

Regular Meeting Minutes

**Board of County Commissioners
Hyde County**

Monday, February 5, 2018

After opening prayer by Commissioner Tunnell and Pledge of Allegiance, Chairman Earl Pugh, Jr. called the Regular Meeting of the Hyde County Board of Commissioners to order on Monday, February 5, 2018, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic conferencing equipment.

The following members were present on the mainland: Vice-chairman Barry Swindell; Commissioner Ben Simmons; Assistant County Manager Kris Noble; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry; Deputy Clerk Justin Gibbs; and, members of the public.

Finance Officer Kenneth Chilcoat represented the Hyde County Board of Education on the mainland.

The following members were present on Ocracoke: Chairman Earl Pugh, Jr.; Commissioners Tom Pahl and Dick Tunnell; County Manager Bill Rich; Public Information Officer Donnie Shumate; and, members of the public.

Superintendent Dr. Randolph Latimore represented the Hyde County Board of Education on Ocracoke.

Consideration of Agenda:

Commissioner Pahl moved to approve the February 5, 2018 Board of Commissioners Regular Meeting Agenda as presented by the Clerk with addition of Presentation No. 2 – Hyde County Substance Awareness Task Force Report by Luana Gibbs and Budget Revisions BR17-18 and BR18-18. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Consideration of Minutes:

January 9, 2018 – Regular Meeting

Commissioner Pahl moved to approve the January 9, 2018 Hyde County Board of Commissioners Regular Meeting Minutes as presented by the Clerk with clarification of tower lot sizes on page 2 – *one of the towers will be on a 3.5-acre parcel located on the east side of the intersection of US Hwy 264 and Rose Bay Turnpike. The second tower will be on a 60 ft. x 60 ft. fenced compound on .24 of an acre 10,552 sq. ft. located at 4711 NC 45 N, Pantego, NC.* Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – none.

Presentations:

Trillium Health Resources Annual Report Hyde County

Dave Peterson, MA, Regional Director, Trillium Health Resources, reported Trillium’s mission is to transform lives of people in need by providing ready access to quality care. Mr. Peterson discussed recurring budget cuts from the state and federal governments and proposed Medicaid reform. Trillium is working with two other MCO’s in an effort to secure its position in Managed Care in North Carolina. Alliance Behavioral Health (central) and Vaya Health (western) have partnered with Trillium (eastern) to form a new coalition known as Advancing NC Whole Health to maximize its impact while preparing for Medicaid Reform.

North Carolina has received \$31 million over the next two years to address the opioid crisis through the Cures Act. Trillium’s allocation for the first year is \$1.2 million. The funding is designated for new individuals seeking opioid treatment for the first time or individuals who have been out of treatment and are ready to seek treatment again.

Hyde County Substance Awareness Task Force Report as of 01/31/2018

Luana Gibbs, Interim Health Director, presented update on the Hyde County Substance Awareness Task Force.

Accomplishments to Date	Plans/Goals for future
Task Force created	Writing Kate B Reynolds grant for Licensed Clinic Social Worker and Navigator to develop Telemedicine Mental Health/Substance Abuse Program. Grant app is for \$112,500 requesting county to share cost of \$37,500 for a max \$150,000. Not budgeted until FY 2018-19 Grant due 2/14/18
Leadership Forum held in July	Write NC Blue Cross Blue Shield grant as ancillary to the KBR grant.

List of Treatment Resources developed – August	“Operation Prevention” being implemented in Hyde County School system – curriculum for grades 3 – 12 for remainder of this year. Next school year to address K-12
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Community Forums held – September & October	Media Campaign – social media, mailers by any county department, PSAs
Partnership developed with Hyde County Schools	Host a “mock bedroom” presentation @ school on “report card day.”
Medication Take Back Events (Mainland & Ocracoke) – October	Offer County owned buildings for recreational outlets for adults (gyms for basketball)
2017-2018 Injury-Free NC Academy - Opioid Overdose Prevention – October & February	Implement a Needle exchange program <ul style="list-style-type: none"> • Health Department • EMS services pilot program including Naloxone distribution
Substance Awareness/Drug Free Hyde website is in production	Form Social support groups through churches for providing positive environment for people in recovery
Met with Kate B Reynolds representative Adam Linker regarding grant funding	Continue distribution of Naloxone
	Solicit resources from Trillium, our LME

Recognition:

Bill Rich, County Manager, commended Luana Gibbs, Interim Health Director, for her efforts on the Hyde County Substance Awareness Task Force. Luana spun the “Wheel of Thanks” and received a gift certificate to R. S. Spencer True Value in Engelhard, NC.

