

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

Meeting Date: February 2, 2015
Presenter: Chairman Barry Swindell
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: February 2, 2015
Presenter: Chairman Barry Swindell
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the February 2, 2015, Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

Motion Made By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Motion Seconded By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Vote: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' MEETING

MONDAY, FEBRUARY 2, 2015 – 6:00 PM

CALL TO ORDER OPENING

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

1) January 5, 2015 – Regular Meeting Minutes

PUBLIC HEARINGS (none)

PRESENTATIONS

- 1) Introduction – David Howard, Health Director
- 2) ABC Board Audit & Update – Meredith Nicholson, Chairman

EMPLOYEE RECOGNITION Mgr. Rich

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

ITEMS OF CONSIDERATION

1) Resolutions

- a. Resolution In Support Of A Future Interstate Designation
For US64 And US 17 Between Raleigh And Hampton Roads Mgr. Rich
- b. Local Governmental Resolution – Hyde County Sheriff’s Office Corporal Williams

2) Appointments (none)

3) Reinstate Art Classes at Ocracoke School Mgr. Rich

4) Board of Education – Request Raise Dr. Randolph Latimore

- 5) Ocracoke Health Center – Termination of Ocracoke EMS Lease Cheryl Ballance
- 6) Revolving Loan Fund (RLF) Mgr. Rich
 - a) Request for Approval – Ocracoke Brewing Company
 - b) Request for Approval – Ocracoke Bar & Grille
- 7) Request for Mainland Occupancy Tax Funds for “Music Across the Sounds” Mgr. Rich
- 8) Budget Calendar Corrinne Gibbs
- 9) GovDeals Surplus Corrinne Gibbs
- 10) Passenger Ferry Mgr. Rich
- 11) Ocracoke Tourism Marketing Research Presentation Kris Noble
- 12) Update on Consolidation 9-1-1 & Request for \$4,900.00 for Grant Proposal Mgr. Rich
- 13) Settlement – Public Safety Center with NC Department of Justice Mgr. Rich
- 14) Request for Letter to NC DOT – Fairfield Drainage District Mgr. Rich
- 15) Amendment to the Employee Eligibility on the Records Retention Schedule ... Lois Stotesberry
- 16) Courthouse Security Mgr. Rich
- 17) Ocracoke Fireworks Mgr. Rich
- 18) Animal Control Mgr. Rich
- 19) Update on the Proposed Ocracoke Leash Law
Regarding Countywide vs. Ocracoke Only Mgr. Rich
- 20) Hatteras & Ocracoke Inlets Mgr. Rich
- 21) Update Cedar Island Ferry Run Mgr. Rich
- 22) Update Swan Quarter Landing – Public Meeting Kris Noble
- 23) Update David’s Trash Mgr. Rich
- 24) Update Dare County Letter of Cooperation Mgr. Rich

BUDGET MATTERS

- 1) BR 24-15 Health – Triple P Program
- 1) Aviation - Travel
- 2) DSS – Purchase Furniture for New Location
- 3) EMS – To Correct A Keying Error In The Budget
- 4) Inspections – Facilitate Paying for Building Permit Applications
(approved administratively)

MANAGEMENT REPORTS

The Commissioners and County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens. The County Manager will present update on projects ongoing in the County. Manager's calendar included.

PUBLIC COMMENTS

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

CLOSED SESSION (discussion and possible action if required)

ADJOURN

SUPPLEMENTAL INFORMATION

Department Reports

- 1) Tax Department (requires signature)
- 2) Mattamuskeet Senior Center
- 3) Department of Social Services
- 4) Health Department
- 5) Animal Control
- 6) Human Resources

Informational Items

- 1) Ball Field Article
- 2) Two Languages, One Community Article
- 3) Susan Benning Letter
- 4) NAACP Letter

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: February 2, 2015
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the January 5, 2015 Regular Meeting Minutes of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

Motion Made By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Motion Seconded By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Vote: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

1 Meeting Minutes

2 **Board of County Commissioners**
3 **Hyde County**

4
5 **Monday, January 5, 2015**

6 Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to
7 order at 6:05pm on Monday, January 5, 2015, in the Hyde County Government Center, Multi-Use
8 Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

9 The following members were present on the mainland: Commissioners Earl Pugh, Jr., Benjamin
10 Simmons, III, Dick Tunnell and Barry Swindell; Attorney Fred Holscher; County Manager Bill Rich;
11 Clerk to the Board Lois Stotesberry; and, members of the public.

12 The following members were present on Ocracoke: Commission John Fletcher; Public Information
13 Officer Sarah Johnson and members of the public.

14 Following opening prayer by Commissioner Pugh and pledge of allegiance the meeting was called to
15 order.

16 Agenda:

17 Chairman Swindell asked for changes to the January 5, 2015 Meeting Agenda.

18 Commissioner Tunnell moved to approve the amended January 5, 2015 meeting Agenda as presented
19 by the Clerk with:

- 20 • Correction of Presentation – No. 2) Dr. Randolph Latimore and Kenneth Collier Chilcoat
- 21 • Items of Consideration No. 14 moved to No. 3 position
- 22 • Addition of No. 1. a. – “Resolution In Support of Passenger Ferries Coming Into Silver Lake”
- 23 • Addition of No.14 – Letter to NCDOT Ferry Division concerning departure of Cedar Island Ferry
- 24 • No. 15 – Letter to Dare County concerning ferries, roads and various other items; and,
- 25 • Addition of Budget Matters e) Planning – Printing & Promotions.

26 Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh,
27 Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.
28

29 Consideration of Minutes:

30 Commissioner Pugh moved to approve the December 1, 2014 Board of Commissioners Regular
31 Meeting Minutes as presented by the Clerk. Mr. Simmons seconded the motion. The motion passed
32 on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent
33 or not voting – None.

34 Presentations:

35 Introduction – Anna Schafer, MPH, Public Health Educator II

1 Luana Gibbs, Interim Health Director introduced Anna Schafer the new Health Educator at Hyde
2 County Health Department. Ms. Schafer hopes to create worksite wellness programs across the
3 county by utilizing new funding received from Kate B. Reynolds. She believes this could not only
4 benefit the health of our county employees directly, but also the county's health care expenditures.
5 Anna would like to work with the different departments in the county to implement some wellness
6 initiatives. She will present information about this at the next staff meeting with department heads.
7

8 Commissioner Fletcher made reference to changing the dressing on his right leg and traveling to Dare
9 County to have this done at his doctor's office.
10

11 **Local Human Services Organization & Governance**

12 Hyde County Government is considering consolidation of the County Department of Public Health and
13 Department of Social Services. The departments can stay the same, operate under "old" laws or
14 implement options under new law (H 438 – adopted 2012).
15

16 Jill D. Moore, UNC-SOG Associate Professor of Public Law & Government, explained that under the
17 old laws the Health Department would operate district health departments with public health
18 authorities; Social Services would share a director; and both would remain county departments
19 operating under Interlocal Agreements with intra-county collaboration and consolidation.
20

21 Ms. Moore also presented the three options available under new law (H438). If operating under
22 **Option 1** the Board of County Commissioners assumes powers and duties of local boards; both
23 agencies stay the same; and, employees are subject to State Human Resources Act (SHRA). Under
24 **Option 2** the Board of Commissioners create a consolidated human services agency (CHSA); appoints
25 a CHS Board; and, decides if employees are subject to SHRA or county personnel policy. Under
26 **Option 3** the Board of County Commissioners creates a CHSA; assumes powers and duties of the CHS
27 Board; and, decides if employees subject to SHRA or county personnel policy.
28

29 Defining goals of the Board of County Commissioners include improved service delivery for citizens,
30 a new vision for the human services programs, unified personnel system for all county personnel, a
31 new relationship between the Board of County Commissioners and the departments and includes
32 identified efficiencies and reduces human services spending.
33

34 Ms. Moore discussed the potential budget impact on counties if operating the Health Department and
35 Department of Social Services as separate agencies or as one organized (consolidated) agency.
36

37 No action required at this time.
38

39 **Board of Education – Request Raise for Board Members**

40 Dr. Randolph Latimore, Superintendent and Kenneth Chilcoat, Finance Officer, Hyde County Board of
41 Education, presented request for increase in fee paid to school board members. Currently,
42 compensation for Board of Education members is \$42.00 and the Chair \$50.00 per meeting.
43 Dr. Latimore requested an increase in compensation to a monthly rate of \$353.00 per Member and
44 \$475.00 for the Chair. The total annual compensation per Board Member would then be \$4,236.00 and
45 \$5,640.00 for the Chair. Compensation for the remaining six months in the current fiscal year totals
46 \$11,472.00. Annual compensation for the entire Board would be \$22,944.00 in FY2015-16.
47

48 Commissioners Pugh and Tunnell (former Board of Education members) reported the fee to Board of
49 Education members had not increased in 24 years.

1
2 Commissioner Fletcher reported 75% of small county School Boards are not paid.

3
4 Chairman Swindell asked if the funds are budgeted now and will this be included in the School Boards
5 FY2015-16 budget request.

6
7 After further discussion, it was decided to table this vote until the next regularly scheduled meeting on
8 Monday, February 2, 2015.

9
10 **Ocracoke School Funds**

11 Commissioner Fletcher reported he had been asked by Ocracoke residents to investigate why Pre-K
12 School funds have not been distributed.

13
14 Dr. Randolph Latimore, Superintendent, Hyde County Board of Education, reported no funds are being
15 held in reserve in Hyde County and explained the Pre-K School budget.

16
17 No action required.

18
19 **Consideration of Ocracoke Leash Law**

20 County Manager Rich reported he had been asked by Ocracoke residents to present request for a leash
21 law on Ocracoke Island. After studying the Hyde County Code – Animal Control Ordinance No. 165,
22 Manager Rich reported the County has an adequate leash law and it should be enforced.

23
24 Commissioner Fletcher asked County Attorney Holscher to research whether or not a leash law for
25 Ocracoke can be adopted or does it have to be county-wide. Mr. Holscher will report his findings at
26 the next regularly scheduled meeting on Monday, February 2, 2015.

27
28 **Public Comments:**

29 Chairman Swindell called for comments from the public.

30
31 **Lindsey O’Neal, Ocracoke Kindergarten** – asked the Board to fund reinstating the school art class.

32
33 **Ruth Fordon, Ocracoke** – reported 137 people have signed a petition asking for a stronger Leash Law
34 Ordinance for the Island.

35
36 **Commissioner Fletcher** proposed an animal compound.

37
38 **Kelly Schinn, Ocracoke** – asked why art was ended in schools and stated it is “financially
39 irresponsible to lose our art”.

40
41 There being no further comments from the public, Chairman Swindell continued the meeting.

42
43 **Employee Recognition:**

44 Manager Rich recognized the Agriculture Extension and Soil & Water Department for decorating the
45 Government Center for Christmas. Mr. Rich will treat the Ag-Extension and S&W Department staff to
46 lunch at Martelle’s Restaurant in Engelhard.

