

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

**Meeting Date:** January 1, 2019  
**Presenter:** Chairman Earl Pugh, Jr.  
**Attachment:** No

**ITEM TITLE:** OPENING

**SUMMARY:** Call to Order  
Opening Prayer  
Pledge of Allegiance

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

**Meeting Date:** January 1, 2019  
**Presenter:** Chairman Earl Pugh, Jr.  
**Attachment:** Yes

**ITEM TITLE:** CONSIDERATION OF AGENDA

**SUMMARY:** Attached is the proposed Agenda for the January 1, 2019 Regular Meeting of the Hyde County Board of Commissioners.

**RECOMMEND:** Review, Amend and Approve.

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**MOTION MADE BY:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**MOTION SECONDED BY:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**VOTE:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

# AGENDA

## HYDE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING

MONDAY, JANUARY 7, 2019 – 6:00 PM

### CALL TO ORDER

### CONSIDERATION OF AGENDA

### CONSIDERATION OF MINUTES

#### December 3, 2018

- Organizational Meeting Minutes
- Regular Meeting Minutes

### PUBLIC HEARINGS

- Ocracoke Community Transportation Program Application ..... Kris Noble

### PRESENTATIONS

- 1) Tax Collections Report – December 2018 ..... Linda Basnight

### RECOGNITION OF EMPLOYEE/ VOLUNTEER/ FRIEND OF HYDE COUNTY

- 1) Friend – Rose Acre Farms ..... Kris Noble
- 2) Employee – Linda McCabe ..... Kris Noble

### PUBLIC COMMENTS

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

### ITEMS OF CONSIDERATION

- 1) Ordinances – Resolutions – Proclamations
  - Resolution: Public Transportation Program Resolution FY 2019 ..... Kris Noble
- 2) Appointments
  - Reappointment of Randy Clayton to the Board of Health ..... Luana Gibbs
  - Department of Social Services Board (1 citizen & 1 commissioner vacancy) ..... Laurie Potter
  - JCPC School Justice Partnership (new commissioner appointment) ..... Kris Noble
  - Hyde County Transit ..... Kris Noble
  - Albemarle Regional Solid Waste Management Authority (ARSWMA) ..... Kris Noble

- 3) DHHS/DSS Written Agreements-Amended MOU ..... Laurie Potter
- 4) CSBG Program Continuation ..... Kris Noble
- 5) McClees Consulting, Inc. Contract Renewal ..... Kris Noble
- 6) BHM Library Lease Renewal and Proposed Expansion ..... Kris Noble
- 7) Selection of Administrative Services for Florence HMGP and FY18 FMA ..... Kris Noble
- 8) Recommendations: Ocracoke Occupancy Tax Board ..... Kris Noble
- 9) Award Letter for CDBG – Neighborhood Revitalization Program ..... Kris Noble
- 10) Local Planning and Management Grant Award ..... Kris Noble
- 11) Presentation of Senate Resolution 815 ..... Kris Noble
- 12) 2019 IRS Standard Mileage Rate ..... Kris Noble
- 13) FY 2018-2019 Budget Calendar ..... Kris Noble

**BUDGET MATTERS**

**Health Department**

- PHPR – Bright Ideas Project ..... \$ 5,096.00
- Maternal Health ..... \$20,757.00
- Family Planning ..... \$ 261.00

**MANAGEMENT REPORTS**

The Commissioners, County Manager and Assistant County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

**PUBLIC COMMENTS**

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

**CLOSED SESSION (discussion and possible action if required)**

**ADJOURN**

## **SUPPLEMENTAL INFORMATION**

### **Department Reports**

- 1) Tax Department**
- 2) Inspections**
- 3) Human Resources**
- 4) IT Department**
- 5) Health Department**
- 6) Department of Social Services**
- 7) Senior Center**
- 8) Soil & Water**
- 9) Cooperative Extension**
- 10) Airport**

### **Informational Items**

- 1) Golden LEAF Letter – RAMP East Proposal**
- 2) NC Floodplain Mapping Program Letter**
- 3) NC Highway Historic Marker Letter**

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

**Meeting Date:** January 7, 2019  
**Presenter:** Lois Stotesberry, Clerk  
**Attachment:** Yes

**ITEM TITLE:** CONSIDERATION OF MINUTES

**SUMMARY:** Attached are the December 3, 2018 Organizational Meeting and Regular Meeting Minutes of the Hyde County Board of Commissioners.

**RECOMMEND:** Review, Amend and Approve.

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

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

**VOTE:**  PUGH  
 SIMMONS  
 PAHL  
 SWINDELL  
 TOPPING

1 **Organizational Meeting Minutes**

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

5  
6 **Monday, December 3, 2018**

7  
8 Chairman Pugh called the Organizational Meeting of the Hyde County Board of Commissioners to order  
9 at 6:05p.m., on Monday, December 3, 2018, in the Hyde County Government Center, Multi-Use Room,  
10 and the Ocracoke Community Center using electronic conferencing equipment.

11 The following members were present on the mainland: Chairman Earl Pugh, Jr., Vice-chairman Barry  
12 Swindell, Commissioners Ben Simmons, Tom Pahl and Dick Tunnell; Manager Kris Cahoon Noble;  
13 Attorney Franz Holscher; Clerk to the Board Lois Stotesberry; Emergency Services Director/Deputy Clerk  
14 Justin Gibbs and members of the public.

15 Justin Gibbs, ES Director/Deputy Clerk ran the electronic conferencing equipment on the Mainland and IT  
16 Director/PIO/Deputy Clerk Donnie Shumate ran the equipment on Ocracoke.

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

18  
19 Chairman Pugh and the Board of Commissioners offered condolences to Commissioner Ben Simmons on  
20 the death of his Grandmother Mrs. Gaynelle Simmons.

21  
22 Following opening prayer by Commissioner Swindell and Pledge of Allegiance, Chairman Pugh continued  
23 the meeting.

24  
25 **Consideration of Agenda:**

26 Commissioner Simmons moved to approve both the December 3, 2018 Organizational Meeting Agenda  
27 and the Regular Meeting Agenda as presented by the Clerk. Commissioner Tunnell seconded the motion.  
28 The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Simmons and Swindell; Nays –  
29 None; Absent or not voting – None.

30  
31 **Consideration of Minutes:**

32 **November 5, 2018 – Regular Meeting**

33 Commissioner Swindell moved to approve the November 5, 2018 Hyde County Board of Commissioners  
34 Regular Meeting Minutes as presented by the Clerk with correction on page 3 – line 1 – Commissioner  
35 Pahl Tunnell moved to adopt; and on line 25 – Mike Caton to serve a three-year term. Mr. Simmons  
36 seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Simmons  
37 and Swindell; Nays – None; Absent or not voting – None.

38 **Presentations:**

39 **County Commissioners Barry Swindell and Dick Tunnell Commendation**

40 Chairman Pugh, Commissioners, County Attorney Holscher and County Manager Kris Noble thanked  
41 Commissioners Barry Swindell (2007 – 2018) and Dick Tunnell (2010 – 2018) for their dedicated service  
42 to the citizens of Hyde County and for serving on numerous County boards and committees throughout  
43 their terms in office.

44 County Manager Kris Noble presented outgoing Vice-chairman Barry Swindell and outgoing  
45 Commissioner Dick Tunnell plaques commending their years of service to Hyde County. Daniel Brinn and  
46 Natalie Wayne designed and crafted the plaques in the outline of Hyde County.

1 **Oath(s) of Office**

2 Hyde County Clerk of Court Brandy Pugh administered “Oath of Office” to newly elected Commissioner  
3 Michael Shannon Swindell. Ms. Pugh administered “Oath of Office to newly elected Commissioner  
4 James Roger Topping earlier in the day.

5  
6 **Nominations and Appointments:**

7 Clerk to the Board of Commissioners Lois Stotesberry called for nomination of Board Chair.

8  
9 Commissioner Simmons moved to nominate Commissioner Pugh to serve as Chairman of the Hyde  
10 County Board of Commissioners. Mr. Pahl seconded the motion. The motion passed on the following  
11 vote: Ayes – Pahl, Pugh, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

12 Chairman Pugh remained seated as Chairman of the Hyde County Board of Commissioners.

13 Commissioner Tom Pahl moved to nominate Commissioner Simmons to serve as Vice-chairman of the  
14 Hyde County Board of Commissioners. The motion died for lack of a second.

15 Commissioner Ben Simmons moved to nominate Commissioner Pahl to serve as Vice-chairman of the  
16 Hyde County Board of Commissioners. Mr. Swindell seconded the motion. The motion passed on the  
17 following vote: Ayes – Pahl, Pugh, Simmons, Swindell and Topping; Nays – None; Absent or not voting  
18 – None.

