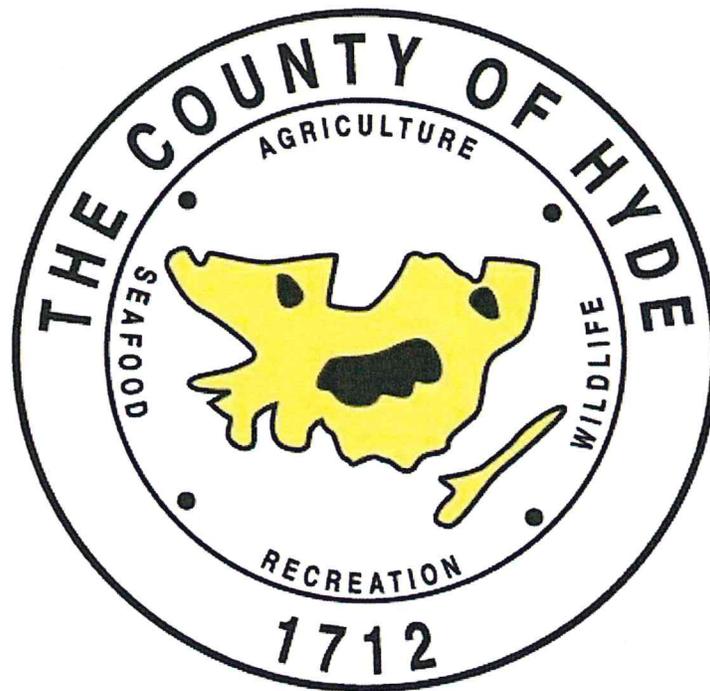


**HYDE COUNTY BOARD OF COMMISSIONERS
MEETING PACKET**

July 7, 2014



Hyde County Courthouse Multi-purpose Room

30 Oyster Creek Road, Swan Quarter, NC

and

Ocracoke School Commons Area

120 School House Road, Ocracoke, NC

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

Meeting Date: July 7, 2014
Presenter: Chairman Barry Swindell
Attachment: No

ITEM TITLE: OPENING

SUMMARY: Call to Order
Opening Prayer
Pledge of Allegiance

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: July 7, 2014
Presenter: Chairman Barry Swindell
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the July 7, 2014, Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

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

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

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

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' MEETING

MONDAY, JULY 7, 2014 – 6:00 PM

CALL TO ORDER

OPENING

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

- 1) June 2, 2014 – Regular Meeting Minutes
- 2) July 2, 2014 – Emergency Meeting Minutes

PUBLIC HEARINGS (none)

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) **Ordinance** – Amend – Hyde County ECB Renovations Robert Griffin
Project Ordinance No. 2014-07-02
- 2) **Resolutions** Mgr. Rich
 - a. Resolution Opposing Joint Enforcement For North Carolinas Marine Patrol
 - b. Resolution Encouraging A Pilot Program To Increase Student Enrollment
At Elizabeth City State University By The UNC Board of Governors And/Or
The North Carolina General Assembly
 - c. Letter of Resolution In Support of Farm Technology

3) Appointments

- a. Ocracoke Occupancy Tax Board Commissioner Fletcher
 - b. Northeast Workforce Development Board Mgr. Rich
 - c. Albemarle Commission Area Agency on Aging Ombudsman Mgr. Rich
 - d. Designation of Voting Delegate to NCACC Annual Conference Mgr. Rich
 - i. Delegate - NCACC Youth Summit Jessica Cahoon
 - e. Hyde County Recreation Committee Kris Noble
- 4) ABC Board Update Meredith Nicholson
- 5) Hyde County Recreation Plan Kris Noble
- 6) Golden LEAF – Revolving Loan Fund Grant Kris Noble
- 7) Wireless Telecommunications Facility Located Kris Noble
125 Cedar Road, Ocracoke
- 8) Swan Quarter Pre-Development & Vision Plan Kris Noble
185 Landing Road, Swan Quarter
- 9) Request to Convey County Owned Property Mgr. Rich
- 10) Request to Continue Leave and Interim Position Mgr. Rich
- 11) Progress on Beach Access and Revenue Sharing Commissioner Fletcher
- 12) Re-Entry Procedure Commissioner Fletcher

BUDGET MATTERS

- a) Health – BR01-15 – WIC Program
- b) Health – BR02-15 – KBR Change for Good
- c) Health – BR03-15 - Region 9 CTGP LHD Grant
- d) Fiscal Year End 13-14 Entries

MANAGEMENT REPORTS

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

MANAGER'S PROJECTS UPDATE

The County Manager will give an oral update on various projects and other administrative matters ongoing in the county. Manager's Calendar included.

PUBLIC COMMENTS

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

CLOSED SESSION (discussion and possible action if required)

ADJOURN

SUPPLEMENTAL INFORMATION

Department Reports

- 1) Mattamuskeet Senior Center
- 2) Health Department Program Summary Report
- 3) Animal Control Report
- 4) Combined RAC/STHL Report
- 5) Tax Department (requires signature)
- 6) Human Resources
- 7) DSS Programs
- 8) Inspections
- 9) Sheriff's Report by Department
- 10) Sheriff's Transport Log

Informational Items

- 1) Elizabeth City – Resolution Encouraging A Pilot Program To Increase Student Enrollment At Elizabeth City State University By The UNC Board of Governors And/Or The North Carolina General Assembly
- 2) North Carolina Watermen United (NCWU) = Resolution Opposing Joint Enforcement For North Carolinas Marine Patrol
- 3) Senator Bill Cook – Congratulations Letter – Golden LEAF Award

- 4) NCDOC – Closeout Letter – CDBG No. 09-C-2067 (CR)
- 5) Memorandum to Commissioner Fletcher – Eight Percent Property Tax Revenue Increase
- 6) NCDOT – Letter – Changes to NCDOT Secondary Road Program
- 7) NC12 – Improvements on Ocracoke Island Project Area Map
- 8) JCPC – Hyde County Plan 2014-15

- 9) Town Of Kill Devil Hills – Resolution In Opposition To Off-Shore Exploration And
Production of Petroleum Resources On The Continental Shelf Off The Coast Of North Carolina
- 10) Hyde County Board of Health Meeting Minutes (revised) – March 18, 2014
- 11) Mattamuskeet Village – Partnership Property Management Letter
- 12) NCDOC – Closeout Letter – CDBG No. 09-C-2036 (SBEA)
- 13) Hyde County Hotline – Kathryn S. Ballance Letter
- 14) Feds Feed Families Food Drive – Beaufort-Hyde Farm Service Agency - NRCS

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: July 7, 2014
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the June 2, 2014 Regular Meeting Minutes and July 2, 2014 Emergency Meeting Minutes of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

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

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

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

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Meeting Minutes

**Board of County Commissioners
Hyde County**

Monday, June 2, 2014

Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00pm on Monday, June 2, 2014, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

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

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

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

Agenda:

Chairman Swindell asked for any changes to the June 2, 2014 meeting Agenda.

Commissioner Pugh moved to approve the amended June 2, 2014 meeting Agenda as presented by the Clerk with addition of Budget Matters –EMS, EM and ETSF transfers. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Consideration of Minutes:

Commissioner Tunnell moved to approve the April 7, 2014 Board of Equalization and Review Meeting Minutes as presented by the Clerk. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Commissioner Pugh moved to approve the May 5, 2014 Board of Commissioners Regular Meeting Minutes as presented by the Clerk. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Commissioner Tunnell moved to approve the May 19, 2014 Special Budget Workshop Meeting Minutes as presented by the Clerk. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Public Hearing

Commissioner Simmons moved to open public hearing to receive citizen’s questions and comments on the Hyde County FY2014-2015 Budget. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Chairman Swindell called for comments from the public and began the hearing at 6:05pm.

Odessa Jarvis, Swan Quarter – stated On-line Bill Pay sends a message to the USPS that we can close the post office. Mrs. Jarvis asked what percentage does the County pay for DSS Day Care; why DSS Legal Services are higher; and does the County still have a van at DSS.

1 Finance Officer Corrinne Gibbs reported the County is reimbursed by the state at 60% for DSS Day
2 Care and Legal Services are budgeted at 200% of poverty.

3 Suzanne Johnson, Interim DSS Director, reported DSS is reimbursed with federal funds and DSS does
4 have a van in working condition.

5 Mrs. Jarvis asked why the Airport Travel and Phone line budget is so high; why dollars for the
6 Volunteer Fire Departments (VFD's) are higher on Ocracoke than the mainland; why revaluation is so
7 high; why the name on the Ponzer Community Building was changed; and, why the Health Department
8 food and lodging line is so high.

9 Corrinne Gibbs, Finance Officer reported Jane Hodges, Airport Director, has to travel for required
10 training; the Ocracoke VFD receives funds from the Ocracoke Occupancy Tax Board; revaluation
11 funds are budgeted yearly in order to pay for the revaluation every eight years; and, Hyde County owns
12 the Ruritan building and property and the Ponzer Community Building.

13 Wesley Smith, Health Director, reported the Food and Lodging budget is used for Environmental
14 Health staff that does health inspections in the county.

15 Dr. Randolph Latimore, Superintendent of Hyde County Schools, thanked Manager Rich for bringing
16 legislative representatives to Hyde County to discuss school funding and for his proposed budget for
17 the school system. Dr. Latimore reported legislators will restore Small Communities Supplemental
18 funding. We will still see state education budget reductions. Through the Governor's career status
19 bonus funds from the Department of Public Instruction (DPI) some teachers will choose the take the
20 11% raise and give up longevity and tenure. It is not known how many teachers will be affected by
21 this option. The Board of Education has trimmed 46 positions from its budget since 2010 by cutting
22 positions, staff has retired and Reduction in Force (RIF) was implemented. Currently no positions are
23 paid from local funds. Dr. Latimore asked the commissioners to fully restore the school budget to
24 what it originally was in 1999.