47
48 **Items of Consideration:**

1 **Resolution In Support of Passenger Ferries Coming Into Silver Lake**

2 After discussion and receiving report of a 20% decline in ferry traffic this year, Commissioner Fletcher
3 moved to approve Resolution In Support of Passenger Ferries Coming to Ocracoke. Mr. Tunnell
4 seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell,
5 Simmons and Swindell; Nays – None; Absent or not voting – None.

6 *Clerk's Note: A copy of "Resolution In Support Of Passenger Ferries Coming To Ocracoke" is attached herewith as Exhibit*
7 *A and incorporated herein by reference.*

8
9 **Appointments:**

10
11 **RTAC Alternate Member**

12 County Manager Rich was appointed to serve as an alternate member representing Hyde County on the
13 Albemarle Commission RTAC Committee on December 1, 2014. Since the appointment it was
14 learned the alternate member must be a Commissioner.

15
16 Commissioner Swindell moved to appoint Commissioner John Fletcher to serve as an alternate
17 member representing Hyde County on the Albemarle Commission RTAC Committee. Commissioner
18 Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh,
19 Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None.

20
21 **Consolidation of Hyde County Animal Control With Tyrrell County**

22 At the December 1, 2014 Board of Commissioners meeting County Manager Bill Rich reported Tyrrell
23 County Manager David Clegg has agreed to recommend to the Tyrrell County Board of
24 Commissioners an Interlocal Agreement merging Hyde County's Animal Control into Tyrrell
25 County's Animal Control for a 90-day trial period. Animal Control Officer calls fee would be \$20.00
26 per hour plus mileage at State rate and boarding fees would be \$15.00 the first day and \$5.00 for each
27 additional day. All Hyde County calls will initially be based on the same criteria currently in use.

28
29 Commissioners tabled voting on merging Hyde County's Animal Control with Tyrrell County's to
30 allow Animal Control Officer J. M. Eakes an opportunity to discuss and if he wishes to make a
31 counteroffer.

32
33 J. M. Eakes, Animal Control Officer, reported a full-time animal control officer is needed and should
34 be placed under supervision of the Sheriff's Department. After discussion, Mr. Eakes stated he would
35 match Tyrrell County's offer to provide animal control in Hyde County.

36
37 Manager Rich, Commissioner Pugh, Sheriff Cahoon and Animal Control Officer J. M. Eakes will work
38 together to develop the Animal Control program for Hyde County. Mr. Eakes will present his proposal
39 for Animal Control services at the next regularly scheduled Board of Commissioners meeting on
40 Monday, February 2, 2015.

41
42 **Fee Schedule for Hyde County Health Department – FY2014-15**

43 Luana Gibbs, Interim Health Director, presented Hyde County Health Department Fee Schedule
44 FY2014-14. Ms. Gibbs reported the Health Board will be hiring a Family Nurse Practitioner (FNP) to
45 provide primary care five days per week in Hyde County. She also reported a nurse to provide a
46 service to citizens on Ocracoke has been advertised.

1 Commissioner Swindell moved to approve the Hyde County Health Department Fee Schedule for
2 FY2014-14, effective January 6, 2015, as presented by Interim Health Director Luana Gibbs.
3 Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher,
4 Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None.
5

6 Ocracoke Tax Board Funding Requests

7 County Manager Rich received requests for grants from the Ocracoke Occupancy Tax Board on
8 December 12, 2014. Ocracoke Occupancy Tax Board Chairman Frank Brown reported the Board, in
9 its advisory capacity, unanimously approved three grants (listed) and requested commissioner
10 consideration for:

- 11
- 12 • \$7,500 to Hyde County to retain lobbyist for 2015.
- 13
- 14 • \$40,500 to WOVV, 90.1 FM, Ocracoke Community Radio, a non-profit 501(c)3 corporation to enable it to complete
15 renovations totaling over \$69,000 to their new facility on the second floor of the old Ocracoke firehouse before this
16 summer. The grant request from WOVV lists the many advantages to the community in this project.
17
- 18 • \$21,345 to the Ocracoke Child Care Center for urgent building modifications toward maximizing income with a robust
19 summer program including evening and weekend operations. The Ocracoke Child Care had lost its more profitable
20 programs when pre-K and the after school program were moved to Ocracoke School. Child Care has worked diligently
21 with a now Director and Board of Directors the last seven months, establishing financial accountability and a workable
22 business plan going forward. Ocracoke Child Care provides an essential service to many working families and
23 businesses in this community.
24

25 Commissioner Fletcher moved to approve Ocracoke Occupancy Tax Board funding requests for
26 \$7,500.00 for lobbyist 2015 contract; \$40,500.00 for WOVV 90.1 FM Station renovations project; and,
27 \$21,345.00 for Ocracoke Child Care Center building modifications. Commissioner Pugh seconded the
28 motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Tunnell and
29 Swindell; Nays – None; Absent or not voting – None.
30

31 Mainland Occupancy Tax Board Funding Requests

32 County Manager Rich reported the Mainland Occupancy Tax Board, at its November 21, 2014
33 meeting, approved \$6,500 from the Tideland EMC Grant the Board received for the Hyde County
34 Chamber of Commerce Website and have requested commissioner consideration.
35

36 Commissioner Fletcher moved to approve Mainland Occupancy Tax Board funding requests for
37 \$6,500.00 from its Tideland EMC grant for the Hyde County Chamber of Commerce Website.
38 Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher,
39 Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None.
40

41 2015 IRS Standard Mileage Rate

42 County Manager Rich reported the IRS has increased its standard mileage rate from \$0.56 to \$0.575
43 for 2015.
44

45 Commissioner Tunnell moved to adopt the IRS standard mileage rate of \$0.575 for 2015.
46 Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher,
47 Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None.
48

49 Swan Quarter Landing, Project Overview and Pre-Development Site Plan Approval for 0 Acquisition of Former Jarvis Property

1 Kris Noble, Planner, and Manager Rich have been approached by Swan Quarter Landing, LLC and
2 The Conservation Fund to work cooperatively in an effort to acquire approximately 12.5 acres of
3 waterfront property along Landing Road in Swan Quarter formerly known as the Jarvis Motel and
4 Restaurant.
5

6 At the September 2014 regular Board of Commissioner's meeting the commissioners received a Swan
7 Quarter Landing Proposal including a Site Plan.
8

9 Ms. Noble reported the Office of Planning and Economic Development, members of Swan Quarter
10 Landing, LLC and The Conservation Fund would like to move forward with grant applications to fund
11 acquisition of the property. Potential grant funders include PARTF and CWMTF. Applications are
12 due February 2, 2015.
13

14 Commissioner Pugh would like to obtain consideration and input of local seafood businesses on
15 Landing Road.
16

17 Ms. Noble reported a Public Hearing to receive comments and concerns about acquisition of the
18 former Jarvis Motel and Restaurant property along Landing Road in Swan Quarter will be held on
19 January 20, 2015.
20

21 Commissioner Fletcher moved to acquire the approximately 12.5 acres of waterfront property
22 (formerly known as the Jarvis Motel and Restaurant) along Landing Road in Swan Quarter and to
23 approve the overall site plan at this time. Commissioner Pugh seconded the motion. The motion
24 passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Tunnell and Swindell; Nays – None;
25 Absent or not voting – None.
26

27 **Swan Quarter Landing, Application for North Carolina Parks and Recreation Trust Fund**
28 **(PARTF) for Acquisition of Former Jarvis Property**

29 Kris Noble, Planner, and Manager Rich have been approached by Swan Quarter Landing, LLC and
30 The Conservation Fund to work cooperatively in an effort to acquire approximately 12.5 acres of
31 waterfront property along Landing Road in Swan Quarter formerly known as the Jarvis Motel and
32 Restaurant.
33

34 The Office of Planning & Economic requested Board approval to apply to the North Carolina Parks
35 and Recreation Trust Fund (PARTF) for acquisition of former Jarvis Property. The Conservation Fund
36 and Swan Quarter Landing, LLC are negotiating a purchase price. No local funds are being requested.
37

38 Commissioner Fletcher moved to approve the Office of Planning and Economic Development to move
39 forward with submittal of a full application to PARTF for funds to acquire the approximately 12.5
40 acres of waterfront property (formerly known as the Jarvis Motel and Restaurant) along Landing Road
41 in Swan Quarter; and, authorize the Board Chair to execute the completed application. Commissioner
42 Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh,
43 Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None.
44

45 **Swan Quarter Landing, Application for Clean Water Management Trust Fund (CWMTF) for**
46 **Acquisition of Former Jarvis Property**

47 Kris Noble, Planner, and Manager Rich have been approached by Swan Quarter Landing, LLC and
The Conservation Fund to work cooperatively in an effort to acquire approximately 12.5 acres of

1 waterfront property along Landing Road in Swan Quarter formerly known as the Jarvis Motel and
2 Restaurant.

3
4 The Office of Planning & Economic Development requested Board approval to move forward with
5 submittal of a full application to the Clean Water Management Trust Fund (CWMTF) for acquisition
6 of former Jarvis Property. No local funds are being requested.
7

8 Commissioner Tunnell moved to approve the Office of Planning and Economic Development to move
9 forward with submittal of a full application to CWMTF for funds to acquire the approximately 12.5
10 acres of waterfront property (formerly known as the Jarvis Motel and Restaurant) along Landing Road
11 in Swan Quarter; and, authorize the Board Chair to execute the completed application. Commissioner
12 Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh,
13 Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None.
14

15 **Final Report On DSS Move To ECB Building**

16 Clint Berry, Maintenance Director, presented final report on the renovation project at the East Carolina
17 Bank Building. Mr. Berry reported DSS has been cleared to move into the building and it will be
18 completed and cleaned by the end of the week. He reported CenturyLink will move telephone
19 equipment from the Davis Building to the new DSS (former ECB) Building on January 14th – 16th.
20

21 No action required.
22

23 **David's Trash Service Update**

24 County Manager Rich presented update on David's Trash Service in mainland Hyde County and on
25 Ocracoke Island. Mr. Rich reported efforts are being made to clean up Solid Waste Department
26 equipment and a letter has been sent to Rob Cuthrell, Manager, David's Trash Service regarding trash
27 trucks on the ferry to Ocracoke. A meeting is scheduled with Manager Rich, Utilities Director Clint
28 Berry and David's Trash, Manager Rob Cuthrell to continue monitoring the trash service.
29

30 **Letters – Commissioner Fletcher**

31 Commissioner Fletcher moved to send a thank you letter to NCDOT Ferry Division Director, Ed
32 Goodwin, Deputy Director Harold Thomas and Deputy Director Jed Dixon for all that they do for
33 Hyde County and to request consideration for a later last departure from Cedar Island. Mr. Pugh
34 seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons,
35 Tunnell and Swindell; Nays – None; Absent or not voting – None.
36

37 Commissioner Fletcher moved to send a thank you letter to Dare County Manager Bobby Outten and
38 the Board of Commissioners letting them know that in a spirit of cooperation Hyde County supports
39 Dare County in all issues of joint concern. Mr. Pugh seconded the motion. The motion passed on the
40 following vote: Ayes – Fletcher, Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not
41 voting – None.
42

