

REGULAR MEETING MINUTES

BOARD OF COUNTY COMMISSIONERS
HYDE COUNTY

Monday, July 10, 2017 at 6:00p.m.

Following opening prayer by Commissioner Dick Tunnell and Pledge of Allegiance, Chairman Pugh called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00pm, on Monday, July 10, 2017, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic conferencing equipment.

The following members were present on the mainland: Chairman Earl Pugh, Jr., Commissioners Tom Pahl and Dick Tunnell; County Manager Bill Rich; Assistant County Manager Kris Cahoon-Noble; Attorney Fred Holscher, Clerk to the Board Lois Stotesberry; and, members of the public.

Public Information Officer Donnie Shumate and members of the public were present on Ocracoke.

Vice-chairman Barry Swindell and Commissioners Ben Simmons were absent.

AGENDA:

Commissioner Pahl moved to approve the July 10, 2017 Hyde County Board of Commissioners Regular Meeting Agenda as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

CONSIDERATION OF MINUTES:

Commissioner Tunnell moved to approve the June 5, 2017 Hyde County Board of Commissioners Regular Meeting Minutes with correction on page 4, line 8 – Commissioner Pahl moved to increase Ocracoke Occupancy Tax from 3% to 5% by ~~January 2018~~ on January 1, 2018. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

INTRODUCTION:

David Millis

Bill Rich, County Manager, introduced David Millis. Mr. Millis is a 19-year corrections veteran who most recently served as assistant superintendent for custody and operations at Bertie Correctional Institution. He began his career as a corrections officer at Pamlico Correctional Institution in 1998 and worked there for most of his career, advancing to the rank of captain. Mr. Millis is a native of Jacksonville and a graduate of Craven Community College. He is a veteran of the U.S. Coast Guard and U.S. Coast Guard Reserve.

PRESENTATIONS:

Staffing at Hyde Correctional Institution

David Millis, Superintendent at Hyde Correctional Institution introduced Rhonda Hendricks, Career Readiness Coordinator with NC Department of Public Safety and Rita Woods, Career Coach at Hyde and Tyrrell Correctional Institutes. Inmate population consists of approximately 630 medium custody and 75 minimum custody inmates.

Rhonda Hendricks discussed staffing shortages at the Hyde County medium security prison. Currently there are 60 vacant Correctional Officer I and II positions at the prison out of 130 to 140 officer positions. Ms. Hendricks reported starting annual base pay for qualified entry level Correctional Officer I is \$30,856.00 and Correctional Officer II is \$31,904.00 with holiday and shift premium.

Applicants may apply at the facility or applications may be filed online at <http://www.oshr.nc.gov/jobs/index.html>.

Economic Improvement Council, Inc.

Dr. Landon B. Mason, Sr., Executive Director, Economic Improvement Council, Inc. presented overview of agency services and reported return on investment in Hyde County.

	<u>Families Served</u>	<u>Average Spent Per Customer</u>	<u>Annual Dollars Spent</u>
Section 8	23	\$424.00	\$117,192.00
Head Start	17	\$8,724.00	\$148,308.00
CSBG	7	\$3,534.00	\$24,740.00
Weatherization	4	\$5,887.00	\$23,549.00
TOTAL	51	\$4,642.25	\$313,789.00

Senior Tar Heel Legislature Report

Jan Moore, Senior Tar Heel Legislature (STHL), Hyde County Delegate, presented report on the STHL meeting held in Chapel Hill, on June 13-14, 2017. Topics discussed at the conference included Aging and Adult Services, Senior Health Insurance, NC Adult Day Services, On-line Drug Order Companies, NC In-Home Aide Program, and Hospice and Palliative Care. Ms. Moore reported 10,000 people a day in North Carolina will turn age 65. She reported Hyde County's State Health Insurance Assistance Program (SHIP) Coordinator is Jessica Gibbs. Jessica can be reached at the Hyde County Senior Center.

