Meeting Minutes

Board of County Commissioners
Hyde County

September 19, 2011

Chairwoman Sharon Spencer called the Regular meeting of the Hyde County Board of Commissioners to order at 7:00 PM on Monday, September 19, 2011 in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Information Highway Room using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Dick Tunnell, Sharon Spencer and Barry Swindell; Attorney Charles C. Edwards, Jr. represented County Attorney Fred Holscher; County Manager Mazie Swindell-Smith; Deputy Clerk to the Board Lois Stotesberry; and members of the public. The following members were present on Ocracoke: Commissioner Darlene Styron; Deputy Clerk to the Board Jamie Tunnell-Carter and, members of the public.

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

Consideration of Minutes:

Chairwoman Spencer asked for approval of meeting minutes.

Commissioner Byrd moved to approve the September 6, 2011 Commissioners Regular Meeting Minutes as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

Agenda:

Chairwoman Spencer asked for any changes to the September 19, 2011 meeting Agenda as presented by the Clerk.

Commissioner Tunnell moved to approve the agenda as presented by the Clerk with addition of *Item 5(a) – Proclamations – Amendment to Debris Removal Contract-Removal of Dangerous and Hazardous Stumps.* Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

Public Comments:

Chairwoman Spencer called for comments from the public.

Fred Westervelt, Ocracoke – expressed concerns about communication during a disaster; and, recommended use of advanced technology to keep government in touch with citizens.

Ken Collier, New Lake – Thanked the Board for its dedication to the citizens; and, expressed concerns about areas not covered on the aerial mosquito spray block map.

There being no further comments from the public, Chairwoman Spencer continued the meeting.

Resolution:

Resolution to Appoint FEMA Applicant Agents

FMEA and the State of North Carolina require the governing body of any organization applying for federal and/or state assistance to appoint both primary and a secondary applicant agent to act on behalf of the County in all dealings with the federal and state government 8in matters pertaining to disaster assistance.

Commissioner Swindell moved to appoint Finance Officer Corrinne Gibbs primary applicant agent and Emergency Services Director Justin Gibbs secondary applicant agent to act on behalf

of Hyde County in dealing with federal and state government in matters pertaining to disaster assistance. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

CLERK'S NOTE: A copy of "Resolution to Designate Applicant's Agents for Federal and State Assistance" is attached herewith as Exhibit A and incorporated herein by reference.

Proclamations:

Proclamation for Hunger Awareness Month

Liz Reasoner, Executive Director of the Albemarle Food Bank, Elizabeth City, NC, presented Proclamation – Hunger Action Month "30 Ways In 30 Days" September 2011. Ms. Reasoner reported that the Food Bank has made its largest distribution since Hurricane Isabel eight years ago, sending nearly 140,000 pounds of food to local communities affected by Hurricane Irene with Hyde County and Ocracoke receiving more than 11,000 pounds.

Tyson Foods, Inc. is sponsoring a program to help foods banks serving 10 of the most food insecure areas across the country. The 15-county region served by the Food Bank of the Albemarle is one of those areas, and the impact of this possible donation by Tyson cannot be overstated. A special Facebook page http://www.facebook.com/#!/TysonHungerRelief where citizens can cast votes for one of the food banks has been created by Tyson. Citizens are encouraged to vote before Sunday, October 2. The top three "vote getters" will each be awarded 30,000 pounds of high protein Tyson products.

Commissioner Byrd moved to approve Proclamation – Hunger Action Month "30 Ways In 30 Days" September 2011. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

CLERK'S NOTE: A copy of "Proclamation – Hunger Action Month "30 Ways In 30 Days" September 2011" is attached herewith as Exhibit B and incorporated herein by reference.

Amendment to Debris Removal Contract

J. B. Coxwell, Owner and Chip Patterson, Director of Disaster Recovery Services Division, J. B. Coxwell Contracting, Inc. presented a quote for the removal of large stumps over 24 inches in diameter. Mr. Coxwell reported that Hurricane Irene caused numerous trees throughout the County to uproot and fall. Following the removal of the brush, limbs and trunks from the fallen trees; dangerous and/or hazardous stumps were left in the right of way. Stumps were either from tress fallen in the right of way or from residents who placed the tree debris in the right of way. Stumps that are left are large stumps requiring special equipment to pick up and remove. This proposal is for removal of large stumps consistent with FEMA Disaster Assistance Policy (DAP) 9523.11. Coxwell Contracting, Inc. will remove large stumps (over 24" in diameter) at a rate of $390.00 per eligible stump, which is reimbursable to the County from FEMA at a rate of 75 percent and from the State at a rate of 25 percent.