43 **Budget Revision**
44

(FO Use) BR#	Department	Account #	Line Item Account Name/ Explanation	Debit	Credit
BR20-15	Triple P – Health	10.5831.1400	Advertising	\$ 3,900.00	
		10.5831.2600	Travel		\$ 3,900.00
	<i>Transferring funds from Travel into Advertising for billboard advertisement of the Triple P Program. Funds must be spent by 12/31/14. This revision does not increase the budget for Triple P.</i>			\$ 3,900.00	\$ 3,900.00

BR21-15	Health – PC Telemedicine	10.5892.7400	Equipment	\$ 5,000.00	
		10.3480.0049	KBR Grant Funds – Revenue		\$ 5,000.00
	<i>This budget revision reflects actual funds that were received from Kate B. Reynolds as a Discretionary Distribution from Cassius Williams for the Telemedicine Program. The funds are to be used for purchasing equipment to enhance this program (electrocardiogram and/or waived coagulation tester). This revision does increase the budget for KBR Telemedicine, funded under Grant #2015-096, but no expense locally from the County of Hyde.</i>				
				\$ 5,000.00	\$ 5,000.00
BR22-15	Environmental Health	10.6170.4500	Contract Services	\$ 800.00	
		10.6170.3100	Gas, Oil, Tires		\$ 800.00
	<i>This budget transfers funds from Gas, Oil, Tires line item into Contract Services line item to cover the cost of service provided for Environmental Health by contractor Ralph Hollowell/ARHS for onsite wastewater. This revision does not increase the budget for Environmental Health.</i>				
				\$ 800.00	\$ 800.00
BR23-15	Health – Family Planning	10.5950.0200	Salaries	\$ 445.00	
		10.5950.0500	FICA	\$ 34.00	
		10.5950.0600	Group Insurance	\$ 86.00	
		10.5950.0700	Retirement	\$ 32.00	
		10.3480.0003	Revenue – Immunization Action Plan (State)		\$ 597.00
	<i>Hyde County Health Department has received additional funds to support activities for at-risk individuals receiving Family Planning Services. Services are targeted to individuals receiving Out-Of-Wedlock birth prevention and must include services not reimbursable by Medicaid. The additional funds will increase the budget for Family Planning; however, no local appropriations are required, as the State is providing this funding.</i>				
				\$ 597.00	\$ 597.00
Planning	Planning	10.4900.7502	Printing & Promotions		\$ 1,000.00
		10.4900.4500	Economic Dev. Consult Services	\$ 1,000.00	
	<i>Does not increase the budget.</i>				
				\$ 1,000.00	\$ 1,000.00

1
2 Commissioner Fletcher moved to approve Health BR20-15 – Triple P, BR21-15 – PC Telemedicine,
3 BR22-15 – Environmental Health, BR23-15 – Family Planning, and Economic Development – Consult
4 Services as presented. Commissioner Tunnell seconded the motion. The motion passed on the
5 following vote: Ayes – Fletcher, Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not
6 voting – None.

7
8 **Management Reports:**

9
10 **Commissioner Fletcher** – requested investigation into the National School Board Association
11 (NSBA) that 75% of all school boards in small counties do not get paid.

12
13 **Commissioner Tunnell** – attended the NC Farm Bureau meeting; the Staff Christmas party; and, the
14 local drainage meeting (dike).

15
16 **Commissioner Simmons** – reminded everyone that as we move forward with deals we need to be sure
17 we are not interfering with private taxes, salaries, etc.

18
19 **Commissioner Pugh** – attended a 9-1-1 meeting in Dare County; Airport meeting; Staff Christmas
20 Party; Ocracoke Working Watermen’s Association Oyster Roast; and, accompanied EM Director
21 Justin Gibbs to inspect the EMS Station floors.

22
23 **Chairman Swindell** – rode in the Engelhard and Scranton Christmas Parades; attended MES
24 Christmas Program; and, the Health Board Christmas Party. Mr. Swindell thanked Luana Gibbs for
25 serving as Interim Health Director.

1 **Manager Rich** – attended the Ocracoke Ferry Meeting and reports the NPS is funding the entire
2 Lifeguard Beach this season, the 9-1-1 meeting was educational and the Blackbeard puddle has been
3 approved and the grates need to be dropped. Mr. Rich commended the Ocracoke Volunteer Fire
4 Department for its response to a trailer fire last week.
5

6 **Public Comments:**

7 Chairman Swindell called for comments from the public.
8

9 **Peter Vankevich, Ocracoke** – reported Dare and Brunswick County got their own legislation on
10 derelict boats issues.
11

12 **Sundae Horne, Ocracoke** - attended the Board of Education meeting in December and asked that
13 their meeting minutes be posted on-line because their link does not work.
14

15 There being no further comments from the public, Chairman Swindell continued the meeting.
16

17 **Closed Session (none)**

18
19 **Adjourn**

20
21 Commissioner Fletcher moved to adjourn the meeting. Mr. Simmons seconded the motion. The
22 motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays –
23 None; Absent or not voting – None.
24

25 The meeting adjourned at 8:40p.m.
26

27 Respectfully submitted:
28

29 Minutes approved on the 2nd day of February, 2015.
30
31
32

33 _____
34 Lois Stotesberry, CMC, NCCCC
35 Clerk, Hyde County Board of Commissioners

36 _____
37 Barry Swindell
38 Chair, Hyde County Board of Commissioners

39 **Attachments:**

40 Exhibit A: *“Resolution In Support Of Passenger Ferries Coming To Ocracoke”*

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

Meeting Date: February 2, 2015
Presenter: David Howard, Health Director
Attachment: Hyde County Health Department Health Director Bio

ITEM TITLE: Introduction of new Public Health Director

SUMMARY: David Howard, MPH began January 20, 2015 as Health Director, see attached Bio

RECOMMEND: NO ACTION NECESSARY

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

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

Vote: ___ Barry Swindell
___ Earl Pugh, Jr.
___ Dick Tunnell
___ Ben Simmons
___ John Fletcher

David G. Howard, MPH, BS

David was most recently with NC Public Health Region 8 CTG (Community Transformation Project) out of Robeson County (Lumberton, NC) as Regional Lead for Engagement/Communications.

His education includes his MPH from UNC-Greensboro, completion of the Management Academy for Public Health at UNC-Chapel Hill, and a BS in Business from UNC-Wilmington.

His past work includes 15 years in Public Health/ Health Services and Research in:

Local Public Health:

- Regional Lead – Engagement/Communications, Region 8 Community Transformation Project

- Regional PH Preparedness (4 counties)

- Injury Prevention Programming

Substance Abuse Quality Improvement:

- Regional Lead in Eastern NC for National Project

- with Governors Institute on Substance Abuse out of Raleigh NC

Clinical Administration:

- Executive Director for a large regional clinic serving the un-insured

- Practice Manager for small specialty practice

Clinical Research

- Contracts and Budgets and Clinical Site Monitoring with Pharmaceutical Product Development

He also worked for 12 years in Banking and Financial Services

- United Carolina Bank – Wilmington NC

- Wachovia Bank – Fayetteville NC

Personal Information:

David's ancestors originally settled in the Norfolk region of Virginia (from Norfolk area in England), and his recent family, including his parents grew up in Baltimore, MD. David was born in Roanoke, VA, and moved when about 2 years old to the Greensboro/Reidsville area where his father was a Personnel Plant Manager with Fieldcrest/Cannon. David's mother is a professional artist who taught, produced art, and has owned galleries all her life. David grew up across NC moving to Rutherford County when 8, then to Johnston County when 17 where his parents, two brothers, and sister still reside in the Triangle area.

David is married to Paige Erwin for 25 years

two children, Finn (14) & Maren (12), both active year-round competitive swimmers

David is active with USA Swimming as a USA Swimming certified Stroke and Turn Official

David has served as chair of local non-profits, worked as an ocean rescue lifeguard at Wrightsville Beach while in college with EMT certification

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

Meeting Date: February 2, 2015
Presenter: Meredith Nicholson, ABC Board Chair
Attachment: Yes

ITEM TITLE: ABC BOARD AUDIT PRESENTATION
BOARD MEMBER REPLACEMENT

SUMMARY:

- 1) Present highlights of the audit for fiscal year ending June 30, 2014
- 2) Board member Jim Piland of Ocracoke is resigning effective April 1, 2015. Update on filling that soon to be vacant position.

RECOMMEND: Receive report.

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

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

Vote: ___ Barry Swindell
___ Earl Pugh, Jr.
___ Dick Tunnell
___ Ben Simmons
___ John Fletcher

County of Hyde ABC Board
Swan Quarter, North Carolina
(A component unit of County of Hyde)
STATEMENT OF NET POSITION
June 30, 2014 and 2013

Exhibit A

	June 30,	
Assets	2014	2013
Current Assets		
Cash and cash equivalents	\$ 51,676	\$ 39,382
Inventories	49,905	73,453
A/R other	2,723	2,723
Prepaid expenses	-	2,500
Total current assets	104,304	118,058
Noncurrent Assets		
Property and equipment (net)	13,002	17,127
Total Assets	\$ 117,306	\$ 135,185
	Liabilities	
Current Liabilities		
Accounts payable	\$ 48,153	\$ 62,788
Taxes payable	19,726	24,693
Liquor sales tax payable	3,569	3,415
Accrued payroll	3,097	3,186
Payroll taxes payable	1,913	6,001
Retirement payable	684	16,235
Current portion of long-term debt	3,611	3,435
Operating loan (related party, see note 5)	22,650	13,750
Total Current Liabilities	103,403	133,503
Non-Current Liabilities		
Note payable less current portion	5,742	9,342
Total non-current liabilities	5,742	9,342
Total Liabilities	109,145	142,845
	Net Position	
Invested in capital assets	3,649	17,127
Restricted for:		
Working capital	19,529	18,882
Unrestricted	(15,017)	(43,669)
Total Net Position	8,161	(7,660)
Total Liabilities and Net Position	\$ 117,306	\$ 135,185

The accompanying notes are an integral part of the financial statements.

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
 For the Years Ended June 30, 2014 and 2013

	June 30,	
	2014	2013
Operating Revenue		
Liquor sales - regular	\$ 484,839	\$ 460,611
Mixed beverage sales	193,700	184,595
Total operating revenue	678,539	645,206
Deduct Taxes on Gross Sales		
State excise tax	150,427	134,875
Rehabilitation tax	1,826	1,736
Mixed beverage tax - NCDR	16,853	16,034
Mixed beverage tax - NCDHHS	1,688	1,603
Total Taxes	170,794	154,248
Net Sales	507,745	490,958
Deduct Cost of Sales		
Cost of liquor sold	322,072	335,892
Gross Profit on Sales	185,673	155,066
Deduct Operating Expenses		
Store expenses	151,662	167,203
Administrative expenses	12,498	19,264
Depreciation expenses	4,125	3,170
Total Operating Expenses	168,285	189,637
Income (Loss) From Operations	17,388	(34,571)
Nonoperating Revenues (Expenses)		
Interest income	18	17
Miscellaneous income	400	
Tax refunds (penalties, assessments)	(1,985)	(5,617)
Sale of asset	-	(375)
Total Nonoperating Revenues (Expenses)	(1,567)	(5,975)
Change in Net Position	15,821	(40,546)
Net Assets, Beginning of Year	(7,660)	32,886
Net Assets, End of Year	\$ 8,161	\$ (7,660)

The accompanying statements are an integral part of the financial statements.