State Budget for FY17-18 School Year

Superintendent Dr. Randolph Latimore and Board of Education Chairman Randy Ethridge presented report on the State Budget for the FY2017-2018 school year. Due to projected deficit of approximately \$300,000.00 Dr. Latimore and the Board are working to reduce the overall budget in order to meet appropriated revenue from all sources and to maintain existing programs and staff. The Board of Education will start the new year off with a balanced budget. Dr. Latimore reported "as revenue increases for the school system, the Board will re-evaluate its actions and make decisions that are in the best interest of the children and its employees".

Chairman Randy Ethridge presented possible dates for both Boards to meet in August to discuss ways to make the school system better for the children of Hyde County Schools and discussion regarding the reduced funding from the state for the 2017-18 school year and projected reduction as reflected in the state budget for the 2018-19 school year.

Hyde County Leadership Forum on Opioid Abuse

Kris Noble, Assistant County Manager, reported due to increase in opioid abuse and a 14% increase in drug overdose deaths in the one-year period between 2014 and 2015 in North Carolina the National Association of Counties and the National League of Cities join together to reverse this public health threat. According to the NCAACC, "It is time for county commissioners to take a leadership role in addressing the fundamental causes of this problem and initiate local steps to intervene in these trends."

Ms. Noble reported a group of internal stakeholders from the Managers Office, EMS, DSS, Health Department and the Sheriff's Office have met and identified key stakeholders and identified Hyde County's desired goals to include:

- To create and implement a comprehensive education/prevention program.
- To identify treatment options, identify barriers to treatment, work towards creation of more treatment resources and methods to open treatment to those in need.

Luana Gibbs, Interim Health Director, noted more resources are needed for law enforcement.

Ms. Noble reported Hyde County will hold a Leadership Forum on Thursday, July 13, 2017 to engage local elected leaders in an informed discussion about the opioid epidemic, and develop collaborative strategies that enhance prevention, education and treatment.

Commissioner Tunnell moved to authorize Chairman Pugh to issue letters of support for grant funding over the next month. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Mattamuskeet Watershed Restoration Plan

Bill Rich, County Manager, presented review of the Mattamuskeet Watershed Restoration Plan. Mr. Rich reported Hyde County, the N.C. Wildlife Resources Commission and the U.S. Fish and Wildlife Service have come together to support the development of a watershed restoration plan for the Lake which will help protect its natural and cultural heritage. Six public meetings will be held to discuss long-term solutions for Lake Mattamuskeet's watershed, its declining water quality and changing Lake water levels.

When completed, the watershed management plan will explain how the Lake should and does function, its current status and health, and identify various practical management options for the Lake watershed that help address water quality and flooding issues. These goals, and the actions necessary to achieve them, will be informed by past and ongoing scientific studies as well as local knowledge and experiences. The plan will be completed in the fall of 2018. More information about the plan can be found at www.nccoast.org/lakemattamuskeet. Questions about the watershed restoration plan can be directed to Erin Fleckenstein, coastal scientist for the North Carolina Coastal Federation's Wanchese office at (252) 473-1607.

PUBLIC COMMENTS:

Peter Vankevich, Ocracoke Observer – requested the Board set up an advisory committee to discuss the need for affordable housing on the Island; and, reported more speed limit signs are needed on the Hatteras end of Ocracoke.

Wade Hubers, Ponzer – requested the Board be proactive about renewable energy (wind & solar). He reported the estimated cost to decommission a solar farm, to clean up toxic chemicals, is approximately \$10,000.00 per acre.

Chairman Pugh – reported Hyde County has a moratorium on solar and wind farms.

Commissioner Pahl – recommended the Board look at a fair compromise for renewable resources and advised a moratorium should not be permanent.

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

ITEMS OF CONSIDERATION:

Resolution To Create An Ocracoke Waterways Commission

Commissioner Tom Pahl presented a resolution proposing the formation of and appointing members to an Ocracoke Waterways Commission. The Waterways Commission will function under the authority of the Board of Commissioners. The purpose of the Commission will be to formulate and implement solutions and to address regulatory issues, funding and policies as they relate to the navigable waterways around Ocracoke Island. An organizational meeting of the Commission and appointment of officers will be held in August.