19 Vice-chairman Pahl moved to re-appoint Attorney Franz Holscher to serve a second one-year appointment  
20 as the Hyde County Attorney. Mr. Simmons seconded the motion. The motion passed on the following  
21 vote: Ayes – Pahl, Pugh, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

22  
23 Vice-chairman Tom Pahl moved to re-appoint Lois Stotesberry to serve as Clerk to the Hyde County  
24 Board of Commissioners. Mr. Simmons seconded the motion. The motion passed on the following vote:  
25 Ayes – Pahl, Pugh, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

26  
27 Hyde County Clerk of Court Brandy Pugh administered “Oath of Office” to Lois Stotesberry, Clerk to the  
28 Hyde County Board of Commissioners.

29 Commissioner Tom Pahl moved to re-appoint Justin Gibbs, Rosemary Johnson and Donnie Shumate to  
30 serve as Deputy Clerk(s) to the Hyde County Board of Commissioners. Mr. Simmons seconded the  
31 motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Simmons, Swindell and Topping;  
32 Nays – None; Absent or not voting – None.

33 Hyde County Clerk of Court Brandy Pugh administered “Oath of Office” to Justin Gibbs, Rosemary  
34 Johnson and Donnie Shumate, Deputy Clerk(s) to the Hyde County Board of Commissioners.

35  
36 The Organizational Meeting adjourned to be followed by the Regular Meeting of the Hyde County Board  
37 of Commissioners at 6:25p.m.

38  
39 Respectfully submitted:

40  
41 Minutes approved on the 7<sup>th</sup> day of January 2019.

42  
43 Attest:

44  
45 \_\_\_\_\_  
46 Lois Stotesberry, CMC, NCCCC  
47 Clerk, Hyde County Board of Commissioners

48 \_\_\_\_\_  
Earl Pugh, Jr.  
Chair, Hyde County Board of Commissioners

48 **Attachments:** (none)

1 Regular Meeting Minutes

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

5  
6 **Monday, December 3, 2018**

7  
8 Following the Board of Commissioners Organizational Meeting, Chairman Pugh called the Regular  
9 Meeting of the Hyde County Board of Commissioners to order at 6:25p.m., on Monday, December 3,  
10 2018, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center  
11 using electronic conferencing equipment.

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

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

17  
18 IT Director Donnie Shumate and members of the public were present on Ocracoke.

19 **Consideration of Agenda:**

20 The Monday, December 3, 2018 Board of Commissioners Regular Meeting Agenda was approved at  
21 6:00p.m. along with the Organizational Meeting Agenda.

22 **Presentations:**

23 **Mattamuskeet Watershed Restoration Plan Recommendation To Form A Service District**

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

33  
34 **Employee/ Volunteer/ Friend of Hyde County:**

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

37 **Public Comments:**

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

39 **Items Of Consideration:**

40 **Resolution In Support of JCPC Allocation Expansion**

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

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

13  
14 Commissioner Pahl moved to adopt “Hyde County Board of Commissioners Resolution In Support of  
15 Juvenile Crime Prevention Council Allocation Expansion”. Commissioner Simmons seconded the  
16 motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Swindell, Simmons and Topping;  
17 Nays – None; Absent or not voting – None.

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

19  
20 **Resolution Establishing Regular Meeting Dates**  
21 **Kris Cahoon Noble, County Manager**, in accordance with NCGS §144-318.12, presented Resolution No.  
22 2018-12-03 establishing regular Board of Commissioners meeting dates for 2019.

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

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

28  
29  
30 **Dismissal of Two Board of Health Members**  
31 **Luana Gibbs, Health Director**, reported that Board of Health Bylaws state a member cannot miss greater  
32 than two meetings in a calendar year. The Health Board seeks approval to dismiss two of its Board  
33 members related to absenteeism.

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

38  
39 **Voting Delegate Designation Form For Legislative Goals Conference**  
40 **Kris Cahoon Noble, County Manager**, reported the NC Association of County Commissioners (NACC)  
41 is requesting that all Boards of County Commissioners designate a commissioner or other official as a  
42 voting delegate for the 2019 Legislative Goals Conference to be held on January 10-11, 2019 at the Raleigh  
43 Marriott Crabtree Valley.

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

5  
6 **Notice of Request for Proposals Grant Administration Services for Hyde County HMGP & FMA**  
7 **Projects**

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

15  
16 **Ocracoke Occupancy Tax Board Recommendations**

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

21  
22 Commissioner Pahl moved to approve the Ocracoke Occupancy Tax Fund Appropriations as presented by  
23 Manager Noble. Commissioner Swindell seconded the motion. The motion passed on the following vote:  
24 Ayes – Pahl, Pugh, Swindell, Simmons and Topping; Nays – None; Absent or not voting – None.

25  
26 **Budget Transfers:** (none)

27 **Management Reports:**

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

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

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

36  
37 **Commissioner Shannon Swindell** – also attended the Watershed meeting earlier today. He agrees  
38 with the JCPC allocation expansion.

39  
40 **Commissioner James Topping** – would like to see action taken to improve drainage in his  
41 community. He asked that meeting packets be distributed earlier.

42  
43 **County Manager Kris Cahoon Noble** – reported activities of the manager’s office:

- 44 • Ocracoke Convenience Site meetings
- 45 • Moved Ocracoke EMS Station to a new location
- 46 • Working on three Golden LEAF grants

- 1 • Attended Coastal Resources Meeting
- 2 • Attended Volunteer Appreciation event at the Governor's Mansion with Sheriff Guire Cahoon
- 3 and ES Director Justin Gibbs
- 4 • Attended Ferry Division meeting
- 5 • Reported six homes are being raised in Hyde County
- 6 • Building Inspector applications close on December 15
- 7 • County employees Christmas Party on December 14

8  
9 **Public Comments:**

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

12  
13 **Jan Moore, Swan Quarter** – invited everyone to attend "Christmas In The Quarter" and other holiday  
14 festivities in the County.

15 **Report of Tax Collections Month Ending November 30, 2018**

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

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

20 **Closed Session** (none)

21  
22 **Adjourn**

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

26 The meeting adjourned at 7:45p.m.

27  
28 Respectfully submitted:

29  
30 Minutes approved on the 7<sup>th</sup> day of January 2019.

31  
32 Attest:

33  
34  
35  
36 \_\_\_\_\_  
37 Lois Stotesberry, CMC, NCCCC  
38 Clerk, Hyde County Board of Commissioners

39  
40  
41 \_\_\_\_\_  
42 Earl Pugh, Jr.  
43 Chair, Hyde County Board of Commissioners

44  
45 **Attachments:**

46 **Exhibit A: "Hyde County Board of Commissioners Resolution In Support of Juvenile Crime Prevention Council**  
47 **Allocation Expansion"**

48 **Exhibit B: "Resolution No. 2018-12-03 – Resolution of The Hyde County Board of Commissioners Establishing**  
49 **Regular Meeting Dates"**

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

**Meeting Date:** January 7, 2019  
**Presenter:** County Manager Kris Cahoon Noble  
**Attachment:** Yes – Public Hearing Notice

**ITEM TITLE:** PUBLIC HEARING – OCRACOKE COMMUNITY TRANSPORTATION PROGRAM APPLICATION

**SUMMARY:** A Public Hearing will be held on the proposed Ocracoke Community Transportation Program application, which will be submitted to the North Carolina Department of Transportation by Hyde County no later January 15, 2019. The Community Transportation Program provides assistance to coordinate existing transportation options and services for the communities within this service area. These services will be provided by Hyde County on Ocracoke Island and will utilize motorized trams which will be used to transport tourists and day-trippers from the passenger ferries to various points of interest on the island and back.

**RECOMMEND:** RECEIVE PUBLIC COMMENT

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Motion Made By:  Earl Pugh, Jr.  
 Tom Pahl  
 James Topping  
 Ben Simmons  
 Shannon Swindell

Motion Seconded By:  Earl Pugh, Jr.  
 Tom Pahl  
 James Topping  
 Ben Simmons  
 Shannon Swindell

Vote:  Earl Pugh, Jr.  
 Tom Pahl  
 James Topping  
 Ben Simmons  
 Shannon Swindell

**Board of Commissioners**

Earl Pugh, Jr., Chair  
Tom Pahl, Vice-Chair  
Benjamin Simmons, III  
Shannon Swindell  
James Topping

# COUNTY OF HYDE

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

Kris Cahoon Noble  
County Manager

Franz Holscher  
County Attorney

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



## PUBLIC HEARING NOTICE

This is to inform the public that a public hearing will be held on the proposed Ocracoke Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than January 15, 2019. The public hearing will be held on January 7, 2019 at 6:00 pm before the Hyde County Board of Commissioners.