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

26 Commissioner Pugh moved to close public hearing on the Hyde County FY2014-2015 Budget. Mr.
27 Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh,
28 Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

29 **Employee Recognition:**

30 Manager Rich reported the "Ocracoke Current" recommended Viola Williams for Employee of the
31 Month for services provided during Ocracoke elections. EM Director Justin Gibbs spun the Wheel of
32 Thanks for Ms. Williams who was unable to attend the meeting. Viola won a \$25.00 Gift Certificate
33 from Pat's Service Station in Swan Quarter.

34 **Public Comments:**

35 Chairman Swindell called for comments from the public.

36 Darlene Styron, Ocracoke – stated it is not wise to name all new members to serve on the
37 Ocracoke Occupancy Tax Board at one time and asked the Board to keep Animal Control Ordinance
38 Section 4-8 (c) as is.

39 Charlotte Edwards, Ocracoke – owner of Charlie Horse Stables on Ocracoke, reported manure catcher
40 bags rub the horses raw. She has a vehicle follow her horses on the roads and picks up the manure
41 immediately.

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

43 **Items of Consideration:**

44 **Ordinances:**

1 **Hyde County FY2014-2015 Budget Ordinance**

2 County Manager Rich presented the Hyde County FY2014-2015 Budget Ordinance. Mr. Rich
3 reported on funds appropriated in the General Fund for the operation of county government and its
4 activities for the fiscal year beginning July 1, 2014 and ending June 30, 2015 in accordance with the
5 Budget Resolution. The total General Fund is \$12,745,367.33. Tax rate is levied at \$0.64 per one
6 hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2015, for the purpose of
7 raising the revenue listed in the General Fund. The rate of tax is based upon a total valuation of
8 property for the purpose of taxation of \$1,083,712,574 and vehicles of \$24,854,226 and an estimated
9 collection rate of 93.39% for real property and 72.09% for vehicles.

10 Commissioner Pugh moved to adopt "Hyde County FY2014-2015 Budget Ordinance". Mr. Simmons
11 seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell,
12 Simmons and Swindell; Nays – None; Absent or not voting – None.

13 *Clerk's Note: A copy of "Hyde County FY2014-2015 Budget Ordinance" is attached herewith as Exhibit A and
14 incorporated herein by reference.*

15 **Hyde County Public Safety Center Roof Repair Project – Project Ordinance 2014-06-02**

16 County Manager Rich presented Hyde County Public Safety Center Roof Repair Project Ordinance.
17 Capital Reserve revenues anticipated to be available to complete total project activities equal
18 \$110,486.00.

19 Utilities Director Clint Berry reported the ordinance is needed to start the project. Mr. Berry also
20 reported Dispatch will be moved back into the Sheriff's Department later this week.

21 Commissioner Pugh moved to adopt "Hyde County Public Safety Center Roof Repair Project - Project
22 Ordinance 2014-06-02". Mr. Tunnell seconded the motion. The motion passed on the following vote:
23 Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

24 *Clerk's Note: A copy of "Hyde County Public Safety Center Roof Repair Project - Project Ordinance 2014-06-02" is
25 attached herewith as Exhibit B and incorporated herein by reference.*

26 **Wording Change for the Hyde County Flood Ordinance**

27 Permits Technician Jane Hodges presented wording changes for the Hyde County Flood Ordinance.
28 Ms. Hodges reported that during a recent FEMA Community Assistance Visit (CAV) it was
29 determined that the current Hyde County Flood Prevention Ordinance has some language that needs to
30 be removed. Changes recommended by the State to Sec. 20-7. Lands to which this chapter applies.
31 and Sec. 20-8. Basis for establishing the special flood hazard area. have been made.

32 Commissioner Fletcher moved to adopt "Hyde County Flood Damage Prevention Ordinance –
33 Amendment No. 3". Mr. Tunnell seconded the motion. The motion passed on the following vote:
34 Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

35 *Clerk's Note: A copy of "Hyde County Flood Damage Prevention Ordinance – Amendment No. 3" is attached
36 herewith as Exhibit C and incorporated herein by reference.*

37 **Hyde County Hurricane Irene Recovery Project Budget Ordinance Amended**
38 **Project Ordinance 2014-06-02**

39 County Manager Rich reported the Hyde County Hurricane Irene Recovery Project Budget Ordinance
40 is amended to direct County staff to proceed with the Hyde County Hurricane Irene Recovery Project
41 within the terms of the appropriated budget totaling \$6,795,191.86. Mr. Rich reported Hyde County
42 received \$100,000.00 from FEMA and he expects to collect another \$600,000.00 due to the County.

43 Commissioner Fletcher reported legislation has passed containing a provision to limit county property
44 tax revenue increases to no more than eight percent from the prior fiscal year.

45

2 Legislation to enable the development of the hydraulic fracturing industry in North Carolina passed the state Senate this week and has
3 moved to the House for consideration. The original version of the bill (S786) contained a provision to limit county property tax
4 revenue increases to no more than eight percent from the prior fiscal year. Concerns about the far-reaching implications of this
5 provision from local government officials, the State Treasurer, and others led to that language being replaced with a directive for the
6 legislative Energy Policy Commission to study how the development of the oil and gas industry in the state would affect the property
7 tax revenues of local governments. As currently written, the study will consider how the presence of energy minerals will affect
8 property in the present use value program, and ways to limit the growth of revenue from increased property valuations.

9 Pieces that most directly affect local government are:

- 6 • The invalidation of local ordinances that prohibit or have the effect of prohibiting oil and gas exploration, development and
7 production activities. This is the same pre-emption as in current law and mirrors the existing hazardous waste statutes. The
8 bill specifically allows local zoning and land-use ordinances that are generally applicable to development and not
9 specifically addressing oil and gas development.
- 10 • The additional value derived from energy mineral interests on property for which a permit to drill has not been issued is
11 exempt from property tax.

12 Other components of the legislation include:

- 13 • Providing the Mining and Energy Commission three additional months to complete rulemaking;
- 14 • Exempting these regulations from certain phases of the state rule review and approval process;
- 15 • Requiring the state Department of Environment and Natural Resources to retain trade secret information and establishing
16 parameters for disclosure of such to emergency responders; and
- 17 • Levying a state severance tax on the extraction of energy minerals from soil and water, and prohibiting local taxes on the
18 same.

19 Amendments on the Senate floor added a bonding requirement to cover potential environmental damage caused by the drilling
20 process, increased the number of tests required of nearby water supplies after commencement of drilling, and established a penalty for
21 willful disclosure of trade secrets.

22 Commissioner Tunnell moved to adopt “Hyde County Hurricane Irene Recovery Project Budget
23 Ordinance Amended – Project Ordinance 2014-06-02”. Mr. Fletcher seconded the motion. The
24 motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays –
25 None; Absent or not voting – None.

26 *Clerk’s Note: A copy of “Hyde County Hurricane Irene Recovery Project Budget Ordinance Amended – Project
27 Ordinance 2014-06-02” is attached herewith as Exhibit D and incorporated herein by reference.*

28 **Amendment of Animal Control Ordinance for Hyde County**

29 Commissioner Fletcher recommended amendment of the Hyde County Animal Control Ordinance –
30 Section 4-8 (c). Animals that are a public nuisance. With removal of lines 6-8: *“For horses or other
31 large domesticated animals, the animal must be equipped with a manure catcher to immediately
32 prevent manure from soiling or defiling above referenced locations.”*

33 Health Director Wesley Smith reported on the need to add the manure catcher to the ordinance in 2012.

34 After discussion, it was decided the Sheriff may call upon a horse owner to use a manure catcher on
35 his/her horse if they are not cleaning up behind their horses. If the Sheriff’s requests are ignored the
36 person will be in violation of the Animal Control Ordinance as amended.

37 Commissioner Fletcher moved to modify “Amendment of Animal Control Ordinance for Hyde
38 County” adding *if requested to do so by a member of the Hyde County Sheriff’s Department* to line 8.
39 Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Tunnell
and Swindell; Nays – Pugh and Simmons; Absent or not voting – None.

40 *Clerk’s Note: A copy of “Amendment of Animal Control Ordinance for Hyde County” is attached herewith as Exhibit
41 E and incorporated herein by reference.*

42 **Resolutions:**

43 **Resolution Authorizing County Manager To Reconcile Department Budgets**

44 County Manager Rich requested authority to reconcile departmental budgets prior to year-end closeout
45 in accordance with the FY2013-2014 Hyde County Budget Ordinance.

1 Commissioner Fletcher moved to adopt “Resolution Authorizing County Manager to Reconcile
2 Department Budgets.” Mr. Tunnell seconded the motion. The motion passed on the following vote:
3 Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

4 *Clerk’s Note: A copy of “Resolution Authorizing County Manager to Reconcile Department Budgets” is attached
herewith as Exhibit F and incorporated herein by reference.*

5
6 **Resolution Not In Support of The Environmental Protection Agency Removing Language**
7 **Containing “Navigable” Waters In The Waters Of The United States Proposed Rule Under The**
8 **Clean Water Act Amendment**

9 County Manager Rich reported Hyde Soil & Water Conservation District Supervisors request
10 commissioners adopt a joint resolution endorsing the language of “navigable” waters to remain in the
11 Clean Water Act.

12 Commissioner Fletcher moved to adopt “Resolution Not In Support of The Environmental Protection
13 Agency Removing Language Containing “Navigable” Waters In The Waters Of The United States
14 Proposed Rule Under The Clean Water Act Amendment.” Mr. Tunnell seconded the motion. The
15 motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays –
16 None; Absent or not voting – None.

17 *Clerk’s Note: A copy of “Resolution Not In Support of The Environmental Protection Agency Removing Language
18 Containing “Navigable” Waters In The Waters Of The United States Proposed Rule Under The Clean Water Act
Amendment.” is attached herewith as Exhibit G and incorporated herein by reference.*

19 **Appointments:**

20 **Northeast Workforce Development Board (NWDB)**

21 County Manager Rich reported no nominee has been selected to serve on the NWDB to date and
22 request for appointment will be included in the July 7, 2014 Board of Commissioners Meeting Agenda.