Commissioner Tom Pahl moved to adopt Resolution to Create an Ocracoke Waterways Commission. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Clerk's Note: A copy of "Resolution To Create An Ocracoke Waterways Commission" is attached herewith as Exhibit A and incorporated herein by reference.

Commissioner Tom Pahl moved to appoint the following citizens to serve on the Ocracoke Waterways Commission with initial appointments as follows, and then all succeeding appointments will be three-year terms made at the regular July meeting of the Hyde County Board of Commissioners:

- Ex-officio – Ocracoke Commissioner Tom Pahl
(to serve concurrently with his term on the Board of Commissioners)
- One-year Term
 - Justin LeBlanc
 - Erick O'Neal
- Two-year Term
 - Darlene Styron
 - Vince O'Neal
- Three-year Term
 - Rudy Austin
 - David Hilton

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

Resolution In Opposition of House Bill 867

Bill Rich, County Manager, reported that although the state had tabled House Bill 867 it is necessary for the Board of Commissioners to adopt a resolution in opposition of HB867. The Hyde County Board of Commissioners stands steadfast in their resolution of no confidence in the North Carolina Marine Fisheries Commission and also in their resolution against amending 15A in the attempt to designate special secondary nursery areas and reduce bycatch mortality in North Carolina fishing waters.

Commissioner Dick Tunnell moved to adopt Hyde County Board of Commissioners Resolution In Opposition of House Bill 867. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Clerk's Note: A copy of "Hyde County Board of Commissioners Resolution In Opposition of House Bill 867" is attached herewith as Exhibit B and incorporated herein by reference.

Project Budget Ordinance Mattamuskeet Watershed Restoration Plan – North Carolina Local Planning And Management Grant Program

Kris Noble, Assistant County Manager, reported the Coastal Federation has contracted with the U.S. Fish & Wildlife Service, the North Carolina Wildlife Resources Commission and Hyde County to complete a Mattamuskeet Watershed

Restoration Plan. The total cost of the plan is \$75,000.00 with \$30,000.00 coming from Federal sources, \$30,000.00 coming from State sources and \$15,000.00 coming from Hyde County in the form of NC Local Planning and Management Grant Program.

Project Description: Development of a Watershed Restoration Plan for the Mattamuskeet Watershed.

The Restoration Plan will include a framework to restore an impaired waterbody, and provide guidance for future protection of the waterbody. Additionally, the plan will include the nine key elements required by the EPA to qualify for 319 grant funding. Local match of \$5,000.00 will be from WRC/USFWS.

Ms. Noble noted that the \$5,000.00 Local Cash Contribution on the grant contract refers to federal and state revenues and is therefore not shown on this project budget ordinance.

Commissioner Dick Tunnell moved to adopt Hyde County – Mattamuskeet Restoration Plan North Carolina Local Planning and Management Grant Program Project Budget Ordinance. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Clerk's Note: A copy of "Hyde County – Mattamuskeet Restoration Plan North Carolina Local Planning and Management Grant Program Project Budget Ordinance" attached herewith as Exhibit C and incorporated herein by reference.

Brunch Bill: Alcohol Sales Before Noon on Sundays

Bill Rich, County Manager, reported on June 28, 2017, the North Carolina General Assembly passed Senate Bill 155, known as the "Brunch Bill" and sent it to Governor Roy Cooper to be signed into law. The "Brunch Bill" allows the sale of alcohol beginning at 10:00a.m., on Sunday instead of 12:00 noon, subject to individual county approval. Many of the visitors to Ocracoke Island come from states where this law is already in effect. Forty-eight (48) states have already passed the law that allows the 10:00a.m. sale of alcoholic beverages on Sunday.

Commissioner Tom Pahl moved to adopt Ordinance No. 2017-07-01 – An Ordinance To Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Clerk's Note: A copy of "Ordinance No. 2017-07-01 – An Ordinance To Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises" is attached herewith as Exhibit D and incorporated herein by reference.