Those interested in attending the public hearing and needing either auxiliary aids and services under the Americans with Disabilities Act (ADA) or a language translator should contact Lois Stotesberry on or before January 2, 2019 at telephone number 252-926-4187 or via email at [lstotesberry@hydecountync.gov](mailto:lstotesberry@hydecountync.gov)

The Community Transportation Program provides assistance to coordinate existing transportation options and services for the communities within this service area. These services will be provided using trams. Services are rendered by County of Hyde.

The total estimated amount requested for the period July 1, 2018 through June 30, 2019.

<u>Project</u>	<u>Total Amount</u>	<u>Local Share</u>
Demonstration Grant	\$75,000.00	\$75,000.00
<b>TOTAL PROJECT</b>	<b>\$75,000.00</b>	<b>\$75,000.00</b>

### Total Funding Requests Total Local Share

This application may be inspected at The Hyde County Government Center from December 20, 2018. Written comments should be directed to Rosemary Johnson before January 7, 2019.

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Important – A public hearing MUST be conducted whether or not requested by the Public.

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**PUBLIC HEARING RECORD**

**APPLICANT:** County of Hyde

**DATE:** January 7, 2019

**PLACE:** Hyde County Government Center

**TIME:** 6:00 PM

How many BOARD MEMBERS attended the public hearing? \_\_\_\_\_

How many members of the PUBLIC attended the public hearing? \_\_\_\_\_

**Public Attendance Surveys**

(Attached)

(Offered at Public Hearing but none completed)

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I, the undersigned, representing County of Hyde do hereby certify to the North Carolina Department of Transportation, that a Public Hearing was held as indicated above and

**During the Public Hearing**

(NO public comments)

(Public Comments were made and meeting minutes will be submitted after board approval)

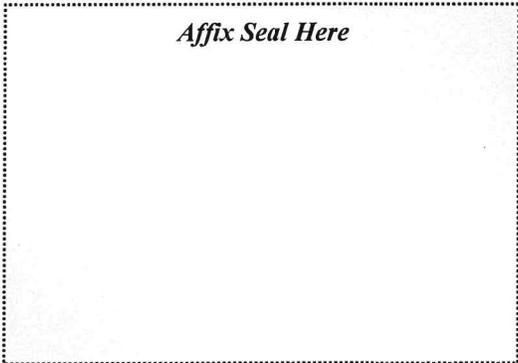
The estimated date for board approval of meeting minutes is: February 4, 2019

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Signature or Clerk to the Board

Lois Stotesberry, Clerk to the Board  
Printed Name and Title

01/07/19  
Date



NORTH CAROLINA  
HYDE COUNTY  
HYDE COUNTY BOARD OF COMMISSIONERS

From: Linda M. Basnight Tax Administrator

This is to report all tax collections by the Hyde County Tax Office Employees during the month of Dec. 2018

**PROPERTY TAX**

<b>DEPOSITS</b>	<b>COUNTY WIDE</b>	<b>MOSQUITO TAX</b>	<b>SOLID WASTE</b>	<b>WEST QUARTER INTEREST</b>
\$2,308,456.45	\$2,286,053.26	\$8,114.46	\$0.00 Res \$0.00 Comm	\$8,251.94 \$0.00
<b>2018 SQWS</b>				
\$ 6,036.79				

**CURRENT DMV**

<b>DEPOSITS</b>	<b>COUNTY WIDE</b>	<b>MOSQUITO TAX</b>	<b>INTEREST</b>
\$0.00	\$0.00	\$0.00	\$0.00

**DELIQUENT DMV**

2017	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2016	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2015	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2014	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2013	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2012	COUNTY WIDE	\$1.92
	MOSQUITO	\$0.00
		\$0.00
2011	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2010	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2009	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2008	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2007	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00
2006	COUNTY WIDE	\$0.00
	MOSQUITO	\$0.00

**DELIQUENT TAX**

2017	\$16,109.41
2016	\$2,179.46
2015	\$2,001.07
2014	\$2,873.85
2013	\$2,993.29
2012	\$1,616.96
2011	\$204.89
2010	\$962.16
2009	\$92.53
2008	\$58.09
2007	\$58.09
2006	\$58.09
2005	\$58.09
SQWS	\$147.98
MOSQUITO TAX	\$81.67
SOLID WASTE RES	\$0.00
SOLID WASTE COMM	\$0.00
INTEREST	\$7,167.83
WESTQUARTER	\$0.00
LEGAL FEES	
	<b>\$36,663.46</b>

**2019 Prepayments**

Dec. 4	\$57.00
Dec. 7	\$364.47
Dec. 17	\$125.00
Dec. 17	\$211.00
Dec. 19	\$1.52
Dec. 27	\$188.49
Dec. 31	\$52.25
	<b>\$999.73</b>

**INTEREST**

\$0.77
\$0.00
<b>\$2.69</b>

**Overpayments/refunds**

SADLER, MICHAEL	1,179.33
-----------------	----------

Respectfully Submitted

*January 7 2019*

*Linda M Basnight*  
Tax Administrator

Chairman of Commissioners

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

**Meeting Date:** January 7, 2019  
**Presenter:** County Manager Kris Noble  
**Attachment:** No

**ITEM TITLE:** EMPLOYEE/VOLUNTEER/FRIEND OF THE MONTH

**SUMMARY:** Manager Kris Noble will announce Rose Acre Farm as then **Friends of Hyde County** for the month of January, 2019.

Ms. Noble thanks Rose Acre for giving Hyde County employees an exceptional Christmas lunch. Also, Swan Quarter will plan and hold its First Annual Easter in the Quarter with an egg hunt being sponsored by Rose Acre.

Manager Kris Noble will announce Linda McCabe, Income Maintenance Supervisor, the **Employee of the Month** of January, 2019.

This employee has over twenty years of service to Hyde County. She started out as a line worker and has advanced through the ranks to become an administrator of multiple programs within her department. She is dedicated to the clients she serves at DSS and is a team player. Her willingness to help others exemplifies the department's commitment to the citizens of Hyde County.  
(Laurie Potter, Director of DSS)

**RECOMMEND:** Congratulations.

---

**MOTION MADE BY:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**MOTION SECONDED BY:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**VOTE:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

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

**Meeting Date:** January 7, 2019  
**Presenter:** Citizens  
**Attachment:** No

**ITEM TITLE:** PUBLIC COMMENTS

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

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

Time for one person cannot be used by another person.

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

**RECOMMEND:** Receive comments.

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

**Meeting Date:** January 7, 2019  
**Presenter:** County Manager Kris Cahoon Noble  
**Attachment:** Yes

**ITEM TITLE:** RESOLUTION: PUBLIC TRANSPORTATION PROGRAM  
RESOLUTION FY 2019 RESOLUTION

**SUMMARY:** Attached is a resolution authorizing Kris Cahoon Noble, County Manager for Hyde County is authorized to submit grant application(s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small, urban, and urban public transportation services.

**RECOMMEND:** APPROVE RESOLUTION

---

Motion Made By:  Earl Pugh, Jr.  
 Tom Pahl  
 James Topping  
 Ben Simmons  
 Shannon Swindell

Motion Seconded By:  Earl Pugh, Jr.  
 Tom Pahl  
 James Topping  
 Ben Simmons  
 Shannon Swindell

Vote:  Earl Pugh, Jr.  
 Tom Pahl  
 James Topping  
 Ben Simmons  
 Shannon Swindell

**Board of Commissioners**

Earl Pugh, Jr., Chair  
Tom Pahl, Vice-Chair  
Benjamin Simmons, III  
Shannon Swindell  
James Topping

# COUNTY OF HYDE

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

Kris Cahoon Noble  
County Manager

Franz Holscher  
County Attorney

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



## PUBLIC TRANSPORTATION PROGRAM RESOLUTION FY 2019 RESOLUTION

Applicant seeking permission to apply for Public Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ for the adoption of the following resolution and upon being put to a vote was duly adopted.

**WHEREAS**, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and,

**WHEREAS**, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and,

**WHEREAS**, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and,

**WHEREAS**, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds; and,

**WHEREAS**, non-Community Transportation applicants may apply for funding for "purchase-of-service" projects under the Capital budget Section 5310 program; and,

**WHEREAS**, Hyde County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

**WHEREAS**, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project.

**NOW, THEREFORE**, be it resolved that the County Manager of Hyde County is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

I Earl Pugh, Jr. Chairman of the Hyde County Board of Commissioners do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Hyde County Board of Directors duly held on the 7<sup>th</sup> day of January, 2019.