Hyde ABC Board Meeting Minutes

1.12.15 6:30 pm

Attendance:

Board Members: Glenda Williams, Jim Piland. (Meredith is out sick)

Others: Gary Davis , Vicki Gibbs (chairs meeting in Meredith's absence)

Tom Robbins, Justin Gibbs, Sarah Johnson

Proceedings: Vick opened the meeting at 6:30 pm. She asked the Board to accept the December minutes that had been submitted. Board motioned and seconded. She introduced Tom Robbins as the ABC Auditor for the 2013-2014 Fiscal year and turned the meeting over to Tom for the presentation. After the Audit presentation the board decided to table the agenda until the next meeting when Meredith would return.

Old Business: Jim and Gary had suggestions for Jim's replacement on the Board.

They were instructed to give their nominations to the Mr. Fletcher the Ocracoke county commissioner and to also read their Operations manual to find out who can and cannot be nominated for the position.

Meeting adjourned 6:55

AGENDA
HYDE COUNTY ABC BOARD MEETING
MONDAY, JANUARY 12, 2014 - 6:30 PM

CALL TO ORDER

**OPENING - NOTATION OF BOARD MEMBERS
AND OTHER ATTENDEES PRESENT**

CONSIDERATION OF AGENDA & ETHICS REMINDER

CONSIDERATION OF MINUTES OF PRIOR MEETING

PRESENTATION OF AUDIT FOR FISCAL YEAR 2013-2014

ITEMS OF CONSIDERATION

OLD BUSINESS

- 1) Discussion of local law enforcement involvement with enforcement & reports
- 2) Update on full-time/part-time classification of employees
- 3)
- 4)

NEW BUSINESS

- 1)
- 2)
- 3)
- 4)
- 5)

COMMENTS BY FINANCE OFFICER

COMMENTS BY GENERAL MANAGER

PUBLIC COMMENTS

The public is invited to use this time to make comments to the Board on items discussed during this meeting and/or matters not discussed earlier in the meeting. 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.

DJOURN

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

Meeting Date: February 5, 2015
Presenter: Citizens
Attachment: No

ITEM TITLE: PUBLIC COMMENTS

SUMMARY: Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens.

Comments should be kept to (3) minutes and directed to the entire Board, not just one individual Commissioner, staff member or to a member of the audience.

Time for one person cannot be used by another person.

Comments that reflect the need for additional assistance will be directed to the County Manager or referred to a future meeting agenda.

RECOMMEND: Receive comments.

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

Meeting Date: February 2, 2015
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: EMPLOYEE RECOGNITION

SUMMARY: Manager Bill Rich will announce the Employee of the Month.
The employee will spin the "Wheel of Thanks."

RECOMMEND: Congratulations.

Motion Made By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Motion Seconded By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Vote: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

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

Meeting Date: February 2, 2015
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: A RESOLUTION IN SUPPORT OF A FUTURE INTERSTATE DESIGNATION FOR US64 AND US17 BETWEEN RALEIGH AND HAMPTON ROADS

SUMMARY: The NC Department of Transportation has asked that the US64/US17 corridor from Raleigh to Hampton Roads, VA. Via Rock Mount, NC and Elizabeth City, NC be designated as a future Interstate which would help connect I-40/I-440 in Raleigh to I-64 in Hampton Roads, VA.

RECOMMEND: Adopt.

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

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

Vote: ___ Barry Swindell
___ Earl Pugh, Jr.
___ Dick Tunnell
___ Ben Simmons
___ John Fletcher

COUNTY OF HYDE

Board of Commissioners

Barry Swindell, Chair
Earl Pugh, Jr., Vice-chair
Dick Tunnell,
Ben Simmons, III
John Fletcher

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



A RESOLUTION IN SUPPORT OF A FUTURE INTERSTATE DESIGNATION FOR US64 AND US17 BETWEEN RALEIGH AND HAMPTON ROADS

WHEREAS, the Hyde County Board of Commissioners is the duly recognized legislative body for the County of Hyde; and,

WHEREAS, the NC Department of Transportation has asked that the US64/US17 corridor from Raleigh to Hampton Roads, Va. via Rocky Mount, NC and Elizabeth City, NC be designated as a future Interstate which would help connect I-40/I-440 in Raleigh to I-64 in Hampton Roads, Va.; and,

WHEREAS, Hampton Roads and Raleigh are two of the largest east coast metropolitan regions which are served by a primary interstate route (I-64 in Hampton Roads and I-40 in Raleigh); and,

WHEREAS, the future interstate designation would create a secondary primary interstate for both areas and connect these two economic regions; and,

WHEREAS, requesting a future interstate designation for the section of US64/US17 from Raleigh to Hampton Roads and completing improvements which bring this section of roadway up to interstate standards is part of North Carolina Governor Patrick McCrory's "25 Year Vision for North Carolina – Mapping our Future"; and,

WHEREAS, the citizens of Northeastern North Carolina share a common interest with the Hampton Roads region for employment, health care, shopping and recreation; and,

WHEREAS, businesses currently located in Northeastern North Carolina, and those being recruited to Northeastern North Carolina, have an interest in a safe, fast highway route to the Port of Virginia; and,

WHEREAS, the County of Hyde believes an interstate highway will enhance safety and promote economic opportunities for their County; and,

NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners hereby supports a future interstate designation for US64 and US17 between Raleigh and Hampton Roads.

Adopted this the 2nd day of February, 2015, in Hyde County, North Carolina.

ATTEST: _____
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

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

Meeting Date: February 2, 2015
Presenter: Corporal Joseph Williams
Attachment: Yes

ITEM TITLE: NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM – LOCAL GOVERNMENTAL RESOLUTION

SUMMARY: The Hyde County Sheriff's Office is in the process of building a traffic safety program with goals that reflect the goals of the NCGSHP. Part of being able to reach their goals includes updating and upgrading Sheriff's Department equipment so the deputies on the road will be more effective and efficient.

Hyde County is a large county with mainland hunting in the late fall and wither months and beach tourism in the summer months. Ocracoke Island's population easily triples from May to September.

There are approximately 280 miles of state and local roadways that the Sheriff's Office and the NC Highway Patrol are responsible for. With only one trooper on duty (generally) the bulk of traffic enforcement is left to deputies. A trooper patrols Ocracoke Island once every couple of months, mainly in the busy summer months.

With the new traffic safety plan in effect deputies will focus on speed, alcohol and occupant restraint enforcement.

RECOMMEND: Adopt.

Motion Made By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Motion Seconded By: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

Vote: Barry Swindell
 Earl Pugh, Jr.
 Dick Tunnell
 Ben Simmons
 John Fletcher

months due to it being a very popular destination for duck hunters and bird watchers. Ocracoke Island is very busy in the summer months due to some of the best beaches on the east coast of the US. Ocracoke Island's population easily triples from May to September. With our new traffic safety plan we will focus on speed, alcohol, and occupant restraint enforcement in an effort to reduce the number of related traffic crashes and increase the number of citations and arrests. We also would like to expand on our cooperation with the NC Highway Patrol and other agencies to assist in the implementation of our plan.

Hyde County Crash Data 2009-2013

Total	2009	2010	2011	2012	2013	09-13 AVG	RANK
Fatalities	3	1	5	0	0	1.80	96
Fatal Crashes	3	1	3	0	0	1.40	96
Serious Injury	3	1	0	0	1	1.00	99
Alcohol Related	2009	2010	2011	2012	2013	09-13 AVG	RANK
Fatal	1	0	1	0	0	.40	89
Fatal Crashes	1	0	0	0	0	.20	98
Serious Injury	0	0	0	0	0	0	99
Total	11	1	5	11	8	7.20	99
Unrestrained	2009	2010	2011	2012	2013	09-13 AVG	RANK
Fatal	1	1	0	0	0	0.40	96
Serious Injury	0	0	0	0	1	0.20	99
Speed Related	2009	2010	2011	2012	2013	09-13 AVG	RANK
Fatal	1	0	0	0	0	0.20	98
Fatal Crashes	1	0	0	0	0	0.20	98
Serious Injury	0	1	0	0	0	0.20	96
Total	23	16	11	9	7	13.20	100
Young Driver	2009	2010	2011	2012	2013	09-13 AVG	RANK
Fatal	0	0	0	0	0	0.00	96
Serious Injury	0	0	0	0	1	0.20	95
Total	14	13	13	14	12	13.20	100
Motorcyclist	2009	2010	2011	2012	2013	09-13 AVG	RANK
Fatal	0	0	0	0	0	0.00	94
Fatal Crashes	0	0	0	0	0	0.00	95
Serious Injury	1	1	0	0	0	0.40	89
Total	2	1	1	0	2	1.20	100

As part of this project all law enforcement agencies must enter traffic enforcement citations data of their agency for the past three years.

Year 2012	Occupant Protection Citations	5	DWI Citations	24	Speed Citations	31
Year 2013	Occupant Protection Citations	9	DWI Citations	29	Speed Citations	98
Year 2014	Occupant Protection Citations	3	DWI Citations	22	Speed Citations	90

Goals and Objectives (Provide at least two SMART (Specific, Measurable, Attainable, Realistic and Timely) goals and objectives. For more detailed information see "How to write an effective traffic safety project" located at:

<https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx>)

- Goal #1: To reduce the number of alcohol-related fatalities by 100 percent from the 2009-2013 calendar year average of .20 fatalities to 0 fatalities during the fiscal year October 1, 2015 to September 30, 2016.
 To reduce the number of serious injuries (type A) in alcohol-related crashes by 0 percent from the 2009-2013 calendar year average of 0 injuries to 0 injuries during the fiscal year October 1, 2015 to September 30, 2016.
 To reduce the number of alcohol-related crashes by 40 percent from the 2009-2013 calendar year average of 7.20 crashes to 4.30 crashes during the fiscal year October 1, 2015 to September 30, 2016.
 To reduce the number of alcohol-related fatalities by 100 percent from the 2009-2013 calendar year average of .20 fatalities to 0 fatalities during the fiscal year October 1, 2015 to September 30, 2016.
 To reduce the number of serious injuries (type A) in alcohol-related crashes by 0 percent from the 2009-2013 calendar year average of 0 injuries to 0 injuries during the fiscal year October 1, 2015 to September 30,

2016.

To reduce the number of alcohol-related crashes by 40 percent from the 2009-2013 calendar year average of 7.20 crashes to 4.30 crashes during the fiscal year October 1, 2015 to September 30, 2016.