Commissioner Byrd moved to approve amendment to Debris Removal Contract as presented by J. B. Coxwell Contracting, Inc. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

OTHER MATTERS

Update on Hurricane Irene Response and Damages

Statistics: Interim Emergency Services (ES) Director Justin Gibbs presented an update on response and reported on damages after Hurricane Irene. Mr. Gibbs reported that 35 North Carolina counties have been approved for federal disaster assistance for individuals and business owners; 81 shelters opened in 28 counties housing more than 7,900 people are all now closed;

total estimated cost of response/recovery operations equal $120 million; 7 people were killed by tornadoes (2 in Pitt and 1 each in Nash, New Hanover, Onslow, Sampson and Wayne County); more than 660,000 power outages were reported; and, more than 270 roads and 21 bridges were closed due to flooding, debris and damage.

Financial Aide: Mr. Gibbs reported that financial aid for rental assistance for short-term and long-term temporary housing for residents displaced by the disaster was provided by FEMA for survivors displaced by the storm or in need of a place to live while repairs are made on their homes. Inspectors from FEMA are currently contacting disaster applicants whose primary residence or property sustained damage from Hurricane Irene. These inspectors are private contractors who wear official FEMA identification. There is no charge for the inspection and inspectors do not make a determination on a survivor's application for help.

Travel Trailers: County Planner/Developer Alice Keeney reported that a list of applicants has been started for elevation of homes; and, 18 houses were totally destroyed. Ms. Keeney recommends that travel trailers be put on the home owner's property and that they not be re-located in hotels outsider of the County.

Mr. Gibbs located 21 campground sites where trailers can be placed. At this time FEMA needs to waive its decision to not put trailers in the County due to flood plain regulations.

Commissioner Spencer spoke with FEMA representatives at the Governors Forum on Friday, September 16 and encourages other Board members and citizens to call their representatives.

Unemployment: Citizens who became unemployed as a direct result of Hurricane Irene may be eligible for unemployment insurance benefits under the Disaster Unemployment Assistance program. Business owners affected by the storm may also qualify for benefits. Individuals may contact the NC Employment Security Commission by calling 866-795-8877 to apply for DUA benefits. The deadline for filing an initial claim for DUA is October 6, 2011.

Counseling: Crisis counseling services have been approved and are expected to begin in October in seven counties. Currently, storm survivors in Hyde County can seek counseling services at their local management facilities (also known as county mental health agencies).

Farm Aid: Local farmers are encouraged to apply for federal Supplemental Revenuer Assistance Payments (SURE) before September 30, 2011 to ensure they get federal aid if the hurricane affected their harvest this fall or next fall. A local producer can apply for SURE payments for their 2011 or 2012 harvests if their crops – located in a disaster-declared county or one contiguous to it – suffered a loss of at least 10 percent because of a natural disaster that took place "on or before September 30,l 2011.

Food Assistance: County Manager Mazie Smith reported that 650 citizens received food assistance (food stamps) made available through the Disaster Food and Nutrition Services program, through the US Department of Agriculture. Hyde County DSS staff interviewed citizens who currently do not receive Food and Nutrition Services benefits and issued cards to those who qualified for temporary assistance for a one-month period.

Debris Removal Update

J. B. Coxwell, complimented the Board for beginning the Commissioners meeting with prayer and pledge of allegiance. Mr. Coxwell reported that FEMA allows a county 30 days to construct a camper trailer park for housing dislocated citizens due to a disaster. J. B. Coxwell Contracting, Inc. constructed 18 FEMA approved parks in Florida a few years ago. Mr. Coxwell also stated that property disrupted/damaged due to debris cleanup would be repaired by his crews.