\_\_\_\_\_  
*Chairman, Hyde Co. Board of Commissioners*

*Seal Subscribed and sworn to me January 7, 2019*

\_\_\_\_\_  
*Notary Public*

*Seal*

\_\_\_\_\_  
*Printed Name & Address*

*My Commission Expires: 6/9/2019*

---

Important – A public hearing MUST be conducted whether or not requested by the Public.

---

## PUBLIC HEARING RECORD

**APPLICANT:**    County of Hyde

**DATE:**            January 7, 2019

**PLACE:**           Hyde County Government Center

**TIME:**            6:00 PM

How many BOARD MEMBERS attended the public hearing?    \_\_\_\_\_

How many members of the PUBLIC attended the public hearing?    \_\_\_\_\_

**Public Attendance Surveys**

(Attached)

(Offered at Public Hearing but none completed)

---

I, the undersigned, representing County of Hyde do hereby certify to the North Carolina Department of Transportation, that a Public Hearing was held as indicated above and

**During the Public Hearing**

(NO public comments)

(Public Comments were made and meeting minutes will be submitted after board approval)

The estimated date for board approval of meeting minutes is: February 4, 2019

\_\_\_\_\_  
Signature or Clerk to the Board

Lois Stotesberry, Clerk to the Board  
Printed Name and Title

01/07/19  
Date

*Affix Seal Here*

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

**Meeting Date:** January 7, 2019  
**Presenter:** Luana Gibbs  
**Attachment:**

**ITEM TITLE:** Re-appointment of Randy Clayton to Board of Health

**SUMMARY:** The Hyde County Board of Health approved at the December 2018 meeting, the reappointment of Randy Clayton to his third term. Each term is a three year term, and no more than three consecutive terms may be served at one time. The Board of Health requests the Hyde County Board of Commissioner's approval for Mr. Clayton's final three year term on the Board, which will expire 1/2022.

**RECOMMEND:** Approval

---

**MOTION MADE BY:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**MOTION SECONDED BY:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

**VOTE:** \_\_\_ PUGH  
\_\_\_ SIMMONS  
\_\_\_ PAHL  
\_\_\_ SWINDELL  
\_\_\_ TOPPING

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

**Meeting Date:** January 7, 2019  
**Presenter:** DSS Director Laurie Potter  
**Attachment:** No

**ITEM TITLE:** DSS Board Appointment

**SUMMARY:** The County Commissioners appoint two members to the DSS Board. It is recommended that they reappoint Benjamin C. Simmons to a three-year term.

**RECOMMEND:** Approve

---

**Motion Made By:**  Earl Pugh, Jr.  
 Shannon Swindell  
 James Topping  
 Ben Simmons  
 Tom Pahl

**Motion Seconded By:**  Earl Pugh, Jr.  
 Shannon Swindell  
 James Topping  
 Ben Simmons  
 Tom Pahl

**Vote:**  Earl Pugh, Jr.  
 Shannon Swindell  
 James Topping  
 Ben Simmons  
 Tom Pahl

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

**Meeting Date:** January 7, 2019  
**Presenter:** DSS Director Laurie Potter  
**Attachment:** No

**ITEM TITLE:** DSS Board Appointment

**SUMMARY:** The County Commissioners appoint two members to the DSS Board. It is recommended that they appoint Lora M. Byrd to a three-year term.

**RECOMMEND:** Approve

---

**Motion Made By:**  Earl Pugh, Jr.  
 Shannon Swindell  
 James Topping  
 Ben Simmons  
 Tom Pahl

**Motion Seconded By:**  Earl Pugh, Jr.  
 Shannon Swindell  
 James Topping  
 Ben Simmons  
 Tom Pahl

**Vote:**  Earl Pugh, Jr.  
 Shannon Swindell  
 James Topping  
 Ben Simmons  
 Tom Pahl

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

**Meeting Date:** January 7, 2019  
**Presenter:** County Manager Kris Cahoon Noble  
**Attachment:** No

**ITEM TITLE:** APPOINTMENT OF HYDE COUNTY COMMISSIONER  
REPRESENTATIVE OF THE SCHOOL JUSTICE PARTNERSHIP  
UNDER THE JUVENILE CRIME PREVENTION COUNCIL

**SUMMARY:** The Juvenile Crime Prevention Council is asking for approval to appoint a Hyde County Commissioner to serve on the School Justice Partnership representing Hyde County. Meetings are held bi-monthly at Mattamuskeet School

**RECOMMEND:** APPROVE

---

Motion Made By:  Earl Pugh, Jr.  
 Barry Swindell  
 Dick Tunnell  
 Ben Simmons  
 Tom Pahl

Motion Seconded By:  Earl Pugh, Jr.  
 Barry Swindell  
 Dick Tunnell  
 Ben Simmons  
 Tom Pahl

Vote:  Earl Pugh, Jr.  
 Barry Swindell  
 Dick Tunnell  
 Ben Simmons  
 Tom Pahl

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

**Meeting Date:** January 7, 2019  
**Presenter:** County Manager Kris Cahoon Noble  
**Attachment:** No

**ITEM TITLE:** APPOINTMENT TO HYDE COUNTY TRANSIT

**SUMMARY:** Currently, Commission Tom Pahl serves the Hyde County Transit Board and is asking that another commissioner be appointed. The meetings are bi-monthly and on mainland Hyde County.

**RECOMMEND:** APPROVAL OF ADDITIONAL COMMISSIONER APPOINTMENT TO THE HYDE COUNTY TRANSIT BOARD

---

**Motion Made By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Tom Pahl  
\_\_\_ James Topping  
\_\_\_ Ben Simmons  
\_\_\_ Shannon Swindell

**Motion Seconded By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Tom Pahl  
\_\_\_ James Topping  
\_\_\_ Ben Simmons  
\_\_\_ Shannon Swindell

**Vote:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Tom Pahl  
\_\_\_ James Topping  
\_\_\_ Ben Simmons  
\_\_\_ Shannon Swindell

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

**Meeting Date:** January 7, 2019  
**Presenter:** County Manager Kris Cahoon Noble  
**Attachment:** Yes – From Web

**ITEM TITLE:** APPOINTMENT: ALBEMARLE REGIONAL SOLID WASTE  
AUTHORITY MANAGEMENT AUTHORITY

**SUMMARY:** The ARSWA is a county level legal entity serving Perquimans, Chowan, Gates, Dare, Currituck, Hyde, Tyrrell and Washington counties. Both positions of Delegate and Alternate are in need of reappointment.

**RECOMMEND:** APPOINT A DELEGATE AND ALTERNATE FOR THE ARSWA BOARD

---

**Motion Made By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Tom Pahl  
\_\_\_ James Topping  
\_\_\_ Ben Simmons  
\_\_\_ Shannon Swindell

**Motion Seconded By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Tom Pahl  
\_\_\_ James Topping  
\_\_\_ Ben Simmons  
\_\_\_ Shannon Swindell

**Vote:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Tom Pahl  
\_\_\_ James Topping  
\_\_\_ Ben Simmons  
\_\_\_ Shannon Swindell



# Albemarle Regional Solid Waste Management Authority

A Partnership in Solid Waste Management · Serving Chowan, Currituck, Dare, Gates, Hyde, Perquimans, Tyrrell, and Washington Counties



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## At a glance...

- ▶ [Perquimans County](#)
- ▶ [Chowan County](#)
- ▶ [Gates County](#)
- ▶ [Dare County](#)
- ▶ [Currituck County](#)
- ▶ [Hyde County](#)
- ▶ [Tyrrell County](#)
- ▶ [Washington County](#)

### Make a Payment to ARSWMA

Payments are directed to the Fiscal Manager of Albemarle Regional Health Services. You will be directed to the ARHS Website for your payment.

[Click Here](#)

### Tyrrell County Launches County-wide Curbside Recycling Program

Residents, schools and businesses in Tyrrell County are now able to recycle using large carts right at the curb. They will get recycling service every other Friday, and their trash pickup day stays the same.

Please look at the calendar and brochure [here](#).

**Operation Medicine DROP**  
407 Maple Road • Maple, NC

Currituck County Sheriff's Office collects unused & expired prescriptions THE LAST FRIDAY OF EACH MONTH 8:30 am - 1 pm & 2 pm - 5 pm

## Our Address

**Albemarle Regional Solid Waste Management Authority**

110 Kitty Hawk Lane  
PO Box 189

## ARSWMA 2018 Board Members

Each County has one delegate and one alternate.