Appointment of Donnie Shumate To The Ocracoke Community Center Board

Commissioner Tom Pahl moved to appoint Donnie Shumate, Information Technology Manager and Public Information Officer, to serve on the Ocracoke Community Center Board. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Appointment of Donnie Shumate As Deputy Clerk

Commissioner Tom Pahl moved to appoint Donnie Shumate, Information Technology Manager and Public Information Officer, to serve as Deputy Clerk to the Hyde County Board of Commissioners. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Appointment of Willie Sue Green and Jessica Gibbs To The DSS Board

Laurie Potter, Director, Hyde County DSS, reported at the DSS Board meeting on May 8, 2017 the Board recommended appointment of Willie Sue Green to serve a three year term on the DSS Board. Ms. Potter reported at the meeting held on June 14, 2017 the Social Services Commission recommended Jessica Gibbs be re-appointed to serve another three year term on the DSS Board.

Commissioner Tom Pahl moved to appoint Willie Sue Green and to re-appoint Jessica Gibbs to serve a three year term each on the Department of Social Services Board. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Designation of Voting Delegate to NCACC Annual Conference

Commissioner Dick Tunnell moved to appoint Chairman Earl Pugh, Jr. to represent the Hyde County Board of Commissioners as Designated Voting Delegate at the 110th NCACC Annual Conference to be held in Durham County, NC on August 10-13, 2017. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Hyde County Tax Assessor

Commissioner Tom Pahl moved to appoint Linda M. Basnight to serve another four year term as Hyde County Tax Assessor. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Water Asset Inventory and Assessment Grant

Clint Berry, Utilities Director, reported the Utilities Department has received a grant from the State of North Carolina (Division of Water Infrastructure) for \$120,000.00 to do an Asset Management Plan. A 5% local match of \$6,000.00 is required. Mr. Berry reported Green Engineering will be developing the plan.

Commissioner Tom Pahl moved to approve Water System Asset Inventory & Assessment. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Exhibit E: Resolution - Asset Inventory and Assessment Grant - State Project No.: H-AIA-D-17-0107 - corrected 08-08-17 gsc

Split Health Insurance Amount Set for County Manager

Bill Rich, County Manager, requested Board approval to change the health insurance reimbursement rate in Section 13 of his contract. The health insurance reimbursement rate is locked in at the 2014-2015 rate of \$650.18 per month (\$7,802.16 per year) for the balance of his contract. Mr. Rich would like to change this effective 07-01-2017 and receive \$233.51 per month and give the remaining \$5,000.00 to the Assistant County Manager as a salary adjustment.

Proposed change to Contract:

SECTION 13 – INSURANCE

Employer agrees to reimburse County Manager at the 2014-15 County Health Insurance Rate of \$650.18 as long as proof of credible health insurance is provided. Effective July 1, 2017, County Manager will receive a \$233.51 per month stipend for his health insurance supplement and the remaining \$5,000.00 will be used as a salary adjustment for the Assistant County Manager.

Commissioner Tom Pahl moved to approve request to change the health insurance reimbursement rate (Section 13) of County Manager Bill Rich's employment contract with Hyde County. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Commissioner Tom Pahl moved to approve request for a \$5,000.00 salary increase in the Assistant County Manager salary line as stated. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Petition for Adjustment Need Determination for Hospice Home Care Office in Hyde County

Kris Noble, Assistant County Manager, and Geraldine Weatherly, Manager of Cross Creek Health Care, reported Liberty Healthcare owns and operates Cross Creek Health Care Center in Swan Quarter. Cross Creek provides a complete continuum of care including short-term rehabilitation, long-term care, hospice care and out-patient therapy. Cross Creek provides an invaluable service to residents of Hyde County and is one of the largest job providers in the county.

Prior to the spring of 2016, Curo Health Services provided hospice care to Hyde County Mainland and Ocracoke Island out of an office at the Davis Center in Engelhard. In the spring of 2016, Curo closed their office and discontinued service. The closing of Curo left Hyde County citizens, especially those in Ocracoke with decreased or no hospice care. Hyde County partnered with local doctors and medical centers and Hyde County Health Department and EMS in the short term for care. In the long term, Hyde County worked with their lobbyist to petition the NC Department of Health and Human Services (NCDHHS) to allow Amedysis, a hospice provider in Washington County, to modify their Certificate of Need (CON) to serve Ocracoke.

