

Regular Meeting Minutes

**Board of County Commissioners
Hyde County**

Monday, December 3, 2018

Following the Board of Commissioners Organizational Meeting, Chairman Pugh called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:25p.m., on Monday, December 3, 2018, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic conferencing equipment.

Chairman Pugh commended Commissioners Tunnell and Swindell for their service to Hyde County.

The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-chairman Tom Pahl; Commissioners Ben Simmons, Shannon Swindell and James Topping; County Manager Kris Cahoon Noble; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry; ES Director Justin Gibbs; Special Projects Coordinator Bill Rich and members of the public.

IT Director Donnie Shumate and members of the public were present on Ocracoke.

Consideration of Agenda:

The Monday, December 3, 2018 Board of Commissioners Regular Meeting Agenda was approved at 6:00p.m. along with the Organizational Meeting Agenda.

Presentations:

Mattamuskeet Watershed Restoration Plan Recommendation To Form A Service District

Daniel Brinn, Water and Flood Control Coordinator, reported for the last 18 months Hyde County has been working with the US Fish and Wildlife Service, and the North Carolina Wildlife Resources Commission through a collaborative partnership to address concerns at Lake Mattamuskeet. The result of this collaboration is the development of the Mattamuskeet Watershed Restoration Plan. Its goals are to address water quality issues (prevent flooding), water quality concerns (removal of the lake from the 303d list) and preserve the way of life within the lake watershed (protect historical uses). One of the prioritized actions within the plan is the formation of a service district. Mr. Brinn reported it would be the responsibility of the Service District to oversee implementation of the plan goals including active water management on Lake Mattamuskeet. No action required.

Employee/ Volunteer/ Friend of Hyde County:

County Manager Kris Cahoon Noble named outgoing Commissioners Dick Tunnell and Barry Swindell the Hyde County Friends of the Month.

Public Comments:

Hearing no comments from the public, Chairman Pugh continued the meeting.

Items Of Consideration:

Resolution In Support of JCPC Allocation Expansion

Kris Cahoon Noble, County Manager, reported at the November 5th commissioner's meeting, Nancy Hodges, Area Consultant, requested Juvenile Crime Prevention Council (JCPC) allocation expansion be tabled until the next regularly scheduled Hyde County Board of Commissioners meeting.

Phillip Holloway, JCPC Chairman, reported the JCPC funding is a partnership between the State of North Carolina and Hyde County to ensure a local continuum of services for court involved and at-risk juveniles. The Juvenile Reinvestment Act of 2017 also references as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age, effective December 1, 2019, and encourages School Justice Partnerships to address the reduction of school-based juvenile complaints thereby increasing the need for immediate and age-appropriate sanctions for juvenile offenders. The JCPC annually reviews the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. The JCPC funding has not increased in more than nine years. JCPC requests support for an adequate and timely increase in the allocation of local JCPC funding to ensure expansion of the program and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation set for December 1, 2019.

Commissioner Pahl moved to adopt "Hyde County Board of Commissioners Resolution In Support of Juvenile Crime Prevention Council Allocation Expansion". Commissioner Simmons seconded the

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

Clerk's Note: A copy of "Hyde County Board of Commissioners Resolution In Support of Juvenile Crime Prevention Council Allocation Expansion" is attached herewith as Exhibit A and incorporated herein by reference.

Resolution Establishing Regular Meeting Dates

Kris Cahoon Noble, County Manager, in accordance with NCGS §144-318.12, presented Resolution No. 2018-12-03 establishing regular Board of Commissioners meeting dates for 2019.

Commissioner Simmons moved to adopt "Resolution No. 2018-12-03 – Resolution of The Hyde County Board of Commissioners Establishing Regular Meeting Dates". Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Swindell, Simmons and Topping; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution No. 2018-12-03 – Resolution of The Hyde County Board of Commissioners Establishing Regular Meeting Dates" is attached herewith as Exhibit B and incorporated herein by reference.

Dismissal of Two Board of Health Members

Luana Gibbs, Health Director, reported that Board of Health Bylaws state a member cannot miss greater than two meetings in a calendar year. The Health Board seeks approval to dismiss two of its Board members related to absenteeism.

Commissioner Pahl moved to approve dismissal of J. W. Spencer and Sharon Sadler from the Board of Health in accordance with Board of Health Bylaws. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Swindell, Simmons and Topping; Nays – None; Absent or not voting – None.

Voting Delegate Designation Form For Legislative Goals Conference

Kris Cahoon Noble, County Manager, reported the NC Association of County Commissioners (NCACC) is requesting that all Boards of County Commissioners designate a commissioner or other official as a voting delegate for the 2019 Legislative Goals Conference to be held on January 10-11, 2019 at the Raleigh Marriott Crabtree Valley.

Commissioner Pahl moved to designate Chairman Earl Pugh, Jr. the voting delegate for the NCACC 2019 Legislative Goals Conference. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Swindell, Simmons and Topping; Nays – None; Absent or not voting – None.

Notice of Request for Proposals Grant Administration Services for Hyde County HMGP & FMA Projects

Kris Cahoon Noble, County Manager, reported Hyde County is applying for Hurricane Florence Mitigation Grant Program (HMGP) and Flood Mitigation Assistance (FMA) grants funded through the North Carolina Department of Public Safety. The project is anticipated to include housing related activities as developed during the application process. The County will require application preparation, planning, general administration, housing inspection, and housing activities administration services from a private firm or non-profit agency. Professional services will be contingent upon successful award of the grant project. No action required at this time.