- Objectives:
- Increase the number of DWI arrests by 25 percent from 22 in calendar year 2014 to 28 during the fiscal year October 1, 2015 to September 30, 2016.
 - Conduct/participate in 2 impaired driving checking stations/saturation patrols each month.
 - Identify the top 2 alcohol-related crash locations and conduct targeted enforcement efforts a minimum of 4 times a month.
 - Train/re-train 10 officers in SFST, ARIDE and/or DRE.
 - Conduct/participate in 1 impaired driving outreach/educational events each quarter.
 - Participate and report in all GHSP and national highway safety campaigns focused on impaired driving (including, but not limited to Booze It & Lose It: St. Patrick's Day, Operation Firecracker, Labor Day, Halloween, and Holiday campaigns, etc.). Full campaign participation is accomplished through increased high visibility enforcement.

Goal #2: To reduce the number of unrestrained fatalities by 100 percent from the 2009-2013 calendar year average of .40 fatalities to 0 fatalities during the fiscal year October 1, 2015 to September 30, 2016.
To reduce the number of unrestrained serious injuries (type A) by 100 percent from the 2009-2013 calendar year average of .20 serious injuries to 0 serious injuries during the fiscal year October 1, 2015 to September 30, 2016.

- Objectives:
- Increase the number of occupant restraint citations by 100 percent from 3 in 2014 to 6 during the fiscal year October 1, 2015 to September 30, 2016.
 - Identify the top 2 high crash locations and conduct targeted enforcement efforts a minimum of 4 times a month.
 - Conduct/participate in 1 day-time seat belt initiatives each month. (Can add multi-agency)
 - Conduct/participate in 2 night-time seat belt initiatives each month. (Can add multi-agency)
 - Conduct targeted enforcement efforts a minimum of 1 times a month. (Can add multi-agency)
 - Host 1 educational events highlighting the importance of occupant restraint use.
 - Contact all high schools directly or through partner agencies and encourage participation in the "Click It or Ticket" Securing Your Future program.
 - Train/re-train 1 officers as CPS Technicians.
 - Train/re-train 1 officers in identifying CPS misuse.
 - Participate and report in all GHSP and national highway safety campaigns focused on occupant restraint use (including, but not limited to the Click It or Ticket campaigns in May and November, Child Passenger Safety Week in September, etc.). Full campaign participation is accomplished through increased high visibility enforcement.

Goal #3: To reduce the number of speed-related fatal crashes by 100 percent from the 2009-2013 calendar year average of .20 fatal crashes to 0 fatal crashes during the fiscal year October 1, 2015 to September 30, 2016.
To reduce the total number of persons killed in speed-related crashes by 100 percent from the 2009-2013 calendar year average of .20 fatalities to 0 fatalities during the fiscal year October 1, 2015 to September 30, 2016.
To reduce the total number of persons seriously injured (type A) in speed-related crashes by 100 percent from the 2009-2013 calendar year average of .20 serious injuries to 0 serious injuries during the fiscal year October 1, 2015 to September 30, 2016.
To reduce the number of speed-related crashes by 40 percent from the 2009-2013 calendar year average of 13.20 crashes to 7.90 crashes during the fiscal year October 1, 2015 to September 30, 2016.

- Objectives:
- Increase the number of speeding citations by 30 percent (suggest between 25% and 50%) from the 2014 calendar year of 90 to 117 during the fiscal year October 1, 2015 to September 30, 2016.
 - Identify the top 2 speed-related crash locations and conduct targeted enforcement efforts a minimum of 4 times a month.
 - Conduct targeted enforcement efforts a minimum of 2 times a week.
 - Identify residential speed enforcement areas and conduct targeted speed enforcement efforts a minimum of 2 times every month
 - Train/re-train 4 officers in radar operation.
 - Participate and report in all GHSP and national highway safety campaigns focused on speeding (including, but not limited to the Obey the Sign or Pay the Fine campaign during March/April). Full campaign participation is accomplished through increased high visibility enforcement.

Below are the 5-year goals of the NC Governor's Highway Safety Program (GHSP). To be eligible for funding, your traffic safety project should match one or more of the GHSP goals. Check all that apply.

Reduce NC's traffic-related fatalities by 25% from the 2008-2012 average of 1,317 to 988 by 2020.

Reduce NC's alcohol-related fatalities by 35% from the 2008-2012 average of 386 to 251 by 2020.

- Reduce NC's unrestrained fatalities by 30% from the 2008-2012 average of 407 to 285 by 2020.
- Reduce NC's speed-related fatalities by 25% from the 2008-2012 average of 479 to 359 by 2020.
Reduce NC's young driver-involved fatal crashes by 30% from the 2008-2012 average of 196 to 137 by 2020.
- Reduce NC's motorcycle fatalities by 25% from the 2008-2012 average of 177 to 133 by 2020.
- Increase NC's seat belt usage rate 4.4 percentage points to 95% by 2020.

SECTION C – BUDGET DETAIL

Personnel Costs

#	Personnel Position	Salary
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Total Salaries Cost:

#	Personnel Fringe Benefits	Cost
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Total Fringe Benefits Cost:

Total Personnel Costs:

Contractual Services

#	Contractual Service To Be Provided	Cost
1		
2		
3		
4		
5		
6		
7		
8		
9		

10	
11	

Total Contractual Services:

Commodities Costs

#	Commodities	Cost
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

Total Commodities Cost:

Other Direct Costs

#	Equipment	Quantity	Cap Amount	Cost
1	Mobile Data Terminal-Includes hardware, software, modem, data	14	\$6,000.00	\$84,000.00
2	Radar-Includes installation and shipping	6	\$2,500.00	\$15,000.00
3				
4				
5				
6				
7				
8				

Total Equipment Cost \$99,000.00

#	Other Items and Equipment Direct Cost	Cost
1		
2		
3		
4		
5		
6		
7		
8		

Total Other Items and Equipment Direct Cost:

#	Travel	Cost
1	In-State Travel	
2	Out-of-State Travel	

Total Travel Cost:

Total Other Direct Costs: \$99,000.00

Indirect Costs

Indirect Costs	Cost
1	
2	
3	
4	
Total Indirect Costs	

SECTION D – SCHEDULE OF TASKS BY QUARTERS

List the schedule of tasks by quarters, referring specifically to the objectives in Section B. Tasks should be a bulleted list of activities to be performed in each quarter.

Conditions for Law Enforcement Only

By checking this box, the above agency agrees to the terms below as additional activities to be performed as part of this project.

- A minimum of one (1) nighttime and one (1) daytime seat belt initiative per month;
- A minimum of one (1) impaired driving checkpoint per month;
- A minimum of 50% of seat belt initiatives must be conducted at night between the hours of 7:00 p.m. and 7:00 a.m.;
- Participation in all "Click It or Ticket" and "Booze It & Lose It" campaigns;
- Participation in any event or campaign as required by the GHSP;
- Attempt to utilize one of the Forensic Tests for Alcohol Branch's Mobile Breath Alcohol Testing (BATMobiles) units during at least one of the impaired driving checkpoints.

First Quarter (October, November, December)

- Participate in all campaigns for the Quarter
- Train one deputy as a CPS Technician and identifying CPS misuse
- Identify top two crash locations for occupant restraint and conduct targeted enforcement
- Continue to develop a traffic enforcement program for Hyde County with assistance from other law enforcement agencies in the county.

Second Quarter (January, February, March)

- Participate in all campaigns for the Quarter
- Send three deputies to SFST or ARIDE Training
- Identify top two crash locations for alcohol related crashes and conduct targeted enforcement
- Continue to develop a traffic enforcement program for Hyde County with assistance from other law enforcement agencies in the county.
- Increase the number of impaired driving checking stations around the county to increase the number of arrests.
- Attempt to utilize the BATMobile for a mainland checking station.

Third Quarter (April, May, June)

- Participate in all campaigns for the Quarter
- Stay current on SMI certification.
- Identify top two crash locations for speed related crashes and conduct targeted enforcement
- Continue to develop a traffic enforcement program for Hyde County with assistance from other law enforcement agencies in the county.
- Attempt to utilize the BAT mobile for two checking stations. One mainland and one Ocracoke Island

Fourth Quarter (July, August, September)

- Participate in all campaigns for the Quarter
- Continue increasing checking stations and saturation patrols to increase the number of citations and arrests for traffic violations.
- Continue working to develop and improve a traffic enforcement plan that will reflect NCGSHP long term goals and benefit the residents of Hyde County by making roadways more safe to travel.
- Continue to improve relationships and cooperation between the Hyde County Sheriff's Office and other agencies in the county.

Check

Save

Submit

Note:

1. Submitting grant application is not a guarantee of grant being approved.
2. Once form has been submitted, it cannot be changed unless it has a status of "Return".

North Carolina Governor's Highway Safety Program LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the HYDE COUNTY SHERIFF'S OFFICE (herein called the "Agency")

(The Applicant Agency)

has completed an application contract for traffic safety funding; and that HYDE COUNTY BOARD OF COMMISSIONERS

(The Governing Body of the Agency)

_____ (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

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

(Governing Body)

MEETING ASSEMBLED IN THE CITY OF SWAN QUARTER, NORTH CAROLINA,

THIS 2ND DAY OF FEBURARY, 20 15, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That JOSEPH WILLIAMS, CORPORAL is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$ 74,250.00 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
(Name and Title of Representative)
(Federal Dollar Request)
3. That the Governing Body has formally appropriated the cash contribution of \$ 24,750.00 as required by the project contract; and
(Local Cash Appropriation)
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.



DONE AND ORDERED in open meeting by _____
(Chairperson/Mayor)

ATTESTED BY _____
(Clerk)

SEAL

DATE _____

North Carolina Governor's Highway Safety Program
Agreement of Conditions

This Agreement is made by and between the North Carolina Department of Transportation, hereinafter referred to as the "Department", to include the Governor's Highway Safety Program, hereinafter referred to as "GHSP"; and the applicant agency, for itself, its assignees and successors in interest, hereinafter referred to as the "Agency". During the performance of this contract, and by signing this contract, the Agency agrees as follows:

A. Federal Provisions

1. **Equal Opportunity/Nondiscrimination.** The Agency will agree to comply with all Federal statutes and implementing regulations relating to nondiscrimination concerning race, color, sex, religion, national origin, handicaps, and age. These include but are not limited to:
 - (a) Title VI of the Civil Rights Act of 1964;
 - (b) Title IX of the Education Amendments of 1972, as amended;
 - (c) 49 CFR Part 21, Non-Discrimination in Federally-assisted programs of the United States Department of Transportation, hereinafter referred to as "USDOT", as amended;
 - (d) 49 CFR Part 27, Rehabilitation Act of 1973, as amended; and
 - (e) The Age Discrimination Act of 1975, as amended.
2. **Drug Free Workplace.** The Agency agrees to comply with the provisions cited in the Drug-Free Workplace Act of 1988 (49 CFR Part 29 Sub-part F).
3. **Federal Grant Requirements and Contracts.** The Agency shall comply with the following statutes and implementing regulations as applicable:
 - (a) 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;
 - (b) Office of Management and Budget, hereinafter referred to as "OMB", 2 CFR 225, Cost Principles for State, Local, and Indian Tribal Governments;
 - (c) OMB Circular A-21, Cost Principles for Institutions of Higher Education;
 - (d) OMB Circular A-122 Cost Principles for Nonprofit Organizations;
 - (e) 5 U.S.C. §§ 1501-1508 and 5 CFR Part 151 "Political Activity of State and Local Offices, or Employees" (Hatch Act); and
 - (f) 23 U.S.C. §§ 313 Buy America
 - (g) NHTSA Highway Safety Grant Funding Guidance, as revised, February 2014 (www.nhtsa.gov).
4. **Lobbying.** The Agency agrees to comply with the restrictions of lobbying members of Congress, 18 USC, Section 1913; Section 326 of the FY 2000 DOT Applications Act, prohibiting the use of USDOT Federal funds for "grass roots" lobbying campaigns to encourage third parties, members of special interest groups, or the general public to urge members of a State legislature to support or oppose a pending legislative or appropriations matter.
5. **Audits.**
 - (a) **Audit Required.** Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of OMB Circular A-133, Subpart B, § ___.200. Guidance on determining Federal awards expended is provided in OMB Circular A-133, Subpart B, § ___.205.
 - (b) **Single Audit.** Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted in accordance with OMB Circular A-133, Subpart B, § ___.500, except when they elect to have a program-specific audit conducted in accordance with OMB Circular A-133, Subpart B, § ___.200, paragraph (c).
 - (c) **Non-Governmental Entities.** Non-governmental entities (not-for-profit and for-profit entities) must adhere to North Carolina General Statute 143-6.1.
6. **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions.**
 - (a) The prospective lower tier participant (the Agency) certifies, by submission of this contract proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal Department or Federal Agency.

- (b) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participants shall attach an explanation to this contract proposal.
7. **Conditions for State, Local and Indian Tribal Governments.** State, local and Indian tribal government Agencies shall adhere to the standards established by 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Contracts to State and Local Governments, and additions or amendments thereto. Agencies shall also adhere to the standards established by the Office of Management and Budget, and in particular, OMB Circular A-87, Cost Principals for State, Local and Indian Tribal Governments and additions or amendments thereto, for principles for determining costs applicable to grants and contracts with state, local and Indian tribal governments.
 8. **Conditions for Institutions of Higher Education.** If the Agency is an institution of higher education, it shall adhere to the standards established by 49 CFR Part 19, Uniform Administrative Requirements for Grants and Contracts with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations and OMB Circular A-21, Cost Principles for Institutions of Higher Education for determining costs applicable to grants and contracts with educational institutions.
 9. **Conditions for Non-Profit Organizations.** If the Agency is a non-profit organization, it shall adhere to the standards established by 49 CFR Part 19, Uniform Administrative Requirements for Grants and Contracts with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations and OMB Circular A-122, Cost Principles for Non-profit Organizations for determining costs applicable to grants and contracts with non-profit organizations.
 10. **Conditions for Hospitals.** If the Agency is a hospital, it shall adhere to the standards established by 49 CFR Part 19, Uniform Administrative Requirements for Grants and Contracts with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations and 45 CFR Subtitle A, Part 74, Appendix E, Principles for Determining Costs Applicable to Research and Development Under Grants and Contracts with Hospitals.

B. General Provisions

1. **Contract Changes.** This document contains the entire agreement of the parties. No other contract, either oral or implied, shall supercede this Agreement. Any proposed changes in this contract that would result in any change in the nature, scope, character, or amount of funding provided for in this contract, shall require a written addendum to this contract on a form provided by the Department.
2. **Subcontracts Under This Contract.** The Agency shall not assign any portion of the work to be performed under this contract, or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this contract without the prior written concurrence of the Department. Any subcontract under this contract must include all required and applicable clauses and provisions of this contract. The Agency must submit any proposed contracts for subcontracted services to the Governor's Highway Safety Program for final approval no less than 30 days prior to acceptance.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the Agency for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Agency of the Agency's obligations under this contract. Additionally, Agencies making purchases or entering into contracts as provided for by this contract must adhere to the policies and procedures of 49 CFR 18.36 (Common Rule). Additionally, Agencies making purchases or entering into contracts as provided for by this contract must adhere to the policies and procedures of 49 CFR 18.36 (Common Rule) and Executive Order 150 as it pertains to Historically Underutilized Businesses.
4. **Incorporation of Provisions in Subcontracts.** The Agency shall include the provisions of section A-1 through A-6 of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the regulations, or directives issued pursuant thereto. The Agency shall take such action with respect to any subcontract or procurement as the Department, the State of North Carolina, hereinafter referred to as the "State", the National Highway Traffic Safety Administration, hereinafter referred to as "NHTSA", or the Federal Highway Administration, hereinafter referred to as "FHWA", may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Agency becomes involved in, or is threatened with, litigation with

- a subcontractor or supplier as a result of such direction, the Agency may request the Department or the State to enter into such litigation to protect the interests of the Department or the State. In addition, the Agency may request the NHTSA or FHWA to enter into such litigation to protect the interests of the United States.
5. **Outsourcing.** All work shall be performed in the United States of America. No work will be allowed to be outsourced outside the United States of America.
 6. **Property and Equipment.**
 - (a) **Maintenance and Inventory.** The Agency shall maintain and inventory all property and equipment purchased under this contract.
 - (b) **Utilization.** The property and equipment purchased under this contract must be utilized by the Agency for the sole purpose of furthering the traffic safety efforts of the Agency for the entire useful life of the property or equipment.
 - (c) **Title Interest.** The Department and NHTSA retain title interest in all property and equipment purchased under this contract. In the event that the Agency fails or refuses to comply with the provisions of this Agreement or terminates this contract, the Department, at its discretion, may take either of the following actions:
 - (i) Require the Agency to purchase the property or equipment at fair market value or other mutually agreed to amount; or
 - (ii) Require the Agency to transfer the property or equipment and title of said property or equipment, if any, to the Department or to another Agency, as directed by the Department.
 - (d) **Non-expendable Property.** Non-expendable property is defined as property or equipment having a value of \$5000 or more with a life expectancy of more than one year. Non-expendable property purchased under this contract cannot be sold, traded, or disposed of in any manner without the expressed written permission of the Department.
 7. **Promotional or Other Materials.** Any promotional or other materials developed using funds from this contract must be reviewed and approved by the GHSP prior to their production. The cost of promotional materials is limited to a maximum of \$5.00 per item. Items in excess of \$5.00 may not be purchased without the expressed written approval of the GHSP.
 8. **Review of Reports and Publications.** Any reports, papers, publications, or other items developed using funds from this contract must be reviewed and approved by the GHSP prior to their release.
 9. **Reimbursement.**
 - (a) **General.** Progress payments, based upon actual allowable costs for not less than one (1) month or more than three (3) months may be made upon receipt of an itemized invoice from the Agency on forms provided by the Department. The itemized invoice shall be supported by documentation of costs as prescribed by the Department.
 - (b) **Approval.** The Governor's Highway Safety Program and the Department's Fiscal Section shall approve the itemized invoice prior to payment.
 - (c) **Unapproved Costs.** Any rejected or unaccepted costs shall be borne by the Agency. The Agency agrees that in the event the Department determines that, due to Federal or State regulations that grant funds must be refunded, the Agency will reimburse the Department a sum of money equal to the amount of Federal and State participation in the rejected costs.
 - (d) **Final Reimbursement Claims.** Final reimbursement claims must be received by the GHSP within 30 days following the close of the approved contract period. Project funds not claimed by this date are subject to reversion.
 - (e) **Expending Funds Under This Contract.** Under no circumstances will reimbursement be made for costs incurred prior to the contract effective date or after the contract ending date.
 10. **Project Costs.** It is understood and agreed that the work conducted pursuant to this contract shall be done on an actual cost basis by the Agency. The amount of reimbursement from the Department shall not exceed the estimated funds budgeted in the approved contract. The Agency shall initiate and prosecute to completion all actions necessary to enable the Agency to provide its share of the project costs at or prior to the conclusion of the project.
 11. **Program Income.** The Agency shall account for program income related to projects financed in whole or in part with federal funds in accordance with 49 CFR Part 18. Program income earned during the contract period shall be retained by the Agency and added to the funds committed to the project by the GHSP and

be used to further eligible program objectives. Program income must be accounted for separately and the records made available for audit purposes.

12. **Project Directors.** The Project Director, as specified on the signature page of this Agreement, must be an employee of the Agency or the Agency's governing body. Any exception to this provision must have the expressed written approval of GHSP.
13. **Reports Required.**
 - (a) **Quarterly Progress Reports.** Unless otherwise directed, the Agency must submit Quarterly Progress Reports to the GHSP, on forms provided by the Department, which reflect the status of project implementation and attainment of stated goals. Each progress report shall describe the project status by quarter and shall be submitted to GHSP no later than fifteen (15) days after the end of each quarter. If the Agency fails to submit a Quarterly Progress Report or submits an incomplete Quarterly Progress Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Quarterly Progress Report that substantiates adequate progress is received, cost reimbursement requests will be processed.
 - (b) **Final Accomplishments Report.** A Final Accomplishments Report must be submitted to the GHSP within thirty (30) days of completion of the project, on forms provided by the Department, unless otherwise directed. If the Agency fails to submit a Final Accomplishments Report or submits an incomplete Final Accomplishments Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Final Accomplishments Report that substantiates adequate progress is received, cost reimbursement requests will be processed.
 - (c) **Audit Reports.** Audit reports required in Section A-5 above shall be provided to the Department within thirty (30) days of completion of the audit.
14. **Out-of-State Travel.**
 - (a) **General.** All out-of-state travel funded under this contract must have prior written approval by the Governor's Highway Safety Program.
 - (b) **Requests.** Requests for approval must be submitted to the GHSP, on forms provided by the Department, no less than thirty (30) days prior to the intended departure date of travel.
 - (c) **Agency Travel Policy Required.** For Agencies other than state agencies, out-of-state travel requests must include a copy of the Agency's travel policy, to include allowances for lodging, meals, and other travel-related expenses. For state agencies, maximum allowable subsistence is limited to the prevailing per diem rates as established by the North Carolina General Assembly.
 - (d) **Agenda Required.** Out-of-state travel requests must include a copy of the agenda for the travel requested.
15. **Conditions for Law Enforcement.** In addition to the other conditions provided for in this Agreement, grants to law enforcement agencies are subject to the following:
 - (a) **Tasks Required.** The following tasks must be included in Section D of this contract:
 - (i) A minimum of one (1) nighttime and one (1) daytime seat belt initiative per month;
 - (ii) A minimum of one (1) impaired driving checkpoint per month;
 - (iii) A minimum of 50% of seat belt initiatives must be conducted at night between the hours of 7:00 p.m. and 7:00 a.m.
 - (iv) Participation in all "Click It or Ticket" campaigns;
 - (v) Participation in all "Booze It & Lose It" campaigns;
 - (vi) Participation in any event or campaign as required by the GHSP.
 - (vii) An effort must be made to utilize one of the Forensic Tests for Alcohol Branch's Mobile Breath Alcohol Testing (BATMobiles) units during at least one of the impaired driving checkpoints.
 - (b) **Certifications Required.**
 - (i) **In-car Camera or Video System.** For any in-car camera or video system purchased under this contract, it is required that the operator of that equipment has successfully completed Standardized Field Sobriety Testing training (SFST). A copy of this certificate must be filed with GHSP prior to reimbursement of in-car camera or video systems.
 - (ii) **Radar.** For any radar equipment purchased under this contract, it is required that the operator of that equipment has successfully completed Radar Certification Training. A copy of this certificate must be filed with GHSP prior to reimbursement of radar equipment.
 - (iii) **Alcohol Screening Devices.** For any preliminary alcohol screening devices purchased under this contract, it is required that the operator of that equipment has successfully completed the Alcohol Screening Test Device training offered by the Forensic Test for Alcohol Branch.
 - (c) **Report Required - Monthly Enforcement Data Report.** In addition to the reports mentioned above, law enforcement agencies must submit a Monthly Enforcement Data Report on the form provided by

the Department. If the Agency fails to submit a Monthly Enforcement Data Report or submits an incomplete Monthly Enforcement Data Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Monthly Enforcement Data Report that substantiates adequate progress is received, cost reimbursement requests will be processed. The agency head must sign the form. However, the agency head may assign a designee to sign the form by providing written signature authority to the GHSP.