23 **Pungo District Hospital Advisory Board**

24 County Manager Rich received request from Belhaven Mayor Adam O’Neal to appoint two members
25 from Hyde County to serve on the new Pungo District Hospital Advisory Board.

26 Commissioner Tunnell asked if Vidant and Pantego Creek, LLC approve of the new PDH Advisory
27 Board.

28 Chairman Swindell stated no action is needed from the Hyde County Board of Commissioners for
29 appointments to the PDH Advisory Board.

30 **Ocracoke Occupancy Tax Board**

31 Commissioner Fletcher, Manager Rich and Clerk Lois Stotesberry will work together to set term
32 lengths for the Ocracoke Occupancy Tax Board. Appointment of the five-member Board will be made
33 at the next regularly scheduled Board of Commissioners meeting on July 7, 2014.

34 The Occupancy Tax Board met on Thursday, May 29th and reported funding results will stay the same.
35 The Ocracoke Health Center did not ask for funding at this meeting; and, the \$180,000.00 grant to
36 Hyde County EMS is a one-time award. The Board cannot obligate itself to fund EMS continuously.

37 Commissioner Tunnell asked would the Island gain an ambulance year round and four new medics
38 with the grant funds.

39 EM Director Justin Gibbs confirmed that with the \$180,000 grant funding the Ocracoke EMS schedule
40 would be modified to include an ambulance year round and four new medics would be assigned to the
41 Island. When the Health Center is not open citizens should call 9-1-1 for assistance. Mr. Gibbs is
42 working on providing a nurse practitioner to see patient’s on the Island when the Center is closed.

43

1 **Hyde County ABC Board**

2 County Manager Rich requested re-appointment of Glenda Williams to the Hyde County ABC Board.
3 Glenda has agreed to serve a three year term which would expire on June 30, 2017. ABC Board
4 member Jim Piland's term will expire in 2015 and Meredith Nicholson's term expires in 2016.

5 Commissioner Simmons moved to re-appoint Glenda Williams to serve on the Hyde County ABC
6 Board for a three year term beginning July 1, 2014 and ending June 30, 2017. Mr. Tunnell seconded
7 the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and
8 Swindell; Nays – None; Absent or not voting – None.

9 **HMGP-Irene Elevation Contract Award**

10 Chris Hilbert of Holland Consulting Planners (HCP) reported on May 27, 2014 a bid opening was held
11 for the elevation of five (5) residential structures in the Scranton area that were flooded during
12 Hurricane Irene in 2011. Three of the bids were over budget and must be rebid. FEMA will pay 75%
13 and the State will pay 25% totaling 100% elevation cost. The two bids that were within budget were:
14 5671 US 264, Scranton (\$47,800) and 8161 Sladesville-Credle Road, Scranton (\$47,800).

15 Commissioner Fletcher moved to authorize Hyde County staff and HCP to award contracts to B&B
16 Construction for the elevation of homes located at 5671 US 264 and 8161 Sladesville-Credle Road in
17 the amounts of \$47,800 each. Mr. Pugh seconded the motion. The motion passed on the following
18 vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting –
19 None.

20 **Engelhard Sanitary District**

21 County Manager Rich presented report on the Engelhard Sanitary District (ESD) Lagoon project.
22 Commissioners Pugh and Simmons, representatives from Rivers and Associates and Tommy Ethridge,
23 ESD Director, met to discuss options to repair the ESD lagoon. Hyde County can assist ESD with
24 grant writing but cannot fund the repair. Manager Rich, Kris Noble and Clint Berry will meet with
25 DENR in Raleigh on Wednesday to discuss funding for the lagoon repair project.

26 **Airport Trapping**

27 Jane Hodges, Airport Director, requested permission to allow Tommy Jennette to trap on airport
28 property from December 1, 2014 to March 1, 2015. Mr. Jennette will not be charged a fee for this and
29 the airport will not get a percentage of money collected from the trapping. He will trap only those
30 animals in their particular season. County Attorney Fred Holscher has prepared Letter of Agreement
31 between Hyde County and Tommy Jennette for trapping permission for the Airport property.

32 Commissioner Fletcher moved to approve Letter of Agreement between Hyde County and Tommy
33 Jennette for trapping permission for the Airport property of Hyde County. Mr. Pugh seconded the
34 motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and
35 Swindell; Nays – None; Absent or not voting – None.

36 **Lifeguard Services Contract**

37 County Manager Rich reported that Sandski, LLC, has agreed to provide lifeguard services at the
38 "Protected Beach" on Ocracoke Island between the hours of 9:00am and 5:00pm two days each week
39 beginning on Saturday, May 24, 2014 through and including Sunday, August 31, 2014.

40 Commissioner Simmons moved to approve Lifeguard Services Contract with Sandski, LLC. Mr. Pugh
41 seconded the motion. The motion passed on the following vote: Ayes –Pugh, Tunnell, Simmons and
42 Swindell; Nays – Fletcher; Absent or not voting – None.

43 **ABC Board Financial Report**

44 Meredith Nicholson, ABC Board Chairman, presented monthly reports on the financial condition of
45 the Hyde County ABC Board. Ms. Nicholson reported a balance of \$42,000.00 in the bank, no past

1 due bills and recent payment of \$300.00 made on the loan from Hyde County. She also reported the
2 ABC Board still has unresolved issues with a \$16,000.00 pension fine, \$1,200.00 penalties and interest
3 and 2006 and 2010 payroll issues with the IRS. The FY2014-2015 ABC Board Budget will be
4 presented at its next regularly scheduled meeting on July 14, 2014 at 6:30pm in the Hyde County
5 Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic
6 conferencing equipment.

7 **Projects Update**

8 Utilities Director Clint Berry presented update on the following projects ongoing in the county:

9 **Government Center** – Curtis Construction won the bid and has begun working on the gutters
10 installing one seamless liner in them. Window repairs will be made next. They will then pressure
11 wash and seal the entire building.

12 **Public Safety Center** – REI will remove anything not needed on the Public Safety Center roof
13 (exhaust fans in the jail) and develop a detailed scope of work, then bid out the project.

14 **East Carolina Bank Building** – pre-bid meeting was held and the County will accept bids for the
15 renovation project on June 13, 2014 at 2:00pm.

16 Commissioner Swindell moved to relinquish rights to the County Manager to approve the Hyde
17 County ECB Renovations Project – Project Ordinance 2014-07-02 with bids not to exceed
18 \$100,000.00. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes –
19 Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

20 *Clerk's Note: A copy of "Hyde County ECB Renovations Project – Project Ordinance 2014-07-02" is attached
21 herewith as Exhibit H and incorporated herein by reference.*

22 **On-line Bill Pay**

23 Utilities Director Clint Berry presented update on the On-line Bill Pay program being introduced in
24 County departments. The Utilities Department went on-line on May 15. A 3% fee has been added to
25 utility bills of customers who use this service. With the on-line bill pay option departments can draft
26 checking accounts and accept debit and credit cards.

27 **2014 Solid Waste Grant**

28 Utilities Director Clint Berry reported the Solid Waste Department has applied for a Community Waste
29 Reduction and Recycling Grant and has been awarded a grant for \$25,125.00 which will require a local
30 match of \$5,025.00 that has been budgeted for. The \$30,025.00 project will consist of a recycling
31 compactor, concrete pad and electrical. The compactor will be put at the Swan Quarter convenience
32 site to reduce the number of pulls which will save Hyde County money. The compactor will compact
33 co-mingled recyclables.

34 Commissioner Fletcher moved to accept the Community Waste Reduction and Recycling Grant for
35 \$25,125.00 and to approve a \$5,025.00 local match for a total grant of \$30,025.00. Mr. Tunnell
36 seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell,
37 Simmons and Swindell; Nays – None; Absent or not voting – None.

38 **Wireless Telecommunications Facility Located on Water Plant Road, Ocracoke**

39 Planning Director Kris Noble reported US Cellular is proposing a 4G Upgrade through a minor
40 modification to an existing wireless telecommunications facility located on 159 Water Plant Road,
41 Ocracoke and owned by the Ocracoke Sanitary District. This minor modification will enhance service
42 to the surrounding community for various mobile devices.

43 Scope of work includes removing 2 older model Analog antennas and adding three new 4G antennas
44 on the existing corral at the existing height on the existing water tank; run the coax cables down the
45 bank bowl using the existing waveguide and penetrations and feed them into the existing shelter;

1 install new 4G equipment cabinets in the shelter; and, use the existing electric service. No height
2 increase to the tower and no footprint changes on the ground are to occur.

3 The Planner has reviewed the Telecommunications Ordinance specifically Article III. Wireless
4 Telecommunications Facilities in regard to the application and has found the application and proposed
5 scope of work to be compliant under the Ordinance. The Board of Commissioners must review and
6 approve applications before the building inspector can permit construction.

7 Commissioner Pugh moved to approve US Cellular 4G Upgrade – Minor Modification Site
8 Development Application To An Existing Wireless Telecommunications Facility Location: Ocracoke
9 Sanitary District Water Tank located at 159 Water Plant Road Ocracoke, NC 27960. Mr. Fletcher
10 seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell,
11 Simmons and Swindell; Nays – None; Absent or not voting – None.

12 **Response To Budget Workshop Questions**

13 **Scheduling Software**

14 EM Director Justin Gibbs reported that per conversation proceeding the Hyde County Board of
15 Commissioners' Budget Meeting, he has prepared a statement summarizing the functionality of our
16 current EMS scheduling software and the consequences of cutting the funding for this service.