Liberty Healthcare now intends to file a petition for Adjustments to Need Determination regarding Hyde County Hospice service which will allow Liberty to provide hospice in-home services to Hyde County. Liberty already offers home care and offering hospice expands their services ensuring their financial viability and adequate health care option for the citizens of Hyde County.

Commissioner Dick Tunnell moved to approve sending a letter of support for Liberty Home Care VII, LLC d/b/a Liberty Home Care Services to petition for an adjusted Need Determination for a hospice home care office in Hyde County in the 2018 State Medical Facilities Plan. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Swan Quarter Service District Loan Assistance

Daniel Brinn, Water and Flood Control Coordinator, reported at the March 2017 Board of Commissioners meeting, Hyde County was approached by the Swan Quarter Steering Committee for assistance in replacement of tidegates throughout West Quarter Dike. The Committee requested a loan through Tideland EMC to purchase ten (10) fabricated aluminum gates to be installed as follows:

- 5 gates at West Canal
- 1 gate at Quarter Canal
- 3 gates at Double Canal
- 1 gate at Juniper Canal

The Board voted unanimously to approve moving forward in securing a loan from Tideland EMC in the amount of \$110,000.00 for the purchase of replacing leaking tidegates.

Commissioner Dick Tunnell moved to: 1) authorize the county manager to work with the county attorney to create a contractual relationship between the County and the Swan Quarter Service District in which the group is obligated to repay Hyde County any funds with which the County assists the district; and, 2) authorize the county manager to enter into the financing alternative, close the loan, receive the funds, make payment to the Swan Quarter Service District and begin receiving loan payments in August 2017. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

National Park Service Property – Potential Gift to Hyde County

Bill Rich, County Manager, discussed a potential gift of property owned by the National Park Service to Hyde County.

Mr. Rich will invite Dave Hallac, Superintendent, National Park Service, Cape Hatteras Group, to attend the next regularly scheduled Board of Commissioners meeting on Monday, August 7, 2017, to discuss the property further.

Potential Sale of County Owned Property – Ocracoke Parcel

Bill Rich, County Manager, and Fred Holscher, County Attorney, discussed a potential sale of county-owned property located behind the Flying Melon Restaurant on Ocracoke in Hyde County. Discussion was tabled.

RFP#H06-2017-AT1-F450X2 – Ambulances

Justin Gibbs, Emergency Services Director, made recommendation to accept the lowest responsive and responsible bid of \$347,632.00 for two (2) Type I Ford F-450 ambulances.

Commissioner Tom Pahl moved to: 1) accept proposal of \$347,632.00 from the lowest responsive/responsible bidder “Select Custom Apparatus” and, 2) grant the County Manager authority to execute the contract once issues are resolved with FEMA. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

RFP#H06-2017 – Debris Monitoring Services

Justin Gibbs, Emergency Services Director, made recommendation to accept the lowest responsive and responsible bid of \$390,885.00 for debris monitoring services.

Commissioner Dick Tunnell moved to: 1) accept proposal of \$390,885.00 from the lowest responsive/responsible bidder “Landfall Strategies” contingent upon review of a drafted contract and approval by the County Attorney; and, 2) grant the County Manager authority to execute the contract. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

Office Space Changes

Bill Rich, County Manager, reported hires within Hyde County Cooperative Extension and Hyde County Administration have created the need for additional space within the Hyde County Government Center.

Chairman Earl Pugh, Jr. moved to: 1) authorize the County Manager to work with the Sheriff and Building Maintenance to move the offices of the Board of Elections and Veterans Services to vacant space within the Hyde County Public Safety Center; and, 2) authorize the County Manager to work with Hyde County Soil & Water to relocate offices into the suite currently utilized by Elections and Veterans Services. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl and Tunnell; Nays – None; Absent or not voting – Swindell and Simmons.