16. Conditions for Local Governmental Agencies.

(a) **Resolution Required.** If the Agency is a local governmental entity, a resolution from the governing body of the Agency is required on a form provided by the Department.

(b) **Resolution Content.** The resolution must contain a commitment from the governing body to provide the local funds as indicated in this contract. Additionally, the resolution is required even if the funding is one hundred percent from federal sources, as it serves as recognition by the governing body of federal funding for purposes of Section A-5 above.

17. Prohibited Interests. No member, officer, or employee of the Agency during his or her tenure, and for at least one (1) year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof or therefrom.

18. Continued Federal and State Funding.

(a) **Federal Funding.** The Agency agrees and understands that continuation of this project with Federal funds is contingent upon Federal funds being appropriated by the United States Congress specifically for that purpose. The Agency further agrees and understands that in the event funds originally appropriated by Congress for these grants are subsequently reduced by further acts of Congress, funding to the Agency may be proportionately reduced.

(b) **State Funding.** The Agency agrees and understands that continuation of this project with funds from the State of North Carolina is contingent upon State funds being appropriated by the General Assembly specifically for that purpose. The Agency also agrees that any state funds received under this contract are subject to the same terms and conditions stated in this Agreement.

19. Performance. All grants provided by the Governor's Highway Safety Program are performance-based and, as such, require that continual progress be made toward the reduction of the number and severity of traffic crashes. Any agency, whose performance is deemed unsatisfactory by the GHSP, shall be subject to the sanctions as provided for in this contract. Additionally, unsatisfactory performance shall be cause for the Department to reduce or deny future funding.

20. Resolution of Disputes. Any dispute concerning a question of fact in connection with the work not disposed of by contract by and between the Agency and the Department, or otherwise arising between the parties to this contract, shall be referred to the Secretary of the North Carolina Department of Transportation and the authorized official of the Agency for a negotiated settlement. In any dispute concerning a question of fact in connection with the project where such negotiated settlement cannot be resolved in a timely fashion, the final decision regarding such dispute shall be made by the Secretary of the North Carolina Department of Transportation, with the concurrence of the Federal funding agency, and shall be final and conclusive for all parties.

21. Department Held Harmless.

(a) **For State Agencies.** Subject to the limitations of the North Carolina Tort Claims Act, the Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

(b) **For Agencies Other Than State Agencies.** The Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

22. Records Access and Retention.

The Agency shall provide all information and reports required by the regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department, the State, NHTSA, or FHWA, as appropriate, to be pertinent to ascertain compliance with such regulations, orders and instructions. Furthermore, the Agency shall maintain such materials during the contract period, and for three (3) years from the date of final payment from the Department, for such inspection and audit. Where any information required of the

Agency is in the exclusive possession of another who fails or refuses to furnish this information, the Agency shall so certify to the Department, State, NHTSA, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information.

- 23. **Sanctions for Non-Compliance.** The applicant Agency agrees that if it fails or refuses to comply with any provisions and assurances in this contract, the Department may take any or all of the following actions:
 - (a) Cancel, terminate, or suspend this contract in whole or in part;
 - (b) Withhold reimbursement to the Agency until satisfactory compliance has been attained by the Agency;
 - (c) Refrain from extending any further funding to the Agency under this contract with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency;
 - (d) Refer the case to the United States Department of Justice for appropriate legal proceedings.

- 24. **Cancellation, Termination, or Suspension of Contract.**
 - (a) **By the Department.** For noncompliance with any of the said rules, regulations, orders or conditions, this contract may be canceled, terminated, or suspended in whole or in part by the Department, by giving the Agency thirty (30) days advanced written notice. The Department, before issuing notice of cancellation, termination, or suspension of this contract, may allow the Agency a reasonable opportunity to correct for noncompliance.
 - (b) **By the Agency.** The Agency may terminate this contract by providing thirty (30) days advanced written notice to the Department.

- 25. **Completion Date.**
 Unless otherwise authorized in writing by the Department, the Agency shall commence, carry on, and complete the project as described in the approved Highway Safety Project Contract by September 30 of the Federal fiscal year for which it was approved.

26. **Signature.**
 By signing below, the Agency agrees to adhere to the terms and conditions of this Agreement.

AGENCY PROJECT DIRECTOR		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER
AGENCY AUTHORIZING OFFICIAL		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER
AGENCY OFFICIAL AUTHORIZED TO RECEIVE FUNDS		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER

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

Meeting Date: February 2, 2015
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: REINSTATE ART CLASSES AT OCRACOKE SCHOOL

SUMMARY: On January 6, 2015 Manager Rich received petitions signed by a group of concerned citizens requesting reinstatement of art classes at Ocracoke School.

On January 15, 2015 Manager Rich received copy of a letter from the Ocracoke United Methodist Church Youth Group to Hyde County Board of Education requesting reinstatement of art classes at Ocracoke School.

On January 25, 2015 Nancy Leach started a petition on Change.org asking that art classes be reinstated at Ocracoke School and six hours later 100 more people signed "North Carolina State Board of Education: Reinstate Art Classes at Ocracoke School".

Supporters of the campaign believe art is an opportunity for achievement and creative expression and can lead to scholarship opportunities.

RECOMMEND: Discussion.

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

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

Vote: ___ Barry Swindell
___ Earl Pugh, Jr.
___ Dick Tunnell
___ Ben Simmons
___ John Fletcher

Lois Stotesberry

From: Bill Rich <brich@hydecourtync.gov>
Sent: Monday, January 26, 2015 2:41 PM
To: lstotesberry@hydecourtync.gov
Subject: FW: 100 more people signed "North Carolina State Board of Education: Reinstate Art Classes at Ocracoke School"

From: mail@changemail.org [mailto:mail@changemail.org]
Sent: Sunday, January 25, 2015 4:04 PM
To: brich@hydecourtync.gov
Subject: 100 more people signed "North Carolina State Board of Education: Reinstate Art Classes at Ocracoke School"

change.org New signatures

Bill Rich – This petition addressed to you on Change.org has new activity. See progress and respond to the campaign's supporters.

North Carolina State Board of Education:
Reinstate Art Classes at Ocracoke School



Petition by nancy lee with 100 supporters

**100 more people signed
in the last 6 hours**

[View petition](#)

RECENT SUPPORTERS



Phoebe azar

Charlotte, NC Jan 25, 2015

art is an important part of a well rounded education and helps children develop creativity.



Denise Wallace

Pittsburg, NC · Jan 25, 2015

I am a retired music teacher (band) that taught all 31 years in NC. The Arts are core curriculum but are usually the first classes to be cut. Don't cheat the Ocracoke School students from the one thing that helps them to develop self, team cooperation, and most importantly, the touch of humanity.



Valerie Willis

Camden, SC · Jan 25, 2015

Ocracoke is ART!!



Edward Ordman

Memphis, TN · Jan 25, 2015

My wife and I are retired university faculty members and strong supporters of the artistic community in Ocracoke, which we feel will suffer if arts education is not readily available to the younger generation.



Julia Oneal

Ocracoke, NC · Jan 25, 2015

We need our art classes, if all other schools have them we should too.

[View all 100 supporters](#)

CHANGE.ORG FOR DECISION MAKERS

On Change.org, decision makers like you connect directly with people around the world to resolve issues. Respond to let the people petitioning you know you're listening, say whether you agree with their call to action, or ask them for more information. [Learn more.](#)

Lois Stotesberry

From: Bill Rich <brich@hydecourtync.gov>
Sent: Monday, January 26, 2015 2:42 PM
To: lstotesberry@hydecourtync.gov
Subject: FW: New petition to you: Reinstate Art Classes at Ocracoke School

From: nancy leach [mailto:mail@changemail.org]
Sent: Sunday, January 25, 2015 11:27 AM
To: brich@hydecourtync.gov
Subject: New petition to you: Reinstate Art Classes at Ocracoke School

change.org New petition

Bill Rich – nancy leach started a petition on Change.org and listed you as a decision maker. Learn more about nancy leach's petition and how you can respond.

**Hyde County Commissioners:
Reinstate Art Classes at
Ocracoke School**



Petition by nancy leach · Started Jan 25, 2015

The community of Ocracoke is filled with artists and those who appreciate art, and a large number of the visitors to our island either come to enjoy our artistic... [Read more](#)

[View the petition](#)

WHAT YOU CAN DO

1. View the petition

[Learn about the petition and its supporters.](#) You will receive updates as new supporters sign the petition so you can see who is signing and why.

2. Respond to the petition

[Post a response](#) to let the petition supporters know

you're listening, say whether you agree with their call to action, or ask them for more information.

3. Continue the dialogue

Read the comments posted by petition supporters and continue the dialogue so that others can see you're an engaged leader who is willing to participate in open discussion.

CHANGE.ORG FOR DECISION MAKERS

On Change.org, decision makers like you connect directly with people around the world to resolve issues. [Learn more](#)

This notification was sent to brich@hydecountryinc.gov, the address listed as the decision maker contact by the petition starter. If this is incorrect, please [post a response](#) to let the petition starter know.

Change.org · 648 Market St #29999, San Francisco, CA 94104-5401, USA

Received
01-15-2015

Hyde County
Dear Board of Education,

We are writing to you about the recent cuts in the Art Program in Hyde County. As we recall on our pasts, we remember taking and enjoying art classes that are no longer offered to us today. As we think about the younger students and their futures, here is a list of reasons why we believe the Art Program should return to Hyde County:

- little kids need something to do other than computer class.
- some students would like to go to school for art (post-high school)
- education is meant to open as many doors for children as possible and taking away art will only limit their opportunities.
- art helps children learn how to "color outside the lines" and think "outside the box".
- every child should be exposed to art to see if they like it or not.
- art can lead the path of the future
- art is an opportunity for achievement
- without art, the school can't enter the Federal Jr. Duck Stamp Program
- art can lead to scholarship opportunity
- art offers healthy competition for children in something other than sports.
- children can't be expected to study books all day at school, they need hands-on learning and the opportunity for creative.

expression.