Public Comments:

Janie Jacoby, Ocracoke – reported due to limited access to newspapers on the Island she is concerned about missing reports on offshore drilling. Ms. Jacoby also reported standing water and potholes at the Ocracoke Post Office and the convenience site need to be repaired.

Manager Rich reported David’s Trash is bringing in concrete shell to help with the drainage issues on the Island.

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

Items of Consideration:

Resolution Acknowledging The Execution And Delivery By The Hyde County Board Of Education Of A Guaranteed Energy Savings Contract

From the mainland, Hyde County Board of Education Finance Officer Ken Chilcoat and Robert Williams of Snyder Energy Services presented “Resolution Acknowledging The Execution And Delivery By The Hyde County Board Of Education Of A Guaranteed Energy Savings Contract”. Superintendent Dr. Randolph Latimore attended on Ocracoke.

The Hyde County Board of Education plans to enter into a not-to-exceed \$2,000,000.00 guaranteed energy savings contract pursuant to G.S. 143-64.17 et. seq. for the purpose of providing certain energy conservation measures authorized thereby so as to reduce energy consumption and/or energy-related operating costs. The Hyde County Board of Education requested approval of a resolution by the Hyde County Board of Commissioners acknowledging the execution and delivery of the guaranteed energy savings contract.

Commissioner Swindell moved to adopt “Resolution Acknowledging the Execution and Delivery By The Hyde County Board of Education of A Guaranteed Energy Savings Contract”. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Clerk’s Note: A copy of “Resolution Acknowledging The Execution And Delivery By The Hyde County Board Of Education Of A Guaranteed Energy Savings Contract” is attached herewith as Exhibit A and incorporated herein by reference.

Resolution Opposing Proposed Change Of The Definition of Commercial Fisherman As It Applies To Commercial Licenses

Kris Noble, Assistant County Manager, presented a resolution in opposition of a proposal by the NC Division of Marine Fisheries to change the definition of commercial fisherman as a means of reducing the number of standard commercial fishing licenses and other commercial licenses.

Commissioner Pahl moved to adopt “Resolution Opposing Proposed Change of The Definition of Commercial Fisherman As It Applies to Commercial Licenses”. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution Opposing Proposed Change of The Definition of Commercial Fisherman As It Applies to Commercial Licenses" is attached herewith as Exhibit B and incorporated herein by reference.

Resolution In Support of Liberty Home Care, VII, LLC's Certificate of Need Application To Develop A Hospice Home Health Agency

Bill Rich, County Manager, reported in accordance with the North Carolina Certificate of Need (CON) Section Liberty Home Care VII, LLC has petitioned the NC State Health Coordinating Committee for a special need determination for one hospice home health agency to be established in Hyde County.

Commissioner Pahl moved to adopt "Resolution In Support of Liberty Home Care, VII, LLC's Certificate of Need Application To Develop a Hospice Home Health Agency" and, endorse Liberty Home Care VII, LLC's Certificate of Need Application for a hospice home health agency, and to recommend approval by the NC Certificate of Need Section. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution In Support of Liberty Home Care, VII, LLC's Certificate of Need Application to Develop a Hospice Home Health Agency" is attached herewith as Exhibit C and incorporated herein by reference.

Project Budget Ordinance – North Carolina Department of Agriculture & Consumer Services Through The Agricultural Development & Farmland Preservation Trust Fund Program Grant Cycle X

Daren Hubers, Vice-Chairman, Hyde Soil & Water Conservation Board, reported a grant application was made through the Hyde Soil & Water Conservation District on behalf of landowners J.W. & Kathy G. Spencer to place 210 acres of farmland in a Farmland Preservation Conservation Easement. This farm will remain an agriculture producing farm in perpetuity.