17 **Functions:**

- 18 • The ability to build a monthly schedule that can be viewed anywhere and at any time, which
19 allows the employees to observe changes in their schedule and prevents lapses in
20 communication.
- 21 • Employees can submit availability for the month, which eliminates the need to call every
22 individual.
- 23 • The software has a built in messaging system that disseminates messages via phone and email.
- 24 • Employees can submit requests for time off/shift swaps via the scheduler and they can be
25 approved almost immediately.
- 26 • Employees can print their timesheet directly from the scheduler which eliminates the need to
27 produce handwritten timesheets and allows administrators to print a timesheet if an employee
28 forgets to submit one.
- 29 • Administrators can track regular, overtime, and leave hours on the fly, rather than having to
30 wait until timesheets are submitted.
- 31 • Administrators can generate reports (overtime checks, year to date hours, and part-timer
32 statistics).
- 33 • Administrators can track employee credentials and continuing education.
- 34 • Administrators can track vehicle statuses.

35 36 **Consequences of Cutting Funds:**

- 37 • Decreased management efficiency resulting in increased overtime and lapses in
38 communication.
- 39 • Decreased mobility, as employee and administrators would not be able to access information
40 from home or on the go.
- 41 • Decreased tracking capabilities and verification measures.
- 42 • Increased man hours when producing a monthly schedule and processing payroll. We have
43 estimated that producing a schedule, timesheets and processing payroll would take
44 approximately 48 hours combined without (currently these tasks require approximately 7
45 hours).
- 46 • Increased telephone costs, as every employee would have to be called to determine their
47 availability.
- 48 • Increased paperwork for employees and administrators when processing leave requests and
49 timesheets.
- 50 • Delays in submitting payroll if an employee forgets to submit a timesheet.
- 51 • Increased errors by employees when accounting for their hours worked.

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1 **Personnel Consultant and Offsite Storage Contracts:**

2 Health Director Wesley Smith reported he has already signed contracts with both Sylvia Johnson
 3 (Personnel Consultant) and Confidential Records Management, Inc. (CRMI) for offsite storage of
 4 medical records. The one with Sylvia Johnson was recently signed for next Fiscal Year and the one for
 5 CRMI was signed for a 2-year period that ends in October of this year. While confident he can handle
 6 most of the personnel issues (hiring/firing/reduction in force), the State only has one (1) individual
 7 working for the NC Office of State Human Resources to offer assistance to the entire state of North
 8 Carolina. Regarding offsite storage, when the Health Department renovated two years ago (all covered
 9 by our Medicaid Escrow Reserve account without any draw on local county funding), at that time all
 10 available space was utilized and it was decided to move all old Health Department medical records and
 11 other documents offsite for protection (from flooding and for confidentiality/security purposes).

12 **Grant to Ocracoke Day Care**

13 County Manager Rich presented request for \$35,000.00 grant to Ocracoke Day Care from the
 14 Ocracoke Occupancy Tax Board for Commissioners approval.

15 Commissioner Tunnell moved to approve \$35,000.00 grant to Ocracoke Day Care pending final
 16 approval from the Ocracoke Occupancy Tax Board. Mr. Pugh seconded the motion. The motion
 17 passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None;
 18 Absent or not voting – None.

19 **Budget Revisions**

(FO Use) BR#	Department	Account #	Line Item Account Name/ Explanation	Debit	Credit
Sheriff	Sheriff	TBD	Executions-Property Sale	\$ 450.00	
	***	TBD	Executions-Property Sale		\$ 450.00
	<i>Additional monies received. Does increase budget.</i>			\$ 450.00	\$ 450.00
Health BR35-14	Family Planning	10-5950.4600	Medical Supplies	\$ 2,678.00	
	***	10-3480.0003	Revenue – Family Planning (State)		\$ 2,678.00
	<i>Hyde County Health Department is receiving additional funds as a result of recently received carry forward Title X funds. These additional funds are to be used during the period June 1-29, 2014 only and will be used to purchase long-acting contraceptive devices. While this revision does increase the budget for the Family Planning Program, there will be no expense locally to the County of Hyde.</i>			\$ 2,678.00	\$ 2,678.00
Health BR36-14	Home Health	50-5800.1610	Computer Support/Maintenance	\$ 600.00	
	***	50-5800.4710	Cost Report Contract Services		\$ 600.00
	<i>Transferring funds from Cost Report Contract Services line into Computer Support/Maintenance line in the Home Health budget. This transfer is necessary to upgrade the two notebooks used by Home Health nurses in the field from Windows XP to Windows 7. This revision does not increase the budget for the Home Health program.</i>			\$ 600.00	\$ 600.00
Co-Op Extension	4-H	73.6802.0045	Services	\$ 1,200.00	
	***	73.3590.0000	Fees Collected		\$ 1,200.00
	<i>Additional monies received. Does increase 4-H budget.</i>			\$ 1,200.00	\$ 1,200.00
Co-Op Extension	JCPC	10.3460.0008	JCPC		\$ 2,100.00
	***	10.6040.4500	Other Services	\$ 2,100.00	
	<i>Additional monies received. Does increase budget</i>			\$ 2,100.00	\$ 2,100.00
Co-Op Extension	JCPC	10.6040.2020	Part-time		\$ 2,000.00
	***	10.6040.3200	Supplies		\$ 288.00
	***	10.6040.4500	Other Services	\$ 288.00	
	***	10.6040.4500	Other Services		\$ 750.00
	***	10.6040.4500	Other Services	\$ 3,312.00	
	***	10.6040.5400	Insurance		\$ 562.00
	<i>Approved JCPC budget revision. Does not increase budget.</i>			\$ 3,600.00	\$ 3,600.00
Finance	Sales & Use Tax	10.6810.0974	ART 40	\$ 34,000.00	
	***	10.6810.0975	ART 42	\$ 32,000.00	
	***	10.3940.0002	ART 40		\$ 34,000.00
	***	10.3940.0003	ART 42		\$ 32,000.00
	<i>Sales Tax collected in excess of budgeted amount. Does increase the budget.</i>			\$ 66,000.00	\$ 66,000.00

(FO Use) BR#	Department	Account #	Line Item Account Name/ Explanation	Debit	Credit	
Finance	Admin	10.4200.1101	Cell Phone	\$ 1,750.00		
	Admin	10.4200.7420	Phone Equipment Lease Payments	\$ 750.00		
	Tax	10.4600.7501	Computer Support	\$ 3,500.00		
	ROD	10.4800.1100	Telephone	\$ 500.00		
	Planner	10.4900.1100	Telephone	\$ 250.00		
	Maintenance	10.5000.1300	Utilities	\$ 5,000.00		
	Sheriff	10.5100.7401	Copier Lease	\$ 1,500.00		
	Solid Waste	10.5750.1500	Site Improvements-Ocracoke	\$ 2,500.00		
	Solid Waste	10.5750.7400	Equipment	\$ 100.00		
	EMS	10.5920.4601	Oxygen	\$ 500.00		
	Co-Op Extension	10.6060.1100	Telephone	\$ 500.00		
	Admin	10.4200.1200	Postage		\$ 750.00	
	Admin	10.4200.5438	Drug Testing Fees		\$ 700.00	
	Admin	10.4200.7400	Equipment		\$ 1,000.00	
	Elections	10.4300.0500	FICA		\$ 500.00	
	Elections	10.4300.0700	Retirement		\$ 750.00	
	Elections	10.4300.1100	Telephone		\$ 700.00	
	Elections	10.4300.2020	Part-time		\$ 3,000.00	
	Finance	10.4400.1100	Telephone		\$ 500.00	
	Finance	10.4400.7400	Equipment		\$ 500.00	
	HR	10.4500.1200	Postage		\$ 250.00	
	HR	10.4500.1400	Travel		\$ 250.00	
	Maintenance	10.5000.1500	Maintenance & Repairs		\$ 5,000.00	
	Maintenance	10.5000.7400	Equipment		\$ 1,000.00	
	Maintenance	10.5000.7426	Ocracoke Building Improvements		\$ 1,900.00	
	<i>Fiscal Year End Entries. Does not increase the budget.</i>				\$ 16,850.00	\$ 16,850.00
	Emergency Mgt.	EM	10.5250.3100	Gas, Oil & Tires		\$ 800.00
***		10.5920.3300	Supplies	\$ 800.00		
<i>Transfer to cover supply expenses for the remainder of the fiscal year. Does not increase the budget.</i>				\$ 800.00	\$ 800.00	
Emergency Mgt.	EMS	10.5920.0200	Salaries Full-time		\$ 22,000.00	
	EMS	10.5920.0220	Overtime	\$ 12,000.00		
	EMS	10.5920.0600	Group Insurance Expense	\$ 1,000.00		
	EMS	10.5920.1700	Vehicle Maintenance	\$ 4,000.00		
	EMS	10.5920.3100	Gas, Oil & Tires	\$ 1,000.00		
	EMS	10.5920.3200	Office Supplies	\$ 1,000.00		
	EMS	10.5920.4600	Medical Supplies	\$ 1,000.00		
	EMS	10.5920.4601	Oxygen	\$ 2,000.00		
<i>Transfer to cover expenses for the remainder of the fiscal year. Does not increase the budget.</i>				\$ 22,000.00	\$ 22,000.00	
Emergency Mgt.	ETSF	74.7200.1101	Telephone Repair Costs		\$ 1,000.00	
	ETSF	74.7200.1103	Telephone Service Provider Costs		\$ 2,500.00	
	ETSF	74.7200.1400	Tele-communicator Furniture		\$ 1,000.00	
	ETSF	74.7200.1503	Hardware & Software Operational Costs		\$ 1,000.00	
	ETSF	74.7200.9800	Training		\$ 2,000.00	
	ETSF	74.7200.1100	Telephone System Maintenance	\$ 1,000.00		
	ETSF	74.7200.1102	Non-recurring Telephone Costs	\$ 2,000.00		
	ETSF	74.7200.1500	Hardware & Software Maintenance	\$ 1,500.00		
	ETSF	74.7200.1502	Non-recurring Hardware & Software Costs	\$ 3,000.00		
<i>Transfer to cover expenses for the remainder of the fiscal year. Does not increase the budget.</i>				\$ 7,500.00	\$ 7,500.00	

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Commissioner Pugh moved to approve the eleven (11) budget transfers as presented. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

1 **Management Reports:**

2 Commissioner Fletcher – encouraged attendance at the Highway and Ferries meeting on June 11 at
3 1:00pm in Dare County. Manager Rich will attend.