2017 - 2018	Chair Mr. Carl Willis	Vice Chair Mr. Bill Rich
County	Delegate	Alternate
Perquimans	Edward Muzzulin	Frank Heath
Chowan	Ron Cummings	Kevin Howard
Gates	Billy Felton	Natalie Rountree
Dare	Jack Shea	Marvin Demers
Currituck	Bob Hanig	Dan Scanlon
Hyde	Barry Swindell	Bill Rich
Tyrrell	Carl Willis	David Clegg
Washington	W. Mack Carawan	Julius Walker

### Perquimans County

Mr. W. Frank Heath, III., County Manager (Alternate)  
[frankheath@perquimanscountync.gov](mailto:frankheath@perquimanscountync.gov)

Mr. Joseph W. Hoffer, County Commissioner (Delegate)  
[josephhoffer@perquimanscountync.gov](mailto:josephhoffer@perquimanscountync.gov) or  
[jwhoffer@centurylink.net](mailto:jwhoffer@centurylink.net)

Mr. Edward "Ed" Muzzulin, County Commissioner, Vice Chairman PCG Board  
[e.muzzulin@mchsi.com](mailto:e.muzzulin@mchsi.com)

Ms. Tracy Mathews, Finance Officer  
[tracymathews@perquimanscountync.gov](mailto:tracymathews@perquimanscountync.gov)

Ms. Mary P. Hunnicutt, Clerk to the Board  
[mhunnicutt@perquimanscountync.gov](mailto:mhunnicutt@perquimanscountync.gov)

### Chowan County

Mr. Kevin B. Howard, County Manager (Alternate)  
[kevin.howard@chowan.nc.gov](mailto:kevin.howard@chowan.nc.gov)

Mr. Don Faircloth, County Commissioner  
[don.faircloth@chowan.nc.gov](mailto:don.faircloth@chowan.nc.gov)

Mr. Ron Cummings, County Commissioner (Delegate)  
[ron.cummings@chowan.nc.gov](mailto:ron.cummings@chowan.nc.gov)

Ms. L. Susanne Stallings, Clerk to the Board  
[susanne.stallings@chowan.nc.gov](mailto:susanne.stallings@chowan.nc.gov)

### Gates County

Ms. Natalie Rountree, County Manager (Alternate)  
[nroundree@gatescountync.gov](mailto:nroundree@gatescountync.gov)

Mr. Billy F. Felton, County Commissioner (Delegate), Chairman PCG Board  
[bfelton@gatescountync.gov](mailto:bfelton@gatescountync.gov)

Elizabeth City, NC 27907-0189

Phone: 252-335-7366

Fax: 252-337-7921

Recycling an aluminum can saves 95 percent of the energy required to make the same amount of aluminum from virgin materials.

#### NOTICE OF PUBLIC HEARING

The budget for ARSWMA is available for inspection in the office of the Finance Director at 711 Roanoke Ave, Elizabeth City, NC. and a Public Hearing is scheduled for Friday, May 4, 2018 at 10:00 am in the Perquimans County EMS Building at 159 Creek Drive.

Ms. Linda F. Hofler, County Commissioner

[lhofler@gatescountync.gov](mailto:lhofler@gatescountync.gov)

Ms. Jody Hawks, Finance Officer

[jhawks@gatescountync.gov](mailto:jhawks@gatescountync.gov)

## Dare County

Mr. Robert L. "Bobby" Outten, Co. Mgr. & Atty.

[outten@darenc.com](mailto:outten@darenc.com) or

[comgr@co.dare.nc.us](mailto:comgr@co.dare.nc.us)

Mr. Jack Shea, County Commissioner (Delegate)

[jshea@darenc.com](mailto:jshea@darenc.com) or

[jjsheabg@peoplepc.com](mailto:jjsheabg@peoplepc.com)

Mr. Marvin T. Demers, Town of Nags Head County Commissioner (Alternate)

[marvin.demers@nagsheadnc.gov](mailto:marvin.demers@nagsheadnc.gov)

## Currituck County

Mr. Daniel F. "Dan" Scanlon, II., County Manager (Alternate)

[Dan.Scanlon@CurrituckCountyNC.gov](mailto:Dan.Scanlon@CurrituckCountyNC.gov)

Mr. Robert Hanig, County Commissioner, (Delegate)

[obxncpoolguy@gmail.com](mailto:obxncpoolguy@gmail.com)

Leighton Earwood, Public Works Dept.

## Hyde County

Mr. Bill Rich, County Manager (Alternate), ARSWMA Vice Chair

[brich@hydecourtync.gov](mailto:brich@hydecourtync.gov)

Mr. Barry S. Swindell, County Commissioner (Delegate)

[bsswindell@yahoo.com](mailto:bsswindell@yahoo.com)

Corrine Gibbs, Finance Director

[cgibbs@hydecourtync.gov](mailto:cgibbs@hydecourtync.gov)

## Tyrrell County

Mr. David Clegg, County Administrator (Alternate)

[dclegg@tyrrellcounty.net](mailto:dclegg@tyrrellcounty.net)

Mr. Carl L. Willis, County Commissioner (Delegate), ARSWMA Chairman

[cwillis@tyrrellcounty.net](mailto:cwillis@tyrrellcounty.net)

## Washington County

Mr. Curtis S. Potter, Interim County Manager & County Attorney (Delegate)

[cpotter@washconc.org](mailto:cpotter@washconc.org)

Mr. Julius Walker, Jr., County Commissioner (Alternate)

[Jwalkerjr45@gmail.com](mailto:Jwalkerjr45@gmail.com)



# Albemarle Regional Solid Waste Management Authority

A Partnership in Solid Waste Management · Serving Chowan, Currituck, Dare, Gates, Hyde, Perquimans, Tyrrell, and Washington Counties



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## At a glance...

[► Locations of Transfer Stations](#)

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[Click Here](#)

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Residents, schools and businesses in Tyrrell County are now able to recycle using large carts right at the curb. They will get recycling service every other Friday, and their trash pickup day stays the same.

Please look at the calendar and brochure [here](#).



## Operation Medicine DROP

407 Maple Road • Maple, NC

Currituck County Sheriff's Office collects unused & expired prescriptions THE LAST FRIDAY OF EACH MONTH 8:30 am - 1 pm & 2 pm - 5 pm

## Our Address

### Albemarle Regional Solid Waste Management Authority

110 Kitty Hawk Lane  
PO Box 189  
Elizabeth City, NC 27907-0189

Phone: 252-335-7366  
Fax: 252-337-7921

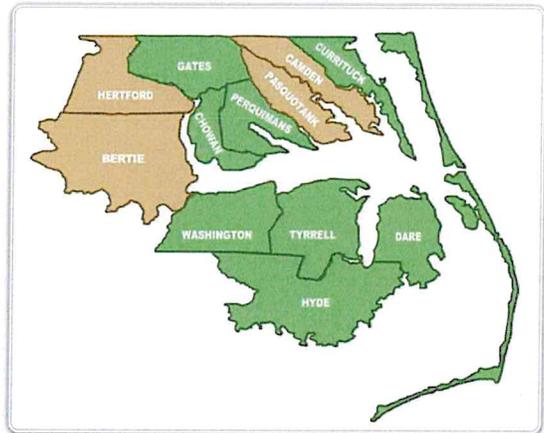
## About ARSWMA

Albemarle Regional Solid Waste Management Authority (ARSWMA) is a county-level legal entity serving the Counties of Perquimans, Chowan, Gates, Dare, Currituck, Hyde, Tyrrell and Washington in northeastern North Carolina. It also serves the towns within these counties with the exception of the Town of Duck.

This area currently has approximately 108,000 permanent residents and hundreds of thousands of visitors each year.

The Authority has a history dating to 1992.

[Our Mission & History](#)

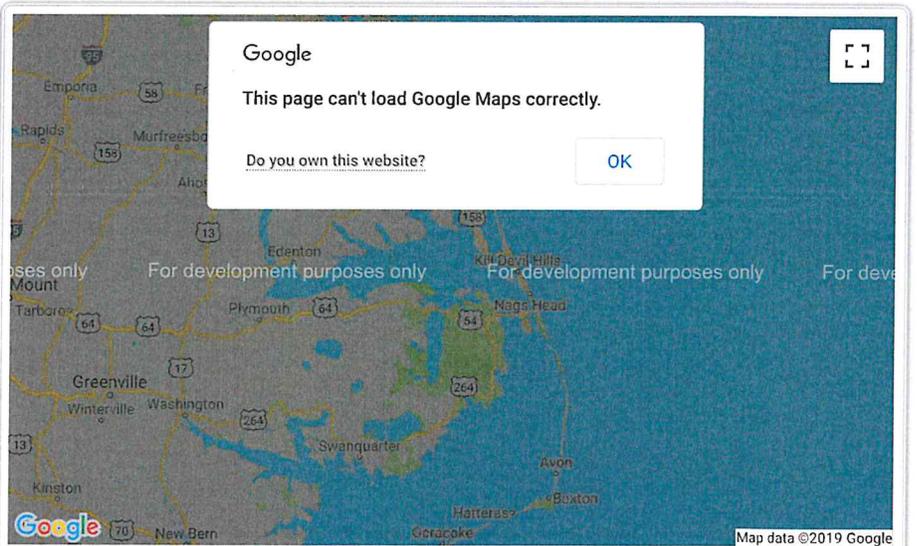


The Authority members have a long-term waste disposal and transportation contract with Republic Services of NC, LLC, to use East Carolina Environmental Landfill in Bertie County, NC.