Commissioner Simmons moved to approve "Project Budget Ordinance – North Carolina Department of Agriculture & Consumer Services Through The Agricultural Development & Farmland Preservation Trust Fund Program Grant Cycle X". Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Project Budget Ordinance – North Carolina Department of Agriculture & Consumer Services Through The Agricultural Development & Farmland Preservation Trust Fund Program Grant Cycle X" is attached herewith as Exhibit D and incorporated herein by reference.

Resolution In Favor of The Proposed Changes To The NC Black Bear Hunting Regulations

Bill Rich, County Manager, reported the North Carolina Wildlife Resources Commission has proposed creating new bear hunting zones and corresponding seasons encompassing all of Hyde, Dare and Tyrrell Counties (known as CBMU Zone 1). The NCWRC is proposing an additional week of bear hunting season in CBMU Zone 1. The proposed week would open the first Monday in November and close on the third Sunday in November so that the overlap between waterfowl season and bear season is eliminated.

Commissioner Pahl moved to adopt "Resolution In Favor of The Proposed Changes To The NC Black Bear Hunting Regulations". Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution In Favor of The Proposed Changes To The NC Black Bear Hunting Regulations" is attached herewith as Exhibit E and incorporated herein by reference.

Resolution Opposing a Proposal To Reduce Ferry Runs and Increase Fares On Tolled Ferries

Bill Rich, County Manager, reported the proposal to reduce the number of ferry trips on currently tolled ferries traveling to and from Ocracoke Island and increase fares on tolled ferries is a result of a review of the ferry system by the Joint Legislative Program Evaluation Oversight Committee of the North Carolina General Assembly. These changes will affect local residents and merchants on Ocracoke Island and most importantly visitors to the island.

Commissioner Swindell moved to adopt "Resolution Opposing A Proposal To Reduce Ferry Runs and Increase Fares On Tolled Ferries". Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution Opposing A Proposal To Reduce Ferry Runs and Increase Fares On Tolled Ferries" is attached herewith as Exhibit F and incorporated herein by reference.

Letter of Support For DOT Survey of Hatteras Inlet

Commissioner Pahl presented a letter written to NCDOT Ferry Division Director Harold Thomas for Board approval and Chairman Pugh's signature. The purpose of this letter is to urge the Ferry Division with the expertise and financial backing of the NCDOT to take whatever steps may be required to conduct a full survey of Hatteras Inlet.

The recently formed Ocracoke Waterways Commission is charged with the task of pro-actively addressing issues that affect the navigable waterways in and around Ocracoke Island. Chief among several topics the Commission is addressing is exploring ways to shorten what is commonly referred to as "the long route", that is the horseshoe route that is now used by the Ferry Division to transit between Hatteras and Ocracoke. That same route is also used by Hatteras' fishing fleet and recreational boaters as a channel through Hatteras Inlet to offshore waters. The long route (adopted in 2014) has since had significant negative impact on every entity that depends on access between the islands and through the inlet.

The purpose of this letter is to urge the Ferry Division, with the expertise and financial backing of the NCDOT to take whatever steps may be required to conduct a full survey of Hatteras Inlet. That survey would support a study of options to shorten the existing long route and ultimately, the establishment of a shorter channel that is sustainable in the long run, and that provides safe passage between Hatteras and Ocracoke and provides safe transit through Hatteras Inlet.

In addition to the Ocracoke Waterways Commission, the purpose of this letter is endorsed by the Hyde County Board of Commissioners, the Dare County Board of Commissioners and by the Dare County Waterways Commission.

Commissioner Pahl moved to approve a letter to urge the Ferry Division to take whatever steps may be required to conduct a full survey of Hatteras Inlet and to authorize Chairman Earl Pugh, Jr. to sign the letter to NCDOT Ferry Division Director Harold Thomas. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Appointment to the Hyde County Airport Advisory Board

Jane Hodges, Permit Technician/Airport Manager, requested appointment of Jo Ann Spencer to serve the remainder of a three year term currently held by Mr. Billy Williams; and, requested all serving Board members be reappointed to their positions and terms.