Chip Patterson reported that J. B. Coxwell Contracting, Inc. was in Hyde County when the eye of Hurricane Irene passed. Mr. Patterson reported that cut and toss operations with the assistance of NC Forestry, NCDOT, and local Volunteer Fire Departments began immediately. Main roads were open to traffic within two days except where flooded; wood chipping on Ocracoke began on August 29 and ended on September 9; spray field clearance began on August 30 and is still in progress; debris removal began on September 12 and is necessary to reduce Southern Pine Beatle

infestation; pick up on Ocracoke was completed on September 12 and should be hauled off the Island by September 16; the first pass for cleanup of woody vegetation on main roads began on September 9 and secondary road on September 15; cleanup of construction and demolition (C&D) began on September 16; and, a second pass debris cleanup began on September 16. Mr. Patterson reminded citizens that Coxwell Contracting is not permitted to remove paint, gas, ect.

Commissioner Swindell asked where citizens should take debris and C&D after Coxwell Contracting leaves.

Utilities Director Clint Berry stated that cleanup and repairs will continue after Mr. Coxwell leaves the area and that the debris can be carried to County convenience sites.

Update on Hurricane Irene Volunteer Work

Tommy Gilbert, Regional Director, United Methodist Men's Disaster Response Team, reported on the activities of volunteers working in the County. Mr. Gilbert reported that as of September 15, 2011, 402 requests have been reported to the United Methodist Disaster Response Office, which reflects 209 residents who need assistance. The team is trying to do anything necessary for immediate response and its initial goal was debris removal, tarp distribution for leaking roofs and tearing out damaged walls in homes. He also reported that tree removal specialists will be coming to the County next week to assist citizens, and that he has requested $5,000 for appliance replacement. Mr. Gilbert thanked the County and its citizens for its reception of him and the team. Citizens can call 252-542-9453 for assistance.

Mr. Gilbert and the Disaster Response Team arrived on September 2, 2011. The team is housed at the old O. A. Paey School Building where they are sleeping on the gym floor. Believers from all faiths volunteer to work on the response team. Traditionally teams stay for one week. Currently 12 volunteers are working with 20 more volunteers expected on Sunday, September 25. Mr. Gilbert predicts a recovery period of 18 to 24 months.

County Manager Mazie Smith reported that showers at the old O.A. Paey School Building need repairs and that the County needs to install commercial kitchen equipment. The Hyde County Board of Education is in agreement with installation of the kitchen equipment for use by the Disaster Response Team and later to be used by the community. Emergency Services Director Justin Gibbs reported that work on the plumbing issues would begin the next morning and that quotes for industrial kitchen equipment were $6,000 for used and $11,000 for new.

After discussion with the Board of Commissioners, Manager Smith instructed Mr. Gibbs to move forward with the plumbing repairs and installation of kitchen equipment. Ms. Smith will bring budget transfers to cover these expenses before the Board at its October 3 regularly scheduled meeting.

Aerial Mosquito Spraying

Health Director Wesley Smith and Environmental Health Coordinator Hugh Watson presented costs computations for aerial vector control spraying of Hyde County approved spray grids. The grids cover 13,812 acre.

Bids Received		
Vendors	Cost Per Acre	Total Cost
VDSI	$1.99	$27.49
Dynamic Aviation	$1.98	$27,348
Donald's Flying Service	$1.85	$25,552

Environmental Health Coordinator Hugh Watson reported that his staff has been spraying every other night for the past two months. The spray stays suspended for approximately six hours and is always sprayed at night. Mr. Watson must comply with Material Safety Data Sheets (MSDS) regulations on how much chemical can be sprayed on an area of land over a year. Spraying for mosquitoes usually ends mid-October.

Health Director Wesley Smith advised the Board to consider the cost factor involved for aerial spraying. Mr. Smith stated that the State agency that oversees vector control was eliminated from the past State budget. Hyde County legislators received approval that the County would keep its spraying equipment.

Mr. Smith advised the Board that they had three options to consider: 1) go ahead with the current spray grid area and go back and try to seek additional approval, 2) hold off for rain forecasts, and/or 3) not to spray at all.