We feel strongly about these points. We believe that if any funds are available, possibly funds being considered for board members' raises they should be used for the Art-Program.

Thank you for taking our concerns seriously,
The Ocracoke United Methodist Church
Youth Group,

Katie O'Neal

Carson F. O'Neal
Stacey M. O'Neal

Kevin C. Perez

~~Kevin Perez~~

Darwin Contreras

Sydney Austin

~~Haunef Strath~~

P.O. Box 1544
Ocracoke, N.C.
27860

Joseph Romanini

~~John O'Neal~~

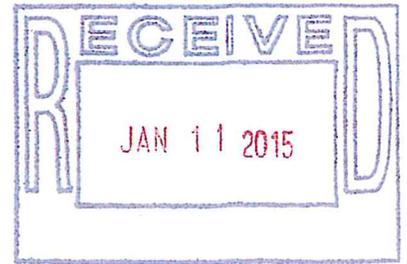
Mr. Bill,

The Youth Group put this letter together last week with hopes that it would make an impact.

We love you and think you are doing a great job.

Thank you,
Joseph

January 6, 2015



Hyde County Commissioner's Office
Attn: Bill Rich, County Manager
P.O. Box 188
Swan Quarter NC, 27885

To the Hyde County Commissioners:

I am writing to voice my concern over the request for salary raises by the Hyde County Board of Education superintendent, Dr. Randolph Latimore, for himself and the other BOE members. The art program, fundamental to a solid education, has been cut county-wide this year and Dr. Latimore refused to request that it be reinstated in next year's budget because it would be "financially irresponsible." If the Hyde County budget does not allow at this time for a full education for our children, how can we support personal raises for members of the Board of Education? This is especially relevant when according to the National School Boards Association, "75 percent of small-district school board members receive no salary." And Hyde County is the smallest school district in the state of North Carolina.

I do not support the salary raises at this time. If there are extra funds available, they should go toward the reinstatement of an art program or other programs that directly benefit our children, and therefore, our future.

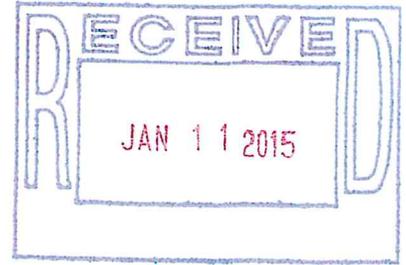
Sincerely,

As a parent/grandparent with a child in the local public school I find that the loss of any academic classes can be detrimental to all educational needs. Kids need art. As for pay raises... not so much. Those BOE members chase to run for those positions knowing full well of the stipend pay. Those positions are not meant to support your life style but to be employees to you.



Community. Working for the betterment of
our schools, classes, teachers and most
importantly, our students. The future.

January 6, 2015



Hyde County Commissioner's Office
Attn: Bill Rich, County Manager
P.O. Box 188
Swan Quarter NC, 27885

To the Hyde County Commissioners:

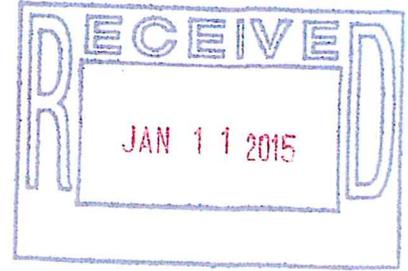
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I do not support the salary raises at this time. If there are extra funds available, they should go toward the reinstatement of an art program or other programs that directly benefit our children, and therefore, our future.

Sincerely,

Janet B. Frantz

January 6, 2015



Hyde County Commissioner's Office
Attn: Bill Rich, County Manager
P.O. Box 188
Swan Quarter NC, 27885

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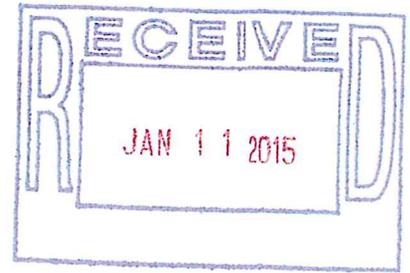
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Sincerely,

J. D. Ballard
Chris K. Ballard

P.S. Seems to us to be "shameful" in light of killing the Art Program.

January 6, 2015



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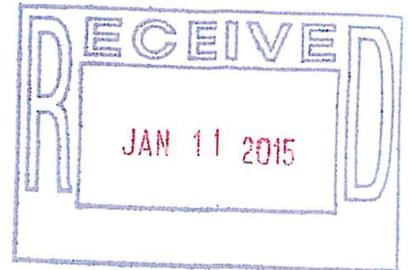
Sincerely,

Cindy Fove

*job 501
Owncolle NC 27960*

252-928-5801

January 6, 2015



Hyde County Commissioner's Office
Attn: Bill Rich, County Manager
P.O. Box 188
Swan Quarter NC, 27885

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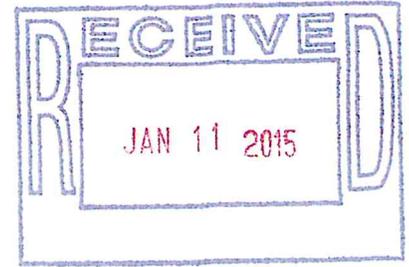
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Sincerely,

Po Box 1025
Ocracoke NC 27960
Brian & Melinda Sutton

January 6, 2015



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Attn: Bill Rich, County Manager
P.O. Box 188
Swan Quarter NC, 27885

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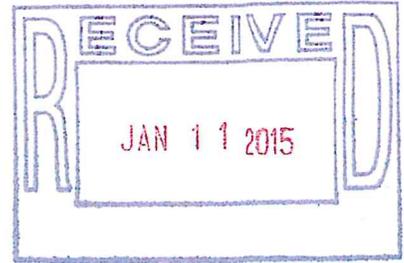
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Sincerely,

Dale Metro

January 6, 2015



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Attn: Bill Rich, County Manager
P.O. Box 188
Swan Quarter NC, 27885

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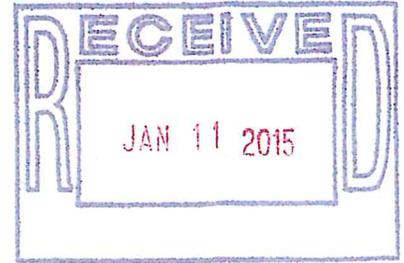
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Sincerely,

Paula Schramel

January 6, 2015



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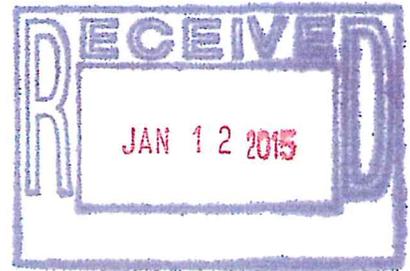
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Sincerely,

Melissa Shanton

January 6, 2015



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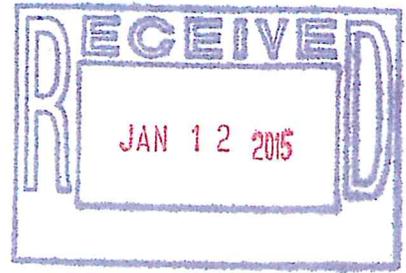
Sincerely,

Kenneth A. DeBarth PA-C

Ruth Forder

Kenneth A. DeBarth, PA-C
59 Creek Road
Ocracoke, NC 27960

January 6, 2015



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Attn: Bill Rich, County Manager
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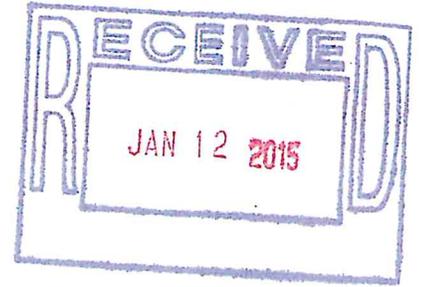
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Sincerely,

Nadia Rodriguez.

January 6, 2015



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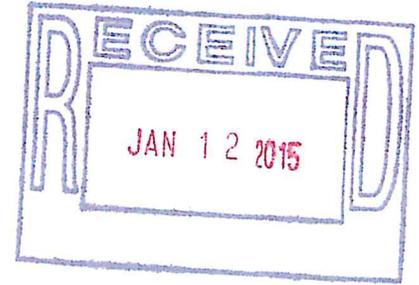
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Sincerely,

Michelle DeVan

x Michelle DeVan

January 6, 2015



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Attn: Bill Rich, County Manager
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Sincerely,

X Matt DeVan

January 6, 2015

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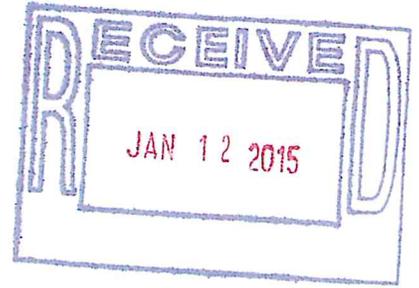
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Sincerely,

Charles R. Ray

January 6, 2015



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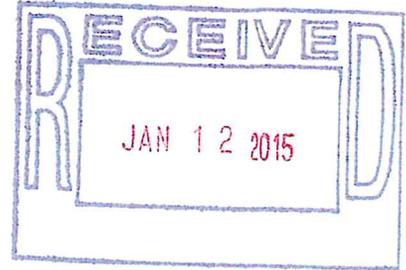
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Sincerely,

Cheryl O'Neal

*Mother of Daisy O'Neal - Kindergarten - Ocracoke School
And Charlie O'Neal - rising pre k student*

January 6, 2015



Hyde County Commissioner's Office
Attn: Bill Rich, County Manager
P.O. Box 188
Swan Quarter NC, 27885

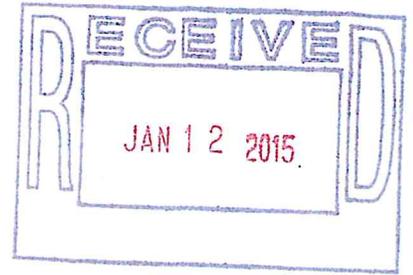
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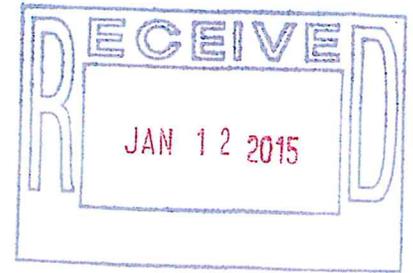
Sincerely,

A handwritten signature in black ink, appearing to read "James Rich".

A handwritten signature in black ink, appearing to read "Linda Core".

133 Sarah Ellen Drive
Ocracoke, NC 27960
PO Box 1075

January 6, 2015



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Attn: Bill Rich, County Manager
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