrell County residents who are financially dependent on the seafood business, and;

Whereas in 2017 Alligator River seafood of 1.4 million pounds was harvested at a market value of \$979,546.00, and;

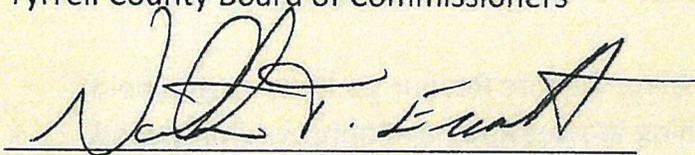
Whereas, these waters are clearly coastal in nature and should be so delineated, and;

Whereas, these waters are critically important to the economy of Tyrrell County for fishermen as well as seafood processors, and the greater seafood industry is culturally intertwined with the history of Tyrrell County.

Now, Therefore, the Tyrrell County Board of Commissioners hereby resolves to oppose the delineation of the waters south of the Alligator River Bridge as Inland waters, and to request the North Carolina Wildlife Resources Commission to readdress this matter and reexamine the salinity measures used to make this preliminary determination and to also recognize the importance of the Coastal designation to the economy and culture of Tyrrell County.

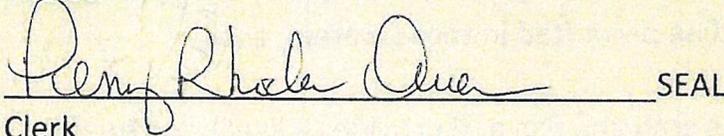
This the 5th day of November, 2019.

Tyrrell County Board of Commissioners



Nathan T. Everett, Chairman

Attest:

 SEAL

Clerk

Copies to:

Governor

Lt. Governor

Speaker of the House

President Pro Tem

Tyrrell County Legislative Delegation

Department of Environmental Quality

Wildlife Resources Commission

Commissioner of Agriculture

Department of Cultural and Natural Resources



Resolution
Opposing Reclassification of Jurisdictional Waters

WHEREAS, in January of 2019, the NC Marine Fisheries Commission (MFC) and the NC Wildlife Resources Commission (WRC) formed a joint committee for the purpose of determining boundaries defining inland and coastal waters; and

WHEREAS, the joint committee had its last meeting in May of 2019, after having disagreements between the agencies on the “salinity value” to determine boundaries; and

WHEREAS, in August of 2019, the WRC business meeting was held with little direct notice to the MFC or to the NC Department of Environmental Quality (NCDEQ). At this meeting the WRC decided to move forward with the proposed boundaries based on the arbitrary “2.6 ppt salinity value”; and

WHEREAS, in 2017 the MFC conducted a review of rules pertaining to delineation (15A NCAC 03Q .0200 et seq) and determined there was no basis to adjust jurisdictional boundaries; and

WHEREAS, the proposed Reclassification of Jurisdictional Waters would be a loss of approximately 144,984 square acres or 226.5 sq. miles of coastal and commercial fishing waters. Thus, creating even more confusion and regulations to the already over regulated NC commercial fishing industry; and

WHEREAS, the MFC would be required by law, to perform a comprehensive financial analysis to modify jurisdictional boundaries, which would include a review of all existing rules and a detailed mapping effort expected to take over a year to complete with added costs to the taxpayers of North Carolina; and

WHEREAS, the financial impact as proposed would exceed \$1,000,000.00 for sustainable economic impact as prescribed in the NC Administrative Procedure Act; and

WHEREAS, fisheries management plans of important commercial and recreational species under MFC authority follow a criterion initially to establish coastal and joint waters but not inland waters. Thus, a complete review of all MFC rules would have to be completed at NC taxpayer expense.

THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners strongly opposes the Reclassification of Jurisdictional Waters as prescribed by the NC Wildlife Resources Commission. Under such research we have not found where a Salinity Value is a determination of boundary lines between coastal and inland waterways.

Adopted this the 18th day of November, 2019.



Attest:

Robert Woodard, Sr., Chairman

Cheryl C. Anby, Clerk to the Board