Commissioner Byrd moved to approve aerial vector control and to permit a second spray if deemed necessary by Hyde County Health Director Wesley Smith. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell
Nays – Swindell

Waiver of Fees for Storm-Related Repairs
Verification of Contractor Credentials

Hyde County Inspector Jerry Hardison requested Board approval to waive the fees for building permits associated with storm-related damage. Repairs costing less than $5,000 do not necessitate the need for a permit, but for structural repairs that exceed $5,000 in cost a permit is required. Citizens should still obtain building permits and call for inspections even though the permit fee is waived.

With the support of the Sheriff, the Director of Emergency Services and the County Manager, the Inspections Department is asking contractors who wish to work in Hyde County to give a copy of their licenses to the Inspections Office. If citizens considering contractors want to check credentials, they can do so by contacting the Inspections Department.

Commissioner Byrd moved to waive the fees for building permits associated with storm-related damage. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

Request for Approval of Policy for Finance Officer to Endorser Checks Payable to Homeowners and the County of Hyde

Planner/Developer Alice Keeney reported that in Hyde County, we have had many housing programs that have provided assistance to obtain new homes. While some of these programs have been only for low to moderate income residents, some of the elevation programs were for persons whose homes had been flooded or were in danger of being flooded. Some of these programs are:

- Hurricane Bonnie Elevation – Elevation of 29 Flood Prone Houses (Hazard Mitigation)
- Hurricane Floyd Crisis Housing Assistance (CHAF) Program –Replaced 81 flood damaged homes
- Hurricane Isabel Elevation – Elevation of 25 flood-prone homes(Hazard Mitigation)
- CDBG Scattered Sites Programs – Repaired and Replaced homes for income eligible home owners
- NCHFA Program – Repaired and Replaced homes for income eligible home owners
- Hurricane Isabel CDBG-SA Program – Replaced 4 flood-prone structures of income eligible applicants

When a Housing Program is implemented by the county, most often, the County of Hyde will take a deed of trust on the residence for a certain period of time. It is important to note that the lien will remain in effect on the home for a certain period of time, as outlined in the Promissory Note and Deed of Trust that is executed by the homeowner(s).

Because Hyde County has a lien on these properties, it is important to note that Hyde County is noted as a lien holder on the insurance policies of these homes, unless the time of the lien has expired and the County of Hyde has released the homeowner(s) from their indebtedness. Thus, if the house is damaged by fire, wind, flood, etc., the insurance company will make the homeowner's check payable to the County of Hyde and the Homeowner.

In the past, the County of Hyde's Finance Officer or the County Manager was presented with a check made payable to the homeowner and the County of Hyde. (It currently appears that the Hyde County Finance Officer is the only one who can endorse these checks). The Hyde County Finance Officer would have to tell the homeowners to go and get the damage repaired, arrange

for the Hyde County Building Inspector to inspect that the work had been satisfactorily completed. Once the Hyde County Building Inspector had informed the Hyde County Finance Officer that the work had been satisfactorily completed, the Hyde County Finance Officer would endorse the check and give it back to the homeowner.

This policy and procedure has been developed to streamline the process and have a clear approval process and trail so that the finance officer does not bear the full responsibility of making an error.

Many of the homes that Hyde County holds a lien on have been damaged by Hurricane Irene. In some cases, it is cumbersome to make the homeowner wait until the work is completed before the check can be endorsed by the County of Hyde. It would seem feasible that the County of Hyde allow the Hyde County Finance Officer to endorse checks that are equal to or less than $5,000 if the following procedure is implemented:

- The Homeowner presents County Staff with the check and a copy of their Statement of Loss and Claim Recapitulation.
- County Staff verifies with the Insurance Company that the check has been issued, confirms the amount, and reviews the damage with the insurance company representative.
- County Staff verifies with the Hyde County Tax Office that the homeowner is not delinquent on their taxes.
- The Homeowner signs a Pledge of Homeowner(s) to Complete Repairs to Damaged Property Secured By Deed of Trust stating that they will have the repairs on the home completed within 30 days.
  A Checklist for Endorsement of Checks Less Than or Equal To $5,000 is completed by County Staff.
- The County Finance Officer then endorses the check and gives it to the homeowner.