Commissioner Swindell moved to appoint Jo Ann Spencer to complete the three year term of Mr. Billy Williams and to re-appoint all serving Board members as submitted until the Board changes its by-laws addressing terms to make all positions three year terms. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Note: On November 4, 2013 the Board of Commissioners approved changing the Airport Advisory Committee Bylaws as recommended by the committee stating that upon expiration of terms appointed on 11-04-2013 all member's terms will be 3 year terms. Therefore all member's terms are now re-appointed at three years and will expire:

February 3, 2019 – Wilson Daughtry, Art Keeney, Jo Ann Spencer

February 3, 2020 – Gregg Gibbs

February 3, 2021 – Tim Whitfield

February 3, 2022 – Earl Pugh, Jr., Sharon Spencer

Hyde County Airport Farm Lease

Jane Hodges, Permit Technician/Airport Manager, reported the Hyde County Airport Advisory Board sent out 41 bid proposals to farmers in Hyde County. The Board received 5 bid proposals.

Don Nixon	\$ 67,500.00 per year	\$ 225.00 X 300 acres
Richard Mann	\$ 65,025.00 per year	\$ 216.75 X 300 acres
J. W. Spencer	\$ 64,950.00 per year	\$ 216.50 X 300 acres
Wilson Daughtry	\$ 65,250.00 per year	\$ 217.50 X 300 acres
Charles Williford	\$ 80,550.00 per year	\$ 268.50 X 300 acres

Commissioner Simmons moved to award the Hyde County Airport Farm Lease to Mr. Charles Williford for a sum of \$268.50 x 300 acres as stated in the Lease Agreement for a total 4 years payment of \$322,200.00. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

FY 2018-2019 Budget Calendar

Corrinne Gibbs, Finance Officer presented the fiscal year 18/19 Budget Calendar for Board approval.

Commissioner Swindell moved to approve the FY 2018-2019 Hyde County Budget Calendar as presented. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Project Budget Ordinance Community Development Block Grant (CDBG) Disaster Recovery Program (DR) Grant CDBG-DR 17R-3014

Kris Noble, Assistant County Manager, presented the project budget ordinance and grant agreement contract for a \$500,000.00 CDBG-DR grant awarded to Hyde County on November 20, 2017, to be effective February 1, 2018 and expiring February 1, 2021. The grant award will be used to fund repairs to the Davis Center roof.

Commissioner Swindell moved to approve Project Budget Ordinance Community Development Block Grant (CDBG) Disaster Recovery Program (DR) Grant CDBG-DR 17-R-3014. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Project Budget Ordinance Community Development Block Grant (CDBG) Disaster Recovery Program (DR) Grant CDBG-DR 17R-3014" is attached herewith as Exhibit G and incorporated herein by reference.

Approval of Pungo River VFD Fire Protection Contract

Justin Gibbs, Director, Emergency Management, reported in accordance with NCGS 153A-233 Hyde County desires to enter into a one year contract with Pungo River Volunteer Fire Department for related services such as vehicle extrication, landing zones, initial hazardous materials response, mutual aid, etc. As prescribed in the Hyde County Emergency Operations Plan.

Commissioner Swindell moved to enter into contract with Pungo River Volunteer Fire Department to provide mutual aid in Hyde County for fire department related services. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell, Tunnell and Simmons; Nays – None; Absent or not voting – None.

Budget Transfers:

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

Administration

Telephone \$ 5,000.00

Emergency Management

Expenses for the remainder of the Fiscal Year \$11,000.00

Health Department

BR16-18 – Health – Child Health..... \$ 250.00
BR17-18 – Health – Environmental Health \$ 1,930.00
BR18-18 – Health – Breastfeeding Peer \$ 300.00

Legal

Cost of Delinquent Tax Collection \$ 5,000.00

Register of Deeds

Longevity Overage \$ 200.00

Social Services

LIEAP \$ 2,872.00

Solid Waste

Monies received from Republic Services \$30,000.00

Soil & Water

Educational Grant \$ 1,384.00

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

Management Reports:

Chairman Earl Pugh, Jr. – attended the Ocracoke School tour, airport meeting and the passenger ferry meeting in Manteo.

Vice-chair Barry Swindell – thanked Luana Gibbs for work done on the Substance Awareness Task Force. He has also been attending the county's youth sports program.

Commissioner Ben Simmons – recommends a local ordinance be requested by the Engelhard Development Corporation to control drinking on the Engelhard Boardwalk. Other issues of concern include county jurisdictional

waters, changes related to commercial fishing and duck hunting regulations. He asked that county employees treat tax payers and visitors to all Government offices with respect.