BUDGET TRANSFERS:

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

Health

a) BR1-18 – Primary Care – Adult Health	\$ 1,200.00
b) BR2-18 – Farmer’s Market	\$ 2,997.00
c) BR3-18 – Maternal Health	\$ 11,502.17

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

MANAGEMENT REPORTS:

Chairman Earl Pugh, Jr. – attended the Albemarle Commission Workforce Development meeting in Hertford, Ocracoke Working Watermen (phone conference), Ocracoke Festival and Ocracoke Fireworks.

Commissioner Tom Pahl – attended Dare County Waterways Commission meeting and worked on developing an Ocracoke Waterways Commission, Hyde Coalition for Children, Ocracoke Civic and Business Association (OCBA) meeting, Whitney Knollenberg – NCSU Seasonal Employment Presentation, Emergency Management Team meeting, Hyde Transit meeting and Ocracoke 4th of July Fireworks.

Commissioner Dick Tunnell – attended Mid-East Housing meeting.

Vice-chairman Barry Swindell – absent.

Commissioner Ben Simmons – absent.

County Manager Bill Rich – reported on progress at the Ocracoke Convenience Site and noted work to be done on fencing and drainage next week. Manager Rich’s June, 2017 calendar was provided.

Assistant County Manager/Planner Kris Cahoon Noble – no report.

PUBLIC COMMENTS:

Connie Leinbach, Ocracoke – reported the Ocracoke Convenience Site looks better and thanked the Board for sponsoring the Fireworks.

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

CLOSED SESSION: (none)

ADJOURN:

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

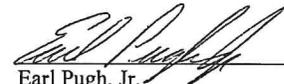
The meeting adjourned at 8:37p.m.

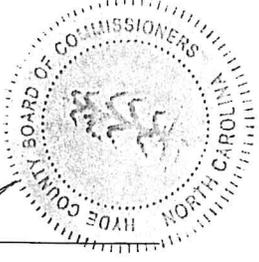
Respectfully submitted:

Minutes approved on the 7th day of August, 2017.

Attest:

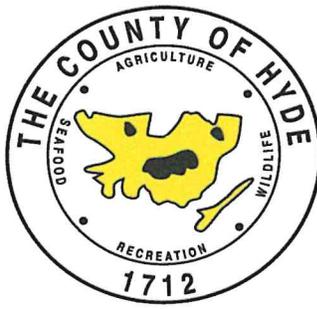

 Lois Stotesberry, CMC, NCCCC
 Clerk, Hyde County Board of Commissioners


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



Attachments:

- Exhibit A: “Resolution To Create An Ocracoke Waterways Commission”
- Exhibit B: “Hyde County Board of Commissioners Resolution In Opposition of House Bill 867”
- Exhibit C: “Hyde County – Mattamuskeet Restoration Plan North Carolina Local Planning and Management Grant Program Project Budget Ordinance”
- Exhibit D: “Ordinance No. 2017-07-01 – An Ordinance To Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises”
- Exhibit E: “Resolution – Asset Inventory and Assessment Grant – State Project No.: H-AIA-D-17-0102”



RESOLUTION TO CREATE AN OCRACOKE WATERWAYS COMMISSION

WHEREAS:

The purpose of the Ocracoke Waterways Commission shall be:

To assess current conditions and anticipate future conditions of the navigable waterways in and around Ocracoke Island.

To explore short and long-term strategies that will assure regular, safe, and efficient access through our key waterways for ferry traffic, commercial fishing, and charter and recreational boating.

To implement those strategies, in coordination with the Hyde County Board of Commissioners and other affected parties.

To collaborate with the Dare County Waterways Commission on issues regarding navigation and dredging in Hatteras Inlet.

To establish and maintain communications with Federal, State and local entities which have jurisdiction and/or share interests in Ocracoke waterways.

To lobby Federal and State policy makers to assure funding and regulatory decisions regarding navigable waterways and ferry operations are made in the best interests of the residents and businesses of Ocracoke.

To work with the Ferry Division to assure that operational policies affecting Ocracoke are set and administered to achieve the best possible outcomes for the passengers, for the Ferry Division and for the residents and businesses of Ocracoke.