Any checks presented over $5,000 will have an alternate procedure:

- The Homeowner presents County Staff with the check and a copy of their Statement of Loss and Claim Recapitulation.
- County Staff will tell the homeowner that they must have the work completed in advance and returns the original check to the homeowner to be endorsed after the work has been completed and inspected.
- Hyde County Staff will verify with the insurance company the amount of the check and review the damage with the insurance company representative.
- The Hyde County Building Inspector must make a site visit and determine that the work has satisfactorily been completed.
- Hyde County Staff will verity that the homeowner is not delinquent on their taxes.
- A Checklist for Endorsement of Checks Above $5,000 is completed by County Staff.
- After acknowledging that all of the above conditions have been met, the Hyde County Finance Officer will endorse the check and return it to the homeowner.

Commissioner Byrd moved to approve "Policy for Finance Officer to Endorse Checks Payable to Homeowners and The County of Hyde." Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

Dedication of New Ferry "Swan Quarter"

County Manager Mazie Smith reported that the new sound-class ferry "Swan Quarter" will be put into operation within three weeks. The Department of Transportation has directed the County to contact Division Engineer Jerry Jennings if the County would like to work with them on a dedication ceremony for the ferry in Hyde County.

Manager Smith will work with Mr. Jennings to develop a dedication ceremony in Swan Quarter and give report at the next regularly scheduled Board meeting on October 3.

CLERK'S NOTE: A copy of "Resolution for Swan Quarter Ferry" is attached herewith as Exhibit C and incorporated herein by reference.

Budgetary Matters:

Budget Transfers

Health – #09-12 Family Planning (State): $724.00; additional funding received from the Department of Public Health, Women's and Children's Health Section, Women's Health Branch, to assist Local health Department and Departments of Social Services devise and implement strategies to serve the community's needs relative to the prevention of out-of-wedlock births among TANF-eligible clients and among those at risk of becoming eligible as the result of unintended pregnancies.

Health – KBR Community Change: $7,420.00; transferring from the Public Health Educator II Salary and Fringe lines into the Contract Walking Trail line to have sufficient funds to complete the paving of two (2) walking trails. The bids received for completing the walking trails were significantly higher than anticipated when the budget was established. Since the PH Educator II was not hired until 04-01-11, there will still be sufficient funds to cover her salary/fringe for the remainder of Year One of the grant period. This transfer will not increase the budget the KBR Community Change Project.

Commissioner Tunnell moved to approve budget transfer #09-12 in the amount of $724.00 and #08-12 in the amount of $7,420.00. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

Administrative Budget Transfers

County Manager Smith approved one Utilities Department budget revision administratively as per the FY2011-12 Hyde County Budget Ordinance.

Solid Waste – #10-12 Ocracoke Service Dare County: $8,000.00; from Ocracoke Service Dare County line into Equipment Maintenance line for repairs to the backhoe at Ocracoke Convenience Site. This transfer does not increase the budget for Solid Waste.

No action required.

County Commissioners Reports:

Commissioner Styron expressed concerns about lack of communication about ferry issues between Hyde County and Dare County. Ms. Styron announced that ferry fees for Island residents have been waived and reported that business on the Island is still slow.

Commissioner Swindell stated that the Scranton, Sladesville and Ponzer areas are progressing since the hurricane. Mr. Swindell reported that there had been a motor vehicle collision (MVC) in the Ponzer community with two fatalities on Thursday, September 15.

Commissioner Byrd gave no report.

Commissioner Tunnell reported that he will represent agriculture on the Tar Pamlico River Basin Committee.

Commissioner Spencer reported that she attended the Northeast Workforce Development Committee; the Albemarle Commission meeting; and the Governor's Forum on Small Towns where she spoke with Senator Stan White about the Ocracoke Fire Department project. Ms. Spencer reminded everyone that Relay for Life is scheduled for Friday, September 23, 2011.

County Manager's Report:

County Manager Mazie Smith thanked the Board for work done behind the scenes during Hurricane Irene; reported that the NC DOT Ferry Division had operated as well as they could considering recent budget cuts; the Swan Quarter Community Yard Sale will be held on October 1 (rain date is October 8); reported that NC DENR environmental officials seek public feedback

Commissioner Spencer reported that she attended the Northeast Workforce Development Committee; the Albemarle Commission meeting; and the Governor's Forum on Small Towns where she spoke with Senator Stan White about the Ocracoke Fire Department project. Ms. Spencer reminded everyone that Relay for Life is scheduled for Friday, September 23, 2011.