Commissioner Tom Pahl – attended the passenger ferry meeting and attended a Planning Board and Waterways Commission meeting where adopting an ordinance to control the use of Silver Lake Harbor and abandoned boats was discussed. Mr. Pahl will prepare a draft ordinance to be discussed at the next commissioners meeting in March. He discussed offshore oil drilling concerns and protection of county beaches and discussed the future of the Ocracoke Island Inn.

Commissioner Dick Tunnell – attended the NC Farm Bureau meeting in Raleigh, the Mid-East Housing Authority meeting and the Ocracoke School tour.

Assistant County Manager Kris Noble – reported February 13 is Hotline Wear Orange Day and announced Phillip Holloway of NEWDB will be working to make Hyde County a work-ready community. She commented the Youth Program is positive for Hyde County.

County Manager Bill Rich – reported he attended Golden LEAF initiative in Williamston, NC City and County Manager's meeting in Winston Salem and the Mattamuskeet Watershed meeting at Swan Quarter Wildlife Refuge. He reminded commissioners of the Mattamuskeet Lake Watershed Study Public Hearing on Tuesday, February 6.

Public Comments:

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

Closed Session (none)

Adjourn

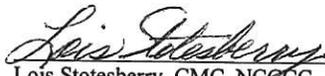
Commissioner Simmons moved to adjourn the meeting. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Swindell and Simmons; Nays – None; Absent or not voting – None.

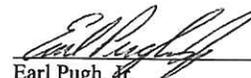
The meeting adjourned at 8:35p.m.

Respectfully submitted:

Minutes approved on the 5th day of March, 2018.

Attest:


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


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



Attachments:

Exhibit A: "Resolution Acknowledging The Execution And Delivery By The Hyde County Board Of Education Of A Guaranteed Energy Savings Contract"

Exhibit B: "Resolution Opposing Proposed Change of The Definition of Commercial Fisherman As It Applies to Commercial Licenses"

Exhibit C: "Resolution In Support of Liberty Home Care, VII, LLC's Certificate of Need Application To Develop A Hospice Home Health Agency"

Exhibit D: "Project Budget Ordinance – North Carolina Department of Agriculture & Consumer Services Through The Agricultural Development & Farmland Preservation Trust Fund Program Grant Cycle X"

Exhibit E: "Resolution In Favor of The Proposed Changes To The NC Black Bear Hunting Regulations"

Exhibit F: "Resolution Opposing A Proposal To Reduce Ferry Runs and Increase Fares On Tolloed Ferries"

Exhibit G: "Project Budget Ordinance Community Development Block Grant (CDBG) Disaster Recovery Program (DR) Grant CDBG-DR 17-R-3014"

Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-Chair
Benjamin Simmons, III
Tom Pahl
Mark Tunnell

COUNTY OF HYDE

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, NCCCC
Clerk to the Board



RESOLUTION ACKNOWLEDGING THE EXECUTION AND DELIVERY BY THE HYDE COUNTY BOARD OF EDUCATION OF A GUARANTEED ENERGY SAVINGS CONTRACT

BE IT RESOLVED by the Board of Commissioners (the "Board") of the County of Hyde, North Carolina (the "County") as follows:

1. The Board hereby finds, determines and acknowledges that:

(a) the Hyde County Board of Education (the "School Board") plans to enter into a not to exceed \$2,000,000 guaranteed energy savings contract pursuant to G.S. 143-64.17 et. seq. for the purpose of providing certain energy conservation measures authorized thereby (the "Project") so as to reduce energy consumption and/or energy-related operating costs;

(b) the School Board intends to finance the Project by entering into an installment contract (the "Contract") pursuant to G.S. 143-64.17C and G.S. 160A-20, as amended;

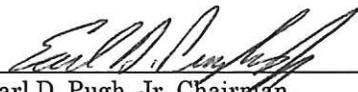
(c) the energy savings resulting from the Project are expected to equal or exceed the total costs payable under the Contract as shown in an evaluation performed by a licensed architect or engineer on behalf of the School Board;

(d) the payments under the Contract are not expected to require any additional appropriations to be made to the School Board nor any increase in taxes; and

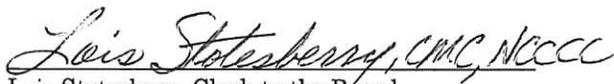
(e) the Board does not intend to reduce appropriations to the School Board based upon a reduction of energy costs in a manner that would inhibit the ability of the School Board to make the payments under the Contract, provided that the County is not bound in any manner to appropriate funds to the School Board in amount sufficient for the School Board to make such payments.