To explore short and long-term strategies that will assure safe passage and safe harbor for boating interests in and around Ocracoke Harbor (Silver Lake).

To advise the Hyde County Board of Commissioners as to specific actions the BOC should take regarding Ocracoke waterways.

NOW THEREFORE BE IT RESOLVED:

The Hyde County Board of Commissioners hereby establishes the Ocracoke Waterways Commission (OWC).

The OWC shall be a seven member board, appointed by the HCBOC, with each member serving a three year term, except that;

One of the seven members shall be the Ocracoke Commissioner ex officio who shall serve concurrently with his/her term on the BOC.

Remaining initial appointments shall be as follows:

- two members for one year
- two members for two years
- two members for three years

All succeeding appointments shall be for three year terms and shall be made at the regular July meeting of the HCBOC. Members may be removed by vote of the HCBOC for any legal cause, including failure to attend. Vacancies on the OWC shall be filled by the HCBOC to complete the vacated term.

The OWC shall establish its own rules of procedure and shall elect from within its membership a Chair, Vice Chair and Secretary. Officers shall be elected/re-elected each July following the appointment of new members.

Meetings of the OWC shall be subject to all Open Meetings laws. Minutes of all meetings shall be recorded and preserved and shall be promptly posted online on the Hyde County Website by the Hyde County IT department.

An annual report outlining the past year's activities and the future plans of the OWC shall be presented to the HCBOC each February.

The OWC shall advise the Hyde County Board of Commissioners as to specific actions the HCBOC may take regarding Ocracoke waterways.

The OWS shall take no action nor make any commitment that obligates Hyde County expenditures or appropriations without the explicit approval of the HCBOC.

The mission and scope of the OWC shall be guided by, but not limited to the language of this resolution.

All actions and communications of the Ocracoke Waterways Commission shall be in accordance with the policies of the Hyde County Board of Commissioners.

Adopted this the 10th day of July, 2017.


SIGNATURE OF BOARD CHAIR

ATTEST:


CLERK TO THE BOARD



COUNTY OF HYDE

Board of Commissioners

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

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



HYDE COUNTY BOARD OF COMMISSIONERS RESOLUTION IN OPPOSITION OF HOUSE BILL 867

WHEREAS, on January 3, 2017, the Hyde County Board of Commissioners passed a Resolution in Opposition to Petition for Rulemaking to Amend 15A Admin. Code 3L.0101, 3L.0103, 3M.0522, 3M.0523, 3N.0151, and 3R.0105 to Designate Special Secondary Nursery Areas and Reduce Bycatch Mortality in North Carolina Coastal Fishing Waters as Presented by the North Carolina Wildlife Federation; and,

WHEREAS, on March 6, 2017, the Hyde County Board of Commissioners passed a Resolution on Vote of No Confidence in the North Carolina Marine Fisheries Commission; and,

WHEREAS, there is now House Bill 867, which is just another attempt at destroying our commercial fishing industry in North Carolina waters; and,

WHEREAS, newly created opposition to our commercial shrimping and fishing industries is the same wolf in a different disguise. Originally, it was the NC Wildlife Federation (NCWF) and the Coastal Conservation Association (CCA). It has now developed into two new special interest groups, NC Camo Coalition and NC Sound Solutions. All of them are supported by big money recreational interests.

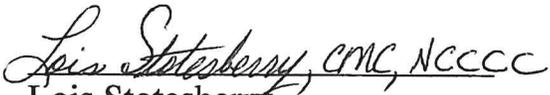
NOW, THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners stand steadfast in their resolution of no confidence in the North Carolina Marine Fisheries Commission and also in their resolution against amending 15A in the attempt to designate special secondary nursery areas and

reduce bycatch mortality in North Carolina fishing waters. Furthermore, we stand in total opposition of House Bill 867.

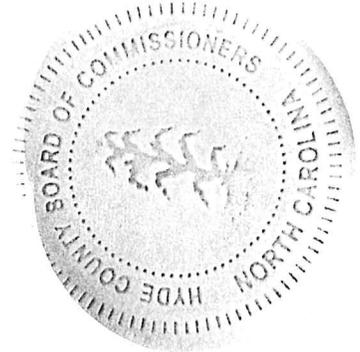
Adopted this the 10th day of July, 2017.