County Manager's Report:

County Manager Mazie Smith thanked the Board for work done behind the scenes during Hurricane Irene; reported that the NC DOT Ferry Division had operated as well as they could considering recent budget cuts; the Swan Quarter Community Yard Sale will be held on October 1 (rain date is October 8); reported that NC DENR environmental officials seek public feedback on customer service (see handout); announced that Beaufort/Hyde Arts Council will hold an arts and crafts show in the Government Center Courtyard on October 29 and food will be served at Swan Quarter Volunteer Fire Department; and, announced that she would be out of the office September 21-22-23, 2011.

Manager Smith reported that she hired three temporary staff members to assist with processing FEMA disaster relief forms: Megan Shaw – PIO; Kristy Clayton, HR; and, Alisa Berry, Finance.

Supplemental Information:

- Minutes of Albemarle Commission Meeting
- Invitation to NC20 Annual Meeting on October 7, in New Bern
- RTCC and TRAC Meeting Information
- Flu Shot Schedule
- Catching and Keeping Workshop on October 4 in Ocracoke
- Food Bank of the Albemarle Press Release
- NC DENR State Environmental Officials Seek Public Feedback on Customer Service

Closed Session: (none)

Commissioner Tunnell moved to adjourn the meeting. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
Nays – None

The meeting adjourned at 9:15 P.M.

Respectfully submitted:

Minutes approved on the 3rd day of October, 2011.

Lois Stotesberry

Lois Stotesberry, Deputy Clerk
Hyde County Board of Commissioners

Sharon Spencer

Sharon Spencer, Chair
Hyde County Board of Commissioners

Attachments:

Exhibit A – *"Resolution to Designate Applicant's Agents for Federal and State Assistance"*
Exhibit B – *"Proclamation – Hunger Action Month "30 Ways In 30 Days" September 2011"*
Exhibit C – *"Resolution for Swan Quarter Ferry"*

BOARD OF COMMISSIONERS
OF THE COUNTY OF HYDE,
NORTH CAROLINA

RESOLUTION

TO

DESIGNATE APPLICANT'S AGENTS FOR
FEDERAL AND STATE ASSISTANCE

WHEREAS, the County of Hyde has sustained extension damage as a result of Hurricane Irene; and

WHEREAS, The President of the United Stated has declared 36 counties, including Hyde County, North Carolina as eligible for federal disaster assistance for local governments; and

WHEREAS, Hyde County found it necessary to declare a State of Emergency and activate the Hyde County Emergency Operations Plan, to implement protective measures, respond to emergencies, and facilitate recovery operations related to Hurricane Irene; and

WHEREAS, Hyde County government will apply for public assistance from state and federal agencies to recoup some of the costs associated with these actions; and

WHEREAS, it is required that a primary and secondary agent is appointed to assure and certify that Hyde County will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this federally assisted project; and

WHEREAS, the State of North Carolina also agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director;

NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners does hereby name Corrine Gibbs and Justin Gibbs as Primary and Secondary Applicant Agents, and are hereby authorized to execute and file applications for federal and/or state assistance on behalf of Hyde County for the purpose of obtaining certain state and

Federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act or as otherwise available.

BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements.

BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.

Adopted this the 19th day of September, 2011 in Hyde County, North Carolina.

Sharon P. Spencer

Sharon P. Spencer, Chair
Hyde County Board of Commissioners

Attested by:

Mazie Smith

Mazie S. Smith, Clerk to the Board
Hyde County Board of Commissioners

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization): County of Hyde

Disaster Number: FEMA-4019-DR-NC

Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): Not assigned

Applicant's Fiscal Year (FY) Start — Month: 07 Day: 01

Applicant's Federal Employer's Identification Number: 56-6000308

Applicant's Federal Information Processing Standards (FIPS) Number: 095-99095-00

PRIMARY AGENT	SECONDARY AGENT
Agent's Name: Corrinne Gibbs	Agent's Name: Justin Gibbs
Organization: County of Hyde	Organization: County of Hyde
Official Position: Finance Officer	Official Position: Emergency Services Director
Mailing Address: PO Box 188	Mailing Address: PO Box 95
City, State, Zip: Swan Quarter NC 27885	City, State, Zip: Swan Quarter NC 27885
Daytime Telephone: 252-926-4192	Daytime Telephone: 252-926-4191
Facsimile Number: 252-926-3701	Facsimile Number: 252-926-3709
Pager or Cellular Number: 252-943-8826	Pager or Cellular Number: 252-542-0806