2. This resolution shall take effect upon its passage.




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

I, DO HEREBY CERTIFY that this is a true and correct copy of the resolution duly adopted by the Board of Commissioners of the County of Hyde at a regular meeting held on February 5, 2018.


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

Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-Chair
Benjamin Simmons, III
Tom Pahl
Rick Tunnell

COUNTY OF HYDE

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 Statesberry, CMC, NCCCC
Clerk to the Board



RESOLUTION OPPOSING PROPOSED CHANGE OF THE DEFINITION OF COMMERCIAL FISHERMAN AS IT APPLIES TO COMMERCIAL LICENSES

WHEREAS, commercial fishing is a critical part of North Carolina's coastal economic engine, as well as plays a significant role in the history and heritage of the coast as well as the State; and,

WHEREAS, the definition of commercial fishing is embodied in its name-harvesting fish and entering them into the State's chain of commerce; and,

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and,

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) now wants to change the definition of a commercial fisherman as the first step toward reducing the number of Standard Commercial Fishing Licenses as well as other commercial licenses; and,

WHEREAS, MFC's stated purpose for pursuing the change is that recreational fishermen are obtaining commercial fishing licenses in an effort to bypass recreational creel limits; and,

WHEREAS, obtaining a professional licenses under fraudulent circumstances is a crime, thus if this issue exists, it is an enforcement issue not a definition problem; and,

WHEREAS, MFC presented as "evidence" that trip tickets used to collect harvest data were issued to approximately 3,000 licensed fishermen in 2017, thus leaving about 4,000 fishermen with no record of participation; and,

WHEREAS, many licensed commercial fishermen pool fishing efforts to reduce costs and for safety issues, one person on the boat appears on the trip ticket although others are involved; and,

WHEREAS, among options to be considered in whole and in part are mandatory 50 percent of total annual earned income reported through the Trip Ticket Program, 36 trip tickets per year, and those without trip tickets must present proof of earning \$10,000 or more per year from participating in commercial fishing; and,

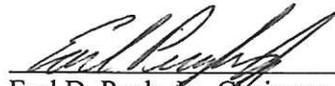
WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to quality; and,

WHEREAS, the coastal economy is seasonal in nature, thus, many engage in several occupations as seasons change to meet their budget needs; and,

WHEREAS, to comply with the presented options, some commercial fishermen would have to fish more thus adding to the amount of harvest taken out of the water or eliminate or reduce effort one or more of their occupations in order to reach the 50 percent minimum.

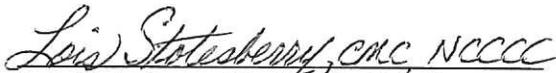
NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners opposes changes prescribed based on misrepresenting the intention of the action and lacking a solid legal basis.

Adopted this the 5th day of February, 2018.

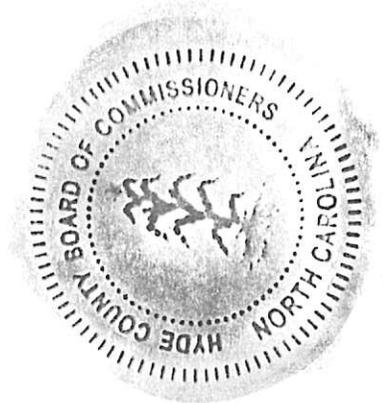


Earl D. Pugh, Jr., Chairman
Hyde County Board of Commissioners

Attest:



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





RESOLUTION OF THE HYDE COUNTY BOARD OF COMMISSIONERS

RESOLUTION IN SUPPORT OF LIBERTY HOME CARE VII, LLC'S CERTIFICATE OF NEED APPLICATION TO DEVELOP A HOSPICE HOME HEALTH AGENCY

WHEREAS, Hyde County currently does not have a hospice home health agency within its borders serving its residents; and