4 Commissioner Simmons – attended the Engelhard Sanitary District meeting.

5 Commissioner Pugh – attended the Engelhard Sanitary District meeting.

6 Commissioner Tunnell – attended the Ocracoke Fireman’s Ball and reported the dike committee is
7 active and doing repairs.

8 Chairman Swindell – attended Relay for Life kickoff meeting and reported Hyde County is the highest
9 fund raising county in the nation per capita. In 2003 Relay for Life raised in excess of \$50,000.00.

10 Manager Rich – plans to attend the Ferry Division and Coast Guard first public meeting along with
11 NCDOT Ferry Division Director Ed Goodwin on Monday June 9. Mr. Rich has prepared talking
12 points for Ocracoke Inlet. Norman Miller and Ernie Doshier reported problems with markers and
13 working in the inlet. Senate bills to eliminate ferry tolls and restore school funding are being
14 discussed.

15 Manager Rich also presented his April Calendar.

16 **Public Comments:**

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18 Chairman Swindell called for comments from the public.

19 Cheryl Ballance, CEO of Ocracoke Health Center, requested that regardless of who sits on the
20 Occupancy Tax Board it be run like a grant process with a points system in place. Ms. Ballance
21 reported the Health Center would like to continue with the funds request as proposed by the Health
22 Center Board.

23 Sue Pentz, Chairperson for both the Ocracoke and Hyde County Health Center Board, stated that
24 Wayne Clark of the Ocracoke Occupancy Tax Board reported no request for funding for the Health
25 Center was on their meeting agenda and that they did not know the Board of Commissioners moved to
26 direct the Occupancy Tax Board to meet again and give the Ocracoke Health Center an opportunity to
27 appeal their recommendation to not fund the Center and to re-present its request for funding. The
28 Health Center Board would appreciate a second chance to be heard.

29 Commission Fletcher questioned where the Occupancy Tax Board found \$35,000.00 for Ocracoke Day
30 Care if no funding is available.

31 Darlene Styron, Ocracoke business owner and resident, stated she is disappointed with the
32 modifications made to the Animal Control Ordinance and that the \$35,000.00 for Ocracoke Day Care
33 was put on hold at the first Occupancy Tax Board’s funding request meeting.

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

35 **Closed Session (none)**

36 **Adjourn**

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

40 The meeting adjourned at 7:55p.m.

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42 Respectfully submitted:

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44 Minutes approved on the 7th day of July, 2014.

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

Barry Swindell
Chair, Hyde County Board of Commissioners

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6 Attachments:

- 7 Exhibit A: "Hyde County FY2014-2015 Budget Ordinance"
8 Exhibit B: "Hyde County Public Safety Center Roof Repair Project - Project Ordinance 2014-06-02"
9 Exhibit C: "Hyde County Flood Damage Prevention Ordinance – Amendment No. 3"
10 Exhibit D: "Hyde County Hurricane Irene Recovery Project Budget Ordinance Amended – Project Ordinance 2014-06-02"
11 Exhibit E: "Amendment of Animal Control Ordinance for Hyde County"
12 Exhibit F: "Resolution Authorizing County Manager to Reconcile Department Budgets"
13 Exhibit G: "Resolution Not In Support of The Environmental Protection Agency Removing Language Containing "Navigable" Waters
14 In The Waters Of The United States Proposed Rule Under The Clean Water Act Amendment"
15 Exhibit H: "Hyde County ECB Renovations Project – Project Ordinance 2014-07-02"

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Emergency Meeting Minutes

**Board of County Commissioners
Hyde County**

Tuesday, July 2, 2014

Chairman Barry Swindell called the Emergency Meeting of the Hyde County Board of Commissioners to order at 11:30am on Tuesday, July 2, 2014, via telephone conference.

The following members attended via telephone on the mainland: Commissioners Earl Pugh, Jr., Dick Tunnell, Benjamin Simmons, III and Barry Swindell; Attorney Fred Holscher; County Manager Bill Rich; Clerk to the Board Lois Stotesberry; Emergency Manager Justin Gibbs; and, Public Information Officer Sarah Johnson.

The following member attended via telephone on Ocracoke: Commissioner John Fletcher.

Tropical Storm Arthur

Emergency Management Director Justin Gibbs presented current weather advisory on tropical storm Arthur. NOAA advisory places tropical storm Arthur 40 miles east of Ocracoke Island between 9:00am and 10:00am on Thursday morning with sustained tropical storm force winds of 36 to 43 knots. Peak winds of 49 to 59 knots are expected early Friday morning subsiding around 10:00am. Storm surge is projected between 0 and 3 feet above ground for Ocracoke and mainland Hyde County.

Manager Rich reported the National Park Service (NPS) Campground will close at noon with lifeguard services suspended. Ferries will be available for evacuation through the night if necessary.

After discussion, Commissioner Fletcher moved to establish a county-wide State of Emergency with no restrictions and with voluntary evacuation on Ocracoke. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Proclamation – State of Emergency for Hyde County – Tropical Storm Arthur" is attached herewith as Exhibit A and incorporated herein by reference.

Closed Session (none)

Adjourn

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

The meeting adjourned at 11:45a.m.

Respectfully submitted:

Minutes approved on the 7th day of July, 2014.

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

Barry Swindell
Chair, Hyde County Board of Commissioners

Attachments:

Exhibit A: "Proclamation – State of Emergency for Hyde County – Tropical Storm Arthur"

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: July 7, 2014
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: July 7, 2014
Presenter: Robert Griffin, AIA, Griffin Architecture
Attachment: Yes

ITEM TITLE: AMEND HYDE COUNTY ECB RENOVATIONS PROJECT
ORDINANCE NO. 2014-07-02

SUMMARY: Architect Robert Griffin will present update on the East Carolina Bank Building renovations project and the need to amend Ordinance No. 2014-07-02.

RECOMMEND:

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

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

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

Hyde County ECB Renovations Project

Project Ordinance 2014-07-02

AMENDED

Be it ordained by the Board of Commissioners of Hyde County, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted:

Section 1. The project authorized is the Hyde County ECB Renovations Project.

Section 2. Hyde County staff is hereby directed to proceed with the Hyde County ECB Renovations Project within the terms of the document(s), and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project activities:

		<u>AMENDED</u>
Capital Reserve	<u>\$ 100,000.00</u>	<u>\$155,927.75</u>
Total Project	\$100,000.00	\$155,927.75

Section 4. The following amounts are appropriated for completion of the project activities:

Construction Services	91,967.00	\$129,455.00
Contingency (%)	0	\$ 6,472.75
Engineering Services	<u>8,033.00</u>	<u>\$ 20,000.00</u>
Total Project	\$100,000.00	\$155,927.75

Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records.

Section 6. The Finance Officer is directed to report on the financial status of each project element in Section 4.

Section 7. Copies of this Project Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Adopted this 7th day of July 2014

ATTEST

Barry Swindell, Chair
Hyde County Board of Commissioners

Clerk to the Board

SEAL

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

Meeting Date: July 7, 2014
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: RESOLUTIONS

SUMMARY: The following resolutions will be presented for Board consideration:

1. Resolution Relating To The Budget For Fiscal Year 2014-2015

Motion Made By:	<input type="checkbox"/> Barry Swindell	Motion Seconded By:	<input type="checkbox"/> Barry Swindell	Vote:	<input type="checkbox"/> Barry Swindell
	<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell
	<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons
	<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher
	<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.

2. Resolution Opposing Joint Enforcement For North Carolinas Marine Patrol

Motion Made By:	<input type="checkbox"/> Barry Swindell	Motion Seconded By:	<input type="checkbox"/> Barry Swindell	Vote:	<input type="checkbox"/> Barry Swindell
	<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell
	<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons
	<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher
	<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.

3. Resolution Encouraging A Pilot Program To Increase Student Enrollment At Elizabeth City State University By The UNC Board of Governors And/Or The North Carolina General Assembly

Motion Made By:	<input type="checkbox"/> Barry Swindell	Motion Seconded By:	<input type="checkbox"/> Barry Swindell	Vote:	<input type="checkbox"/> Barry Swindell
	<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell
	<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons
	<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher
	<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.

4. Letter of Resolution In Support of Farm Technology

Motion Made By:	<input type="checkbox"/> Barry Swindell	Motion Seconded By:	<input type="checkbox"/> Barry Swindell	Vote:	<input type="checkbox"/> Barry Swindell
	<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell		<input type="checkbox"/> Dick Tunnell
	<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons		<input type="checkbox"/> Ben Simmons
	<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher		<input type="checkbox"/> John Fletcher
	<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.		<input type="checkbox"/> Earl Pugh, Jr.

RECOMMEND: Adopt.