The waste is primarily sent to the East Carolina Environmental Landfill through the three transfer stations located in Dare County, Currituck County, and Perquimans County. Some waste is hauled to the landfill directly from the site of origin.

[Transfer Stations Addresses & Hours](#)

## Locations of Transfer Stations



The towns and counties individually operate their solid waste management and recycling programs or contract for those services.

North Carolinians throw away

<http://www.albemarlesolidwaste.org/about/>

more than \$74,072,000 in aluminum cans each year.

### NOTICE OF PUBLIC HEARING

The budget for ARSWMA is available for inspection in the office of the Finance Director at 711 Roanoke Ave, Elizabeth City, NC. and a Public Hearing is scheduled for Friday, May 4, 2018 at 10:00 am in the Perquimans County EMS Building at 159 Creek Drive.

[More information on Local Programs](#)

The Authority conducts centralized solid waste billing, data collection and reporting, hauler licensing and technical assistance for our members. We also assist our members with market research, special waste management program development, legislative updates, grant writing and educational services.

[Educational Resources](#)

The Authority works under the administration of [Albemarle Regional Health Services](#) based in Elizabeth City, NC.

[Albemarle Regional Health Services](#)

[ARSWMA Staff and Board Members](#)

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

**Meeting Date:** January 7, 2019  
**Presenter:** DSS Director Laurie Potter  
**Attachment:** Yes

**ITEM TITLE:** DHHS/DSS Written Agreements-Amended MOU

**SUMMARY:** Session Law 2017-41 requires all counties to enter into an annual agreement with the Department of Health and Human Services for all social services programs excluding medical assistance (Medicaid). The law requires the agreement to contain certain performance requirements and administrative responsibilities related to the social services programs.

**RECOMMEND:** Discussion

---

**Motion Made By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Barry Swindell  
\_\_\_ Dick Tunnell  
\_\_\_ Ben Simmons  
\_\_\_ Tom Pahl

**Motion Seconded By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Barry Swindell  
\_\_\_ Dick Tunnell  
\_\_\_ Ben Simmons  
\_\_\_ Tom Pahl

**Vote:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Barry Swindell  
\_\_\_ Dick Tunnell  
\_\_\_ Ben Simmons  
\_\_\_ Tom Pahl



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor

**MANDY COHEN, MD, MPH** • Secretary

**MICHAEL BECKETTS, MSW, MS, MED** • Assistant  
Secretary

November 14, 2018

Dear County Manager and County Director of Social Services:

A Modification Agreement for the Memorandum of Understanding (MOU) covering Fiscal Year 2018-2019 is attached. These modifications have been made in response to the feedback and information received from counties following the execution of the MOU's and our ongoing analysis of performance data.

Specifically, the modifications to the MOU move nine (9) additional performance measures from static to growth measures, for a total of 17 growth measures, five (5) of the measures have been updated to align with federal benchmarks, and one (1) of the measures has been removed. The attachment to this letter describes each element that has been modified.

Further, given the impact of Hurricane Florence on county and state operations, the Department is modifying the MOUs to clarify that no performance improvement or corrective action will be initiated on the basis of this MOU for Fiscal Year 2018-2019. Ongoing oversight and monitoring activities will continue as they have in prior years.

DHHS is in the process of creating reports that will allow counties to pull the data for their county's performance on all measures. Additionally, we are creating a data validation process and will work collaboratively with counties to validate the performance data.

Attached is a list of the specific changes made in this Modification Agreement. All other parts of the MOU remain in effect and unchanged.

Thank you for your continued partnership to ensure the safety, health, and well-being of the children, families and adults served by these programs. As always, please contact me if you have questions, ideas or concerns.

Please return the signed Modification Agreement to Paris Penny by email at [Paris.Penny@dhhs.nc.gov](mailto:Paris.Penny@dhhs.nc.gov) no later than December 17, 2018.

Sincerely,

A handwritten signature in black ink that reads "M. Becketts".

Michael A. Becketts  
Assistant Secretary for Human Services

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • OFFICE OF COMMUNICATIONS**

LOCATION: 101 Blair Drive, Adams Building, Raleigh, NC 27603  
MAILING ADDRESS: 2001 Mail Service Center, Raleigh, NC 27699-2001  
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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

## Modifications to the MOU

- 1) **Section 2.1:** Clarifying language that the Department will not take any actions under Attachment X on the basis of the MOU for fiscal year 2018-2019.
- 2) **Section 12.0:** Change to the Department's point of contact
- 3) **Section 14.0:** Clarifying language that for some performance measures, a County will be assessed based on an individualized growth measure and not the standard performance measure.
- 4) **Attachment I through IX - Performance Measurements:**
  - a. The format of the performance measurements has been modified. This modification creates three columns: Standard Measure, County Performance Measure and the Rationale and Authority. The Standard Measure is the statewide measure based upon federal or state law, rule or policy identified in the Authority. The County Performance Measure will be the county-specific target. For some performance measures, this county measure will be the same as the Standard Measure for all counties. For other performance measures this county measure will be the growth measure tailored to each individual county to be determined for next fiscal year's MOU.
  - b. Included with every performance measure is an expanded rationale giving additional background and context to the required measure as well as updated and additional citations to the authority from which the measure is derived.
  - c. Specific Attachments:
    - i. Attachment I: Child Welfare – Child Protective Services (CPS)
      - The two CPS performance measures have been changed to growth measures.
    - ii. Attachment II: Child Welfare – Foster Care
      - All Foster Care performance measures have been changed to growth measures.
      - We have deleted the Foster Care performance measure which read: "The County will document permanency goals for 95% of foster youth within 60 days of a child entering custody or for whom the county has placement authority."
      - We have amended the Standard Measure from 41% to 40.5% for the Foster Care performance measure which previously read: "The County will provide leadership for ensuring that 41% of children who enter foster care in a 12-month period are discharged to permanency within 12 months of entering foster care."
      - We have amended the Standard Measure from 9% to 9.1% for the Foster Care Performance Measure which previously read: "For all children who were victims of maltreatment during a twelve-month period, no more than 9% received a subsequent finding of maltreatment."
    - iii. Attachment III: Child Support
      - Each Child Support performance measure will remain growth measures.
      - In the first four Child Support performance measures, we have included in the text of the Standard Measures what is required under federal law.
      - The fifth Child Support performance measure remains unchanged.
    - iv. Attachment IV: Energy Programs
      - These performance measures will remain the Standard Measure for each county.

- The Rationale and Authority for these performance measures has been updated.
  - v. Attachment V: Work First
    - The first two of these performance measures have been changed to growth measures.
    - The remaining two performance measures will continue as the Standard Measure for all counties. The standard measure has been changed from 100% of applications and recertifications processed in the given timeframe to 95% of applications and recertifications processed in the given timeframe.
  - vi. Attachment VI: Food and Nutrition Services
    - These performance measures will remain the Standard Measure for each county.
    - We have amended the Standard Measure from 100% to 90% for the Food and Nutrition Services performance measure which previously read: “The County will ensure that 100% of Program Integrity claims are established within 180 days of the date of discovery.”
  - vii. Attachment VII: Adult Protective Services
    - Each Adult Protective Services measure has been changed to a growth measure.
  - viii. Attachment VIII: Special Assistance
    - Each Special Assistance measure has been changed to a growth measure
  - ix. Attachment IX: Child Care Subsidy
    - This performance measure will remain the Standard Measure for each county
    - The Rationale and Authority for this performance measure has been updated
- 5) Attachment X - Corrective Action**
- a. We have inserted a clarification that the Department will not initiate any actions set forth in Attachment X during this fiscal year.

**Modification Agreement to the  
MEMORANDUM OF UNDERSTANDING (FISCAL YEAR 2018-19) BETWEEN  
THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AND  
HYDE COUNTY**

The parties agree to modify the MOU as set forth below. The terms and conditions set forth in the MOU are adopted by reference and fully incorporated as if set forth herein. The terms of this Modification Agreement supersede and replace any conflicting or contrary terms of the MOU.