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



Lois Stotesberry,
Clerk to the Board



**Hyde County – Mattamuskeet Restoration Plan
North Carolina Local Planning and Management Grant Program
Project Budget Ordinance
July 10, 2017**

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

Section 1: The program authorized is the North Carolina Local Planning and Management Grant Program administered by the North Carolina Division of Coastal Management for The Mattamuskeet Watershed Restoration Plan described in the contract between Hyde County and the North Carolina Division of Coastal Management.

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

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

Mattamuskeet Watershed Restoration Plan 2017-2018

NC Local Planning & Management Grant	\$15,000.00
Total:	<u>\$15,000.00</u>

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

Mattamuskeet Watershed Restoration Plan 2017-2018

Program Budget	\$15,000.00
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Section 5: The Grant Finance Officer is hereby directed to maintain within the Grant Program Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Division of Coastal Management required by the grant agreement(s) and federal and state regulations.

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

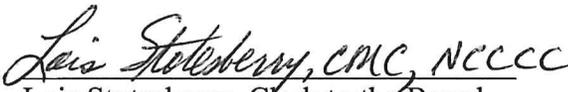
Section 7: Copies of this grant program ordinance shall be made available to the Grant Finance Officer for direction in carrying out this program.

Adopted this 10th day of July, 2017.



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

ATTEST:



Lois Stotesberry, Clerk to the Board



ORDINANCE NO. 2017- 07-01

An Ordinance To Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises

WHEREAS, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled "An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws"; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 am on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our county to meet the needs of their customers; and

WHEREAS, Sunday morning alcohol service will benefit the county's small business community, bring people into business districts earlier in the day, and generate increased tax revenues; and

WHEREAS, our County has a diverse and growing population with different religious beliefs, each of which has various times and multiple days for worship;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Hyde County, North Carolina that:

Section 1. Pursuant to the authority contained in G.S. 153A – 145.7, the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is allowed in Hyde County beginning at 10 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S 18B – 1001.

Section 2. This ordinance is effective on the 10th day of July, 2017.

Adopted this 10th day of July, 2017.


Earl Pugh, Jr., Chairman



Attest: 
Lois Stotesberry, CMC, NCCCC

RESOLUTION BY BOARD OF COMMISSIONERS OF
COUNTY OF HYDE, NORTH CAROLINA
ASSET INVENTORY AND ASSESSMENT GRANT
STATE PROJECT NUMBER: H-AIA-D-17-0102
Resolution No. _____

- WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of water and sanitary sewer system components, and
- WHEREAS, the North Carolina Department of Environment and Natural Resources has awarded the County of Hyde: AIA Grant Project No. H-AIA-D-17-0102 in the amount of \$120,000.00 for the Water Distribution System for the development of an Asset Inventory and Assessment of system components (System Components for the Water System, and
- WHEREAS, the County of Hyde intends to develop the projects in accordance with the Project Scope prepared by the County of Hyde and approved by the Division of Water Infrastructure,
- WHEREAS, the County of Hyde understands there will be a 5% local match required for grant (\$6,000.00 for Project No. H-AIA-D-17-0102,

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

That County of Hyde does hereby accept the aforementioned Grants.

That the County of Hyde does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the grant offer, Section II - Assurances will be adhered to.

That Bill Rich, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the Grants.

That the County of Hyde has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the ^{10th} day of *July* 2017 at the County of Hyde, North Carolina.

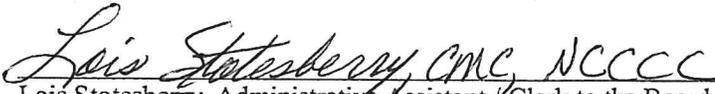


Earl Pugh, Jr., Chairman of the Board – County of Hyde

July 10, 2017

Date

ATTEST


Lois Stotesberry, Administrative Assistant / Clerk to the Board