**BOARD OF COMMISSIONERS
OF THE COUNTY OF HYDE
NORTH CAROLINA**

**RESOLUTION
RELATING TO THE BUDGET
FOR FISCAL YEAR 2014-2015**

WHEREAS, the Board of County Commissioners desires to establish a detailed fiscal year budget (July 1, 2014 through June 30, 2015) for the County of Hyde, North Carolina, and;

WHEREAS, the Board of Commissioners is adopting a Budget Ordinance for the July 1, 2014 – June 30, 2015 fiscal year and said Ordinance incorporates this Resolution into the Ordinance as the budget for Hyde County for this period;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Hyde County, North Carolina meeting this 2nd day of June, 2014, does hereby adopt the attached document entitled “FY2014-2015 Hyde County Budget” (that is evidenced by the County Manager’s initials on the bottom of each page of the document) as the fiscal year budget for Hyde County for the period beginning July 1, 2014 and ending June 30, 2015 and;

BE IT FURTHER RESOLVED that the Board of Commissioners hereby adopts the following goals regarding items contained within the attached “FY2014-2015 Hyde County Budget:”

1. The County Commissioners shall continue to make economic development, community development and tourism that creates quality job opportunities and increases the tax base a very high priority.
2. The County Commissioners shall continue to support the expansion of infrastructure services to the citizens of the County.
3. The County Commissioners shall continue to expect a high level of customer service in all interactions with County government.

BE IT FURTHER RESOLVED that the Board of Commissioners hereby adopts the following County Manager’s objectives regarding items contained within “FY2014-2015 Hyde County Budget,” and additional expectations and commitments as follows:

1. Maintain Hyde County’s General Fund Balance at a minimum of four million five hundred thousand dollars (\$4,500,000.00) by June 30, 2015.

2. Operate within the adopted budget with an emphasis on cost savings and reduced expenses.
3. Recover all FEMA approved funds due Hyde County. (approximately \$600,000.00)
4. Sell and/or lease those surplus properties owned by Hyde County.
5. Use FEMA lands for community and County use (i.e.) gardens, vineyards, etc.
6. Stimulate the local economy in an effort to increase sales and alcohol tax.
7. Continue to participate with the Hyde County Tax Department and our Legal Support to aggressively collect delinquent taxes.
8. Work with the Tax Office to increase collection rate by two percentage points.
9. Continue with the UAV program and how that correlates with aerospace technology and engineering.
10. Develop a long-term plan to establish remote campuses for regional outreach and industrial development with East Carolina University, Beaufort County Community College, Elizabeth City State University and/or College of the Albemarle.
11. Aggressively pursue, with the Planning Department and our Public Information Officer and our MPA assistant to the manager appointment, grants and programs to bring economic and environmental improvement to Hyde County.
12. Promote and stimulate the ecological and environmental beauty of Hyde County as a tourist attraction.
13. Draw a small percentage of tourism from Dare County and entice tourist to visit mainland Hyde County and Ocracoke for overnights, great meals and outdoor exploration.
14. Continued preparedness to deal with incidents and disasters.
15. Study and implement ways to save on fuel and vehicular maintenance and IT maintenance and support.
16. Work with North Carolina Department of Commerce in attracting new and conducive industry to Hyde County.
17. Continue to work with our Lobbyist to maintain total communication with our state and federal elected officials.
18. Continue to improve storm water run-off on the streets of Ocracoke.

19. Continue curbside community chipping and mulch operations on Ocracoke.
20. See NO INCREASES in Hyde County real estate tax rate.
21. See NO INCREASES in Hyde County ferry tolls.
22. Stay active in the community-Meals on Wheels, Senior Center, 4-H, etc.
23. Research and update those properties in Hyde which have a responsibility for charging occupancy tax.
24. Continue to work with Hyde Transit for enhanced public transit on Ocracoke (trams and trolleys) through state funded purchase programs.
25. Creatively explore regionalization which could result in efficiency of scale and costs savings.
26. Continue in our efforts to make Hyde County EMS the best that it can be as our direct link to healthcare providers in our very rural and remote county.

BE IT FURTHER RESOLVED that any narrative language contained in the attached budget document and this Resolution is subordinate to any language in conflict with the Budget Ordinance in which this Resolution is referenced but that any figures and narrative language contained in this Resolution or the attached budget document is otherwise binding; and,

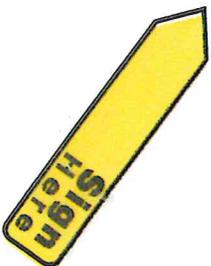
BE IT FURTHER RESOLVED that a copy of this resolution, shall be recorded in the minutes of the Board of Commissioners but that the original version of the attached "FY2014-2015 Hyde County Budget" with the Budget Officer's initials on each page shall be kept on file in the office of the Clerk to the Board of County Commissioners.

Duly adopted the 7th day of July, 2014.

Attested by:

Barry Swindell, Chair
Hyde County Board of Commissioners

Lois Stotesberry, Clerk
Hyde County Board of Commissioners



COUNTY OF HYDE

Board of Commissioners

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

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



RESOLUTION

OPPOSING JOINT ENFORCEMENT FOR NORTH CAROLINAS MARINE PATROL

WHEREAS; Joint Enforcement Authority would permit North Carolinas Marine Patrol Officers to enforce federal fisheries regulations that do not always mirror STATE regulations; STATES RIGHTS

WHEREAS; North Carolina has jurisdiction of Atlantic waters from shore out to three miles, and already manages and enforces regulation in these waters; STATES RIGHTS

WHEREAS; The recently exposed (by the US Inspector General) corruption in the enforcement branches of the National Oceanic and Atmospheric Administration (NOAA) and National Marine Fisheries Service (NMFS), adds to the validity that less Federal involvement in STATES affairs is prudent; STATES RIGHTS

WHEREAS; Just because some other states have joint enforcement (many are not happy with it, and cannot reverse it), it is not a reason for NC to implement it; STATES RIGHTS

WHEREAS; Money accepted by NC (from the federal government) to implement the enforcement would never be sent without strings attached (i.e., you have to accept federal law); NOT STATES RIGHTS

WHEREAS; The Fisheries Reform Act of 1997 states that NC has one of the MOST DIVERSE fisheries in the United States, and NORTH CAROLINA will manage and regulate our coastal fishery resources; STATES RIGHTS

SO LET IT BE RESOLVED THAT; The Hyde County Board of Commissioners requests the NC General Assembly to oppose "Joint Enforcement Authority" and honor the Fisheries Reform Act, allowing NC to continue managing our own resource.

The Hyde County Board of Commissioners unanimously adopts this update to the Opposition to Joint Enforcement Authority on this the 7th day of July, 2014, in Hyde County, North Carolina.

ATTEST:



Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

COUNTY OF HYDE

Board of Commissioners

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

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



RESOLUTION

ENCOURAGING A PILOT PROGRAM TO INCREASE STUDENT ENROLLMENT AT ELIZABETH CITY STATE UNIVERSITY BY THE UNC BOARD OF GOVERNORS AND/OR THE NORTH CAROLINA GENERAL ASSEMBLY

WHEREAS, although now removed from the Appropriations Act of 2014, Section 11. 6 of Senate Bill 744 provided for a study of the feasibility of dissolving any constituent institution whose fall full time equivalent student enrollment declined by more than twenty percent between the 2010-2011 fiscal year and the 2013-2014 fiscal year and to develop a plan for its dissolution; and,

WHEREAS, Elizabeth City State University is the only campus in the 17-member University of North Carolina system that meets this stated criteria; and,

WHEREAS, it is acknowledged and agreed that Elizabeth City State University has suffered an enrollment decline in recent years, which has led to a significant budget shortfall; however, major steps have been taken to address these enrollment and budget challenges and progress is being made under the direction of capable University leadership; and,

WHEREAS, the Hyde County Board of Commissioners supports all efforts by Elizabeth City State University and the UNC Board of Governors to increase student enrollment, encourage a chancellor, and retain qualified and dedicated instructors and staff, because the loss of the University would do irreparable harm to the economy of Elizabeth City, Pasquotank County and Northeastern North Carolina and deny educational opportunity to a populace that might otherwise not be able to attain a higher education and the better life afforded by that education; and,

WHEREAS, local government officials in Northeastern North Carolina have long realized that partnering in a regional approach to economic development is the most prudent course to follow for an economically-challenged region such as Elizabeth City, a concept embraced by Governor Pat McCrory when he encouraged capitalizing on the region's close proximity to Hampton Roads, Virginia; and,

WHEREAS, in times of flat and/or declining state appropriations as now is being experienced, allowing out-of-state enrollment at an in-state tuition rate would serve to augment a declining student enrollment and enhance student quality; and,

WHEREAS, Elizabeth City State University is currently unable to fill its available student seats with in-state college entrants; and,

WHEREAS, Elizabeth City State University is uniquely located within close proximity of a major metropolitan area in the State of Virginia.

NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners supports and encourages the development of a pilot program by the UNC Board of Governors and/or the General Assembly to allow students living within a distance of seventy miles from Elizabeth City to be allowed to pay in-state tuition rates to attend Elizabeth City State University.

Adopted this the 7th day of July, 2014, in Hyde County, North Carolina.

ATTEST:



Lois Stotesberry, Clerk to the Board

Barry Swindell, Chairman

COUNTY OF HYDE

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

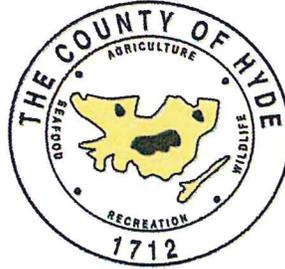
Board of Commissioners

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCC
Clerk to the Board



July 7, 2014

Senator Kay Hagan
521 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Hagan:

Agriculture is the backbone of the economy in Eastern North Carolina. Many of our communities still revolve around the farm, and we have always done our best to protect our farmers. This is why we are asking you to encourage the administration to begin approving the backlog of products to protect American corn and soybeans from increasingly resistant weeds, an issue that threatens growth. I strongly urge you to represent the farmers and consumers in our state by expressing to the Administration your wish that the U.S. Department of Agriculture (USDA) and Environmental Protection Agency (EPA) complete the approval process for new technologies to combat herbicide resistance. The first of these, the Enlist Weed Control System, with its new corn and soybean traits, has been held up for nearly five years.

American agriculture is responsible for 1 in 12 American jobs. In order to ensure competitive advantage for our farmers need modern tools. The delay in access to these new products has led to greater soil loss, water waste, and fossil fuel use on American farms. The longer the delay, the greater lost economic potential and the greater the environmental damage. The number of acres of cropland infested by resistant weeds has more than doubled since 2009.