**2.1 Default and Modification**

**Performance Improvement/Corrective Action:** Prior to the Department exercising its authority to withhold State and/or federal funding for a failure to satisfy the mandated performance requirements or failure to comply with the terms of this MOU, the steps set forth in Attachment X will govern. For this MOU covering Fiscal Year 2018-2019, the Department will not initiate any actions set forth in Attachment X on the basis of this MOU. Nothing contained in this MOU or Attachment X shall supersede or limit the Secretary’s authority to take any action otherwise set forth in N.C. Gen. Stat. § 108A-74.

**12.0 Notice**

The persons named below shall be the persons to whom notices provided for in this MOU shall be given. Either Party may change the person to whom notice shall be given upon written notice to the other Party. Any notice required under this MOU will only be effective if actually delivered to the parties named below. Delivery by hand, by first class mail, or by email are authorized methods to send notices.

**For the Department of Health and Human Services, Division of Social Services**

IF DELIVERED BY US POSTAL SERVICE	IF DELIVERED BY ANY OTHER MEANS
Michael Becketts, Assistant Secretary NC Department of Health and Human Services 2001 Mail Services Center Raleigh, NC 27699-2001	Michael Becketts NC DHHS Doretha Dix Campus, McBryde Building Phone: 919-527-6338 E-mail: Michael.Becketts@dhhs.nc.gov

**14.0 Responsibilities of the County**

The County hereby agrees that its responsibilities under this MOU are as follows:

- (1) The County shall adhere to the mandated performance requirements for each social services program as identified in Attachments I through IX. For a County Performance Measure designated in Attachments I through IX as a Growth Measure, the County's performance will be assessed based on its achievement of this Growth Measure. The County will ultimately work towards achievement of the Standard Measure.

**ATTACHMENT I — MANDATED PERFORMANCE REQUIREMENTS:  
Child Welfare - CPS Assessments**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
1	The County will initiate 95% of all screened-in reports within required time frames	DHHS will work with the county to identify a performance measure for FY19-20 based on the prior fiscal year's performance.	<p>Ensure that allegations of abuse, neglect and dependency are initiated timely. The timeframes for initiating an investigation of child maltreatment are defined in state law as, immediately, within 24 hours, or within 72 hours depending on the nature and severity of the alleged maltreatment.</p> <p>NC General Statutes § 7B-302; 10A NCAC 70A .0105; NCDHHS Family Services Manual: Vol. 1, Chapter VIII: Child Protective Services, Section 1408 - Investigative &amp; Family Assessments</p>
2	For all children who were victims of maltreatment during a twelve-month period, no more than 9.1% received a subsequent finding of maltreatment	DHHS will work with the county to identify a performance measure for FY19-20 based on the prior fiscal year's performance.	<p>Ensure that children who have been substantiated as abused, neglected or dependent are protected from further harm.</p> <p>National Standards for State Performance on Statewide Data Indicators established by the Children's Bureau to determine conformity with Title IV-B and IV-E of the Social Security Act and the Child and Family Services Review.</p>

**ATTACHMENT II— MANDATED PERFORMANCE REQUIREMENTS:  
Child Welfare - Foster Care**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
1	The County will ensure that 95% of all foster youth have face-to-face visits by the social worker each month.	DHHS will work with the county to identify a performance measure for FY19-20 based on the prior fiscal year's performance.	<p>Ensure the ongoing safety of children and the engagement and well-being of families.</p> <p>Child and Family Services Improvement Act of 2006 (Public Law 109-288, section 7) amending Section 422(b) of the Social Security Act (42 USC 622(b))</p>
2	The County will provide leadership for ensuring that 40.5% of children who enter foster care in a 12-month period are discharged to permanency within 12 months of entering foster care.	DHHS will work with the county to identify a performance measure for FY19-20 based on the prior fiscal year's performance.	<p>Ensure that children in out-of-home placements are able to obtain safe and permanent homes as soon as possible after removal from their home.</p> <p>National Standards for State Performance on Statewide Data Indicators established by the Children's Bureau to determine conformity with Title IV-B and IV-E of the Social Security Act and the Child and Family Services Review.</p>
3	The County will provide leadership for ensuring that of children who enter foster care in a 12-month period who were discharged within 12 months to reunification, kinship care, or guardianship, no more than 8.3% re-enter foster care within 12 months of their discharge.	DHHS will work with the county to identify a performance measure for FY19-20 based on the prior fiscal year's performance.	<p>Ensure that children existing foster care are in stable homes so that they do not re-enter foster care.</p> <p>CFSR: Safety Outcome 1: Children are, first and foremost protected from abuse and neglect.</p> <p>National Standards for State Performance on Statewide Data Indicators established by the Children's Bureau to determine conformity with Title IV-B and IV-E of the Social Security Act and the Child and Family Services Review.</p>
4	The County will provide leadership for ensuring that of all children who enter foster care in a 12-month period in the county, the rate of placement moves per 1000 days of foster care will not exceed 4.1%.	DHHS will work with the county to identify a performance measure for FY19-20 based on the prior fiscal year's performance.	<p>Ensure that children who are removed from their homes experience stability while they are in foster care.</p> <p>CFSR: Permanency Outcome 1: Children have permanency and stability in their living situations.</p> <p>National Standards for State Performance on Statewide Data Indicators established by the Children's Bureau to determine conformity with Title IV-B and IV-E of the Social Security Act and the Child and Family Services Review.</p>

**ATTACHMENT III— MANDATED PERFORMANCE REQUIREMENTS:  
Child Support**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
1	80% of paternities established or acknowledged for children born out of wedlock.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	<p>Paternity establishment is an essential component in obtaining and enforcing support orders for children.</p> <p>42 USC § 652(g)(1)(A) 42 USC § 658a(b)(6)(A) NCGS 110- 129.1</p>
2	80% of child support cases have a court order establishing support obligations.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	<p>A court order creates a legal obligation for a noncustodial parent to provide financial support to their children.</p> <p>42 USC § 652(g)(1)(A) 42 USC § 658a(b)(6)(B) NCGS 110- 129.1</p>
3	80% of current child support paid.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	<p>The current collections rate is an indicator for the regular and timely payment of child support obligations.</p> <p>42 USC § 652(g)(1)(A) 42 USC § 658a(b)(6)(C)  NCGS 110- 129.1</p>
4	80% of cases received a payment towards arrears.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	<p>Collection of child support has been shown to reduce child poverty rates and improve child well-being.</p> <p>42 USC § 652(g)(1)(A) 42 USC § 658a(b)(6)(D) NCGS 110- 129.1</p>

5	The county will meet its annual goal of total child support collections.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	<p>Measuring total child support collections is an important measure of the program because it encompasses the strength of the laws, practices, and fiscal effort to determine its effectiveness.</p> <p>42 USC § 652(g)(1)(A)  42 USC § 658a(b)(6)(E)  NCGS 110-129.1</p>
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**ATTACHMENT IV— MANDATED PERFORMANCE REQUIREMENTS:  
Energy Programs**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
<b>1</b>	The County will process 95% of Crisis Intervention Program (CIP) applications within one (1) business day for applicants with no heat or cooling source.	The County will process 95% of Crisis Intervention Program (CIP) applications within one (1) business day for applicants with no heat or cooling source.	Ensure that eligible individuals in a household without a heating or cooling source receive relief as soon as possible.  42 USC §§ 8621-8630 10A NCAC 71V
<b>2</b>	The County will process 95% of Crisis Intervention Program (CIP) applications within two (2) business days of the application date for applicants who have a heat or cooling source.	The County will process 95% of Crisis Intervention Program (CIP) applications within two (2) business days of the application date for applicants who have a heat or cooling source.	Ensure that eligible households who are in danger of losing a heating or cooling source receive financial assistance to avert the crisis.  42 USC §§ 8621-8630 10A NCAC 71V