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and **the assurances printed on the reverse side hereof.** BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 19th day of September, 20 11

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title: Sharon Spencer, Chairman	Name: Lois Stotesberry
Name and Title: Anson Byrd, Vice Chairman	Official Position: Deputy Clerk, County Manager Admin Asst
Name and Title: Barry Swindell, Board Member	Daytime Telephone: 252-926-4178

CERTIFICATION

I, Lois Stotesberry, (Name) duly appointed and Deputy Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of Hyde County (Organization) on the 19th day of September, 20 11.

Date: 09-19-2011

Signature: Lois Stotesberry

Rev. 06/02

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.

3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.

4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.

5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.

6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.

7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.

10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.

11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.

14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.

15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.

18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.

19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.

20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.

21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.

23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.

24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

BOARD OF COMMISSIONERS
OF THE COUNTY OF HYDE,
NORTH CAROLINA

PROCLAMATION

HUNGER ACTION MONTH
"30 WAYS IN 30 DAYS"
SEPTEMBER 2011

WHEREAS, Feeding America is the nation's leading domestic hunger-relief organization with a mission to feed and advocate for America's hungry through a nationwide network of member food banks; and

WHEREAS, the Food Bank of the Albemarle is a member of Feeding America and fights hunger and poverty in 15 northeast North Carolina counties by partnering with more than 130 local agencies to distribute food to the hungry; and

WHEREAS, both the Food Bank of the Albemarle and Feeding America seek to engage our citizens locally, statewide, and nationally in the fight to end hunger; and

WHEREAS, the number of people in the Albemarle area who need assistance is increasing as reflected in more households in poverty and more individuals being unemployed; and

WHEREAS, the fight against hunger is a fight that concerns each of us; and

WHEREAS, the contribution of our time, talent and treasure moves us ever closer to an answer to issues of hunger and poverty in our communities; and

WHEREAS, the citizens of Hyde County can visit the Food Bank of the Albemarle's website (www.afoodbank.org) for ideas of ways to make a difference for local emergency feeding programs, for the Food Bank, and especially for our hungry and needy during these thirty days of opportunities;

NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners of do hereby proclaim September 2011 as Hunger Action Month - with the theme of "30 Ways in 30 Days" in Hyde County.

Adopted this the ~~15~~ 19th day of ~~August~~ September, 2011 in Hyde County, North Carolina.

Sharon P. Spencer

Sharon P. Spencer, Chair
Hyde County Board of Commissioners

Attested by:

Mazie S. Smith

Mazie S. Smith, Clerk to the Board
Hyde County Board of Commissioners

RESOLUTION FOR *SWAN QUARTER* FERRY

WHEREAS, the North Carolina Department of Transportation's Ferry Division plays a vital role by providing safe and efficient transportation service to residents and tourists in Eastern North Carolina.

WHEREAS, the state's ferries cross five bodies of water, including the Currituck and Pamlico sounds and the Cape Fear, Neuse and Pamlico rivers, serving 2.1 million people each year; and

WHEREAS, in 1977 the Swan Quarter-Ocracoke crossing was established over the Pamlico Sound to link Ocracoke residents with the county seat on the mainland, and the Motor Vessel *Governor Edward Hyde* was built to initiate that crossing; and

WHEREAS, the state of North Carolina has a tradition of naming ferries after ports of call along the ferry system route; and

WHEREAS, a new vessel is being constructed for the North Carolina Department of Transportation's Ferry Division to serve the same Pamlico Sound route as the *MV Governor Edward Hyde.*

NOW, THEREFORE, BE IT RESOLVED:

That the North Carolina Board of Transportation, at the request of the Hyde County Board of Commissioners, name the new ferry ***Swan Quarter.***

Adopted, this the eighth day of September 2011 by the North Carolina Board of Transportation.

Robert A. Collier, Jr.
Chairman

Eugene A. Conti, Jr.
Secretary of Transportation