WHEREAS, Liberty Home Care VII, LLC petitioned the North Carolina State Health Coordinating Committee for a special need determination for one hospice home health agency to be established in Hyde County; and

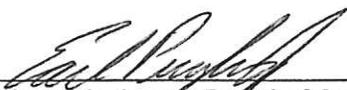
WHEREAS, the North Carolina State Health Coordinating Committee approved that petition and included a special need determination for a hospice home health agency in Hyde County in the 2018 State Medical Facilities Plan; and

WHEREAS, Liberty Home Care VII, LLC currently operates a home health agency within the county as well as an affiliated skilled nursing facility and is well equipped to serve the hospice needs of Hyde County; and

NOW THEREFORE BE IT RESOLVED, that the Hyde County Board of County Commissioners supports Liberty Home Care VII, LLC's desire to meet the healthcare needs of Hyde County residents; and

BE IT FURTHER RESOLVED, that the Hyde County Board of County Commissioners hereby endorse Liberty Home Care VII, LLC, their Certificate of Need Application for a hospice home health agency, and respectfully recommend approval by the NC Certificate of Need Section.

Respectfully Adopted, this the ^{5th} 29th day of ^{February} January, 2018.



Chair, Hyde County Board of Commissioners

ATTEST:



Clerk to the Board of Commissioners



Hyde County – North Carolina Department of Agriculture and Consumer Services
Agricultural Development and Farmland Preservation Grant
Cycle X Award for Agricultural Development & Farmland Preservation Trust Fund

Project Budget Ordinance
February 5
~~January 7~~, 2018

Be it ordained by the Hyde County Board of Commissioners, that pursuant to Article 61 of Chapter 106-743 -744 and 143C-6-22 & 23 of the General Statutes of North Carolina, the following grant program ordinance is hereby adopted:

Section 1: The program authorized is The North Carolina Department of Agriculture through the Agricultural Development and Farmland Preservation Trust Fund (ADFP) program identified as Cycle 10 grant funds. The purpose of the project is provide grants for agricultural conservation easements on family farms throughout the state of North Carolina.

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

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

ADFP Grant Funds for Cycle 10

NC Department of Agriculture – ADFP Grant Program	\$ 540,611.00
Total:	<u>\$540,611.00</u>

Section 4: The following amounts will be disbursed from the North Carolina Department of Agriculture through ADFP Grant Cycle 10 as requested for program activities:

See attached project timeline and budget spreadsheet **\$540,611.00**

Section 5: Copies of this grant program ordinance shall be made available to the Grant Finance Officer for direction in carrying out this program.

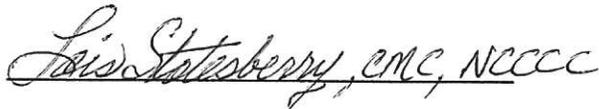
Adopted this the ^{5th} day of February 2018.



Earl Pugh, Jr. Chairman

Hyde County Board of Commissioners

ATTEST:



Lois Stotesberry, Clerk to the Board



COUNTY OF HYDE

Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-Chair
Benjamin Simmons, III
Ron Pahl
Dick Tunnell

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
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Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



RESOLUTION IN FAVOR OF THE PROPOSED CHANGES TO THE NC BLACK BEAR HUNTING REGULATIONS

WHEREAS, the North Carolina Wildlife Resources Commission has proposed creating new bear hunting zones and corresponding seasons encompassing all of Hyde, Dare and Tyrrell Counties, known as CBMU Zone 1; and,

WHEREAS, in addition to the new zoning mechanisms, the NCWRC is proposing adding an additional week of bear hunting season to CBMU Zone 1. The proposed season as recommended would open on the 2nd week of November and close on the 4th Sunday in November; and,

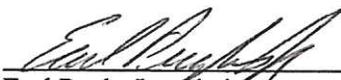
WHEREAS, Hyde would strongly recommend that the dates for the additional week open the 1st Monday in November and end on the 3rd Sunday in November; and,

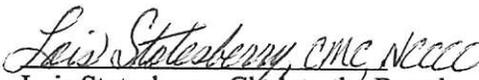
WHEREAS, If Hyde's recommended season is approved, the current overlap between waterfowl season and bear season will be eliminated; and,

WHEREAS, elimination of the overlap between waterfowl season and bear season will promote significant economic growth for the counties in CBMU Zone 1 by giving area businesses an extra week of peak business. Hunting serves as a top 5 industry in Hyde and Tyrrell counties, which rank as some of the poorest in North Carolina. Duck and bear hunting are the two main hunting attractions for the area. However, wherever and whichever week chosen, Hyde is in total support of adding an additional week to bear season in November.