The fact that these crops have been under review for so many years is frankly absurd. The American people deserve a straightforward, science-based outcome, and EPA and USDA scientists have already signed off on these products.

Biotechnological innovation is vital to our country as we proceed into a competitive, hungry, and rapidly changing 21st century world. America cannot be a leader in agriculture if promising and tested products are held up for years without scientific

cause. Regulatory authorities in Canada have already approved Enlist corn and soybeans and Enlist Duo herbicide, and EPA scientists have already deemed the products safe. American farmers need new technology to compete and do not deserve this delay.

Please do right by our farmers and biotech innovators. Please encourage the administration to end their longstanding political hold on these products and get U.S. farmers the tools they need.

Thank you,

Barry Swindell, Chairman
Board of Commissioners



CC:

- Valarie Jarrett, Senior Advisor to the President and Assistant to the President for Public Liaison and Intergovernmental Affairs
viarrett@who.eop.gov
- Rob Nabors, Assistant to the President & Deputy Chief of Staff for Policy
rnabors@who.eop.gov
- David Agnew, Director of Intergovernmental Affairs
The White House
Washington, DC 20500
Email: [David P. Agnew@who.eop.gov](mailto:David.P.Agnew@who.eop.gov)
Twitter: @DavidAgnew44
- Brian Baenig, USDA Chief of Staff
brian.baenig@osec.usda.gov
- Krysta Harden
krysta.harden@osec.usda.gov

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: July 7, 2014
Presenter: Commissioner John Fletcher
Attachment: Yes

ITEM TITLE: APPOINTMENTS – OCRACOKE OCCUPANCY TAX BOARD

SUMMARY: At its regularly scheduled meeting on June 2, 2014 Commissioner Fletcher, Manager Rich and Clerk Lois Stotesberry were directed to work together to set term lengths for the Ocracoke Occupancy Tax Board. It is recommended to set staggered three (3) year terms for the five-member Board.

Commissioner Fletcher proposes to remove Martha Garrish and Wayne Clark from the Ocracoke Occupancy Tax Board and add Kenneth C. Ballance and David Styron.

Appointments and term lengths proposed are as follows:

<u>One Year Term</u>	<u>Two Year Term</u>	<u>Three Year Term</u>
Trudy Austin	Frank Brown	Marlene Gaskill Matthews
	Clayton Gaskill	David Styron

RECOMMEND: Appoint members and set term length.

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

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

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

Ocracoke Occupancy Tax Board

Appointments will be made at or before the July meeting of each year

Note: 06-18-2012 Commissioners Meeting Minutes

All terms are 3 years, staggered. Note: 07-07-2014 Commissioners Meeting Minutes

Scheduled Meetings: Quarterly

	Appointed	Re-appointed	Expires	Re-appointed	Term Remaining	Expires
Trudy Austin P.O. Box 790 Ocracoke, NC 27960 252-928-2840 (home) 252-921-0102 (cell) tootoo4you@embarqmail.com		08/06/2012	07/15/2013	07/07/2014	1 yr. of 3 yr. term	07/07/2015
Frank Brown P.O. Box 475 Ocracoke, NC 27960 252-928-4367 (work) 252-588-0134 (home) frankandjude@embarqmail.com	08/06/2012		07/15/2013	07/07/2014	2 yrs. of 3 yr. term	07/07/2016
Clayton Gaskill P.O. Box 512 Ocracoke, NC 27960 252-928-7491 ecgaskill@yahoo.com	08/06/2012		07/15/2013	07/07/2014	2 yrs. of 3 yr. term	07/07/2016
Marlene Gaskill Matthews P.O. Box Ocracoke, NC 27960		07/07/2014			3 yr. term	07/07/2017
David Styron P.O. Box Ocracoke, NC 27960		07/07/2014			3 yr. term	07/07/2017

	Appointed	Re-appointed	Expires	Re-appointed	Term Remaining	Expires
Stella O'Neal, Chair P.O. Box 374 Ocracoke, NC 27960 252-928-4221 (home) 252-928-7571 (work)			08/06/2012			
Cyndi Gaskill P.O. Box 326 Ocracoke, NC 27960	05/03/2004		08/06/2012			
Wayne Clark, Chairman P.O. Box 262 Ocracoke, NC 27960 252-928-4801 hwclark@edwardsofocracoke.com	08/06/2012		07/15/2013	(out on 07/07/2014)		
Martha Garrish P.O. Box 272 Ocracoke, NC 27960 928-9061 or 928-4251 252-921-0125 (cell) marthagarrish@ocracokeislandrealty.com	12/18/2006		07/15/2013	(out on 07/07/2014)		

HYDE COUNTY OCCUPANCY TAX ORDINANCE

The Hyde County Board of Commissioners enacts: An Occupancy Tax

(a) Authorization and scope. The Hyde County Board of Commissioners by resolution, levy a room occupancy tax of three percent (3%) of the gross receipts derived from the rental of any room, lodging, or accommodation furnished by a hotel, motel, inn, tourist camp, or similar place within the county that is subject to sales tax imposed by the State under G.S. 105-164.4(a)(3). This tax is in addition to any State or local sales tax. This tax does not apply to accommodations furnished by nonprofit charitable, educational, or religious organizations.

(b) Collection. Every operator of a business subject to the tax levied under this section shall, on and after the effective date of the levy of the tax, collect the tax. This tax shall be collected as part of the charge for furnishing a taxable accommodation. The tax shall be stated and charged separately from the sales records, and shall be paid by the purchaser to the operator of the business as trustee for and on account of the county. The tax shall be added to the sales price and shall be passed on to the purchaser instead of being borne by the operator of the business. The county shall design, print, and furnish to all appropriate businesses and persons in the county the necessary forms for filing returns and instructions to ensure the full collection of the tax.

(c) Administration. The county shall administer a tax levied under this section. A tax levied under this section is due and payable to the county finance officer in monthly installments on or before the fifteenth day of the month following the month in which the tax accrues. Every person, firm, corporation, or association liable for the tax shall, on or before the fifteenth day of each month, prepare and render a return on a form prescribed by the county. The return shall state the total gross receipts derived in the preceding month from rentals upon which the tax is levied.

A return filed with the county finance officer under this section is not a public record as defined by G.S. 132-1 and may not be disclosed except as required by law.

(d) Penalties. A person, firm, corporation or association who fails or refuses to file the return required by this section shall pay a penalty of TEN DOLLARS (\$10.00) for each day's omission. In case of failure or refusal to file the return or pay the tax for a period of thirty (30) days after the time required for filing the return or for paying the tax, there shall be an additional tax, as a penalty, of five percent (5%) of the tax due in addition to any other penalty, with an additional tax

of five percent (5%) for each additional month or fraction thereof until the tax is paid. The board of commissioners may, for good cause shown, compromise or forgive the additional tax penalties imposed by this subsection.

Any person who willfully attempts in any manner to evade a tax imposed under this section or who willfully fails to pay the tax or make and file a return shall, in addition to all other penalties provided by law, be guilty of a misdemeanor and shall be punishable by a fine not to exceed ONE THOUSAND DOLLARS (\$1,000.00), imprisonment not to exceed six (6) months, or both.

(e) Use of tax revenue. Hyde County may use the proceeds of the occupancy tax for any public purpose; however, ninety percent (90%) of the tax collected from the mainland shall be budgeted for the benefit of the mainland and ninety percent (90%) of the tax collected from Ocracoke Island shall be budgeted for the benefit of Ocracoke Island, after consultation with the Advisory Committees appointed pursuant to Section (f) of this Ordinance.

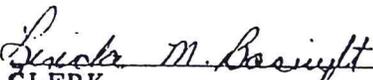
(f) Advisory Committee. The County Commissioners shall annually appoint two (2) Advisory Committees: one, consisting of five (5) mainland residents; and one, consisting of five (5) Ocracoke Island residents; two (2) of which shall be nominated by the Ocracoke Civic & Business Association, Inc. The purpose of the committees will be to make recommendations to the Board of Commissioners regarding the budgeting of the ninety percent (90%) shares for their respective areas, the mainland and Ocracoke Island.

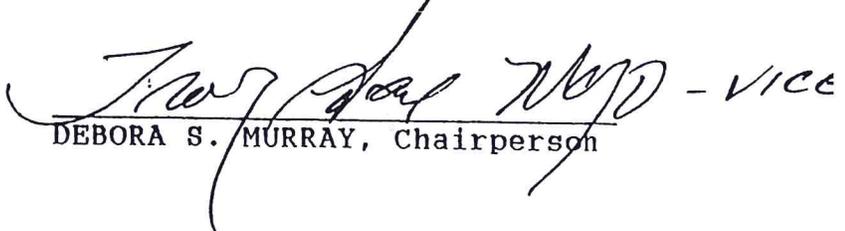
(g) Effective date of levy. July 1, 1992.

(h) Repeal. A tax levied under this section may be repealed by a resolution adopted by the Hyde County Board of Commissioners. Repeal of a tax levied under this section shall become effective on the first day of a month and may not become effective until the end of the fiscal year in which the repeal resolution was adopted. Repeal of a tax levied under this section does not affect a liability for a tax that was attached before the effective date of the repeal, nor does it affect a right to a refund of a tax that accrued before the effective date of the repeal.

ADOPTED this 18th day of May, 1992.

HYDE COUNTY BOARD OF
COMMISSIONERS


CLERK

 - VICE
DEBORA S. MURRAY, Chairperson

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

Meeting Date: July 7, 2014
Presenter: County Manager Bill Rich
Attachment: No

ITEM TITLE: APPOINTMENT TO NWDB

SUMMARY: At its last regularly scheduled meeting on June 2, 2014, County Manager Rich reported no one had been nominated to serve on the Northeast Workforce Development Board. Candidates will be nominated to serve on the NWD Board.