**ATTACHMENT V— MANDATED PERFORMANCE REQUIREMENTS:  
Work First**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
<b>1</b>	The County will collect documentation from 50% of all Work-Eligible individuals that demonstrates completion of the required number of hours of federally countable work activities.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	Ensure that all work-eligible individuals are engaged in federally countable work activities.  TANF State Plan FFY 2016 - 2019 NCGS 108A-27.2(10) NCGS 108A-27.6(1) NCGS 108A-27.13(a) NCGS 108A-27.14(a)-(b)
<b>2</b>	The County will collect documentation from 90% of two-parent families with Work Eligible individuals that verifies that they have completed the required number of hours of federally countable work activities.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	Ensure all work-eligible two-parent families are engaged in federally countable work activities for the required number of participation hours.  TANF State Plan FFY 2016 - 2019 NCGS 108A-27.2(10) NCGS 108A-27.6(1) NCGS 108A-27.13(a) NCGS 108A-27.14(a)-(b)
<b>3</b>	The County will process 95% Work First applications within 45 days of receipt.	The County will process 95% Work First applications within 45 days of receipt.	Ensure that eligible families receive Work First benefits in a timely manner.  TANF State Plan FFY 2016 - 2019 NCGS 108A-31
<b>4</b>	The County will process 95% Work First recertifications no later than the last day of the current recertification period.	The County will process 95% Work First recertifications no later than the last day of the current recertification period.	Ensure that Work First families continue to receive assistance and benefits without unnecessary interruption.  TANF State Plan FFY 2016 - 2019 NCGS 108A-31

**ATTACHMENT VI— MANDATED PERFORMANCE REQUIREMENTS:  
Food and Nutrition Services**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
<b>1</b>	The County will process 95% of expedited FNS applications within 4 calendar days from the date of application.	The County will process 95% of expedited FNS applications within 4 calendar days from the date of application.	Ensure all expedited FNS applications are processed within required timeframes.  7 CFR § 273.2 FNS Manual: Section 315 FNS Administrative Letter 1-2015
<b>2</b>	The County will process 95% of regular FNS applications within 25 days from the date of application.	The County will process 95% of regular FNS applications within 25 days from the date of application.	Ensure all regular FNS applications are processed within required timeframes.  7 CFR § 273.2 FNS Manual: Section 315 FNS Administrative Letter 1-2015
<b>3</b>	The County will ensure that 95% of FNS recertifications are processed on time, each month.	The County will ensure that 95% of FNS recertifications are processed on time, each month.	Ensure that eligible families have their recertification benefits processed in a timely manner without interruption.  7 CFR § 273.14
<b>4</b>	The County will ensure that 90% of Program Integrity claims are established within 180 days of the date of discovery.	The County will ensure that 90% of Program Integrity claims are established within 180 days of the date of discovery.	Ensure allegations of fraud are addressed promptly.  7 CFR § 273.18

**ATTACHMENT VII— MANDATED PERFORMANCE REQUIREMENTS:  
Adult Protective Services (APS)**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
1	The County will complete 95% of APS evaluations involving allegations of abuse or neglect within 30 days of the report.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	Responding quickly to allegations of adult maltreatment is essential to case decision-making to protect the adult. State law requires that a prompt and thorough evaluation is made of all reports of adult maltreatment.  NCGS 108A-103
2	The County will complete 85% of APS evaluations involving allegations of exploitation within 45 days of the report.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	Protecting a disabled adult from exploitation is critical to ensuring their safety and well-being. State law requires a prompt and thorough evaluation is made of all reports of adult exploitation.  NCGS 108A-103

**ATTACHMENT VIII— MANDATED PERFORMANCE REQUIREMENTS:  
Special Assistance (SA)**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
1	The County will process 85% of Special Assistance for the Aged (SAA) applications within 45 calendar days of the application date.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	<p>Ensure eligible individuals receive supplemental payments to support stable living arrangements.</p> <p>Timely application processing of SAA benefits is essential to an individual's proper care and treatment.</p> <p>10A NCAC 71P .0604</p>
2	The County will process 85% of Special Assistance for the Disabled (SAD) applications within 60 calendar days of the application date.	DHHS will work with the county to identify the County's performance measure for FY19-20 based on the County's performance for the preceding state fiscal year	<p>Ensure eligible individuals receive supplemental payments to support stable living arrangements.</p> <p>Timely application processing of SAD benefits is essential to an individual's proper care and treatment.</p> <p>10A NCAC 71P .0604</p>

**ATTACHMENT IX— MANDATED PERFORMANCE REQUIREMENTS:  
Child Care Subsidy**

	<b>Standard Measure</b>	<b>County Performance Measure</b>	<b>Rationale and Authority</b>
1	The County will process 95% of Child Care Subsidy applications within 30 calendar days of the application date.	The County will process 95% of Child Care Subsidy applications within 30 calendar days of the application date.	Ensure that families can place their children in quality child care without undue delay.  North Carolina Child Care Development Fund State Plan

## ATTACHMENT X— CORRECTIVE ACTION

For this MOU covering Fiscal Year 2018-2019, the Department will not initiate any actions set forth in Attachment X on the basis of this MOU..

### 1. Non-Compliance with performance requirements or terms of the MOU

- a. In the event a County Department of Social Services (County DSS)\*\* fails to satisfy a performance requirement for three consecutive months or fails to comply with a term of this MOU, the Department will provide the County DSS with written notification identifying the relevant performance requirement or term and how the County DSS failed to satisfy it.
- b. Upon receipt of notification, the County DSS shall promptly provide the Department with written acknowledgment of receipt.
- c. If the County DSS does not agree that it failed to satisfy the performance requirement or comply with the terms of the MOU, it shall set forth, in writing, the basis for its disagreement. If the County DSS believes its failure to adhere to a mandated performance requirement or term of this MOU is due in whole or in part upon the failure of the Department to meet any of its responsibilities under this MOU or other external factors (i.e., limited court dates, continuances, etc.), the County DSS shall set forth in writing how the failure of the Department or external factors to meet its responsibility to the County DSS contributed to the inability of the County DSS to meet the mandated performance standard or other term of this MOU. This notice shall be received by the Department, along with all supporting documentation, within 10 business days of the County DSS' receipt of the Department's written notification of non-compliance.
- d. If written notice is received in accordance with subsection (c) of this section, the Department will provide the appropriate division director with the all documentation received. Following a review of all documentation, the division director will provide the county with a decision to proceed in developing the performance improvement plan or to rescind the notice of non-compliance.

### 2. Performance Improvement Plan

- a. The County DSS and Department shall work together to develop a performance improvement plan to address the non-compliance. The Parties will consider and address the County DSS's written disagreement with the identified non-compliance, if any, in the development of the performance improvement plan.
- b. The performance improvement plan shall include, at a minimum:
  - i. The role and responsibility of DHHS in providing support to the County DSS to address the non-compliance.
  - ii. The specific actions the County DSS will take to address the non-compliance and ensure ongoing compliance.
- c. The performance improvement plan shall be signed by the Department and the County DSS Director. A copy of the performance improvement plan will be sent to the chair of the DSS Governing Board.

### 3. Continued Non-Compliance

- a. In the event a County DSS continues to fail to satisfy a performance requirement or comply with the terms of the MOU for an extended period of time and is not meeting the terms of the performance improvement plan, the County DSS and the Department will enter into a corrective action plan, not to exceed a period of twelve months. An extended

period of time is defined as three consecutive months, or five months out of a twelve-month period measured beginning with the first month after which the performance improvement plan is signed.

- b. The corrective action plan shall include, at a minimum:
  - i. A strategy to ensure regular supervisory oversight of the social services program at issue;
  - ii. A detailed strategy to ensure the issue central to the non-compliance is addressed and corrected;
  - iii. A strategy to ensure program and case documentation is both sufficient and completed within time frames prescribed by law, rule or policy; and
  - iv. A plan for the continuous review of the corrective activities by both the County Director of Social Services, the County DSS Governing Board, and the Department.
- c. The corrective action plan will be signed by the Department and the County DSS Director. A copy of the corrective action plan will be sent to the Chair of the DSS Governing Board, the County Manager, and the Chair of the Board of County Commissioners.

**4. Failure to Complete Corrective Action Plan/Urgent Circumstances**

- a. In the event a County DSS fails to complete the corrective action plan or otherwise fails to comply with the terms of the corrective action plan, the Department may exercise its authority under the law, and this MOU, to withhold federal and/or state funding.
- b. In circumstances of continuous extended non-compliance or other urgent circumstances, the Secretary may also exercise her statutory authority to assume control of service delivery in the County pursuant to N.C.G.S. 108A-74.

\*\* In the event the performance requirement or term of the MOU falls outside of the authority of the County DSS, the notification of non-compliance will be sent to the County, and all subsequent steps contained herein shall be followed by the County.

**Effective Date:** This Modification Agreement shall become effective upon the date of execution by both parties and shall continue in effect until June 30, 2019.

**Signature Warranty:** Each individual signing below warrants that he or she is duly authorized by the party to sign this Modification Agreement and to bind the party to the terms and conditions of this Modification Agreement and the MOU.

**Hyde County**

BY: \_\_\_\_\_  
Name

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

**North Carolina Department of Health and Human Services**

BY: \_\_\_\_\_  
Name

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_