NOW, THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners support the NCWRC's proposal to create the new bear hunting zones and the addition of an additional week of bear hunting season for Hyde, Dare and Tyrrell counties.

Adopted this the 5th day of February, 2018.


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


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



COUNTY OF HYDE

Board of Commissioners

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RESOLUTION IN OPPOSITION TO A PROPOSAL TO REDUCE FERRY RUNS AND INCREASE FARES ON TOLLED FERRIES

WHEREAS, a review of the NC DOT ferry system's operations was conducted by the Joint Legislative Program Evaluation Division of the North Carolina General Assembly; and,

WHEREAS, according to a report issued by the Program Evaluation Division, they are proposing a reduction in the number of ferry crossings and an increase in fares on currently tolled ferry routes; and,

WHEREAS, the Program Evaluation Division is proposing these changes in an effort to improve the ferry division's efficiency through a focus on operations, savings, and fee structure optimization; and,

WHEREAS, the Hyde County Board of Commissioners is not in favor of reduced ferry crossings on the runs to Ocracoke Island from Hatteras, Swan Quarter or Cedar Island nor the reduction of ferry runs to Hatteras, Swan Quarter or Cedar Island from Ocracoke Island; and,

WHEREAS, the Hyde County Board of Commissioners is not in favor of the proposed increase in fares on currently tolled ferry routes to and from Swan Quarter and Cedar Island to Ocracoke; and,

WHEREAS, to oversee the overall process of the long-range plan for the ferry system, the Program Evaluation Division is recommending that the General Assembly establish an Executive Team made up of representatives from the NC Department of Transportation, the Department of Natural and Cultural Resources, the Department of Environmental Quality, Visit NC, the NC Ferry Boat/Support Vessel Construction Industry, and local government; and,

WHEREAS, Hyde County wants to secure a seat for a representative of Hyde County Government to serve on the Executive Team.

NOW, THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners oppose the proposal as it reduces the number of ferry crossings for ferries traveling to and from Ocracoke Island and increases fares on tolled ferries, which will affect local residents and merchants on Ocracoke Island and most importantly visitors to the island.

Adopted this the 5th day of February, 2018.

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

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



**Hyde County – Community Block Grant Disaster Recovery Program
Project Budget Ordinance
February 5, 2018**

To become effective pending full execution of Grant Agreement by all parties.

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

Section 1: The program authorized is the Community Block Grant Disaster Recovery Program administered by the North Carolina Department of Public Safety/Division of Emergency Management described in the contract between Hyde County and the North Carolina Department of Public Safety/Division of Emergency Management.

Section 2: Hyde County staff is hereby directed to proceed with the grant program within the terms of the grant document(s), the rules and regulations of the North Carolina Rural Economic Infrastructure Authority and the North Carolina Department of Commerce, and the budget contained herein.

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

<u>Community Block Grant Disaster Recovery Program</u>	\$500,000.00
Total:	<u>\$500,000.00</u>

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

Repairs to Davis Center

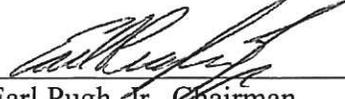
Program Budget	<u>\$500,000.00</u>
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Section 5: The Grant Finance Officer is hereby directed to maintain within the Grant Program Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Division of Coastal Management required by the grant agreement(s) and federal and state regulations.

Section 6: Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Division of Coastal Management in an orderly and timely manner.

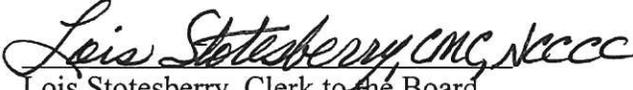
Section 7: Copies of this grant program ordinance shall be made available to the Grant Finance Officer for direction in carrying out this program.

Adopted this 5th day of February, 2018, but to become effective pending full execution of grant agreement by all parties.



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

ATTEST:


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