RECOMMEND: Appointment.

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

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

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

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: July 7, 2014
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: APPOINTMENT TO ALBEMARLE COMMISSION AREA AGENCY
ON AGING OMBUDSMAN PROGRAM

SUMMARY: The Hyde County Nursing Home Community Advisory Committee members advocate for the residents of long term care.

The Albemarle Commission Area Agency on Aging Ombudsman Program has requested one new appointment and four reappointments to the Nursing Home Community Advisory Committee. The Commission requests appointment of Karen Meekins and re-appointment of Frances House, Linda Flowers, Judy Harris, and Isabelle Holmes.

RECOMMEND: Appointment.

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

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

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



Tracey Johnson
Board Chair

Bert Banks
Executive Director

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

Dear Mr. Rich:

Thank you so much for your on-going support of the Albemarle Commission Area Agency on Aging Ombudsman Program. The Hyde County Nursing Home Community Advisory Committee members continue to do a superb job advocating for the residents of long term care.

I am writing to request 1 new appointment and 4 reappointments to Nursing Home Community Advisory Committee. Frances House, Linda Flowers, Judy Harris, and Isabelle Holmes are members still operating in good faith even though their terms of office have expired. Karen Meekins is a new appointee; she has become acquainted with the committee and is willing to serve. Please make these appointments at your next board meeting. Contact information for each committee member is listed below.

Linda Flowers
32380 US Hwy 264
Engelhard, NC 27824
(252) 925-5021

Frances House
624 W. Waterway Drive
Belhaven, NC 27810
(252) 943-9943

Judy Harris
17700 US Hwy 264
Swan Quarter, NC 27885
(252) 441-1365

Isabelle Holmes
279 White Plains Road
Englehard, NC 27824
(252) 925-3856

Karen Meekins (New Appointment)
870 Nebraska Rd.
Englehard, NC 27824
(252) 473-0835

Thank you again for your support, time and assistance. Should you have any questions or concerns, please do not hesitate to give me a call.

Sincerely,

Debra N. Sheard, MHA
Regional LTC Ombudsman

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

Meeting Date: July 7, 2014
Presenter: County Manager Bill Rich
Attachment: Yes

ITEM TITLE: DESIGNATION OF VOTING DELEGATE
TO NCACC ANNUAL CONFERENCE

SUMMARY: The 107th NCACC Annual Conference will be held in Buncombe County, NC on August 14-17, 2014. Hyde County has been asked to elect a Designated Voting Delegate to represent the County at this conference.

RECOMMEND: Appoint voting delegate.

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

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

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



Designation of Voting Delegate to NCACC Annual Conference

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the 107th Annual Conference of the North Carolina Association of County Commissioners to be held in Buncombe County, N.C., on August 14-17, 2014.

Signed: _____

Title: _____



Article VI, Section 2 of our Constitution provides:

“On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its county commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who holds elective office or an appointed position in the county whose vote is being cast and who is formally designated by the board of county commissioners. These provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues.”

Please return this form to Sheila Sammons by: **Friday, August 1, 2014:**

NCACC
215 N. Dawson St.
Raleigh, NC 27603
Fax: (919) 719-1172
sheila.sammons@ncacc.org
(p) (919) 715-4365

Lois Stotesberry

From: Sheila Sammons <sheila.sammons@ncacc.org>
Sent: Wednesday, June 25, 2014 11:48 AM
To: undisclosed-recipients:
Subject: NCACC Voting Delegate Form 2014
Attachments: Voting delegate form 2014 06.25.14.doc

Good morning! Attached for your review is the "Designation of Voting Delegate to NCACC Annual Conference" form.

Please complete and return this form to Sheila Sammons by: **Friday, August 1, 2014:**

NCACC

215 N. Dawson St.

Raleigh, NC 27603

Fax: (919) 719-1172

sheila.sammons@ncacc.org

(p) (919) 715-4365

Join us in Buncombe County from Aug. 14-17 for our 2014 Annual Conference.



Sheila W. Sammons
Executive Assistant to the Executive Director
and General Counsel
Clerk to the Board of Directors
N.C. Association of County Commissioners
Phone (919) 715-4365 | Fax (919) 719-1172
sheila.sammons@ncacc.org
www.ncacc.org



Lois Stotesberry

From: Todd McGee <todd.mcgee@ncacc.org>
Sent: Friday, June 13, 2014 1:22 PM
To: 'lstotesberry@hydecourtync.gov'
Subject: NCACC Annual Conference Update: New hotel options, workshops information posted



Annual Conference Workshops to feature sessions on human services consolidation, contracting with P3s & leadership



The NCACC's 2014 Annual Conference will feature an exciting array of educational workshops for county commissioners and staff. Sessions include a three-hour "How-To Guide to Consolidating Human Services" on Thursday, Aug. 14. Sponsored by the NCACC's Health and Human Services Steering Committee, this session will examine counties that have taken advantage of a recent change in state law to consolidate their human services functions in an effort to improve services and reduce costs. Other sessions will examine ways counties can contract with Public-Private Partnerships (P3s) on economic development strategies, how counties can maximize the existing freight rail system in their county to bring about economic development, and a session on leadership led by Keynote Speaker Neal Petersen.

- Click [here](#) for more information on workshops.

NCACC adds hotel options for Annual Conference

The Association has added rooms in two hotels for the Annual Conference. Shuttle service to and from the Renaissance will be available from each of these locations:

Crowne Plaza Tennis and Golf Resort, 1 Resort Drive, Asheville (2.8 miles from the Renaissance)

Rates: Starting at \$169 per night

To reserve a guest room:

- call the reservations office at (888) 211-7755 and mention the group name "NC Association of County Commissioners"; or
- visit www.ashevillecp.com, select "Reserve Online," enter the desired dates of your stay, and enter the Group Code: NCC

Homewood Suites by Hilton, 88 Tunnel Road, Asheville (1.2 miles from the Renaissance)

Rates: \$139 on Aug. 14, \$169 on Aug. 15-16

- To reserve a guest room: call the reservations office at (828) 252-5400 and mention "Association of County Commissioners Conference."

Join us in Buncombe County from Aug. 14-17 for our 2014 Annual Conference.



Todd McGee
Public Relations Director
N.C. Association of County Commissioners
Phone (919) 715-7336 | Fax (919) 733-1065
www.ncacc.org



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

Meeting Date: July 7, 2014
Presenter: Kris Cahoon Noble
Attachment: Yes. Hyde County Recreation Committee Term Appointments

ITEM TITLE: Hyde County Recreation Committee Term Appointments

SUMMARY: Hyde County's Recreation Committee has 4 expired appointments shown on the attachment and one open seat due to resignation.

Kris Noble will discuss these vacancies and provide suggestions to the Board of Commissioners on individual appointments.

RECOMMEND: DISCUSSION AND APPOINTMENT OF TERMS OF THE HYDE COUNTY RECREATION COMMITTEE.

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

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

Vote: ___ Barry Swindell
___ Dick Tunnell
___ Anson Byrd
___ John Fletcher
___ Earl Pugh, Jr.

Hyde County Recreation Committee

Scheduled Meetings: 3rd Wednesday monthly
 Initial meeting conducted on: 10-31-2012
 Length of Terms: 2 years & 3 years

	Appointed	Term	Expiration	Re-appointed
Ocracoke				
Brian Carter, Vice-Chairman P.O. Box 693 Ocracoke, NC 27960 252-402-2648 (cell) bcarter@hydecountrync.gov	04/16/2012	2 yrs.	04/16/2014	
Kristen & Calvin Harris P.O. Box 1325 Ocracoke, NC 27960 366-613-4111 mobiletherapyinc@gmail.com	04/02/2012	3 yrs.	04/02/2015	
Currituck				
Charles Tooley 370 Lynnsburg Rd. Scranton, NC 27878 252-943-8140	04/02/2012	2 yrs.	04/02/2014	
Danny Thomas 4800 Loop Rd. Scranton, NC 27875 252-944-3463 debdan@gotricounty.com	04/02/2012	2 yrs.	04/02/2014	
Fairfield				
Charles Sears 256 Canal St. Fairfield, NC 27826 252-542-0228	04/02/2012	3 yrs.	04/02/2015	
Nick Russ Fairfield, NC 27826	03/10/2014 (complete term of Ben Simmons)			
Benjamin Simmons-III P.O. Box 39 Fairfield, NC 27826 252-926-0019 (home) 252-926-1406 m(work) 252-944-3070 (cell) 252-926-1407 (fax) twbscsiii@aol.com	04/02/2012	2 yrs.	04/02/2014	(commissioner)
Lake Landing				
Anthony Roper 348 Gull Rock Road Engelhard, NC 27824 252-542-9203 (home) 919-707-2819 (work) awr1211@live.com aroper@ncdot.gov	04/02/2012	2 yrs.	04/02/2014	
Ron Gabriel, Chairman 32444 Hwy. 264 Engelhard, NC 27824 252-473-0422 (home) 252-305-9385 (cell) rong@kelloggssupplyco.com	04/02/2012	3 yrs.	04/02/2015	(resigned)
Swan Quarter				
Darrell Pugh 1128 Main St. Swan Quarter, NC 27885 darrellpugh1@gmail.com 252-945-6638	04/02/2012	3 yrs.	04/02/2015	
Chad Spencer 4000 Quarter Rd. Swan Quarter, NC 27885 252-944-8001 chadspencer@landdb.com	04/02/2012	3 yrs.	04/02/2015	

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Other Potential Liaisons

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

Meeting Date: July 7, 2014
Presenter: Meredith Nicholson, Chair, ABC Board
Attachment: No

ITEM TITLE: HYDE COUNTY ABC BOARD REPORTS

SUMMARY: ABC Board Chair Meredith Nicholson will present update on the Hyde County ABC Board.

RECOMMEND: Receive report.

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

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

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