Ocracoke Occupancy Tax Board Recommendations

Kris Cahoon Noble, County Manager, reported during the October 11, 2018 Ocracoke Occupancy Tax Board meeting the Board voted to recommend the following appropriations from the Ocracoke Occupancy Tax Fund. All appropriations were previously approved by the Board of Commissioners during the last fiscal year but not submitted in time to be reimbursed. This is a re-appropriation.

Commissioner Pahl moved to approve the Ocracoke Occupancy Tax Fund Appropriations as presented by Manager Noble. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Swindell, Simmons and Topping; Nays – None; Absent or not voting – None.

Budget Transfers: (none)

Management Reports:

Chairman Earl Pugh, Jr. – attended the Chamber of Commerce Veterans Dinner. He announced the Albemarle Commission hired Interim Director Robert Murphy.

Vice-chairman Tom Pahl – attended meetings about the Island Inn Public Restroom Project; road signage and markings; fishing issues; and, Ocracoke Convenience Site public input and use. He attended a Waterways Commission meeting, Tourism Development Authority meeting and a Dare County meeting to discuss Highway 12 and similar Dare County hot-spot issues.

Commissioner Ben Simmons – attended the Watershed meeting earlier today and recommends continued involvement in County drainage issues. He supports the JCPC program.

Commissioner Shannon Swindell – also attended the Watershed meeting earlier today. He agrees with the JCPC allocation expansion.

Commissioner James Topping – would like to see action taken to improve drainage in his community. He asked that meeting packets be distributed earlier.

County Manager Kris Cahoon Noble – reported activities of the manager’s office:

- Ocracoke Convenience Site meetings
- Moved Ocracoke EMS Station to a new location
- Working on three Golden LEAF grants
- Attended Coastal Resources Meeting
- Attended Volunteer Appreciation event at the Governor’s Mansion with Sheriff Guire Cahoon and ES Director Justin Gibbs
- Attended Ferry Division meeting
- Reported six homes are being raised in Hyde County
- Building Inspector applications close on December 15
- County employees Christmas Party on December 14

Public Comments:

Franklin Swindell, Engelhard – agrees with Commissioner Topping’s requests for Board meeting information earlier in the week.

Jan Moore, Swan Quarter – invited everyone to attend “Christmas In The Quarter” and other holiday festivities in the County.

Report of Tax Collections Month Ending November 30, 2018

Commissioner Simmons moved to accept the November 30, 2018 Hyde County Tax Collections Report as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Swindell, Simmons and Topping; Nays – None; Absent or not voting – None.

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

Closed Session (none)

Adjourn

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

The meeting adjourned at 7:45p.m.

Respectfully submitted:

Minutes approved on the 7th day of January 2019.

Attest:


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


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



Attachments:

- Exhibit A: “Hyde County Board of Commissioners Resolution In Support of Juvenile Crime Prevention Council Allocation Expansion”
- Exhibit B: “Resolution No. 2018-12-03 – Resolution of The Hyde County Board of Commissioners Establishing Regular Meeting Dates”

Board of Commissioners

Earl Pugh, Jr., Chair
Thomas Pahl, Vice-Chair
Benjamin Simmons, III
M. Shannon Swindell
Les R. Topping

COUNTY OF HYDE

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
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Kris Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



**HYDE COUNTY BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF
JUVENILE CRIME PREVENTION COUNCIL ALLOCATION EXPANSION**

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and

WHEREAS, JCPC funding has seen no increase in more than nine years; and

WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019, and encourages School Justice Partnerships to address the reduction of school-based juvenile complaints thereby increasing the need for immediate and age-appropriate sanctions for juvenile offenders; and

WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851 and within the scope of its powers and duties, annually "reviews the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs" and,

WHEREAS, the County JCPC is already aligned to assist the local School Justice Partnership with addressing resource and diversion programming needs for youth who commit school-based offenses, and,

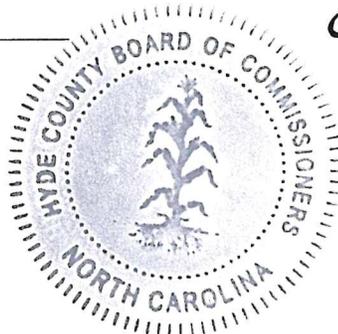
WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future;

NOW, THEREFORE BE IT RESOLVED, that Hyde County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

Adopted this 3rd day of December 2018.


Earl Pugh, Jr., Chairman


Lois Stotesberry, Clerk to the Board



Board of Commissioners

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

COUNTY OF HYDE

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Kristen Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



Resolution No. 2018-12-03

**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 2019 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 3, 2018, unanimously moved to call for Regular meetings on the first Monday of each month, or as otherwise provided;

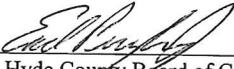
NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners adopts the following schedule for regular Board meetings:

January 7, 2019
February 4, 2019
March 4, 2019
April 1, 2019
May 6, 2019
June 3, 2019

July 1, 2019
August 5, 2019
September 3, 2019*
October 7, 2019
November 4, 2019
December 2, 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, 2018.

Duly adopted this the 3rd day of December, 2018.



Chair, Hyde County Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

