Meeting Minutes

Board of County Commissioners
Hyde County

Monday, January 5, 2015

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

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

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

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

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

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

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

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

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

Presentations:

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

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

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

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

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

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

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

No action required at this time.

Board of Education – Request Raise for Board Members

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

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

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

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

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

Ocracoke School Funds

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

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

No action required.

Consideration of Ocracoke Leash Law

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

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

Public Comments:

Chairman Swindell called for comments from the public.

Lindsey O'Neal, Ocracoke Kindergarten – asked the Board to fund reinstating the school art class.

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

Commissioner Fletcher proposed an animal compound.

Kelly Schinn, Ocracoke – asked why art was ended in schools and stated it is "financially irresponsible to lose our art".

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

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

Items of Consideration:

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

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

Appointments:

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

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

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

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

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

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

Fee Schedule for Hyde County Health Department – FY2014-15
Luana Gibbs, Interim Health Director, presented Hyde County Health Department Fee Schedule FY2014-14. Ms. Gibbs reported the Health Board will be hiring a Family Nurse Practitioner (FNP) to provide primary care five days per week in Hyde County. She also reported a nurse to provide a service to citizens on Ocracoke has been advertised.

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

Ocracoke Tax Board Funding Requests

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

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

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

Mainland Occupancy Tax Board Funding Requests

County Manager Rich reported the Mainland Occupancy Tax Board, at its November 21, 2014 meeting, approved $6,500 ~~from the Tideland EMC Grant the Board received~~ for the Hyde County Chamber of Commerce Website and have requested commissioner consideration. correction 04-06-2015/ES

Commissioner Fletcher moved to approve Mainland Occupancy Tax Board funding requests for $6,500.00 ~~from its Tideland EMC grant~~ for the Hyde County Chamber of Commerce Website. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – None. correction 04-06-2015/ES

2015 IRS Standard Mileage Rate

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Final Report On DSS Move To ECB Building

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

No action required.

David's Trash Service Update

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

Letters – Commissioner Fletcher

Commissioner Fletcher moved to send a thank you letter to NCDOT Ferry Division Director, Ed Goodwin, Deputy Director Harold Thomas and Deputy Director Jed Dixon for all that they do for Hyde County and to request consideration for a later last departure from Cedar Island. Mr. Pugh

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

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

Budget Revision

(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
	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.			$ 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
	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.			$ 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
	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.			$ 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
	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, ho local appropriations are required, as the State is providing this funding.			$ 597.00	$ 597.00
Planning	Planning	10.4900.7502	Printing & Promotions		$ 1,000.00
		10.4900.4500	Economic Dev. Consult Services	$ 1,000.00	
	Does not increase the budget.			$ 1,000.00	$ 1,000.00

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

Management Reports:

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

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

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

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

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

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

Public Comments:
Chairman Swindell called for comments from the public.

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

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

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

Closed Session (none)

Adjourn

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

The meeting adjourned at 8:40p.m.

Respectfully submitted:

Minutes approved on the 2nd day of February, 2015.

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

Barry Swindell
Chair, Hyde County Board of Commissioners

Attachments:
Exhibit A: ***"Resolution In Support Of Passenger Ferries Coming To Ocracoke"***

COUNTY OF HYDE

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

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PO Box 188
SWAN QUARTER, NORTH CAROLINA
252-926-4400
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Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board

Resolution In Support Of Passenger Ferries Coming To Ocracoke

WHEREAS, the Hyde County Board of Commissioners supports, in general, passenger ferries coming to Ocracoke and realizes fees will have to be tolled,

THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners understand that we will need State and local support for this project; and,

THEREFORE, BE IT FURTHER RESOLVED The Hyde County Board of Commissioners supports, in concept, passenger ferries coming to Ocracoke, NC.

Adopted this the 5th day of January, 2015, in Hyde County, North Carolina.

ATTEST: Lois Stotesberry
Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman